



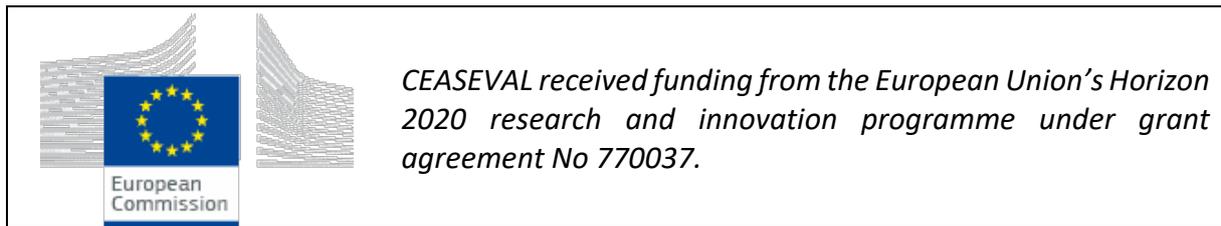
**Comparative report on the multilevel governance of the national
asylum seekers' reception systems**

Tiziana Caponio, Irene Ponzo and Leila Giannetto

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Abstract

The report provides a comparative overview of asylum seekers' reception systems in seven EU countries (Bulgaria, Finland, Germany, Greece, Italy, Luxembourg, Spain). After presenting the theoretical framework, based on a critical approach to the theory of multilevel governance (MLG), the report describes the initial design of the national governance of asylum seekers' reception in the target countries and it then focuses on their transformations over the last decade, paying specific attention to decision-making process. The report then moves on to explore the actual functioning of national reception systems, comparing centralised and federal/regional states. Finally, policy outcomes are discussed highlighting convergence and divergence trends. This report aims at unravelling the conditions and factors that are likely to drive the emerging of MLG policy arrangements on such a highly politicized issue as is asylum seekers reception. The report highlights the heterogeneity of evolutions of reception systems in the target countries, mainly due to the pressure of problems created by arrivals between 2011 and 2017, and the overall lack of convergence at national level, despite EU-level rationalisation and harmonisation efforts. Politics seems also to have played some role in reception policy change across the target countries. In general in the context of the "refugee crisis" policymaking on asylum seekers reception became more centralised, leading in most countries to growing tensions between central governments and local authorities. Finally, it also evidences how, in crisis situations and independently from institutional structures, MLG arrangements develop from below – from the agency of local level authorities and non-public actors – to better address particularly complicate issues which require the coordination between many stakeholders.

Keywords: asylum seekers, reception, multi-level governance, decision-making, CEAS, EU Reception Directives, policy agency

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1. Introduction

Existing research on the Common European Asylum System has taken primarily two specular approaches: a legal perspective, aimed at assessing the degree of legislative harmonisation across EU countries vis-à-vis the EU Directives constituting the CEAS; a local practices approach, looking more closely at actions carried out at a grassroots level by public officers, bureaucrats, and CSOs practitioners at different stages of the asylum process (at borders, in reception facilities etc).

While both these perspectives are indeed important in illuminating various aspects of asylum policies, we contend that a systematic mid-range analysis of policymaking processes is most needed in order to understand what happens in between 'harmonised' legislative provisions and grassroots practices. Such an analysis, which takes the national level as the starting point but is not limited to it, is still lacking. To fill this gap, WP3 takes a multilevel governance approach (MLG henceforth). The goal is that of unravelling how asylum policies are concretely decided upon and implemented by focusing on the actors that, at different levels of government and territorial scales, are directly and indirectly involved in policymaking.

Asylum policy is traditionally a highly centralised one, yet, when we consider asylum seekers reception, the picture becomes more complex and blurred. As we shall see below, reception intertwines not only with migrants' policies, but with more general issues regarding social assistance, education and schooling for children, housing for disadvantaged groups etc. Policy responsibility on these issues is often scattered across different levels of government, while implementation and services' delivery usually rely upon the engagement of a wide range of non-public actors. According to policy literature, MLG policymaking arrangements are key to successfully address and manage such complex and multifaceted challenges. By bringing together all the concerned public and non-public actors, the expectation is that non-hierarchical and cooperative types of relations will develop with the goal of contributing to solve the issues on the ground (Agranoff 2018). In the long run these processes should lead to coordination and policy convergence.

However, these arguments seem to overlook the political côté of many of the complex challenges facing contemporary societies such as the arrival of asylum seekers and refugees. In this report we take a critical approach towards MLG literature, with the goal of understanding: 1) if recent reforms of reception laws and policies in Europe have somehow lead to the emerging of MLG-like policymaking processes; 2) if MLG arrangements are actually underlying the implementation of asylum seekers' reception policies; 3) if and to what extent the existence of this type of arrangements actually favours policy convergence. To this end, we consider seven EU countries characterised by different institutional settings i.e., unitary state-structures as is the case of Luxembourg, Finland, Greece and Bulgaria; federalist and regionalist state-structures as in the case of Germany, Spain and Italy. These countries are also representative of contexts where the asylum issue throughout the last decade has assumed different degrees of urgency and political saliency. Whereas Greece and Italy have been at the forefront of the main refugee crises, Germany, Finland and Luxembourg have faced primarily 'secondary movements', while Bulgaria and Spain have been rather on the margins of mass arrivals, even if the numbers of asylum seekers have constantly increased in the last decade also in these countries.

The structure of the report is as follows. In section 1, after a note of clarification on what we mean for reception policies, we discuss the concept of MLG, present the research hypotheses and provide methodological details. Section 2 deals with MLG in the context of recent processes of policy changes around reception issues. First of all, we assess if, compared to the initial design of the reception system,

there has been any change at all. Therefore, we discuss the relevance of three possible triggers of change in national reception policies: 1) the pressure problem in terms of unpredicted (mass) inflows of asylum seekers; 2) the transposition of the recast EU Reception directive of 2013; 3) political factors regarding more specifically changes in the national governmental majority. Hence, a more in-depth analysis on who drove policy change and in which direction will be carried out, in order to detect the eventual emerging of MLG policy venues. Section 3 analyses if and how much MLG can be found in the implementation of asylum seekers' reception measures, considering both the formal governance of the reception system as outlined by existing laws and regulations and the informal everyday decision-making and implementation processes in countries with unitary and federalist/regionalist state structures respectively. The goal is that of unravelling the presence of instances of MLG policymaking arrangements. Section 5 deals with policy outcomes and addresses the issue of convergence in policy measures and practices. In the conclusions, we sum up the main findings and answer the research questions.

2. The analytical framework. The multilevel governance of asylum seekers reception

2.1 Reception policy: an open-ended definition

As already mentioned above, asylum seekers' reception is a complicated issue, one that inevitably intersects and overlaps with other policies regarding not only asylum procedures and access to legal status, but more generally with policies regulating migrants' access to social provisions such as social assistance and housing, education policies for the inclusion of the children of asylum seekers etc. To draw clear and uncontroversial lines between what is reception and what is integration or long-term inclusion is often problematic. According to the Reception Directive of 2003 (2003/9/EC) and the recast Directive of 2013 (2013/33/EU), minimum standards for the reception of asylum seekers should 'ensure them a dignified standard of living and comparable living conditions in all Member States' (par. 7). More specifically, the Directives specify that 'material reception conditions' should include measures such as housing, food and clothing provided in kind, or as financial allowances or in vouchers, or a combination of the three, and a daily expenses allowance' (par. g article 2). However, the Directives do not preclude the possibility for the states to introduce or retain more favourable conditions for the applicants and their close relatives (art. 4). The exact definition of what is reception is therefore up to member states. It follows that in principle measures such as language courses or vocational training, which are often understood as integration measures, are not ruled out a priori, since states can include/provide such types of more favourable treatments.

Hence, for the purpose of this report and following the EU Reception Directive, we do not adopt a rigid definition of reception, but we leave it open in order to better reflect the different meanings it can assume in different national contexts in terms of the type of services and provisions delivered to asylum seekers. This has also enabled research partners to explore the possible and blurred boundaries with integration provisions, which emerge as particularly relevant in processes of implementation at the local level.

2.2 What is MLG and why taking a MLG approach

Given this complexity of reception policy and its overlap with other issues especially in the field of social policy, we can easily expect complex policy-making processes to take place, characterized by the involvement and participation of different, public and non-public, actors. From a descriptive point of view, the MLG perspective appears as the most suited to unravel this multiplicity of actors and the

various interactions underpinning policy processes. However, in order to be fruitfully applied, some specification on what the MLG perspective is and how it is going to be used in this report is needed.

In the policy studies literature, the concept of MLG is often used in two different manners (see Scholten et al. 2017): as a general, descriptive notion indicating processes of state authority dispersion across different levels of government and/or non-state actors; as a specific configuration of multilevel policy process, with distinctive features vis-à-vis other possible modes of governance. The use of the MLG label in an unspecified manner has generated considerable confusion, leading critics to simply dismiss the usefulness of the concept altogether. According to Peters and Pierre (2004, 88), 'While multilevel governance has the virtue of being capable of being invoked in almost any situation, that is also its great problem. Any complex and multifaceted political process can be referred to as multilevel governance'.

To avoid this risk, in this report we will use the expression 'multilevel policymaking dynamics' to indicate general processes of interaction among different levels of government and non-state actors taking place around the making of asylum seekers' reception policies. We can easily expect to find some – non negligible – degree of multilevel dynamics in all the national cases considered in this report, since also in unitary states the implementation of social policy and reception measures is often delegated to local level authorities and/or carried out by non-public actors. We distinguish such dynamics from MLG *stricto sensu*, which refers to a distinctive configuration of policy-making characterised by three features, i.e.: 1) MLG challenges vertical, state-centred hierarchies of distribution of power and blurs state/society boundaries; 2) it involves interdependent actors, in the sense that a certain policy cannot be carried out by just one level of government but requires the involvement of other tiers and non-public actors; and 3) it implies cooperative interactions and negotiation among all the involved actors instead of hierarchical power and imposition (Caponio and Jones-Correa 2017; for a similar definition see: Piattoni 2010).

The link between multilevel policymaking dynamics and MLG policy arrangements is somehow taken for granted in public management literature. According to Agranoff (2018), in a scenario characterised by the intersection of complex vertical intergovernmental relations (IGR) and horizontal partnership networks, MLG structures emerge especially at a local level to smoothly connect different public and private actors and to serve at best the needs of local communities. However, such an argument does not pay sufficient attention to political controversies and conflicts which underlie policymaking processes especially on highly politicised issues as is that of asylum. In this report we take a more critical stance towards MLG: if and to what extent the complexity of policymaking processes will lead to the emerging of MLG arrangements based on cooperation and coordination is an empirical question. Furthermore, contrary to normative conceptualisations of MLG, which look at governance as a process of 'negotiated order' sustaining policy convergence (Alcantara and Nelles 2014; Alcantara, Broscheck and Nells, 2015; Scholten et al., 2017), in this report we problematize the link between MLG and policy convergence. Ideally, MLG should lead to policy convergence across different levels of government and public/non-public actors. However, as pointed out by scholars (Knill 2005), policy convergence can be achieved also – and maybe more often – through imposition from above and top-down control. Which conditions and factors in MLG policy arrangements can be conducive to voluntary and cooperative forms of policy convergence is an open matter. Given the highly politicised nature of the asylum issue, we can expect that imposition will still represent a key mechanism of policy convergence, whereas MLG might well be inefficient in this respect, maybe leading more to consensus on – rather vague – general principles than on the practical matters of asylum seekers' redistribution and access to services.

Hence, this report adopts a descriptive and analytical perspective to MLG, defined as a specific instance of policy-making process or arrangement along the three criteria identified, among others, by Caponio and Correa (2017) and specified above. More specifically, we will analyse multilevel governance dynamics in order to identify the conditions that are likely to lead to the emerging of MLG policy arrangements. The analysis will be carried out at two different levels: 1) the level of national decision-making regarding the recent reform and revision of asylum seekers' reception policies; 2) the level of national and local implementation of reception policies as outlined by the current laws and regulations.

2.3 MLG and policy change

Regarding the first level of analysis, this report aims at accounting for processes of policy change in reception policies in the years of the refugee crisis to better understand the reconfiguration of CEAS under stress. To this end, we first assess the magnitude of policy change by describing 1) how the reception system was initially conceived and looked like in the 2000s; 2) the reforms and revisions eventually adopted in the last decade. As we will see, whereas some national systems have undergone dramatic institutional changes, others have changed much less if at all.

A first intuitive explanation for policy change in the reception field is the sense of urgency generated by the refugee crisis. In other terms, we would expect that the harder the crisis in terms of unexpected mass arrivals, the greater the pressure for a revision of the reception system to better face the emergency. However, along with the problem pressure, in this report we consider also other possible factors of change such as the recast Reception Directive (2013/33/EU) and the role of political factors, that is more specifically changes in national governmental majorities. We also discuss the importance of multi-level governance policy-making arrangements in the (eventual) re-configuration of national asylum systems. In other terms, whereas some events – i.e. the crisis, the introduction of the new reception directive or a new political majority – might have triggered policy change, we can expect that different actors have driven the ensuing policy processes. In sub-section 2.5 we aim at understanding if and to what extent MLG has underpinned recent reforms of asylum seekers reception in the seven target countries, or rather if more traditional, hierarchical policymaking processes have taken place. As mentioned above, given the complex nature of reception policy and the relevant involvement of local level authorities and non-public organisations in it, we should expect some form of coordination with the stakeholders already in the decision-making of policy reforms. In principle, this coordination should be higher in multi-layered federal systems, where regional and/or local governments have a considerable say in the field of social policy. However, as we shall see, the results of our analysis do not support such hypotheses, and seem to show a more complex pattern, one characterized by intense multi-level governance policy-making dynamics, even in centralized countries such as Finland and Luxemburg, and yet a general prevalence of centralized and top-down decision-making processes.

2.4 MLG in the implementation of reception policies

The notion of MLG has always been used somehow ambiguously in the literature to indicate both a certain type of policymaking structure and/or more fluid policymaking processes and informal arrangements (see: Tortola 2017, 5). The first meaning can be found especially – but not only – in the institutionalist literature on European integration, which has focused on the analysis of EU constitutional norms, and in the literature on federalism, which has emphasized issues of division of competence and powers between regional and central state authorities. The second meaning of MLG

on the other hand, underlies literature on local governments' policymaking and (new) public management.

Starting from these two literatures, two more specific hypotheses on the emerging of MLG as a policy arrangement can be spelled out.

H1 – prevalence of institutional factors: MLG policymaking is likely to be more relevant in federalist/regionalist state structures than in unitary states, since in the former, in order to allow for smooth implementation, there is a greater necessity to share policy decisions with regional/state levels of government and to coordinate the different actors that participate in the implementation process;

H2 – prevalence of operational factors: independently of the state structure, MLG arrangements will develop from below to better address particularly complicate issues which require the coordination between many stakeholders. In other terms, MLG will stem from the agency of local level authorities and non-public actors, i.e. of those actors who have an interest in the issues at hand.

Whereas the first hypothesis leads us to observe primarily the different policy implementation arrangements deployed by states presenting a different institutional structure, with the implicit assumption that MLG policy processes will follow from MLG policy structures, the second implies a more in-depth analysis of policy processes taking place around and beyond structures, to see how these processes concretely bring about principles of mutual cooperation and negotiation. In this perspective, the key explanatory factor is represented by actors' interest and motivation in addressing complex policy issues through negotiated action and mutual cooperation, which does not depend on the presence of federalist state structures.

In this report we apply these hypotheses to the analysis of the implementation of asylum seekers' reception policies. Following H1 (prevalence of institutional factors), we should expect that federalist systems, like Germany and Spain, and regionalist, like Italy, will have in place MLG policy arrangements that allow first of all for cooperation among different levels of government and, directly or indirectly, coordination with the implementing agencies that operate at the different territorial scales. In other terms, the expectation is that of more or less extended MLG formal structures, which can also be the basis for the development of more informal policymaking collaborative arrangements with CSOs and non-public actors more generally. According to H2 (prevalence of operational factors), we should expect that MLG-like policy arrangements will develop from below in federalist and unitary states alike in the attempt to efficiently coordinate the many different actors that have an interest in the issue of asylum seekers reception. Since reception services are usually delivered at a local level, we should expect an important mobilization of city authorities together with the CSOs that operate at a grassroots level.

Both hypotheses have limitations. The first risks to overestimate the formal state structure as predictor of MLG, and this reflected in the primary interest for the vertical dimension of MLG, i.e. intergovernmental relations, whereas horizontal coordination with non-public actors is actually conceived as ancillary. The second hypothesis on the other hand, sounds too simplistic in assuming an interest of policy actors in collaborating on complex issues, often overlooking the political and organisational conditions that make collaboration possible (Agranoff 2018). The aim of this report is actually that of unravelling the conditions and factors that are likely to drive the emerging of MLG policy arrangements on such a highly politicized issue as is asylum seekers reception. As we will see, notwithstanding the multiplicity of actors who are likely to have an interest on the issue, especially at a local level, MLG-like policy arrangements are more the exception than the rule. Similarly to what we

have seen above, also in the context of implementation processes top-down and/or publicly centralized decision-making seem to prevail.

2.5 Policy convergence

Convergence is a different process than harmonization. Whereas harmonisation is the process of transposition of EU directives in national laws, and therefore regards increasing similarity at a legislative level, convergence implies increasing similarity in the concrete actions and practices carried out by asylum different reception systems. Following political science literature, convergence can be defined as “any increase in the similarity between one or more characteristics of a certain policy (e.g. policy objectives, policy instruments, policy settings) across a given set of political jurisdictions (supranational institutions, states, regions, local authorities) over a given period of time” (Knill 2005, 769). Alternatively, policy convergence can also be understood as a process of becoming similar rather than just being alike (Bennett 1992, 219).

As anticipated above, MLG is often assumed by scholars as the best suited policymaking arrangement for promoting policy convergence (Alcantara, Broscheck and Nells, 2015; Scholten et al., 2017). The kind of cooperative exchanges which are the *raison d'être* of MLG policy arrangements should ideally lead to the emerging of similar ways of understanding and framing the issue of asylum seekers' reception across the authorities and agencies (CSOs, CSOs etc.) in charge of providing services, and therefore to the adoption of similar actions and grassroots practices. At its turn, this convergence in implementation frames and practices should interact with decision-making processes by providing inputs to higher levels of government on the type of legislative initiatives and financial support that can sustain the overall convergence of the asylum seekers reception system. Yet, policy convergence can be achieved also through imposition or asymmetry of power.

It is not too farfetched to assume that, especially in federalist and regionalist countries, where usually local authorities enjoy considerable autonomy in policy implementation, convergence will be harder to achieve, with the risk of leading to scattered implementation practices and extremely differentiated services. Similar risks though are likely to occur also in unitary states, since in the implementation process national provisions are usually re-interpreted and adapted to local conditions. After having briefly described if and to what extent policy measures implemented at a local level have been converging over time in the seven analysed countries, the report illustrates our main findings on factors driving convergence or, on the contrary, leading towards increasing divergence. As a matter of fact, direct imposition and some level of conditionality seem to emerge as key mechanisms in all the considered countries.

2.6 Methodology

The present comparative report is inserted within the framework of CEAS EVAL Work Package 3 (WP3), which deals with the multi-level governance of the reception of asylum seekers. The objective of WP3 is to explore the formal and informal governance structure and the implementation of reception policies, both at the national and local levels, in seven case studies: i.e., Bulgaria, Finland, Germany, Greece, Italy, Luxembourg and Spain. In the framework of WP3, project partners have produced seven national reports on the governance of the asylum reception system in the respective countries (Beinhorn, Gasch, Glorius, Kintz and Schneider 2019; Dimitriadi and Sarantaki 2019; Garcés Mascareñas and Moreno Amador 2019; Giannetto, Ponzio, Roman 2019; Otova Staykova 2019; Vianelli,

Oesch and Nienaber 2019; Wahlbeck 2019). Together, these seven country reports form the basis of this comparative report. The analysis of the implementation and governance of reception at the national and local levels in the seven researched countries was carried out following common guidelines drafted by FIERI. The study is based on extensive qualitative fieldwork consisting of between 15 and 20 interviews per country with key stakeholders directly involved in the governance of reception at the national and sub-national levels, including both public and non-public actors. The interview template for national actors focused on the changes in the governance of reception in the last decade, decision-making processes that governed such changes, implementation processes, and impact of recent transformations in terms of convergence or divergence within the country. Within each researched country, two local case studies were selected by project partners, based on common criteria identified by the project leader. Project partners were asked to identify two localities that presented similar features in terms of socio-economic conditions, ratio of asylum seekers to the resident population, and problem pressure (e.g. avoiding areas of first arrival), but were different under the political profile, i.e., in terms of majorities (traditionally) at government and political cultures (more progressive and positively oriented towards migration vs more conservative and less favourable on the issue). The interview template for local actors focused on perceived changes at the local level, local decision-making and implementation processes, and sources of heterogeneity or homogeneity at the local level.

3. Triggers and processes of policy change of reception systems under stress

3.1 The initial design and recent reconfigurations. What policy change?

The seven national reports have presented different patterns of policy change in the field of reception policies. The following paragraphs summarise the main triggers and processes of policy change in each country.

Bulgaria

The policy area of asylum was one of the first to be developed in Bulgaria since the beginning of the process of democratisation, which started in 1989. Bulgaria adhered to the Geneva Convention already in 1993 and the Council of Ministers established an agency in charge of the implementation asylum policies in 1992, which in 2002 took the name of State Agency for Refugees. In 1997 the first centre for registration and reception of asylum seekers and refugees opened, followed in 2008 by a transit centre. National legislation, governance and policies on reception have not changed significantly since. What changed, particularly since 2013, is the number of reception centres and their total capacity and the involvement of the Border Police in the reception of asylum seekers. Indeed, the emergency measures taken in 2013 included the opening of new centres and the repurposing of Regional Border Police Directorate's detention facilities located near the Turkish border for asylum seekers' accommodation purposes.

Finland

In Finland, reception reforms have been characterised by a significant continuity with a progressive concentration of tasks into central state's agencies motivated by arguments related to cost-saving, control and securitisation, and the internal administrative needs of the bureaucracy.

Finland has a rather long history of resettlement programmes so that the reception system started in the 1980s to host resettled refugees. The key state authority was the Ministry of Social Affairs and

Health where the Office for Refugee Affairs was located and tasked with both resettlement and reception. The major change of the reception initial setting has been the centralization of competences in the hands of the Ministry of Interior and, specifically, of the Finnish Immigration Service (“Migri”): the overall coordination of responsibility for the reception facilities was transferred from the Ministry of Labour to the Ministry of the Interior in 2008; in the same year, Finnish Immigration Service (“Migri”) was created within the Ministry of Interior through a legislative reform and progressively tasked with an increasing number of activities such as the coordination of reception since 2010.

In September 2011, the “Integration Act” and the “Reception Act” came into force. The first Act, which concerns the asylum seekers who get a positive decision and resettled refugees, aims to support and promote integration and participation in the Finnish society and to promote equality and extended integration measures to cover all immigrants. The second Act has reduced the amount of the economic support for asylum seekers and has clearly separated it from the general social assistance provided to all people living permanently in Finland, including beneficiaries of international protection: the allowance paid to asylum seekers is a separate reception allowance, which depends on if the reception centres provides food or not.

In 2017, The Finnish Immigration Service’s central position strengthened further: since January 2017, it is entitled to decide on the opening and closing of all reception centres and their location without the need of a specific authorisation from the Ministry of the Interior. Furthermore, it has taken over the remaining state-owned reception centres and both Finland’s detention units (EASO 2018; EMN 2018).

Germany

Due to the outcomes of the Second World War, the first asylum directive regulating asylum procedures and reception conditions in Germany was passed already in 1953. This Directive defined the division of competences in asylum and reception matters between the federal government and the individual states (i.e., Länder): while the Ministry of Interior was responsible for asylum procedures decisions, Länder were responsible for the accommodation of a certain number of asylum seekers, allocated based on a negotiation among states in the Bundesrat. In 1992, following the German reunification, the asylum directive was revised to include a key for the distribution of asylum seekers among the 16 Länder, to be decided by the Ministry of Interior and its executing agency (i.e., Federal Office for Migration and Refugees – BAMF), and to clarify states’ obligations in providing and maintaining reception facilities for asylum seekers. Reception facilities generally took the form of collective centres. Already in 1992, the German system required asylum seekers to be held in initial reception centres. In the tense and highly politicised aftermath of reunification and with the increase in numbers of asylum seekers fleeing from the Balkan wars, in 1993 the “asylum compromise” was passed. This compromise is the ancestor of the EU system of asylum and reception and in particular of the Dublin Regulation; it introduced the concept of “safe country of origin” and “first country of arrival”, but also asylum seekers’ mandatory fingerprinting and the airport procedure. In the same year, the Asylum Seekers Benefit Act regulated the cash and ‘in kind’ benefits of asylum seekers residing in initial and collective reception centres.

Greece

Prior to 2010, there was almost no reception capacity in Greece, aside from the few places allocated by the National Centre for Social Solidarity (NCSS/EKKA), which were already insufficient according to UNHCR reports (2009). At the time, reception centres were financed through state budget with the

support of European Refugee Fund and management of reception centres was transferred in 2007 from the Ministry of Public Order to the Ministry of Health and Social Solidarity. A more complete framework for reception has emerged between 2010 and 2013, in parallel with the broader reforms of the asylum system, even though significant divergence persisted over time between policies established at the national level and their implementation at the local level. After 2011, in an attempt to rationalise the system, the Greek government distributed competences on first reception, appeal and asylum to different services. In 2013, the First Reception Service has thus been entrusted with the reception and identification of third country nationals apprehended for illegal entry and/or stay in Greece, with the support of the National Centre for Social Solidarity (NCSS/EKKA) which oversaw the management of accommodation facilities meant specifically for asylum seekers. Some of these reception centres were run by CSOs after the signature of Individual Programmatic Agreements with NCSS/EKKA. Since 2015, Greek reception capacity has been considerably expanded, even if the extremely poor conditions remained, thanks to the direct involvement in the implementation¹ and, sometimes, development² of reception policies by international organisations such as the UNHCR and IOM, together with CSOs and private actors, but also the Hellenic Police. In the same period, numerous EU funding schemes were activated to support Greece with financial resources, namely the Emergency Support Instrument (ESI), the Asylum, Migration and Integration Fund (AMIF), the International Security Fund (ISF), Emergency Support to Integration and Accommodation (ESTIA) each one with different supervising authorities and mandates. The year 2016 marked the beginning of the geographic restriction policy for asylum seekers located in the Aegean islands which have been hosting, since then, high numbers of asylum seekers in open and closed camps. In the same year, a Ministry of Migration Policy was established together with an inter-ministerial body in charge of managing migration and the establishment of reception centres, namely the Coordinating Body for the Management of the Refugee Crisis.

Italy

The reception system in Italy gradually emerged in the 1990s, vis-à-vis the humanitarian crises of the decade, i.e. arrivals of mixed flow from Albania, and of displaced persons generated by war in ex-Yugoslavia. In response to this second emergency, the so-called “National Asylum Programme” (PNA – Programma Nazionale Asilo) was set up, on the basis of a memorandum of understanding signed in 2000 by the Ministry of Interior, the UNHCR and the National Association of Italian Municipalities (ANCI). The PNA was institutionalised by Law 189/2002 and became the official system of asylum seekers and refugees’ reception, renamed SPRAR (Protection system for asylum seekers and refugees). Municipalities can apply to the Ministry of Interior’s calls for project to set up SPRAR reception facilities which generally follow rather high standards.

The transposition of the 2003 EU Reception Directive (2003/9/CE) into the Legislative Decree n. 140 of 30 May 2005 contributed to the further strengthening of the SPRAR system, but it did also institutionalize a two-pronged reception system in Italy: in case of unavailability of places in SPRAR centres, accommodation should have be provided in governmental centres directly managed by the Ministry of Interior through the Prefectures. The SPRAR system, while presented on the paper as the most preferable solution, has always been under-subsidized; alongside emergency governmental

¹ Implementation of reception policies includes the management of camps and other types of reception facilities.

² The UNHCR created and funded the ESTIA accommodation and cash assistance programme for refugees. ESTIA’s regulative framework has been developed by the UNHCR and its partners – i.e., CSOs and local authorities – without the involvement of Greek state authorities.

reception centres reminiscent of the 1990 Albanian emergency and directly managed by the Prefectures have continued to proliferate.

Even though between 2014 and 2016 several decisions were taken by the government to prioritize SPRAR, this remained undersized, with the consequent prevalence of temporary governmental reception centres, i.e., Extraordinary Reception Centres (CAS – Centri di accoglienza straordinaria).

A recent turning point in the development of the Italian reception system has been the reform promoted by the government in power since June 2018, made up of the (former Northern) League and the Five Star Movement. The so-called Decree on Security and Migration (Legislative Decree 113/2018 adopted on 5 October 2018 and converted into Law 132/2018) narrows the conditions to obtain a residence permit based on humanitarian grounds (so-called “humanitarian protection”³) and excludes its holders from reception services. Furthermore, the reform has further strengthened the two-pronged nature of the reception system, since it states that asylum seekers have to be accommodated in CAS centres and beneficiaries of international protection in SPRAR centres. The latter has changed its name into SIPROIMI (Protection System for beneficiaries of international protection and unaccompanied minors). In addition, the public bid scheme for selecting the organization managing governmental centres, including CAS, was revised in December 2018: it suppresses integration services and drastically reduces the per capita daily allowance.

Luxembourg

Although Luxembourg has a long history in hosting political refugees, the law on the integration of foreigners adopted on 27th July 1993 was the first formalisation of reception measures in the country. This law outlined the right to receive social support during the asylum process and set up the CEG (Governmental Commission on Foreigners) which was under the Ministry of Family and Solidarity and became responsible to establish and manage reception facilities for both foreign workers and asylum seekers. This setting was generally confirmed by the following law issued in 2006, which transposed the first set of directives from the CEAS.

With respect to the above-mentioned initial setting, the reforms of reception carried out in the 2000s show a general continuity. Specifically, the CEG was replaced with a new state agency, namely OLAI (Office luxembourgeois de l'accueil et de l'intégration – Luxembourg Reception and Integration Agency) by the law on reception and integration adopted in December 2008 and which entered into force in June 2009. OLAI has remained responsible for the coordination and implementation of reception and integration policies in the country, under the responsibility of the Ministry of Family and Integration (which eventually evolved in the Ministry of Family, Integration and the Greater Region). Over time the agency has grown considerably in terms of responsibilities and staff, with reception representing a growing share of its activities, especially since 2015 (OLAI 2016, pp. 1-2).

Since the creation of OLAI, some revisions which the Luxembourgish reception system has gone through have been of restrictive nature, notably aimed at reducing asylum seekers' benefits (Grand Ducal regulation of 8th June 2012) and increasing the return of “Dublin cases” with the setting up of a devoted facilities in 2015, i.e. the SHUK (Structure d'hébergement d'urgence Kirchberg – Kirchberg emergency accommodation centre). Others have been more progressive, such as the identification

³ This is an additional national form of protection foreseen by Italian law (Legislative Decree 286/1998, art. 5.6). It is alternative and residual to the refugee status and subsidiary protection, provided for by EU law.

and protection of vulnerable people, as well as a reduction in the time that asylum seekers have to wait before they are allowed to work.

Spain

From the very beginning the Spanish reception system has been highly centralised. It has been managed by the central government without the involvement of regional and local authorities. Neither CSOs have participated in the decision making-process, though managing part of the reception facilities since 1992 when asylum claims rapidly increased because of the war in the Balkans. The first four state reception centers were set up in 1987 and their functioning was defined by a ministerial decree issued two year later, in 1989.

The reception system was reformed in 2009. The Law 12/2009 already defined some of the key features of the Spanish reception system. First of all, integration and individual autonomy are central goals from day one. As a consequence, language learning and employability programmes have been part of the reception programme since 2009. The other central feature of the Spanish reception system has been the lack of regulatory developments. Therefore, in practice the reception system has been regulated by the 1989 ministerial decree and by the Management Handbook (Manual de Gestión) regularly updated by the Ministry of Employment and Social Security.

The Law 12/2009 has never been reformed despite the increasing number of asylum claims and the growth of states' budget for reception between 2014 and 2018. This is probably due to the low level of priority of the issue. Nevertheless, some revisions of the reception system have been done by changing the Management Handbook, i.e. the restriction of the criteria to entry and remain in the reception system occurred in 2015.

3.2 The problem pressure

The national reports evidence that the problem pressure has had a strong impact on the policy change in the field of reception in the countries analysed. It led to the adoption of emergency plans in Italy in 2011 (North Africa Emergency), in Bulgaria in 2013 and, in 2015, in Finland, Germany, Greece and Luxembourg. Whereas in Finland the inflows and reception system started to decrease since 2016, in Italy and Luxembourg the "migration crisis" has led to change the reception system on permanent basis by reshaping the stages/levels of reception. Similarly to Italy and Luxemburg, also Germany and Greece have been facing the protracted presence of asylum seekers. In Greece this resulted in the heavy reliance on the support of external funding and IOs and CSOs' support in providing services, while in Germany a high number of regulations were passed to clarify the division of competences on reception among the different governance levels. With a different timing from the other countries, Bulgaria faced an institutional and reception capacity crisis in 2013, when asylum applications first started to increase: this led to the opening of several new centres – i.e., open centres and, later on, also closed and ethnically segregated ones – and to reception centres receiving the support of IOs and CSOs in offering basic services. The next paragraphs present more in detail how the problem pressure affected each single country.

Table 1: First time asylum applicants – Annual aggregated data (rounded)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Bulgaria	855	1,025	890	1,385	7,145	11,080	20,390	19,420	3,695	2,535
Finland	4,910	3,085	2,915	3,095	3,210	3,620	32,345	5,605	4,990	4,500
Germany	32,910	48,475	53,235	77,485	126,705	202,645	476,510	745,155	222,560	184,180
Greece	15,925	10,275	9,310	9,575	8,225	9,430	13,205	51,110	58,650	66,965
Italy	17,640	10,000	40,315	17,335	26,620	64,625	83,540	122,960	128,850	53,700
Luxembourg	480	780	2,150	2,050	1,070	1,150	2,505	2,160	2,430	2,335
Spain	3,005	2,740	3,420	2,565	4,485	5,615	14,780	15,755	36,605	54,050

Source: Eurostat (2019). Available at:

http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyappctza&lang=en (last update 13/03/2019)

Bulgaria

In 2013 the sudden increase in the number of asylum seekers led to the temporary crisis of the reception system in Bulgaria. The system was completely unprepared to receive increasing numbers of applications before 2013. At the beginning of 2013 the total capacity of Bulgarian reception centres (in Sofia, Banya, and Pastrogor) was of 805 places; with the asylum applications reaching the thousands, the State Agency for Refugees opened in the same year three new temporary accommodation centres in Sofia (Vrazhdebna and Voenna Rampa) and in Harmanly. As a consequence of the overcrowding of the accommodation centres, in 2016 a mass brawl between Afghani and Iraqi asylum seekers exploded in the Harmanly centre. This event led to the creation of closed reception centres and to the introduction of the ethnic principle of accommodation of asylum seekers which has been extended to all reception centres ever since.

Finland

Already in 2011, an emergency plan was discussed in order to be able to cope with an hypothetical inflow of 10,000 asylum seekers: although that scenario was regarded as highly unlikely, four years later it turned out that it had under-evaluated the coming developments. In 2015 Finland underwent the highest percentage increase of asylum claims in the EU, and people hosted in reception facilities for adults and families increased from 3,300 to 27,300 and unaccompanied minors from 150 to 2,500.

The increase of asylum applications led to an expansion of the reception system but not to significant reforms: it just speeded up the reform which was already ongoing. Moreover, the inflows abruptly decreased when Sweden introduced controls at the border with Denmark in November 2015 and, as a consequence, in 2017 Finnish reception system was significantly reduced.

Germany

The refugee crisis of 2015 created a watershed for reception policies in Germany. In 2015 the German Chancellor lifted the Dublin Regulation for humanitarian reasons and let thousands of asylum seekers mainly coming through the Balkan Route cross the German border; the arrivals were then reduced by the entry into force of the EU-Turkey Statement, but asylum applications continued to rise in 2016. According to interviewees, policy change during the crisis was driven mainly by the necessity to deal with uncertainty both in terms of duration and number of asylum applications. Indeed, more than 20 federal and state laws on asylum and reception were passed between 2013 and 2019 in response to the crisis. The immediate outcomes of the increase in applications included the shortage of personnel at the BAMF, the shortage of low-priced housing in urban areas and also the shortage of teachers with expertise in teaching German as a foreign language.

Greece

While Greece reception conditions and capacity have always been lacking, the refugee crisis deeply aggravated the pre-existing situation. In the last decade, Greece has had to face a prolonged economic crisis and the challenge of receiving, especially in 2015, a high number of asylum seekers who remained in Greece and who still nowadays are in need of reception services. The Greek “crisis” was thus triggered by the sudden arrival of 850,000 people in 2015⁴, it was aggravated by asylum seekers’ prolonged presence on the Greek soil but is still far from being solved mainly due to the severe structural problems of reception management. Amidst the chaos emerging from the crisis, municipalities, civil society and international organisations became crucial actors in the delivery of reception services. However, the heavy reliance of the system on civil society actors has resulted in a paradox: while reception and integration services are delivered by non-state actors, decision-making has remained predominantly and formally in the hands of the Ministry of Migration without the requirement to consult reception policies’ implementing actors. Nonetheless, in decision-making the crisis has changed in practice the relationship between the government and the local actors, CSOs, international organisations and EU agencies, not to mention the influence of funding schemes and funds’ supervisors on the overall governance of reception and more specifically on the implementation of reception policies. Indeed, especially in 2015-2016, informal consultation fora and working groups among international organisations, CSOs and local authorities were crucial to provide immediate answers to the growing demand for reception services.

Italy

According to interviewees, the rapid increase of asylum seekers’ inflows since 2011 caused the expansion of the reception system till 2016. Moreover, under the pressure of problem the phases of reception were reshaped, even though more on paper than in facts, in order to channel asylum seekers arriving to Italian borders into the reception system in an orderly way. Specifically, the Agreement signed by the Unified Conference State-Regions-Local Authorities on 10 July 2014 identified three levels of reception: a) First reception centres for identification and first aid; b) Regional or interregional hubs where asylum seekers had to pass through in order to be redistributed locally (actually set up in very few regions); and c) SPRAR centres where asylum seekers should have stayed while waiting for

⁴ The arrival of people in Greece through the Aegean Sea in 2015 did not result immediately in high asylum applications, due to the unpreparedness of the system to receive high numbers of applications, but in an emergency situation in which people in need of basic services were waiting to submit their asylum application.

the final decision on their asylum application. Nevertheless, the key features of the reception system, and especially its two-pronged nature, actually became worse since the increase of arrivals required the setting up of a growing number of governmental centres.

Luxembourg

In Luxembourg, the rise in the number of asylum applications in 2011 and 2015 was a trigger for policy changes.

In 2011-2012, a substantial proportion of the increasing applicants came from the Western Balkans and were considered “bogus refugees”. According to several NGO workers interviewed, this encouraged a narrative about a supposed “abuse” of the Luxembourgish reception system, and led to the adoption of restrictive measures such as the significant reduction of the amount of the monthly allowance provided to asylum seekers and the partial replacement of cash with vouchers (Grand Ducal regulation of 8th June 2012 “on the conditions and terms for the provision of social assistance to people seeking international protection”).

The increase in arrivals occurred in 2015, instead, led to the adoption of an emergency plan. As a consequence, the government appointed a special national body, the High Commission for National Protection (HCPN), to implement the emergency plan. The HCPN together with the Ministry of Family, Integration and the Greater Region formed a coordinating group made up of several other ministries and state agencies, the army and the police to implement the plan. Croix-Rouge Luxembourgeoise and Caritas participated in the coordinating group as external experts, Other task forces and units made up of different state agencies and bodies were set up to deal with concrete management of specific issues.

As a result of an operational adjustment following the emergency plan of 2015 rather than of specific norms, the reception system has been reorganised by introducing three different phases. At the same time, the system increased its capacity: the number of available places went from 2000 at the beginning of 2015 to around 4000 after the implementation of the above-mentioned emergency plan in the same year (OLAI 2016, p. 1).

Finally, the expansion of the reception system resulted in a significant growth of OLAI, in terms of staff and activities, as well as in an increased involvement of its two main non-profit partners in reception, Caritas and Croix-Rouge Luxembourgeoise.

Spain

In Spain, the growth of asylum claims, though limited compared to other MSs, impacted both on the size and actual management of the reception system. The number of reception places went from 930 in September 2015 to 8,776 in October 2018. At the same time, the share of reception places managed by CSOs passed from approximately 50% in 2015 to 94% in 2018. This boost in reception has led to extend the outsourcing of reception facilities’ management to the three CSOs that traditionally work on asylum in Spain (ACCEM, CEAR and Red Cross) but also to involve new CSOs with no experience in asylum.

3.3 The reception directive(s) and other EU policies

The reception directives have been received differently in the member states studied. The recast EU Reception Directive seems to have been rather ignored in Spain. In Luxembourg and Finland, it has not brought about relevant changes since basic characteristics of the reception systems were already

in line with the requirements stipulated by the directives. This was also the case of Germany whose reception system had been a sort of blueprint for the EU Reception Directives. In Italy the transposition of the Directive appears mainly as a “window of opportunity” to carry out legislative changes planned in the previous years at national level. In Bulgaria, the only “recent” EU member state of the group, the accession to the EU in 2007 ensured the overall harmonisation to EU standards, whereas the transposition in 2015 of the recast EU Reception Directive brought about mainly formal changes to the system. The only country which faced a deep transformation due to both the reception of EU directives and the implementation of the EU-Turkey Statement and of the hotspot approach is Greece. However, while Reception Directives have been transposed into the Greek system with long delays, the hotspot approach and the EU-Turkey Statement had immediate and pervasive effects on asylum seekers’ reception in Greece.

Bulgaria

Bulgarian law first adhered to the minimum standards for reception conditions set up by the EU Reception Conditions Directive of 2003, following Bulgaria accession to the EU in 2007. Currently, the national legislation states that asylum seekers are entitled to receive food, accommodation, social assistance, health care and psychological support for all types of asylum determination procedures, in line with the recast Reception Directive of 2013. The Reception Conditions directive was transposed into the national legislation with the Amendment Act to the Law on Asylum and Refugees, which entered into force in 2015, delineating also rights and obligations of asylum seekers, timing of access to the labour market, and the notion of vulnerable group. The same amendment act transposed also the recast Qualification and Procedures directives.

Finland

Changes related to the transposition of the EU Directive have not been dramatic in Finland since many practices were already in place before the CEAS. According to the EMN report, “the basic characteristics of the Finnish asylum and reception system were already in line with the requirements stipulated by the directives to begin with” (EMN 2015, 34; cf. EMN 2016, 33). Nevertheless, the Sipilä government composed of the agrarian Centre Party, the euro-sceptic party of The (True) Finns and the conservative National Coalition Party that come into power in 2015 has frequently referred to the EU’s “demands” for a European harmonisation of asylum laws and policies as the key explanation of its reform on asylum. This need to harmonise asylum policies with the EU and the Nordic countries was particularly emphasised in the Government “Action Plan on Asylum” (Government of Finland 2015). Actually, interviews revealed that the main driver of the reform was the will to limit the attractiveness of Finland for asylum seekers by introducing more restrictive asylum policies, as it in fact happened⁵. We can conclude that in Finland the transposition of the EU Directives was the occasion for an harmonization in a restrictive sense.

Germany

EU directives on asylum and reception were largely shaped on the already existing German directives on asylum and reception. In particular the “safe country” and “first country of arrival” concepts were introduced in Germany already in 1992 and then became main principles governing asylum

⁵ We have to say that legislative changes have concerned mainly qualifications even though decision such as the abolition of the “humanitarian protection” have had consequences also on the access to reception

procedures. The EU 2013 Directive on reception was employed as an accountability tool for federal and states' parliaments to check the level of reception standards within states.

Greece

EU directives on reception conditions in the Greek case seem to have pushed the Greek state to formally restructure the decision-making system, and thus the division of competences within the Greek government, even if with consistent delays and with no decisive impact on the harmonisation of quality and access to reception. The 2003 Reception Conditions directive was transposed in the national legislation in 2007 by Presidential Decree (220/2007), while the recast 2013 Reception Conditions directive was transposed in May 2018 with Law 4540/2018 which currently regulates the formal governance of reception in Greece.

Restructuring of the reception system in Greece was also pushed by the repeated accusations at the international and EU level of the extremely poor conditions of asylum seekers and refugees' reception. In 2011 the *M.S.S. v. Belgium and Greece* case (ECtHR, 2011) clearly evidenced the inhuman and degrading conditions in Greek reception centres; even before that, the UNHCR condemned a chronic scarcity of reception places the poor reception conditions in Greek camps (2009). The entry into force of the EU-Turkey Statement in 2016 created a further layer of complexity, holding asylum seekers on Greek Aegean islands with the "geographical restriction" rule⁶, thus leaving these isolated islands and the asylum seekers held there in dire conditions. Finally, during the last decade in Greece there were continuous changes in the governance structure of reception policy, in the legislative framework establishing responsibilities for the management of reception facilities and in the funding schemes. These issues, in turn, led to short-term policies mostly aimed at first reception relief, leaving Greece without a structured approach to the prolonged presence of asylum seekers and refugees in the reception system.

Italy

The recast EU Reception Directive (Directive 2013/33/EU) has not been a major trigger of reforms. As the Directive left large room for national adaptation, the Italian law that transposed it in 2015 (i.e. Legislative Decree 142/2015) mainly ratified key decisions already taken in the previous years. Decisions which were taken through inter-institutional agreements and internal administrative regulations (*Circolari*) issued by the Ministry of Interior were included in a comprehensive state law, leading to a greater rationalization of the reception system.

Actually, the main change due to EU policies followed the launch of the "European Agenda on Migration" and the ensuing "Italian Roadmap". It led to the introduction of hotspots as key components of the Italian reception system, and to the implementation of the so-called "hotspot approach" employed at disembarkation ports based on a tight collaboration between Italian police forces, EU agencies (FRONTEX, EASO, EROPOL) and UN agencies (IOM and UNHCR).

⁶ The geographical restriction was introduced by Greek Asylum Law 4375/2016. This restriction limits the freedom of movement of the asylum seekers present in the five hotspot areas in the Aegean islands to the respective island, from the registration until the end of their asylum process.

Luxembourg

The law on reception on 18th December 2015 which transposed the recast EU Reception Directive into national legislation, has been the first national law that deals specifically with reception. Nevertheless, it mainly incorporated the provisions on the social assistance for asylum seekers which had already been defined by Grand Ducal regulation of 8th June 2012.

Spain

As far as the transposition of the recast European Directives is concerned, Spain appears as an odd case. While most of MSs have passed specific laws, this is not the case of Spain. In September 2015 the European Commission started three infringement procedures against Spain for not providing adequate information about how the Spanish legislation had been adapted to the three main recast CEAS Directives regarding asylum requisites (2011/95/EU), asylum procedures (2013/32/EU) and reception conditions (2013/33/EU). As an official response, the Spanish government explained that the 2013 Directives had been transposed into Spanish legislation through different laws, decrees and regulations (on asylum, migration, health, education, minors and unaccompanied minors) instead of through a specific law. However, it was not enough to interrupt the infringement procedures. The same answer was given in January 2017 to the Spanish Senate which asked for clarifications about the Directives' transposition. In this regard, representatives of CSOs and other critical voices argue that the transposition of the Reception Directive into the national legislation is lacking due to the absence of regulatory development of the asylum law.

3.4 Processes of multi-level policy-making

The so-called "refugee crisis", which exploded in 2015, generated tensions between the central government and the local level intended as local authorities and communities. It happened in Italy, Greece, Spain, Finland and Luxembourg, especially in the initial stages of the crisis, when the central governments generally set up reception facilities without consulting the local authorities in order to meet the skyrocketing asylum claims and accommodation needs. A similar trend is difficult to trace in Bulgaria as the system has remained highly centralised and consensus building with local actors seemingly has not been a priority for any Bulgarian government on reception issues. In Germany, while discontent has emerged among local actors mainly to ask for more federal funding to support state and local reception facilities, the established practices of multi-level decision making have generally and quickly eased tensions among institutional levels.

Bulgaria

From 2009 till today Bulgaria's government has changed seven times. The political discontinuity, however, has not changed the overall highly centralised policy-making of reception policies, even during the crisis period. The reforms to the reception system were always decided at the national level notwithstanding the presence of two relevant political factors that could have played a role in the potential reconfiguration of the decision-making system. On the one hand, the strong politicisation of asylum seekers' reception sustained by the belief of Bulgarian citizens that asylum seekers are a threat to national security. On the other hand, the influence of EU institutions and CSOs which have been supporting financially and practically asylum seekers' reception in Bulgaria.

Finland

In Finland the decision-making process concerning reception has always been highly centralised and it has become even more so in the 2000s with the shift and concentration of task in the hands of the Finnish Immigration Service located within the Ministry of Interior. The rationale of this choice appeared to be the will to increase the efficiency and reduce the costs of procedures concerning asylum seekers rather than problem pressure. Indeed, this reform was started before the so-called “refugee crisis” which has just accelerated the process.

Because of the key role of the central state, the composition of the national political coalition has mattered. The most recent restrictive Finnish asylum policies can be partially understood as a consequence of the brand-new coalition government that came to power in 2015 and made up of the agrarian Centre Party (which the Prime Minister Juha Sipilä comes from), the euro-sceptic and populist party of The (True) Finns and the conservative National Coalition Party. This new political constellation in Finnish politics led to negotiate new political agreements on immigration, asylum and EU policy, including the restrictive asylum laws and policies introduced since 2015.

In terms of relations between levels of government, practice of informal consultations with municipalities started in 1989, when the Finnish Red Cross opened its first reception centre, and then developed into central government’s informal but systematic request of municipal executive boards’ preventive opinion about the setting up of reception facilities. However, during the 2015 “refugee crisis”, the need to set up new facilities very rapidly led the Finnish Immigration Service to drop this practice of informal consultations with municipalities. The 2015 EMN annual report states that “the establishment of new reception centres was slowed down by the long municipal approval process that could result in the municipality prohibiting the establishment of a reception centre or an emergency accommodation unit in its territory. When the need for new reception centres became extremely acute in September, the Finnish Immigration Service decided to cease consulting local authorities concerning the establishment of reception centres if a reception centre or an emergency accommodation unit is to be located in facilities rented from private owners or if it is to be maintained by the Finnish Red Cross or another third party” (EMN 2016, 45). Moreover, new reception facilities were established on short notice “in municipalities with no previous experience of reception centres in their locality causing concern in the neighbourhoods in some cases. Criminal offences, such as vandalism and even attempted arson, have also been committed against reception centres and facilities with planned use as reception centres” (EMN 2016, 45).

Paradoxically, disagreement between the central and local levels occurred also when reception was drastically reduced in 2017 after the sharp decrease of inflows. Despite the initial hesitation when the reception facilities were set up, they ended up by being regarded as sources of new residents and income rather than an extra burden. Therefore, many Municipal Boards tried to keep the reception centres open, though largely unsuccessfully, as the two Finnish locale cases investigated in CEASEVAL project have shown.

Finally, regarding the role of civil society organisations, the CSOs have had a little influence on the formulation of general reception policies. However, some CSOs and human rights organisations have been able to influence the policy-making on rather specific issues, such as detention, rather than on the general governance of reception.

Germany

In general, the policy-making process in Germany was influenced by the crisis in terms of change in coalitions' political balance and in Länder power in the Bundesrat. Since 2014, Germany has had two "Grand Coalitions" in power led by Chancellor Angela Merkel. The first one ended in 2017 with a significant change in the political constellation at federal level. This implied that while in the first composition laws could pass without too much need for consensus building across parties due to a strong majority, in the second composition the governing coalition has lost chairmanship of several committees, including some of those relevant to pass laws on the reception of unaccompanied minors. Over the last decade also the Bundesrat changed political composition, with a small number of votes for the Grand Coalition, which gave to single states more power to tip the balance when voting for specific bills or directives.

With regard to MLG, the crisis intensified the informal roundtables and consultations between the federal government, the states and the local communities. In these informal meetings the most pressing issue debated was mainly financing, which states and local communities required with urgency in 2015-2016. However, while the request made to the federal government to finance reception and relieve the local communities from the financial burden of providing reception services was supported by all Länder, calls for tightening the conditions to access the asylum process came only from Bavaria. The Prime Minister of Bavaria was then appointed Minister of the Interior, Construction and Homeland in 2017, which evidences that disagreement between state and federal government on asylum issues has been settled politically by the Chancellor.

According to some interviewees, CSOs and civil society organisations, which are in theory required to give their contribution both ex ante and ex post in the federal legislative process, in practice did not see their inputs considered in the preparation of reception related policies or had no time to prepare. This has originated a situation in which the deficiencies of the reception system, which have been experienced everyday by CSOs and associations (including municipal refugees relief groups), were not addressed by in the deliberation process and thus in the reception policies. Among these deficiencies there are the permanent stay in reception facilities without access to integration, the residency requirement in a certain district and access only to benefits in kind instead of monetary benefit. In general, the cooperation with CSOs and civil society actors is stronger and more intensive at the state level, where state governments are more receptive to proposals made by non-state actors.

Greece

In Greece, the high-level of centralisation of policy-making with regard to reception policies has been challenged in the last decade due to the ever-growing need of coordination of national policies with the implementation at the local level. According to one of the interviewees, centralisation of decision-making was so strong before the crisis that not even senior public officials were involved in the process, but only ministers. In order to better coordinate among ministries, in 2016 a "Coordinating Body for the Management of the Refugee Crisis" was created. Also this inter-ministerial body does not foresee the consultation of other stakeholders. This has created numerous problems since the ministries were generally lacking the necessary knowledge on the reception issues. In addition, there have been repeated changes in leadership positions: the Ministry of Migration Policy has changed several times and so far three directors of the First Reception Centre have quit, due to, according to an interviewee, frustration of being ignored. However, since 2016, there has been a tendency to build consensus at least with UNHCR and other funding partners and in general with those responsible for the

implementation of reception policies at the local level. Semi-formal consultations (monthly meetings) were established in 2016 between IOs, the European Commission representation in Athens and the Minister of Migration Policy but mainly to organise the implementation of reception policies. In 2017, when the Ministry of Migration Policy became fully responsible of reception, the consultations with non-state actors became more systematic. Moreover, cities like Athens pushed for more coordination with the national level by creating ad hoc fora as the “Athens Coordination for Migrant and Refugee Issues” which a representative of the Ministry of Migration Policy attends at least once every three months.

Greek regions and municipalities, however, became increasingly aware (even before 2015) of the need to coordinate reception at the local level and in 2011, Migrant Integration Councils (MIC) were introduced through Kallikratis program, a major national administrative reform introduced by Law 3852/2010. The mission of the MICs is to inform the municipal government and present proposals for actions about the problems that the migrants face in the respective region. They have no decision-making powers but serve as a contact for cooperation between municipal authorities and migrant associations.

Italy

Interviewees generally believe that the shape of governance and decision-making processes in Italy has mainly been influenced by the political will of the central government. Specifically, three phases can be identified: 2011-2013; 2014-2016; from 2017 onwards.

In the period 2011-2013 an emergency approach prevailed, with little room for shared decision-making and policy implementation, although the seeds for the multi-level governance of the system were sown. In 2011, following the fall of the Tunisian and Lybian regimes, the Minister of Interior of the then centre-right Berlusconi government, Roberto Maroni, declared the “state of emergency” – the so-called “North Africa Emergency” (ENA). This gave considerable powers initially to the Prefects and then to the Civil Protection Service, which had coordinating tasks to set up emergency reception centres outside the SPRAR system.

When the “North Africa Emergency” ended in March 2013, the Ministry of Interior became the only competent institution for the coordination of reception. However, the “normalisation” of the reception system did not happen and the Prefectures kept a central role: since the SPRAR remained undersized compared to the number of arrivals, the Ministry of Interior started asking the Prefectures to set up temporary governmental reception centres, i.e., Extraordinary Reception Centres (CAS). This top-down management of reception revived tensions between the central and local levels since the decision to establish CAS could be taken by the Prefectures without any obligation to previously consult local authorities, even without notice.

In order to cope with the persistent challenges generated by a two-pronged system and the tensions between the central and local levels, the multi-level governance devices set up during ENA were maintained. Specifically the inter-institutional Working Group gathering all institutional levels (i.e., central government, Regions and local authorities through ANCI and UPI – Union of Italian Provinces) was moved from the Department of Civil Protection to the Ministry of Interior, and integrated with the Ministry of Labour and Social Policies. Moreover, the government decided to set up Regional Working Groups on Asylum in each region, gathering different institutions (the Region, Provinces,

Municipalities, local Prefectures, *Questure*, and ANCI's regional branch) with the purpose of coordinating and monitoring reception at the regional level.

The second phase of the Italian multi-level decision-making was referred to by interviewees as a sort of "golden age" of the governance of reception: in this phase key actors, i.e. the Ministry of Interior, ANCI, UNHCR and the two main CSOs involved in the reception Caritas and ARCI, the Italian Cultural Recreational Association, worked together to improve the coordination of the system and to reduce the two-pronged character described above. A crucial turning point in this process, at least symbolically, was the Agreement signed by the Unified Conference State-Regions-Local Authorities on 10 July 2014. The Agreement institutionalised the inter-institutional Working Group headed by the Ministry of Interior relabelling it as National Coordinating Group on Asylum and expanding its composition to include CSOs (Caritas and ARCI) and international organisations (UNHCR). Also the Regional Working Groups on Asylum mentioned above, now re-labelled as Regional Coordinating Groups on Asylum, were recognised as key in the multi-level governance of reception. The Agreement set the SPRAR at the core of the reception system, while CAS were considered as a residual solution. Even though, under the pressure of new arrivals, the CAS system continued to expand.

In order to contrast the tensions between the central and local governments, at the end of 2016 the Ministry of Interior asked the Prefectures to improve the dialogue with local authorities and signed two agreements with ANCI. The first was the so-called "Bari Agreement" which established a specific quota of refugees per municipality, i.e. a ratio of 2.5 hosted asylum seekers per 1,000 residents. The second was the so-called "safeguard clause": Municipalities whose SPRAR reception places met the above ratio would be exempted from the setting up of any new CAS by the Prefectures and, if they already hosted one (or more), this/these would be downsized or converted into SPRAR.

The last phase started already in December 2016, with the appointment of Marco Minniti as Ministry of Interior of the centre-left government led by Paolo Gentiloni. Increasing politicization of the issue, partially related to the approaching political elections, led to an increasing centralisation of the decision-making processes. This trend, together with the personalisation of decisions in the hands of the Minister of Interior, was further enhanced by Matteo Salvini, leader of the (former Northern) League, appointed Minister of Interior after the new coalition between the Five Star Movement and the League came to power at the end of May 2018. The room for consultation and involvement of different actors in the decision-making on asylum and reception has completely closed down, and the National Coordinating Group on Asylum has gathered only once in the first year of Matteo Salvini's mandate.

Luxembourg

In Luxembourg the decision-making process that in the last decade has led to reform the reception system has mainly been managed by the central government with no or little involvement of CSOs. The adoption of the Grand Ducal regulation of 8th June 2012 was not preceded by a consultation with relevant stakeholders, notably civil society organisations and local authorities. Moreover, being a regulation, it did not need the Parliament's approval. Several interviewees, in particular from CSOs, regard that regulation as a solely governmental decision intended to make Luxembourgish reception system less attractive.

With regard to the transposition of the EU reception conditions directive into national law occurred a few years later in 2015, CSOs declared to have been "listened to (*écouté*) but not heard (*entendu*)". The large consultation which this time took place did not produce the expected outcomes: their

proposals were originally included in the text but finally got lost in the legislative process, notably after the remarks from the Council of State.

Alongside the marginality of CSOs, also local authorities have been mostly excluded from the decision-making process on reception. Although the increased inflows in 2015 and the consequent adoption of the emergency plan fostered cooperation between central state's ministries and agencies, local authorities were mostly excluded either in the design or the implementation of the plan. Some local authorities were also not very responsive to the calls made by the government to the municipalities to help dealing with situations of high influx. The setting up of reception facilities by the central state without a widespread involvement and consultation of the local authorities generated tensions between the government and some municipalities and the opposition of citizens' self-organised groups.

Finally, it is worth underlying that the proposal to introduce a compulsory quota system to relocate asylum seekers throughout the country was taken into consideration by the government between 2009 and 2013 and supported by the most relevant parliamentary committees. However, it has never turned into reality since it was firmly rejected by municipalities in 2012 (Luxemburger Wort 2012; Wox 2012).

Spain

The publication of the photo of Aylan, the Syrian child who died on a beach in Turkey on 2 September while trying to reach the European coast, fuelled the requests from local authorities and the Socialist Party (PSOE), namely the then main opposition party, to get the Spanish government more involved in the relocation quota. This apparently led the centre-right government to change its positions about relocation and the involvement of local actors in asylum seekers' reception. In the first half of September 2015 the government passed from the opposition to the relocation of asylum seeker among MSs to the acceptance of the quota of 14,931 people proposed by the European Commission and increased its budget for receiving refugees from 53 to 253 million euros. The Council of Ministers agreed to create an Inter-ministerial Commission which, as the one created in 2006 to deal with the "cayuco crisis", would coordinate the policies of the different ministries involved (Interior, Foreign Affairs, Defence, Health and Social Services, Justice and Education). Finally, the government convened the Sectoral Conference on Immigration with representatives of the autonomous communities and the Spanish Federation of Municipalities and Provinces (FEMP). Yet, most of those decisions have appeared as mainly symbolic: the actual numbers of asylum seekers relocated to Spain have remained far below the agreed quota, the Interministerial Commission stopped working in Autumn 2015, when the feeling of emergency was over, and the whole decision-making process remained in the hands of the Ministry of Employment and Social Security without any involvement of local authorities.

4. The MLG of asylum seekers reception. Decision-making and implementation structures and processes

Finnish, Luxembourgish, Spanish, Bulgarian and Greek reception systems appear highly centralised with limited or inexistent role played by local authorities. In Italy, Municipalities are involved in the governance of reception mainly through ANCI, the National Association of Italian Municipalities. However, the participation of local authorities' national association does not imply their actual and fully involvement in decision-making on reception; indeed, they have opposed central governments' plans on several occasions. In Spain we see the same dynamics, even though the Spanish Federation

of Municipalities and Provinces (FEMP) is generally much less involved than ANCI in the governance of asylum reception.

In Italy, Greece, Spain, Finland and partially also in Bulgaria the “migration crisis” has led to increase the number and diversity of CSOs involved in the management of reception facilities. CSOs’ involvement in decision making has been far more limited: at central level, in Italy, Greece, Spain and Luxembourg it has concerned only the largest CSOs with a long-standing collaboration with public institutions in the management of reception facilities. In Finland, the role of CSOs in decision making on reception has been almost inexistent. In Greece, not only CSOs and IOs have had a growing role in reception management but also external donors and local implementing partners (including regions and big municipalities). This has led the Greek government to informally consult with international and local actors, mainly on the day-by-day management of reception, but there is no tensions arising on specific reception policy issues among the different actors.

That said, in Spain, Greece, Italy, Luxembourg and Finland the national government’s consultation with non-public actors and lower levels of government is not binding in the field of reception and can be dropped in any moment, as it actually happened in some cases. In fact, the decision power is highly centralised in the hands of the central government. Even more so, in Bulgaria consultation with lower levels of government and other actors seems to be almost completely absent.

The situation of Germany is deeply different from the other countries analysed, since the German federal structure seems to have been reinforced by the crisis, with the separation of competences made even sharper between 2013 and 2019. The only two significant changes in the German governance of reception were the shift of competences in terms of the distribution quotas of asylum seekers from the Bundesrat to the federal government and the increased responsibility of the federal level to fund reception facilities at state and local level. The latter reform was particularly pushed by state and municipal authorities. Similarly to the other countries analysed, instead, the number and variety of CSOs and other non-public actors boomed in the crisis years but their involvement has mainly been related to the implementation of reception and integration services. Even though their participation is institutionalised at all levels of decision-making, at the federal level CSOs lament an unsatisfactory involvement on reception-related issues.

The crisis has triggered innovation in terms of multilevel governance such as with the Coordinating Groups set up in Italy, Luxembourg and Greece. Another important example comes from Spain, where the Spanish High Court of Justice and Supreme Court decisions recognising that “social services and assistance” aimed at the immigrant population, including asylum seekers, were the competence of the autonomous communities, have potentially reshaped the distribution of economic resources and competences between the central and local governments.

Table 2. Main actors currently responsible for policy-making and implementation of reception policies

Actors formally responsible for:		
Country	Policy-making	Implementation
Bulgaria	Council of Ministers	State Agency for Refugees
Finland	Ministry of Interior and Finnish Immigration Service (MIGRI)	CSOs, mostly Finnish Red Cross
Germany	- Ministry of Interior and Federal Office for Migration and Refugees (BAMF) - Federal states (<i>Länders</i>)	- Federal states (<i>Länders</i>) - Municipalities + CSOs
Greece	- Ministry of Migration Policy and other relevant Ministries (e.g., Ministry of Labour, Social Security and Social Solidarity for accommodation) also through the Coordinating Body for the Management of the Refugee Crisis - Reception and Identification Service	- National Centre for Social Solidarity (NCSS/EKKA) (Ministry of Migration Policy) - UNHCR, IOM and various CSOs - Municipalities for ESTIA-funded accommodation
Italy	Protection system for asylum seekers and refugees (SPRAR), currently Protection System for beneficiaries of international protection and unaccompanied minors (SIPROIMI): - Ministry of Interior	SPRAR/SIPROIMI: - Municipalities + CSOs
	Governmental facilities: - Ministry of Interior - <i>National Coordinating Group on Asylum</i>	Governmental facilities: - Prefectures (issuing local calls) + CSOs
Luxemburg	- Luxembourg Reception and Integration Agency – Office Luxembourgeois de l’Accueil et de l’Intégration (OLAI) (Ministry of Family, Integration and the Greater Region)	- OLAI - Caritas, Croix-Rouge Luxembourgeoise
Spain	- Ministry of Employment and Social Security	- Ministry of Employment and Social Security + CSOs, mainly ACCEM, CEAR and Red Cross

4.1 Unitary states. Bulgaria, Finland, Greece and Luxembourg

Bulgaria

In Bulgaria the governance of reception is highly centralised, at least in theory. The Bulgarian government, and more specifically the Council of Ministers, is responsible for the decision-making concerning reception. The main institution formally in charge of implementation of reception policies, including control of reception facilities and delivery of services, is the State Agency for Refugees, established in 2002. This implies that all reception centres in Bulgaria are under the supervision of the Director of the State Agency for Refugees, who is appointed by the Prime minister following a Council of Ministers' resolution. In practice, there are several public and private actors which are involved in the reception system, even if mainly in the implementation of reception policies. Before the refugee crisis, police and border police ran detention centres which then became reception centres; decisions on those facilities have been taken by the Migration Directorate of the Ministry of Interior. International and national organisations deliver integration services in reception centres particularly after signing a partnership agreement with the State Agency for Refugees. EU funding schemes coupled with private donations and the support of IOs and CSOs have helped deliver basic services to asylum seekers, including food, already in 2013, before the refugee crisis hit.

Finland

In Finland there are no formal venues aimed at favouring exchanges between different levels of government or between state and non-state actors. On this backdrop, reception and integration show different governance structures as they have always been regarded as distinct policy fields in Finland.

As far as reception is concerned, since 2008 responsibilities have been transferred and concentrated in the hands of the Ministry of Interior where the Finnish Immigration Service plays a key role. As a consequence, the system of reception appears centralised and state-centred, mainly based on top-down decision-making processes. The state authorities responsible for reception can work together with municipalities and local civil society. However, the decision to open or close reception facilities lies ultimately upon the state authorities.

As for the non-profit sector, the Finnish Immigration Service negotiates and signs contracts with CSOs which run the reception facilities. The Finnish Red Cross is the key CSO in this field. Its dominant position is rooted in its long-standing cooperation with the state in reception activities started in the 1990s, its ability to scale the service according to the needs, its articulated organisations with regional branches and its large basin of volunteers. Indeed, cooperation between the Red Cross and the State has specific legal bases, namely the act on Finnish Red Cross (238/2000) and the agreement it has signed with the Finnish Immigration Service for dealing with emergencies.

However, the number and types of CSOs have significantly increased since 2015: to meet the growing reception needs the Finnish immigration Service had to recruit new organizations to run reception facilities, both non-profit and profit. In this regard, the involvement of commercial companies in the management of reception has been a relevant change in Finnish reception policies.

In addition to running the reception centres, non-governmental organisations provide various local services, assistance and advice to asylum seekers, and contribute to integration activities. Yet, the role of CSOs has to be understood within the framework of the Nordic welfare state model where the role of public state funding is central and the activities of CSOs are contracted out with a little involvement

in decision-making. Although the preparation of laws generally passes through a broad and extensive consultation of experts, stakeholders and CSOs, this consultation is not binding and the possibility to influence the decision-making process seems to depend on both the topic and context, and different interests are given different weight. As a consequence, the CSOs have not a great influence upon the formulation of reception policies, neither does the Finnish Red Cross, i.e. the largest NGO in reception by far.

Governance of integration works in a different way. In 2010 migrant integration affairs were transferred from the Ministry of Interior to the Ministry of Employment and Economy and the implementation of integration policies, as part of welfare policies, is responsibility of regional and local authorities. This responsibility of municipalities in integration policies is formally limited to the case of permanent residency, including beneficiaries of international protection, whereas most of the services provided to asylum seekers are reception centres' responsibility and are covered with state funding. However, the Centres for Economic Development, Transport and the Environment (ELY Centres) which are implementing structures working under the Ministry of Employment and the Economy, provide municipalities with reimbursement for the costs related to the integration measures implemented during the first three or four years of stay of beneficiaries of international protection in their territory. Moreover, the ELY Centres are responsible for redistributing beneficiaries of international protection among municipalities when leaving reception facilities. That said, being the allocation by the ELY Centres insufficient, the large majority of beneficiaries of international protection move and chose their place of resident independently (EMN 2015, 42).

Greece

In Greece the decision-making of reception policies has remained mostly centralised in the last decade, with relevant Ministries and/or the Ministerial Council chaired by the Prime Minister taking decisions directly and without the formal need to consult with other actors. Currently, competences regarding the reception of asylum seekers are allocated mostly to the Ministry of Migration Policy together with the General Secretariat for Reception and Identification and the service that the Secretary General oversees, namely the Reception and Identification Service. The Ministry of Migration Policy coordinates the camp-like reception facilities in Greece through two coordinators (one for the North, one for the South) who do not have decision-making power. Other Ministries are engaged in the planning and implementation of reception through the Coordinating Body for the Management of the Refugee Crisis, namely the ministries of Defence⁷, Citizen Protection, Infrastructure, Transports and Networks, Marine, and the Ministry of Macedonia and Thrace. Moreover, the Ministry of Migration and the Ministry of Economy can jointly decide to set up temporary reception facilities for persons subject to return procedures. Regarding specifically the accommodation of asylum seekers, decision-making responsibility lies overall with the Ministry of Labour, Social Security and Social Solidarity which is in charge of supervision and operation of reception facilities. For the implementation, the NCSS/EKKA, which is a body of the Ministry of Migration, manages accommodation requests by adults and children and oversees the quality of accommodation services while UNHCR, IOM and various CSOs manage temporary accommodation facilities; in addition, local authorities are involved in running ESTIA-funded accommodation. Indeed, since 2015, international organisations, CSOs and local authorities have gained an increased relevance, particularly in the reception of vulnerable asylum

⁷ Since 2016, the Ministry of Defence has also a coordinating role for transport, catering and healthcare of asylum seekers and the ability to set up camps in former military facilities.

seekers and refugees even if not by explicit design of the Greek government. The same is true for EU funding schemes supervisors which de facto have been taking decisions regarding the allocation of EU funds for reception issues.

Luxembourg

The Luxembourgish reception system is state-centred with a limited role played by municipalities and local actors in general.

The key actor in the system is OLAI (*Office luxembourgeois de l'accueil et de l'intégration* – Luxembourg Reception and Integration Agency), placed under the responsibility of the Ministry of Family, Integration and the Greater Region, and whose main objectives are the coordination and implementation of the reception of asylum seekers, as well as the promotion of the integration of all foreigners into Luxembourgish society. OLAI has regular contacts also with other ministries such as the Ministry of National Education, Childhood and Youth with regard to the schooling of children, or the Ministry of Health for asylum seekers' initial medical screening.

The law of 16th December 2008 entitles OLAI to establish and manage reception facilities directly as well as to cooperate with other actors, such as CSOs, for this purpose. The cooperation between OLAI and CSOs is defined through bilateral agreements that are signed every year (instead of through calls for tenders). In fact, these CSOs are only two, namely Caritas and Croix-Rouge Luxembourgeoise whose involvement in reception provision is long-established and dates back to the 1990s – though between 2015 and 2016, ASTI (*Association de Soutien aux Travailleurs Immigrés asbl* – Support Association for Migrant Workers) was involved in the management of a reception centre in Mersch. While in 2009 Caritas and Croix-Rouge Luxembourgeoise managed only 20% of the reception capacity, today it reaches 61% whereas the rest is directly managed by OLAI. According to some interviewees, the dominant position of Caritas and Croix-Rouge Luxembourgeoise in asylum seeker reception is due to a lack of actors which are interested in, or capable of, managing reception centres.

The high degree of centralisation of the reception system is mirrored in the fact that all key players – OLAI, Caritas and Croix-Rouge Luxembourgeoise – lack local branches with some degree of organisational autonomy. Generally, local administrations are not involved in reception. Municipalities are officially engaged in asylum seekers' and refugees' integration only for those activities that are part of their ordinary responsibilities such as schooling, local transport and childcare, as well as social care (but only for refugees). Furthermore, municipalities can play a key role in mobilising local associations and volunteers, or in involving asylum seekers and refugees in those measures that are run at the local level, e.g. summer activities for children or events, gatherings, and cultural exchange initiatives. In the promotion of those local activities a central role is played by Municipal Advisory Committees on Integration (*Commissions Communales Consultatives d'Intégration*) which have a consultative function and are assigned the task of promoting social cohesion. Although *Commissions d'Intégration* do not directly target asylum seekers and beneficiaries of international protection, their work has increasingly shifted towards these categories in recent years.

Therefore, it is in the field of integration that municipalities play a bigger role. As a consequence, cooperation with OLAI has historically been much stronger in this domain. On the contrary, the collaboration between municipality, OLAI and CSOs is poor with regard to reception, even if municipalities can opt for a greater engagement and create a supportive environment for asylum seekers and for those working with them.

Finally, it is worth underlying that since 2018 the PAN (National Integration Plan - *Plan d'action national d'intégration*), i.e. a strategic document aimed at steering the measures and projects in the fields of

integration, anti-discrimination, diversity, and social cohesion and whose drafting is assigned to OLAI and the *Comité Interministériel à l'intégration* (Interministerial Committee for Integration), emphasise the issue of reception and the close connection existing between reception and integration. Indeed, the latter is becoming an increasingly relevant issue in the Luxembourgish reception system.

4.2 Federalist and regionalist states. Germany, Italy and Spain

Germany

The crisis in Germany has left almost intact the division of competences among federal, national and local actors with regard to reception policies. The only exception, since 2015, is the stepping up of the federal government in supporting financially states and local communities to manage reception centres, but the competence to manage reception remains of the Länder. The federal government instead, since the crisis, has further clarified its competence regarding the asylum procedure and the distribution of asylum seekers, which is now executed and overseen by the BAMF. The distribution and the quotas were previously agreed upon by the states in the Bundesrat, while now the so-called *Koenigstein* quota⁸ is applied by the BAMF through an IT distribution system named EASY (Erstverteilung der Asylbegehrenden – initial distribution of asylum seekers).

The states are thus responsible for the implementation of the reception of asylum seekers and refugees. States have direct responsibility for the management of initial reception facilities (i.e., up to six months) while accommodation of asylum seekers and refugees after the initial period is managed by municipalities, as foreseen by the subsidiarity principle. The local design of the accommodation varies from municipality to municipality and includes centralised collective centres and/or decentralised accommodation in apartments.

CSOs and associations are involved locally in different aspects of reception: from offering legal and social counselling to directly provide accommodation for the asylum seekers who are no longer required to stay in initial reception centres. In the early days of the crisis, CSOs and associations were also involved in managing emergency reception centres, together with for-profit organisations.

Italy

The governance structure is different for SPRAR and governmental reception facilities. SPRAR can be regarded as a clear instance of multi-level governance. SPRAR is under the authority of the Ministry of Interior but its coordination involves other actors at the supra-national and local level, i.e., UNHCR and ANCI (National Association of Italian Municipalities). The latter is responsible for managing the Central Service for Information, Promotion, Consultancy, Monitoring and Technical Support. SPRAR facilities are set up on a voluntary basis by Municipalities which participate in Call launched by the Ministry of Interior which covers up to 95% of the costs. The management of these reception centres is generally delegated to CSOs selected through public bids issued by the Municipalities.

⁸ The Koenigstein quota determines the number of asylum seekers allocated to each state without taking into consideration neither the will of the asylum seekers nor their nationality, gender, special needs or household size. Those elements are partly taken into consideration by BAMF officers also considering state reception capacity. For instance, according to the Koenigstein quota North Rhine-Westphalia receives more than 20% of asylum seekers, while Saxony only 5%.

On the other hand, the governmental facilities (i.e., hotspots, first reception centres, CAS and detention centres) are under the direct responsibility of the Ministry of Interior which generally delegates the overseeing and issuing of bids for their management to its provincial branches, the Prefectures. The management of governmental facilities can be assigned to public entities, non-profit or for-profit organisations. The involvement of supra-national and local actors should occur through the National and Regional Coordinating Groups on Asylum (Legislative Decree 142/2015, art. 16).

The National Coordinating Group on Asylum is headed by the Ministry of the Interior (Department of Civil Liberties and Immigration), and it includes representatives of national, regional and local authorities, UNHCR and CSOs (Caritas and ARCI). It has a mere consultative role rather than actual decision power. By law, the main task of the National Group is the identification of the measures needed to improve the reception system. In fact, it has been the only venue where the SPRAR and CAS systems have been dealt with together. Because of that, it has played a crucial role in reducing the differences between the two systems and in promoting the SPRAR.

The Regional Coordinating Groups on Asylum are headed by the Prefects of each Region's capital city and bring together all the Prefectures of the region, representatives of the Regional authority and of ANCI's regional branch. CSOs are not involved in Regional Groups, despite the crucial role they play in the provision of services. However, informal consultations often occur, although the situation varies substantially across the country. On paper, Regional Groups should play a crucial role in redistributing asylum seekers within each region and in deciding the location of governmental centres. Conversely, the SPRAR has represented a marginal issue within Regional Groups.

Actually, the functioning of both the National and Regional Coordinating Groups largely depends on the key actors' willingness, and therefore it has varied over time and across the country. The National Coordinating Group, as well as informal consultations between its members, have lost relevance since 2017 and have almost stopped under the new government that came into power in May 2018. The Regional Coordinating Groups have been formally established in each region but their actual functioning is highly heterogeneous: they have largely depended on the willingness to cooperate of the Prefectures and the Regions, and has thus been significantly affected by both political positions and inter-institutional cooperation's path dependency. In any case, the role of the Regional Groups has significantly reduced as a consequence of the recent decrease in arrivals and declining need for reception.

To conclude, on paper the openness and the multi-level governance of reception policies appears rather high in Italy. Yet, national government's consultation with non-public actors and lower levels of government is not binding. Therefore, the decision power has always been highly centralised in the hands of the Ministry of Interior and its local branches, namely the Prefectures, which decide to what extent consultation with other key actors should be pursued.

Spain

Although Spain is a regionalist state, the reception system has always been highly centralised. The responsibility of reception is exclusively on the Ministry of Employment and Social Security and there are no formal structures of coordination neither with the Ministry of Interior which is responsible for processing asylum applications nor with the other bodies of the central government.

Municipalities and autonomous communities have no formal competences on reception, though this is going to change after the very recent decisions of Madrid's High Court of Justice and the Supreme Court which have stated that reception should be competence of the autonomous communities.

Apart from hailing these recent developments which have not produced any concrete effects yet, cities complain about the lack of coordination structures with the central government and the fact that they are not viewed as legitimate interlocutors on asylum seekers' and refugees' reception. Actually, the Spanish Federation of Municipalities and Provinces (FEMP) is involved in some coordinating meetings from time to time. However, FEMP is perceived by some big cities, like Barcelona, as "a highly politicised organisation, representing the two main political parties (Popular Party and Spanish Socialist Workers' Party) whereas cities like Barcelona and Madrid are "*ayuntamientos del cambio*" ("city councils of change"), namely those municipalities where Podemos (the new left wing party) or local platforms linked to Podemos (such as Barcelona en Comú) won the last municipal elections, which took place in May 2015.

The involvement of civil society organisations mainly concerns the management of the reception facilities, a large share of which is outsourced to CSOs. Alongside CSOs which have worked in this field for a long time (ACCEM, CEAR and Red Cross), others have joined after 2015 in response to the expansion of the reception system. Yet, CSOs have to be state-wide organizations to participate in the contests for reception facilities' management. This leaves local organisations out further marginalising the local level in the governance of reception.

According to a representative of the Ministry of Employment, the Ministry meets regularly with CSOs to answer their questions about practical management of reception facilities. Nevertheless, CSOs perceive that "there are no real coordination mechanisms between and with the two Ministeries [the Ministry of Interior and the Ministry of Employment and Social Security]. They call us regularly for meetings, but these are not coordination or co-decision making meetings. They inform us, we can pose questions on particular procedures, but that's all" (interview in Madrid, 30 November 2018).

We can then conclude that in Spain the multi-level governance of asylum seeker reception appears very weak both in its vertical and horizontal dimension.

4.3 Structures and policy agency in the MLG of asylum seekers reception

In Italy, Spain, Finland, Luxembourg and Greece local authorities have shown a relevant degree of policy agency in contrasting the central government's plans on reception and in developing innovative solutions. The degree of such mobilisation appears however different across those countries and much higher in Italy where local authorities refused to implement the national reception plans (region of Veneto) or developed new type of agreements with the Prefectures to regain the control over asylum seeker reception (province of Turin). Similarly, in Spain, Barcelona went to the international arena to claim local authorities' involvement in Spanish and European asylum reception and the Catalan government brought the Spanish government to Courts alleging that "social services and assistance" aimed at the immigrant population, including asylum seekers, were the competence of the autonomous communities. Both in Italy and Spain, however, politics and more general political contrasts between local and central governments contributed to trigger this mobilisation. Also in Greece the political position of regions (e.g., region of Central Macedonia) and municipalities (e.g., Athens and Thessaloniki) affected their willingness to operate outside of their mandate to intervene and even develop their own programmes of reception in cooperation with IOs, as in the case of the

Refugee Assistance Collaboration Thessaloniki (REACT). However, local authorities in Greece did not act to oppose the Greek government but to fill the gaps left by the absence of a clear management of reception.

Bulgaria and Germany, also in this case, remain at the two ends of the spectrum, with Bulgaria's municipalities and non-public actors having a very low involvement in reception while Germany lower-levels of government and non-public actors have remained highly independent in coordinating and in generating innovative and ad hoc solutions at the local level.

Bulgaria

The Bulgarian reception system has remained highly centralised in the last decade, with the Council of Ministers involved in the decision-making and the State Agency for Refugees controlling the implementation of reception policies. However, since 2013, the EU, IOs and CSOs have been providing funding, even for basic reception services, such as supplying food to asylum seekers hosted in reception centres. More recently, IOs and CSOs operate within reception centres to deliver legal, social and psychological assistance, and language courses for minors but their presence is not equally ensured in all reception centres. Finally, UNHCR and IOM provide financial and administrative support to the State Agency for Refugees and support the government in setting up new facilities, or areas within existing facilities, especially dedicated to vulnerable groups among asylum seekers. However, no formal consultation requirement with IOs, CSOs and the local level has been introduced formally since the crisis. In addition, interactions of civil society organisations with the government has been complicated by the continuous change of government in Bulgaria.

Finland

Even in a highly centralised system as the Finnish one, local authorities have played some significant role and triggered innovation. A case in point is the Nagu community, made up of 1,400 residents and part of the largest archipelago town in the world, Pargas. The very active involvement of the local community in the reception and integration of asylum seekers, with around 140 active volunteers which made up a large proportion of the adult population of the area, started to be called the "Nagu model" and has featured also in UNHCR reports.

The connection between the volunteers and the the local administration was helped by the direct contacts existing between the municipal workers and the local community in such a small community. The municipal coordinator for refugee affairs, though being tasked with resettled refugees, that are under the responsibility of Municipalities, and not with asylum seekers, that are under the responsibility of the central government, was able to maintain strong connections to the volunteers and civil society in general. As a consequence, the boundaries between the activities for asylum seekers, on one hand, and the resettled refugees, on the other, were blurred both in volunteers and municipality's activities.

Despite the welcoming environment, Local Red Cross, the Municipality and local volunteers supported the transfer of asylum seekers from Nagu to Pargas, the latter being less isolated than the first. However, the plan was withdrawn because of far-right anti-migrant protests and attacks to the building devoted to reception in Pargas. As a consequence, volunteers and various organisations in Nagu supported those asylum seekers that wanted to move into private accommodation by committing themselves to pay a monthly amount of money to the Finnish Red Cross District in order to rent apartments for those asylum seekers until they received a decision on their application. Since

this system was an unconventional arrangement, the Finnish Red Cross district was hesitant. However, the volunteers consulted lawyers and the arrangement finally worked. The case of Nagu can be regarded an innovation from below where the distinction between resettled refugees and asylum seekers as well as between reception and integration was blurred, and unconventional solutions were found by local volunteers supported by the Municipality.

Germany

The implementation of reception in Germany follows the subsidiarity principle, with the local actors, including counties, municipalities, CSOs and associations directly involved in the delivery of reception services. However, the high number of asylum seekers coming to Germany in 2015-2016 has brought local actors to mobilise and to partially reshape the governance of reception.

A particularly delicate issue that has prompted counties and municipalities in Germany to mobilise is the distribution of asylum seekers. In 2015, for example, in Saxony the counties organised a working group on asylum to coordinate among themselves but most importantly to increase their influence at the state level. This working group invited the participation of the Saxony Minister of the Interior, the Minister of Social Affairs and the State Directorate of Saxony and lamented the lack of preventive information regarding dates and numbers of asylum seekers' arrival on their territories. Some form of agreement was usually reached through this working group which is currently less active than in the first years of the crisis. Another way in which State and municipalities cooperate on the distribution of asylum seekers in Saxony is through the State Directorate staff and the staff of the county; in case agreement is not reached, the State Directorate decision prevail but, according to interviewees, usually the dialogue between State Directorate and municipal staff is fruitful.

Another form of mobilisation was promoted by municipalities such as Chemnitz and Aachen in the peak phase of asylum seekers' arrivals. In the case of Chemnitz, the mayor summoned a weekly meeting with local authorities involved in the reception process in order to accelerate decision-making on reception issues at the local level, by reducing bureaucratic hurdles and improving coordination. This meeting was called "Asylum" coordination and the municipality had staff allocated to this coordination which met every Monday and involved not only all the municipal services but also a Caritas member. In the case of Aachen the administration of the city established a cross-sectoral working group where representatives of different administration departments joined forces to expedite the decision-making process. Also this group is still operative and has been very important to find quick and suitable housing solutions for asylum seekers.

Coordination at the local level of CSOs and associations is mostly informal and ad hoc but it is important as there was a drastic increase of voluntary associations at the local level since the crisis.

Greece

Drastically since 2015, but more mildly even before that, international organisations and CSOs have been present in every step of the Greek reception system: from delivering first aid at the Northern land border and in the Aegean islands, to managing reception facilities for asylum seekers waiting for the completion of the application process, but also to providing medical care in pre-removal centres. Formally, in the absence of a well-managed and well-equipped system of reception, UNHCR and IOM have signed memoranda of cooperation with the central government to deliver reception services which have been in turn subcontracted to local and national implementing partners (i.e., CSOs) such as Solidarity Now, Praxis, Arsis, but also with international CSOs (e.g., Danish Refugee Council, Oxfam).

In practice, the Minister(s) or the Head of the Reception and Identification Centre or the General Secretariat of the Ministry of Migration Policy approach directly the heads of CSOs or IOs and ask for assistance.

Moreover, some municipalities and regions have become pioneers in Greece in their efforts to support specifically CSOs and IOs in the research of accommodation for asylum seekers and overall an integration-oriented approach to reception. Municipalities have formally no legal competence over reception, nor integration or any migration-related issue. This however has not prevented some municipalities (e.g., Athens) from supporting the delivery of reception-related services, exchanging views, problems and best practices with other cities, both in Greece and across Europe⁹. The reasons behind ad hoc municipal and regional mobilisation on reception issues are a combination between the need of the city to address asylum seekers' arrival and/or transit and the will of the Mayor and of the City Council¹⁰.

Another important entity for the provision of social services to asylum seekers and migrants alike are the municipal Migrant Integration Centres (KEM) which have been opened only very recently thanks to EU funding. Athens has been one of the pioneering cities which decided to engage in the reception of asylum seekers and to do so, in 2015, it created a Unit and a new position for Vice Mayor for Migrants, Refugees and Municipal Decentralisation which had to deal with the presence of 2,000 people camping in Victoria Square with no funding available and no form of coordination with other municipalities in the Attica region and with the Ministry of Migration Policy. This led to the signing of a renewable annual agreement with the Ministry of Migration to set up an open reception centre, closely monitored by the city and managed by the Ministry itself. In addition, the city created the Athens Coordination for Migrant and Refugee issues (ACCMR) which involves civil society actors locally active in reception and integration but also UNHCR and IOM, and, very importantly, a representative of the Ministry of Migration. The ACCMR convenes in working groups every month and consensus is reached via informal discussion among the participants. It is interesting to note that the Municipality of Athens engages with UNHCR also to lobby the Ministry on the role of municipalities in reception matters, since the UNHCR has had the role of bringing together municipalities, government and CSOs to coordinate operations in 2015-2016. Informal consultation fora between regional and local authorities and the government have been established also outside Athens, in Thessaloniki, with the support of EU funds (e.g., Refugee Assistance Collaboration Thessaloniki - REACT).

As for the role of regions in reception, the example of Central Macedonia is interesting since, even without formal competences on reception, nor authority in decision-making, this region has been involved in the management of the Idomeni camp¹¹ by sending tents and medical personnel. Since then, the Region of Central Macedonia has asked the Ministry of Migration for concrete competences with regard to the governance of reception and a new legislative framework for decision-making in the field. Even though the government has appeared to be positive in theory, the decision has still to be

⁹ Athens, for example, joined the Eurocities network to implement a mentoring project for asylum seekers but national networks, such as the Central Union of Municipalities of Greece, have been significantly less engaged in asylum-related activities.

¹⁰ For instance, post 2015, Thessaloniki became a transit (and smuggling) hub for migrants and asylum seekers on their way to the Western Balkan Route.

¹¹ After the closure of the Western Balkan Route, 60% of asylum seekers and refugees present in Greece were stuck in the Region of Central Macedonia.

passed since some reluctance remains in practice to delegate competences to regional and local authorities.

Italy

Since 2011 the reception system's expansion has been more rapid than its regulation leaving a significant room for policy agency. The two local cases investigated, namely Turin in Piedmont region and Vicenza in Veneto region, are clear examples of that.

In Piedmont, while at first several CAS were opened without the consent (or even the awareness) of Municipalities, mayors became increasingly weary of the phenomenon and started to either oppose strenuously or find alternatives to the proliferation of CAS facilities on their territories. In some cases innovative protocols were signed between the Prefecture of Turin and groups of Municipalities: Municipalities, in exchange of their consent to host a certain amount of asylum seekers, were entrusted by the Prefecture with the tasks of setting up and managing CAS.

The Municipality of Turin has gone far beyond what foreseen by the law in terms of governance of reception. The Roundtable on Asylum, summoned at the city level once a month since the years 2000s and then formalised in 2011 by the Municipality of Turin, has the goal of coordinating not only the work of CSOs managing SPRAR centres in the Province of Turin, but also the work of those involved in the delivery of integration services to asylum seekers and refugees. The Roundtable has then become a channel through which CSOs can share their main problems and requests with local authorities.

The region of Veneto, on the contrary, represents a case where policy agency was played to undermine the reception system as conceived by national laws. The regional and local governments, which share for the most part the same anti-immigration political orientation, seem to have established a common front by stepping away from the governance of reception. Local political parties in Veneto have either publicly expressed their anti-immigrant position and strongly opposed the establishment of CAS on their territory (the League and other minor far right parties, but also centre-right parties like *Forza Italia*, and in part the Five Stars Movement) or have remained silent and for the most part have backed out of the governance of reception, because they feared losing electoral consensus (Democratic Party and centre-left administrations). The consequence of this widespread attitude was the concentration of migrants in the few municipalities where abandoned military bases were transformed by the Prefectures into large reception centres or regional hubs.

Luxembourg

Since the Luxembourgish reception system is very centralised, after 2015 some frictions between the government and some local administrations and communities have arisen and hampered the implementation of government's policies. For example, only one out of the four container villages that were initially planned for hosting asylum seekers was opened in Diekirch, as a consequence of the successful appeals that groups of citizens in the other towns of Junglister, Mamer and Steinfort lodged before the First Instance Administrative Court to impede government's land-use plans (plans d'occupation du sol - POS).

This kind of troubles has probably led OLAI to recently change its approach, as observed by several interviewees, and adopt a more proactive communication strategy towards local communities before the setting up of reception facilities.

Spain

Given that Spain is probably the case study where reception is most centralised, the relevant mobilisation of local authorities appears particularly significant: since 2015 regional and local administrations have mobilised despite not having any formal competence in asylum seekers reception. This mobilisation has occurred on three different levels, i.e. practically through the development of local reception systems, politically through the claim for strengthening the multilevel governance of reception with a greater role of municipalities, legally through a judicial appeal against the distribution of competences among the different levels of government.

As for the *practical level*, in 2015 many Autonomous Communities and municipal councils got prepared for the arrival of those who had to be relocated from Italy and Greece by voluntarily developing Refugee City Plans and providing resources from the City Councils. Yet, two years later, the Spanish government had received only 16% of the quota agreed in September 2015. Facilities set up by local authorities for those who had to arrive have then been adapted for those who are out of the state reception system without having a proper accommodation. Indeed, the restrictive criteria to enter and stay in the state reception system introduced by the central government in 2015 have pushed local and regional administrations, along with non-governmental and civil society organisations, to develop local reception programmes aimed at answering the needs of those people who cannot enter, fall out of, or are forced to leave the state reception system before they are able to live by their own, thus complementing the state reception system. This has been done with local administrations' own resources.

As for the *political mobilisation*, the City of Barcelona and its Mayor Ada Colau have been the central and leading actor denouncing the Spanish government for its little commitment on asylum (including relocation), for the low transparency in the management of EU funds, and for the lack of involvement and funding for local administrations. In early 2017, given that the Spanish government had fulfilled less than 5% of its relocation quota, Catalan civil society initiated the "Casa nostra, casa vostra" campaign with the involvement of outstanding personalities and civil organisations. Also the Catalan government and the Barcelona city Council actively participated in this campaign - although this cannot be disentangled from the political conflict over Catalonia's right to self-determination.

Said that, Barcelona's strategy has mainly passed through the international arena and Colau's appeals have been mainly directed to other European cities and the EU. Specifically, Barcelona has asked the European Union to strengthen multilevel governance on asylum, to support city-to-city relocation programmes and to rechannel EU funds directly to those cities available to host relocated asylum seekers.

As for the relations with other cities, the attempt to set up a network of refugee cities failed after Paris, which was among the main promoters, stepped back after the November 2015 terroristic attacks. Barcelona then opted for bilateral agreements and alliance with other European cities (Munich, Lampedusa, Athens, etc) and for working within the already existing networks of cities.

Finally, the political tensions between the local and central governments on reception has undergone a judicial track: in April 2016 the Catalan government brought the Spanish government to Courts alleging that "social services and assistance" aimed at the immigrant population, including asylum seekers, were the competence of autonomous communities. In January 2018, the Spanish High Court of Justice ruled in favour of the Catalan government. In October 2018 the Supreme Court rejected the

Spanish government's last appeal. This decision, which has not produced concrete consequences yet, should impact on the distribution of economic resources and competences between the central and local governments.

5. Policy outcomes. The challenge of policy convergence

It is difficult to define a clear trend in the target countries. It can be said, however, that the increasing number and diversity of CSOs involved in the management of reception facilities has increased the heterogeneity in Italy, Spain, Finland, Luxembourg and Greece.

Also the setting up of emergency reception solutions by the central government in a very short time brought to a higher diversity of quality of standard of reception, even concerning the type of buildings. The same is true also for Bulgaria and Germany.

Everywhere, however, we observe efforts by central governments to better regulate reception and, with the exception of Germany, define its standards in order to increase homogeneity throughout the country, or at least counter the increasing heterogeneity. Indeed, in Germany, the federal system favours local heterogeneity in reception solutions, even if always considering the lower threshold posed by the minimum standards of reception.

It remains to be noticed that some of these countries, like Bulgaria, Greece and in few cases also Italy, have been either accused or condemned (i.e., *M.S.S. vs Greece and Belgium*, European Court of Human Rights) during the first years of the crisis for the inhuman and degrading conditions faced by the asylum seekers in their reception facilities. Since then, significant changes in the reception system seem to have improved the situation at least in some of the reception centres/camps/facilities which have been under harsh criticism both nationally and internationally. However, it is not possible to claim that this shameful situation is a form of convergence, but rather an unavoidable approximation to the minimum standards of asylum seekers' reception.

Bulgaria

The reception system in Bulgaria is overall highly homogeneous in terms of reception conditions and availability of reception services due to the centralisation of the governance of reception. However, some degree of heterogeneity has been introduced since the "refugee crisis" in some (but not all) reception centres due to, first of all, the involvement of international organisations, such as IOM and UNHCR, and CSOs in the delivery of reception-related services and, secondly, the allocation of funds for specific projects. Still, interviewees believe that reception conditions are currently fairly homogeneous and that asylum seekers' attempts at moving from Harmanly reception centre to Sofia's centre is motivated by the opportunities offered by the capital city (also in terms of smuggling) and not by the poorer reception conditions of the Harmanly centre compared to Sofia's. Yet, in 2013 an NGO, namely the Bulgarian Helsinki Committee, accused the State Agency for Refugees for the extremely poor conditions of the reception centres and for violations of human rights therein.

Finland

The increasing centralisation of the governance of reception in the hands of the Finnish Immigration Service has undoubtedly fostered convergence in asylum seeker reception.

However, the “refugee crisis” pushed in the opposite direction. The growth of asylum seekers in 2015 and the consequent increase of the number of centres and of the organisations running those centres fostered internal heterogeneity. Moreover, although the procedures are highly formalized in Finland, in 2015, as a consequence of the high inflows, practical decisions were made in a short time by very few persons so that some buildings for asylum seeker reception were rented without checking them in advance with negative impact on their quality and on the homogeneity of standards across the country.

Germany

In Germany the responsibility in reception policies is of the federal states. As a consequence, heterogeneity among states depends considerably on the institutional design. Also the political inclination of state governments and the coalition configurations impact reception. Moreover, the involvement of local authorities also plays a role in the success of the implementation of reception policies: the more the local government feels responsible, the smoother the reception process also due to the increased participation of civil society actors. However, heterogeneity on reception services for asylum seekers based on nationality, gender and household size has developed also due to the pressure exercised by the refugee crisis: single males have been increasingly placed in collective reception centres while families are hosted in decentralised housing. Finally, there is no federal monitoring system and no formal mechanism of “best practices” information sharing; states may decide to monitor the quality of reception standards but it is completely discretionary. This enables further divergence also within states and not only among states.

Greece

Heterogeneity in the Greek reception system depends mainly on the different reception structures, funding schemes and managing authorities. In addition, currently there are numerous ad hoc implementing agreements and operating principles depending on reception facilities, not to mention a still limited reception capacity (prioritisation of accommodation requests based on vulnerability). Also monitoring of the reception conditions is highly fragmented, with the Greek government remaining mostly absent. The only centralised monitoring is carried out in hotspots by the Reception and Identification Service, even though CSOs report extremely low standards of reception services provided. Some convergence is however to be evidenced in hotspot areas since the entry into force of the hotspot approach and the EU-Turkey Statement; these resulted in a geographical division of Greece, namely between the Aegean islands and the mainland, impacting both asylum procedures – i.e., from access to how the asylum application is processed – and reception conditions.

Italy

The question whether the reception system has become more or less homogenous over time was answered in different ways by interviewees; generally, the answer depended on the time span considered. On the one hand, compared to the situation before the 2011 North Africa Emergency, when the SPRAR largely prevailed, the reception system has become much more heterogeneous since other types of governmental reception facilities have been set up alongside the SPRAR – with CAS playing a major role. On the other hand, since 2014 the reception system has gradually become more homogenous since the governmental reception centres have been increasingly regulated and monitored.

Despite these efforts towards convergence, the political positions, the degree of efficiency of the actors involved in reception (especially Regions, Municipalities and Prefectures) and their level of collaboration have strongly affected the functioning of the reception system, hindering attempts to foster convergence.

A final factor pushing heterogeneity of the Italian reception system has been the increasingly diverse nature of the organisations managing the reception facilities. Many (profit and non-profit) organisations running CAS lack both the skills and resources to provide adequate services, and in the worst cases, they also lack the willingness. This diversity has become so detrimental that Caritas and ARCI asked repeatedly (and unsuccessfully) the government to increase selection standards and accountability of the organisations managing reception centres.

Said that, according to the local actors interviewed in Turin and Treviso, in the last years the local reception system has gradually been evolving towards increased homogeneity, at least within those two provinces. This process has been encouraged by the numerous opportunities of dialogue and exchange which have allowed service providers to improve their skills, elaborate common good practices, and improve cooperation with Prefectures. The reform introduced by Legislative Decree 113/2018 is regarded by interviewees as an abrupt interruption of this gradual process and questions the outcomes achieved so far.

Luxembourg

The main source of heterogeneity in the Luxembourgish reception system is the coexistence of two different models, i.e. facilities *avec encadrement* (facilities with a daily presence of staff on site) run by Caritas or Croix-Rouge Luxembourgeoise, and facilities *sans encadrement* (facilities without a daily presence of staff on site) run directly by OLAI. The end of OLAI's dominant position (since 2009 the share of reception facilities run by OLAI directly has dropped from 80% to 40% of the capacity) has contributed to increase the heterogeneity of the reception system.

Moreover, the pressure to meet the reception needs in 2015 led state actors to take any facility available in order not to leave people on the streets increasing the heterogeneity in terms of quality of buildings. With the decline of pressure, state representatives are implementing an overall process of renovation to cope with this issue.

Spain

Given the highly centralised nature of the reception system, internal heterogeneity appears rather limited in Spain. Furthermore, the conditions of the reception programme are defined by a Management Handbook (*Manual de Gestión*) issued and updated by the Ministry of Employment and Social Security on a regular basis. This seems to foster the homogeneity of practices.

Since 2015, the growth in the number of CSOs managing reception facilities has increased heterogeneity, especially considering poorly coordinated outsourcing of reception services and the fact that each organisation signs its own agreements with the government and has its own way of implementing services. Moreover, the development of parallel reception facilities by local authorities has further contributed to increase heterogeneity for those outside of the state reception system.

6. Conclusions. Making sense of the (lack of effective) MLG policy arrangements

As stated in the introductory section, this report has analysed the multilevel governance of asylum seekers reception at **two different levels**: 1) the level of national decision-making regarding recent reforms of asylum seekers' reception policies; 2) the level of national and local implementation of reception policies as outlined by current laws and regulations. At both levels, a multiplicity of multilevel policymaking relations has been detected, connecting not only authorities at different levels of government, but also public and non-public actors, especially as far as the delivery of reception services is concerned. Yet, these dynamics have often been top-down and conflictual. Similarly to other areas of asylum policy, also reception emerges as a highly centralised issue. It follows that MLG-like policymaking arrangements are few and their impact quite limited. In the lack of effective modes of MLG coordination, national reception systems show a high level of internal heterogeneity in terms of modes of organisation as well as type and quality of the services delivered. Convergence is achieved significantly less at the national level than at the local level, where local authorities and non-public actors interact horizontally to find standard solutions when faced with the problem pressure in the reception policy field.

MLG and policy change

The empirical results show that whereas some national systems have undergone dramatic institutional changes in the last decade, others have changed much less if at all. More specifically, countries like Germany, Finland and Luxembourg, that had already in place a highly structured asylum seekers' reception system, did not introduce major reforms, but rather approved laws that adjusted specific aspects of existing reception policies. In the case of Germany for instance, revisions of the reception system have regarded the redistribution of asylum seekers over the territory and funding. On the other hand, in Italy and Greece where the reception system was less developed, major reforms leading to a greater structuration and institutionalisation of reception policies were introduced; elsewhere (Bulgaria, Spain) not much changed.

In explaining policy change (or lack of it), we have considered four main factors: a) the problem pressure, intended as the sense of urgency generated by the refugee crisis; b) the transposition of the recast Reception Directive (2013/33/EU); c) the influence of other EU policies; d) political factors, regarding more specifically changes in the national governmental majorities.

The **problem pressure** appears as a main trigger of policy change. Emergency plans have been adopted in Italy in 2011 (North Africa Emergency), in 2013 in Bulgaria and in 2015 in Finland, Germany, Greece and Luxembourg. In Italy and Luxembourg, emergency measures have led to permanent changes in the reception system, by reshaping the stages/levels of reception. In Greece, and to some extent also in Bulgaria, the "migration crisis" resulted in the heavy reliance on external funding and on the engagement of IOs and CSOs' in the provision of services. In Germany, a high number of regulations were passed to clarify the division of competences on reception among the different governance levels.

On the other hand, the reception of the recast **EU Reception Directive** seems to have had a limited impact. In Luxembourg and Finland, it did not bring about relevant changes since the reception systems of these countries were already in line with the requirements stipulated by the directive. This was also the case of Germany, whose reception system had been a sort of blueprint for the EU Reception Directive. In Bulgaria, the overall harmonisation to EU standards was a condition for the accession to

the EU in 2007; the transposition in 2015 of the EU Recast Reception Directive brought about mainly formal changes to the system. In Italy the transposition of the Directive represented a “window of opportunity” to institutionalise changes that had already been introduced through various legislative and administrative acts. In Greece the Reception Directives have been transposed with significant delays but seem to have pushed the Greek state to formally restructure the governance structure of reception, even if without pushing also for the harmonisation of reception conditions in practice, while in Spain the directives have almost been ignored. **Other EU policies** seem to have had a greater impact. In Italy the “European Agenda on Migration” led to the introduction of hotspots and to a profound revision of disembarkation procedures; in Greece, first the 2011 *M.S.S. v. Belgium and Greece* case (ECtHR, 2011) focused the international attention on reception conditions thus creating a strong role for IOs and CSOs, then, in 2016, the EU-Turkey Statement created a limbo situation for asylum seekers located in the Aegean Islands both in terms of procedures and reception conditions, by imposing a ‘geographical restriction’ rule.

Going more in-depth in the analysis of policy-making processes, **politics** seems to have played some role. In particular, the electoral victories of anti-immigrant parties and the emerging of governmental coalitions with these parties in Finland and in Italy seem to have led to more restrictive reception policies, even though in the case of Italy this restrictive trend had already started during the previous centre-left government. In Spain, the conflicts over reception between Barcelona and the Autonomous Community of Catalonia, on the one hand, and the central government, on the other hand, cannot be disentangled from the political conflict over Catalonia’s independence. In Germany the ‘Grand Coalition’ lost absolute majority in 2017 in the Bundestag and became even weaker in the Bundesrat.

In general though, in the context of the “refugee crisis” **policymaking** on asylum seekers reception became more centralised, leading in most countries to a deterioration of the relations between the central government and local authorities. This happened in Italy, Greece, Finland and Luxembourg, where special plans were put in place and central governments set up reception facilities without consulting local authorities. In Spain’s very highly centralised reception system, similar conflicts between levels of government occurred and led, at least potentially, to a greater decentralisation after the Madrid High Court of Justice’s and the Supreme Court’s sentences on the competences of the autonomous communities. In Bulgaria the system has always remained highly centralised and consensus building with local actors on reception issues seemingly has never been a priority for any Bulgarian government. In Germany, while discontent has emerged among states’ and local authorities mainly on matters of funding, the established practices of multi-level decision making have generally continued to function, even though these have been limited to public actors.

Hence, the empirical evidences show a lack of MLG policymaking arrangements in the processes of national decision-making that have underpinned the years of the refugee crisis. In a context of stress, the development and institutionalisation of the CEAS has been driven primarily by member states’ central governments. This does not mean though that there have not been multilevel policymaking dynamics around matters of asylum seekers’ reception, yet these have been primarily of a conflictual kind. As a result, local and/or regional authorities have played only a secondary, if not in some cases, negligible role in the making of asylum seekers’ reception policies. Even more negligible seems to have been the role of CSOs and CSOs.

MLG in the implementation of reception policies

Notwithstanding this marginal relevance of MLG policy arrangements in the making of recent reception policies, one might still expect some MLG in the everyday functioning and implementation of national reception systems. Cooperation and coordination among different, public and non-public, actors have increased due to the complexity of reception policies and their overlap with other issues, especially in the field of social policy.

According to an institutionalist perspective, the necessity to cooperate is likely to emerge more prominently in federalist/regionalist state structures, where smooth implementation will depend on coordination among actors operating at different territorial scales (H1 - prevalence of institutional factors). Our findings confirm such an hypothesis to a very limited extent.

On the one hand, the **centralized countries** analysed in this report, i.e. **Finland, Luxemburg, Bulgaria and Greece**, have indeed highly centralized asylum seekers' reception systems, where local authorities and non-public actors have always played a minor role in everyday decisions. However, at an informal level, in Finland decisions on the location of reception centres used to be carried out after consultation with local authorities, a practice which was abandoned though in the midst of the refugee crisis; in Greece, on the contrary, the refugee crisis seems to have led to a more intense, yet still informal and non-binding, collaboration between the national government, local authorities, international organisations and CSOs. Some informal collaboration with the main CSOs is also reported in the case of Luxemburg.

On the other hand, with respect to the **federalist and regionalist countries** in our sample, i.e. **Spain, Italy and Germany**, evidence is contradictory. Spain in particular is an instance of a highly centralised reception system, where local authorities have no say in the day-by-day functioning of the system. This seems to have led to a high level of conflictual multilevel policymaking interaction: in 2016, the Autonomous Community of Catalunya brought the national government to Court alleging that "social services and assistance" aimed at the immigrant population, including asylum seekers, were the competence of the autonomous communities, while in 2015 the city of Barcelona went to the international arena to claim local authorities' involvement in Spanish and European asylum reception.

Italy on the other hand, seems to have been more moderately oriented towards MLG, since three coordination systems are in principle in place: 1) the SPRAR system, which is under the authority of the Ministry of Interior in coordination with other actors at the supra-national and local level, i.e., UNHCR and ANCI (National Association of Italian Municipalities). Furthermore, this system is based on the horizontal network established at a local level between local authorities and CSOs. 2) The Regional Coordinating Groups on Asylum, dealing primarily with CAS, headed by the Prefects of each Region capital city and gathering together all the Prefectures of the region, representatives of the Regional authority, of ANCI's regional branch and in some cases informally also of CSOs. 3) The National Coordinating Group on Asylum, headed by the Ministry of the Interior (Department of Civil Liberties and Immigration), and including representatives of national, regional and local authorities, UNHCR and CSOs (Caritas and ARCI), which has de facto attempted to coordinate the CAS and SPRAR systems. However, the latter two in particular are essentially consultative institutions, whose relevance largely depends on key actors' willingness, and therefore it has varied over time and across the country.

As regards Germany, the reception system is essentially based on a separation of competences which has been increasingly clarified between 2013 and 2019. The two most significant changes regarded the shift of competences in terms of the distribution quotas of asylum seekers from the Bundesrat to the federal government and the increased responsibility of the federal level to fund reception facilities at

state and local level. The states are responsible for implementation, since they have direct responsibility for the management of initial reception facilities, while accommodation of asylum seekers and refugees after the initial period is managed by municipalities, as foreseen by the subsidiarity principle. It is therefore essentially at local level that coordination takes place, yet it does not seem to involve state or federal authorities.

Hence, our results seem to be more in line with H2 (prevalence of operational factors), according to which independently of the state structure, MLG arrangements will develop from below – from the agency of local level authorities and non-public actors – to better address particularly complicate issues which require the coordination among many stakeholders. Cases of coordination from below have been pointed out not only in the case of Greece already mentioned above, but also in that of Spain, Italy and Finland. It has to be pointed out though that these bottom-up coordination structures have usually remained quite limited over specific territories (Barcelona and Madrid in Spain, Turin in Italy, Nagu in Finland, Athens in Greece) and have assumed primarily a horizontal structure, linking together local/regional authorities with CSOs and CSOs, and only indirectly national governmental institutions like the Prefectures in the case of Turin, Italy and the Ministry of Migration in the case of Athens, Greece. This horizontal model seems to be of a key relevance in Germany, as exemplified by the cases of Aachen and Chemnitz, consistently with the subsidiarity principle which underlies the German system more generally.

Policy convergence or divergence?

It is difficult to identify a clear trend towards convergence and increasing homogeneity in the reception services of the seven analysed countries. First of all, in all the considered countries, including the highly centralised ones such as Finland, Luxemburg and Bulgaria, the setting up of emergency reception solutions by the central government in a very short time span brought about a higher diversity in type of services provided, e.g. type of buildings, and in their quality. Secondly, always due to emergency, the increasing number and diversity of CSOs involved in the management of reception facilities has again increased the heterogeneity of reception services. Last but not least, EU funds had an important role in increasing heterogeneity, especially in Greece, considering the multiplicity and variety of projects and objectives funded.

Given the scarce relevance of MLG policymaking arrangements, and their highly localised nature (H2 - prevalence of operational factors), actual coordination, especially of a horizontal kind, seems more a source of heterogeneity rather than of convergence at the national level, which would require stronger coordination also on the vertical dimension.

Everywhere, with the exception of the German federal system¹², we observe efforts by the central governments to better regulate reception and to define clearer standards in order to increase homogeneity throughout the countries' territories, or at least contrast increasing heterogeneity. Yet, those efforts have been hampered by the pressure of problems. Overall, convergence seems difficult to achieve and when it is achieved, particularly at the local level, it is rather pursued through horizontal coordination than through the enforcing of stricter rules. Horizontal networks bringing together representatives of the municipalities with CSOs, CSOs and sometimes representatives of national

¹² Indeed, in Germany, the federal system favours local heterogeneity in the reception system, even if always in the respect of the minimum standards established by national and EU laws.

institutions like in Italy and Greece, have led to the emerging of what we can call “islands of convergence”, which tough remain limited to specific territorial areas.

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