Responding to refugees: The Emergency Relocation Scheme in Ireland, Malta, Portugal and Spain (2015-2017)

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Abstract
What was country-specific about the EU Emergency Relocation Scheme (ERS) targeting asylum-seekers in Italy and Greece from 2015 to 2017? In this paper, I seek to conceptualize ERS-related institutional configurations in four national cases (Ireland, Malta, Spain and Portugal) as resulting from dynamic interaction between EU policy priorities and national asylum systems. Existing research tends to focus on large refugee-intake national cases and conjunctural responses to exogenous shocks. By reframing asylum policy systems as multilevel strategic action fields, as suggested by Stephanie Moulton and Jodi Sandford (2017), in the wake of Neil Fligstein and Doug McAdam, I draw focus to country-specific field settlements on asylum policy. While policy learning and convergence remain relevant as explanatory factors, particularly in the context of the Common European Asylum System (CEAS), country-specific responses show variation which is best explained by field-theoretical arguments. With regard to the ERS timeframe, this paper will argue that institutional innovation in each of the four cases is not a simply a result of constrains imposed by the EU, but a result of field-specific relations in the asylum policy system. It is argued that the assumption by some existing research that policy innovation in migration management is a result of shocks, i.e. enhanced inflows, is questionable as much research pertains to historically high-intake European countries. By focusing on historically low-intake countries and their response to a single shock in a limited time-frame, this paper will show how field-specific arrangements may undercut the enforcement of policy convergence.

1. Europeanization on the ground: an introduction to the politics of invisible tears

This paper is an initial foray into a comparative study of the multilevel strategic action field of asylum in the national cases of the Republic of Ireland, Malta, Portugal and Spain during the Emergency Relocation Scheme (ERS) of the European Agenda on Migration. In it, I argue that these cases are empirically relevant because although they show proper, operating asylum systems, they are different from other, more frequently surveyed cases. Including low-intake cases in the set of EU member-states which participated in the Emergency Relocation Scheme (ERS) moves research forward by redefining how the relocation of 160,000 individuals from Greece and Italy to member-
states which stated voluntary commitment might be framed as an exogenous shock to these asylum systems. Furthermore, debates on EU member-state preference formation do not generally attempt to discuss implementation as the concrete expression of national policy preferences. In other words, preference implementation is an important part of the puzzle. It is important but difficult to assess. Research on asylum operations generally discuss implementation in either one of its simplified modes of operation: top-down or bottom-up (Naoom et al. 2005; Moon, Dickinson, e Blackman 2017). Arguing for the inclusion of these national cases in a comparative case study design allows one to discuss why the salience of asylum and refugees does not necessarily explain why or how governments responded to the onset of the 2015 border crisis shock. The social organization of research, including the heightened importance of highly salient cases where lots of information is available, is a path-dependent process where increasing returns work (Pierson 2000), which explains some of the focus on densely studied national cases and the absence of focus on others. Focusing on the ERS shows how a contingent exogenous shock (none of the countries share terrestrial borders with either Greece or Italy) operates differently across cases depending on the sociopolitical organization of asylum application processing and reception conditions.

In this paper, I also look for ways to frame a professional problem which follows from doing frontline work in host-country asylum systems within the European Union. That problem is, to put it fancifully, the politics of invisible tears. I have no answers for this, beyond a limited attempt to connect tears to the European Commission and suggest that those tears are also part of the political economy of asylum in Europe, even in their lack of perceived significance to the Asylum, Migration and Integration Fund. Regulations and transposed EU directives are the law of the land across most EU members, but ground-level experience is filled with meanings which derive, at least indirectly from
abstract work in EU and national institutions. When someone’s asylum application is refused on grounds specified by Directive 2013/32/EU, the immediate consequence is not coerced movement; it is an embodied response to rejection. There are few feedback mechanisms in this policy domain, but it is incumbent upon both ground-level workers and refugees to work out what the EU *acquis* means and how it plays out, including negative first-instance decisions, reception conditions, family reunification and, as a last resort, return to the country of origin. These highly structured but unpredictable interactions are the invisible scaffolds of asylum in Europe, but they are neither studied evenly across every EU member-state nor are they considered in balance across the whole policy spectrum. What matters, according to the literature, is the extent to which the EU *acquis* is domesticated (Thomann e Sager 2017, 2–3) or, in another key, whether member States set paces, drag their feet or sit on the fence (Börzel 2002, 196–208). The problem might be stated as the following: how are we to discuss asylum policy in Europe without a) accounting for variation across an expanded set of national cases or b) feedback loops stemming from policymaking and implementation? Furthermore, is it reasonable to c) assume that refugees’ emotional states upon arrival to host countries are somehow linked to European Council decisions? If so, how does this causal chain operate and what does it look like?

Regarding a), this paper is an early exploration of the social organization of asylum policy research in the European Union. In it, I do not perform meta-analyses or a systematic literature review; instead, I search for the reasoning behind selecting certain national cases and put forward my own case for looking into other social and political contexts. The preliminary nature of this research prevents me from making broad inferences or generalizations. Regarding b), I reflect upon the potentials and pitfalls of
trying to stretch analytical accounts of the going concerns of asylum, to quote Everett Hughes (Helmes-Hayes and Santoro 2016), beyond institutional settings seen as the core of asylum. After all, if these are going concerns, there should be an ecology of institutions at work and, while not all may play as large a role as the asylum system itself, their interplay as fields should. Finally, regarding c) I discuss the potential of multilevel strategic action field, as put forth by Moulton and Sandfort (2017), to elucidate the problem of invisible tears.

2. The context of forced migration in Europe

Forced migration is a reemerging global challenge to societies and political systems (Betts et al. 2017, Costello e Mouzourakis 2015, FitzGerald e Arar 2018) In 2018, the United Nations High Commissioner’s Office for Refugees estimated that 74,5 million individuals have been forced to flee their homes (UNHCR 2018). The figure comprises internally displaced people, refugees and asylum-seekers, among other people labeled as forced migrants, illustrating a complex situation which has been, thus far, dealt with through inchoate policy responses across national cases and policy systems. The inchoate character of those responses is a reflection of divergent socio-political and socio-economic interests at multiple venues and scales, system unresponsiveness and the inherent complexity of forced migration worldwide (Scipioni 2018). It is also a reflection of the interplay between forced mobility as a transnational phenomenon and nation state-based migration policy regimes.

The European Union is an important research site to consider these issues. Figure 1 shows aggregate asylum applications in EU28 members from 2008 to 2018 and illustrates how external borders and asylum systems EU-wide faced a large, but not
Figure 1. Asylum applications EU28 2008–2018

unexpected, shock. The onset of the Syrian civil war and other conflict situations signaled a potential increase in asylum applications. As a political formation, its legal, political and institutional structure, particularly as regards managed migration, enhances policy coherence across its member-states: the Common European Asylum System is structured around Directives and Regulations which theoretically diminish space for specific decision-making (Trauner 2016, Zaun 2017). Figure 2 shows first-instance decision patterns across EU28 member-states. However, the 2015 response to increased refugee inflow into EU external borders show how EU member-states and even local authorities within can and do respond differently to shocks ((Doomernik e Glorius 2016). One might look at the policy response illustrated by German Chancellor Angela
Merkel’s “Wir schaffen das” or Portuguese Prime Minister António Costa’s offer to provide integration arrangements to up to 10,000 individuals in the wake of a ramped up humanitarian crisis in Syria or at the response by members of the Visegrad group. Arguments on differentiated integration (Schimmelfennig 2019) resonate clearly in the context of Europeanized asylum policy-making (Chebel d’Appollonia 2019). But what does differentiated integration mean beyond the domain of policy-making? What are the consequences of differentiated integration, as theorized by Schimmelfennig (id.) and Schmidt (2019), in actually observable implementation outcomes? How do EU member-state polities which are low refugee-intake cases fit into the overall discussion on asylum policy preference formation (Zaun 2018)? How, if at all, do current

![Figure 2. First instance decisions, EU28](image-url)
explanations of asylum policy-making in the EU bring actual implementation into their frameworks? In both cases, the answer is mostly negative. Implementation research has been perceived as a generally difficult endeavor across policy systems and subsystems. The case of asylum is not unique in this regard. An additional challenge stems from the vague definition of implementation goals with regard to asylum operations: for example, first-instance decisions or actually met resettlement programme targets are conceivably implementation outcomes, but those outcomes also include integration-related operations, i.e. labor market integration, citizenship acquisition and subsequent enjoyment of full political rights, access and use of healthcare and education systems. The UK Government’s Indicators of Integration policy initiative, now in its second generation, points to a maximalist implementation framework which usefully expounds upon actual outcomes and drives ongoing discussion further than policy rankings such as MIPEX or IMPIC. The vagueness of implementation targets is not necessarily an undesirable or unforeseen outcome; indeed, much of the controversy around implementation hinges on its inherent fuzziness and the methodological challenge of building theory on the basis of context-saturated findings (Moon, Dickinson, e Blackman 2017). Challenges notwithstanding, I argue implementation goals and outcomes ought to factor into analytical accounts of responses to the external border crisis leading to the ERS. The extent to which member-state positioning in the context of the ERS reflects preferences should be then be connected to actual implementation efforts and outcomes. My focus is field-theoretical: I argue that the ERS varied across cases because national asylum systems reframed and filtered the dominant settlement are multilevel strategic action fields as suggested by Stephanie Moulton and Jody Sandfort (2017), building upon Fligstein and McAdam (2012). Kluttz and Fligstein (2016) profitably expand upon the comparative strengths of strategic action field theory
3. Multilevel strategic action fields

According to Fligstein and McAdam, a “strategic action field is a constructed mesolevel social order in which actors (who can be individual or collective) are attuned to and interact with one another on the basis of shared (which is not to say consensual) understandings about the purposes of the field, relationships to others in the field (including who has power and why), and the rules governing legitimate action in the field.” (2012, 1). SAFs are, in this line of work, “the fundamental units of collective action in society” (id.) and are “focused on the emergence, stabilization/institutionalization, and transformation of socially constructed arenas in which embedded actors compete for material and status rewards” (id). SAFs are “recurrent games” and the game metaphor, as deployed by (Martin 2011), who is especially useful in assessing the continuous aspects of strategy-making within a given field. The above definition may be split into three components: a theory of action (“actors are attuned and interact”; “relationships to others in the field”), a theory of institutions (“on the basis of shared (which is not to say consensual) understandings about the purposes of the field”; “the rules governing legitimate action in the field”) and a theory of power (“(including who has power and why”). Moulton and Sandfort build on this by suggesting that “for any given public service intervention, there are multiple and often overlapping SAFs. In each, actors try to understand the intervention, work with others to develop processes, and make decisions about which rules of conduct are the most significant” (2017, 146). This requires focus on three core components: “the public service intervention with variation in processes, coordination, and results;
multiple levels of strategic action that frame the scale of analysis, including the actors, resources, and roles at a particular scale; and the activation of diverse sources of authority through social skill that provides the engine for change or stability in the public sector intervention” (Id, 147). The authors then provide a useful set of assumptions for delving into the nitty-gritty of public sector interventions: first, the focus is on a “public service intervention” (Id, 151); second, variation is caused by constrained or enabled action by “SAFs [strategic action fields] at multiple levels of a complex implementation system” (Id, 154); third, field actors negotiate “various potential sources of authority” so as to justify their actions (Id, 155); fourth, social skill is employed by actors to “re-frame what is perceived to be legitimate practice” by means "leveraging existing authority in new ways, facilitating the creation of additional sources of authority or capitalizing on exogenous shocks to create new authority for action” (Id, 156). Table 1 puts forth a framework which works out how to employ the SAF concept constellation in public sector interventions.
Figure 2 then illustrates how SAFs work across levels in a top-down perspective. Sandfort and Moulton specify four sources of authority: political authority (P in Figure 2), economic authority (E in Figure 2), informal norms (N in Figure 2) and shared beliefs and values (B in Figure 2). Both P and E point to a political economy of the ERS and hold at higher levels because they are easily translated into coercion and incentivization; N and B point to the social organization of the ERS and hold at frontline levels, because they are easily translated into shared emotional work and negotiation. What this suggests is that the ERS is not simply a system of burden-sharing or asylum resolution where national preference formation and expression is gleaned from whatever position the Republic of Ireland took at a Council meeting or whatever Spanish officials did as they went through the motions of selecting individuals for relocation to the Kingdom of Spain. What I propose is to look at four components of asylum dispensation across the four cases I selected to discuss how implementation is
constrained by P and E but enabled by N and B: residence duration ascribed to asylum decisions, reception conditions,

*Figure 3. Multilevel SAF Framework*

the managing/delegation structure of national Asylum and Migration Fund programmes and where national funding is allocated. All of these had something to do with the ERS; all of these are related to each source of authority mentioned by Moulton and Sandfort. In this way, I introduce the politics of invisible tears to suggest that choosing cases where policy responsiveness to feedback is lower than the usual suspects in Europeanization research (“normal cases”, as suggested by Exadaktylos and Radaelli 2012: 25) might offer some interesting insights into the actual lived experience of refugees, frontline workers and people in their everyday context. Because the experience of asylum entails emotional work which does not translate easily into law or
integration procedures, I use the notion of invisible tears to discuss the absence of frontline feedback into policymaking.

Coming back to figure 2, this would mean that the PENB bundle in the ERS context would be implemented so as to constrain $P^{F_1}$ in terms of whatever $P^{F_i}$ defines as a desirable outcome. But the question then would be how actors in the intervention $F_1$ interpret and negotiate the flow between $P^{F_i}$-$P^{O_1}$-$P^{F_1}$ and whether the flow of authority downstream is paralleled by the flow of information upstream. Following from this suggestive framework, we can try to work out how the ERS fits into each component and element:

Table 2. The Multilevel SAF applied to the ERS

<table>
<thead>
<tr>
<th>Component</th>
<th>Elements</th>
<th>ERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Intervention</td>
<td>Processes of change</td>
<td>Relocation, Asylum system reform, Reception conditions reform</td>
</tr>
<tr>
<td></td>
<td>Methods of coordination</td>
<td>Voluntary adherence to ERS, distribution key for burden-sharing, AMIF allocations</td>
</tr>
<tr>
<td></td>
<td>Change in system operations</td>
<td>Emergency, Tacit suspension of Schengen</td>
</tr>
<tr>
<td></td>
<td>Change in target group behavior or conditions</td>
<td>Lessened “burden” in Greek/Italian asylum systems / asylum applications and integration procedures transferred</td>
</tr>
<tr>
<td>Scale of Analysis</td>
<td>Policy field (assembly)</td>
<td>EU Council + Parliament</td>
</tr>
<tr>
<td></td>
<td>Organization (operationalization)</td>
<td>National governments</td>
</tr>
<tr>
<td></td>
<td>Frontlines (enactment)</td>
<td>Street-level bureaucrats, frontline workers, refugees</td>
</tr>
<tr>
<td>Drivers of Change and</td>
<td>Sources of authority</td>
<td>Political: EU+National legal enforcement capacity; Economic: AMIF allocations</td>
</tr>
<tr>
<td>Stability</td>
<td>Social skills</td>
<td>Brokering, Bridging</td>
</tr>
<tr>
<td></td>
<td>Exogenous shocks</td>
<td>2015 increase in third-country nationals claiming asylum at EU borders</td>
</tr>
</tbody>
</table>

4. Tears as politics: evidence-based emotion and case selection extension
What are you to say to a refugee arriving at a reception center, coming out of an airport detention facility or coming in to some pre-allocated housing? This problem stems from a series of pre-defined steps and decisions which you probably had nothing to do with. You would be a street-level bureaucrat (Lipsky 2010) trying to engage with a negotiated order (Strauss 1978) which you have had nothing to do with but which you are mandated to convey. The problem might also stem from the fact that, having done preliminary work on the psycho-social needs of asylum-seekers and various individuals pre-allocated into a given category, i.e. resettled (under the worldwide UNHCR-operated scheme or the EU-Turkey agreement), relocated (under the Emergency Relocation Scheme of the EU Agenda on Migration) or Dublin take-back or take-charge (under the Dublin III Regulation), you assess the situation not just in terms of pre-defined legal categories and the social organization of refugee reception, but also the contingent emotional status of the individual or family unit in front of you. This is also dependent on the spatial context: how you approach a refugee at an airport differs markedly from your approach in reception facilities, just as much as your approach will differ whether you are initiating interaction in a rural reception center or an urban equivalent. Public transportation might be available at the former, but it will likely be scarcer than in the latter, just as job opportunities are likely to be scarcer for service professionals forced to flee in the agricultural sector in the former than in the latter, which evokes themes of labor market integration and the unequal distribution of employment and life-chances. Since refugees are likelier to be less educated, show higher prevalence in acute or chronic mental illness and, as a result of forced migration, have diminished life chances than other mobile human beings, this is relevant. But, because the organization of asylum has no specific concern for skill distribution and refugee mobility, as all mobility, is conditioned by pre-existing resources and skills –
the poorest members of a society in upheaval do not tend to cross borders to seek protection – the mismatch between labor markets and skills only becomes an issue when it emerges on the ground; whether it becomes a politically salient issue depends on embedded feedback loops within integration systems. If such loops do not exist or are unresponsive, the ease of invisibility creeps in. In other words, the going concerns of asylum depend on how policymaking feeds on ground-level proof, but ground-level work is constrained by policymaking.

Then you ought to reflect on the politics of distance: is the individual or family unit, in all likelihood coming in from insecure contexts and thus with a history of larger displacement, connected to other individuals or family units elsewhere in the European Union? If you do, then your gaze will probably turn to so-called “secondary movements” as partially captured in Eurostat Dublin statistics; you will probably consider Germany, Sweden or the Netherlands as further destinations even as you detail the risks of “abscondement” to third EU countries with the person in front of you. These are problems which are seemingly disconnected from the literature on Europeanization. Schimmelfenig’s seminal work on differentiated integration might not be an obvious reference at this point (2018, 8–11), just as Scipioni’s stark assessment that “there are pragmatic and legal limits to what the EU can achieve with its current configuration” (2018, 15), partially because of growing dissent with the dictum that “policies should be tailored to refer to migrants and asylum-seekers as individuals with quasi-perfect information, as it is often the case in the EU” (2018, 14).

What does this mean with regard to the politics of invisible tears and the problem space of multilevel SAFs? Elmore (1979) suggests that “backward mapping” might help in implementation research because it reverses process-tracing efforts. One could trace the
ERS from its instantiation as a public service intervention, namely as the process of transporting people from Greece or Italy to jurisdictions which agreed to process asylum applications. But it would also be possible to suggest that the ERS, having as a goal system operation change and target group condition change, is a type of public service intervention that actually ends upon the removal of international protection status (Costello 2017) and therefore encompasses individual pathways throughout asylum procedures, lived experience framed by reception conditions and integration outcomes. Tears would no longer be invisible because they would be departure points; from tears we would get to the EU-Turkey Agreement (Niemann e Zaun 2018), the ERS itself (i.e. Bauböck 2018, Carrera et al. 2015) and then the full spectrum of choices and changed life-chances of refugees themselves (i.e. Trilling 2018).

**Ireland, Malta, Portugal and Spain: what these cases bring to the table**

Case selection for the exploratory purpose of this study thus depended on my purposeful disregard of cautions against selection bias in conventional political research (i.e. Geddes 1990; King, Keohane, e Verba 1994) or Europeanization research (Haverland 2006; Exadaktylos e Radaelli 2012). Selecting the Republic of Ireland, the Republic of Malta, the Republic of Portugal and the Kingdom of Spain resulted from a conscious and biased choice: these are cases which are similar in that all are functioning democratic polities (Figure 3), all are parties to relevant international refugee law
instruments, all operate under a minimum threshold of the rule of law (Figure 4), are Schengen area members and comply with the Common European Asylum System (CEAS), but not all have transposed relevant directives and enforced the Dublin III Regulation (Table 3) and all are AMIF national programme operators ((Westerby 2018; 2019). But what these national cases bring to the table is simpler than the weak enforcement of Mill’s method of agreement would suggest. None of the cases are salient in research on asylum in Europe, with the very limited exception of Spain and as recently as 2018; comparative qualitative data exist partially on the basis of work by ECRE (Waters 2018; ADITUS 2018; Waters 2018; Zuppiroli e de Lano 2018) and the Annual Reports on Migration and Asylum by the European Migration Network (European Migration Network 2016; 2017; 2018; 2019). Reasons for this are unclear,
but the low demographic significance of asylum-seekers or refugees in these cases couples with low media salience to demotivate research into the Irish or Portuguese asylum systems, even less so as

Table 3. CEAS Directives/Regulation transposition

<table>
<thead>
<tr>
<th>Directive</th>
<th>Ireland</th>
<th>Malta</th>
<th>Portugal</th>
<th>Spain</th>
</tr>
</thead>
</table>

Source: Own elaboration based on AIDA Country Reports

comparative case studies. The political economy of scientific research is clearly at play here: language skills, data availability and the research-policy nexus all play a role.

While English is an official language in Ireland and Malta, less people speak Portuguese or Spanish at a sufficient level to enable critical engagement with official documents and other primary sources; rewards for research on asylum in these cases are logically lower than in Germany, the UK or the Netherlands not only because there are fewer refugees and thus asylum is a lower-stakes problem, often not politicized enough so as to make it an interesting and fundable research problem, but also because national
university systems, as much as scholars might want to look away from these real-world constraints, have specific interests and need to secure funding so as to survive. The case of Portugal is illustrative: an important parcel of funding for research on migration (and asylum) has been allocated by the High-Commissioner for Migration’s Office as an AMIF Delegated Authority. The research-policy issue is starkly illustrated by the absence of critical engagement with, for example, MIPEX results which indicate a highly progressive policy paradigm in Portugal but do not allow scholars or the public to infer as to how implementation actually works. The Health strand of MIPEX and its muted reception in Portugal illustrates this: because it attempts to measure outcomes as well as access, it puts national insufficiencies into the spotlight, which went against the image of Portugal as a migrant-friendly country. Little research on the effects of political interests on research diffusion has been performed. Because critical engagement is low, the evidence-based feedback loop is weak and further weakened by the likelihood of decreased funding in the event of criticism targeted at political authority. At the EU level, most commissioned research relies on case-based inferences which come from well-researched sites, such as Germany or Sweden. Again, increasing returns are at play here, and, as case saturation comes into play, less researched cases fade into the background and serve as either sites for testing theory built on those well-researched sites. Context-sensitive theory which might respond to the specificities of the Irish or Portuguese cases, which differ from the Maltese and the Spanish counterparts in their response to the ERS (ECRE 2018), is lost to the demands of Europeanized going concerns. What interests us here is the fact that the ERS, itself a crisis response arrangement, emerged just as all core pillars of the CEAS had been recast and, to some extent, modified. The rate of directive transposition varies greatly even among these
cases, where the rate of increase in asylum applications (Figure 4), though marked in Spain, was not as large as in other EU members.

*Figure 5. Asylum applications in four cases 2000-2018*

Source: Eurostat

If we look at the rate of relocation throughout the ERS (Figure 5), certains patterns

*Figure 6. ERS 2016-2017*
emerge. Implementation rates differ across cases and this is partially explained by logistics and fast-tracking. Where in Spain and Malta existing structures were used to provide initial accommodation and relocated individuals went through the regular motions of asylum-seeking, in Ireland and Portugal special reception arrangements were made: in the former, initial reception arrangements were instated and in the latter an innovative and untested coordination scheme was put on the ground as a public-private initiative. Asylum systems, which I conceptualize as a hybrid policy/organization SAF, responded to the exogenous shock of ERS in different ways as a new category emerged: that of the “relocated” asylum-seeker. Table 4 presents a comparative table on lodging and determining agencies in the asylum procedure.

Table 4. Asylum authorities in four cases

<table>
<thead>
<tr>
<th>Country</th>
<th>Lodging</th>
<th>Determining</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ireland</td>
<td>International Protection Office</td>
<td>International Protection Office</td>
<td>Department of Justice</td>
</tr>
<tr>
<td>Malta</td>
<td>Office of the Refugee Commissioner</td>
<td>Office of the Refugee Commissioner</td>
<td>Ministry for Home Affairs and National Security</td>
</tr>
<tr>
<td>Portugal</td>
<td>Aliens and Border Service</td>
<td>Aliens and Border Service</td>
<td>Ministry of Home Affairs</td>
</tr>
</tbody>
</table>
Where in Ireland the International Protection Office is overseen by the Department of Justice and Equality and is held accountable to a specialist international protection appeals court and is not a police agency, the Aliens and Border Service enforces border control and it exerts authority as a police agency; Portuguese law forbids such specialist courts to judge cases; as regards the multilevel SAF, this suggests that the social organization of asylum in Ireland is more compartmentalized and less focused on coercion than it is about bureaucracy, while other, more critically oriented analyses dispute this (Loyal 2019). These different notions and patterns of eligibility and

<table>
<thead>
<tr>
<th>Country</th>
<th>Duration of residence permit</th>
<th>Required residence duration for naturalization</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Refugee status</td>
<td>Sub. Protection</td>
</tr>
<tr>
<td>Ireland</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Malta</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Portugal</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Spain</td>
<td>5</td>
<td>5</td>
</tr>
</tbody>
</table>

Table 5. Duration of permit and requirements for naturalization
legitimacy ascribed to refugee status or subsidiary protection are also suggested by
duration of residence permits and requirements for naturalization (Table 5). The case for
multilevel SAF application is again brought to the fore. While research has been
copious on significant cases (i.e. Favell 2002; Howard 2009; Janoski 2010), the
downstream consequences of such claims and what they mean to people on the ground
remains largely unexplained. As I argue below, where institutions are located within
governments and the State apparatus is not irrelevant: in asylum systems,
Source: AIDA Country Reports, own elaboration

nongovernmental organizations react differently from government institutions as much
as a social security and employment agency (re)acts differently from police agencies to
what refugees require and demand. Further, instituting agencies with a particular focus
on asylum and refugees, as seems to be the case in Ireland or Malta, allows one to
perform some level mapping, to paraphrase Elmore. The going concerns of asylum are
embedded in the topology and toponymy of institutions; where the High Commissioner
for Migration in Portugal is politically mandated to coordinate public policy on
migration, the International Protection Appeals Court in Ireland is specifically geared to
responding to refugees not as migrants but as beneficiaries of international protection.

These preliminary findings seem to show little else than a lot of variation. Baselines are
well established in the EU acquis and require little in the way of further explanation, as
directive transposition has been a core concern of studies in Europeanization. What
remains unexplained is both the choice of cutoff points for resident permit durations,
their actual effects on these cases and what they mean on the ground as they become
part of the meaning structure of the lives of refugees in each of these countries.
The Asylum, Migration and Integration Fund: economic incentives and political authority

Political authority during the ERS was questioned both by the exogenous shock of increased inflows and the instability caused by directive transposition. Preference formation with regard to the CEAS has been studied by taking Council decisions as proxies of preferences, but the resource allocation structure remains an understudied component of the ERS. There have been discussions of financial allocations per asylum-seeker (i.e. Carrera et al. 2015; Carrera e Guild 2015), less has been said about the governance structure of the Asylum, Migration and Integration Fund at the national level. As a governance structure, it shows that “differentiated integration” is instantiated in the fact that existing national structures are ascribed the role of responsible authority (RA) or delegated authority (DA), according to priorities which, thus far, have not been systematically studied. Den Hertog suggests this by stating that “One of the major but under-analysed EU responses to the ‘refugee crisis’ has been its budgetary response.” (2016a, 1). Apart from his research, which includes a study on the EU External Migration Policy (Den Hertog 2016b), two other important contributions are Rasche (2018) and This paper is not one such attempt. Instead, I merely point to variation in managing structures and AMIF allocation structures to point out that multiple interference points along each SAF clearly operated. As much is suggested by Westerby (2018; 2019) and the question of how EU funding defined implementation not just by resource allocation but also by rule-setting and goal alignment is also an important one. The case of nongovernmental organizations faced with multilevel demands for accountability – in the Portuguese variation of the ERS, no surveys were directly applied on refugees and the delegated authority on the Integration specific objective
relied on reporting by intermediate organization to evaluate results – is a concrete example: ERS evaluation data depended on those organizations who were under evaluation. Variation is due to national differences, although the overarching management structure was determined by the EC and the Fund regulatory framework. Figure 6 suggests that streamlining fund management and resource allocation, a core goal of AMIF, was somewhat successful.

Figure 7. SOLID-AMIF governance structure in four cases

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Responsible</td>
<td>Delegated</td>
<td>Responsible</td>
</tr>
<tr>
<td>Ireland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office for the Promotion of Migrant Integration, Department of Justice and Equality</td>
<td>RF – Irish Naturalization and Immigration Service;</td>
<td>Office for the Promotion of Migrant Integration, Department of Justice and Equality</td>
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<tr>
<td>Malta</td>
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<td>European Affairs Dept</td>
<td>N/A</td>
<td>European Affairs Dept</td>
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<td>Portugal</td>
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<tr>
<td>General Secretariat, Home Affairs/Interior Dept</td>
<td>EFI – High-Commissioner for Immigration ERF – Aliens and Border Service</td>
<td>Home Affairs/Interior Dept</td>
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<td>Spain</td>
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Source: Responsible Authorities’ Website

Whereas the SOLID framework encompassed four different funds (ERF: European Refugee Fund; EFI: European Fund for the Integration of Third-country nationals; RF: Return Fund; EBF: External Border Fund) with their own management structures and
goals, AMIF substituted these funds by a consolidated structure with strategic targets (asylum, integration and return) to be weighed by each national programme. Numerous issues arose from governance changes, but what interests us is divergent patterns in AMIF spending priorities (Westerby 2019, 15), AMIF-receiving institutions (Westerby 2019, 20) and actual transferred funds (Darvas et al. 2018, 49–50; Westerby 2019, 17). These are as much a result of the exogenous shock of ERS as a consequence of the legacy of SOLID. Respectively, each concern a different SAF. AMIF spending priorities reflect preferences emerging from the policy field as a EU-national nexus; the distribution of AMIF-receiving institutions results not just from the structure of asylum, integration and return ecosystems but also from the organizational skill involved in successful application to the demands of highly-regulated funding competitions inherent in AMIF national programmes (even if these are subject to political constraints or biases); actual transferred funds partially reflect implementation rates, if not the actual content of the ERS public service intervention. These processes do not reflect ERS per se, as the ERS was subject to earmarked funding and penalties were imposed on agencies which incurred in duplicating project goals; however, as AMIF is the core source of economic authority in the multilevel SAF of asylum in each of the cases under consideration, it remains relevant. What is at stake in this paper is not exactly what explains variation, as that would entail quantitative research for which we seem to have less than appropriate data for comparison, but how these differences would have an effect on the ground. We are thus descending into the frontline level of the multilevel SAF framework. The case of Spain and Portugal are illustrative in this regard: although the former shows a decentralized structure where local authorities are able to act with some independence, no funding was allocated to that category; in Portugal, where civil society is generally perceived as comparatively weak, most funding went to civil society
organizations. In Malta, some funding went to international organizations, which might be explained by its location and the strong presence of UNHCR, IOM and EASO. In Ireland, high public service effectiveness seems to lead to a diverse portfolio of AMIF-funded initiatives, but, as compared to Portugal, the relative position of nongovernmental organizations in the asylum policy field is weaker.

**Conclusion**

In this paper, I present an exploratory digression into the overlooked sites of asylum policy in the European Union. Ireland, Malta, Portugal and Spain are such sites: while case studies do exist, comparative research does not. This research design is useful because it allows us to discuss conceptual issues and empirical problems discovered by researchers focused on other, more saturated cases. I argue that the multilevel SAF approach envisioned by Moulton and Sandfort (2017) points to a more well-rounded analytical framework which encompasses policy-making at the EU and national level, its operationalization at the organizational level and its implementation at the frontline
level. I attempt a very preliminary exploration of the Emergency Relocation Scheme between late 2015 and late 2017 as it relates to asylum operations in two ways: the flow of CEAS and AMIF allocation. All cases introduced here show high levels of variation and are of limited interest to comparisons with other cases. My argument is thus that clustering them is as valid as clustering Germany, Sweden, the UK or the Netherlands. Traveling across scales and cases presents difficult problems regarding data availability and appropriate causal reasoning, but the risks of attempting this are clearly outweighed by the rewards. As a preliminary discussion, this paper points to the need of decoupling salience from research: while saturated cases in the EU offer highly detailed insights on asylum and hold potential for influencing policy in a desirable way, the ability of those insights to travel across cases remains unclear. More research is required so as to provide answers to the unexplained patterns of implementation of the ERS public service intervention which go beyond “differentiated integration” or “domestication”. This points to longstanding sociological problems: how does the macro-level policy process connect to experiential problem-solving? Does frontline, ethnographic research have anything to contribute to policy-making at national or EU levels? In terms of multilevel SAF research, what is the role of evidence-based policy-making when feedback loops are either weak or invisible? To put it as suggested in this paper, what are the consequences of invisible tears in the politics of asylum in the EU? In order to answer these questions, looking at national cases because their asylum systems have had to process lots of cases is certainly important, but leaves a bevy of important questions aside. Furthermore, in this preliminary discussion I attempt to discuss the social organization of ground-level work with and by refugees. The invisibility of tears is a form of policymaking which operates by shedding light on very specific issues of asylum: whether one has a credible story is as much a function of truth
as it is a function of how asylum processing ascribes value to certain truth claims and construes vulnerability in terms of what a given interaction between a case officer and an asylum-seeker results in. In Ireland, Malta, Portugal and Spain, because implementation did not face a lot of pressure and because these cases are different from those about which we know more, those patterns of interaction are also different. What I want to suggest with this brief foray into AMIF is the following: the ERS was implemented at a moment in time when both the political and economic authority sources in the operational work of migration management were in flux. What remains to be studied is the politics of invisible tears: a negotiated order where going concerns are subsumed by everyday experiences at the frontline. Not much research has tried to assess whether tears are motives of policy-making and whether there is a political economy of emotional turmoil in asylum. In other words, if we look into the PENB bundle across Ireland, Malta, Portugal and Spain, enough has been written about the PE coercion-incentivization dyad, but not enough about the NB component. Which is to say that we know enough about the political and economic authority structures and dynamics, but not enough about the microlevel experiences of refugees and frontline professionals. Further work is required to test the strength of this analytical framework.
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