

# HUMAN RIGHTS DIPLOMACY AND AI GOVERNANCE: NEGOTIATING MIGRATION CONTROL AND REFUGEE PROTECTION

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## ABSTRACT

Artificial Intelligence (AI) has undergone rapid transformation and is affecting governance in several areas, including the management of migration and the protection of refugees. The study examined the contribution of human rights diplomacy to the framing of AI and cyber governance in the context of migrants and refugees within current international relations. The study focused on the processes of negotiation, conflict, and the institutionalization of human rights norms within migration and asylum governance mechanisms that seek to regulate AI technologies. The research design was qualitative-based, and secondary data were obtained from international policy documents, governance structures, institutional reports, and literature. Thematic and discourse analyses were used to examine the relationships among AI governance, migration control, refugee protection, and human rights diplomacy. The findings revealed that AI technologies were increasingly used in border management, biometric identification, digital surveillance, and asylum processing systems. These technologies enhanced administrative efficiency and security, but also raised concerns about privacy, transparency, accountability, discrimination, and access to remedies. Moreover, the analysis shows that human rights diplomacy helped integrate rights-based elements into AI governance frameworks, though there was significant conflict between human rights and security-centric migration policies. Norm contestation and migration securitization were found in most governance arrangements and were attributed to international actors having competing priorities. The study's findings suggest that, although there has been some progress in recognizing digital rights issues through existing governance mechanisms, these mechanisms still need to be implemented and enforced. The study suggested enhanced accountability, human checks and balances, and rights-based governance to ensure AI technologies do not endanger the protection of migrants and refugees in the new digital governance paradigm.

## INTRODUCTION

AI is rapidly changing the nature of governance, border management, and the provision of public services by states, international organizations, and humanitarian actors to populations. AI-based technologies are increasingly used in migration management, refugee registration, border surveillance, biometric identification, and asylum determination (Mahmood, Rasool, & Samee, 2025). They provide greater administrative and technical functionality, more efficiency, and accuracy in resolving complex migration issues. But as they have become more prevalent, numerous concerns have arisen about privacy, discrimination, accountability, transparency, and human rights. Therefore, AI governance has emerged as a significant issue in the global landscape of relations, intertwining with concepts of power, security, and sovereignty as well as principles of human dignity (Molnar, 2021).

Historical experience shows that migration and refugee protection have been influenced by conflicting security interests of the state and international human rights obligations (Cheema, Munir, & Khan, 2020). The relationship between state security interests and international human rights obligations has always been a source of conflict in determining migration and refugee protection (Kasuri, Abbas, & Mahmood, 2024). Mobility is controlled, borders are closed, and migration flows are controlled by the states, and vulnerable groups, such as refugees, asylum seekers, and migrants, are protected by international human rights systems. This tension has been exacerbated by the implementation of AI in migration governance. This tension has been exacerbated by the introduction of AI in migration governance. This tension has now been heightened by the use of AI in migration governance (Beduschi, 2021). Algorithms are increasingly used by governments to evaluate risks, monitor populations, verify identities, and provide decision-makers with information on issues such as immigration and asylum claims. While these technologies are often said to be neutral and objective, they are created with datasets, coding practices, and institutional premises that can manifest and perpetuate inequalities and biases.

AI systems can directly influence decisions that profoundly affect a person's life, but in many cases, they may not have the legal, political, or economic means to challenge those decisions (Hussain, 2024).

Cyber governance has expanded alongside digital technologies. Cyber governance is a system of rules, institutions, norms, and regulatory frameworks that supports the governance of digital technologies, cyberspace, data infrastructure, and online security (Khan, Ahmad, & Munir, 2025). Cyber governance involves the collection, storage, sharing, and analysis of personal data via migration governance, with the aim of facilitating AI systems (Mahmood, Ali, & Baig, 2026). These shifts in digital governance have ushered in a new paradigm of governance in which governments, international organizations, tech companies, and civil society co-create policies that affect migrants and refugees. This decentralization of power raises questions about accountability, monitoring, and human rights protections in digitally enabled governance (DEG) (Bircan & Korkmaz, 2021).

In the meantime, a new paradigm of human rights diplomacy has begun to emerge as a lens for analyzing the negotiation, representation, and institutionalization of human rights norms by various international actors in new policy contexts. Human rights diplomacy involves the efforts of states, international bodies, advocacy networks, and civil society groups to advance human rights values through cooperation, diplomacy, and policymaking in the international arena (Munir, Ansari, & Mahmood, 2024). Human Rights diplomacy is increasingly playing a significant role in discussions of digital rights, responsible innovation, algorithmic accountability, and ethical AI as AI governance gains momentum on the global political agenda. Human rights diplomacy is increasingly a feature of debates on responsible innovation, algorithmic accountability, digital rights, and ethical AI as AI governance enters the world's political agenda. International work, such as the United Nations' digital governance initiatives, and regional work focus on making technological development align with current human rights norms (Ahmad, 2020).

AI governance, migration control, and digital rights are becoming topical issues, but are addressed in isolation in existing scholarship. While discussions about AI governance tend to be technical, those about migration tend to be about protecting refugees and controlling borders. Similarly, human rights diplomacy tends to center on classical human rights issues rather than technological governance matters (Mahmood, Baig, and Ali, 2026). This division has created a lack of awareness of AI's role in shaping the negotiation and contestation of human rights norms in migration governance. This separation has left a gap in awareness of how AI is negotiating and contesting norms in migration governance. The relationship among AI, cyber-governance, migration control, and refugee protection is complex and one of the most urgent topics in international relations (IR) today (Ahmad, 2020). Digital systems are now enabling and/or affecting human rights decisions, including access to asylum, freedom of movement, humanitarian assistance, and legal protection. These developments need to be studied in greater depth with regard to the inclusion of human rights principles in governance structures governing technological systems that impact vulnerable groups (Mahmood, Baig, et al., 2026). This relationship needs to be understood to evaluate the potential of AI to foster more equitable forms of governance and/or to strengthen inequitable ones in new ways via digital power. This study, therefore, explores how human rights diplomacy is influencing the governance of AI and cyber, and its implications for migration governance and refugee protection in today's international politics (Arifin et al., 2024).

### **Significance of the Study**

The study is important because it explores an emerging field of International Relations that brings together technological governance, human rights protection, and migration politics. AI is increasingly used in border management, asylum processes, and refugee governance, making it an academically and politically relevant topic given its implications for vulnerable populations. The study makes a significant contribution to the ongoing

debate on how to govern AI by examining it through a human rights diplomacy lens rather than solely through a technological or security lens. The research also advances the study of migration and refugees by revealing the ongoing transformation of the role of digital technologies within traditional modes of governance and its impact on the relationship between states and mobile populations. Moreover, it offers theoretical benefits by combining elements of human rights diplomacy, cyber governance, norm contestation, and securitization theory within a single framework. The findings will help governments, international institutions, and civil society actors create more transparent, accountable, rights-based AI governance systems. Finally, the study aims to contribute to the academic and policy discourse on the balance between technological innovation and respect for human dignity, equality, and fundamental rights in an increasingly technology-dominated world.

### **Literature Review**

Human rights diplomacy is an emerging domain of study within International Relations, which operates on the premise that states, international organizations, and civil society actors foster, defend, and institutionalize human rights norms across borders (Mehmood, 2023). The post-Cold War era saw the rise of human rights as a legitimate concern in international politics, although diplomacy has traditionally focused on security, trade, and interstate relations. According to scholars, the concept of human rights diplomacy manifests in various forms of negotiation, advocacy campaigns, international treaties, monitoring mechanisms, and norm-building processes aimed at changing state behavior (Pease, 2020). Multilateral institutions, such as the United Nations, regional bodies, and transnational advocacy networks, are means of promoting human rights norms. But there are uneven applications of these norms due to conflicting political interests, concerns about sovereignty, and differing interpretations of rights and obligations (Kasuri et al., 2024).

A new dimension of human rights diplomacy is emerging as new technologies affect privacy,

equality, freedom of expression, and access to justice, with the latest literature pointing to new challenges for HRD. AI governance is an emerging field of state and international negotiations between technological innovation and rights protection. Human rights diplomacy is no longer solely the business of traditional legal and political issues; it is also about digital technologies, cyber governance, and algorithmic decision-making. It is important to research how the processes of the spread and contestation of human rights norms are shaped in the era of new technological governance (Ghosal & Pal, 2021). AI has progressed from a technological tool to a serious governance challenge with far-reaching implications for international politics, economic growth, security, and human rights.

There is a growing focus in contemporary literature on the ways AI is becoming an increasingly potent influence on public administration, national security policies, economic policies, and international governance institutions (Raza, Munir, & Khan, 2025). Unlike older technologies, AI has the power to automate decision-making, process large amounts of data, and influence outcomes that directly impact people and society (Mahmood et al., 2024). Both of these features have been seen as creating new governance problems around accountability, transparency, ethics, and regulation. International, regional, and national governments and organizations have thus begun to develop frameworks to guide and regulate AI in ways that support innovation (Tallberg et al., 2023).

Previous research has confirmed right- and risk-based governance as a trend aimed at reducing the negative impacts of automated systems. However, governance initiatives remain weak, with differing national priorities, geopolitical competition, and regulatory capacities. Economic competitiveness and technological leadership are values held by some states, while others prioritize ethical protection and human rights. Other problems mentioned in the literature include concerns about the unequal distribution of technology benefits, data protection, surveillance, and algorithmic bias. The governance of AI is vital for assessing how technological systems transform

power dynamics and affect vulnerable groups in international society, not just in migration, border security, and humanitarian action (Wang & Xie, 2026).

Cyber governance involves a set of rules, institutions, norms, and practices that govern activities in cyberspace and inform the design and application of information technologies. Research on cyber governance has noted that the territorial nature of power is being undermined in the digital era, as power is no longer held solely by the state but increasingly by other actors, including international organizations, private technology companies, technical communities, and civil society organizations. Digital technologies have led to new concepts of governance that extend beyond national borders and challenge the concept of sovereignty, it is argued. Cybersecurity, digital rights, privacy protection, and data governance are currently key political issues related to the increasing reliance on data-driven systems in the hands of governments (Savaş & Karataş, 2022).

The study also highlights the rise of digital power, defined as the capacity of holders of data, technologies, and algorithms to influence social, economic, and political outcomes. The growing roles of large technology companies compound the challenges of governance, accountability, and democratic control. Ethical, legal, and human rights issues are important components of AI Cyber Governance, alongside technical aspects. Based on current scholarship, the goal of cyber governance should be to maintain both security and innovation objectives while ensuring transparency, inclusiveness, and the protection of rights. These debates are particularly relevant in the realm of migration governance, given that they are increasingly mediated by digital technologies to access mobility, protection, and public services (Johnstone & Lincoln, 2022).

The increasing use of digital technologies in the governance of migration, border control, and asylum processes has revolutionized migration governance. The literature also reveals that migration governance is not limited to physical boundaries and administrative mechanisms but also encompasses a widespread digital infrastructure for the collection, processing, and

analysis of personal information. The current way of managing migration encompasses biometric databases, facial recognition systems, predictive analytics, and automated risk assessment tools. These technologies are said to have the potential to increase efficiency, security, and management in migration systems. But as critics argue, digital government can lead to new inequalities, exclusion, and surveillance (Perkowski, 2020). It has been pointed out that migrants and asylum seekers may be the target of intensive data collection and algorithmic monitoring, which is not the case for other populations. This has led to concerns that privacy rights are being violated, that privacy is being misused, and that there are not enough procedural safeguards. At the same time, questions of accountability are becoming more complex as the private technology sector increasingly engages in the research, development, and implementation of migration management systems (Perkowski, 2020). As digital migration becomes more of a reality, it is important to understand how technology can affect decision-making processes and access to rights and protections. As digitalization of migration expands, the need to study how technology is being used in the decision-making process and how it affects access to rights and protections is emphasized. It is therefore a very important field of study for the digitalization of migration governance in International Relations and global governance studies, in the present and future (Pūraitė & Seniutienė, 2025).

International law and humanitarian governance have always been focused on refugees and their needs, particularly in this day and age, when the number of refugees and asylum-seekers in the world is increasing due to conflict, persecution, environmental crises, and political unrest. Some previous works have emphasized refugees' rights as enshrined in international legal instruments, including the right to be protected against refoulement, access to asylum procedures, and the preservation of their human dignity. But, according to experts, political agendas, security issues, and institutional capacity can limit these rights (Matania & Sommer, 2025). Digital technologies offer new opportunities for refugee

protection while also bringing various challenges. The opportunities and challenges of digital technologies for refugee protection have been identified in recent studies. On the other side of the coin, digital registration systems powered by biometric identification and AI-leveraged humanitarian programs can, for instance, improve service delivery, resource allocation, and identity verification.

However, these technologies can also lead refugees to be subject to surveillance, data exploitation, and discriminatory practices (Brasoveanu, 2023). Personal information is often not collected or used by refugees themselves, and they have very little control over it, making them highly vulnerable to digital harms. In addition, algorithmic systems can affect determinations of asylum eligibility, access to assistance, and mobility rights, without adequate transparency and accountability. There is an emerging body of literature that emphasizes a rights-based approach, which must not be at the expense of existing human rights protection. As a result, refugee protection has emerged as a major field for assessing the overall impact of AI and digital governance on international politics (Abdelaaty, 2021).

Many books have explored the connection between the use of AI, algorithmic discrimination, and surveillance. There is a substantial body of literature on the connection between algorithmic discrimination and the use of AI and surveillance. Proponents of AI-based systems have said these systems are often built on massive amounts of data and predictive models that can replicate social biases found in past data. Such effects can be discriminatory, even if automated decision-making processes are designed to be neutral and objective. Research has revealed the potential of algorithmic systems to affect marginalized groups disproportionately, and for migrants, refugees, and asylum seekers, there can be significant amounts of digital monitoring (Bigio & Vogelstein, 2021). Governments are implementing various surveillance technologies, such as facial recognition, biometrics, and predictive analytics, to identify, classify, and assess individuals in migration management processes. Some of these technologies are claimed to be

efficient and secure, but critics argue that they infringe on privacy rights, lack transparency, and undermine accountability systems.

There are many AI systems that are opaque; it's difficult to understand or challenge the decision-making that significantly affects the lives of affected people. Additionally, algorithmic inaccuracies can significantly affect asylum applications, border screening, and access to humanitarian aid. Fairness, explanations, human oversight, and legal responsibility in AI governance are thus stressed in the literature. Such issues have been at the center of current debates on ethics and human rights in relation to technologies of migration and refugee governance (Falletti, 2023).

While the volume of scholarship on AI has grown by leaps and bounds, there are still gaps in the literature on cyber governance, migration management, and human rights. Most studies examine these issues separately and do not consider their interconnections. Research on AI governance primarily focuses on regulatory aspects, technological advancements, and ethics, whereas migration research may be more centered on border management, mobility governance, and refugee protection. Similarly, human rights scholarship is more focused on legal and normative aspects, while little has been done to address the governance aspects of new digital technologies. Consequently, there has been little focus on the potential of human rights diplomacy to help to shape governance frameworks for AI that directly impact migrants and refugees.

The concepts of algorithmic discrimination, surveillance, and digital borders have been discussed in various ways, but existing literature often lacks a rigorous examination of the forms of negotiation, contention, and institutionalization of human rights norms within the governance processes of international actors. Moreover, the combined technological governance and human rights lens in the current study is missing from the research literature on the intersection between international governance initiatives in migration and regional regulatory systems. The gap is especially significant as migrants and refugees are among the most vulnerable populations and are

less equipped to contest technological choices, facing digital harms. This work aims to fill these disjointed conversations by exploring the role of human rights diplomacy in shaping AI and cyber governance of migration and refugee protection.

### **Theoretical and Conceptual Framework** **Norm Contestation Theory**

Norm Contestation Theory offers a valuable means of understanding, discussing, and formulating human rights norms in international politics. The theoretical conception is not to see norms as fixed and accepted by everyone, but rather as continuously contested by different actors who give varying significance and priorities to norms. States, intergovernmental bodies, civil society, and advocacy organizations can sometimes have conflicting views about the practice of particular norms. When it comes to the use of artificial intelligence in migration governance, there are divergent conceptions of human rights principles, such as privacy, non-discrimination, transparency, and access to asylum. Governments can focus on security and border control, whereas human rights groups can place a greater focus on protecting vulnerable groups. The opposing attitudes shape the development of AI governance structures and digital policies. The insights it offers on the governance of human rights in international and regional debates on their protection, in the context of negotiation, advocacy, undermining, and reframing, are particularly relevant to the present research (Ustiashvili, 2025).

### **Securitization Theory**

Securitization Theory provides insights into the process of making some issues a security issue and, therefore, calling for exceptional actions and policies. The theory stems from the critical security studies, which claim that security threats are manufactured rather than real. Political leaders, state institutions, and security actors can define issues as threats to 'national security', 'public order', or 'societal stability', thus creating the 'legitimacy' to engage in 'extraordinary action'. Migration has been 'securitized' numerous times in the current international political framework,

and migrants and refugees are seen as a threat to the security of the state, its economy, and social cohesion. The use of AI in migration governance has furthered this shift, enabling comprehensive monitoring, predictive analysis, and automated border management solutions (Otukoya, 2024). AI's role in migration governance has paved the way for extensive surveillance, risk and predictive analysis, and automated border management systems. These technologies can be considered efficient and safe. Securitization Theory assists in the understanding of the legitimization of AI technologies in the context of migration governance and the ability of security narratives to eclipse human rights issues, particularly privacy, dignity, equality, and access to international protection.

### **Rights-Based Cyber Governance**

Rights-based cyber governance is a normative framework for evaluating whether digital technologies and governance processes respect internationally agreed human rights principles. Such an approach should not come at the cost of fundamental human rights, including privacy, equality, freedom of expression, due process, and human dignity. Rights-based governance is about holding governments and decision-makers to account, ensuring transparency, participation, and legal oversight over the development and use of digital technologies. For AI, this entails developing human-centered governance systems to ensure fairness, explainability, and democracy in algorithmic systems (Nguyen, 2026). It is particularly relevant to migration and refugee management, where vulnerable groups are subject to far more data collection, biometric surveillance, and automated decision-making. The study will examine whether existing AI governance institutions are strong enough to protect migrants and refugees from digital harms with the support of rights-based cyber governance. It also provides recommendations on the effectiveness of

international and regional efforts to incorporate important human rights issues into the development of technological governance.

### **Integrated Conceptual Framework**

The conceptual framework used in this study is multi-layered and includes elements from the Norm Contestation Theory, Securitization Theory, and Rights-Based Cyber Governance. The framework was conceived around the basic principle that AI technologies are not neutral tools but tools that can help to influence political decisions, the distribution of resources, and access to rights. Human rights diplomacy is defined as negotiations and advocacy of human rights norms by states, international institutions, and civil society in digital governance contexts. Through Norm Contestation Theory, these actors argue over and interpret concepts like privacy, non-discrimination, accountability, and access to asylum. Securitization Theory provides a framework for analyzing how migration is often described as a security threat, thereby spurring the adoption of AI-based surveillance and risk-management technologies.

Securitization Theory helps explain how migration is often framed as a security threat, leading to the use of AI-based surveillance and risk-management technologies. The evaluative aspect of RB-Cyber Governance is Rights-Based Cyber Governance Evaluation, which aims to assess the protection of migrants' and refugees' rights through governance arrangements. These elements illustrate the strengths and weaknesses of human rights norms in AI governance frameworks. The framework thus explains AI governance as an independent driver of migration and refugee governance and human rights diplomacy as a mediating process that helps to determine the policy outcome. The outcome is evident in the measures and practices implemented in the current digital governance regime that protect, include, hold accountable, and safeguard migrants' and refugees' rights.

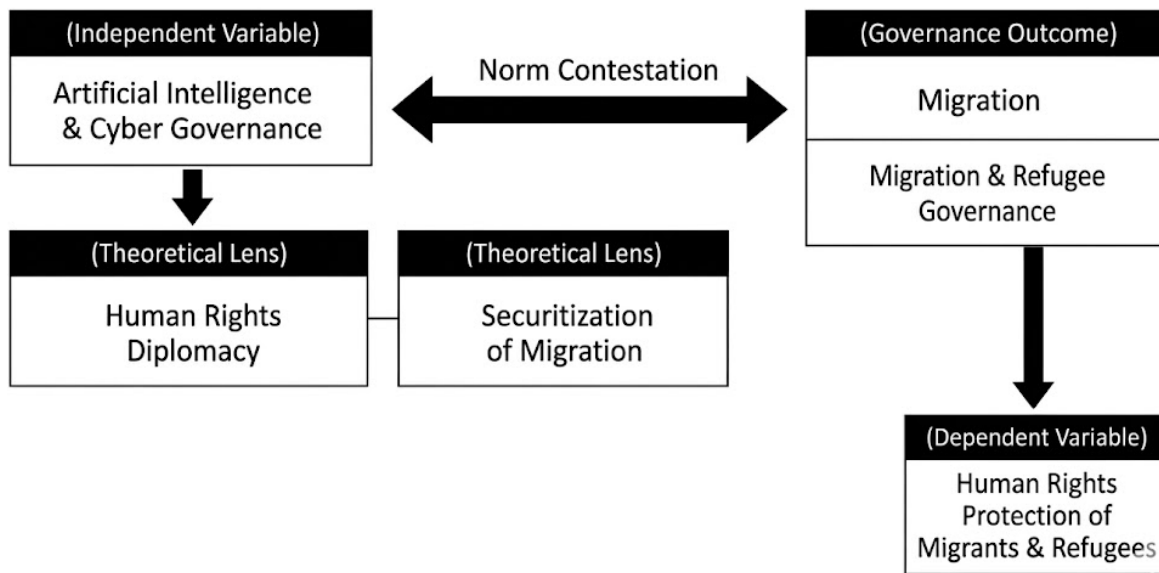


Figure 1: Conceptual Framework diagram

## Research Methodology

### Research Design

The study used a qualitative research design to study the negotiation, contestation, and entrenchment of human rights norms in the governance of AI and cyberspace that impact migrants and refugees. A qualitative approach was deemed suitable, as it concerned ideas, norms, governance processes, policy discourses, and diplomatic interactions rather than numerical relationships. The study aimed to explore how human rights principles are understood and promoted by various actors in digital governance contexts. The research examined the meanings ascribed to the concepts of AI governance, migration control, and refugee protection by actors from the state, international organizations, and civil society through an interpretivist lens. The design provided the opportunity to explore in detail the policy frameworks and governance mechanisms at international and regional levels.

### Research Approach

The study used exploratory and interpretive research methodology. The need to explore arose from the subject's evolving nature, with AIGHRM as an intersection of three fields. The interpretive

approach enabled the researcher to explore the meaning(s) that were built by the actors around the notions of security, rights protection, technological innovations, and digital governance. The study was not designed to test specific hypotheses but to gain insight into the contending discourses and policy stances that shaped governance processes. This was helpful in analyzing several conceptions of human rights and security in diplomatic negotiations and policy debates.

### Case Selection

This research study examined two primary areas of governance: the United Nations and the European Union. There were two reasons for making these choices. First, they both had a significant impact on international and regional perspectives on AI governance, migration management, and the safeguarding of human rights. Secondly, they may be chosen to represent the different and complex aspects of these issues. The United Nations has provided important frameworks on the global stage, such as the Human Rights and Emerging Technologies Initiative and the Global Digital Compact. At the regional level, the European Union has implemented advanced regulatory frameworks,

such as the AI Act and migration governance policies. These cases have helped deepen the understanding of how human rights principles are implemented in digital governance across different governance systems.

### Data Sources

Secondary Qualitative Data was collected from Official Documents, Policy Documents, Institutional Reports, and Literature. Key documents consulted to identify sources of information include United Nations resolutions, the Global Digital Compact, European Union documents on AI governance, migration, and asylum policies, UNHCR reports, and reports from international human rights organizations. Other data were garnered from reports from digital rights advocacy organizations and trusted academic journals. These sources were selected for their explicit mention of refugee protection, migration control, and the governance of AI in policies and diplomacy. The analysis was also enriched by multiple sources, which boosted its credibility and depth.

### Data Collection Method

Systematic selection and review of documentation were used to gather data. The documents were identified using specific inclusion criteria, encompassing documents related to AI governance, cyber governance, migration management, refugee protection, and human rights diplomacy. Documents from international and regional institutions, as well as institutions considered human rights institutions, were prioritized. Academic papers and policy documents from the last decade were also taken into account in the context of the recent advances of digital governance. The collated documents were organized by theme, and a thematic analysis was conducted across different institutional settings, covering governance mechanisms, policy discourses, and human rights issues.

### Data Analysis Technique

Thematic and discourse analysis were used in the study, which adopted a qualitative research design. Thematic analysis was used to extract common

themes from the data: privacy, accountability, transparency, discrimination, security, and the protection of refugees. Analysis of discourses examined the state, international bodies, and civil society actors' representations of migration governance debates on AI technologies. The language of rationalizing technological interventions and the ways in which human rights were incorporated into policy narratives received special attention. Policy substance and policy assumptions were analyzed using thematic and discourse analyses, respectively, in the research to reveal their presence within policy governance structures. This was done for research dealing with norm contestation and diplomacy.

### Ethical considerations and limitations

This study was conducted without the actual interaction with people, so it does not require any primary sources. Consequently, confidentiality, informed consent, and participant protection issues were not of significant concern. The use of evidence was accurate and transparent, and sources were cited properly, demonstrating ethical integrity. Another challenge of the research was that it relied on documentary and secondary data, potentially missing the lived experiences and views of those most impacted by AI governance systems, including policymakers, migrants, and refugees. The choice of sources limited the number of firsthand accounts but ensured that the material was sufficient for a thorough analysis of governance structures and human rights issues in both international and regional policy arenas.

### Results and Findings

#### A short introduction to the findings.

The thematic and discourse analyses of policy documents from international organizations, governance frameworks, institutional reports, and academic research on AI, cyber governance, migration governance, and refugee protection were covered in the chapter. The study focused on the themes of Human Rights Diplomacy, Norm Contestation, Securitization, and Rights-Based Governance identified in the analysis. The results showed that AI technologies are shaping

migration governance and posing opportunities and challenges for the protection of human rights.

**Table 1: Themes Identified in AI Governance and Migration Management**

| Theme                   | Key Findings                                                          |
|-------------------------|-----------------------------------------------------------------------|
| Border Management       | AI used for biometric verification, surveillance, and risk assessment |
| Asylum Processing       | Automated support systems assisted decision-making                    |
| Identity Management     | Digital identity systems improved registration efficiency             |
| Humanitarian Assistance | AI-supported resource allocation and service delivery                 |

### AI Governance in Migration and Refugee Management

The analysis showed that the use of AI was a growing element in migration and refugee governance. International bodies and governments leveraged AI-powered systems for better border control, verification, refugee registration, and asylum processing. Biometric technologies, facial recognition systems, and automated risk assessment tools were often used to improve administrative efficiency and increase the effectiveness of migration control measures. With these tools, the authorities were able to handle vast amounts of data at a rapid pace and provide a decision-making service in a complex migration context.

The findings also indicated that AI solutions were sometimes viewed as neutral and effective solutions to migration issues. Yet, issues regarding data reliability, transparency in decision-making processes, and the impact of automated evaluation arose. Multiple policy briefs identified a need for human oversight and protection in the use of AI systems impacting migrants and refugees. The results indicated that the use of AI was closely connected to broader discussions on accountability, rights protection, and ethical governance, while administrative capacity and resource management were improved.

### Human Rights Norms in AI Governance Frameworks

Findings showed that human rights norms had a prominent place in today's AI governance frameworks. The principles of privacy, transparency, accountability, equality, and non-discrimination were repeatedly highlighted as key protections for the responsible use of AI. International organizations and regional institutions began to appreciate that AI systems could affect access to asylum, rights to movement, and humanitarian assistance, and center human rights in discussions over the governance of AI. One of the main concerns that arose was privacy. The vast collection and processing of biometric and personal information posed problems regarding consent, data protection, and surveillance. Equality and non-discrimination were also often mentioned in light of concerns that algorithmic systems may perpetuate social and institutional biases.

The findings have shown that there was an improvement in knowledge on the potential discriminatory impact on vulnerable groups such as migrants and refugees among the policymakers. Transparency and accountability principles were also often applied in the governance systems. The importance of explaining AI systems, establishing independent oversight bodies, and creating opportunities for human oversight of AI decisions was highlighted in many documents. Additionally, the need for access to remedy and procedural justice was included as a need of those affected by

algorithmic forms of governance. The overall results indicated that principles of human rights were becoming part of AI governance frameworks, but there was limited progress in how to put these principles into practice and ensure their effective implementation and enforcement.

### Human Rights Diplomacy and Norm Contestation

The results revealed that human rights diplomacy had a notable influence on the discussions on AI governance and migration management. The promotion of “rights-based approaches” to digital governance by international and human rights organizations and civil society was an important aspect of the initiative to protect vulnerable groups against the dangers of digital surveillance and automated decision-making. These actors consistently call for improved accountability mechanisms, increased transparency, and protection from discrimination. The analysis revealed that there is also significant contestation of norms by actors in governance. While some international institutions regarded AI governance as a human rights issue, the national security, migration management, and administration efficiency concerns of States were also taken into account. The concepts of privacy, transparency, and accountability were understood differently by the various actors due to differing policy interests and governance agendas.

Additionally, it was found that there was greater norm contestation regarding border management technologies and digital identities. The first groups were human rights groups of dignity, inclusion,

and ‘fair processes,’ and the second were security-oriented groups that emphasized risk management and surveillance. While there are differences, the path towards a greater institutionalization of human rights language in the governance of AI was set in motion through international diplomatic efforts. The analysis revealed that human rights diplomacy was still playing an important role in advancing, negotiating, and incorporating rights-based principles in new governance processes.

### Securitization of Migration through AI Technologies

The results demonstrated a ‘security prism’ in the presentation of the concept of migration governance, as well as several assumptions of Securitization Theory. Migration is often perceived by governments and policy institutions as a problem that needs to be better monitored and assessed for risks, better managed at the borders, and other solutions. The applications of AI to support national security, aid border security, and provide more effective threat detection than administrative systems were heavily promoted. The analysis found that the use of digital surveillance technologies, biometric identification systems, and predictive analytics intensified in the governance of migration. With these new technologies, authorities were able to gather vast amounts of personal data and monitor population flows on the borders. Such systems were deemed vital for security and administrative needs, but concerns about privacy, proportionality, and accountability emerged.

**Table 2: Securitization of Migration through AI Technologies**

| Technology           | Security Function     | Human Rights Concern |
|----------------------|-----------------------|----------------------|
| Facial Recognition   | Identity verification | Privacy              |
| Predictive Analytics | Risk assessment       | Bias and profiling   |
| Biometric Databases  | Border control        | Data protection      |
| Surveillance Systems | Population monitoring | Civil liberties      |

The results also indicated that the securitization of migration affected the design and implementation of AI governance frameworks. Security issues were sometimes given higher priority than human

rights safeguards in certain aspects of border checks and risk assessment. This was a situation that caused a conflict between the claims of state sovereignty and commitments to international

human rights. The results of the analysis showed that AI technologies were not only used as tools to assist in the governance of migration, but also strengthened narratives that represented migration as a security issue. As a result, migrants and refugees often found themselves in the role of surveillees and/or risk managers, rather than protectees and/or assisters.

### Comparative Analysis of Governance Frameworks

The findings showed significant similarities and differences between international and regional AI governance. Both systems of government recognized the importance of protecting human rights in the digital space, as well as the risks posed by automated decision-making systems. The term

transparency was mentioned in almost all policy documents, along with accountability, non-discrimination, and human oversight. The importance of ethical governance and responsible technological development was also highlighted by both frameworks. Although much common ground was found, there were still some differences in approaches to regulation and mechanisms for its application. International governance frameworks primarily promoted a general set of normative principles and facilitated cooperation among states, international organizations, and other actors. These frameworks emphasized common standards and the promotion of human rights values, but did not set out the regulatory requirements in detail.

**Table 3 Comparative Governance Analysis**

| Dimension            | UN Frameworks       | EU Frameworks                |
|----------------------|---------------------|------------------------------|
| Approach             | Normative guidance  | Regulatory framework         |
| Human Rights Focus   | Strong emphasis     | Strong emphasis              |
| Enforcement          | Limited             | More structured              |
| AI Regulation        | Broad principles    | Detailed compliance measures |
| Migration Governance | Global coordination | Regional implementation      |

Regional governance frameworks, on the other hand, showed greater regulatory and structured approaches. The analysis showed that there were clearer legal and responsibility obligations, risk categories, compliance obligations, and governance processes for AI systems in European governance mechanisms. Migration-related technologies were often assessed via formal regulatory standards of the risk to fundamental rights. A number of governance gaps were also uncovered by the findings. Issues for both frameworks were enforcement, monitoring, and accountability. Few platforms were available to discuss algorithmic harms for migrants and refugees, while there was increasing awareness of protections afforded under human rights. Furthermore, the pace of technological developments sometimes exceeded the pace of regulatory development. The comparative analysis revealed a general pattern: international frameworks were more normative, whereas regional frameworks were more practical in their

use of regulatory instruments. Both, however, faced challenges in ensuring that vulnerable groups are adequately protected in AI-enabled migration governance systems.

### Effectiveness of Existing Governance Mechanisms

The findings revealed that current governance mechanisms had not reached success in a fully-fledged sense, but that there was moderate success in the incorporation of human rights principles into the discussions of governance of AI. International organizations and regional institutions began to take note of the dangers posed by algorithmic decision-making, digital surveillance, and data-driven migration management systems. This led to several governance systems that included terms such as transparency, accountability, fairness, and humane oversight. The following strengths were found in the analysis. There was increasing recognition of digital rights issues at the

governance level, along with important normative guidance for policymakers. The consideration of ethical principles and the risk-based approaches were important steps towards more responsible technological governance. Additionally, improving information exchange and collaboration among international organizations, governments, and civil society actors helped raise awareness of migrants' and refugees' rights. But there were also some significant caveats to the findings. Governance systems were not often well structured and had very weak enforcement mechanisms, with a strong element of voluntary

compliance. Accountability mechanisms were lacking, particularly regarding cross-border data sharing and automated decision-making processes. Also, access to effective remedies for those affected by algorithmic errors was restricted. Rights protection governance mechanisms, therefore, showed increasing commitment to rights protection, but there were significant shortfalls between policy commitments and implementation. The limitations negatively affected the effectiveness of existing governance arrangements.

**Table 4: Strengths and Limitations of Existing Governance Mechanisms**

| Strengths                            | Limitations                 |
|--------------------------------------|-----------------------------|
| Recognition of human rights concerns | Weak enforcement mechanisms |
| Promotion of ethical AI principles   | Limited accountability      |
| Growing international cooperation    | Insufficient remedies       |
| Risk-based governance approaches     | Implementation gaps         |

### Proposed Rights-Based Governance Model

The study recommended a rights-based governance model for the use of AI in migration governance, embedding human rights principles at all stages of AI development and implementation. It highlighted the critical importance of transparency, accountability, fairness, and human oversight for effective digital governance. It also recommended that human rights impact assessments be conducted prior to deploying AI technologies that affect migrants and refugees. An additional factor emphasized by the proposed model was the need for the involvement

of multi-stakeholders, including governments, international organizations, civil society, and technology developers. This kind of co-operation was deemed essential to fulfill both security and human rights commitments. Furthermore, the proposed model improved mechanisms for monitoring, independent oversight bodies, and effective remedies for those negatively impacted by automated decision-making. The proposed framework aimed to minimize digital harms and foster more inclusive and accountable governance systems for migrants and refugees by prioritizing human dignity and the protection of rights.

**Table 5: Proposed Rights-Based Governance Model**

| Component                      | Purpose                          |
|--------------------------------|----------------------------------|
| Human Rights Impact Assessment | Evaluate risks before deployment |
| Human Oversight                | Review automated decisions       |
| Independent Monitoring         | Ensure accountability            |
| Transparency Requirements      | Improve explainability           |
| Access to Remedy               | Protect affected individuals     |

### Discussions

#### Human Rights Diplomacy in the AI Governance

The findings revealed that human rights diplomacy has been very influential in the ongoing

discussions on AI and cyber governance. The analysis revealed that rights-based concepts are spreading through the development of AI governance structures by international

organizations, regional institutions, and civil society. This finding was similar to previous research and scholarship, which viewed human rights diplomacy as an emerging practice of incorporating international norms into new policies. The incorporation of human rights principles into AI governance frameworks, such as privacy, transparency, accountability, and non-discrimination, highlighted the importance of human rights issues in digital governance debates (Garcia, 2025). However, the results also showed that the mechanisms for implementing these concepts are not always effective. It implied that there was a gap between commitments and practice, and diplomatic work and inter-sectoral cooperation to improve rights-based governance systems were also important.

#### **Norm Contestation and Competing Governance Priorities**

There was considerable evidence of norm contestation in the governance of AI and in migration management. Against this background of Norm Contestation Theory, actors' perceptions and weightings of human rights concepts differed. For international organizations and human rights groups, vulnerable groups and respect for fundamental rights were concerns, and for many states, security, administrative efficiency, and border management goals were on the agenda. This division was part of the broader battle in international governance over the interpretation and application of international norms, in which opposing interests hold distinct perspectives (Jacob, 2021).

The findings showed that human rights norms were not, in general, abnegated but rather negotiated and manipulated in line with political and institutional interests. Generally, the concepts of privacy, accountability, and transparency were embraced but applied differently across governance arrangements. This revealed that the governance of AI was not just a technical issue but a political one, and that there were ongoing, dynamic negotiations to resolve matters of values, interests, and responsibilities. The study thus continued to justify the argument that

international norms are dynamic and contested in changing technological contexts.

#### **Securitization of Migration in the Digital Age**

The study found that one of the most significant elements of migration governance was the securitization of migration through the use of AI technologies. AI systems were frequently employed to supplement border control, risk assessment, identity verification, and surveillance operations. They were often touted as a means to advance national security, public safety, and the efficiency of migration management. This aligns with Securitization Theory, which assumes that political actors define a given issue as a security threat, thereby allowing a single solution to the threat through exceptional governance actions.

The results revealed that migrants and refugees were often the subject of monitoring and risk management, and less often of protection and rights. There were recurring themes around biometric technologies and predictive analytics, in particular in migration systems. Administrative benefits existed, but so too did opportunities for surveillance and exclusionary practices. The findings showed that securitization has affected AI governance frameworks in their design and implementation, with security tending to dominate human rights concerns (Forrest, 2025). This, of course, implied that the conflict between state sovereignty and human rights remained a major factor in the governance of migration today.

#### **Effectiveness of Rights-Based Cyber Governance**

The results also showed that a new trend toward a cyber-governance framework based on human rights had started, offering a way to tackle the ethical and legal issues surrounding AI technologies. Governance mechanisms were emerging to recognize the importance of transparency, accountability, human oversight, and fairness of digital decision-making systems. This was a sign of growing awareness that technological advancements should be accompanied by measures to prevent impacts on the individual (Pavlova, 2020). The study identified gaps in the current governance arrangements, especially with respect to the

following: Most of the frameworks lacked enforcement mechanisms and relied on the voluntary efforts of states and institutions. Accountability mechanisms remained weak, particularly regarding automated decision-making and cross-border data sharing. The failure to provide remedies for people whose lives are affected by these errors and gaps in governance systems was further highlighted by an algorithmic error that favored a particular person. The results showed that the rights-based agenda of cyber governance was still in its infancy and that implementing regulatory mechanisms and institutional commitments was needed for its success. There were some positive developments in norms, though challenges still remained in ensuring improved governance to provide full protection for migrants and refugees.

#### Implications for International Relations

The findings would also contribute to current debates on technological governance in the realm of International Relations, revealing its growing role as an instrument in human rights, migration, and global governance politics. AI has been proven to be not only a technical tool but also a political one, influencing power structures, governance processes, and rights. Digital technologies have been introduced, and the ways in which they have become part of the international governance system and the current global understanding of mobility, security, and humanitarian protection among States have been demonstrated. In addition, the study highlighted the role of non-state actors in governance processes, a new phenomenon. International organizations, civil society organizations, and technology developers were increasingly involved in the process of creating norms and regulations. This decentralization of power was a departure from state-centric notions of governance and from overarching trends in international politics (Lawson, 2023). The findings, therefore, underscore the need to engage more seriously with technological governance and to consider its effects on human rights and global justice through International Relations scholarship.

#### Conclusion

This study explored the importance of human rights diplomacy in the governance of artificial intelligence and cyber technologies impacting migration control and refugee protection in today's international relations. The findings revealed increased use of AI technologies in migration governance, including biometric identification, border surveillance, risk assessment, and digital identity management. These technologies offered a number of administrative and security benefits but raised concerns about privacy, transparency, accountability, discrimination, and access to justice. The study revealed that human rights diplomacy played an important role in human rights-based principles of emerging governance. International bodies, regional institutions, and civil society actors gained momentum in promoting the inclusion of human rights in AI governance actions through the standard-setting process. International organizations, regional institutions, and civil society actors advanced the inclusion of human rights in the standard-setting process, which in turn fed into AI governance actions.

The findings, however, also showed ongoing conflicts between the protection of human rights and security-related migration policies. The study showed that human rights norms were continuously negotiated and interpreted by various actors, as viewed through the lens of Norm Contestation Theory. Also, Securitization Theory offered an account of how a shift towards a risk management and surveillance agenda increasingly became the focus of migration governance, somewhat at the expense of rights protection. Both international and regional instruments addressed fundamental rights, and their approaches were similar, although implementation and enforcement remained seriously lacking. Current mechanisms have shown an increasing understanding of digital rights issues, but are sometimes insufficiently accountable and have inadequate remedy mechanisms. The study found that a balanced approach is needed for effective AI governance, balancing technological innovation, security goals,

and human rights obligations. Improving transparency and accountability, human oversight, and international cooperation will be more crucial than ever to ensure that AI-based governance systems are not used to deny but to uphold the rights and dignity of migrants and refugees in the digital era.

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