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Gauging the responsibility assumed by national governments in receiving asylum seekers: An overlooked cornerstone of the EU asylum policy

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Abstract

The unequal sharing of responsibilities across countries regarding displaced persons remains an extremely sensitive political issue pending resolution within the EU. The issue of how to measure countries' responsibility for asylum poses even further challenges, as it is essential to have a good understanding of the extent of the problem in order to avoid the disclosure of erroneous information. In this paper, we stress that conventional statistics on relative asylum responsibility based on the number of registered asylum applications can be misleading. It, therefore, calls for the development of a comprehensive and harmonised set of data on asylum-related fiscal costs so that researchers and institutions can properly assess the balance of effort between the EU countries.

Keywords: *Asylum applications; asylum responsibility; European Union; fiscal costs; refugee crisis*

> "A man who uses an imaginary map thinking that it is a true one, is likely to be worse off than someone with no map at all."
> – E.F. Schumacher "Small is Beautiful", 1973.

Introduction

The European Union (EU) institutions are called to advocate for the principle of solidarity and fair sharing of asylum responsibility (also referred to as 'asylum burden')[3] enshrined in Article 80 of the Treaty on the Functioning of the European Union (TFEU). Accordingly, Member States must contribute to human protection and economic assistance during the decision-making process that determines whether asylum seekers are granted the refugee status or not. To guarantee compliance with that principle, the Common European Asylum System (CEAS) sets forth common minimum standards for the qualification of third-country nationals as eligible for international protection, for reception conditions for asylum seekers (access to housing, food, clothing, health care, education for minors, employment), as well as on procedures for granting and withdrawing international protection (Qualifications Directive 2011/95/EU, Reception Conditions Directive 2013/33/EU, Asylum Procedures Directive 2013/32/EU).

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[3] Although often used interchangeably, here we opt to use the term asylum responsibility as it conveys a more positive view of asylum management as a shared moral duty among the EU countries than asylum burden does.

However, for several reasons, such as the wide margin of discretion that EU countries enjoy as to comply with the above-mentioned Directives, the undesirable effects that the Dublin Regulation has on external border countries' responsibility, as well as the lack of solidarity between Member States in the governance of the refugee crisis, the EU has not succeeded in resolving the long-standing problem of the unequal allocation of asylum responsibilities across countries (Hernes, 2018; Thielemann and Dewan, 2006). The political rise of anti-immigration parties during the peak of the recent refugee crisis has added further fuel to the EU responsibility-sharing debate (Bracco et al., 2018; Murray and Longo, 2018), as making more complex, still, to reach an agreement on a permanent relocation mechanism to relieve pressure on countries shouldering a disproportionate responsibility during periods of exceptional migratory pressure. As if this were not enough, the severity of the recent COVID-19 crisis makes it very likely that the responsibility-sharing issue will end up becoming secondary on the EU's political agenda. This would be very dangerous, as we should not go backwards but rather take up the issue again and move the debate forward.

One key challenge that is closely bound up with the aforementioned responsibility-sharing debate is the current lack of an accurate measure of asylum responsibility that allows us to understand the real extent of the asylum responsibility-sharing problem within the EU. The root of the concern lies in data collection. Already in 2002, the United Nations High Commissioner for Refugees recognised the difficulty of having a reliable measure for asylum responsibility, since the key indicator, namely public expending on asylum, is not only missing in official statistics but also extraordinarily complex to compute. Since then, and likely because of that, there has repeatedly been an evasive approach to the issue. In practice, the lack of official statistics on asylum-related costs has forced researchers to systematically resort to data on asylum applications as the lesser-evil solution when measuring countries' refugee responsibility. Indeed, the number of asylum applications registered by host countries has been and remains the primary way in which the EU and the literature measure countries' asylum responsibility.

The main pitfall arising from the use of an application-based measure as a proxy of asylum responsibility is that the researcher is implicitly assuming that the fiscal cost whilst an asylum seeker awaits a decision regarding the asylum application is the same across countries or, if anything, hardly varies from one country to another. Needless to say, this assumption is untenable in the EU, as exemplified by Thielemann et al. (2010: 18)'s pioneering and illuminating research when stating that 'some countries face disproportionately high asylum costs, with the share of asylum spending in relation to GDP being 1,000 times higher in some Member States (e.g. Malta) than other (e.g. Portugal) in 2007'.

Somewhat related to this point, the IMF recently published –to address the macroeconomic impact of the influx of asylum seekers within Europe– tentative estimates of the total fiscal cost of asylum seekers over the period 2014-16 (IMF, 2016). The lack of continuity of the statistic over time, the small sample of countries considered and, probably most importantly, the insufficient detail provided about the items included in the calculation of fiscal costs, do not make it a viable alternative to the traditional applicant-based measure. Nevertheless, in our opinion, such estimates can be considered a good basis to build upon and, especially for the discussion at hand, a good yardstick for gauging the deficiencies of the traditional asylum responsibility measure.

Accordingly, taking IMF (2016) estimates as a benchmark, in the next section we provide additional discussion about the deficiencies of an application-based measure to address the real responsibility borne by countries on asylum issues, and outline some of the main cornerstones underpinning the estimation of a harmonised fiscal cost-based measure in the future.

Measuring asylum responsibility: Asylum applications versus fiscal costs

The purpose of this section is to discuss the differences between the standard asylum responsibility measure, based on the number of asylum applications, and an approximate measure based on fiscal costs. To this end, we will compute the first one and take, for the second, data offered by the IMF. For the sake of comparison between countries, both measures are adjusted by some country-specific economic or social capacity factor, obtaining thus an indicator of 'relative' asylum responsibility. In particular, we will resort to the most common criteria, namely population and GDP.[4]

Our period of study will run from 2011 to 2016, as these are the years in which the Syrian refugee crisis, a recent episode of distress, can be dated. Indeed, the unprecedented refugee crisis coinciding with the start of the Syrian civil war in 2011 exacerbated longstanding problems in EU immigration policy, such as the large number of people entering the EU irregularly, their unequal spatial distribution across countries and, perhaps more worrying, the inability of the Member States to design a well-functioning and fair asylum system, just to mention a few of them. After dealing with this sample period regarding the standard measure, the comparison between it and the one based on fiscal costs, for reasons mentioned below, will refer only to the year 2015.

Thus, starting with the standard measure based on the number of applicants with respect to population and/or GDP, we can see (Table 1) that 309,045 asylum seekers lodged an application for international protection in the EU-28 in 2011, reaching the relative asylum responsibility assumed by the EU-28 a value of 615.5 (using population as a factor of absorption capacity) and of 0.023 (using GDP). After moderate increases from 2011 all through to 2013, measures of both absolute and relative asylum responsibility experienced an impressive growth until 2015. The last year will be remembered as one in which the refugee crisis reached its highest peak with asylum applications increasing dramatically, and as a year that brought to light strong discrepancies within the EU over how to relieve pressure on countries shouldering a disproportionate asylum responsibility. In 2016, nevertheless, both absolute and relative figures diminished a little bit due to the signing of the EU-Turkey return agreement, the re-introduction of intra-Schengen border controls by some European countries and the closure of the Balkan route.

No less relevant are the chronic inequalities in the distribution of relative asylum responsibility. Taking the standard measure based on asylum application rates in both million inhabitants and GDP, we can observe in Table 2 that, regarless of the measure used, the levels of dispersion within the EU-28 were critically high. The long distance, year by year, between minimum and maximum levels of relative asylum responsibility is absolutely illuminating. Besides, the large gap between the 90th and 10th percentiles over 2011-2016 provides

4 For a further discussion about how to appropriately measure countries' absorption capacity, see, for instance, Angeloni (2019), Czaika (2003), Thielemann et al. (2010) and Toshkov and De Haan (2013).

supportive evidence of extremely high levels of dispersion, reaching in both cases its maximum during the most difficult and critical year of the refugee crisis, almost twice as high as at the start of the refugee crisis in 2011.

Table 1. Asylum application rates in the EU-28

	2011	2012	2013	2014	2015	2016
Applications	309,045	335,290	431,100	626,965	1,322,850	1,260,920
Rate (per million inhabitants)	615.5	666.3	853.4	1,236.0	2,601.4	2,471.5
Rate (per million GDP (euros) in PPS)	0.023	0.025	0.032	0.044	0.089	0.084

Source: Own elaboration based on EUROSTAT data.

Table 2. Dispersion in relative asylum responsibility within the EU-28

	2011	2012	2013	2014	2015	2016
			Per million inhabitants			
Min.	26.0	28.0	47.7	42.2	49.7	26.7
	Portugal	Portugal	Portugal	Portugal	Croatia	Slovakia
Max.	4,554.3	4,981.5	5,679.2	8,417.4	17,973.1	9,067.9
	Malta	Malta	Sweden	Sweden	Hungary	Germany
$P90/P10$	48.0	55.2	27.3	32.7	90.9	32.1
$CV*$	1.433	1.456	1.311	1.277	1.469	1.136
Min.	0.000	0.000	0.002	0.002	0.003	0.001
	Croatia	Croatia	Portugal	Portugal	Slovakia	Slovakia
Max.	0.210	0.223	0.231	0.241	0.898	0.250
	Malta	Malta	Malta	Sweden	Hungary	Germany
$P90/P10$	29.5	29.3	23.0	25.2	57.9	28.1
$CV*$	1.394	1.418	1.308	1.248	1.685	1.139

Notes: Data for Croatia are only available since 2013 onwards. * Coefficient of Variation.
Source: Own elaboration based on EUROSTAT data.

If we go beyond global figures and we direct our attention to country-level figures (Table 3), some countries catch our attention more than others do. Taking the remarkable year 2015 as an example, Greece and Italy are appealing cases. As we all know, these two countries were among the most exposed during the refugee crisis and by far the two most covered by the media. Figures included in Table 3 convey, however, an unequivocal but unexpected message: Italy and Greece shouldered an asylum burden relative to both its population size and GDP well below the EU-28 average. As a note of caution, it should be noticed that data on asylum applications for these two countries might be downward biased for several reasons. On the one hand, because of large mixed flows of economic migrants and, particularly important here, of asylum-seekers who transited only through these countries due to unfavourable economic and legal conditions discouraging or preventing settlement there over the refugee crisis (Düvell, 2008); needless to say, Greece and Italy were severely hit by the economic crisis of 2008. On the other hand, due to the decision by Greece and Italy to elude, completely overwhelmed by the situation in the midst of the refugee crisis, their obligation to take fingerprints, thus facilitating asylum seekers to move on to other EU Member States. Even assuming a downward bias, in our opinion data reported in Table 3 for Greece and Italy are

far from reflecting their disproportional asylum pressure during the refugee crisis as southern peripheral countries bordering the Mediterranean. Indeed, in September 2015, the EU Commission launched a relocation scheme to release excessive migratory pressure on these two countries.

Greece and Italy seem to be, therefore, illustrative examples where the research evidence does not seem to fit the reality of the situation at hand. This is likely due to the use of a weak indicator that takes, as a proxy for the absolute level of asylum responsibility, simply the number of asylum applications; it is not because the variable is used to set the measure in relative terms, as the results are similar regardless of it. This being so, an effort is needed to check the reliability of the standard measure. To do so, the best strategy is to go back to the initial stage, pay attention to the variable employed to measure absolute levels of asylum responsibility and, once we have an alternative indicator, compare them. This is not, unfortunately, an easy task since data availability problems mentioned in the Introduction are acute and, therefore, very difficult to overcome. But, is it impossible? Ultimately, no.

In 2016, the IMF published an interesting report on the macroeconomic impact of the influx of asylum seekers and their stay in Europe. This report included tentative estimates, based on authorities' information and/or other sources (IMF, 2016), of the fiscal cost of asylum seekers for a sample of 18 EU countries over the period 2014-16. To set the measure in relative terms for the sake of comparison between countries, the IMF employed the GDP. Although the lack of details about the assumptions involved in the computation is frankly disappointing, it seems to us that these estimates might provide a far more ambitious and accurate indicator of countries' asylum responsibility than the standard measure.

Accordingly, we take advantage of the IMF estimates as a benchmark to proceed with the comparison between measures. To be precise, we employ the sample of 18 EU countries included in the IMF report for 2015 as, on one side, this is the only year for which data on fiscal costs (divided by GDP as mentioned) are available for all of them and, on the other side, it marked the peak of the crisis (see again Table 1). For a more homogeneous comparison, as the IMF does not employ population to set the measure in relative terms, we only compare IMF estimates with asylum applications per million GDP. Thus, the use of standard descriptive statistics shows the existence of a higher level of dispersion for asylum applications than for fiscal costs (the coefficient of variation is 1.44 and 0.99, respectively) and, more importantly, only a poor linear correlation between the two indicators (linear correlation coefficient of 0.283). Differences between the two asylum responsibility indicators are, therefore, quite relevant.

In addition, visual inspection of the scatter plot in Figure 1 reveals that these differences depend on the country concerned, being particularly marked in some of them. While, as just noted in Table 3, asylum application rates for Italy and Greece were below the average in 2015, their refugee-related fiscal costs (0.20 and 0.17 per cent of GDP, respectively) were above it. Besides, but for different reasons as the ones stated before for Greece and Italy, Denmark also highlights as a country where asylum application rates are much lower than fiscal costs. The reason is twofold: on the one side, it is well known the generous social benefits from the Danish national asylum system; on the other side, since the year 2002, a significant tightening up of national requirements for asylum seekers to be granted international protection has helped the country be less exposed to massive asylum applications

(Mansouri et al., 2010). So it is clear that some European countries were impacted fiscally more than others, albeit with a not so large asylum application rate.

Table 3. Asylum responsibility in the EU-28's countries, 2015

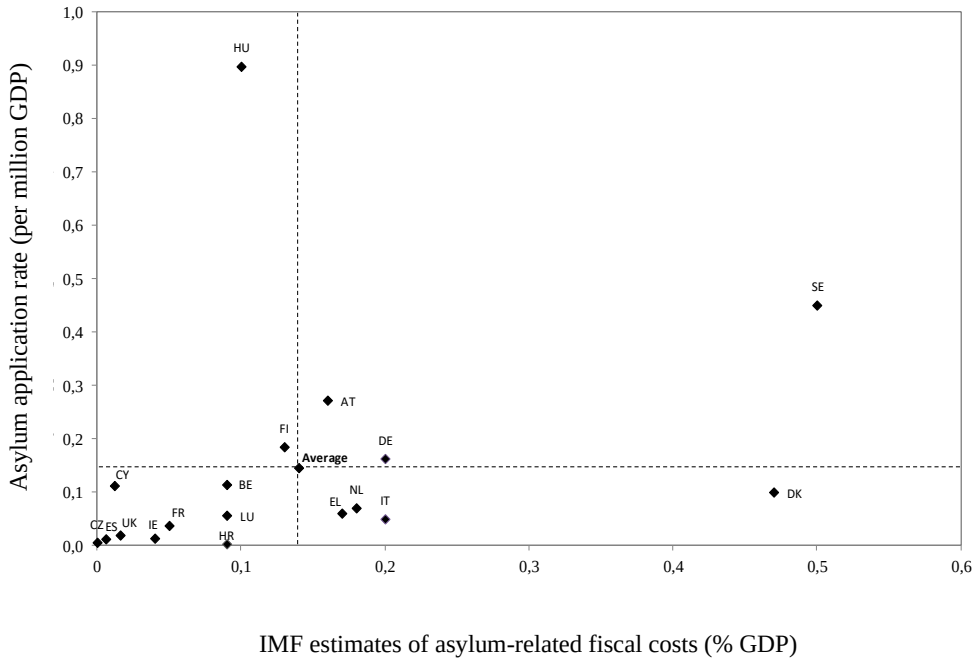
	Asylum application rate (per million inhabitants)	Asylum application rate (per million GDP (euros) in PPS)
Belgium	3,974.7	0.114
Bulgaria	2,831.1	0.206
Czech Republic	143.8	0.006
Denmark	3,698.9	0.100
Germany	5,868.5	0.163
Estonia	174.9	0.008
Ireland	700.1	0.013
Greece	1,216.2	0.060
Spain	318.2	0.012
France	1,146.1	0.037
Lithuania	107.8	0.005
Luxembourg	4,499.7	0.056
Hungary	17,973.1	0.898
Malta	4,196.1	0.153
Netherlands	2,660.8	0.070
Austria	10,269.2	0.272
Poland	320.7	0.016
Portugal	86.3	0.004
Romania	63.4	0.004
Slovenia	133.3	0.006
Slovakia	60.9	0.003
Finland	5,911.3	0.185
Sweden	16,666.1	0.450
UK	619.2	0.019
EU-28	**2,601.4**	**0.089**

Source: Own elaboration based on EUROSTAT data.

Another appealing case (in the opposite direction to the former ones) is Hungary. As can be seen in Figure 1, this country registered the highest asylum application rate in 2015 while assuming a lower than average fiscal cost. This case is a clear example of a transit country in a strict sense for which the standard measure of asylum responsibility is clearly overrated. According to Szalai (2015)'s description of the 2015 events in the country, once the Hungarian authorities took the fingerprints of asylum seekers apprehended crossing the border, they were abandoned to their fate. This, along with the strong anti-immigration discourse of the Hungarian government in 2015 and the lack of economic and integration opportunities for refugees, fuelled thousands of asylum seekers to move on from Hungary to Western Europe.

We have therefore found strong discrepancies between the two measures and, moreover, that the differences can be in both directions. The rationale behind such discrepancies relies on the large differences in unit asylum costs across countries. It is clear that a country that faces very high asylum pressure is likely doomed to bear high asylum responsibility, but not so high if the country has low unit asylum costs. As a reference to this point, estimated unit costs obtained by Thielemann et al. (2010), although in this case for the year 2007, are very illuminating at this respect, showing stark differences across EU Member States.

Figure 1. Asylum application rates (per million GDP) versus IMF estimation of asylum-related fiscal costs, 2015



Note: AT: Austria, BE: Belgium, HR: Croatia, CY: Cyprus, CZ: Czech Republic, DK: Denmark, FI: Finland, FR: France, DE: Germany, EL: Greece, HU: Hungary, IE: Ireland, IT: Italy, LU: Luxembourg, NL: Netherlands, ES: Spain, SE: Sweden, UK: United Kingdom. Simple averages.

There are plausible, though still vaguely explored, reasons for these large differences. First, differences in the cost of leaving among countries, as this has a direct effect on the cost of protection standards provided to asylum seekers during the asylum assessment process. Second, differences in the degree of generosity of national asylum systems, or, put in another way, in the degree of strict compliance of European asylum Directives. Third, differences in efficiency, usually reaching low levels in laggard countries with little experience in asylum management, as it is the case of most Eastern European countries. Forth, differences in the length of the asylum procedure; it is clear that the longer the assessment period is, the higher the administrative and assistant costs are. Fifth, in the minimum period legally established in the host country between applying for asylum and accessing the labour market, as rapid access to the labour market may speed up the economic self-sufficiency of the asylum seeker, so that contributing to the reduction of assistance costs assumed by countries during the assessment period. And finally, asylum-seekers' view of a country as a transit or a destination one. Thielemann et al. (2010) point out as an additional reason the role of rates of detention in some countries, as it may increase considerably asylum costs. The EC (2016) also notes that the volume of applications originated from non-safe countries (the administrative procedure time may be longer in that case) has an indirect impact on the length of the asylum procedure.

All the above arguments reinforce our hypothesis that the use of application numbers can result in a biased view of the actual level of asylum responsibility assumed by countries.

Therefore, the development of a comprehensive and harmonised data set on refugee-related fiscal costs is, in our opinion, the only avenue for the correct knowledge of the extent of the problem of responsibility-sharing within the EU. In case that the Member States decided to face up to the challenge, particular emphasis should be placed on at least two issues. First, to establish clear boundaries to the concept of asylum responsibility, and therefore to clarify where countries' responsibility for asylum begins and ends. In a nutshell, a key question would be to narrow down the term asylum responsibility to give it a tangible content. In line with Thielemann et al. (2010), a good strategy would be to put the spotlight on the national fiscal expenditure involved in implementing the EU Directives on asylum (referred to in the Introduction). In other words, since once the application assessment is completed the applicants are no longer asylum seekers, to pay 'only' attention to the direct costs borne by countries during the application assessment period up to the point of decision (including the cost of return in case of denied international protection). The second issue refers to the need for a strong commitment by national administrations to design a thorough cost breakdown analysis, including all relevant costs associated with three main components: reception, procedure and return. A critical issue to the success of this initiative would be a tight and consistent definition of each item of expenditure ensuring that all items are collected consistently across countries, so that the aggregate measure is a reliable indicator of asylum responsibility.

Conclusion

This paper tried to raise awareness of the importance of defining a reliable measure of asylum responsibility and sparked debate about the direction national and EU institutions should take for a correct knowledge of the asylum responsibility-sharing dilemma within the EU.

In the absence of data on asylum related fiscal costs, asylum applications figures have been extensively used as a proxy measure on asylum responsibility. However, this is not without pitfalls due to large differences in units costs across EU countries. The current lack of a comprehensive data set on these fiscal costs for a wide array of countries and years actually traps scholars in a dilemma between, on the one side, inadequately measuring countries' asylum responsibility (and therefore providing a biased picture of the issue) and, on the other, recognising constraints and addressing the challenge with full awareness of the difficulties and risks. It is clear that neither option provides a satisfactory scenario, but we believe the issue of correctly measuring the degree of asylum responsibility is important enough not to leave aside. There are, at least, two reasons: first, to understand the real dimension of the asylum responsibility-sharing problem, and second, because asylum responsibly might play a role in designing a distributive scheme in a not (hopefully) so distant future.

Although replacing asylum applications by fiscal costs in a measure of relative asylum responsibility is a big, and very complicated, leap, we should pause for a moment and think about whether we should still content ourselves with a "head count" measure, which we know is likely biased. In our view, the answer is clearly no. In our view, we should aim at moving forward a fiscal cost measure to ensure a correct knowledge of the extent of the responsibility-sharing problem. Needless to say, that will require a coordinated approach from all of the national governments called upon to collaborate in providing accurate data on the different spheres of asylum costs (mainly, reception, procedure and return) in accordance with the agreed criteria, so that academics and/or institutions can undertake the design of a

comprehensive, harmonised data set on refugee-related fiscal costs. On that premise, a tight and consistent definition of the term asylum responsibility, as well as of each item of expenditure, are critical factors in enabling the EU authorities to make fair decisions on asylum responsibility sharing in the future.

Data availability statement

Asylum application data is available at https://ec.europa.eu/eurostat/data/database.

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