Chasing Efficiency: Can operational changes fix European asylum systems?

Anticipated reform of the Common European Asylum System (CEAS), which was high on the agenda as nearly 2 million asylum seekers arrived at Europe's door in 2015-16, quickly fell victim to EU Member State competing views on what constitutes equal burden-sharing, domestic politics around migration and the urgency of first addressing overtaxed national asylum systems. Several years on, with new EU leadership having assumed office in late 2019 and European Commission President Ursula von der Leyen having tasked her team with the design of a new pact on migration and asylum, Brussels is hungry for fresh ideas that will either revive or reform the CEAS. And the urgency of doing so has been made all the more apparent in recent days, as Turkey’s government began allowing Syrian refugees to head for the Greek border, calling into question the future of the fragile EU-Turkey agreement.
While asylum reforms stalled at the EU level, the period since the migration and refugee crisis has been one of extensive creativity and experimentation at the national level, as a new report commissioned by the Bertelsmann Stiftung and authored by Migration Policy Institute Europe Director Hanne Beirens documents, assessing the effectiveness of these approaches and the policy tradeoffs they require.

In Chasing Efficiency: Can operational changes fix European asylum systems?, Beirens examines how in the face of vast pressures on their asylum processing and reception operations, Member States adopted a range of instruments to address long-standing structural weaknesses to their asylum systems. In the end, she writes, it is this focus on nuts-and-bolts operational fixes at all stages of the asylum process that cumulatively tallied up to partial or even complete overhaul of individual national systems—a development EU policymakers should take into account with CEAS reform.

The report sheds light on a number of innovative approaches taken at national levels. These include the adoption by Germany and France of ‘first arrival centres’ to swiftly register and secure accommodation for newcomers, the piloting and implementation of ‘processing centers’ in Switzerland to bring all stakeholders involved in the asylum procedure under one roof and speed up decision-making while guaranteeing free legal assistance, and the Dutch and Swedish triage or ‘track systems’ to match asylum procedures to the incoming caseload. Finally, to secure a higher return rate of those without protection needs, Norway invested in quicker identification of newcomers, benefitting both the quality and speed with which asylum and return procedures can be conducted. Belgium now experiments with return counselling of asylum seekers who, at the registration phase, are deemed to be without protection needs.

‘There is a wealth of lessons to be learnt from Member States’ recent experiences and experiments with the registration and reception of asylum seekers, the processing of their protection claims and the return of those whose claims have been rejected,’ Beirens writes. ‘These lessons can help inform assessments of the viability of past, present and future proposals for a joint EU initiative to ensure effective management of third-country nationals who enter the bloc irregularly and safeguard the right to asylum.’

Still, the report injects a cautionary element, noting that while the makeup of asylum systems has evolved significantly since 2015-2016, ‘in 2020, the
deficiencies of asylum systems across Europe are still plentiful.’

The report, which concludes the ‘Making Asylum Systems Work in Europe’ initiative led by MPI Europe and the Bertelsmann Stiftung, makes the case that CEAS reform can no longer be the sole domain of lawmakers. Instead, policymakers must understand the importance of the operational adjustments and tools that have driven the national-level improvements to European asylum systems. ‘The era of using (purely) legislative reform to attempt to fix European asylum systems and preserve the integrity of protection regimes has come to an end; the future lies with policy-making approaches, such as a strategic roadmap, that mobilise the full set of tools available,’ the report argues.

The Making Asylum Systems Work in Europe initiative was led by MPI Europe and the Bertelsmann Stiftung, in cooperation with the Calouste Gulbenkian Foundation in Portugal, the Swedish Migration Studies Delegation, the International Centre for Migration Policy Development based in Vienna and the Institute of Public Affairs in Poland. The initiative, which features a pair of overarching reports and several country case studies that will be released this year, aims to contribute to the capacity building of national asylum systems so they can function more effectively and to discussions about future EU-level reforms.

‘Particularly groundbreaking have been reforms that achieved effectiveness by combining efficiency with fairness, such as the acceleration of asylum procedures combined with free legal aid in Switzerland,’ emphasizes Mehrdad Mehregani, responsible for the initiative at the Bertelsmann Stiftung.


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