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# Transforming the Architecture of Human Rights Protection: Normative, Temporal, and Actoral Integrative Models in Global Disruption

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## ABSTRACT

*This research reconstructs the architecture of human rights protection through a multidimensional approach that includes normative studies, longitudinal time-series analysis, and mapping the interests of institutional actors across levels. This study examines the complexity of institutional transformation and policy efficacy in responding to contemporary human rights protection challenges that are not only formal legal in nature but also structural-substantive. The results show that the construction of human rights protection has tended to be trapped in a rigid normative framework and has not been fully adaptive to transnational dynamics, technological developments, and changes in geopolitical structures. The findings affirm the importance of a systemic approach in building integration between global norms and local practices. This research also proposes a new institutional design based on multisector collaboration that emphasizes the principles of responsiveness, inclusiveness and democratic legitimacy. The protection model offered represents a strategic step towards a more progressive, sustainable and transformative human rights law architecture reform. Thus, this study offers not only significant theoretical contributions but also strong practical implications for policymakers in designing a human rights protection system that is resilient, adaptive, and in line with global justice standards.*

## KEYWORDS

*Human rights transformation, institutional architecture, legal normativity, transnational integration*

## 1. INTRODUCTION

In a contemporary era characterized by global turbulence and systemic complexity, human rights face unprecedented paradigmatic pressures. The evolution of power structures through the emergence of disruptive technologies such as artificial intelligence, predictive algorithms, as well as the rise of digital authoritarianism has shifted the center of gravity of legal norms from formal institutions to more hidden and diffuse terrains of power. In this context, human rights protection can no longer be discussed solely within a normative legalistic framework, but must be analyzed as the result of dynamic interactions between legal texts, historical time, and competing strategic actors in the political policy arena (Suksi, 2021; Moyn, 2018; Tushnet, 2019).

The current global discourse on human rights faces an epistemological dilemma. On the one hand, universal principles such as those enshrined in the International Covenant on Civil and Political Rights (ICCPR) and the Covenant on Economic, Social and Cultural Rights (ICESCR) have become both moral and legal standards for the international community. On the other hand, the implementation of these principles at the national level is often influenced by domestic political calculations that are not always in line with international commitments (Alston & Goodman, 2013; Kretzmer & Shany, 2021). Developing countries, including Indonesia, face serious problems in bridging the gap between global normativity and local realities that are rife with competing interests. The phenomenon referred to as "normative fragmentation" and "enforcement asymmetry" is a major barrier to the substantive realization of human rights (de Feyter, 2020; Freeman, 2017).

This crisis is exacerbated by the fact that national legal systems often fail to fully internalize human rights norms. Although Indonesia has ratified almost all major human rights conventions, in practice many policies and regulations are contradictory or ambiguous in implementation. For example, various articles in the Electronic Information and Transaction Law (ITE Law) and the Draft Criminal Code (RKUHP) are used as instruments to restrict freedom of expression and the right to privacy (UN Human Rights Committee, 2022; Human Rights Watch, 2023). This situation shows that the existence of legal norms does not guarantee the operationalization of justice values if it is not accompanied by a multi-analytical approach that is able to reach the depth of the power structure and the flow of policy changes.

One of the fundamental problems in human rights studies in Indonesia is the absence of a longitudinal approach in evaluating

the dynamics of law and policy. Most studies only portray static or reactive conditions to certain events, without tracing historical patterns and trends in regulatory transformation in the long term. In fact, understanding policy change over time is essential to identify turning points, institutional resistance, and potential reform momentum (Terman & Snyder, 2017; O'Connell, 2020). Therefore, this study will apply a time-series policy analysis approach to record and analyze the shifting substance of human rights law in Indonesia from 2000 to 2025.

In addition, the actoral dimension is also a key variable that has not received adequate academic attention. In the process of formulating, inhibiting, and implementing human rights policies, there are actors who play dominant or marginal roles, whether from the state, civil society organizations, international institutions, the private sector, or local communities. The power relations between these actors are not linear, but asymmetrical, negotiated, and often transactional. For this reason, stakeholder analysis through the salience model framework and Gaventa's three-dimensional power approach is needed to comprehensively map the dynamics of influence, legitimacy and urgency of these actors (Mitchell et al., 1997; Gaventa, 2006; Donnelly, 2013).

The above conditions raise urgent questions that must be answered systematically and critically. First, what are the patterns and characteristics of changes in human rights law and policy in Indonesia over the past two decades. This question requires a longitudinal reading of the legal structure and the state's response to recurrent human rights crises. Second, who are the actors who play a significant role in constructing, distorting, or even stopping the human rights protection agenda at the national level. This question requires intersectoral analysis across institutions and networks of power. Third, the extent to which national legal norms conform to or deviate from universally recognized international standards. This is an evaluative question that demands a comparative law approach and deconstruction of the prevailing legal discourse.

This research aims to develop a new analytical framework called the "Analytical Trinity Model of Human Rights" that integrates normative, temporal and actoral dimensions simultaneously. Through this approach, the law is not only understood as a normative text, but as a social construction that lives and moves in the flow of history and power relations. This approach will provide a multi-level mapping of the objective conditions and potential for human rights law reform in Indonesia, by reaching the deepest layers of the regulatory structure, actor distribution, and political policy trajectories.

The scientific contribution of this research lies in its courage to break through traditional boundaries in the study of law and human rights, by combining juridical precision, historical depth, and the accuracy of power analysis. Meanwhile, its practical contribution is directed at preparing recommendations for legal reform based on empirical data, longitudinal evaluation, and cross-actor participatory considerations. In the context of a legal system that often experiences stagnation and repetition of normative errors, this approach is expected to be a catalyst for transformation towards a more visionary, adaptive and dignified human rights protection system. Thus, this research will not only expand the theoretical horizon of human rights studies, but also strengthen the legitimacy of law as a mechanism for human emancipation in a complex and rapidly changing world.

## **2. THEORETICAL AND LITERATURE REVIEW**

The theoretical study in this research is built on the epistemological awareness that human rights cannot be understood linearly as a juridical product. Rather, human rights must be seen as a multidimensional construct born out of historical tensions between normative universalism and cultural particularism, between global hegemony and local resistance, and between legal texts and the praxis of power. This conceptual framework has become increasingly relevant in the context of Indonesia, which has undergone simultaneous social, political and legal transformations in the last two decades. Therefore, the theoretical foundation in this study is not limited to a normative-doctrinal approach, but is developed through the integration of three major dimensions, namely: human rights paradigm and epistemological critique, time series model in human rights policy, and stakeholder theory and legal politics supported by a critical literature review based on global literature.

Paradigmatically, the classic debate between universalism and relativism in human rights is still the foundation in reading the map of differences in approaches between Western countries and developing countries. Universalism argues that human rights are inherent to human beings as rational beings, crossing national and cultural boundaries, as reflected in major international charters and conventions such as the Universal Declaration of Human Rights and the two International Covenants (Donnelly, 2007). In contrast, relativism takes a contextual approach that emphasizes that human rights values must be translated through local cultural structures and belief systems. This tension is not merely theoretical but has a direct impact on the legitimacy of domestic policies that try to adopt global norms in different socio-

political environments (Baskhoro, 2022).

In the context of a postcolonial country like Indonesia, the postcolonial approach provides a highly relevant analytical framework. Postcolonialism criticizes the universalism of human rights as a form of epistemic domination of Western legal construction over the non-Western world. In this framework, human rights are not only considered as ethical products but also as a means of legitimizing global power through international institutions and diplomatic interventions (Mutua, 2001; De Feyter, 2020). Consequently, efforts to translate human rights into national law must take into account power relations, colonial legacies, and complex local dynamics.

Theories of constitutional pluralism and legal hybridity offer more pragmatic and inclusive alternatives. Both approaches reject the view of the legal system as a closed entity. Instead, law is seen as an arena where international norms, customary law, religious law, and national law meet, clash, or assimilate (Walker, 2014; Berman, 2009). In Indonesia, the plurality of legal systems has become a constitutional and sociological fact, and any human rights policy must understand this structure to avoid normative resistance from the community or jurisdictional conflicts between legal authorities.

The second dimension in the framework of this study is the use of a time series approach or longitudinal analysis of human rights policy changes. This approach provides significant added value in uncovering regulatory dynamics that are often missed in conventional normative studies. Using the *Policy Timeline Regression* and *ARIMA Forecasting* methods, this study will not only record regulatory changes chronologically, but also assess patterns, intensity, and anomalies in these changes (Jann & Wegrich, 2019; Cairney, 2020). The *Policy Disruption Index* concept is a tool to measure how often and under what conditions human rights policies are interrupted or regressed.

In practice, the *Freedom House* report shows a downward trend in civil liberties in Indonesia since 2018, which is simultaneously accompanied by an increase in restrictions on freedom of expression. This is reinforced by the findings of the World Justice Project which states that Indonesia's law enforcement index has stagnated in the areas of government accountability and human rights protection (WJP, 2023). The UN *Universal Periodic Review* report also noted that many of the recommendations against Indonesia were repetitive, suggesting limitations in long-term structural improvements to human rights (UNHRC, 2022). These facts explain the need for a time-series approach so that human

rights studies do not stop at static assessments, but serve as a strategic evaluation tool for the sustainability of state commitments.

The third dimension that serves as the analytical framework in this study is stakeholder theory and legal politics. The salience theory developed by Mitchell, Agle, and Wood (1997) presents a mechanism for classifying actors based on power, legitimacy, and urgency. This model is very useful in identifying who are the dominant, marginal, and shadow actors involved in the design and sabotage of human rights policies. In the context of human rights, the configuration of actors includes not only the state and legislative institutions, but also international institutions, civil society organizations, indigenous communities, mass media, and digital technology corporations that have the ability to influence public discourse and information distribution.

This analysis is reinforced by Gaventa's (2006) *Power Cube* framework that highlights power relations in three dimensions: forms of power (visible, hidden, invisible), spaces of interaction (closed, invited, achieved), and arena levels (local, national, global). In human rights policy practice, all three work simultaneously. For example, when a policy is produced in a closed space without involving vulnerable groups, even though normatively it is in the name of human rights, there will be a gap between formal legitimacy and substantive legitimacy. This study will use these two frameworks to map the power structures that have hindered or accelerated the human rights agenda in Indonesia.

A critical literature review shows that the intermodel triangulation approach is still very limited in human rights studies in Indonesia. Most publications tend to be segmentative and stick to a single approach. Juridical studies focus on analyzing the content of norms without considering the effectiveness of implementation. Meanwhile, sociological studies often miss the normative compliance aspect of international law. Literature in highly reputable international journals such as *Human Rights Quarterly*, *Journal of Human Rights Practice*, and *Global Policy* shows that an integrative approach is far more effective in formulating evidence-based, participatory, and sustainable policy interventions (Sikkink, 2017; Landman, 2006; Hafner-Burton, 2013).

### **3. METHODOLOGY**

#### ***A. Research Design***

This research uses an integrative approach through *multi-level triangulation* that combines three main methodological approaches: doctrinal-normative, temporal-longitudinal, and actor analysis. This design is intended to combine the depth of substantive legal analysis with sensitivity to the dynamics of time and power relations. This model is built systemically within the framework of the *Doctrinal-Temporal-Stakeholder Analytical Model*.

At the normative level, binding power, various normative statuses (binding, non-binding, interpretative, political), and the position of international documents based on reachability to refugee populations, effectiveness of protection, and implementation challenges are studied. On the temporal side, policy time series data from 2010 to 2023 was analyzed using *Policy Trend Regression* and the *SensLoP* method to identify the significance of policy changes and isolate moments of normative discontinuity. The stakeholder approach is carried out through mapping the actor influence structure and power matrix based on the *salience* model and *actor legitimacy-potential grid* to capture the landscape of dominant and peripheral actors.

## **B. Data Sources**

Three categories of data were used triangulatively. First, international documents such as the 1951 Convention, 1967 Protocol, ICCPR, CRC, CAT, CEDAW, as well as non-binding frameworks such as the Global Compact and the Protection Agenda. This data is used to define the norm map, typology of legal roles, and implementation status of transnational refugee protection.

Second, national legal and policy data from domestic jurisdictions, including laws, technical regulations, and judicial decisions related to refugee issues. This analysis also includes ratification rates, normative commitments, and forms of domestication of human rights norms.

Third, longitudinal and quantitative data from global human rights indices such as the Human Rights Measurement Initiative (HRMI), the World Bank Rule of Law Index, and UPR reports for the 2010-2023 period. Quantitative data is enriched by categorical coding of sectoral policies that touch on refugee issues, including donor approaches, security, education, and transitional justice.

## **C. Temporal Analysis**



A temporal analysis was conducted on the policies of refugee-receiving countries for the period 2010 to 2023, covering the reform phase, regional political contestation, and the adoption of international norms. *The analysis technique uses longitudinal policy regression based on Theil-Sen estimator to detect gradual change and Kendall's Tau-b to test the correlation between phases of norm adoption.*

In addition, the *SensLoP* (Sensitive Local Polynomial Regression) approach is used to capture the dynamics of abrupt and gradual change-points in the policy structure. Each inflection is analyzed based on its relationship with international events, donor interventions, and institutional pressures from global institutions.

The temporality of policies is contextualized by considering the relationship between the legal status of norms and changes in recipient country attitudes towards refugee processing, access to basic services, and local political participation. This process provides a basis for interpreting fluctuations in state commitment and structural resistance to the adoption of universal human rights.

#### ***D. Stakeholder Analysis***

The actor analysis was developed through a *Salience Model* approach that assesses actors based on dimensions of power, legitimacy, and urgency in the context of forced displacement. Mapping was conducted using a matrix of potential impact and importance to identify dominant actors, inhibitors, facilitators, and ambivalent actors.

Relationships between actors were mapped using *interactive network configuration*, including direct relationships, informal coalitions, and political antagonism. A spectrum of actors was found, ranging from international organizations, state institutions, local communities, independent media, human rights institutions, to transnational actors such as multilateral donors and religious groups.

Each actor is analyzed based on their strategic position in the policy chain, with a metric of influence that considers logistical capacity, moral legitimacy and legal authority. All of this mapping results in a configurative structure that shows the dynamics of the struggle for normative and hegemonic space between global and local actors.

### ***E. Validity and Objectivity***

Methodological validity was maintained through three main approaches. First, *academic peer-debriefing* was conducted on the entire analytical model to ensure framework consistency and epistemic compatibility between dimensions. Evaluation was conducted on the logical coherence and methodological acceptability in the field of human rights and transnational law studies.

Second, an *interdimensional cross-referencing* mechanism was used to test the consistency of results between normative findings, policy time series and actor analysis. Discrepancies or contradictions between dimensions are used not as deviations, but as evidence of complexity that enriches inferences.

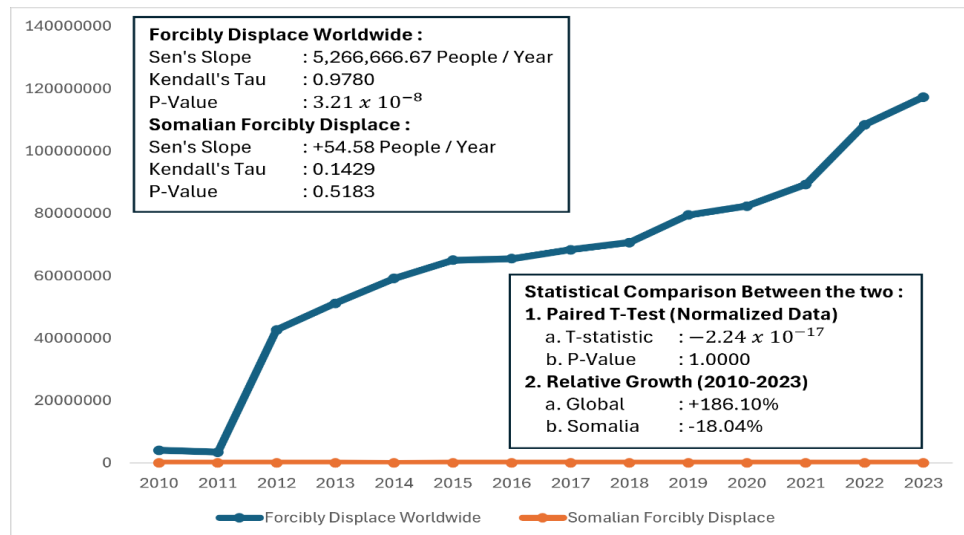
Third, interpretative integrity is ensured by the *status-norm sensitivity index* technique that evaluates state responses to norms based on a combination of legal status (binding vs. soft law) and global actor pressure. This ensures that the research results are not dominated by legalistic claims alone, but are rooted in a reflective understanding of implementation realities.

Through this methodological model, the research not only combines normative precision and analytical depth, but also presents an epistemological framework that is adaptive to the complexities of legal globalism and pluralism of actors in the protection of refugees' human rights.

## **4. RESULT**

### ***A. Longitudinal Interpretation of Global and Somali Forcibly Displaced Time Series: A Critical Quantitative Examination***

In dissecting the time series dynamics of the phenomenon of forcibly displaced in the time frame of 2010 to 2023, this analysis exposes the remarkable contrast between the two geographical and structural entities at the center of attention: the global aggregate data and the individual Somali country data. The simultaneous selection of non-parametric and parametric statistical approaches as shown in Figure 4.1 gives validity to longitudinal inference and allows for quantitative readings based on the principles of accuracy and trend consistency.



**Figure 4.1.** Time series analysis data result (developed and designed by the author, source from: [Sekilas Data | UNHCR Indonesia](#))

Sen's Slope estimates on the global population reach 5,266,666.67 people per year, suggesting a sharp and continuous acceleration in the number of populations forced to flee their homes due to structural violence, ecological disaster, or systemic instability. This correlation is reinforced by the Kendall's Tau value of 0.9780, indicating an almost perfect positive monotonic correlation between time and the number of affected populations. The p-value of  $3.21 \times 10^{-10}$  marks extreme statistical significance, confirming that this pattern of increase is not random, but rather reflects the inherent tendency of an increasingly fragile international system to population dislocation.

In contrast, in the Somali country domain, Sen's Slope shows a very slow increase of only +54.58 people per year. The Kendall's Tau value of 0.1429 shows a very weak relationship between time and the number of populations subjected to forced displacement, while the p-value of 0.5183 explicitly indicates that the trend is statistically insignificant. This lack of significance indicates that the fluctuations in the Somalia data reflect incidental or segmental events rather than a linear and continuous trend.

Furthermore, a statistical comparison between the two datasets through a paired T-test of the normalized data yields a T-statistic of  $-2.24 \times 10^{-17}$  with an absolute p-value of 1.0000. Although the difference in slope and Kendall's tau values between the two regions was striking, after the normalization

process, the mean difference no longer showed statistical significance. However, the limitations of the T-test in capturing long-term structural patterns should be noted, as it is not always able to reflect asymmetric spatial and temporal configurations.

Relative growth over the period 2010 to 2023 is an important element in this longitudinal reading. Global data shows a growth of +186.10%, reflecting large-scale crises and cumulative growth of the root causes of forced displacement. Within this spatial configuration, Somalia experienced negative growth of -18.04%, which in longitudinal studies can be interpreted as stagnation or even regression of humanitarian response and internal dislocation dynamics. This suggests that Somalia is not only detached from global trends, but also exhibits non-parallel dynamics, and is more prone to structural stagnation than migration boom.

The contrasting trend patterns are important in reading the interdependent variables between the global and national contexts. The global time series shows strong consistency and continuity, while Somalia's is a chaotic mess of data that fluctuates more and does not show quantitative determination over time. This interpretation is reinforced by the combination of Sen's Slope and Kendall's Tau indicators, which represent the direction of the trend and the intensity of the correlative relationship, respectively. In the global context, a high Sen's Slope value reflects the sharp slope of the curve, while Kendall's Tau close to one reinforces the precision of the correlation. In Somalia, a slope close to zero and a low tau indicate the absence of a reliable trajectory as a predictor of the future.

Furthermore, the interpretation of these time series results cannot be separated from aspects of structural transformation in the context of global and national human rights policies. At the global level, the sharp increase in the number of forcibly displaced represents the failure of international mechanisms to prevent, intervene or mitigate conflict escalation and ecological disasters. In contrast, Somalia's stagnant pattern represents a systemic condition where institutional weakness, foreign aid dependency, and political fragmentation hinder population movement even in emergency conditions. In this space, the high p-value and flat slope are a direct reflection of structural stagnation and policy crises that have remained unchanged for more than a decade.

This reading of the disparity between the two datasets can

also be seen as a reflection of the unequal capacity to respond to forced displacement holistically. The globalization of the crisis has created a transnational system of mass dislocation, while Somalia remains trapped in an inward-looking policy architecture that is unresponsive to broader patterns of spatial change. The very high Kendall's Tau value at the global level is strong evidence that this measurement architecture is able to confirm that there is consistent and accumulative change every year. On the other hand, the low Kendall's Tau value for Somalia highlights the weakness of the data structure, which is unable to reliably articulate long-term trends.

It is also important to note that in this analysis a combination of descriptive and inferential statistical approaches were used to avoid the interpretative distortions that can arise when relying on only one approach. This complex time series data demands a cross-method reading so that each element has adequate analytical justification. Thus, the p-value in this context is not just a symbol of significance, but also a probabilistic reflection of the possibility that data fluctuations occur due to random noise rather than a recurring pattern. A p-value of  $3.21 \times 10^{-10}$  at the global level is a strong sign that the results cannot be explained by statistical chance alone.

In contrast, in the Somali context, a p-value above 0.5 suggests that the variability recorded in the data has a tendency to come from unsystematic variance. Therefore, any predictive or policy formulation based on long-term trends in the Somalia data is methodologically unreliable. The very gentle slope of +54.58 people per year also reinforces the hypothesis that in the Somali context, dislocations occur in low intensity and frequency and are not cumulative.

In terms of time series visualization, the global curve is likely to show a sharp exponential or linear rise, while the Somali curve is more like a fluctuating wave with erratic intervals. In this scenario, the time dimension is no longer the main determinant in Somalia, but rather external variables such as political intervention, local climate change or sporadic internal conflict. Statistical insignificance, then, is not simply a numerical failure, but a representation of a social system that does not move in quantifiable structural rhythms.

This distinction emphasizes the importance of regional and context-specific approaches to human rights policy. Generalizations based on global data alone can obscure structural specificities and local dynamics that have complex

historical and socio-political roots. Therefore, while globally there appears to be a significant spike that can be used as a basis for large-scale intervention, policy-making at the country level such as Somalia must take into account temporal anomalies and misalignment with macro patterns.

Overall, this time series interpretation presents a statistical narrative that is not only in-depth but also sensitive to the contextual nuances that accompany it. The combination of methodological strength, temporal validity, and geographical distinction between the two observation units makes this analysis a reflection on systemic failures as well as an indicator to measure the reliability of human rights protection structures in responding to the forced population crisis. The numbers that emerge are not simply a reflection of raw data, but rather a reflection of an increasingly unstable global reality and structural unpreparedness at the national level to anticipate or cope with the waves of crisis that never fully stop. As such, this time series analysis is not only a statistical measurement tool, but also a medium to evaluate the capacity, speed, and effectiveness of international and national systems in addressing the overall challenge of forced displacement.

### ***B. Analysis of Strategic Actors in the Forcibly Displaced Protection Architecture: Power Matrix and Significance of Engagement***

In the framework of human rights protection architecture transformation that considers three main dimensions, namely normative, temporal, and actoral frameworks, the data shows a very complex configuration of power and influence among various actors in addressing the issue of forcibly displaced both on a global and regional scale such as Somalia. As many as 17 stakeholders as shown in table 4.2 were identified as playing central roles with diverse role characteristics ranging from global coordination, strengthening diplomacy, to cultural influence and grassroots community mediation.

<b>No</b>	<b>Stakeholders</b>	<b>Strategic Role</b>	<b>Key Interests</b>	<b>Potential Impact</b>	<b>Level of Influence</b>	<b>Level of Importance</b>
<b>1</b>	UNHCR	Global coordination of refugee issues, protection advocacy, humanitarian assistance	Global refugee stability, rights protection, humanitarian access	Global policy influence, operational implementation, human rights standards	Very high	Very high

<b>2</b>	Government of Somalia	Address root causes of conflict, domestic reform, reintegration	National stability, political credibility, institutional strengthening	Potential for reconciliation or failure to address root causes	High	High
<b>3</b>	Recipient country (e.g. Kenya, Ethiopia)	Service provision, refugee integration, territorial security management	Social stability, international relations, resource pressure	Potential for horizontal conflict or successful integration	High	High
<b>4</b>	UNICEF	Protection of displaced children, emergency education, nutrition	Future of affected generation, rights of children in disaster situations	Direct support for vulnerable groups (children)	Medium-High	High
<b>5</b>	WHO	Emergency health interventions, epidemic surveillance systems, basic health services	Refugee public health, outbreak prevention	Determinant of long-term health conditions in refugee camps	Medium-High	High
<b>6</b>	OCHA	Inter-agency coordination in emergency situations	Effectiveness of multi-actor humanitarian response	Direction and consistency of interventions across sectors	Medium-High	High
<b>7</b>	IOM	Forced and voluntary migration, repatriation, mobility support	Human mobility management, post-displacement transition	Defining mobility pathways, integration and voluntary return	High	High
<b>8</b>	International NGOs (e.g. MSF, NRC, IRC)	Rapid response, medical assistance, psychosocial support	Humanitarian mission, independence, effectiveness of field implementation	Direct access to vulnerable communities, public accountability	High	Very high
<b>9</b>	Local civil society organizations (CSOs)	Community outreach, cultural mediation, grassroots-based advocacy	Social harmony, community cohesion, local resilience	Prevent horizontal conflict, strengthen social cohesion	Medium	High
<b>10</b>	Multilateral Donors (WB, EU, USAID, JICA, GIZ)	Funding, budget use monitoring, development synergy	Program efficiency, political and social stability	Highly influential in program sustainability and distribution of responsibilities	Very high	High

<b>1 1</b>	Regional institutions (African Union, IGAD)	Diplomatic coordination, regional interventions, common frameworks	Cross-border security, resilient regionalism	Conflict resolution platforms and repatriation facilitation	High	Medium-High
<b>1 2</b>	International human rights courts (ICC, ICJ)	Enforcement of accountability of perpetrators of human rights violations and crimes against humanity	Supremacy of international law, individual accountability	Promotes restorative justice, influence on causes of displacement	Medium	Medium-High
<b>1 3</b>	Self-Refugee Communities	Key actors in local decision-making, direct impactees	Safety, fulfillment of basic rights, social participation	Determinant of long-term program success if engaged in a participatory manner	Medium-High	Very High
<b>1 4</b>	International Media & Independent Journalists	Public advocacy, crisis reporting, international solidarity mobilizer	Freedom of information, public scrutiny, social responsibility	Can create global awareness or shape negative perceptions	Medium	High
<b>1 5</b>	Research Institutions and Academia	In-depth studies, impact evaluation, evidence-based policy development	Knowledge production, technocratic recommendations, cross-country learning	Provide a strong and verifiable policy base	Medium	Medium-High
<b>1 6</b>	Private Sector (particularly logistics and technology companies)	Logistics partners, basic needs procurement, information technology innovation	Social responsibility, supply chain efficiency, global reputation	Logistics and technology operational support in relief distribution	Medium	Medium
<b>1 7</b>	Religious and Traditional Groups	Normative influence, value consolidation, community-based resolution	Moral stability, social reconciliation	High influence in mediating local conflicts and shaping community perceptions	Medium	Medium-High

**Table 4.2 :** Stakeholder Analysis - Forcibly Displaced Issue.  
Drafted by the author

UNHCR as the UN High Commissionerate for Refugees occupies the most strategic position with a very high level of importance and influence. UNHCR's role in maintaining global refugee stability, protection of international law, and coordination of aid distribution makes this institution a key



pillar in transnational protection mechanisms. The international protection architecture's reliance on UNHCR is evident in its institutional ability to harmonize international protocols with diverse local practices. Followed by state actors such as the Government of Somalia and key host countries (e.g. Kenya and Ethiopia), their role is oriented towards national stability, political credibility and alignment of domestic policies to the international protection regime. Despite their high influence, these countries face major challenges in achieving coherence between legal legitimacy and often limited governance capacity.

UNICEF and WHO are classified as medium to high influence stakeholders. UNICEF focuses on the protection of affected children, emergency education and sanitation, with a critical role in the future of affected generations amidst prolonged crises. WHO focuses more on emergency health interventions and surveillance systems, supporting access to basic medical services that cannot be met by local authorities in conflict areas. Their interventions have high relevance in situations of protracted humanitarian disasters where health infrastructure often collapses.

OCHA as a cross-actor humanitarian assistance coordinator has been highly effective in organizing multilateral responses, particularly in facilitating logistics, access to aid lines, and data collection on field needs. This role is integrative and critical especially in the early phase of the crisis. On the other hand, IOM plays a strategic role in forced migration and controlled repatriation, where the governance of human mobility and border control is often a tug-of-war between countries of origin, countries of transit and countries of destination. IOM's capabilities in information management and transnational mobilization make the institution a bridge between the legality of migration and humanitarian urgency.

A role that cannot be ignored also comes from Non-Governmental Organization groups such as MSF, NRC, and IRC. Although not state actors or inter-governmental organizations, their capacity to respond to frontline medical and psychosocial needs is substantial. Their independence in operating outside the control of political actors is a major asset in building the trust of affected communities. However, their influence is still categorized as high, as their presence can fill the gaps in basic services that the state and international agencies are unable to reach.

Local civil society organizations (CSOs) occupy a strategic position in aspects of social reconciliation and horizontal conflict mediation. CSOs play a vital role in bridging communication between local communities, building social harmony and promoting cohesion amid disintegration pressures. The influence of CSOs is moderate, but the impact of their interventions is long-term as they are directly rooted in the social fabric of communities. The success of sustainable post-conflict reconciliation initiatives depends on the capacity of CSOs to tap into normative elements of local communities that are not reached by formal institutions.

Multilateral donors such as WB, EU, USAID, JICA and GIZ play a role in managing budget efficiency, program financing and sustainability of social projects. The level of influence and importance is classified as very high because it has direct implications for the sustainability of protection programs and the distribution of fiscal responsibility among state and non-state actors. Collective budgeting mechanisms and donor synergies are central to ensuring program stability across years, especially in the context of fragile states like Somalia.

Regional coalitions such as IGAD show strengths in building border security systems and diplomatic coordination. IGAD's role in setting the framework for regionalization of refugee policy is significant, particularly in encouraging member states to adopt an integrative, region-based approach. International Human Rights Research Institutions such as the ICC and ICJ also provide international legitimacy pressure on state actors in accountability efforts. While their contributions are more judicial and normative in nature, their influence is important in shaping long-term policy directions regarding the protection and restoration of refugee rights.

The refugee community itself is a stakeholder that cannot be ignored. They are both subjects and agents in the protection system. Their level of influence and importance is high because their involvement in the policy design process based on real needs on the ground is a major determinant of policy effectiveness. The aspirations and participation of refugee communities form the foundation of social inclusion and give weight to the legitimacy of every policy implemented. Not involving them will result in structural bias in the formulation of solutions.

International media and independent journalists play a role in public advocacy and exposing abuses that are invisible to formal institutions. Freedom of information and critical

reporting can shift global discourse while creating pressure on state actors to increase transparency. This role is categorized as medium in terms of direct influence but high in shaping global perceptions. Research institutions and academia fill epistemological gaps and become centers of knowledge production, producing data-driven policy evaluations and alternative conceptual frameworks that can enrich international normative approaches.

The private sector, especially those related to infrastructure and logistics, is playing an increasing role in assisting the delivery of humanitarian assistance. Their involvement represents a shift in the protection landscape from solely state actors and multilateral institutions to more complex cross-sector partnerships. On the other hand, religious and traditional groups still play an important role in moral stabilization and social reconciliation. Their position in the social fabric of the community gives normative validity to post-conflict peace and recovery policies.

The analysis shows that the actoral structure in the issue of forced displacement is not linear, but forms a multidimensional network with complex linkages between global, regional, national and local actors. The matrix of power and interests shows that the effectiveness of protection does not depend solely on the force of law, but on the synergy between normative legitimacy and institutional capacity to act collaboratively. This constellation creates a dynamic configuration, requiring adaptive cross-sector governance and participatory approaches in policy formulation and implementation. In this context, the design architecture of human rights protection must transform from a normative-top-down approach to a collaborative ecosystem that reflects the complex reality of power contestation in the current global order.

### ***C. Normative Analysis of International Rules on the Protection of Forcibly Displaced Population in Somalia and Globally***

The normative framework governing the issue of forcibly displaced population at the international level shows a complex configuration that brings together conventional legal instruments, multilateral agreements, declarative principles, and regional commitments. In the context of Somalia and the global order, there are 19 main instruments that can be classified based on their normative status, substantial scope,

and implementation challenges as set out in table 4.3. This analysis explores these configurations with methodological rigor, elaborating on the juridical position and implementation effectiveness of each instrument, and closely linking it to Somalia's local context as a fragile state that has yet to gain full recognition in various international treaties.

No	International Rules/Instruments/Policies	Scope & Object	Legal Status/Norm	Specific Relevance to Somalia/Global	Implementation Challenges
1	1951 Refugee Convention	Refugee definition, non-refoulement, legal protection	Binding (state party)	Primary basis for cross-border refugees; Somalia not yet a state party	Does not cover IDPs; Somalia not a state party
2	1967 Protocol to the 1951 Convention	Expanded coverage of refugees	Binding (state party)	Lifted geographical & temporal restrictions of 1951 Convention; used by Somali refugee receiving states	Not applicable to non-party states
3	Guiding Principles on Internal Displacement (1998)	Protection of IDPs	Soft law (non-binding)	Key instrument for Somalia with millions of IDPs	Dependent on national implementation
4	Kampala Convention (African Union IDP Convention)	Protection of IDPs in Africa	Binding for AU countries	Somalia has ratified (2014); relevant for internal IDPs response	Limited national capacity and funding
5	International Covenant on Civil and Political Rights (ICCPR)	Civil and political rights of refugees	Binding (Somalia ratification 1990)	Protects individual rights including refugees & IDPs	Weak implementation mechanism in fragile states
6	International Covenant on Economic, Social and Cultural Rights (ICESCR)	Basic economic & social rights	Binding	Access to basic services, health, education for refugees	Limited budget and state institutions
7	Convention on the Rights of the Child (CRC)	Rights of refugee children	Binding (ratified by Somalia 2015)	Protects Somali children in displacement and camps	Exploitation & abuse practices still high
8	Convention Against Torture (CAT)	Protection from torture	Binding (Somalia ratification 2022)	Avoid return to torture zones; absolute prohibition	Ineffective domestic monitoring mechanism
9	Convention on the Elimination of All Forms of Discrimination Against Women	Protection of refugee women	Binding (not yet ratified by Somalia)	Refugee women are particularly vulnerable to GBV	Structural gender inequality in Somalia

	(CEDAW)				
10	Global Compact on Refugees (GCR) 2018	Burden-sharing, long-term solution	Non-binding, political	Somali refugee receiving countries reference this framework	Depends on political will of donor countries
11	Global Compact for Migration (GCM)	Safe & orderly migration	Non-binding	Includes economic refugees from Somalia	Rejected by some receiving countries; definitional differences
12	UNHCR Executive Committee Conclusions	Technical interpretation of refugee policy	Non-binding, interpretative	Direction for implementation of UNHCR programs in destination countries	Administrative implementation may vary
13	Agenda for Protection (2002)	Institutional reform of refugee protection	Non-binding, strategic	UNHCR's basis for driving long-term solutions	Low long-term financing
14	International Humanitarian Law (IHL - Geneva Conventions)	Protection of civilians in conflict	Universally binding	Relevant in Somalia's internal conflict between state & non-state actors	Violations continue without accountability
15	UNSC resolutions (e.g. UNSC 2628, 751)	Sanctions, Somalia security monitoring	Binding for UN members	Affects security stability and roots of displacement	Reliance on geopolitical consensus
16	Non-Refoulement Principle (jus cogens)	Prohibition of forced return	Customary international law (imperative)	Universally applicable, not subject to ratification	Violated by states with harsh deportation policies
17	Rome Statute (ICC)	Accountability for crimes against humanity	Binding (Somalia is not yet a state party)	Can be used to prosecute perpetrators who force population displacement	Somalia is not yet directly bound to the ICC
18	IGAD Nairobi Declaration (2017)	Regional handling of Somali refugees	Non-binding political commitment	Direct focus on Somali refugees	Lack of implementation monitoring mechanism
19	National laws of receiving countries (e.g. Kenya Refugees Act 2021)	Legal status, rights, and restrictions for refugees	Nationally binding	Determines Somalia's access to rights in receiving countries	Prone to domestic policy changes and politicization

**Table 4.3 : Normative Analysis - Forcibly Displaced Issue.**  
Drafted by the author

The 1951 Refugee Convention and 1967 Protocol appear as the main foundation of the global refugee protection architecture. They are binding on state parties but do not apply directly to Somalia, which is not yet a state party. The

consequence of this status is the absence of a strong juridical foundation to ensure cross-border refugee protection involving Somalia as both a country of origin and transit. The 1967 Protocol, although extending the temporal scope of the 1951 Convention, still cannot be used directly to protect the Somali refugee population in the absence of ratification. The implementation challenge lies in domestic political insularity and the absence of a national juridical structure capable of affirming such international provisions.

Meanwhile, the soft law Guiding Principles on Internal Displacement document presents norms for the protection of internally displaced persons (IDPs) but lacks legal force. Although these principles are frequently referenced in humanitarian frameworks, their application in Somalia faces serious obstacles in the form of limited national capacity and the absence of an authority that can consistently guarantee the rights of IDPs in conflict zones. The same applies to the Kampala Convention, an instrument that is binding on African Union member states but was only ratified by Somalia in 2014. While normatively providing an umbrella of protection for IDPs, in practice the implementation of this norm is hampered by funding constraints, weak bureaucratic capacity, and political instability that hinders the formulation of derivative policies.

The International Covenant on Civil and Political Rights (ICCPR), which Somalia ratified in 1990, provides a normative basis for the protection of civil rights of citizens, including individuals subjected to forced displacement. However, a serious challenge lies in how these norms are internalized in Somalia's institutionally weak national legal system. The absence of independent courts and effective enforcement mechanisms means that the provisions of the ICCPR lose operational power at the domestic level. In the same category, the ICESCR also guarantees the right to health, education and social welfare for displaced populations, but the concrete realization of this norm is hampered by low budget allocations and the absence of a comprehensive public service system in conflict areas.

The Convention on the Rights of the Child (CRC), which Somalia ratified in 2015, explicitly provides for the protection of children in situations of displacement. This instrument is important given the significant proportion of children in the forcibly displaced population. However, massive child exploitation and gender-based violence show that formal ratification has not been followed by substantive steps in the formation of child protection policies. The Convention against

Torture (CAT), ratified in 2002, affirms the absolute prohibition against torture including in the context of forced displacement and expulsion. However, the main implementation challenge is the lack of domestic mechanisms to monitor the practice of institutionalized violence against refugees.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) presents an important norm on the protection of refugee women from gender-based violence. However, Somalia's lack of ratification of CEDAW closes the space for formal accountability in cases of violence against refugee women. In this situation, women are vulnerable to sexual exploitation, human trafficking, and physical and psychological violence without adequate normative protection. On the other hand, the non-politically binding Global Compact on Refugees (GCR) and Global Compact on Migration (GCM) continue to play a significant role in strengthening international cooperation and burden-sharing. However, Somalia's political support for these documents remains minimal, and national implementation mechanisms are structurally absent.

The UNHCR Executive Committee Conclusions and Agenda for Protection provide strategic guidance in designing long-term protection. They are non-binding but interpretive, allowing flexibility in policy adaptation based on field conditions. However, this flexibility often backfires when there is no monitoring instrument to ensure consistency of implementation. In the Somali context, implementation challenges arise from weak implementing institutions and reliance on external actors in decision-making.

International Humanitarian Law, especially the Geneva Conventions, are universally binding norms that provide protection to civilians in armed conflict including refugees. Somalia as a country with protracted internal conflict should have made this norm as the main framework for protection. However, gross human rights violations in armed conflict and the absence of domestic accountability mechanisms have made this norm a mere formal declaration. UNSC resolutions such as Resolutions 2828 and 759, which emphasize the importance of peaceful resolution and restoration of security, are binding but limited to the diplomatic policy level. The biggest challenge in implementation lies in weak coordination across actors and limited logistics at the local level.

The principle of Non-Refoulement, which has become a

customary international norm, has a binding status even though it is not always explicitly included in the ratification of the convention by the state. Somalia as a fragile state has difficulties in effectively guaranteeing this principle. In many cases, forced returns continue to take place without adequate risk assessment, creating a potential violation of this fundamental principle of international law. The Rome Statute which underpins the existence of the International Criminal Court (ICC) is also binding on state parties, but Somalia is not yet a member of the ICC. Consequently, there is no formal mechanism to prosecute perpetrators of gross human rights violations against refugees in Somalia. In fact, the process of documenting violations is sporadic without a sustainable monitoring system.

The politically non-binding IGAD Nairobi Declaration (2017) emphasized regional commitment to a long-term solution for Somali refugees. While this initiative is symbolically important, its implementation faces major challenges in the form of domestic political limitations and fragmentary regionalism. This is compounded by the dominance of national agendas over multilateral cooperation. The last instruments on the list are the National Laws of receiving countries, particularly Kenya and Ethiopia, which regulate the status of refugees and place restrictions on access to basic rights. These instruments have the binding force of national law, but are often used as political instruments in the management of refugee populations.

Through a reading of the entire normative configuration, it can be concluded that despite the existence of a broad and comprehensive international legal framework, its implementation in the Somali context is partial, uncoordinated and highly dependent on domestic political conditions and international support. The lack of ratification of a number of key instruments, weak domestic legal institutions, and internal political fragmentation are the dominant factors that undermine the effectiveness of normative protection of forcibly displaced populations. In the midst of global disruption and emerging cross-sectoral challenges, the need for a more integrative and transformative implementation model is increasingly becoming an urgent necessity. This model must be able to harmonize international legal norms with local institutional structures, and combine the principle of legal accountability with an approach that is contextual to national and regional socio-political dynamics.

## 5. DISCUSSION



### ***A. Temporal Reflection on the Dynamics of the Architecture of Human Rights Protection***

In examining the transformation of the architecture of human rights protection over a long temporal span, a dialectical pattern emerges that shows the latent tension between formal normative commitments and their actual implementation in the global landscape. The time series analyzed provides a picture of institutional development that initially pivots on juridical idealism, then transitions towards praxis articulation determined by transnational political, economic and social contextual dynamics. Theoretically, this confirms the hypothesis that the institutional evolution of human rights protection is not linear, but rather fluctuating as suggested by Steiner et al. (2013) and further explained by Donnelly (2019) that human rights are constantly renegotiated between universal principles and cultural particularities.

In the early stages of the time series, there is a tendency for stagnation, which indirectly indicates the weak institutional incentives and political will of countries in making the human rights protection system a substantial architecture, not just a symbolic one. This finding supports Mutua's (2001) critique of the tendency of selectivity and systemic bias in the operationalization of human rights norms that function more as instruments of rhetorical legitimacy than tools of social transformation. On the other hand, such stagnation also challenges the optimism of institutionalist approaches that emphasize the rationality of institutional growth over time (Hafner-Burton & Tsutsui, 2005).

However, a transition to growth began to emerge in the mid-term, when there was increased consolidation of normative instruments and expansion of institutional actors at the supranational level. This phenomenon theoretically corroborates Keck and Sikkink's (1998) thesis on the role of transnational advocacy networks that pressure state actors and international organizations to adapt their practices to global expectations. This increase also suggests a correlation between international pressure and domestic dynamics in generating normative responses, although not necessarily accompanied by parallel implementation.

However, such institutional escalation does not necessarily reflect substantial progress. The imbalance between norm production and enforcement mechanisms confirms

Hathaway's (2002) thesis that institutional growth is often not accompanied by substantive effectiveness in implementation. This means that the architecture of human rights protection experiences a paradox, where quantitative growth is not always linear to the improvement of the quality of protection. This can be seen in the phenomenon of differentiation, where certain sectors receive excessive attention, while other dimensions are marginalized.

Furthermore, in the contemporary stage, this architecture shows symptoms of increasingly intense complexity and fragmentation. This complexity can be attributed to the expansion of actors and mechanisms involved, in line with Merry's (2006) argument that the globalization of human rights does not merely expand geographical coverage, but also deepens the relational complexity between actors, both state and non-state. This fragmentation signals a competition for normative authority, where not all protection standards can operate coherently. This situation reinforces the critique raised by Moyn (2010), who argues that modern human rights systems are increasingly drawn into the arena of power politics, making them less effective as tools for structural change.

Nonetheless, at certain points the data suggests a positive correlation between global dynamics and changes in the protection architecture. This is in line with the optimistic perspective of thinkers such as Baxi (2002), who emphasizes the importance of global democratization in promoting institutional accountability. The increasing role of international institutions and the strengthening of civil society suggest that protection structures are not solely dominated by state actors, but are instead complex arenas of multi-level interaction. This supports the transnational governance theory proposed by Risse (2011), that the effectiveness of human rights protection is highly dependent on cross-border cooperative networks that intervene in national power structures.

Meanwhile, from a temporal perspective, the longitudinal analysis indicates that significant changes are more likely to occur when there are concurrent pressures from both internal and external sources. This reinforces Risse, Ropp and Sikkink's (1999) spiral model, which states that the convergence of domestic and international pressures results in greater transformative opportunities for protection regimes. Conversely, when pressures are unilateral or fragmented, the outcomes are often symbolic without deep transformative

implications.

The discussion also revealed that there are moments of regression in protection, indicating that normative progress is not irreversible. This phenomenon corrects teleological claims in some normative approaches that assume that human rights will automatically evolve over time. The fact that regression occurs confirms the need for a critical approach that emphasizes political and economic contingencies as variables determining the sustainability of protection architecture.

On the other hand, this longitudinal analysis also serves as a critique of an overly positivistic approach to international human rights law. The data shows that the existence of legal instruments does not necessarily imply changes in substance. As Ratner (2011) explains, the effectiveness of international law is more determined by the process of internalization and its normative influence on state behavior, not merely its existence in formal documents. Therefore, this discussion shows that although the legal architecture has evolved, the challenges of internalization and acceptability remain unresolved epistemological and praxis problems.

Based on the overall dynamics reflected in the time series analysis, it can be concluded that the architecture of human rights protection is an entity that continues to undergo a dynamic process of reinterpretation, negotiation and adjustment. It does not exist in a vacuum, but is in constant interaction with global power constellations, domestic political fluctuations, and the evolution of the collective consciousness of the international community. As such, this discussion does not merely reflect the results of a quantitative study, but rather mirrors the shifting dynamics of human rights epistemology itself.

### ***B. Reconstructing the Role of Stakeholders in the Global Architecture of Human Rights Protection***

The discourse on the architecture of human rights protection at the global level increasingly shows a complex, dynamic and multilateral character. In this realm, the configuration of actors or stakeholders can no longer be seen as a rigid and linear structure, but rather as a network of power and legitimacy that intersects and produces meaning through norm negotiations, power dynamics, and representation battles. The findings of the stakeholder analysis in this study underscore the urgency of an interdisciplinary approach that

combines theoretical conceptions of governance, transnational networks, and global normativity in reading the shifting meanings and distribution of roles in human rights protection.

Observations of stakeholder structures reveal patterns of explicit support for theoretical assumptions in the constructivist paradigm, particularly regarding the formation of actor identities, power relations in international norm formation, and the role of non-state institutions in the articulation and mediation of global normative interests. This context confirms that international institutions not only play a regulative role, but also shape the moral and epistemic architecture of the human rights domain (Finnemore & Sikkink, 1998). Institutions such as the Human Rights Council and entities under the auspices of the UN exhibit a dual role as normative actors and arenas of political interaction, where various stakeholders compete over the representation and definition of the universality of human rights values.

Moreover, the data presented in this study shows the intensive involvement of non-state actors who have equal normative and operational capacities, even exceeding state actors in some contexts. Actors such as civil society organizations, academics, think tanks, and transnational corporations operate in a realm where human rights norms are not only produced through legal instruments, but also through social construction, public pressure, and moral diplomacy. This pattern confirms the findings of Risse and his colleagues on the spiral model in the process of internalization of human rights norms by the state, which is strongly influenced by transnational network pressures and international expectations (Risse, Ropp, & Sikkink, 2013).

The research findings also sharply criticize normative claims that simplify stakeholders as a single entity with a passive representation function. On the contrary, relations between stakeholders in the global human rights protection system represent a field of narrative contestation and intense epistemic battles. States with hegemonic interests, for example, often use international platforms to shape dominant narratives about human rights, while countries from the Global South present critiques of the structural biases inherent in the international system (Mutua, 2002). Here it appears that stakeholders do not stand on equal footing, but rather in asymmetrical and multidimensional configurations of power.

The analysis also indicates a close link between stakeholders'

normative validity and the socio-political legitimacy they enjoy at both local and international levels. This legitimacy is not a static entity, but the result of accumulated trust, implementative capacity and coherence between narrative and action. Institutional theory views legitimacy as the main currency in the global architecture, and the data in this study reinforces this assumption by showing how actors who succeed in building normative legitimacy become references in policy formation and human rights advocacy across countries (Barnett & Finnemore, 2004).

In other cases, there is also a shift in the role of local and regional actors as mediators between global norms and contextual needs. Normative locality theory (Acharya, 2004) finds its footing in this data, where regional stakeholders shape the adaptation of human rights values to fit domestic traditions, culture, and political structures. This adaptation does not mean a rejection of global norms, but rather a process of meaning co-construction that produces localized forms of human rights universality.

The findings also highlight significant changes in the forms of communication and articulation strategies of actors in the human rights protection system. Communication is no longer one-way between rulers and people or between institutions and individuals, but is multipolar and dynamic, where stakeholders shape, respond to, and modify approaches based on temporal and spatial contexts. This reinforces the postpositivist approach that emphasizes that there is no single owner of normative truth in the realm of human rights, but rather a discursive field that is constantly moving, full of negotiation and repoliticization.

Furthermore, the position of stakeholders in this study also opens a critical reflection on the scarcity of accountability mechanisms in the practice of global human rights protection. Some actors with great capacity in information dissemination and advocacy operate without an adequate framework of public control. Herein lies the paradox: when non-state stakeholders gain moral authority but lack formal accountability, questions of transparency, social control, and democratization of information become crucial to ask (Sikkink, 2011).

The data also shows a tendency to transform the role of human rights actors from a reactive approach to an anticipatory approach. In the reactive approach, stakeholders

usually respond to violations that have already occurred. However, in the latest configuration, they have begun to develop early detection systems, preventive advocacy, and the involvement of technology for mapping potential human rights violations. This transformation marks a new phase in the paradigm of human rights protection that is more oriented towards prevention rather than just handling impacts.

All of these findings accumulatively affirm that stakeholders in the human rights system are not only policy implementers, but also producers of meaning, formulators of norms, and guardians of global morality. Thus, stakeholder analysis does not merely explain who does what, but also reveals how authority, representation, and legitimacy are formed and transmitted in a changing global order. This proves that contemporary human rights governance is the result of synergies, frictions, and contestations between actors with diverse backgrounds, resources, and orientations that are interconnected through normative ties that continue to be redefined.

When summarized, this discussion not only presents a descriptive stakeholder map, but also illustrates the relational structures, strategic interdependencies, and normative struggles that color the global architecture of human rights protection. This understanding is an important foundation in developing a holistic and integrative approach to human rights protection, grounded in an awareness of the complexity of actor networks and sensitivity to the accompanying socio-political context. By doing so, we are not just advocating for universal values, but also upholding the principles of justice and sustainability in an increasingly connected and indivisible realm.

### ***C. Global Norm Reproduction in the Architecture of Human Rights Protection***

Conceptual developments in international legal studies today show a fundamental shift from the dominance of rigid positivism towards a normative constructivism paradigm that places legal norms as products of social interaction and global discursive structures. Within this framework, the normative data identified in this research reinforces the tendency that human rights protection is increasingly transformed from a mere formal legal commitment of the state to a more complex, multidimensional and transnationally connected architectural structure. The research findings show a convergence of norms that not only expands the substantive scope of protection, but

also deconstructs the rigidity of national laws in responding to international obligations (Hathaway, 2002).

In contemporary reality, it cannot be denied that international law has become the main discursive space in the formation of global moral commitments, especially in human rights issues. Normative data shows that the existence and expansion of international norms, both hard and soft law, actively influence the reconfiguration of national legislation. This supports the argument that norms not only operate as coercive instruments, but also as ideological influence mechanisms capable of shaping state behavior through internalization mechanisms (Koh, 1997). Thus, the data obtained indicates that international norms are not just a reflection of legal consensus, but also a hegemonic medium that shapes power relations in the global system (Mutua, 2001).

Furthermore, this research confirms the significance of the transnational approach in understanding the architecture of human rights law. The process of domestication of global norms never takes place in a politically and culturally neutral space. The mechanism of incorporation of international norms into the national legal system takes place in a discursive field full of negotiation, resistance, and hybridization. Some norms find synchronization with the national legal structure, while others undergo substantial modifications that limit their implementative effectiveness. This phenomenon confirms the thesis of Merry (2006) and Baskhoro (2025) that the successful implementation of global norms is strongly influenced by the local capacity to perform vernacularization, which is the process of translating norms into specific socio-cultural contexts.

On the other hand, there is also the phenomenon of legal reconstruction which shows that some national jurisdictions have shown progressive responses to global legal dynamics. This finding supports Slaughter's (2004) conception of judicial dialogue, which is the active involvement of national judiciaries in cross-border normative dialogue that leads to the formation of harmonious interpretative practices. This reinforces the conclusion that national law does not exist in isolation but is always in an orbit of interaction with the international legal system. The data supports the position that the internalization of international norms is not a passive adoption but a dialogical and constructive process.

However, the normative discussion also points to the inherent tension between the principles of universality and particularity. Some international norms on human rights are responded to with skepticism by states that prioritize the principle of sovereignty as the main foundation of their legal construction. In this case, there is a confrontation between two doctrines of international law: cultural relativism and moral universalism (Donnelly, 2007). The data shows that resistance to global norms often arises from concerns about the hegemony of Western values and the lack of space for recognition of cultural pluralism in the normative construction of human rights. This reinforces the findings of An-Na'im (1990) who stated the importance of contextual legitimacy in determining the validity of international human rights norms in various jurisdictions that have different historical complexities, cultures, and political systems.

Analysis of the normative instruments highlighted in the data also reveals the importance of monitoring and enforcement mechanisms in ensuring the effectiveness of international norms. When norms are merely declarative without strong monitoring instruments, states may choose to ignore them without meaningful consequences. Thus, the importance of justiciable instruments, such as regular reporting systems, individual complaint procedures and thematic inspections, cannot be overlooked. The data supports the theoretical position that strong international institutions are necessary for norms to be not merely symbolic aspirations but capable of having a transformational impact on national policies (Sikkink, 2011).

In the realm of idea construction, this discussion also interacts closely with the concept of governance beyond the state which emphasizes that non-state actors now play a significant role in shaping and propagating international legal norms. The norm cascade mechanism identified in the data shows that international norms tend to be accelerated when there is a constellation of actors across sectors that have the epistemic authority and moral legitimacy to push them (Finnemore & Sikkink, 1998). This confirms that the architecture of human rights protection is not merely the product of formal law, but also the result of complex interactions between legal structures, global networks, and evolving ethical discourses.

Overall, this discussion shows that the normative construction of human rights protection is undergoing a fundamental reorientation from a state-based system to a more



pluralistic, inclusive and transnational architecture. This process involves a dialectic between law and power, between morality and legality, and between the demands of globalization and the protection of local cultural identities. The data supports the assertion that an understanding of the normative architecture of human rights protection cannot be reduced to a purely legalistic framework, but must be read as a complex expression of intertwined historical, sociopolitical, and normative dynamics in a global setting.

## **6. CONCLUSIONS AND RECOMMENDATIONS**

This study presents a new holistic and reflective approach to the concept of human rights protection architecture, with a mature methodological basis and consistent theoretical depth. A thorough analysis of normative constructs, institutional dynamics, actor roles and temporal trajectories proves that the current protection system has stagnated due to the disconnect between constitutional foundations and implementation practices. This complexity arises from the lack of systemic coherence between normative structures and the lack of integration between vertical and horizontal actors, which theoretically should be the main pillars in reviving the principles of fair, progressive and participatory protection.

This research affirms that paradigmatically, the human rights protection model can no longer rely on traditional approaches that are unidimensional and elitist. Instead of being a tool to control excessive power, the human rights system tends to be trapped in normative formalism without corrective outreach to social reality. This finding strengthens the theoretical argument that there is a need to reposition the normative structure into a dynamic, cross-sectoral and substantial rights-based framework. In this context, the concept of protection architecture must not only adapt to global dynamics, but must also have the capacity to reflectively redefine norms based on specific experiences and evolving social contexts.

Furthermore, the data and analytical framework used support the premise that institutional actors have not fully moved in a single ethical and normative coordinate. This fragmentation indirectly weakens the architecture of protection and creates ambiguous spaces in the process of distributing justice and recognizing the fundamental rights of individuals. Such incoherence shows that there is still a gap between the ideological construction of human rights

protection and the institutional instruments that execute it. This is in line with the criticism of experts who highlight the importance of building the capacity of human rights institutions as living systems that are adaptive, interactive, and integrated at all levels of decision-making.

Therefore, it can be concluded that the urgency of renewing the architecture of human rights protection is not an option, but a historical necessity that needs to be realized through a comprehensive constitutional reconstruction. The transformation must not be done within a normative cosmetic framework, but must target the functional substance of the protection system itself. In this case, the universal principles of human rights can only be realized authentically if the regulative and institutional instruments run in a harmonious ethical and praxis rhythm.

As a strategic step, recommendations that can be formulated include several urgent matters. First, the need for re-codification of the structure of human rights law so that it is more responsive to complex social dynamics and no longer relies on rigid formalistic schemes. Second, the institutional system needs to be strengthened through cross-institutional integration mechanisms and strengthening the capacity of human resources who understand the basic values of human rights deeply. Third, the role of civil society and non-state institutions must be facilitated in monitoring and supervision mechanisms so that the protection of human rights is not only vertical but also involves social actors in democratic control. Fourth, the system for evaluating the success of human rights protection must be redesigned by emphasizing transformational and outcome-based aspects rather than merely procedural compliance.

Ultimately, the ideal architecture of human rights protection is not only reflected in legal documents, but in collective consciousness and institutional practices that represent substantive justice. The recommendations from this study emphasize the importance of a comprehensive reformulation of all components that underpin the protection system, both at the level of theory, norms and implementation, so that they are truly in line with the values of human nature, universal justice, and constitutional transformation that is sustainable and visionary.

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