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**Supporting Migration Policy Development  
in Turkey – MIND**

# **The Migration Policy Cycle and Migration Crisis Response**

A comparative report covering Germany, Italy,  
Russia, Sweden and the United Kingdom

March 2019





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# Acknowledgements

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This report has been produced within the framework of the EU-funded ‘Supporting Migration Policy Development in Turkey’ (MIND) project. The report aims to carry out a comprehensive analysis of policy development, monitoring and evaluation in Germany, Italy, Russia, Sweden and the United Kingdom. The role of key stakeholders in the policy development, implementation and monitoring process and their responsibilities are identified and analysed. The report also serves as a basis for the Migration Policy Development Report that will be drawn up at a later stage of the project and will map migration data in Turkey, develop a model of the migration cycle and analyse migration strategy development in Turkey.

Three countries (Germany, Italy and Sweden) out of the five covered were selected as destinations for study visits by a delegation of staff from the Directorate General on Migration Management in Turkey (DGMM). The report is based on internal input papers that were prepared by national policy experts in each of the countries covered, and on desk research and complementary information collected on the study visits to Germany, Sweden and Italy, as well as subsequent analysis. National policy experts include Prof. Dr. Friedrich Heckmann for Germany, Dr. Roberta Perna and Dr. Irene Ponzio for Italy, Dr. Dmitry Vyacheslavovich Poletaev for Russia, Ms. Elena Dingu-Kyrklund for Sweden and Dr. James Hampshire for the UK.

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# Executive Summary

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This report was prepared within the framework of the ‘*Supporting Migration Policy Development in Turkey*’ project with a view to providing the Directorate General of Migration Management of the Republic of Turkey with a comparative overview of approaches to migration policy development in various countries.

In consultation with relevant stakeholder institutions in Turkey, the following countries: Germany, Italy, Russia, Sweden and the UK were selected for this purpose. These countries were then analysed on the basis of input papers prepared by national policy experts and a wider literature review, as well as complementary information collected from study visits that were undertaken to Germany and Sweden within the framework of the project. Due to the limited level of transparency and closed format of the policy-making process in Russia, however, a stronger focus was placed on the EU countries covered in this report and their more transparent processes.

This report builds on the common understanding that due to the multidimensional reality of migration, policy coherence needs to be ensured throughout the policy cycle – comprising the stages of agenda setting, policy design, decision-making, policy implementation, as well as monitoring and evaluation – in order to strengthen the positive effects of migration and to reduce its negative side effects. To achieve this, inter-institutional coordination and decision-making mechanisms across relevant policy fields and levels of governance are crucial.

Furthermore, the present report shows that in practice the policy cycle does not always exactly follow the steps defined in an ‘*ideal model*’, but that these stages may partly overlap and influence each other. The realities of policy-making are to a large degree influenced by factors such as the policy environment, relevant recent events (including situations of migration crisis), and by political negotiations. The policy-maker hence often faces a balancing act between giving in to political pressure and respecting an inclusive and evidence-based approach to policy-making.

The comparative analysis could identify features for successful policy development at each of the stages of the policy cycle. At the stage of agenda setting, the main political parties typically commit to broad immigration policy objectives in their election manifestos and campaigns, which are usually derived from public discourse (societal discourse and the media), research, policy analysis and expert discourse, as well as lobbying activities of interest groups. Once a policy project is on the political agenda, policy proposals are designed that effectively address the issue. There is a common understanding that policies that are based on systematic evidence produce better outcomes, and the analysis of the countries covered in this report has shown that the creation of the necessary evidence base for such an approach is best achieved through a mixed structure of internal and external evidence production and migration research. Furthermore, early stakeholder involvement not only ensures valuable expert inputs but also ownership by those directly impacted by – or by those for whom a role is foreseen in – the implementation of a policy project.

Based on the tabled policy options, a policy-maker is able to decide on the approach that is considered to best deliver the desired outcomes.

Successful Implementation of policy measures often depends on the coordination of efforts and consensus on a work and time plan among the responsible actors, and an appropriate allocation of funds. Implementation is often supported by action plans or road maps that clearly indicate which actors are responsible for a given policy measure and define the timeframe. The stakeholders in charge of policy implementation may be very diverse, depending on the policy area and on the country's institutional structure.

As previously mentioned, different stages of the policy cycle are closely connected to and influence each other. In the context of evidence-based policy-making, the production and use of knowledge play a key role at all stages of the policy cycle. In particular, monitoring and evaluation play a crucial role, as results allow for ongoing policy learning and feedback into the design or adaptation of policies. The quality of the outcome is largely determined by the established evaluation culture within a given policy-making environment. Similarly to evidence production, it can be seen that monitoring and evaluation are best carried out both within the structures of the agencies in charge and by independent structures. They should be supported by the development of indicators and comprehensive data collection mechanisms.

The policy cycle may also be strongly influenced by crisis situations. A crisis situation may either disrupt the policy cycle or open policy windows, which may lead to higher acceptance of policy ideas that may already have been on the table but that had not (yet) reached sufficient political acceptance or attention to actually be adopted.

In response to migration crisis situations, policy development has often proven to be reactive rather than forward-looking. The European migration and asylum crisis, caused by large migration flows entering the EU in the wake of the ongoing civil wars in Syria and Libya, has shown a need for enhancing crisis preparedness and putting in place contingency plans, increasing institutional capacities and streamlining workflows, and enhancing coordination efforts in order to be able to effectively manage situations of a sudden and large influx of migrants and refugees at the institutional level. Furthermore, crisis situations may constitute windows of opportunity for policy changes or overdue reforms of the asylum system and adjacent policy areas.

# 1 Introduction

## 1.1 Background and purpose of the study

Establishing comparative knowledge of migration policy development practices represents an important step in informing national approaches to this area.<sup>1</sup> Comparative policy research can pave the way for policy learning and certain useful policy convergences in the international context. As such, the objective of this study is to contribute to the establishment of a comprehensive and sustainable migration policy framework in Turkey by furnishing an overview of practices applied in selected EU Member States and Russia.

Migration policy-making is largely influenced by the course and priorities of other national policies (such as foreign, social or labour market policy) and its development must fit within the established and often complex policy and institutional architecture. In a number of countries, migration policy remains driven by factors stemming from a wider societal public discourse and often faces sudden emergency situations.<sup>2</sup> This may be contrasted with the concept of migration policy as a driver, a contributor towards a particular kind of society which the state wishes to build.

The present study takes into account all relevant stages of the policy cycle and the cycle's recurring nature, and promotes the idea of evidence-based policies within the migration policy context. It examines relevant actors, processes and stages of the policy cycle from a comparative perspective. Moreover, it reviews monitoring and evaluation mechanisms and methods, and looks at accountability and responsibility issues which arise throughout the policy cycle. Finally, the study addresses the specificities of migration policy development in times of crisis, how the policy is refocused and innovated, and how new mechanisms are developed to tackle a crisis situation effectively.

## 1.2 Methodology

The methodology employed relies on individual country mapping. Prior to the compilation of this report, five countries were selected for individual study (Italy, Germany, Russia, Sweden and the UK), and national policy experts produced input papers on the stages of the policy cycle in each of them, including migration policy development, implementation, and monitoring and evaluation, as well as response to the migration crisis. Due to limitations of publicly available information and the fact that the research could not be systematically based on qualitative interviews with officials involved in the policy development, monitoring and evaluation processes in the countries covered, the comprehensiveness and level of detail of informa-

<sup>1</sup> C. Harns, (2011): Issues and models in technical cooperation with government on migration policy and practice, Migration Policy Practice I (1), International Organization for Migration (IOM) and Eurasyllum Ltd.

<sup>2</sup> G. Zincone, (2007): The case of Italy, in: G. Zincone, R. Penninx, and M. Borkert (Eds.), Migration policymaking in Europe: The dynamics of actors and contexts in past and present, IMISCOE Joint Studies.

tion gathered varied, depending on the stages of the policy cycle and on the respective countries. However, it was possible to close some information gaps by drawing on information gathered in study visits undertaken to Germany and Sweden in March and July 2018, and to Italy in February 2019.

In the next step, these country input papers and mission reports from study visits, as well as additional publicly available academic and policy advice literature, were analysed. In this context, it should be noted at the outset that it was difficult to identify best practices, due to the necessity for information on pre-defined parameters<sup>3</sup> and due to the fact that in many cases evaluations and impact studies that would allow for a comparative assessment of such parameters were lacking. Furthermore, the country input papers were not systematically based on interviews, which would have aided the selection of best practices.

Thus, assessing the success of best practice examples was not always possible, and it was decided to refer to policy examples in this report, rather than identifying them as 'best practices'. It is also germane to note that the selection of relevant practices and approaches is not exhaustive, and the authors of this report acknowledge that many more may exist.

While the policy cycle applies both to migration and non-migration policies, this report focuses on policy development, monitoring and evaluation in the context of migration policies. It starts by providing the theoretical background to: the policy cycle and its stages at a general level, the specificities of policy-making in situations of migration crisis, and migration governance more specifically. In the next step, the report undertakes a comparative analysis of the inter-institutional coordination mechanisms in place in the countries covered, the individual steps of the policy cycle and selected policy documents in place in these countries. The last section looks into responses to migration crisis situations.

As there is no universally accepted definition of migration policy, for the purpose of this report it will be defined as *'a coherent set of government decisions which are oriented towards the long-term purpose of governing or managing migration. Such decisions encompass rules, laws, measures, and practices implemented by the nation state with the aim of influencing the composition and volume of migration flows as well as the conditions of entry, exit and stay of migrants.'*<sup>4</sup>

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<sup>3</sup> Such parameters may include relevance, intervention characteristics, evidence and theory based approach, ethics, effectiveness and efficiency, equity, transferability, sustainability, inter-sectoral coordination and participation. See John F. Ryan. Director, DG Sante. Criteria to select best practices – a proposal from the Commission, Power Point Presentation, accessed at: [https://ec.europa.eu/health/sites/health/files/major\\_chronic\\_diseases/docs/ev\\_20161130\\_co01\\_en.pdf](https://ec.europa.eu/health/sites/health/files/major_chronic_diseases/docs/ev_20161130_co01_en.pdf), on 07.01.2018.

<sup>4</sup> M. Czaika, H. de Haas, Hein (2011): The effectiveness of immigration policies, DEMIG project paper 3; G.P Freeman, Gary, (1992): Migration Policy and Politics in the Receiving State, International Migration Review, Vol. 26, 4, 2012; quoted in M. Noack, M. Hofmann, Marin and R. Hosner, Practices of developing a national migration strategy in selected European countries, ICMPD, Vienna, 2015.

# 2 Theoretical Background

## 2.1 The Policy Cycle and its stages

The policy-making process is often described as a cycle comprised of different stages, including **agenda-setting, policy formulation, decision-making, implementation, and evaluation**<sup>5</sup> (see Figure 1).<sup>7</sup> Although the order of the policy stages follows an inherent logic, these stages may overlap and policy actors may informally interact at all stages of the policy cycle.<sup>8</sup> Furthermore, the policy cycle can easily be disrupted, for example, through a change of government or if an elected official is replaced and the successor wishes to change the policy direction.<sup>9</sup> In practice, public administrations may also find themselves in a dilemma between a policy process that is implemented in line with the planning and budget, and the need to respond to a changing environment that is shaped by elements of volatility, uncertainty, complexity and ambiguity, especially in times of crisis.

Generally, the policy cycle is shaped by a close **relationship between policy and policy analysis**, which involves the strongly interlinked elements of knowledge production, dialogue structure and knowledge utilization. The context determining the process of knowledge-production includes institutional settings, funding schemes and dialogue structures.<sup>10</sup> In practice, however, the degrees to which the knowledge is used may vary significantly, and policy decisions are not exclusively based on analysis, but are often **negotiated**, and agreements between opposing positions are in many cases only found if something is offered in return.<sup>11</sup> This approach may be challenged in cases lacking potential for exchange, if negotiation topics are too complex, or compromises are difficult to justify to constituencies.<sup>12</sup>

<sup>5</sup> Also referred to as policy design or policy shaping.

<sup>6</sup> This model goes back to Lasswell, who developed a staged policy process comprising intelligence, promotion, prescription, invocation, application, termination, and appraisal. However, this model has been criticised, for example, for the fact that it foresees policy termination before appraisal, rather than the other way round, which (latter sequence) would allow for the possibility of continuation of the policy, and has been further developed to reflect the cyclical nature of the process.

<sup>7</sup> F. Fischer, G.J. Miller, M. Sidney, (2007): Handbook of Public Policy Analysis – Theory, Politics and Methods, CRC Press.

<sup>8</sup> Ibid.

<sup>9</sup> European Union Quality of Public Administration - Toolbox for Practitioners, Luxembourg: Publications Office of the European Union, 2017.

<sup>10</sup> P. Scholten & F. van Nispen, (2015): Policy Analysis and the 'Migration Crisis': Introduction, Journal of Comparative Policy Analysis: Research and Practice, 17:1, 1-9, DOI.

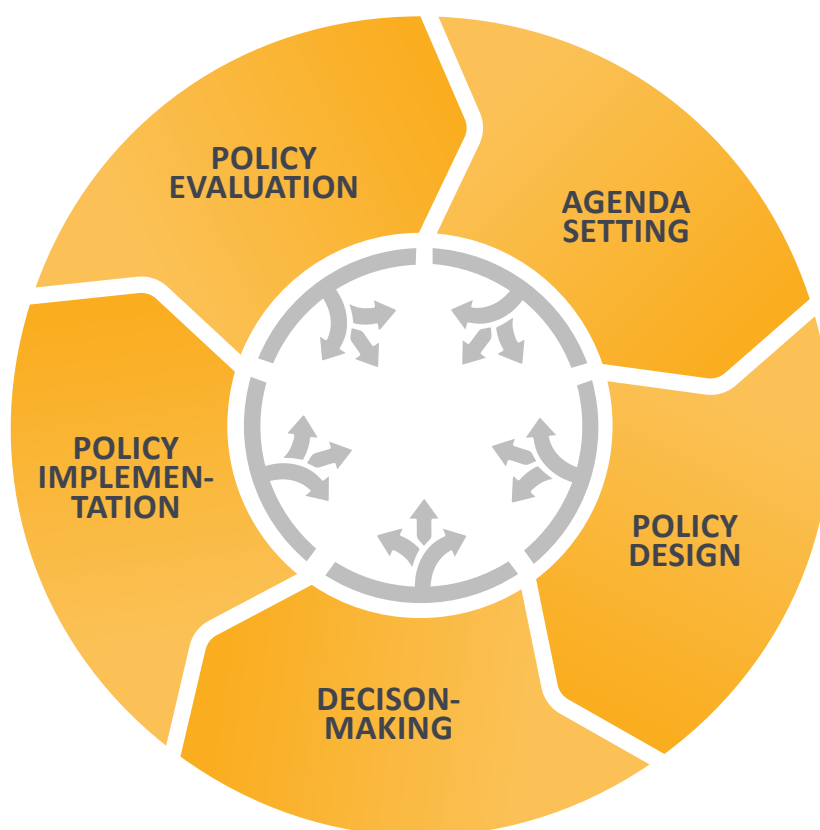
<sup>11</sup> A compromise on one issue may, for example, be linked to a favourable agreement on another, separate issue.

<sup>12</sup> J. Werner & K. Wegrich (2014): Phasenmodelle und Politikprozesse – Der Policy Cycle, in Schubert, Klaus und Bandelow, Nils C. [Eds.] Lehrbuch der Politikfeldanalyse, De Gruyter Oldenbourg Verlag.

The diagram below depicts a model of the policy cycle and its individual stages (Figure 1).

**Figure 1**

**Model of policy cycle**



*Source: Model based on Buonanno and Nugent, 2013*

The following sections describe the individual stages of the policy cycle in more detail.

### 2.1.1 Agenda Setting

At the first stage of the policy cycle, a policy-maker prescribes the agenda. Agenda-setting means that a problem of societal importance is recognised, and the policy-maker decides that such a problem requires a solution, i.e. he or she decides that it needs to be addressed by policy instruments.<sup>13</sup> The agenda can be discernible from the **political manifestos** of political parties, other **electoral proclamations**, or **governmental programs** which reflect the political interests of leading parties. **Media** often play an important role in deciding the agenda, while independent scientific research and analysis may have a lesser influence at

<sup>13</sup> Ibid.

this stage. Agenda setting may also follow **policy priorities of certain interest groups** (such as migration or humanitarian organizations, chambers of commerce, trade unions) or, on the other hand, results of nation-wide referenda. The next section on policy design tackles the issue of how a problem is defined, diagnosed, understood and addressed.<sup>14</sup>

### 2.1.2 Policy Design

On the basis of the previous step, a policy-maker formulates (designs) a policy or puts forward a policy proposal. Designing or formulating a policy means that a problem on the agreed agenda is addressed by a solution leading to a described policy goal or objective. Designing a policy instrument (solution) which would effectively address a problem follows the so-called **intervention logic**. The intervention logic encompasses a **chain of expected events between input (policy instrument) and outcome (policy objective), while factoring in external and internal circumstances and risks**. The purpose of the intervention logic is to test a policy hypothesis: Would the chosen policy instrument (solution) achieve the policy objective or goal? Does the available evidence support the hypothesis that the proposed policy instrument represents the most effective solution to the problem?

To summarise,

*[t]he intervention logic is the logical link between the problem that needs to be tackled (or the objective that needs to be pursued), the underlying drivers of the problem, and the available policy options (or the EU actions actually taken) to address the problem or achieve the objective. This intervention logic is used in both prospective Impact Assessments and retrospective evaluations.<sup>15</sup>*

Or, in a simplified way,

*[a]n agenda for change is like a “string of answers to three interconnected questions, namely, what policies, achieving what exactly, and for whom”.<sup>16</sup>*

In order to define and understand a problem, a sound **evidence-base** is required. Building this evidence usually involves **policy analysis** and **stakeholder consultations**, as well as a range of other **policy assessment tools** that are available to the policy-maker and that can be chosen depending on the scope and complexity of the policy area, sensitivity, and other issues.

Available policy assessment tools can be divided into three main groups:

1. **Simple tools** such as checklists, questionnaires, impact tables, process steps or similar techniques for assisting expert judgment.
2. **More formal tools**, such as scenario techniques, cost-benefit-analysis, risk assessment and multi-criteria analysis, which entail several analytical steps corresponding to predefined rules, methods and procedures.

<sup>14</sup> C. Burke (2018): Input to the MIND comparative report on the policy cycle in Germany, Italy, Russia, Sweden and the UK.

<sup>15</sup> European Commission, (2017): Better Regulation Guidelines, Working Document No. SWD (2017) 350.

<sup>16</sup> M. Milovanovitch (2018): Guide to Policy Analysis, European Training Foundation.

3. **Advanced tools**, which attempt to capture the more dynamic and complex aspects of societal or economic development by performing computer-based modelling, simulation or optimization exercises.<sup>17</sup>

Examples of such tools and methods will be presented in the sections below.

## Policy Analysis

Policy analysis, defined as ‘*the process of systematic investigation of the implementation and impact of existing policy (ex-post analysis), and of options for new policy (ex-ante analysis)*’ informs policy decisions by comparing costs, benefits, risks, and timing of government action, and can be applied in support of decision-making at key stages of the policy cycle: agenda setting (problem identification), policy formulation, policy implementation, and policy evaluation. The aim of policy analysis is to break an issue down into ‘simpler elements’ in order to better understand it, explain it, and to identify ways of influencing it.<sup>18</sup> Text box 1 provides a description of the process of conducting policy analysis.

### Text box 1

#### The process of conducting policy analysis

Possible steps in order to achieve this aim are not rigid, but usually include:<sup>19</sup>

1. framing and understanding the problem (outcome: outline of the problem);
2. collecting and describing the evidence (evidence can be qualitative or quantitative; frequently used sources for qualitative data collection include site visits and focus groups); evidence collection is to be guided by considerations of availability, relevance, and reliability (outcome: repository of evidence);
3. interpreting (analysing) the evidence (outcome: a series of findings);
4. formulating recommendations and outlining the options (outcome: collection of policy recommendations).

Although there is no single formula for conducting an analysis, it should achieve the following three things: i) aim to deliver responses to questions formulated in step 1, ii) link responses to evidence collected, and iii) reassess the initial problem framing and confirm or complement it.<sup>20</sup> Policy analyses usually include methods such as cost-benefit analysis and risk assessments.

The product of a policy analysis is usually a briefing paper or report that formulates the problem, establishes objectives, identifies parameters, states alternatives, and offers recommendations. Recommendations and policy options should be based on findings, assign responsibilities for the recommended actions, and outline risks that might lead to failure.<sup>21</sup>

<sup>17</sup> M. Nilsson, A. Jordan, J. Turnpenny, J. Hertin, B. Nykvist, & D. Russel, (2008): The use and non-use of policy appraisal tools in public policy making: An analysis of three European countries and the European Union, Policy Sciences, 41.

<sup>18</sup> Ibid., p. 11 ff. & p. 20 ff.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.



### Outsourcing (stages of) the analytical process

The complexity of some policy areas may require the outsourcing of one or more stages of the analytical process – mostly evidence collection and description, but sometimes also analysis. Wide-ranging and regular publications and databases can be important resources, as they may include, among other things, data and information that is relevant for answering the specific policy questions posed.

Examples of such resources, relevant to the field of migration, include:

- EUROSTAT, which publishes data in the field of immigration and asylum on EU Member States on a regular basis.<sup>22</sup>
- OECD International Migration Outlook,<sup>23</sup> which analyses recent developments in migration movements and policies in OECD countries and some non-member countries,
- IOM World Migration Report,<sup>24</sup> which has been published since 2000 to contribute to increased understanding of migration throughout the world.

Policy recommendations, the final outcome of policy analysis, always need to consider the context in which they are implemented, including the institutional set-up as well as stakeholders and networks that are relevant to the chosen policy field. Such stakeholders should already be involved in the framing of the problem, the interpretation of the evidence, and the formulation of recommendations, for example through consultation meetings. This approach allows for a *'reality check at key stages of the analytical process'*<sup>25</sup> and is likely to contribute to increased ownership on the part of relevant stakeholders.<sup>26</sup>

### Stakeholder consultations

Stakeholder consultation processes are crucial in order to gather expert inputs and evidence from and to ensure ownership by relevant stakeholders, including citizens, the private sector, NGOs, academia and interest groups, especially since these stakeholders may have a more direct vision of policy needs due to their more direct exposure to the policy area, and be able to foresee implementation challenges.<sup>27</sup> They can improve the evidence base and help ensure early acceptance among relevant stakeholders, including those who have a role in implementing new policies and those who will be affected by them.<sup>28</sup>

Stakeholder consultations can be carried out through different approaches, such as meetings, written submissions, focus groups and surveys, as well as, increasingly, the use of e-participation through social media

<sup>22</sup> Ibid.

<sup>23</sup> See OECD International Migration Outlook 2018, accessed at: <http://www.oecd.org/migration/international-migration-outlook-1999124x.htm>, on 22.10.2018.

<sup>24</sup> See The IOM World Migration Report 2018, accessed at: [https://publications.iom.int/system/files/pdf/wmr\\_2018\\_en.pdf](https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf), on 22.10.2018.

<sup>25</sup> M. Milovanovitch (2018).

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> F. Hauser, (2017): [Ed.] Quality of Public Administration. A Toolbox for Practitioners, EU.

or governmental websites.<sup>29</sup> However, in order to reach out to a range of different actors, a combination of different approaches can be recommended to ensure that stakeholders are familiar and feel comfortable with the tools offered.<sup>30</sup> Formal stakeholder consultation processes can complement ongoing dialogue with relevant stakeholders. The European Commission<sup>31</sup> defined general principles and minimum standards for consultations, as below:

- Participation: Adopt an inclusive approach by consulting as widely as possible;
- Openness and Accountability: Make the consultation process and how it has affected policy-making transparent to those involved and to the general public;
- Effectiveness: Consult at a time where stakeholder views can still make a difference, respect proportionality and specific restraints;
- Coherence: Ensure consistency of consultation processes as well as evaluation, review and quality control.

Text box 2 provides a description of the process of conducting stakeholder consultations.

### Text box 2

#### The stakeholder consultation process

The stakeholder consultation process can be divided into three phases: i) establishing the consultation strategy, ii) conducting consultation work, and iii) informing policymaking.<sup>32</sup>

##### 1. Establishing the consultation strategy

The objectives of stakeholder consultations and target groups – and accordingly also the most adequate methods and tools – can vary significantly, and need to be identified at the planning stage.<sup>33</sup> This step should include:

- A definition of objectives based on available data and information, and considering the scope of the consultation.
- The identification of target groups in a stakeholder mapping, involving the identification of relevant stakeholders and their prioritisation according to their level of interest in or influence on the policy initiative.
- A decision regarding public or targeted consultations, and the choice of adequate tools. The most commonly used tools include written consultations via consultation documents or questionnaires, or direct interaction via meetings, conferences, hearings or other events.<sup>34</sup>

<sup>29</sup> The EU, for example, has a single website for all public consultations, accessible here: [https://ec.europa.eu/info/consultations\\_en](https://ec.europa.eu/info/consultations_en)

<sup>30</sup> Hauser (2017).

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> Selection criteria for the choice of methods and tools include proportionality, degree of interactivity needed, accessibility (language regime, disability etc.), and time requirements. In practice, often a combination of written and direct tools is chosen.

### 2. Conducting consultation work

The consultations can be carried out in four steps, including: i) announcing and communicating, ii) running the consultations, iii) informing about contributions, and iv) analysing the content.

- Consultations can be announced via press conferences, newsletter, speeches, blogs and social media, direct contact with interested parties and organisations, etc.
- Summaries of consultation activities increase transparency and should include information on both the process and the input received.
- The presentation of results of the analysis should include a brief overview of the profile of respondents, an analysis of the content of responses, an analysis based on different stakeholder categories or, if many issues are discussed, an analysis on the basis of different consultation topics.<sup>35</sup>

### 3. Informing policymaking

Stakeholders who have participated in the consultations should be informed about the extent to which their suggestions have been taken into account. In the event that they could not be integrated, it should be explained why this has not been possible.<sup>36</sup>

In order to ensure quality control, an internal quality assessment of the consultation process and an assessment of the effectiveness of the consultation strategy is recommended.<sup>37</sup> Some Member States have adopted national standards for stakeholder consultation, such as the UK's 'Code of Practice on Consultation'.<sup>38</sup>

## Impact assessments

Impact assessments are another example of policy assessment tools and can be carried out either ex ante or ex post. The essence of impact analysis is *'to establish [...] a supposed chain of causation ("theory") from intervention to impact and to measure or describe the changes induced along that chain'*.<sup>39</sup> This approach has the advantage of being specific and focused, but risks a certain bias, as it builds on a certain theoretical understanding, which may lead to a focus on certain effects while omitting others. Furthermore, it is important to note that impact is not always a linear process, as it is embedded in a system comprised of institutions, actors and wider social context and may strongly depend on circumstances.<sup>40</sup>

<sup>35</sup> Hauser (2017).

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Her Majesty's Government, Code of Practice on Consultation, Better Regulation Executive, Department for Business, Enterprise and Regulatory Reform, Crown copyright 2008.

<sup>39</sup> OECD (2014): What is Impact Assessment?, based on: OECD Directorate for Science, Technology and Innovation, Assessing the Impact of State Interventions in Research – Techniques, Issues and Solutions, unpublished manuscript.

<sup>40</sup> Ibid.

Text box 3 provides a description of the process of carrying out impact assessments.

### Text box 3

#### Impact assessment

Impact assessments require careful planning and sufficient time, as the process may take between eight months and two years, depending on the scope of the issue, data availability and stakeholder consultation processes.<sup>41</sup>

Questions that should be answered include:<sup>42</sup>

- What is the problem and why is it a problem?
- Why should the country act?
- What should be achieved?
- What are the various options to achieve the objectives?
- What are their economic, social and environmental impacts and who will be affected?
- How do the different options compare (effectiveness, efficiency and coherence)?
- How will monitoring and subsequent retrospective evaluation be organised?

Findings of the impact assessment are presented in an impact assessment report.<sup>43</sup> Based on the impact assessment it should be possible to identify one or more policy options.<sup>44</sup>

### Cost-benefit analysis

Cost-benefit analysis may take place at different stages of the policy cycle, including at the planning stage, during implementation, or as part of a full scale evaluation.<sup>45</sup> Predictive models of cost-benefit analysis '*forecast the net social value of a policy or intervention based on assumptions about its impact*', whereas evaluative approaches would ideally analyse both the initial outcomes of a policy intervention and its broader effects. They can also serve as a feedback loop for prior predictions.<sup>46</sup>

Cost-benefit analysis differs from cost-effectiveness analysis and risk analysis: cost-effectiveness analysis compares the costs of achieving a desired public program objective through a variety of alternative policy designs. The criteria used for identifying the best policy option are either the least cost for a given level of effectiveness or greatest effectiveness for a given level of spending. Cost-effectiveness analysis hence applies a much narrower approach than cost-benefit analysis, which goes beyond that by also assessing

<sup>41</sup> F. Hauser, (2017): [Ed.] Quality of Public Administration. A Toolbox for Practitioners, Tool #4: What steps should I follow for an IA? Luxembourg: Publications Office of the European Union.

<sup>42</sup> Ibid.

<sup>43</sup> An example of an impact assessment report is the European Commission Staff Working Document 'Impact Assessment' accompanying the document 'Proposal for a Regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund' [...] [SWD(2018) 347 final], <http://ec.europa.eu/transparency/regdoc/rep/10102/2018/EN/SWD-2018-347-F1-EN-MAIN-PART-1.PDF>

<sup>44</sup> Hauser (2017)

<sup>45</sup> Fischer, Miller, Sidney (2007).

<sup>46</sup> M. Benton & P. Diegert (2018): A needed evidence revolution: Using Cost-benefit Analysis to Improve Refugee Integration Programming, Migration Policy Institute (MPI).

the benefits for the target population more broadly, rather than only focusing on the narrower goals of the given policy. Difficulties in accessing data on the actual benefit, however, may make cost-effectiveness analysis the analytical tool of choice.<sup>47</sup> Ideally, cost-benefit analysis would be based on a range of studies with a control group, which are repeated over time and allow for a meta-analysis on the average impact of policy actions. In practice, however, such robust evidence is not available in most cases, highlighting a clear need to improve the evidence base, notably by combining projects and initiatives with real policy questions and administrative data.

Text box 4 provides a description of the process of carrying out cost-benefit analysis.

### Text box 4

#### The process of carrying out cost-benefit analysis

Design choices have a major impact on the outcomes of cost-benefit analysis. For example, the analysis should go beyond the fiscal impact and also look at other goals that may have a significant value for society, such as reducing social exclusion and preserving public safety or community cohesion, in order to achieve a comprehensive picture of the benefits.<sup>48</sup> A death caused by crime, for example, may be considered a significant loss by society, far beyond its financial implications.<sup>49</sup> A comprehensive and unbiased design of the cost-benefit analysis is particularly important, as cost-benefit analysis *'tends to neglect the distributional consequences of a choice'* and risks overvaluing policy measures that exacerbate economic inequalities.<sup>50</sup>

Main steps for conducting a predictive cost-benefit analysis include:<sup>51</sup>

1. Determining what initial outcomes could be attributed to a programme;
2. Modelling the causal connection between initial outcomes and long-term socio-economic outcomes; and
3. Establishing the social value of long-term socio-economic outcomes.

In conclusion, cost-benefit analyses require significant investments and should be carried out in tailor-made and expert-led processes.

Another tool is risk analysis, which involves three main steps: the identification and characterisation of the hazard, the assessment of the likelihood of its occurrence and the characterisation of the risk.<sup>52</sup>

<sup>47</sup> Ibid.

<sup>48</sup> Questions evolving in the context of design choices also include that of whether the social welfare of refugees and/or asylum seekers should be included in social welfare calculations, which is usually answered positively, at least in the case of recognised refugees.

<sup>49</sup> Benton & Diegert (2018).

<sup>50</sup> Fischer, Miller, Sidney (2007).

<sup>51</sup> Benton & Diegert (2018).

<sup>52</sup> Hauser (2017).

The policy design stage also involves the choice of policy instruments. Generally, the following types of policy instruments can be distinguished:

- **Legal and regulatory instruments**, including laws and regulations, licenses, permits;
- **Public spending/economic instruments**, including taxes, fines, subsidies, grants, procurement of supplies and services, expenditure;
- **Soft instruments**, including recommendations, technical standards, communications, self-regulation;
- **Reform of government structures**, including creating, abolishing or merging public bodies, allocating functions differently across the administration; centralising or decentralising powers; pooling resources across authorities; outsourcing, privatising, bringing under public ownership or control, or creating public-private partnerships; and
- **Communicative instruments**, including education, research, advice, media and information campaigns.<sup>53</sup>

In the selection of policy instruments, costs and benefits must be carefully considered. In practice, however, ideas and ideologies, personal interests, institutional preferences, and international context may also have an impact on choices.<sup>54</sup> Generally, good policy-making requires the right culture, working environment and organisational structures. In order to achieve that, the following policy fundamentals should be considered at all stages of the policy-making process:<sup>55</sup>

- Clarity on goals;
- Open and evidence-based idea generation;
- Rigorous policy design;
- Responsive external engagement;
- Thorough appraisal;
- Clarity on the role of central government and accountabilities; and
- Establishment of effective mechanisms for feedback and evaluation.

### 2.1.3 Decision-making

The development of policies, strategies, strategic documents and action plans requires taking a decision. Decision-making is affected by numerous factors, such as organisational, economic, political, social and environmental factors, and should be perceived as a participatory enterprise. Political support and consensus should, however, already be ensured at previous stages of the policy cycle – for example, through political validation before starting work on the policy-making process,<sup>56</sup> determination of acceptable costs, and stakeholder consultations. Finally, the policy-maker must identify whether the policy proposal requires executive or legislative approval, or whether to disseminate the proposed policy only in the form of recommended standards, guidelines and good practice. A decision should also be reached on how and at which intervals a policy should be monitored and evaluated, and how results should be communicated to relevant stakeholders and to the public.<sup>57</sup>

<sup>53</sup> Van der Doelen (1989); quoted in V. Bekkers, M. Fenger, P. Scholten, *Public Policy in Action: Perspectives on the Policy Process*; Hauser (2017).

<sup>54</sup> Hauser (2017).

<sup>55</sup> Ibid.

<sup>56</sup> European Commission, Commission Staff Working Document ‘Better Regulation Guidelines’ [SWD (2017) 350], Chapter II. Guidelines on Planning

<sup>57</sup> Burke (2018).



### 2.1.4 Policy Implementation

Effective implementation of policy measures is a prerequisite for meeting policy objectives and goals. It starts with good planning and takes into account possible risks and challenges. Implementation of policy measures often depends on coordination of efforts and consensus on a work and time plan among the responsible actors.<sup>58</sup> The implementation, however, is not merely the ‘technical execution of political orders’, it is itself a political process in the course of which the policies are restructured, redefined or even reversed.<sup>59</sup> Policy design and implementation are highly interdependent processes. The involvement of actors who already have a stake in the implementation process at the design stage and in debates has an impact on the implementers’ understanding of policy problems, and hence on policy execution. This helps to avoid the coexistence of a range of different or even contradictory interpretations.<sup>60</sup>

There are three main theoretical approaches to policy implementation that all agree that implementation is a ‘*continuum located between central guidance and local autonomy*’.<sup>61</sup> These approaches include:

- top-down models that consider implementation an apolitical, administrative process in which policy makers produce policy objectives and control their implementations;
- bottom-up models that recognise that in practice there may be circumstances on the ground that affect policy implementation and that may lead to deviations from the original policy objective. Policy implementation is negotiated in networks of implementers in which local authorities have a central role;
- hybrid models that combine elements of both approaches with other theoretical approaches.<sup>62</sup>

When dealing with complex policy areas that ‘*require the involvement of many actors, resources and gradual implementation*’,<sup>63</sup> **implementation strategies** may be introduced that account for roles of different stakeholders and ensure a common understanding of priorities. Such implementation strategies can be supported by **action plans** or **roadmaps** that assign relevant responsibilities, allocate a budget and set a time frame for accomplishing a policy measure and achieving a policy goal or objective, and provide an overview of different stages of policy implementation.<sup>64</sup>

Depending on the scope of the given policy, it may be tested in order to identify whether the policy design is adequate to reach the desired objectives, to identify unintended side effects and to feed back the results of the testing and adapt the policy at an early stage. This can be done through **prototyping and piloting**. Prototyping simulates the policy and allows the collecting of experiences on how it works already at an early stage. There are different types of prototypes<sup>65</sup> that follow different approaches, depending on the

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<sup>58</sup> Ibid.

<sup>59</sup> Fischer, Miller, Sidney (2007).

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> N. Popova & F. Panzica, (2017): General practical guidance on promoting coherence among employment, education/training and labour migration policies, ILO.

<sup>64</sup> Hauser (2017); N. Popova & F. Panzica, (2017): General practical guidance on promoting coherence among employment, education/training and labour migration policies, ILO.

<sup>65</sup> Types of prototyping include table-top prototyping, touchpoint prototyping and experience prototyping. Further information as well as concrete examples can be accessed here: <https://www.gov.uk/guidance/open-policy-making-toolkit/4-delivery-prototyping-and-improving-ideas#prototyping-types-of>



questions to be answered, the stage of the policy project and the available resources.<sup>66</sup> In the next step, **pilots**<sup>67</sup> implement the policy on a smaller scale, targeting only a small part of the target group. This approach allows policies and programmes to be tested and adjusted, and may encourage innovations that might be considered too risky or costly without such an experimental approach. It can also be considered a first step of a longer-term monitoring and evaluation strategy.<sup>68</sup> In designing pilots, it is important to ensure that the scale of the pilot is proportional to its expected benefits. Evidence already available on the subject of policy should feed in to the design of pilots, and expert advice should be taken into account at early stages of the pilot. Mechanisms to adapt a policy or its delivery mechanism should be in place, based on the testing. Should it not be possible to adapt the policy based on the outcomes of the pilot's findings, the pilot becomes redundant.<sup>69</sup>

### 2.1.5 Monitoring and Evaluation

The policy implementation and effects of policy instruments should be monitored and evaluated. If the evaluation results show that the chosen policy was implemented correctly and if the policy instrument responded to the policy needs, i.e. attained the policy objectives or goals, the policy-maker may decide to maintain it or, if this was not the case, to alter or terminate it.<sup>70</sup>

With regard to evaluation, usually a distinction is made between ex ante evaluation, ongoing and ex post evaluations.<sup>71</sup>

- Ex ante evaluations serve the purpose of informing a policy decision. Usually, they include an implementation pre-assessment that tries to anticipate the implementation process, as well as an environmental impact assessment, which looks into potential consequences the policies may have on the environment.
- Ongoing evaluation serves to identify the (interim) effects and results of policy actions, in parallel to its implementation. Monitoring is an (ongoing) evaluative procedure 'measuring' the effects of ongoing activities through appropriate indicators.
- Ex post evaluations assess attainments of the policy goal and effects of policy programmes (both intended and unintended) after their completion.<sup>72</sup>

Evaluations are meant to identify to what degree the policy objectives have been reached. Conceptual problems linked to this undertaking include the identification of appropriate indicators for such an evaluation, the challenge of establishing a causal relation between the observed effects and the policy actions, and also difficulties in capturing the unintended side-effects of policy actions.<sup>73</sup> As noted by Ager:

<sup>66</sup> UK Cabinet Office, (2016): Open Policy Making Toolkit, (last updated January 2017).

<sup>67</sup> For further information on the role of pilots in policy-making, including methods and practices of piloting, please refer to: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/498256/Trying\\_it\\_out\\_the\\_role\\_of\\_pilots\\_in\\_policy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/498256/Trying_it_out_the_role_of_pilots_in_policy.pdf)

<sup>68</sup> UK Cabinet Office, (2003): Trying it out. The Role of 'Pilots in Policy-Making. Report of a Review of Government Pilots'. Government Chief Social Researcher's Office.

<sup>69</sup> Ibid.

<sup>70</sup> Burke (2018).

<sup>71</sup> Fischer, Miller, Sidney (2007).

<sup>72</sup> Ibid.

<sup>73</sup> Ibid.



“Indicators are measures that indicate something about a phenomenon of interest. They do not ‘sum up’ or totally represent that phenomenon; rather they are an indication about the level or attainment of that phenomenon. This is not an abstract principle – it has important practical implications – and with a concept as multidimensional as integration, it is clear that no one form of measurement will ‘sum it up’. Rather, a series of measures will be required, each of which are imperfect but – taken together – they provide insight into the extent to which ‘integration’ is being achieved.”<sup>74</sup>

Although there are no universally agreed indicators, different sets of indicators exist. The so-called Zaragoza Indicators (see Table 1), for example, which were agreed by relevant EU Ministers at the European Ministerial Conference on Integration in Zaragoza in 2010, may serve as an example of a set of indicators developed at the supra-national level to support monitoring and evaluation of the situation of immigrants and the outcome of integration policies at the national level.<sup>75</sup>

**Table 1**  
**Example of Integration Indicators: The Zaragoza Indicators**

POLICY AREA	INDICATORS
<b>Employment Core indicators</b>	Core indicators: <ul style="list-style-type: none"> <li>• employment rate</li> <li>• unemployment rate</li> <li>• activity rate</li> </ul>
<b>Education Core indicators</b>	Core indicators: <ul style="list-style-type: none"> <li>• highest educational attainment (share of population with tertiary, secondary, and primary or less than primary education)</li> <li>• share of low-achieving 15-year-olds in reading, mathematics and science</li> <li>• share of 30–34-year-olds with tertiary educational attainment</li> <li>• share of early leavers from education and training</li> </ul>
<b>Social inclusion Core indicators</b>	Core indicators: <ul style="list-style-type: none"> <li>• median net income – the median net income of the immigrant</li> <li>• population as a proportion of the median net income of the total</li> <li>• population at risk of poverty rate – share of population with net disposable income of less than 60 per cent of national median</li> <li>• share of population perceiving their health status as good or poor</li> <li>• ratio of property owners to non-property owners among immigrants and the total population</li> </ul>
<b>Active citizenship</b>	Core indicators: <ul style="list-style-type: none"> <li>• share of immigrants that have acquired citizenship</li> <li>• share of immigrants holding permanent or long-term residence permits</li> <li>• share of immigrants among elected representatives</li> </ul>

**Source:** Council of the European Union, Declaration of the European Ministerial Conference on Integration (Zaragoza, 15 & 16 April 2010), <https://ec.europa.eu/migrant-integration/librarydoc/declaration-of-the-european-ministerial-conference-on-integration-zaragoza-15-16-april-2010>

<sup>74</sup> A. Ager & A. Strang (2004): Indicators of Integration: Final Report. Home Office Development and Practice Report 28. London: Home Office; quoted in Hampshire (2017).

<sup>75</sup> Council of the European Union, Declaration of the European Ministerial Conference on Integration (Zaragoza, 15 & 16 April 2010).

Examples of existing data sources that can be used for integration monitoring in Europe, based on these indicators, include the Labour Force Survey, the EU Survey on Income and Living Conditions, the Census, the Programme of International Student Assessment, the European Social Survey, the European Value Survey and the Eurobarometer.<sup>76</sup>

Evaluations can be carried out as internal or external evaluations, the latter having the advantage of being more independent. Parliaments play an important role in policy evaluations, whereas courts of audit have a role in analysing their effectiveness and efficiency. Other possible actors include the Prime Minister's Office or the Finance Ministry, as well as ad hoc bodies and commissions (i.e. enquiry commissions). Often, however, evaluations are outsourced to research institutes due to the complexity of the issue and the need for expertise in social sciences and relevant methodological approaches.<sup>77</sup>

## 2.2 Policy-making in situations of migration crisis

Policy-making may be influenced by crisis situations, as they require a quick response to immediate needs and challenges and do not always leave sufficient time to follow all the steps of the policy cycle.

The Oxford Dictionary defines a crisis as '*a time of intense difficulty or danger*' and '*a time when a difficult or important decision must be made*'.<sup>78</sup> Or, as Henderson puts it:

*Calling something a crisis means to frame an issue as an urgent, structural threat that necessitates an urgent course of action to avert the danger. Crucially, since the threat is structural, it means that the current status quo is not a sufficient way to deal with the threat. An alternative course of action is necessary.*<sup>79</sup>

Situations of crisis mostly refer to contested policy problems in which it is not only difficult to agree on the policy solutions but also on the 'framing' of the policy problem itself. In the context of migration, a situation of large influx may be perceived as a crisis situation due to the limited capacities of institutions to address it and the resulting loss of confidence of the population in these institutions, rather than due to the number of migrants entering. The perception of crisis may be further exacerbated by pre-existing anti-immigrant sentiments and a politicized debate on multiculturalism, as well as other factors that are behind this narrative (of crisis), such as a worsening of the economic situation, political instability, et cetera. At the same time, the public perception of migrants may change due to a perception of 'crisis', leading to a backlash against concepts of diverse societies.<sup>80</sup> Migration crisis situations may constitute an important challenge for policy-making, due to unpredictable (institutional) transformations, which may put the relationship between policy and research to the test and jeopardise evidence-based policy making.<sup>81</sup>

<sup>76</sup> Ibid.

<sup>77</sup> Ibid.

<sup>78</sup> The Oxford Dictionary, accessed at: <https://en.oxforddictionaries.com/definition/crisis>, on 12.11.2018.

<sup>79</sup> Laura Henderson (5 March 2014) What it means to say 'crisis' in politics nad law. E-International Relations.

<sup>80</sup> Scholten & van Nispen (2015): Policy Analysis and the 'Migration Crisis'.

<sup>81</sup> Ibid.

A comparative analysis of Italy, the Netherlands and the UK, for example, showed that in the three countries under analysis, expert advice was used mainly for symbolic reasons to legitimize policy choices during situations of perceived migration crisis, which led to a biased selection of the type of evidence used. Generally, in a highly politicised setting, there is a higher chance of monopolized knowledge claims; in particular, the perceived migration crisis led to the challenging of the credibility of researchers and policy analysts and to changes in ‘*knowledge infrastructures*’.<sup>82</sup> At the same time, academic interest and research on issues related to labour market integration of refugees, but also migration and integration topics more broadly, have increased in the wake of the migration crisis.<sup>83</sup>

Crisis situations may also strengthen or weaken the role of certain migration governance actors. It has, for example, been observed that migration crisis situations have reinforced a ‘turn to the local’ and prompted cities and municipalities to develop their own policies and engage horizontally with NGOs and migrant organizations.<sup>84</sup> Crisis situations may also open ‘policy windows’, as specific policy areas become a priority, and can hence have an important impact on shaping migration policies. This issue will be further addressed in Section 4.

### 2.3 Migration Governance

While the steps described in Section 2.1 apply to the policy cycle at the general level, irrespective of the policy area covered, this section will address migration governance more specifically. Acknowledging that various definitions of governance exist, for the purpose of this report we will define governance in the context of migration as:

*“The combined frameworks of legal norms, laws and regulations, policies and traditions as well as organizational structures (sub-national, national, regional and international) and the relevant processes that shape and regulate States’ approaches with regard to migration in all its forms, addressing rights and responsibilities and promoting international cooperation.”<sup>85</sup>*

Migration is a multidimensional policy field and various public policies, for example, in the fields of education, employment, economy, social affairs, public security, and others, affect and are affected by migration patterns. In this context, a high level of policy and institutional coherence both at the vertical and at the horizontal level is needed to foster the positive developmental effects of migration and to avoid its negative side-effects (see Figure 2).

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<sup>82</sup> Ibid.

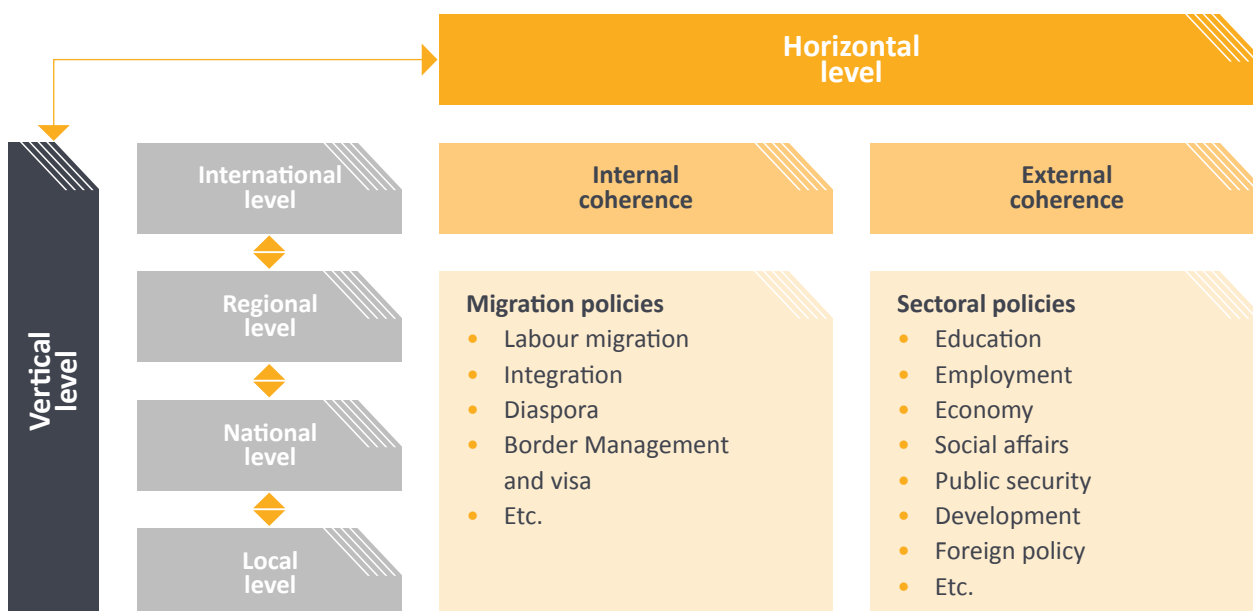
<sup>83</sup> Benton & Diegert (2018).

<sup>84</sup> M. Panizzon & M. Van Riemsdijk (2018): Introduction to Special issue: Migration governance in an era of large movements: a multi-level approach. *Journal of Ethnic and Migration Studies*.

<sup>85</sup> IOM Glossary on Migration, 3rd Edition, 2018 – forthcoming; quoted in the IOM Data Portal, Migration, <https://migrationdataportal.org/about>.

Figure 2

Horizontal and vertical policy coherence



Policy coherence can be distinguished between different levels of governance (*vertical coherence*) and across different policy fields (*horizontal coherence*). The latter can be divided into *internal coherence* among different policy areas within the field of migration, such as labour migration, integration, diaspora engagement, and border management and visa, and *external coherence* between migration policies and other relevant policy areas, such as education, employment, economy, trade, social affairs, public security, development and foreign policy. Policy coherence is vital in order to strengthen positive effects while mitigating possible negative side-effects of migration.<sup>86</sup>

Such a high level of policy coherence is best achieved in a whole-of-government approach, which is considered a cooperative approach to political and legislative processes to achieve a shared goal and an integrated government response to particular issues. Coordination mechanisms and decision-making bodies between institutions, portfolios and competencies are considered a central instrument for such an approach.<sup>87</sup> Furthermore, a wide range of actors has a stake in migration issues – including migrants, diasporas, local communities, civil society, academia, the private sector, Parliamentarians, trade unions, National Human Rights Institutions, the media and other relevant stakeholders in migration governance – and all should be involved in migration policy making, in a whole-of-society approach.<sup>88</sup> The Global Compact for

<sup>86</sup> N. Popova & F. Panzica, (2017): General practical guidance on promoting coherence among employment, education/training and labour migration policies, ILO.

<sup>87</sup> R. Ohlinger & M. Meshena (2018): Whole of Government as a perspective for migration policy making, («Whole of Government» als migrationspolitische Perspektive), Heinrich Böll Foundation, Greece.

<sup>88</sup> For more detailed information, please refer to the International Organisation for Migration (IOM) brochure on the Migration Governance Framework, accessed at: [https://www.iom.int/sites/default/files/about-iom/migof\\_brochure\\_a4\\_en.pdf](https://www.iom.int/sites/default/files/about-iom/migof_brochure_a4_en.pdf), on 09.01.2019

Safe, Orderly and Regular Migration<sup>89</sup> promotes both a whole-of-government approach and a whole-of-society approach to address migration in all its dimensions, based on broad multi-stakeholder partnerships.

The International Organisation for Migration has developed a Migration Governance Framework<sup>90</sup> along these lines with the objectives of advancing the socio-economic well-being of migrants and society, effectively addressing the mobility dimensions of crises and ensuring that migration takes place in a safe, orderly and dignified manner. It is based on three principles that should guide the policy development process at each step of the policy cycle:

1. adherence to international standards and fulfilment of migrants' rights;
2. policy formulation based on evidence and a 'whole-of-government' approach; and
3. engagement with partners to address migration and related issues.

A study covering 15 countries, carried out by the Economist Intelligence Unit in 2016, identified institutional coherence and policy 'connectivity' with other policy domains, national collaboration, and transparency<sup>91</sup> as essential factors for a comprehensive migration policy. The Migration Governance Index that was based on this study attempts to measure migration policies in a holistic manner and assesses institutions, regulations and operational structures that affect the quality of migration governance, based on five domains:

- institutional capacity;
- migrant rights;
- safe and orderly migration;
- labour migration management; and
- regional and international co-operation and other partnerships.<sup>92</sup>

Table 2 displays the ranking of Germany, Italy and Sweden, which are the three countries that are covered both by this report and by the 2016 study on the Migration Governance Index, based on these five domains.<sup>93</sup>

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<sup>89</sup> United Nations General Assembly, Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, Marrakech, Morocco, 10 and 11 December 2018. Draft outcome document of the Conference, accessed at: <http://undocs.org/en/A/CONF.231/3>, on 19.12.2018.

<sup>90</sup> For more detailed information please refer to the International Organisation for Migration (IOM) brochure on the Migration Governance Framework.

<sup>91</sup> In this context, transparency includes clear information for potential immigrants about laws, regulations, visas and opportunities; publicly available data about migrant flows, migrant deaths and human trafficking; robust information-sharing systems between government departments; integrated programmes to aid repatriation of migrants; and structured information exchange and dialogue with other countries. (The Economist Intelligence Unit. 2016. Measuring well-governed migration: The 2016 Migration Governance Index. The Economist Intelligence Unit, London.)

<sup>92</sup> The Economist Intelligence Unit. 2016. Measuring well-governed migration: The 2016 Migration Governance Index. The Economist Intelligence Unit, London.

<sup>93</sup> Ibid.

Table 2

## The 2016 Migration Governance Index

	Institutional capacity	Migrant rights	Safe and orderly migration	Labour migration management	Regional and international cooperation
<b>Germany</b>	Mature	Developed	Mature	Developed	Mature
<b>Italy</b>	Developed	Developed	Emerging	Developed	Mature
<b>Sweden</b>	Developed	Mature	Developed	Developed	Mature

*Source: The Economist Intelligence Unit. 2016. Measuring well-governed migration: The 2016 Migration Governance Index. The Economist Intelligence Unit, London.*

# 3 Comparative Analysis

The following section analyses inter-institutional coordination mechanisms and the individual steps of the policy cycle, including agenda setting, policy design, decision-making, policy implementation, monitoring and evaluation, in Germany, Italy, Russia, Sweden and the UK, based on the input papers produced by national policy experts and information gathered on study visits to Germany and Sweden.

## 3.1 Inter-institutional coordination mechanisms

Inter-institutional coordination mechanisms are usually in place for the purpose of ensuring policy coherence and the support of relevant authorities at all levels, both at the **horizontal level**, including relevant sectoral Ministries, and at the **vertical level**, including relevant stakeholders at the regional and at the local level.

In **the Swedish case**, for example, horizontal coordination plays a special role, as **almost all government decisions are made collectively**, rather than individually by one Minister. In this regard, a joint preparation procedure takes place, through which instructions to government commissions are also formulated (Text box 5).<sup>94</sup>

### Text box 5

#### The Swedish Referral system as a constitutionally established procedure

In Sweden, legislation is formulated through a consultative process concerning a report produced by an official investigation. This intricate process, involving **cooperation between specialized bodies at governmental and parliamentary level**, and a system with a **wide range of referral instances giving their opinions as *remissvar***, is the backbone of the Swedish system, aiming to thus achieve an **inter-institutional policy coherence mechanism**, as well as a wide framework for a public consultative process and an inclusive and participatory system. This process refers reports produced in official investigations, which precede a legislative proposal, to relevant bodies, such as central government agencies, special interest groups, local government authorities or other bodies whose activities may be affected by the legal project, giving these bodies a voice and seeking their expertise on the basis of these reports.

<sup>94</sup> Dingu-Kyrklund & Burke (2017).

The referral system is the widest systemic consultative mechanism in place in Sweden,<sup>95</sup> directly connected to the legislative process. It is a constitutionally established procedure (RF 7 kap.2§) meant to *'give the Government the possibility to consider the effects that the proposed law may have, while enabling wider participation in the societal debate and thus fostering democracy'*.<sup>96</sup>

The main steps of this process, notably official investigations as well as the consultative phase of the referral system, are further explained in Section 3.2.2 on Policy Development (see Text boxes 7 & 11).

Regular inter-ministerial coordination frameworks are another example of structures that facilitate horizontal policy coherence. In the **UK's system of Cabinet government**, for example, the Home Secretary must secure the support of, or at least consult with, other Cabinet ministers about policy changes. On a day-to-day level, **coordination between government departments** with a stake in migration policy is handled through **inter-departmental meetings** and bilateral meetings between ministers and their Special Advisors. Nevertheless, migration policy-making is centralized within, and policy proposals are initiated by, the Home Office.<sup>97</sup>

Overarching structures, such as the **German Federal Commissioner for Migration, Integration and Refugees** who is **placed in the Chancellery**, also acknowledge the cross-cutting nature of the issue, and equip the Commissioner with a coordinating function. The Commissioner has a fundamental role in advising public authorities on migration and integration issues, including issues such as pensions, nursery schools, and Muslim funerals, and countering unequal treatment of foreigners and xenophobia.<sup>98</sup>

In Italy, on the other hand, the inter-institutional coordination mechanism was created by and embedded within the Ministry of Interior, but serves a vertical coordination role. The National Coordination Work Group (NCWG), although established within the Department of Civil Liberties and Immigration of the Ministry of Interior of Italy, is composed of representatives of the Ministry of Interior, the Ministry of Labour and Social Policies, Regional Governments, the National Association of Italian Municipalities (ANCI), and the Union of Italian Provinces (UPI). Representatives of the Minister for Equal Opportunities, the UNHCR, IOM, the National Committee for the Right to Asylum, large NGOs (such as Arci and Caritas) and other stakeholders depending on the issues on the agenda are also present in the NCWG. The NCWG was influential in the development of the architecture of Italy's reception system, by drafting two memorandums of understanding between Government, Regional Governments and local bodies approved during the Unified Conference on 10 July 2014, and formalized under Legislative Decree no 142 of 18 August 2015. The latter reaffirmed the principle of fair cooperation among different levels of government, and confirmed the NCWG as the body responsible for approving national reception and integration plans, and the use of European Funds. The actual implementation of the guidelines and plans prepared by the NCWG, however, are implemented locally through Regional Coordination Work Groups established within the Prefectures (tied to the Ministry of Interior) of regional capitals. The RCWGs share the composition of the NCWG.<sup>99</sup>

<sup>95</sup> <http://www.regeringen.se/rappporter/2009/05/pm-200302/>, quoted in: Dingu-Kyrklund & Burke (2017).

<sup>96</sup> See PM 'Svara på remiss – hur och varför', quoted in: Dingu-Kyrklund & Burke (2017).

<sup>97</sup> Hampshire (2017).

<sup>98</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>99</sup> Ministry of Interior of Italy (2017). The initiatives for good reception and integration of migrants in Italy: Models, means and actions.



**Vertical coordination** mechanisms between different levels of governance play a particularly strong role in countries with federal structures (see Text box 6).

### Text box 6

#### The German federal system

In the German federal system, competencies are divided between the Federal level and the 'Länder'. According to Art. 70 of the German Basic Law, legislative competencies fall under the remit of the 'Länder', unless defined otherwise. According to the Basic Law, however, immigration falls exclusively within the remit of the Federal level (Art. 73), whereas residence for foreigners and refugees falls under competing legislation ('*Konkurrierende Gesetzgebung*') (Art. 74a).<sup>100</sup> In the case of competing competencies, the legislative competencies lie with the 'Länder' as long as the Federal level does not make use of its legislative competencies.<sup>101</sup> Art. 91 b also provides for the possibility for the Federal level and the 'Länder' to cooperate in policy areas that are of supra-regional relevance, based on mutual agreements.<sup>102</sup> The 16 'Länder' and the 3 city states of Hamburg, Berlin and Bremen take part in the legislative processes in policy areas that fall under the Federal competencies through the Upper House of the Parliament ('*Bundesrat*'), and implement national legislation through their administrations.

Coordination among the 'Länder' takes place in the form of permanent conferences, such as the **Permanent Conferences of Interior Ministers of the Länder** ('*Ständige Konferenz der Innenminister der Länder*'), which is composed of the Ministers and Senators of the Interior, with the participation of the Federal Minister of the Interior, who has the same right of speech and right of petitions as the Ministers and Senators of the 'Länder', but no right to vote.<sup>103</sup>

A strong dialogue culture between all levels of governance also facilitates coordination. In this context, umbrella organisations representing municipalities and/or regions, such as the municipal umbrella organisations ('*Kommunale Spitzenverbände*') in Germany or the Swedish Association of Local Authorities and Regions, which represent and advocate for local governments in their respective countries, also play an important role. In Italy, such a role is filled at the local level by the Territorial Councils on Immigration, which, chaired by the Prefect and composed of representatives of local administrations, organizations concerned with migrants integration, employers organizations and workers organizations, are tasked with monitoring the presence of foreign citizens, identifying problems as well promoting dialogue for shared solutions among stakeholders, and communicating with the Ministry of Interior as regards information on local integration policies across the country.<sup>104</sup>

<sup>100</sup> The Germany Federal System was introduced in the Basic Law in 1949 and is based on close cooperation between the national level and the 'Länder'. The 'Länder' take part in the legislative processes through the Upper House of the Parliament ('*Bundesrat*') and implement national legislation through their administrations. Source: Bundeszentrale für politische Bildung. Informationen zur politischen Bildung Nr 318/2013. Föderalismus in Deutschland, accessed at: <https://www.bpb.de/izpb/159329/foederalismus-in-deutschland>; Sturm, Roland, Kompetenzverteilung zwischen Bund und Ländern bei der Gesetzgebung, Bundeszentrale für politische Bildung, 15.12.2009, accessed at: <http://www.bpb.de/politik/grundfragen/deutsche-demokratie/39356/kompetenzverteilung>.

<sup>101</sup> Accessed at: [https://www.bundestag.de/service/glossar/glossar/K/konk\\_ges/246466](https://www.bundestag.de/service/glossar/glossar/K/konk_ges/246466), on 30.11.2018.

<sup>102</sup> Accessed at: [https://www.bundestag.de/parlament/aufgaben/rechtsgrundlagen/grundgesetz/gg\\_08a/245144](https://www.bundestag.de/parlament/aufgaben/rechtsgrundlagen/grundgesetz/gg_08a/245144), on 30.11.2018.

<sup>103</sup> Accessed at: <https://www.innenministerkonferenz.de/IMK/DE/mitglieder/imk-mitglieder-node.html>, on 10.01.2019

<sup>104</sup> R. Perna & I. Ponzio, (2017): MIND Internal Input Paper on the Migration Policy Cycle in Italy.

## 3.2 Policy Development

Before embarking on the analysis of the policy development processes of the countries covered in this report, it should be noted that developments at the EU level have a strong impact on policy development of its Member States, and vice-versa. Member States decide on policy proposals through the Council of Ministers, jointly with the European Parliament. On the other hand, Member States' migration policy is partly shaped by EU policy and legislation. The level of harmonization, however, varies significantly within the policy area of migration, depending on the sensitivities of Member States. These sensitivities lead to a higher level of harmonization on security-related issues, such as irregular migration and migrant smuggling, and lower levels of harmonization in the field of legal migration, which is considered to be strongly linked with the sovereignty of Member States.<sup>105</sup>

### 3.2.1 Agenda setting

In terms of agenda setting, the main political parties typically commit to broad immigration policy objectives in their election manifestos and campaigns, on the basis of which policy development will take place. This agenda is usually derived from **public discourse** (societal discourse and the media), **research, policy analysis and expert discourse**, as well as lobbying activities of interest groups.

With regard to public discourse, in recent years the issue of migration has received increasing attention and public debate has become more polarized, especially after the so-called migration crisis in 2015/16. In a EUROBAROMETER study in which respondents were asked to identify the two most important issues facing the EU in autumn 2016, immigration was the first most frequently mentioned item in Germany, Italy, Sweden and the UK. Being asked about the two most important issues at country level, immigration again ranked first in these countries. Immigration from other EU states evoked more positive than negative feelings for respondents in Germany (71% positive, 23% negative), Sweden (83% positive, 16% negative) and the UK (58% positive, 35% negative). In Italy, however, with 51%, the majority reported negative feelings. In Sweden and the UK, the majority reported more positive than negative feelings towards immigration of third-country nationals, whereas in Italy and in Germany the feelings were more negative than positive.<sup>106</sup>

Public opinion and discourse are strongly interlinked with the political situation, which both shapes and is shaped by public opinion and discourse, and in recent years, popular parties with anti-immigrant programmes have gained influence in many European countries.<sup>107</sup> In a highly politicized environment, agenda setting and policy objectives are, furthermore, often driven more by partisan considerations and concern about newspaper headlines than impartial evidence or independent expertise, as is the case in discussions on the UK's net migration target.<sup>108</sup> Germany offers a different example of agenda setting as a result of public and expert discourse, as countless conferences, commissions, books, articles, manifestos, talk shows and hearings argued for the need to reform the citizenship law and the migration law, finally leading to a new citizenship law in 2000 and to a new migration law in 2005.<sup>109</sup> The issues of expert discourse, research

<sup>105</sup> Accessed at: <https://ec.europa.eu/home-affairs/what-we-do/policies/>, on 10.12.2018.

<sup>106</sup> European Commission Standard Eurobarometer 86 Autumn 2016 Public opinion in the European Union (first results). Survey requested and co-ordinated by the European Commission, Directorate-General for Communication.

<sup>107</sup> European Parliament Directorate-General for Internal Policies, Policy Department A: Economic and Scientific Policy, Integration of Refugees in Austria, Germany and Sweden: Comparative Analysis [IP/A/EMPL/2016-23] January 2018.

<sup>108</sup> Hampshire (2017).

<sup>109</sup> Heckmann & Burke (2017).

and policy analysis play a strong role throughout the policy cycle, and will be dealt with in more detail in Section 3.2.2 on Policy Design. As already mentioned, another important factor for agenda setting in the EU Member States is legal and policy developments at the EU level.

Migration policy may also be driven by a need to directly react to emergency situations – an issue that will be dealt with in Section 4 as a separate chapter. In this context, Germany may serve as an example as a country where temporary loss of control over the migration process in 2016/17, together with mayoral protests and requests for help in managing reception and accommodation, pushed migration and refugee issues to the top of the political agenda.<sup>110</sup> In Italy, policies have also often been driven by the need to face an ‘*emergency situation*’.<sup>111</sup> This approach, together with the increasing politicization of the migration issue in the country, has been conducive to rather ideological debates and a lack of pragmatic and evidence-based discussions on migration and refugee issues.<sup>112</sup>

### 3.2.2 Policy Design

Once a policy project is on the political agenda, a policy proposal needs to be designed, which effectively addresses the issue, following so-called intervention logic. There is a common understanding that policies that are based on systematic evidence produce better outcomes, and that early stakeholder involvement not only ensures expert inputs but also ownership of those directly impacted by a planned policy. The experiences of the countries covered, and especially those in the European Union, have shown that these countries mostly have structures in place that provide for internal and external evidence production and research in the field of migration. While instruments such as stakeholder consultations are also considered crucial in terms of ensuring ownership by relevant stakeholders, experience has shown that expert opinions and stakeholder advice are not always taken into account in practice. This might be linked to a gap between evidence and a policy response that is not only characteristic for the migration issue, but also for factors that affect the policy-making process, both at the individual and at the institutional level, such as a policymaker’s own experience or institutional capacity/culture, as well as power structures. Finally, the political context within which policymaking takes place influences the way evidence is incorporated into policymaking.<sup>113</sup>

## RESEARCH AND EVIDENCE PRODUCTION

Research and evidence production play a crucial role throughout the policy cycle. Most countries covered in this report have set up structures for research and evidence production both within and outside their administrations, which are applied depending on the complexity of the topic. **In Sweden**, for example, a legislative proposal is preceded by an official investigation, resulting in a report published in the **Swedish Government Official Reports Series**<sup>114</sup> (see Text box 7).

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<sup>110</sup> Ibid.

<sup>111</sup> Zincone 2011; quoted in Perna & Ponzo, (2017).

<sup>112</sup> Perna & Ponzo, (2017).

<sup>113</sup> M. Baldwin-Edwards, B. K. Blitz & H. Crawley (2018): The politics of evidence-based policy in Europe’s ‘migration crisis’, *Journal of Ethnic and Migration Studies*.

<sup>114</sup> An example can be the inquiry regarding: ‘Responsibility for migration-related policies at Swedish authorities’ representation abroad’ (Ansvar för migrationsverksamheten vid utlandsmyndigheterna), based on Committee Directive/Dir.2016:5, resulting in the official report: SOU 2017:14 ‘Migration-related policies at Swedish authorities’ representation abroad’ (Migrationsärenden vid utlandsmyndigheterna), where the appointed investigator was Daniel Tarschys, professor emeritus in political science. Source: Dingu-Kyrklund & Burke, (2017).

**Text box 7****Official Investigation and Government Official Reports Series in Sweden**

In Sweden, a legislative proposal is preceded by an official investigation of the matter in question, commissioned to expert officials within the ministry concerned, a commission of inquiry co-opting experts in the matter and/or specialized officials, or in comparatively less complex matters, even to a one-person committee.<sup>115</sup> The reports resulting from such inquiries are published in a special collection, the **Swedish Government Official Reports Series (*Statens Offentliga Utredningar, SOU*)**, or if within a governmental department, **Department series (*Departementsserien, Ds*)**.

In a next step, these reports are referred to relevant bodies, as part of the **referral system** (see Text box 11). Responses are then collected and considered within the next stage of the legislative process.

Both in-house structures and collaboration with external evidence providers have their specific advantages. **In-house structures**, for example, often have the advantage that they are able to react more quickly to the policy maker's needs, in a flexible and targeted manner. At the same time, they risk a certain bias towards dominating policies and evidence patterns, and may lack specialized expertise required to address complex policy questions.

The UK is an example of a country with a ministerial department, the Home Office, which has a preference for internal over external research (especially operational intelligence); the **Home Office Science Group** (see Text box 8) both carries out in-house research and commissions research to external experts.<sup>116</sup>

**Text box 8****Internal research structures: The UK Home Office Science Group**

In the UK, the **Home Office Science Group** conducts research to support policy development and operational activity.<sup>117</sup> This group **has in-house statisticians and policy researchers**, and also **commissions academics and other external experts** to undertake research. Their reports can result in recalibrations of policy assumptions, the most recent example being a report published in August 2017 on exit data, which showed that compliance by those entering on study visas (i.e. the proportion of international students who depart the UK on time) is much higher than previously claimed.<sup>118</sup>

<sup>115</sup> At that point, internal investigations have already covered the topic and come to a conclusion, which is reflected in the preliminary procedures, for instance, in the text of the directive commissioning the official report. It may take anything from months to several years for the actual reports to be completed and ready for the next phase. This potentially lengthy procedure can also be used to postpone an uncomfortable discussion about a sensitive subject until the next election. Where migration, asylum or citizenship issues are concerned, legislative initiatives are typically initiated by the government or the appropriate sub-section of the Ministry of Justice – e.g. Migration Law, or Migration and Asylum Policy, or by the Labour Market Ministry if it's an employment issue. Source: Dingu-Kyrklund & Burke, (2017).

<sup>116</sup> Boswell (2009).

<sup>117</sup> Examples of research can be found at: <https://www.gov.uk/government/collections/migration-research-and-analysis>; quoted in Hampshire (2017).

<sup>118</sup> UK Home Office, (2017): Second report on statistics being collected under the exit checks programme, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/639621/second-report-on-statistics-being-collected-under-exit-checks.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/639621/second-report-on-statistics-being-collected-under-exit-checks.pdf); quoted in Hampshire (2017).

In Germany, both internal and external research structures seem to play a significant role in evidence production. Generally, there is a tradition among German Ministries to have their own research departments,<sup>119</sup> and all ministries as well as the Federal Commissioner for Migration, Integration and Refugees have budgets for research and the commissioning of expertise.<sup>120</sup> In terms of internal research, the Federal Office for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*) has a Research Group that was established in 2004, which carries out research for the Ministry of Internal Affairs.<sup>121</sup> The group had a strong function in terms of accumulating knowledge, but also in terms of legitimizing the Federal Office. Nevertheless, the take-up of the research findings seemed to be rather limited, according to a study that was published in 2009.<sup>122</sup>

In Italy, a team of experts are commissioned from within the Ministry of Interior Central Directorate for Immigration and Asylum Policies, to support the work of the National Coordination Work Group “for preliminary investigations on matters falling with the competence of the Work Group”, as exemplified in the preparation of the “National Integration Plan for Persons Entitled to International Protection”.<sup>123</sup>

**External evidence** providers include academia, think tanks and renowned experts that enjoy a high degree of independence, as governmental commissioning is usually not the primary source of their income, and hence they often tend to provide more nuanced advice. They may also have more specialised expertise than in-house researchers, which is especially needed when dealing with complex topics. In some cases, seeking of external expert advice may serve as important political leverage in the case of an envisaged policy shift or conflicting positions. In other cases, lengthy investigations may be used deliberately to postpone sensitive policy debates.

In order to ensure that the relevant government agencies have quick access to unbiased research outcomes, largely independent, yet government-funded committees have often been set up, such as the **Swedish Migration Studies Delegation** or the **UK’s Migration Advisory Committee (Text box 9)**.

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<sup>119</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>120</sup> Heckmann & Burke (2017).

<sup>121</sup> Ibid.

<sup>122</sup> C. Boswell, (2009): *The Political Uses of Expert Knowledge: Immigration Policy and Social Research*, Cambridge: Cambridge University Press.

<sup>123</sup> Ministry of Interior of Italy (2017): *National Integration Plan for Persons Entitled to International Protection*.

## Text box 9

## Largely independent, government-funded committees

**The Swedish Migration Studies Delegation (DELM)**

Sweden has a tradition of working with research committees that are given broad terms of reference and can then work rather independently, with occasional interactions with the government. The Migration Studies Delegation (DELM), for example, was set up as a government committee in 2013/2014 and has at its disposal a secretariat of 10 staff and a Board, comprising one Chair and five Board Advisors. The fact that it is called a delegation shows that it was conceived of as a rather long-term committee. Its task is to carry out research, and not specifically to propose changes to legislation. DELM carries out research and evaluations, participates in conferences and informs both policy-makers and the general public of the research findings, including through broadcasting of seminars on Swedish TV.<sup>124</sup>

**The UK Migration Advisory Committee (MAC)**

The Migration Advisory Committee was established in 2007 as an independent public body, sponsored by the Home Office, to advise government on migration issues. The MAC is comprised of a Chair and three other independent economists, supported by a secretariat, with the Home Office represented by an ex-officio member.<sup>125</sup> The MAC is regularly commissioned by the Home Secretary to conduct inquiries and produce policy recommendations on migration issues. After receiving a commission from the Home Secretary, it generally issues a call for evidence and consults with relevant stakeholders, before producing a report with policy recommendations. The MAC provides evidence-based advice on work migration and students.<sup>126</sup> It is the government's main source of independent expertise on regular migration, particularly the labour market impacts of immigration and the limits on immigration under the points based system. One of the key roles of the MAC is to provide regular advice on occupations that should be included on the Shortage Occupation List, which enables employers to recruit migrant workers without first conducting a labour market test.

In addition to these long-term structures, evidence production structures may be put in place for a limited duration of time and for a specific purpose, such as, in the case of Germany, the **Independent Commission for Migration** (*'Unabhängige Kommission Zuwanderung'*; also known as *'Süßmuth-Kommission'*, as it was headed by Prof. Dr. Rita Süßmuth<sup>127</sup>). The weight of this commission's recommendations resulted from, among other things, the fact that major power and influence groups in German society – employers' associations, unions, churches, the media, city associations and the academic world – were represented in the commission. The commission, among others, helped prepare the new migration law of 2005.<sup>128</sup>

Furthermore, the **German Centre for Integration and Migration Research (DEZIM)** may serve as an innovative example of the combined approach of a dedicated migration research institute and a research network, set up within existing academic structures and networks (see Text box 10).

<sup>124</sup> Dingu-Kyrklund & Burke (2017).

<sup>125</sup> See: <https://www.gov.uk/government/organisations/migration-advisory-committee/about>; quoted in Hampshire (2017).

<sup>126</sup> See the MAC home page for links to recent reports and calls for evidence: <https://www.gov.uk/government/organisations/migration-advisory-committee>; quoted in Hampshire (2017).

<sup>127</sup> See Bericht der Unabhängigen Kommission 'Zuwanderung' – Zuwanderung gestalten, Integration fördern (Zusammenfassung), accessed at: <http://www.fluechtlingsrat.org/download/berkommzusfas.pdf>.

<sup>128</sup> Heckmann & Burke (2017).



**Text box 10**

**Example of innovative migration research structures: The German Centre for Integration and Migration Research (DEZIM)**

DEZIM is hosted by the Berlin Institute for Integration and Migration (BIM) at the Humboldt University Berlin, which was founded based on an initiative of the BIM and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ), as a result of a policy consultation process, against the background of the refugee crisis. The objectives of DEZIM are to create synergies, to avoid duplication and to identify and close research gaps.

The concept includes

- the DEZIM institute, which provides research for the BMFSFJ; and
- the DEZIM network, which brings together founding institutions and connects researchers more broadly.

The DEZIM institute provides recommendations and reports back to the Ministry, e.g. through quarterly reports, and aims at supporting junior researchers, organising PhD programmes. The establishment of DEZIM is an ongoing process that is planned to roll out until 2020. DEZIM takes the legal form of an association. Board members represent the 'Länder', universities and others, and the 'Länder' will co-finance DEZIM (e.g. the state of Berlin will finance 4 full professorships). The idea for the creation of DEZIM was generated at BIM, which also leads the 'coordination of the establishment of DEZIM' project.

Beyond these government-funded structures, **fully independent bodies** produce independent migration research and analysis, and inform public and policy debates and the media. In Germany, since the 1980s, migration and integration researches carried out by research institutes and think tanks have continuously produced political recommendations, which are increasingly publicised in different kinds of quality media.<sup>129</sup> The independent Expert Council of German Foundations on Integration and Migration ('*Sachverständigenrat Deutscher Stiftungen*'), for example, is a think tank of eight leading foundations that publishes expert analyses of relevant issues.<sup>130</sup> Although it does not have a mandate or fixed place in the policy cycle, it works on policy recommendations and actively seeks dialogue with Ministries, 'Länder' and cities. Ministries and public authorities can share ideas on research questions and request research. Every two years, the Expert Council releases findings from its Integration Barometer, a representative survey which assesses the German public's opinion on the integration of first and second generation migrants.<sup>131</sup>

In the UK, the Migration Observatory at the University of Oxford involves experts from a wide range of disciplines and departments at the University of Oxford. It receives funding primarily from charitable foundations and research grants,<sup>132</sup> and can hence be considered independent. The Russian experience, however, showed the negative impact of lack of financing of NGOs on their overall ability to communicate evidence and data, and engage in participatory policy-making processes.

<sup>129</sup> Ibid.

<sup>130</sup> Ibid.

<sup>131</sup> <https://www.svr-migration.de/en/expert-council/mission/>

<sup>132</sup> <https://migrationobservatory.ox.ac.uk/about/funders/>, accessed on 22.12.2018

When it comes to the choice of research methods and policy assessment tools, an analysis of the use of policy assessment tools in public policy-making in the European Commission and in Germany, Sweden and the UK<sup>133</sup> showed that in the policy development process the majority of **policy assessment tools** used were simple and qualitative. The choice of policy tools seems to depend on factors such as the nature and strategic importance of the policy field, and organisational routines, standard practices, and decision-making processes in the countries. Simpler policy assessment tools, for example, tend to be applied in day-to-day policy-making, while more advanced tools are rather used in more complex, forward-looking and depoliticised policy areas. The latter is due to the fact that in the case of very politicised or strategically important policy areas, policy-makers tend not to use advanced policy tools due to the higher complexity and unpredictability of their outcomes. This unpredictability is considered risky in political processes, especially if predefined political priorities exist. Hence, in practice, the choice of assessment tools often seemed to be driven by tactical considerations.<sup>134</sup>

### STAKEHOLDER CONSULTATIONS

Given the cross-cutting nature of migration, a wide range of different actors has a stake in stakeholder consultation processes – with variations according to topic, ranging from integration through facilitation of skilled labour, to return (of migrants). As a matter of good practice, they are consulted in the policy development process. However, stakeholder consultations are not in all cases a formal requirement, especially in the case of smaller-scale policy projects, and if consultations are held, it remains at the discretion of the policy-maker as to whether and to what extent the stakeholder opinions are taken into account. It could be observed that the migration policy development process may be more inclusive during centre-left governments than during centre-right governments.

The countries covered in this report provide a range of examples of stakeholder consultation processes. In this context, Sweden should be mentioned as a specific example, as stakeholder consultations form part of the constitutionally established referral system (see Text box 11).

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<sup>133</sup> M. Nilsson & A. Jordan, J. Turnpenny, J. Hertin, B. Nykvist, D. Russel, (2008): The use and non-use of policy appraisal tools in public policy making: An analysis of three European countries and the European Union, Policy Sciences, 41.

<sup>134</sup> Ibid.



**Text box 11**

**The consultative phase of the Swedish Referral system**

During the consultative phase of the Swedish Referral system, **workshops, conferences, panel discussions (involving experts, policy-makers, stakeholders, NGOs, special interest groups, as well as students, and even private citizens who express an interest), and other meetings can be organized at various levels** in order to receive external expertise concerning a report produced by a commission of inquiry. Invitees are usually selected based on their expertise and/or special interest in the subject. Such events can be publicized to a greater or lesser extent. Political parties can be very active in this context and willing to create debate.

There are broadly two categories of (potential) participants: i) invited; and ii) voluntary. The first category, which includes: ‘affected authorities, organizations, municipalities and other interested actors’ who are able to provide an informed opinion, are listed as such, and their contribution will be duly recorded. Members of the wider public may volunteer their opinions. Anybody who has a point of view in the matter has the possibility to give their opinion, which is considered important for ensuring wider, multifaceted citizen participation, which is important for the democratic process.

The fact that there is a wide consultative process, however, does not necessarily imply compliance or an automatic propensity to directly consider divergent opinions. Political goals are still rather likely to be inertial, even if many of the referral instances are critical towards a legislative proposal.<sup>135</sup>

The development of the **National Action Plan on Integration in Germany** is another example of an **inclusive process involving relevant stakeholders** (for further information also refer to Text box 19 in Section 3.5 on Policy Documents). This process was coordinated by a task force in the Office of the Federal Commissioner and involved 11 thematic dialogue fora – each of them led by the relevant Ministry and involving a wide range of actors that have a stake in the specific thematic area. Key factors in this process included: agreement on specific goals, a catalogue of measures and indicators, verification of results of the integration policy, an emphasis on sustainability and structural change, and the principle of dialogue between the state and civil society (especially migrant organisations).<sup>136</sup>

In the UK, public consultations of stakeholders are generally conducted only for major policy proposals, and they are not a formal requirement. The Home Secretary decides whether, and on what terms, to open a consultation. Stakeholders are usually invited to answer questions, but also sometimes to submit open-ended comments or evidence via email or an online portal. The Civil Service Consultation Principles, which were last revised in 2016, constitute guidelines on how to carry out stakeholder consultations.<sup>137</sup> During the 2010-15 Coalition Government, the Home Office launched nine consultations on proposed changes to immigration policy. Since 2015, a further five consultations have been launched. Consultations

<sup>135</sup> As an illustrative example, 22 out of 36 consulted referral instances were very critical of the temporary legislation that practically suspended genuine rights to asylum, but that was ultimately no hindrance to passing the restrictive legislation without modifications; quoted in Dingu-Kyrklund & Burke (2017).

<sup>136</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>137</sup> See: <https://www.gov.uk/government/publications/consultation-principles-guidance>.

do sometimes result in amendments to proposed policy changes.<sup>138</sup> In 2010, for example, a consultation on how to implement an annual limit to Tiers 1 and 2 of the Point Based System<sup>139</sup> – the main routes for people migrating to the UK for work – received critical responses from employers and other stakeholders, resulting in, *inter alia*, the exclusion of intra-corporate transferees and workers earning over £150,000 from the Tier 2 quota limit.<sup>140</sup>

**In Italy**, at the national level, the preparation of the Document of Migration Policy Planning foresees **wide stakeholder consultations**. According to the 1998 Law, at the national level the DMPP should be drafted by the Prime Minister, after consultation with all other concerned Ministries, the National Council for Economy and Labour (*Consiglio Nazionale dell'Economia e del Lavoro* – CNEL), the Regions and local authorities, as well as trade unions, entrepreneurial organizations, and representatives of NGOs and voluntary associations concerned with migrants' integration. Following the adoption of the triennial DMPP, the Prime Minister should define the annual Flow Decree after consultation with and taking into consideration the indications provided by the relevant Ministries, the relevant parliamentary committees, the Regional and Local Authorities, the National Council for Economy and Labour (CNEL), the main NGOs active in the assistance and integration of immigrants, trade unions and employers' organizations. However, this policy consultation concerning the adoption of the triennial DMPP has, in practice, mostly been inter-ministerial, leaving central government more discretionary power to manage migratory flows.

A process of stakeholder coordination that did work in Italy was that of the National Coordination Work Group, chaired by the Ministry of Interior Department for Civil Liberties and Immigration, but bringing together a number of stakeholders around the table to fulfil its mandate, as stipulated in Legislative Decree No. 18/2014, of preparing every two years a National Plan of interventions and measures aimed at favouring the integration of persons benefiting from international protection. This task was first achieved by the NCWG in developing the “National Integration Plan for Persons Entitled to International Protection”, published in October 2017, not only with the collaboration of stakeholders represented in the NCWG (please see section 3.1), but also for the purpose of “strengthening the inter-institutional cooperation considered a key element for the future implementation of the Plan”, with the participation of the Ministry of Health, Ministry of Education, Universities, and Research, Ministry for Foreign Affairs and International Cooperation, and civil society represented by the National Asylum Board. In addition,

<sup>138</sup> The inclusion of stakeholders in policy development does, however, vary considerably between different migration policy fields. The Government does not generally consult on asylum policy, for example, and both refugee charities and migrants' rights NGOs often perceive the Home Office to be unreceptive to their advice (Personal correspondences of author with senior NGO officials - Hampshire (2017)).

<sup>139</sup> The Point Based System (PBS) was phased in between 2008 and 2010, with the objective of simplifying existing work permit schemes and ensuring that economically beneficial migrants were selected. It is comprised of five 'Tiers'. Tiers 1 and 2 are the main routes for people migrating to the UK for work. Tier 3 was intended for low-skilled workers, but has never been opened, as successive Governments have held the view that low-skill needs can be met by EU free movement. Students are admitted through Tier 4 of the PBS. Applicants for a Tier 4 visa must have been offered a place to study at an educational institution that is licensed by the Home Office to sponsor migrants. Finally, Tier 5 covers a number of temporary worker schemes (including sportspersons, religious workers, and charity workers) and youth mobility schemes (including the Working Holidaymaker scheme, au pair visa, and Gap Year entrants scheme). However, Tier 1 (General), which enabled highly skilled migrants to come to the UK without having a job offer, was closed in December 2010. The only routes that remain open through Tier 1 are the Entrepreneur, Investor, and Exceptional Talent schemes. There is no quota for these schemes and they involve small numbers of people. Thus, the main work route is Tier 2. Applicants for a Tier 2 visa must have a job offer from an employer as well as accumulating points against a number of criteria, including their qualifications, future expected earnings, and English language skills. For an employer to sponsor a Tier 2 visa application, it must demonstrate that it has conducted a labour market test or be recruiting to an occupation that is on the Shortage Occupation List. There is an annual quota of Tier 2 General visas, currently set at 20,700 per year. An overview of the PBS can be found here: <http://www.workpermit.com/immigration/united-kingdom/uk-five-tier-points-based-immigration-system>. (Hampshire (2017)).

<sup>140</sup> J. Hampshire, T. Bale (2015): New administration, new immigration regime? Do parties matter after all? A UK case study, *West European Politics*; quoted in Hampshire (2017).

the direct engagement of international protection holders was ensured through a series of focus groups throughout Italy organized by the UNHCR.<sup>141</sup>

As regards the social integration of vulnerable groups, the Ministry of Labour and Social Policies, designated as the responsible institution for policies of socio-economic and employment inclusion, has prioritized working with migrant youth, social exclusion and xenophobia, and increasing the participation of migrants in the labour market. The MLSP uses a multi-sector and participatory approach, involving all institutional and non-institutional actors. The main stakeholder for the MLSP are the regional authorities. These have the competence on labour and integration, and are therefore the main partners in deciding how to set up a programme. The MLSP call on the regional authorities two to three times a year to consult on how to set up a programme and develop projects on integration. The MLSP also works with the “third sector”, that is NGOs working with migrants. However, the MLSP provides funding (from both EU and national funds) to the Regional Government and not directly to the associations. It is the Regions who decide on the projects to be implemented in their own territories.<sup>142</sup>

In Italy, at the **regional level**, several Regions have created consultative bodies<sup>143</sup> concerned with migrant integration to bring stakeholders together<sup>144</sup> that are generally consulted on ad hoc issues, depending on each Region’s orientation.<sup>145</sup> However, there is wide variation according to regions both in terms of the type of stakeholders involved and in terms of the extent of their involvement.<sup>146</sup>

In the development process for the State Migration Policy Concept in **Russia**, however, civil society organisations only took part in the round tables and expert meetings initiated by the Federal Migration Service, which were aimed at briefing the participants and did not foresee the provision of feedback.<sup>147</sup> Limited involvement in the process is in line with the generally low level of interaction between state institutions and the non-state sector on migration issues, and is considered unfavourable to the policy-making process.

In cases where relevant **non-governmental actors** are not actively involved in the policy-making process through stakeholder consultations, they may nevertheless engage in active advocacy. In most of the countries covered, non-governmental actors play a central role in advocating for migrants’ rights and in providing integration services to migrants.

### ONGOING DIALOGUE FORMATS

**Ongoing dialogue with other relevant civil society actors** is also considered important in view of keeping close relationships and ensuring ownership. One good example is the German Islam Conference, which is managed under the aegis of a department dealing with societal issues and integration at the Ministry of the Interior. The Conference was launched in 2006 as an innovative dialogue format with non-governmen-

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<sup>141</sup> Mol of Italy, (2017): National Integration Plan.

<sup>142</sup> MIND study visit to Italy, 25 February – 1 March, 2019.

<sup>143</sup> Usually composed of representatives of immigrant communities and associations, civil society organizations, employers’ organizations and other governmental and non-governmental actors concerned with migrants’ integration at the regional and local levels.

<sup>144</sup> Based on Article 6 of 1998 Law.

<sup>145</sup> OECD 2014; quoted in Perna & Ponzo (2017).

<sup>146</sup> Perna & Ponzo (2017).

<sup>147</sup> Poletaev (2017).

tal actors, involving all three levels of governance, as well as umbrella associations of Muslims in Germany, mosque associations and the broader Muslim civil society, with the aim of developing recommendations for various policy areas. The main areas of cooperation include education, the social sector and religious services. The Conference has changed over time and has become increasingly participatory, involving various levels: the highest level gets together once a year and involves, inter alia, presidents of the umbrella organisations of Muslims, Federal Ministers, the 'Länder', etc. At the working level, interactions take place throughout the year, for example in conferences, committees, and others.<sup>148</sup>

### 3.2.3 Decision-making

By decision-making, a policy-maker determines which actions are deemed to best deliver the desired outcomes. This is usually done by reviewing submissions, suggested evidence and presented observations relating to the policy proposals at the previous stage of the policy cycle. Policy-makers then establish policy measures, such as economic incentives or disincentives (e.g., tax allowances, fees, and periodic contributions), thresholds (such as income or sustenance thresholds in the case of family reunification), administrative and criminal sanctions (including their severity and duration), and positive discrimination towards certain groups of migrants (women, children, and the disabled).<sup>149</sup>

Decision-making structures vary to a large degree according to country structures, policy instruments and policy areas. In the case of legislative proposals, usually the relevant department at the Ministry in charge (in most cases the Ministry of the Interior or, in the case of Sweden, the Ministry of Justice) is responsible for preparing a draft law or regulation for the government. At this stage, different positions among coalition ruling parties are usually coordinated, before the draft of a law is sent to parliament.

As a matter of good practice, policy decisions are publicised on the websites of the institutions in charge. In **the UK**, for example, policies are normally published on the gov.uk website, where there is a dedicated page for immigration policy, detailing 'what the government's doing about immigration and borders'.<sup>150</sup> Another example is **Italy**, where key tenets of the public documents are publicly announced by the Prime Minister and the Minister of the Interior, and widely covered by mass media. Moreover, they are published on the website of the Ministry of the Interior<sup>151</sup> and the Ministry of Labour and Social Policies,<sup>152</sup> both of which have a dedicated page on migration issues.

<sup>148</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>149</sup> Burke, Ciaràn (2018): Input to the MIND comparative report on the policy cycle in Germany, Italy, Russia, Sweden and the UK.

<sup>150</sup> Visitors can subscribe to email alerts and a feed. The Home Office website also contains press releases, news stories, and ministerial speeches, and includes social media feeds (Twitter et cetera) and email alerts. (The UK Government (2017). Immigration and Borders, accessed at: <https://www.gov.uk/government/policies/immigration-and-borders>. on 02.12.2017; quoted in Hampshire (2017)). Changes to the Immigration Rules are also published on a government website and laid before Parliament, where they are included in the appendix to Votes and Proceedings (The UK Parliament (2017). Votes and Proceedings, accessed at: <http://www.parliament.uk/business/publications/business-papers/commons/votes-and-proceedings/#session=27&year=2015&month=8&day=17>. 02.12.2017; quoted in Hampshire (2017)).

<sup>151</sup> Ministero dell' Interno. Dipartimento per le Libertà civili e l'Immigrazione (2017), accessed at: <http://www.interno.gov.it/it/ministero/dipartimenti/dipartimento-liberta-civili-e-immigrazione>, on 02.12.2017; quoted in Perna & Ponzio (2017).

<sup>152</sup> Ministero del Lavoro e delle Politiche Sociali (2017), accessed at: <http://www.lavoro.gov.it/temi-e-priorita/immigrazione/Pagine/default.aspx>, on 02.12.2017; quoted in Perna & Ponzio (2017).



### 3.3 Policy Implementation

The stakeholders in charge of policy implementation diverge greatly depending on the policy area and on the country's institutional structure. In the field of forced **return**, for example, the police is in charge of policy implementation, whereas in the field of integration, it is usually municipalities, and regional and national authorities that play a significant role in the implementation of integration measures – often in close collaboration with civil society and religious welfare organisations, as is the case in Germany, and to a somewhat lesser extent in Sweden. In Russia, however, the structures of civil society and non-governmental organisations do not play an important role in the implementation of the State Migration Policy Concept.<sup>153</sup>

The administrative and institutional structure of the given country have an important impact as well – in the German federal structure, for example, voluntary return is dealt with at the national level while forced return is dealt with at the level of the 'Länder'. Generally, in the federal structure, variations between the states are possible – in Germany, for example, in the area of forced return, there may be different interpretations of the deportation obstacles set out in §60a of the *Aufenthaltsgesetz*.<sup>154</sup>

Appropriate allocation of funds is another crucial factor for the successful implementation of policies. Involvement of multiple governance levels, however, may lead to complex systems of responsibility and funding competencies, which may, in turn, lead to a lack of resources for the institutions in charge for the implementation of integration activities. This can be seen in the Italian example, where planning and funding competencies concerning integration are concentrated in the hands of Italian Regions, while municipalities are in charge of implementing those policies. Funding of language and civic integration courses has been provided by the Regions on the basis of special agreements signed with the Ministry of Labour and Social Policy since 2005,<sup>155</sup> but due to a lack of adjustment of the funding to the particular migration situation,<sup>156</sup> municipalities' spending on social services for immigrants decreased in the period from 2003 to 2008, despite an increase in the number of customers.

Depending on the type of policy, implementation is often set out in implementation documents, such as action plans or road maps, which clearly indicate which actors are responsible for a given policy action and in what timeframe. Examples of such action plans or road maps include the Action Plan for the Implementation of the Concept of the Governmental Migration Policy of the Russian Federation (2012), or the National Action Plan on Integration (NAP.I) in Germany (described in more detail in Section 3.5 on Policy Documents).

As a matter of good practice, policy implementation is closely monitored and monitoring results are used on an ongoing basis to adjust and improve policies as well as to rectify timeframes, if this is necessary.

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<sup>153</sup> Poletaev (2017).

<sup>154</sup> Heckmann & Burke (2017).

<sup>155</sup> A. Stuppini (2012): 'Le politiche regionali per l'integrazione. Quattro regioni a confronto: Lombardia, Veneto, Emilia-Romagna e Toscana', in Fondazione Moressa (Ed.), *Rapporto annuale sull'economia dell'immigrazione*. Bologna: Il Mulino; quoted in Perna & Ponzio (2017).

<sup>156</sup> C. Bonifazi, S. Strozza, M. Vitiello (2012): *Measuring integration in a reluctant immigration country: the case of Italy*, [in:] R. Bijl & A. Verweil (Eds.). *Measuring and monitoring of immigrant integration in Europe*, Hague: The Netherlands Institute for Social Research; quoted in Perna & Ponzio (2017).



### 3.4 Monitoring and Evaluation

As previously mentioned, different stages of the policy cycle are closely connected to and influence each other. In the context of evidence-based policy-making, the production and use of knowledge play a key role at all stages of the policy cycle. Monitoring and evaluation, in particular, play a crucial role, as results allow for ongoing policy learning and feedback into the design or adaptation of policies. While monitoring is considered an (ongoing) evaluative procedure ‘measuring’ the effects of ongoing activities through appropriate indicators, (ex post) evaluations assess the effects of a policy programme after its completion, analysing whether a policy goal has been achieved.<sup>157</sup>

Indicators, if employed uniformly, can not only help measure the effects of a policy programme, but also increase the comparability of effectiveness at a supra-national level. Integration programmes could be particularly instructive in this regard.<sup>158</sup> The German Government, for example, committed itself to developing a monitoring system of indicators in 2008, as part of the National Integration Plan<sup>159</sup> (this integration plan was continued through the National Action Plan on Integration (NAP.I) as of January 2012).<sup>160</sup> The indicators include, inter alia, data in the fields of demography, integration, language abilities, education, labour market, health, housing and crime. A monitoring report is published annually at the federal level<sup>161</sup> and can be analysed for an individual ‘Land’ as well. It is organized and edited by the Federal Commissioner for Integration.<sup>162</sup> At the ‘Länder’ level, integration monitoring reports were first presented at the Conference of Integration Ministers in 2011. These reports are published on a bi-annual basis, and provide a statistical overview on the state of integration in all the ‘Länder’.<sup>163</sup> Recognising the increased number of asylum seekers in Germany, in recent years, three indicators on refugee migration have been added for the 4<sup>th</sup> integration monitoring report, covering the period 2013 – 2014.<sup>164</sup>

Monitoring and evaluation can be undertaken by various actors – internal research actors, think tanks, NGOs, or academia. The institutions in charge of migration issues often carry out ongoing monitoring. In Germany, for example, the very detailed and highly informative annual migration Report of the Federal Agency for Migration and Refugees monitors migration numbers for a large set of legal categories of migrants, as they are defined by the migration law of 2005. It also allows for a reconstruction of migration policy changes, but not for any kind of evaluation. Each chapter begins with a summary of the legal basis for the migration of a particular category of migrants, e.g., family reunion or Blue Card holders.<sup>165</sup>

In some cases, **dedicated institutions are in charge of monitoring and reporting on migration issues.** In the UK, for example, the Independent Chief Inspector of Borders and Immigration (ICIBI) is responsible for monitoring and reporting on the efficiency and effectiveness of the Home Office’s immigration, asylum, and border functions (see Text box 12).

<sup>157</sup> Ibid.

<sup>158</sup> Burke, Ciaràn (2018).

<sup>159</sup> National Integration Plan – New paths-new opportunities, issued/published by: The Federal Government Commissioner for Migration, Refugees and Integration (Status July 2007); quoted in Heckmann & Burke (2017).

<sup>160</sup> Accessed at: <https://www.bmbf.de/de/nationaler-aktionsplan-integration-1095.html>, on 21.12.2018

<sup>161</sup> See 11th report of the Federal Commissioner on Migration, Refugees and Integration (December 2016), <https://www.bundesregierung.de/resource/blob/975292/729998/fdcd6fab942558386be0d47d9add51bb/11-lagebericht-09-12-2016-download-ba-ib-data.pdf?download=1>

<sup>162</sup> Heckmann & Burke (2017): <http://www.integrationsmonitoring-laender.de/einleitung>

<sup>163</sup> Covering naturalisation rates and foreigners by residence status

<sup>164</sup> Accessed at: <http://www.integrationsmonitoring-laender.de/berichte>, on 22.12.2018

<sup>165</sup> Bundesamt für Migration und Flüchtlinge, 2016. Migrationsbericht des Bundesamtes für Migration und Flüchtlinge im Auftrag der Bundesregierung. Migrationsbericht 2015; quoted in Heckmann & Burke (2017).

**Text box 12**

**Example of independent dedicated monitoring mechanism on migration: The Independent Chief Inspector of Borders and Immigration (ICIBI)<sup>166</sup>**

The ICIBI was created in 2007 as an independent and impartial government-appointed official and decides on which areas and themes he will inspect. His reports are sometimes robust in their criticism of the UK Home Office.<sup>167</sup>

The ICIBI has three stakeholder forums (Refugee and Asylum; Seaports; Aviation) and an Independent Advisory Group on Country Information (IAGCI). The stakeholder forums advise and make recommendations to the ICIBI on areas of their expertise, including possible themes and areas for inspection.<sup>168</sup> Stakeholders in the Refugee and Asylum Forum have sometimes been critical of what they perceive to be surprisingly positive findings on the UK asylum system.<sup>169</sup> The IAGCI is comprised of migration experts – mostly academic researchers plus some legal experts – who advise the ICIBI on the content and quality of country information and guidance notes that are used by Home Office decision-makers, for example in asylum applications.<sup>170</sup> The IAGCI reports are sent to the Home Secretary and laid before Parliament. The reports often make recommendations for improvements to country of origin information.<sup>171</sup>

Recent ICIBI inspections include reports on UK Visas and Immigration (a directorate within the Home office) entry clearance processing operations in London and Istanbul, and family reunion.<sup>172</sup> The reports are submitted to the Home Secretary and laid before Parliament, and the Home Office publishes an official response.<sup>173</sup>

Parliamentary Committees, such as departmental select committees in the UK House of Commons (Text box 13), may also play a role in monitoring and evaluation.

<sup>166</sup> Hampshire (2017).

<sup>167</sup> ICIBI reports can be found here: <https://www.gov.uk/government/collections/inspection-reports-by-the-independent-chief-inspector-of-borders-and-immigration>.

<sup>168</sup> Membership and minutes of these forums can be found at: <https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration/about/membership>.

<sup>169</sup> See, for example, Minutes of the 15th Meeting of the Refugee and Asylum Stakeholder Forum, 16 July 2014, Item 2, accessed at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/569337/RAF-minutes-16-07-14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/569337/RAF-minutes-16-07-14.pdf).

<sup>170</sup> See: <https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration/about/research>.

<sup>171</sup> See, for example, ICIBI, Inspection Report on Country of Origin Information, July 2017, accessed at: <https://www.gov.uk/government/publications/inspection-report-on-country-of-origin-information-july-2017>; Earlier reports can be found here: <https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration/about/research>.

<sup>172</sup> See: <https://www.gov.uk/government/publications/inspection-report-on-entry-clearance-processing-operations-in-croydon-and-istanbul-july-2017> and <https://www.gov.uk/government/publications/inspection-report-on-an-interim-re-inspection-of-family-reunion-july-2017>.

<sup>173</sup> Home Office responses can be found here: <https://www.gov.uk/government/collections/responses-to-reports-by-the-independent-chief-inspector-of-borders-and-immigration>.

## Text box 13

**Example of Parliamentary Committees and their role in monitoring and evaluation: Departmental select committees in the UK House of Commons<sup>174</sup>**

Departmental select committees in the House of Commons perform the important role of conducting inquiries on policy and institutional performance. The House of Commons Home Affairs Committee (HAC) is one of these departmental select committees, scrutinizing the work of the Home Office, and thus migration policy. It is made up of 11 MPs and for the last seven years has been chaired by a member of the official Opposition. Other Parliamentary committees also sometimes make recommendations on migration policy that falls under their remit; for example, the International Development Committee recently conducted an inquiry and published its report on the ‘Syrian Refugee Crisis’ in January 2016.<sup>175</sup>

The HAC is independent of government and chooses its own subjects of inquiry. During its inquiries, it seeks written and oral evidence from a range of relevant stakeholders as expert witnesses. At the end of an inquiry, the HAC usually produces a report setting out its findings and making recommendations to the Government. The Government must respond to each of the recommendations within two months of publication. Recent reports include an inquiry into unaccompanied child migrants and a report on asylum accommodation.<sup>176</sup> The HAC also produces a quarterly report on the work of the Immigration Directorates, which assess the performance of the Home Office and associated agencies on migration based on a number of indicators. The most recent report includes a number of recommendations on visa applications, asylum cases, and immigration enforcement.<sup>177</sup>

In other cases, monitoring and evaluation in the field of migration is **carried out within the general monitoring and evaluation structures**, with specialization in everything from audit and various forms of administrative review to constitutional review. This is the case, for example, in Sweden (see Text box 14), where the Swedish Agency for Public Management,<sup>178</sup> the Swedish National Audit Office,<sup>179</sup> the Parliamentary Ombudsman<sup>180</sup> and the Chancellor of Justice play a role.<sup>181</sup>

<sup>174</sup> Hampshire (2017).

<sup>175</sup> See: <https://publications.parliament.uk/pa/cm201516/cmselect/cmintdev/463/463.pdf>.

<sup>176</sup> See: <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/1026/102602.htm> and <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/637/63702.htm>.

<sup>177</sup> The most recent report can be found here: <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/151/15102.htm>.

<sup>178</sup> The Swedish Agency for Public Management (Statskontoret – ‘Myndigheten för en effektiv stadsförvaltning’), according to their own home-site presentation, is: ‘the Government organization for analyses and evaluations of state and state-funded activities’, providing ‘government and Ministries with relevant, concrete and useful studies in all areas with the aim of making the public sector more efficient.’ They have expertise in public administration and publish their findings in an own publication series called: ‘about the public sector’; see: <http://www.statskontoret.se/InEnglishw>; quoted in Dingu-Kyrklund & Burke (2017).

<sup>179</sup> The Swedish National Audit OFFICE (The Exchequer) - RRV is ‘part of the central control power of the Swedish Riksdag, for whom it provides a coordinated and independent audit, both performance and financial, the only organization that can audit the whole chain of the executive power’; see: <https://www.riksrevisionen.se/en/Start/About-us/>; quoted in Dingu-Kyrklund & Burke (2017).

<sup>180</sup> The Parliamentary Ombudsman/Justitieombudsmannen, JO, is appointed by the Swedish Riksdag ‘to ensure that public authorities and their staff comply with the laws and other statutes governing their actions’, as a form of parliamentary control independent of the executive power; see: <https://www.jo.se/en/>; quoted in Dingu-Kyrklund & Burke (2017).

<sup>181</sup> The Chancellor of Justice, Justitiekanslern, JK, is a non-political, independent civil servant appointed by the Government who performs a strictly legal review.



**Text box 14****Examples of general monitoring and evaluation structures addressing migration issues****The Swedish National Audit Office**

The overall purpose of the Swedish National Audit Office (NAO) is to promote effective use of central government resources and efficient public administration through an independent audit of all central government activities. It is part of parliamentary control, and its independence is protected in the Swedish constitution.

The NAO carries out both financial and performance audits. Following the situation of large mixed migration inflows in 2015, the NAO decided to carry out an audit on how the situation was handled by the institutions in charge. The audit was based on clear and fair audit criteria that were defined based on a legal approach (i.e. criteria derived from laws and regulations), a multi-faceted approach (i.e. several different criteria used) and a pragmatic approach (i.e. one cannot expect everything to be perfect). The data collected for the purpose of the audit consisted of interviews, documentary reviews and a case study carried out at the Migration Agency, in one of the regions.

Another audit on the returns of asylum-seekers with a non-appealable refusal-of-entry or expulsion order was ongoing at the time of writing.<sup>182</sup>

**The Swedish Agency for Public Management**

The Swedish Agency for Public Management is: *'the Government organization for analyses and evaluations of state and state-funded activities'*, providing *'government and Ministries with relevant, concrete and useful studies in all areas with the aim of making the public sector more efficient.'* It has expertise in public administration and publishes its findings in an own publication series called: *'about the public sector'*.<sup>183</sup>

The Swedish Agency for Public Management was commissioned to do an evaluation of the introduction reform (programme), particularly on how involved authorities fulfilled their duties and to what extent they managed to coordinate their actions and roles, bearing in mind their particular field of responsibility.

The introduction programme was launched in 2010 in order to support the introduction of the newly arrived. In the context of this programme, introduction plans are established for the newly arrived, based on an assessment of qualifications and working experience. Based on this introduction plan, the programme foresees employment preparation activities, civic integration courses, and language courses, as well as skills mapping (carried out by the Public Employment Service). The following bodies play a role in the introduction programme:

- the Migration Agency is responsible for the reception of asylum seekers, the asylum procedure and the issuing of residence permits;
- the Public Employment Service is in charge of the coordination of the introduction programme once a positive asylum decision is made; and

<sup>182</sup> MIND Study visit to Sweden, 02-06 July 2018.

<sup>183</sup> <http://www.statskontoret.se/InEnglishw>; quoted in Dingu-Kyrklund & Burke (2017).

- municipalities are in charge of housing, education, civic orientation and language learning.<sup>184</sup>

At the time it was launched, the introduction reform was described by the government then in power as the most important shift in integration policies in decades.<sup>185</sup>

The result of the evaluation was the report 'Introduction of the newly arrived – a follow up of the way authorities involved have implemented the introduction reform'.<sup>186</sup> The report identified, inter alia, the fact that many newly arrived did not get their introduction plan within two months, that activities the newly arrived were supposed to follow were not sufficiently adapted to actual needs, and that the newly arrived did not receive the subsistence they needed in the initial phase of the introduction process, as major problems.<sup>187</sup> This meant that cooperation and coordination among responsible actors needed to improve (e.g. skills mapping undertaken by the Migration Agency and Employment Office was redundant) and that the employment office needed to improve the follow-up to the activities.

Based on this evaluation, a new legal framework for this programme came into effect in 2018, inter alia, harmonising to a greater extent the regulation of new arrivals' integration into working life and Swedish society with the regulations that apply to other jobseekers.<sup>188</sup>

The national statistics institutes also play an important role in the production of data for monitoring purposes, such as the Office for National Statistics in the UK (ONS) or the Federal Statistical Office (DESTATIS) in Germany. In federal structures, statistics production can also be devolved to the state level, as is the case in Germany, where statistics are produced by the 'Länder'. Also, supra-national data sources, such as EUROSTAT, MIPEX, or international organisations, may play a role. Additionally, in a yet wider framework, it is worth mentioning general scrutiny by the public and the media in the context of monitoring and evaluation.

It is good practice for official monitoring and evaluation exercises to be **complemented by independent research produced by NGOs, academia, independent bodies, international organisations and other actors**. Many of the research bodies mentioned as examples in Section 2.1.2 on Policy Design play a role in monitoring and evaluation as well – however, they are not repeated here for ease of reading.

In some cases, such as in Italy, a **lack of independent monitoring and evaluation mechanisms** was observed. In Italy, publicly available reports are provided by the Ministry of Labour and Social Policies (particularly concerning migrants' integration into the labour market), the Ministry of Education, University and Research (concerning migrants' integration into the school system) and the Ministry of the Interior (concerning migration inflows and entries regulated by the quota system, asylum applications and asylum seekers' accommodation). Moreover, several Regions have created regional observatories to monitor the

<sup>184</sup> MIND Study visit to Sweden, 02-06 July 2018

<sup>185</sup> Dingu-Kyrklund & Burke (2017).

<sup>186</sup> Etablering av nyanlända – en uppföljning a myndigheternas genomförande av etableringsreformen (2012:22). The role played by Arbetsförmedlingen (employment agency, AF), Migrationsverket (Migration Agency), Skatteverket (taxation authority), Försäkringskassan (Social Insurance system agency), länsstyrelser (County administrative Boards), SKL (Swedish Association for Local Authorities and Regions) and local municipalities; quoted in Dingu-Kyrklund & Burke (2017).

<sup>187</sup> Statskontorets rapport 2012:22; quoted in Dingu-Kyrklund & Burke (2017).

<sup>188</sup> MIND Study visit to Sweden, 02-06 July 2018; Dingu-Kyrklund & Burke (2017).

migration phenomenon in their territories and migrants' socio-economic integration, and these observatories' reports are usually publicly available.<sup>189,190</sup>

In Russia, monitoring and evaluation are carried out on the basis of reports by government agencies, which, in turn, are based on the 'Action Plan for the implementation of the Concept of the Governmental Migration Policy of the Russian Federation until 2025 (2012) in 2016-2020 (the second stage)'.<sup>191</sup> However, in practice, government agency reports mostly contain official statistical information (but little analytics and in-depth analysis); there are also external reports, drawn up by academic, non-governmental or international organizations.

### 3.5 Policy Documents

Not all countries have comprehensive migration strategies in place; different migration-related objectives and priorities are often split across several government strategies and policies. Furthermore, a migration strategy is not necessarily a separate document; it may also form part of a government programme or coalition agreement, as is the case for many EU Member States.<sup>192</sup>

The analysis of the five countries covered showed great variation in the approach to migration policy documents, especially to those of a strategic nature. Among these countries, only Russia with its 'State Migration Policy until 2025' made use of a multi-thematic **migration strategy** encompassing a broad range of migration-related issues, including: internal migration; academic mobility; incentives for the resettlement of fellow nationals living abroad, (incentives) for emigrants and for certain categories of foreign citizens in the Russian Federation to obtain permanent residence, and (incentives) for the immigration of foreign talent; integration; humanitarian obligations related to refugees; and the fight against irregular migration. (see Text box 15).

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<sup>189</sup> Among the regional observatories that have regularly produced annual reports on migration and migrants' integration, see: Lombardy Region, Osservatorio Regionale per l'integrazione e la multietnicità, accessed at: <http://www.ismu.org/osservatorio-regionale-per-lintegrazione-e-la-multietnicita/>; Veneto Region, Osservatorio Regionale Immigrazione, accessed at: <http://www.venetoimmigrazione.it/rapporto>; Emilia-Romagna Region, Osservatorio regionale sul fenomeno dell'immigrazione straniera in Emilia-Romagna, accessed at: <http://sociale.regione.emilia-romagna.it/immigrati-e-stranieri/temi/archivio-dati/archivio>; Piedmont Region, Piemonte Immigrazione, accessed at: <http://www.piemonteimmigrazione.it/>.

<sup>190</sup> Perna & Ponzio (2017).

<sup>191</sup> Accessed at: [https://губм.мвд.рф/upload/site1/document\\_file/Wf2heXCvUV.pdf](https://губм.мвд.рф/upload/site1/document_file/Wf2heXCvUV.pdf).

<sup>192</sup> M. Noack, M. Hofmann, R. Hosner (2015): Practices of developing a national migration strategy in selected European countries, ICMPD Vienna.

## Text box 15

**Example of multi-thematic migration strategy: The Russian State Migration Policy until 2025'**

In 2017, a strategic document defining the directions of migration policy in Russia, the Concept of the **State Migration Policy until 2025 (2012)**, was prepared by the Ministry of Internal Affairs. The draft executive regulation, approving the Concept, for the first time provides a formal definition of state migration policy as:

*“the activities of the government agencies of the Russian Federation and local governments in the area of migration aimed at the exercise of the constitutional rights of citizens and protection of their legitimate interests, ensuring the national security of the Russian Federation, assistance to the demographic and socio-economic development of the Russian Federation, respect for law and order in the country.”*

The Concept defines state policy in this field through reference to three objectives – the triple goal of Russia’s governmental cross-border migration policy: (1) *national security* – utmost security, comfort and welfare of people in the Russian Federation; (2) *demographic* – stabilization and increase in the number of Russia’s permanent population through attraction of immigrants for permanent residence, and implementation of the 2007 governmental program promoting voluntary resettlement of fellow nationals in the Russian Federation; (3) *economic* – addressing the needs of the Russian economy through ensuring the supply of scarce workforce (attraction of temporary migrant workers) and improving skill levels, with a view to promoting innovations and driving the competitiveness of industries.

These general objectives should be achieved by a set of targeted activities:

- a. creation of conditions and incentives for the resettlement of fellow nationals living abroad, emigrants, and for permanent residence for certain categories of foreign citizens in the Russian Federation;
- b. development of differentiated mechanisms of attraction, selection and use of foreign talent;
- c. promotion of internal migration;
- d. promotion of educational migration and supporting academic mobility;
- e. fulfilment of humanitarian obligations related to refugees;
- f. promotion of adaptation and integration of migrants, formation of constructive interaction between migrants and the host community; and
- g. combatting unauthorized migration.

The Concept (2012) envisions a participatory process of policy formulation, involving interaction of federal government agencies, regional state authorities of the Russian Federation and local self-government bodies, and the development of social partnership and civil society institutions. The document acknowledges that for effective migration policy-making, policy decisions should be based on valid research results.

The activities to execute the objectives of the **State Migration Policy Concept** were laid out in two operational documents, covering the first stage of 2012-2015 and the second stage of 2016-2020 of the ‘Action Plan for the Implementation of the Concept of the Governmental Migration Policy of the Russian Federation’.

The four European Union countries covered in this report have dealt with **migration-related objectives and priorities as part of government programmes or coalition agreements**, such as the cross-party agreement on migration formed between the Government and four conservative parties in Sweden,<sup>193</sup> rather than by putting in place dedicated and multi-thematic strategy documents, setting out the broad intentions that need to be translated into detailed policy and legislative proposals. However, in some cases specific **planning documents**, such as the triennial Document of Migration Policy Planning (DMPP) in Italy (see Text box 16), **departmental strategies**, such as the UK Home Office's Single Departmental Plan 2015 to 2020 (see Text box 17), and **thematic strategies or action plans**,<sup>194</sup> such as the National Action Plan on Integration in Germany (see Text box 18), are in place. Important elements of such documents include the identification of quotas, the streamlining of procedures of a single agency, and inter-institutional communication or coordination of efforts. Examples for each category of policy documents are given in the text boxes below.

### Text box 16

#### Examples of migration planning documents: The triennial Document of Migration Policy Planning in Italy

In Italy, divergences between the policies on paper and their implementation in practice could be observed. National Law 40/1998 (art. 3) introduces a triennial **Document of Migration Policy Planning** (*documento programmatico triennale* - DMPP), which should be drafted by the Prime Minister, after consultation with all other concerned Ministries, the National Council for Economy and Labour (*Consiglio Nazionale dell'Economia e del Lavoro* – CNEL), Regions and local authorities, as well as trade unions, entrepreneurial organizations, and representatives of NGOs and voluntary associations concerned with migrants' integration. Following the adoption of the triennial DMPP, the Prime Minister should set annual entry quotas through a Prime Minister's Decree (the so-called '*Decreto Flussi*', **Flow Decree**). Quotas should be identified based on i) Inter-institutional consultation, ii) Assessment of labour shortages, and iii) Assessment of the absorption capacity of local territories. However, the methodology has certain shortcomings: the definition of immigration policies and of the maximum number of workers to be admitted in Italy depends on the central government's orientation. Furthermore, it was often issued with great delay (the DMPP for the period 2004-2006 was adopted in mid-2005), and it was finally *de facto* abolished, as since 2005 no DMPP has been adopted.<sup>195</sup>

<sup>193</sup> Migrationsöverenskommelsen/Migrationsuppgrörelsen.

<sup>194</sup> In countries where regions and municipalities have a relatively large degree of autonomy, integration strategy documents may also be in place at the regional and local level.

<sup>195</sup> Perna & Ponzo (2017).

**Text box 17****Example of departmental strategy: The UK Home Office's Single Departmental Plan 2015 to 2020**

The Home Office's Single Departmental Plan 2015 to 2020<sup>196</sup> is the only strategic document with migration policy objectives produced by the Government in recent years.<sup>197</sup>

The Home Office Single Departmental Plan is structured around five objectives, of which two relate to migration: 'control immigration' and 'promote growth'.<sup>198</sup> According to the Plan, 'the government's ambition remains to reduce annual net migration to the tens of thousands'.<sup>199</sup> The Plan envisages tightening the Shortage Occupation List and maintaining a cap on Tier 2 work visas of the Point Based System<sup>200</sup> for applicants with a job offer from an employer and an accumulation of points against a number of criteria (including their qualifications, future expected earnings, and English language skills) in order to reduce work migration, and an Immigration Bill to tackle illegal immigration. A section entitled 'How the Home Office is doing' provides net migration figures and states that the Government met its commitment to resettle 1,000 Syrian refugees by Christmas 2015. The document delineates the proposed interventions and related priority actions (vocational training, accessibility to healthcare, housing, participation in political life, family reunification, et cetera).<sup>201</sup>

<sup>196</sup> All UK Government departments published a Single Departmental Plan for 2015 to 2020, setting out the Government's objectives and how departments are fulfilling their commitments. The Home Office plan is available online, accessed at: <https://www.gov.uk/government/publications/home-office-single-departmental-plan-2015-to-2020/single-departmental-plan-2015-to-2020>, on 02.12.2017.

<sup>197</sup> The previous Coalition Government (2010-2015) included a small number of migration policy objectives in its Coalition Agreement (2010-15), but this amounted to only half a page of a 36-page document, and expired on the formation of a new Government in 2015. The immigration objectives can be found on page 21 of *The Coalition: Our Programme for Government*, London: HMSO, 2010, accessed at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf).

<sup>198</sup> The five objectives are: prevent terrorism; cut crime; control immigration; promote growth; delivering efficiently.

<sup>199</sup> All UK Government departments published a Single Departmental Plan for 2015 to 2020, setting out the Government's objectives and how departments are fulfilling their commitments. The Home Office plan can be found here: <https://www.gov.uk/government/publications/home-office-single-departmental-plan-2015-to-2020/single-departmental-plan-2015-to-2020>

<sup>200</sup> The main route for labour immigration is Tier 2 of the Point Based System. Applicants for a Tier 2 visa must have a job offer from an employer as well as accumulating points against a number of criteria, including their qualifications, future expected earnings, and English language skills. For an employer to sponsor a Tier 2 visa application it must demonstrate that it has conducted a labour market test or be recruiting to an occupation that is on the Shortage Occupation List. There is an annual quota of Tier 2 General visas, currently set at 20,700 per year. An overview of the PBS can be found here: <http://www.workpermit.com/immigration/united-kingdom/uk-five-tier-points-based-immigration-system>. (Hampshire (2017)).

<sup>201</sup> Hampshire (2017).

### Text box 18

#### Example of thematic policy documents or action plans

##### **The National Action Plan on Integration in Germany**

The development of the National Action Plan on Integration (NAP-I) was coordinated by a task force in the office of the Federal Commissioner for Migration, Integration and Refugees. It was developed through 11 dialogue fora, each of which was led by a dedicated Ministry, and all relevant stakeholders were invited to participate.

Topics covered by these dialogue fora include:

- Early childhood education (Federal Ministry for Family Affairs, Senior Citizens, Women and Youth)
- Education, training, advanced training (Federal Ministry of Education and Research)
- Labour market and professional life (Federal Ministry of Labour and Social Affairs)
- Migrants in the public service (Federal Ministry of the Interior)
- Health, nursing care (Federal Ministry of Health)
- Local integration (Federal Ministry for Transport, Construction and Housing)
- Language integration (Federal Ministry of the Interior)
- Sports (Federal Ministry of the Interior)
- Civic commitment (Federal Ministry for Family Affairs, Senior Citizens, Women and Youth)
- Media (Federal Commissioner for Migration, Integration and Refugees)
- Culture (Federal Commissioner for Culture and Media)<sup>202</sup>

Among the priorities of the NAP-I is the need to have a dialogue with the German population to communicate the positive contributions of migrants, as well as the need for institutions to open up to more diverse population groups, including increasing the number of migrants working in public services. Key factors for development in the NAP-I included: the need for a tangible, verifiable and binding integration policy, including an agreement on specific goals, a catalogue of measures and indicators, and the verification of results of the integration policy; an emphasis on sustainability and structural change; and the principle of dialogue between the state and civil society (especially migrant organisations).<sup>203</sup>

##### **The National Integration Plan for Persons Entitled to International Protection in Italy**

The National Coordination Work Group, made up of a number of stakeholders including representatives from all relevant ministries, and all levels of institutions including Regional Governments, the Union of Italian Provinces and the National Association of Italian Municipalities, including IGOs such as UNHCR and IOM, along with civil society and international protection holders themselves engaged through focus groups throughout the country, developed the National Integration Plan for Persons Entitled to International Protection in October 2017. In it, three principles guiding the development of the Plan are stated as follows:

<sup>202</sup> MIND study visit to Germany, 19-23 March 2018

<sup>203</sup> Heckmann & Burke (2017).



1. Integration is a complex process which starts from the first reception and has as its main objective the attainment of personal autonomy.
2. Integration requires the engagement and awareness raising of the host population and must be based in local communities and integrated in the existing local welfare.
3. Specific attention will be dedicated to persons with greater vulnerability, such as refugee women, victims of trafficking and unaccompanied foreign minors.

The National Integration Plan sets out the responsible institutions in the implementation of the Plan, including Ministries, Regions, Municipalities and Civil Society Organizations. It later underlines the importance to fully implement the Agreement ratified in the Unified Conference between the Central Government and Regions in 2014 by making the reception system more oriented towards integration and raising the level of services provided by the emergency reception system (CAS), with specific attention given to vulnerable groups. Moreover, the document maps out specific routes of social inclusion, including interreligious dialogue, language training, access to education and recognition of educational titles and qualifications, access to employment and training, access to health care, access to housing and legal residence, family reunification, and orientation to services and information on rights and civil duties. This section of the National Integration Plan is followed by a chapter on preventing and combatting discrimination, interactions with host community, awareness raising and the implementation and monitoring of interventions. Under the latter heading, a National Integration Council is said to be established to coordinate the implementation as well as monitor and evaluate the interventions proposed.<sup>204</sup>

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<sup>204</sup> MOI Italy (2017): National Integration Plan.



# 4 Responses to Migration Crisis Situations

As already mentioned, the policy cycle may be strongly influenced by crisis situations: a crisis situation may either disrupt the policy cycle or open policy windows, which may lead to higher acceptance of policy ideas that may already have been on the table but that have not (yet) gained sufficient political acceptance or attention to actually be adopted and implemented. The European Migration and Asylum crisis, caused by large migration flows entering the EU in the wake of the ongoing civil wars in Syria and Libya, has shaken the migration and asylum system currently in place in Europe, prompted policy changes, such as the introduction of the European Agenda on Migration in 2015, and raised questions of solidarity at the EU level.<sup>205</sup> At the level of EU Member States, the main immediate challenges experienced by the affected states included the unpredictability of inflows of migrants and refugees, an overburdening of institutional capacities and especially registration and reception services, as well as questions of distribution of applicants for international protection and refugees within countries. In the longer run, the countries have been faced with challenges related to the provision of integration services, as well as emerging anti-immigration sentiments in the population. This situation has prompted a range of legal and policy changes both at EU level and in the affected EU Member states, as well as a range of immediate crisis mitigation measures. (However, only crisis response at the national level will be analysed within the scope of this report.)

Prior to 2015, the migration crisis situation was mainly concentrated around the Central Mediterranean route to Europe and the loss of lives in the Mediterranean – a situation that reached its peak in spring 2015, when 800 lives were lost in the Mediterranean. In summer 2015, flows shifted to the safer and more direct Balkans route, and large numbers of immigrants entered the EU via this route.<sup>206</sup> Since 2015, 1.4 million migrants and refugees have entered the European Union, with different effects on the EU Member states covered in this report.<sup>207</sup>

<sup>205</sup> The Schengen Conventions laid the foundations for European cooperation in the field of migration with the abolition of internal borders, the management of external borders and short-term visas. The Dublin Convention, signed in 1990, was intended to respond to the phenomenon of repeated asylum claims filed in different Member States with a view to increasing the likelihood of being granted asylum in one of them, by determining the Member State responsible for processing the asylum claim, i.e., the country of first entry. The Maastricht Treaty of 1992, the Treaty of Amsterdam of 1999 and the Treaty of Lisbon of 2010 further set out the competencies of the European institutions and of the Member states in the field of migration and asylum. This system, however, proved to be unbalanced and incomplete and not fit to respond to the changing context of increased mixed migration inflows of migrants and refugees, as it led to an overburdening of EU Member States situated at the EU external borders, along the main migratory routes. Since the beginning of the crisis, there have been attempts to reform the system, and there has been a complex and innovative crisis response at the EU level. See: R. Faure, M. Gavas, A. Knoll (2015): Challenges to a comprehensive EU Migration and Asylum policy. European Centre for Development Policy Management (ecdpm); F.Pastore (2017): [Ed.], Beyond the Migration and Asylum Crisis. Options and lessons for Europe. Aspen Institute Italia.

<sup>206</sup> E. Collett & C. Le Coz (2018): After the storm: Learning from the EU response to the migration crisis. Migration Policy Institute (MPI).

<sup>207</sup> F. Pastore (2017).

While Germany and Sweden experienced a significant inflow of migrants and refugees from the Balkans routes, **the UK** was relatively insulated from the 2015-16 migration to Europe, partly as a result of geography, partly due to its non-participation in Schengen and its border controls with France, and also due to government decisions not to admit significant numbers of refugees or asylum-seekers.<sup>208</sup> **Germany** experienced an intake of 1.5 million asylum seekers within a timeframe of two years – an enormous challenge that was met with a broad mobilization of resources at the level of government and civil society. Despite serious problems, the prevailing definition of the situation was ‘*Wir schaffen das*’ (We will succeed),<sup>209</sup> and in August 2015 the German Federal Office for Migration and Refugees announced its decision not to apply the Dublin regulation to Syrian asylum seekers and to suspend their expulsion to EU first countries of entry,<sup>210</sup> which triggered a sudden rise in asylum applications.<sup>211</sup> Also in **Sweden**, Syrian refugees were heartily welcomed when they began to enter the country in larger numbers in 2013, and the Swedish formal and informal system of reception was activated. However, this welcome culture changed with time, and populist parties with a strong anti-migration rhetoric have gained votes and incidents of social unrest have been observed, especially in segregated areas.<sup>212</sup> **Italy** was affected by migration movements crossing from the Mediterranean rather than those coming from the Balkans route. Inflows to Italy had already increased earlier, and asylum requests were significantly augmented from 2011, after the so-called ‘Arab Spring’ in North Africa, from 12,121 in 2010 to 37,350 in 2011. As a reaction to this growth in numbers, the central government declared a state of emergency in 2011.<sup>213</sup>

The crisis response varied significantly in these countries. This report will distinguish between the short-term and the long-term crisis response, and will focus on crisis response on the national level. It is, however, acknowledged that crisis response measures may also involve cooperation with third countries, the provision of humanitarian aid, or the launch of search and rescue operations, such as the Mare Nostrum operation in the Mediterranean, which was launched by Italy in October 2013.<sup>214</sup>

## 4.1 Short-term crisis response

### LEGISLATIVE AND POLICY CHANGES IMPROVING INSTITUTIONAL CAPACITIES AND EFFICIENCY OF THE ASYLUM SYSTEM

In several countries, legal and policy changes have been introduced, with a view to improving the efficiency of the asylum system. These adaptations include a restructuring of the agencies in charge of migration and asylum issues,<sup>215</sup> a revision of working procedures, and a change of competencies (see Text box 19). The **increase in staff**, for example, in the case of the German Federal Office for Migration and Refugees, and the Swedish Migration Agency, has been a common measure accompanying such adaptations at institutional level.

<sup>208</sup> Hampshire (2017).

<sup>209</sup> Heckmann & Burke (2017).

<sup>210</sup> The application of the Dublin readmission rules was already highly inconsistent after rulings by some national courts, the EU Court of Justice and the European Court of Human Rights in 2011, interdicting the expulsion of asylum seekers to Greece and – on a case by case basis, also to Italy, Hungary, Bulgaria and Malta. The interdiction was due to their inadequate reception systems, and due to implementation challenges related to a lack of cooperation (on the part of the first entry states). See: Pastore & Ferruccio, 2017.

<sup>211</sup> Pastore & Ferruccio, 2017.

<sup>212</sup> MIND Study visit to Sweden, 02-06 July 2018

<sup>213</sup> Decree of the President of the Council of Ministries, 12 February 2011.

<sup>214</sup> Pastore & Ferruccio, 2017.

<sup>215</sup> European Migration Network, August 2018.

**Text box 19**

**Shifting competencies and new policy for the Federal Office for Migration and Refugees: The German example**

In Germany, the Federal Office for Migration and Refugees (BAMF), the agency most responsible for implementing the asylum process, faced challenges in coping with the high workload at the peak of the crisis situation due to inflexible coordination processes and insufficient staffing.<sup>216</sup> As a consequence, competencies in the field of migration and refugees have temporarily been shifted from the (previously) responsible Ministry of the Interior to the superordinate coordination office in the Federal Chancellery, and the Office was temporarily de facto headed by the Chief Executive Officer of the Federal Employment Agency, Frank-Jürgen Weise, from 2015-2016. He initiated a reorganisation process, in cooperation with external consultants<sup>217</sup> and developed a new policy for the BAMF.<sup>218</sup>

In view of the enormous growth in number of applicants, the BAMF doubled its staff; additionally, other government institutions, like the army and the labour agency, temporarily sent some of their staff to the Federal Agency in order to collaborate. The enlargement was accompanied by a reorganization of working procedures, including a reform of the reception process, and organizational changes. A temporary fast track procedure without oral interviews was introduced for Syrian refugees, but was given up after the detection of fraud.<sup>219</sup>

In the UK, the legal and policy framework has not been significantly amended. The specific initiatives or decisions taken since 2015<sup>220</sup> have either been relatively small or continuations of existing approaches to asylum and refugee policy.<sup>221</sup>

**INTER-INSTITUTIONAL CO-ORDINATION AND ADAPTATIONS AT AN INSTITUTIONAL LEVEL**

In all the European countries covered, the crisis required a high level of coordination and cooperation between relevant stakeholders at the national, regional and local level, as well as civil society actors, in order to ensure the registration and reception of new arrivals. To achieve this, some countries put in place new structures to facilitate coordination and cooperation between the involved actors, or made use of existing structures, for example by **involving dedicated crisis management** agencies (see Swedish example, Text box 22), or by **setting up joint facilities to improve inter-institutional coordination** (see German example, Text box 23). Furthermore, institutional changes included an increased focus on migration intelligence, reflected, in the case of the Swedish Migration Agency, by a growing analysis department that produces different types of forecasts (weekly, monthly, etc.).<sup>222</sup>

<sup>216</sup> R. Ohlinger, Rainer & M. Meshena (2018): Whole of Government» als neue migrationspolitische Perspektive: Durch Kommunikation, Koordination und Kooperation zu Kohärenz, Heinrich Böll Foundation Greece.

<sup>217</sup> Ibid.; accessed at: <https://www.arbeitsagentur.de/presse/biografie-weise>, on 21.12.2018

<sup>218</sup> Heckmann & Burke (2017).

<sup>219</sup> Ibid.

<sup>220</sup> Examples include the Syrian Vulnerable Persons Resettlement Programme and Dubs scheme, as well as strengthening of border security around the Eurotunnel in Calais to prevent undocumented arrivals who might claim asylum, and opting out of EU initiatives, including the emergency relocation mechanism.

<sup>221</sup> Hampshire (2017).

<sup>222</sup> MIND Study visit to Sweden, 02-06 July 2018

**Text box 20****Using the standard structure for crisis management to enhance inter-institutional coordination: The Swedish Example**

In Sweden, the Civil Contingencies Agency (MSB) is in charge of the coordination of joint crisis communication and of ensuring knowledge on the type of information required by the public.

The MSB contributes to a safe society and **aims to reduce societal risks and vulnerabilities, develop the ability of society to deal with accidents, crises and war, and strengthen, coordinate and direct the handling of serious accidents, crisis and war** (i.e. it has an extended assignment within civil defense). MSB is also involved in humanitarian efforts outside Sweden.

In 2015, the government put the MSB in charge of the migration and refugee situation, and the MSB then supported the main stakeholders, particularly the Swedish Migration Agency, in their coordination with other relevant stakeholders. Furthermore, it provided direct support, for example, through the provision of tents that were needed for the reception of the newly arrived for a short period of time. While this support helped to fill a gap with regard to inter-institutional coordination between relevant institutions, the Swedish Migration Agency, however, may have required more 'on-the-ground-support'. From the civil society perspective, the Agency's involvement in the **2015/2016 migration situation** may also have led to a too strong perception of crisis, given that the resources to handle the situation, including civil society support, were available.<sup>223</sup>

**Text box 21****Setting up joint facilities to facilitate inter-institutional coordination: The German example**

In Germany, new arrival centres for the registration and accommodation of asylum seekers have been set up in response to the crisis, in which the relevant security authorities and social welfare authorities at the national level (the Federal Office for Migration and Refugees, the Federal Employment Agency) and at the regional level (the State Office for Refugee Affairs, the Public Prosecutor's Office, the Foreigners' Office under the State Office for Citizen and Security Issues, the Police) have been placed in the same building in order to facilitate cooperation. A joint core data system has been created based on the Central Register of Foreigners, to which relevant offices at all levels of governance, including national and regional authorities as well as municipalities, have access. The new arrival centres are considered a success model by the Germany authorities, as the lessons learnt from the crisis have contributed to a new understanding on the collaboration of different authorities.<sup>224</sup>

<sup>223</sup> MIND Study visit to Sweden, 02-06 July 2018

<sup>224</sup> MIND study visit to Germany, 19-23 March 2018

Furthermore, **coordination meetings** at a regular level have been crucial to improving information exchange between the relevant institutions and facilitating joint decision-making.

**In Germany**, for example, weekly coordination meetings have been introduced at the level of State Secretaries, as well as at the level of heads of department or relevant Ministries. Also, at the local level, coordination and cooperation have been significantly stepped up, including cooperation between municipalities and civil society, the economy and local businesses – even more so than at the national level.<sup>225</sup>

**In Italy**, in July 2014, a **National Coordinating Group** (*Tavolo di coordinamento nazionale*) and **Regional Coordinating Groups** (*Tavoli di coordinamento regionali*) were institutionalized through the adoption of a National Operational Plan (*Conferenza Unificata Stato – Regioni - Autonomie Locali*, 10 July 2014).<sup>226</sup> To guarantee **coordination across local interventions**, a Central service for information, promotion, consulting, monitoring and technical support (*Servizio centrale di informazione, promozione, consulenza, monitoraggio e supporto tecnico*) was created within the ANCI (**Associazione Nazionale dei Comuni Italiani - National Association of Italian Municipalities**)<sup>227, 228</sup>.

**In the UK**, crisis situations are addressed through meetings of the COBRA committee, named after Cabinet Office Briefing Room A, where the meetings are held. COBRA meetings are usually chaired by the Prime Minister or another senior minister, and include other key ministers, police and emergency services, as appropriate.<sup>229, 230</sup>

**In Sweden**, the Civil Contingencies Agency (MSB) organises weekly national coordination conferences in the form of face-to-face meetings, phone- or videoconferences. These meetings serve as places of exchange of information on situation reports, consequences in society, communication coordination, coordination of resources and coordination of decisions. The Agency also runs a dedicated website to keep the public informed.<sup>231</sup>

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<sup>225</sup> Ohlinger & Meshena (2018).

<sup>226</sup> The National Coordinating Group, headed by the Ministry of the Interior and composed of the Department of Civil Protection, the Ministry of Labor and Social Policies, representatives of Regions, ANCI, UPI (Unione Province Italiane – Union of Italian Provinces) and some large national NGOs (such as Arci and Caritas), is responsible for identifying current weaknesses and measures needed to overcome the ‘crisis’, as well as for monitoring their implementation. The Regional Coordinating Groups, headed by the Prefect of each Region’s capital city and composed of representatives of provincial and local authorities and all Prefectures, are responsible for coordinating the implementation of the National Operational Plan at the local level, guaranteeing exchange of information and coordinating stakeholders’ actions in the implementation of reception actions.

<sup>227</sup> It was in charge of: monitoring the presence of asylum seekers and beneficiaries of international protection; creating a database on interventions implemented at a local level in favour of asylum seekers and refugees; disseminating information on these interventions; providing technical assistance to local authorities; carrying out voluntary return programs, in agreement with the Ministry of Foreign Affairs and in collaboration with the International Organization for Migration or other national or international humanitarian organizations.

<sup>228</sup> Perna & Ponzo (2017).

<sup>229</sup> A COBRA meeting was convened to address the Calais migrant situation during June and July 2015, which resulted in additional resources being deployed to strengthen border security at the Eurotunnel terminal. See: <https://www.theguardian.com/uk-news/2015/jun/25/uk-ministers-cobra-meeting-calais-migrants>.

<sup>230</sup> Hampshire (2017).

<sup>231</sup> MIND Study visit to Sweden, 02-06 July 2018.

## REGISTRATION AND RECEPTION SERVICES

Among the main challenges and most immediate needs of crisis response was the provision of sufficient capacities for the registration and reception of the new arrivals.

In terms of registration, the large numbers of inflows experienced in 2015 and 2016 soon produced a significant registration backlog in many EU countries, requiring measures to speed up the registration process. Among the countries covered in this report, different approaches have been applied. Sweden, for example, opened new asylum application units and extended the opening hours of existing ones. Furthermore, registration of new applicants was prioritized over the processing of asylum claims.<sup>232</sup> Germany applied a different approach, by introducing an integrated identity management database, a so-called core data system (see Text box 24).

### Text box 22

#### Introduction of an integrated identity management database: The German example

In Germany, an integrated identity management database, a so-called core data system, was introduced based on the Central Register of Foreigners, with a view to improving the process flow and cooperation between the relevant authorities. The Data Exchange Improvement Act that was passed on 5 February 2016 created the legal basis for access by a wide range of relevant authorities at the national, regional and municipal level to the database. The registration of asylum seekers is carried out at first contact with the authorities and the registration files are subsequently supplemented by relevant authorities. For this purpose, PIK stations (personalisation infrastructure components) were introduced by May 2016, including digital fingerprinting, a passport scanner, a high-resolution camera and a document printer, with a view to facilitating the registration of asylum seekers in the database. These PIK stations were connected to the new core data system and installed at all reception facilities, branch offices of the Federal Office for Migration and Refugees, several foreigners' offices and the Federal and 'Länder' Police.<sup>233</sup>

In many countries, the large inflows of migrants and asylum seekers exceeded the **reception capacities**, requiring a quick reaction in order to ensure their accommodation, but also wider reception services, including health care, social services and the provision of initial orientation for the newly arrived. Those countries that had to deal with large scale inflows reacted by enlarging existing reception facilities or by opening new ones. As already mentioned, both in Germany and in Sweden, for example, new arrival centres have been put in place. In **Germany**, the 'Länder' were in charge of setting up such centres, based on agreements between the national level and the respective 'Land'. In theory, these arrival centres should have the same structure in all 'Länder', combining registration and accommodation in the same facility. In practice, however, this has not always been possible, as their structure largely depends on a range of factors, including the infrastructure in place and the political will. In Berlin, for example, a former bank building was turned into an arrival centre in 2015/16, with a capacity to register up to 800 refugees per day. The given infrastructure, however, did not allow for the provision of registration and accommodation under

<sup>232</sup> European Migration Network, August 2018.

<sup>233</sup> European Migration Network, August 2018; MIND study visit to Germany, 19-23 March 2018.



the same roof, and accommodation had to be catered for in a separate facility.<sup>234</sup> Furthermore, Germany, for example, set up dedicated centres for the reception of vulnerable people and minors.<sup>235</sup> In addition to setting-up such arrival centres, initiatives to organise follow-up accommodation in local communities were launched, and dedicated centres providing information on housing to refugees were set up by municipalities and non-profit organisations. Moreover, online-platforms were developed by civil society organisations to help asylum seekers and refugees find private housing. These platforms are available in Arabic, English and German, provide information on options for financing accommodation costs, and match landlords with those looking for accommodation.<sup>236</sup> In the German context, the important role of volunteers and civil society in the first crisis response should be highlighted. Coordination of volunteers has mainly been performed on a local or regional level, by cities or districts. To increase the effectiveness of their work, several 'Länder' governments have appointed professional coordinators to organize volunteer work.<sup>237</sup>

In **Sweden**, the Swedish Civil Contingencies Agency<sup>238</sup> set up tents in order to ensure that all new arrivals can be (temporarily) accommodated. Furthermore, a new reception centre was built in the south of the country, in addition to the five existing ones. The government also changed some regulations in order to be able to react more quickly to immediate needs, as under the old regulations the procedure for obtaining permits to build new housing facilities was too lengthy and complicated. However, although aimed at speeding up the crisis response, these changes took a long time to implement, which in turn reduced their positive impact on the crisis situation.<sup>239</sup> In parallel, measures were taken to reduce the number of persons accommodated in the reception centres, including the withdrawal of entitlements to accommodation or daily allowances provided by the Swedish Migration Agency for persons who received a refusal of entry or expulsion order, once the deadline for voluntary departure had expired, as of June 2016. Sweden, furthermore, increased the funding for county councils, municipalities and education infrastructures.<sup>240</sup>

In **Italy**, in 2014, a National Operational Plan<sup>241</sup> was introduced with the aim of integrating existing procedures and structures, allowing for multi-level management of asylum inflows and reception, and progressively reducing the recourse to the temporary reception centres CAS (*Centro di Accoglienza Straordinaria*) operated by the Ministry for the Interior. These temporary centres were created as an 'emergency alternative' to the SPRAR (*Sistema di Protezione per Richiedenti Asilo e Rifugiati* – Protection System for Asylum Seekers and Refugees), a publicly funded network of local authorities and NGOs that accommodates asylum seekers and beneficiaries of international protection through small reception structures. Although the number of SPRAR reception structures has been increased over time, available

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<sup>234</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>235</sup> European Migration Network, August 2018.

<sup>236</sup> Ibid.

<sup>237</sup> Heckmann & Burke (2017).

<sup>238</sup> MSB is not normally in charge of migrants' reception, but that became exceptionally the case in 2015 due to the emergency situation created by the unusually high influx of refugees that required special measures to cope with the large demand of e.g. housing, victuals, clothing according to needs.

<sup>239</sup> MIND Study visit to Sweden, 02-06 July 2018.

<sup>240</sup> European Migration Network, August 2018.

<sup>241</sup> The 2014 National Operational Plan distinguishes between three phases: 1) a phase of first aid and assistance, which takes place in First Aid and Reception Centres (*Centro di Primo Soccorso e Accoglienza* - CPSA) operating in the principal landing areas; 2) a first reception phase, performed in existing collective centres or in centres to be established by specific Ministerial Decrees (CARA and CDA – *Centro Di Accoglienza*); 3) a second reception phase, carried out within the structures of the SPRAR (*Sistema di Protezione per Richiedenti Asilo e Rifugiati* - Protection System for Asylum Seekers and Refugees). See: Perna & Ponzio (2017).

places have remained inadequate<sup>242</sup> and the vast majority of new arrivals have been accommodated in the alternative reception structures created by the Ministry of the Interior and Prefectures.<sup>243</sup> The goal of progressively eliminating the CAS has not been achieved, inter alia, due to the increasing number of asylum seekers and to some Municipalities' opposition to the opening of a reception structure in their territory. These factors led to the 'emergency alternative' of the dual-track system becoming a permanent feature of the Italian reception system.<sup>244</sup>

## BORDER CONTROL AND LAW ENFORCEMENT

In order to reduce the inflows, **temporary internal border controls** have been introduced both in Germany and in Sweden, pursuant to Article 25 et seq. of the Schengen Borders Code.<sup>245</sup> Germany was the first EU Member State to carry out such border controls, in September 2015, which led to the re-introduction of internal border controls in seven other EU Member States, including Sweden. Similar decisions have been repeatedly adopted and their duration extended.<sup>246</sup>

## DISTRIBUTION MECHANISMS FOR REFUGEES AND ASYLUM SEEKERS WITHIN THE COUNTRY

Many countries were faced with the need to make use of existing distribution mechanisms or introduce new ones to ensure a fair distribution of asylum seekers across regions and municipalities. This includes both existing or newly developed quota mechanisms (systems) and the introduction of incentives – mostly of a financial nature – offered to the regions or municipalities agreeing to receive asylum seekers or refugees. Among the countries covered in this report, such measures were applied in Germany, Italy, Sweden and the UK.

**In Germany**, an established quota system that takes into account, among other factors, the relative economic strength of regions, the so called '*Königsteiner Schlüssel*', was used for the distribution of asylum seekers to the '*Länder*' and to determine the responsible institution of first admittance. This general distribution mechanism was developed as early as 1949 and relates fiscal revenues of a state to its population size. Originally established in order to distribute research funds fairly between the '*Länder*', it may, however, omit important criteria for the distribution of new arrivals, such as the capacity to provide housing places.<sup>247</sup> Using this mechanism was an established procedure, not a new policy. Within their territory, the

<sup>242</sup> Asylum applications passed: 26,620 in 2013, 63,456 in 2014, 83,97 in 2015, and 123,600 in 2016 (Commissione Nazionale per il diritto all'asilo 2017), while the SPRAR provided 1,365 reception places in 2003, 3,694 in 2009, 10,381 in 2013, 20,752 in 2014, 21,613 in 2015, and 26,012 in 2016 (Ministero dell'Interno 2016). On September 2017, the SPRAR hosted only 13% of asylum seekers and refugees present in the country.

<sup>243</sup> Following the Decree –law no. 113 of 4 October 2018 converted into Law no. 132 of 1 December 2018, the SPRAR system has been changed into the "System of Protection for those with International Protection Status and Unaccompanied Foreign Minors" (SIPROIMI), which only accepts beneficiaries of international protection, not applicants, whereas the SPRAR system accepted both

<sup>244</sup> Caponio & Tarantino (2015); quoted in Perna & Ponzo (2017).

<sup>245</sup> Accessed at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms\\_notifications\\_-\\_reintroduction\\_of\\_border\\_control\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms_notifications_-_reintroduction_of_border_control_en.pdf), on 31.10.2018.

<sup>246</sup> Pastore & Ferruccio (2017).

<sup>247</sup> Originally, it was established in order to distribute research funds fairly between the '*Länder*'. However, the application area of the method has been quickly extended. It has been applied in many different areas, whenever it has been necessary to calculate the resources that a single state may provide to contribute to a national effort.



'Länder' can enact their own regulation on how to distribute the migrants,<sup>248</sup> and during the 2015/16 refugee crisis a significant distribution of applicants for international protection took place from the 'Länder' to the municipalities, often with very short notification periods for the mayors, who were often only notified the day before the arrival of asylum seekers.<sup>249</sup> Once refugees received a positive decision on their refugee status, however, they tend to move to urban areas in the Western parts of Germany, as the '*Königsteiner Schlüssel*' only applies during the asylum procedure. For this reason, a regional restriction for refugees was introduced with the new integration law requiring refugees receiving social welfare benefits to reside in a certain 'Land'. This regional restriction is controlled through appointments at the social welfare offices.<sup>250</sup>

**In Italy**, in March 2011, representatives of the central government, regions and local authorities reached an agreement stating that asylum seekers should be equally distributed across the country in relation to each region's total population (Department of Civil Protection – Presidency of the Council of Ministers, 12 April 2011). The Department of Civil Protection<sup>251</sup> was charged with guaranteeing coordination, providing technical assistance and monitoring the distribution of asylum seekers in the system, while each Region was expected to identify 'implementing actors' to manage reception structures, including through 'emergency procedures'. Nevertheless, the agreement and its implementation received several criticisms. Regional and local authorities complained about their exclusion from decisions concerning the distribution of asylum seekers across the national territory, as well as the excessive fragmentation and differentiation of actors involved in the reception system across regions.<sup>252</sup> Moreover, some commentators highlighted that this emergency reception system diverted resources away from migrant integration and structural reception policies and interventions.<sup>253</sup> To manage the situation in 2016, the central government, together with ANCI, established a precise **ratio for asylum seekers' redistribution across Municipalities**, i.e. 2.5 asylum seekers per 1,000 residents. However, in order to avoid further tensions with local communities, this decision was not accompanied with a reinforcement of the central government's power to impose settlement of asylum seekers against Municipalities' will. Therefore, several Municipalities have been rejecting their quotas. In January 2017, the central government also decided to provide economic incentives for the Municipalities (the so-called **Accommodation Bonus**, according to which the government will assign 500 euro to Municipalities for each refugee accommodated in their territory regardless of the type of structures). This money can be spent by the Municipalities without any specific constraints, not necessarily on refugees.<sup>254</sup>

**In Sweden**, with the new settlement act, the reception of asylum seekers has become mandatory for all municipalities – before this new act, the reception of new migrants was voluntary for municipalities. **Factors taken into account** for the allocation of new migrants include **local labour market conditions, population size and the number of newly arrived asylum seekers already hosted**.<sup>255</sup>

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<sup>248</sup> Heckmann & Burke (2017).

<sup>249</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>250</sup> Ibid.

<sup>251</sup> The Department of Civil Protection, headed by the Presidency of the Council of Ministers, is responsible for coordinating policies and activities in the field of civil defense and protection. It is in charge of forecasting, preventing, managing and overcoming human and natural disasters, as well as 'emergency situations'.

<sup>252</sup> Conferenza Unificata Regioni e Province Autonome – ANCI - UPI, 25 July 2012; quoted in Perna & Ponzo (2017).

<sup>253</sup> Rossi, Biondi Dal Monte, & Vrenna 2013; quoted in Perna & Ponzo (2017).

<sup>254</sup> Perna & Ponzo (2017).

<sup>255</sup> MIND Study visit to Sweden, 02-06 July 2018; European Migration Network, August 2018.

## ASYLUM LEGISLATION AND PROCEDURES

Several countries reacted to the crisis by adapting their asylum legislation and procedures, by introducing temporary laws, amending lists of safe countries of origin, nationals of which may undergo fast track procedures in the asylum system, and making the asylum procedures more efficient, for example through the application of new technologies or simplified procedures.

The most far-reaching change was introduced in Sweden, where temporary residence permits have been introduced for refugees and persons in need of protection (see Text box 23).

### Text box 23

#### The introduction of a temporary Aliens' Act: The Example of Sweden

In response to the pressure felt during the refugee crisis in Sweden, on October 23<sup>rd</sup> 2016, the Swedish government reached a cross-party 'migration agreement'<sup>256</sup> with the Alliance of the four conservative parties: *Moderaterna*, *Centerpartiet*, *Liberalerna* and *Kristdemokraterna*. This agreement enabled the introduction of severe restrictions on immigration to Sweden. **On July 20<sup>th</sup> 2016, the Alien Act in force was practically suspended and replaced by a temporary law,**<sup>257</sup> granting temporary instead of permanent residence permits, and establishing a protection system primarily aimed at temporary protection. After expiration of a residence permit under temporary protection, a situation requiring protection is reassessed and can be extended if the situation persists or if the person has a taxed income that can provide self-sustenance.<sup>258</sup> In November 2016, this agreement was amended with provisions aiming to '*adjust the [Swedish] asylum regulations to the minimum level in the EU*'.<sup>259</sup> The temporary law is supposed to be enforced until 2019, but the government is to investigate the eventual need for prolongation.<sup>260</sup>

However, it should be noted that this legal change did not go without criticism. In the policy consultation process, 22 out of 36 consulted referrals were very critical of the temporary legislation practically, but that was ultimately no hindrance to passing the restrictive legislation without modifications.<sup>261</sup>

In Germany, new countries whose citizens normally do not qualify for asylum – such as Albania – have been put on the list of safe countries of origin.<sup>262</sup> Furthermore, Germany introduced new technologies to be applied in the asylum procedures, such as video interpretation systems, in which up to 30 interpreters were connected with asylum procedures via an online system, which shortened the processing times. The new integrated identity management database, the so-called core data system, also improved the regis-

<sup>256</sup> Migrationsöverenskommelsen/Migrationsuppörelsen

<sup>257</sup> Lag (SFS 2016:752) om tillfälliga begränsningar av möjligheten att få uppehållstillstånd i Sverige/Law (2016:752) on temporary limitations of the possibility of getting a residence permit in Sweden (with modifications until SFS 2017:352 – granting 13 months TUT [temporary residence permit] for those in "alternative need of protection/alternativ skyddsbehövande"), Prop.2015/16:174, "Förslag om att tillfälligt begränsa möjligheten att få uppehållstillstånd i Sverige; Socialförsäkringsutskottets betänkande 2015/16:SfU16 "Tillfälliga begränsningar av möjligheten att få uppehållstillstånd i Sverige".

<sup>258</sup> Dingu-Kyrklund & Burke (2017).

<sup>259</sup> European Migration Network, August 2018.

<sup>260</sup> Dingu-Kyrklund & Burke (2017).

<sup>261</sup> Dingu-Kyrklund & Burke (2017).

<sup>262</sup> Heckmann & Burke (2017).

tration of newly arrived applicants and facilitated inter-institutional cooperation, while avoiding double entries in the system. Moreover, stricter quantitative performance indicators were introduced for officers, and cases were clustered and processed by priority. Simplified asylum procedures were introduced, in which applicants for international protection from countries of origin with a particularly high protection rate only had to fill in a questionnaire, rather than undergoing a personal interview. Due to security concerns, however, personal interviews were gradually reintroduced as of 2015. Altogether, these measures have led to faster decision-making processes.<sup>263</sup>

### 4.2 Long-term crisis response

In addition to short-term crisis management, however, a comprehensive crisis management approach also requires long-term response measures, to address the consequences of the migration crisis. This includes catering to the integration needs of the new arrivals to ensure their inclusion in society as well as adaptations in adjacent areas, such as family reunification. Furthermore, many countries have adapted their emergency planning based on the lessons learnt, with a view to ensuring future preparedness.

#### INTEGRATION AND ADJACENT AREAS

Many countries reacted to the need to step up integration measures, partly by introducing new integration acts or plans. The main measures introduced included increasing the capacity and funding of existing measures, facilitating access to the labour market, putting in place measures to improve language skills and cultural orientation, as well as measures facilitating access to education and integration into local communities.<sup>264</sup>

Another measure facilitating the integration of new arrivals was the opening of integration services to asylum seekers from countries with a high probability of receiving international protection.

**In Germany, a new Integration Act entered into force on 6 August 2016**, and suspended, inter alia, the preference given to workers from Germany and the EU if they apply for the same job with the same qualifications (*'Vorrangprüfung'*) for three years,<sup>265</sup> and foresaw the creation of 100,000 work opportunities for applicants for international protection, with a view to bridging the waiting period between application for asylum and the final decision on the case.<sup>266</sup> In reaction to the large inflows, access to the labour market was eased for applicants for international protection coming from countries with a high probability of receiving international protection (*'Bleibeperspektive'*), with a view to facilitating their early integration.<sup>267</sup> Furthermore, integration courses and the Migration Advice Service and its programmes were opened to the same group during 2015 and 2016, offering German for professional purposes and for vocational German language promotion.<sup>268</sup> Generally, the number of language courses was greatly increased.<sup>269</sup> Germany also implemented a new programme of initial orientation courses for applicants for international protection with an unclear prospect of remaining, covering eleven areas that are considered essential for an ini-

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<sup>263</sup> European Migration Network, August 2018.

<sup>264</sup> Ibid.

<sup>265</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>266</sup> European Migration Network, August 2018.

<sup>267</sup> MIND study visit to Germany; Heckmann & Burke (2017).

<sup>268</sup> European Migration Network, August 2018.

<sup>269</sup> Heckmann & Burke (2017).

tial orientation into German society, including aspects of everyday life and living together, as well as basic language training. At the same time, however, support measures for applicants for international protection with little prospect to remain have been cut back.<sup>270</sup>

As regional and local actors can be considered the main actors in the field of integration, it was important to adapt their integration budgets, corresponding to the increased integration needs. This was not, however, an easy task in the Germany Federal system, as competencies are divided between the Federal level and the 'Länder' level – and the Federal level was not allowed to give direct financing to the municipalities or allocate responsibilities.<sup>271</sup> In December 2016, however, a **new Act** was introduced **on the participation of the Federal Government in the cost of integration**, with the aim of easing the burden of the 'Länder' and local communities.<sup>272</sup> Generally, there is a strong dialogue between the Federal government, the 'Länder' and the municipalities, in which the German association of towns and municipalities plays a specific role. Such a dialogue is considered crucial for successful integration.<sup>273</sup> Specific initiatives at the local level have included the appointing of around 450 so-called education coordinators in 2016, who coordinate various actors offering educational services on behalf of the municipalities, with a particular focus on refugee children and adolescents.<sup>274</sup>

**Sweden** introduced measures to improve the matching of qualifications with employment, by introducing a fast-track scheme.<sup>275</sup> The Fast Track initiative was proposed in the **Swedish National Reform Programme 2015** with the aim of coordinating existing measures of the Public Employment Service into a streamlined package for newly-arrived immigrants who have skills that match occupations in which there are labour shortages (such as medical doctors or chefs). Fast track procedures have been developed together with Employers' organisations and trade unions for immigrants who have skills that are on a shortage list, and different, tailor-made paths to the recognition of qualifications have been created. Activities within this framework are carried out in parallel to language learning and include a competency mapping on the basis of self-assessment, an assessment by the Swedish Council for Higher Education or another authority, validation according to an industry model through practical and theoretical tests, professional assessment during work placements, etc.<sup>276</sup> A new regulation entered into force in 2016, which foresaw an obligatory mapping of newly arrived students' knowledge and previous education, and introduced regulations concerning the organisational form of 'introductory classes'. Furthermore, inter alia, the municipality-run language tuition programme (Swedish for Immigrants) for newly arrived beneficiaries of protection was expanded and private sector initiatives offering language tuition were supported, even if they targeted applicants for international protection who had not yet received a decision on their application. Government funding was provided for local integration projects.<sup>277</sup>

**In Italy**, due to the increasing salience of the **asylum** issue (see Section 4), on October 2017 a '**National Plan for the Integration of Beneficiaries of International Protection**' was adopted for the first time by the National Coordinating Group (*Dipartimento per le Libertà Civili e l'Immigrazione* - Ministry of the Interior, 26 September 2017). It has been defined as 'the first step towards the construction of a system of inte-

<sup>270</sup> European Migration Network, August 2018.

<sup>271</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>272</sup> European Migration Network, August 2018.

<sup>273</sup> MIND study visit to Germany, 19-23 March 2018.

<sup>274</sup> European Migration Network, August 2018.

<sup>275</sup> Ibid.

<sup>276</sup> MIND Study visit to Sweden, 02-06 July 2018.

<sup>277</sup> European Migration Network, August 2018.

gration for beneficiaries of international protection in Italy’ and it identifies national priorities for their effective integration, paying particular attention to vulnerable groups (women and unaccompanied minors). However, it should be pointed out that, to date, no specific implementing rules, actors and resources have been explicitly identified.<sup>278</sup>

As a response to the large mixed migration inflows of the years 2015 and 2016, some EU Member States, including Germany and Sweden, have also restricted the right to family reunification for certain groups.<sup>279</sup> In Germany, the constitutional right to family reunification was temporarily stalled for persons granted subsidiary protection until July 2018 – however, providing for exceptions in hardship cases.<sup>280</sup> In Sweden, the temporary law that was introduced in July 2016 limited the possibilities of family reunification, which became conditional on the capacity of financial sustenance of the given relative in Sweden.

### POST-CRISIS SCALING DOWN OR DISMANTLING OF CRISIS

After 2016, when the numbers of inflows started decreasing, some countries began to scale down the measures that had been put in place during the crisis, by reducing reception capacities, as was the case in Germany and Sweden, while maintaining some of these facilities, such as in the case of Germany, with a view to future preparedness. In other countries, mostly those that were less affected by the peaks of inflows, such as the UK, no such changes were made.<sup>281</sup> Germany and Sweden, furthermore, shifted resources from registration to the processing of applications for international protection.<sup>282</sup>

In some countries, it is yet to be seen whether temporary legal changes that have been introduced as a reaction to the crisis will be incorporated into the standard system, or whether they will be allowed to expire. In Sweden, the temporary law that was introduced on July 20<sup>th</sup> 2016 is in place until 2019. After the end of this period of time, the possible need for a prolongation of this law will be evaluated and a decision will be taken.<sup>283</sup>

### EVALUATION OF CRISIS RESPONSE AND ADAPTATION OF EMERGENCY PLANNING

Despite all their challenges, the different situations of migration crisis that have been experienced by the countries covered in this report have provided opportunities to take stock of the reception and asylum system – based on the lessons learnt – and to identify gaps and develop contingency plans for possible future crisis situations.

In Germany, however, at the time of writing no central strategy or administrative chain to prevent future repetitions of the suboptimal management of the migration flows had been developed, despite governmental statements to the contrary.<sup>284</sup> However, lessons learnt from the crisis situation have been put to sys-

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<sup>278</sup> Perna & Ponzo (2017).

<sup>279</sup> European Migration Network, August 2018.

<sup>280</sup> Heckmann & Burke (2017); European Migration Network, August 2018.

<sup>281</sup> European Migration Network, August 2018.

<sup>282</sup> Ibid.

<sup>283</sup> Dingu-Kyrklund & Burke (2017).

<sup>284</sup> Cf. Statement of Chancellor Merkel, accessed at: <http://www.spiegel.de/politik/deutschland/angela-merkel-bei-cdu-parteitag-fluechtlingskrise-darf-sich-nicht-wiederholen-a-1124599.html>; quoted in Heckmann & Burke (2017).

tematic use in the form of standardising procedures and improving training plans.<sup>285</sup> The concept of ‘flexible authority’ has been developed with a view to future preparedness, which foresees advanced training for some staff of the Federal Office for Migration and Refugees, including plans to also involve employees seconded to the Federal Office in upskilling measures. Germany has also maintained parts of the reception facilities as a contingency for possible future large-scale inflows.<sup>286</sup>

In Sweden, the Swedish Migration Agency was developing an emergency response document at the time of writing this report, and the post of duty officer for crisis management had been introduced. Furthermore, a stronger focus had been put on situation analysis outside of Sweden to ensure better preparedness.<sup>287</sup> Sweden also undertook thorough evaluations of the crisis response measures, as both the Swedish National Audit OFFICE (RRV) and The Swedish Agency for Public Management (*Statskontoret*) were commissioned to evaluate various aspects of reforms relating to the handling of the crisis created by the tense refugee situation in 2015.<sup>288</sup> An own report by the Civil Contingency Agency<sup>289</sup> showed the effect the refugee crises had on Sweden’s citizens and their reliance on the institutions and power structures meant to solve such situations. Furthermore, an official inquiry regarding Swedish migration and asylum policy was presented to the *Riksdag* by the Social Security Committee, examining the effects of the enactment of the temporary legislation,<sup>290</sup> all of which were discussed at length.<sup>291</sup>

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<sup>285</sup> European Migration Network, August 2018.

<sup>286</sup> Ibid.

<sup>287</sup> MIND Study visit to Sweden, 02-06 July 2018

<sup>288</sup> Dingu-Kyrklund & Burke (2017).

<sup>289</sup> P. Esaiasson & Sohlberg (2016): Flyktingkrisen och medborgarnas förtroende för samhällets institutioner - en forskarrapport/The refugee crisis and citizens’ trust in the society’s institutions MSB & Göteborgs University.

<sup>290</sup> Law (2016:752) regarding temporary limitations of the possibility to be granted a residence permit in Sweden (the temporary law), in force since July 20th 2016.

<sup>291</sup> Dingu-Kyrklund & Burke (2017).



# 5 Conclusions and Recommendations

The present report has shown that policy development is, in practice, to a large degree influenced by the policy environment, by recent events, and by political negotiations. This applies especially to the field of migration, which is often politicized. In particular, right wing parties usually place migration high on their political agenda, with a special focus on the migration-security nexus. In many cases, policy development has proven to be reactive rather than forward-looking – either because the policy maker failed to respond to changing situations in due time, or as a response to migration crisis situations.

Hence, in practice, migration policy-making often deviates from the ‘ideal model’ of the policy-making process to varying degrees. The policy-maker often needs to balance political pressure against an inclusive and evidence-based approach to policy-making that follows the steps of the policy cycle (to a large extent). The following recommendations are considered to help in achieving such a balance:

- **Ensuring that institutional structures reflect the multidimensional reality of migration.** Institutional structures have an important impact on how migration policy is developed. The structures in place should facilitate an integrated government response to migration issues, by ensuring that inter-institutional coordination and decision-making mechanisms are in place. This involves both coordination with relevant institutions dealing with relevant sectoral policies, and coordination with other levels of governance, including the global, the regional and the local level. In Germany, for example, the Federal Government Commissioner for Migration, Refugees and Integration, who has a fundamental role in advising the public authorities on migration and integration, holds a position within the Chancellery. This structure acknowledges the cross-cutting nature of the migration issue and equips the commissioner with a coordinating function.
- **Putting in place structures needed for evidence production.** In an evidence-based approach to migration policy-making, the policy-maker needs to draw on a sound evidence base. Such an evidence base may include: official statistics, in-house studies, studies from academia, associations, think tanks, etc.; evaluation findings; surveys, panels and other original research (if appropriate and affordable); expert inputs; and evidence from stakeholders, both interested and affected parties.<sup>292</sup> In order to ensure such an evidence base, it is important to put in place a combination of internal and external structures for evidence-production to meet the need to react quickly and to avoid the risk of simply accepting policies already in place.

Centres that have applied innovative approaches that may complement in-house research include, for example, the German Centre for Integration and Migration Research – a combined research institute and research network, which provides research and policy recommendations to the Federal

<sup>292</sup> F. Hauser, [Ed.] Quality of Public Administration. A Toolbox for Practitioners, EU, 2017, p. 11 f

Ministry for Family Affairs, Senior Citizens, Women and Youth, as well as consultative commissions, such as the Independent Commission for Migration, which encompassed major power and influence groups in German society – from employers' associations, unions, churches, the media, city associations and the academic world – and prepared a report that contributed to a reframing of national migration and integration policies.

- **Early involvement of relevant stakeholders.** A wide range of actors, including migrants, diasporas, local communities, civil society, academia, the private sector, Parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders in migration governance, have a stake in migration policy-making. Their early involvement in the policy development process ensures both their ownership and the harnessing of their expertise, as they are often more directly affected by the policies, or involved in their implementation. Stakeholder consultations are recommended as a means to achieve this. Permanent dialogue structures with civil society actors or specific religious groups, such as the German Islam Conference, may support stakeholder involvement by facilitating ongoing exchange with relevant actors.
- **Putting in place monitoring and evaluation mechanisms.** Sound monitoring and evaluation mechanisms are crucial for ensuring a continuous improvement of the policy response. Similarly to evidence production, monitoring and evaluation should be carried out both within the agencies in charge, and by independent structures. They should be supported by the development of indicators and comprehensive data collection mechanisms. In Germany, for example, a monitoring system of indicators was developed to make integration in Germany more measurable, as part of the National Integration Plan (which later turned into the National Action Plan on Integration).

With regard to migration crisis situations, the countries covered in this report were affected by the crisis in different ways, and hence chose response strategies that significantly differed from one another. In the countries most affected by the migration and refugee crisis, notably Germany and Sweden, most commonalities could be identified, as in both countries the sudden increase and unpredictability of inflows as well as the high numbers of new arrivals led to an overburdening of the registration, reception and asylum systems, leading to a rather reactive crisis response. The following recommendations, drawing on the experiences of the countries covered, are considered to support countries' future crisis preparedness.

- **Enhancing crisis preparedness and putting in place contingency plans.** Experience showed that in many cases it was not so much the sheer numbers of inflows that posed difficulties in managing a 'crisis situation', but rather unpreparedness at the institutional level, a lack of training and crisis coordination mechanisms, as well as difficulties with regard to the need to quickly increase institutional capacities in response to the changed realities on the ground. With a view to mitigating these types of challenges, it is recommended to put in place crisis preparedness and contingency plans, such as the crisis preparedness plan for the Swedish Migration Agency in Sweden – which was prepared after the so-called migration and refugee crisis – to maintain additional reception facilities as a contingency for possible large-scale inflows and to invest in training to prepare staff of the relevant institutions for unforeseen situations, as well as to appoint duty officers for crisis management in the relevant institutions.
- **Increasing the institutional capacities and streamlining workflows.** In the immediate crisis response, it is crucial to react quickly by adapting the institutional capacities and structures to ensure institutions are equipped to cope with the situation on the ground. This involves an increase in staff



and the streamlining of workflows, for example by introducing fast-track procedures for applicants for international protection from countries with a high prospect of receiving protection status, and by introducing innovative technology-based methods, such as virtual translation services, as was the case in Germany.

- **Enhancing coordination efforts.** The management of migration crisis situations, such as the 2015/16 European Migration and Asylum Crisis, requires a coordinated effort of a wide range of relevant stakeholders. It is thus recommended to put in place mechanisms that facilitate inter-institutional coordination, such as coordination groups and regular coordination meetings. An example of a country that has applied an innovative approach is Germany, where new arrival centres have been put in place in which the relevant Federal and regional security and social welfare offices are placed under one roof, in order to facilitate coordination. These arrival centres serve the dual purpose of registration and first accommodation. Another example of an innovative approach is the involvement of a crisis management agency, such as the Civil Contingencies Agency in the case of Sweden, which provides coordination and management support.

The German and the Swedish experience showed a high level of civil society engagement and a strong welcome culture at the outset of the crisis. In order to use their resources more efficiently, it is recommended to put in place structures for the coordination of volunteers, such as in the case of Germany, where positions of dedicated volunteer coordinators have been introduced at the local level.

- **Evaluating crisis response measures.** Crisis situations can be considered a test for the migration and asylum system in place. If the crisis and its management, both in terms of short-term and long-term crisis response, are thoroughly evaluated, this can provide valuable insights and lessons learnt, including the identification of gaps in the migration and asylum system. In Sweden, for example, such evaluations have been carried out by the Swedish Agency for Public Management and the Swedish National Audit Office.
- **Using windows of opportunity for policy changes.** Situations of migration crisis may disrupt the policy cycle, but they may also create windows of opportunity for policy changes or overdue reforms of the asylum system. In Germany, for example, a new policy for the Federal Office for Migration and Refugees has been developed in response to the crisis situation.
- **Investing in migration intelligence and analysis.** The migration crisis situation showed that the unpredictability of the inflows posed a major challenge in the context of the crisis response, and the institutions in charge were relatively unprepared for the large inflows. An ongoing analysis and forecasts produced at regular intervals would support the prediction of large-scale migration movements and facilitate crisis preparedness. An example of such an approach is that of the Swedish Migration Agency, which expanded its analysis department in response to a need for more migration intelligence and forecasts produced at regular intervals.

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### MIND Internal input papers

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### MIND Study visits

MIND study visit to Germany, 19-23 March 2018

MIND Study visit to Sweden, 02-06 July 2018

MIND Study visit to Italy, 25 February – 1 March 2019







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