

# Producing Knowledge and Legitimacy: Country of Origin Information in Asylum Procedures

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**Producing Knowledge and Legitimacy:  
Country of Origin Information in Asylum Procedures**

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## **Abstract**

This thesis deals with “country of origin information” (or COI), a type of expert knowledge and a field of professional practices that has emerged since the late 1980s in the framework of West European and North American asylum administrations in order to support refugee status determination. This information is used to evaluate the credibility of asylum seekers and to assess their eligibility to international protection. Rather than focusing on this instrumental role of COI in asylum procedures, this research explores the norms and values that govern the works of COI units in several European asylum administrations. It also analyses the legitimation work involved in the production of COI, with reference to knowledge production, bureaucratic practices and state authority.

The format of the thesis is a PhD by published work comprising three articles. This collection of articles is eclectic both from a disciplinary and methodological perspective. Published respectively in history, political science and social anthropology journals, the three articles are integrated in an accompanying text, which offers a common contextual, thematic and theoretical introduction, as well as a methodological discussion and an articulation of the main results of the thesis.

The first article – the “history article” – adopts a diachronic approach and analyses the creation and development of the French COI unit within the Office français de protection des réfugiés et des apatrides, Ofpra. Based primarily on archival data collected at the French asylum administration, it examines the institutionalisation of the “documentation” on countries of origin in the French asylum administration between 1988 and 2008 and shows how this history reflects that of the bureaucratisation of asylum procedures. It also uncovers the role and dynamics of formal and informal cooperation with European COI units in the vertical and horizontal processes of Europeanisation of asylum policies.

The second article – the “distance article” – looks at the separation between COI production and its utilisation in assessing asylum applications. Looking at the case of the Norwegian COI unit, the article shows how this separation is materialised through an “infrastructure of distantiation” built around COI production sites. This apparatus is discernible not only in discourses and practices, but also in the organisational structures, spaces, and legal norms that contribute to the ecology of this specific site of expert knowledge production. The production of distance participates in the construction of the legitimacy of both institutions and individual actors involved in knowledge production.

The third article – the “access article” – examines the unsuccessful negotiation for access to conduct ethnographic research with the Swiss and Norwegian COI units. The article reveals how

the intended research competed with the heads of both units' beliefs and identities, questioning their emic "idealised construction" of COI as both a type of knowledge and a field of practice. The negotiation of access became a competition over cognitive authority and the monopoly of legitimate knowledge production about the COI field.

Taken together, the three articles demonstrate that the field of COI is saturated with the question of the (self-)representation of the state and of the bureaucratic actors that embody it. The articles also offer an entry into the dynamics of the construction of legibility and illegibility in asylum bureaucracies and illustrate how the situated nature of expertise is negotiated by COI units.

By looking at the epistemic and procedural legitimation work of COI units, this thesis discusses not only how the legitimacy of knowledge and procedures are constructed around notions of fairness and objectivity, but also how this process has a depoliticising effect on the politics of asylum by rendering refugee status and its determination technical. COI is then an important device in the bureaucratisation of asylum procedures and the depoliticisation of asylum.

**Keywords:** country of origin information; refugee status determination; asylum; legitimation; knowledge production; expertise; methodological bricolage.

## Résumé

Cette thèse traite des « informations sur les pays d'origine » (ou « COI », pour *country of origin information*), un type de savoir expert et un champ de pratiques professionnelles qui se sont développés dès la fin des années 1980 au sein des administrations d'asile en Europe occidentale et en Amérique du Nord, afin de soutenir la détermination du statut de réfugié. Ces informations sont utilisées pour évaluer la crédibilité des demandeurs d'asile et leur éligibilité à une forme de protection internationale. Plutôt que de se concentrer sur le rôle instrumental des COI dans les procédures d'asile, cette recherche explore les normes et les valeurs qui régissent le travail des unités COI dans plusieurs administrations européennes d'asile. Il interroge également le rôle de la production des COI dans la légitimation du savoir, des pratiques bureaucratiques et de l'autorité étatique.

Cette thèse par article est composée d'un recueil de trois articles, éclectique tant d'un point de vue disciplinaire que méthodologique. Publiés respectivement dans des revues d'histoire, de sciences politiques et d'anthropologie sociale, les trois articles sont incorporés dans un texte d'accompagnement qui propose une introduction contextuelle, thématique et théorique commune, ainsi qu'une discussion méthodologique et une articulation des principaux résultats de la thèse.

Le premier article – « sur l'histoire » – adopte une approche diachronique en analysant la création et le développement de l'unité COI française au sein de l'Office français de protection des réfugiés et des apatrides, l'Ofpra. Basé principalement sur des données d'archives collectées à l'Ofpra, il examine l'institutionnalisation de la « documentation » sur les pays d'origine au sein de cette administration entre 1988 et 2008 et montre comment cette histoire reflète celle de la bureaucratisation des procédures d'asile. L'article met également en lumière le rôle et les dynamiques de la coopération (formelle et informelle) entre unités COI européennes dans le processus d'eupéanisation, à la fois verticale et horizontale, des politiques d'asile.

Le deuxième article – « sur la distance » – traite de la séparation entre la production d'informations sur les pays d'origine et son utilisation dans l'évaluation des demandes d'asile. En étudiant le cas de l'unité COI norvégienne, l'article montre comment cette séparation se matérialise à travers une « infrastructure de distanciation » construite autour des sites de production de COI. Ce dispositif est perceptible non seulement dans les discours et les pratiques, mais aussi dans les structures organisationnelles, dans l'espace et dans les normes juridiques qui contribuent à l'écologie de ce site spécifique de production de savoir expert. La distanciation participe à la construction de la légitimité des institutions et des acteurs individuels impliqués dans la production du savoir.

Le troisième article – « sur l'accès » – examine les négociations infructueuses pour obtenir l'autorisation de mener une recherche de type ethnographique au sein des unités COI suisse et norvégienne. L'article révèle comment la recherche envisagée entre en concurrence avec les représentations et des identités des chefs des deux unités, remettant en question leur « construction idéalisée » épistémologique des COI comme type de savoir et comme champ de pratiques. La négociation d'accès s'est ainsi transformée en compétition sur l'autorité cognitive et le monopole de la production de savoir légitime sur le champ des COI.

Les trois articles démontrent que le domaine des COI est imprégné par la question de la représentation (et de l'autoreprésentation) de l'État et des acteurs bureaucratiques qui l'incarnent. Les articles offrent également un aperçu des dynamiques de construction de la lisibilité et de l'illisibilité dans les bureaucraties de l'asile et illustrent comment la nature située de l'expertise est négociée par les unités COI.

En examinant le travail de légitimation épistémologique et procédurale des unités COI, cette thèse illustre non seulement comment la légitimité du savoir et des procédures est construite autour des notions d'impartialité et d'objectivité, mais aussi comment ce processus déploie un effet dépolitisant sur la politique d'asile en faisant du statut de réfugié et de sa détermination des enjeux essentiellement techniques. Les COI sont donc un vecteur important de la bureaucratisation des procédures d'asile et de la dépolitisation de l'asile.

**Mots-clés :** informations sur les pays d'origine ; détermination du statut de réfugié ; asile ; légitimation ; production de savoir ; expertise ; bricolage méthodologique.

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## List of acronyms

ACCORD	Austrian Centre for Country of Origin and Asylum Research and Documentation
ANT	Actor-network theory
APCI	UK Home Office Advisory Panel on Country Information (2003-2009)
APPA	Asylpraxis – pratique d’asile
ARGO	Action programme for administrative cooperation in the areas of external borders, visas, asylum and immigration (2002-2006)
BAFI	Bundesamt für die Anerkennung ausländischer Flüchtlinge (1965-2005) German Federal Office for the Recognition of Foreign Refugees
BAMF	Bundesamt für Migration und Flüchtlinge German Federal Office for Migration and Refugees
CEAS–REAC	Common European Asylum System Régime européen d’asile commun
CEDOCA	Centre de documentation et de recherche du CGRA (Belgian COI unit)
CEDRE	Centre d’étude, de documentation et de recherches (2006-2009)
CGRA	Commissariat général aux réfugiés et aux apatrides Belgian Commissioner General for Refugees and Stateless Persons
CIREA	Centre d’information, de réflexion et d’échange sur l’asile (1992-2002) Centre for Information, Discussion and Exchange on Asylum
CNDA	Cour nationale du droit d’asile French National Court for Asylum Law
COI	Country of Origin Information
COIS	COI service (British COI unit 2004-2014)
CPIT	Country Policy and Information Team (British COI unit)
CRR	Commission de recours des réfugiés (1952-2007) French Commission for Asylum Appeals
DIDR	Division de l’information, de la documentation et des recherches (French COI unit)
EASO–BEAA	European Asylum Support Office Bureau Européen d’Appui pour l’Asile
ECRE–CERE	European Council on Refugees and Exiles Conseil européen pour les réfugiés et les exiles
ECS	European Country Sponsorship



EMN	European Migration Network
EU–UE	European Union Union européenne
Eurasil	European Union Network for asylum practitioners
FAC	Swiss Federal Administrative Court
IAGCI	Independent Advisory Group on Country Information (UK)
ICMPD	International Centre for Migration Policy Development
IGC–CIG	Intergovernmental Consultations on Migration, Asylum and Refugees Consultations intergouvernementales sur les migration, l’asile et les réfugiés
IRB–CISR	Immigration and Refugee Board of Canada Commission de l’immigration et du statut de réfugié du Canada
IuD	Information und Dokumentation BAFI Information and documentation service
IZAM	Informationszentrum Asyl und Migration BAMF “Asylum and Migration Information Centre” (German COI unit)
Landinfo	Utlendingsforvaltningens fagenhet for landinformasjon The Norwegian Country of Origin Information Centre (Norwegian COI unit)
Ofpra	Office français de protection des réfugiés et des apatrides
RDC	République démocratique du Congo
RSD	Refugee status determination
SEM	Secrétariat d’Etat au migrations Swiss State Secretariat for Migration
STS	Science and Technology Studies
UDI	Utlendingsdirektoratet – Norwegian Directorate of Immigration
UK	United Kingdom
UNE	Utlendingsnemnda Norwegian Immigration Appeals Board
UNHCR–HCR	United Nations High Commissioner for Refugees Haut Commissariat des nations unies pour les réfugiés
US	United States of America
ZDWF	Zentrale Dokumentationsstelle der Freien Wohlfahrtspflege für Flüchtlinge

## 1. Introduction

Narra mihi factum, narro tibi jus. “Tell me the facts, I will tell you the law” utters the legal maxim. This thesis is interested in the fact-tellers, when the law-tellers are determining the refugee status of asylum seekers. These are not the asylum seekers themselves; asylum seekers make statements and tell stories. The fact-tellers in this thesis are the professionals working in fact-producing factories called country of origin information units. These professionals provide decision-makers – caseworkers and judges – with the necessary information related to the countries of origin of asylum seekers.

But how did country of origin information units emerge? Why are they legitimated to tell facts? What is (or are) their role(s) in the governance of asylum? These are some of the questions that this thesis raises. Put more scholastically, this research aims to answer the following general research question:

How does the production of expert knowledge participate in the legitimation of administrative decision-making processes in the field of asylum?

The format of this thesis is a PhD by published work. It is based on an eclectic collection of three articles dealing with the relationship between country of origin information (COI) and legitimacy from different disciplinary perspectives. The articles are preceded by four introductory chapters and discussed in two following chapters.

Chapter 2 sets the general spatial and temporal stage for this thesis by offering a brief contextualisation of the subject of this thesis – COI in asylum procedures – within the modern history of asylum in Europe. It discusses the inherent tension between the notion of asylum and the nation-state and shows how the modes of institutional categorisation of “refugees” evolved over time.

The following introductory chapter (3) offers a general presentation of COI as a type of knowledge and a field of practice. It delineates the role of COI in asylum procedures and the different levels of asylum determination at which it is interpreted. The chapter presents a topography of units dedicated to collecting and circulating this information in Europe, as well as the role of non-state actors in this field.

Chapter 4 reviews the literature to which this thesis contributes, presenting the budding social scientific production on COI and the flourishing literature on asylum procedures approached “from below”. It further presents the thesis’ contribution to two themes in this literature. First, it outlines

the role of the historical processes of bureaucratisation and Europeanisation in the everyday practices of asylum status determination. Second, it examines the importance of knowledge, truth and veridiction, as well as the corollary culture of suspicion that characterises bureaucratic practices in this field.

The last introductory chapter (5) outlines a general theoretical framework for the thesis by conceptualising the relationship between the notions of state, knowledge and legitimation. It discusses the mobilisation of expert knowledge to foster the legitimacy of bureaucratic work and lays out a model for the analysis of the legitimation processes that it applies to the field of refugee status determination. Finally, it outlines how COI relates to legitimacy work.

The first article – the “history article”<sup>1</sup> – adopts a diachronic perspective by retracing the history of the French COI unit in the context of the Europeanisation of asylum policies. Based primarily on archival data collected at the French asylum administration (Ofpra), it examines the institutionalisation of “documentation” on countries of origin in the French asylum administration between 1988 and 2008 and shows how this history reflects that of the bureaucratisation of asylum procedures. It also uncovers the role and dynamics of formal and informal cooperation with European COI units in the vertical and horizontal process of Europeanisation of asylum policies.

The second article – the “distance article”<sup>2</sup> – looks at the “ecology of expertise” in which the Norwegian COI unit produces expert knowledge. More specifically, it explores the implementation of a fundamental norm in the professional practices of COI producers – the strict separation between COI production and its utilisation in assessing asylum applications. The article shows how this separation is materialised through an “infrastructure of distantiation” built around COI production sites. This apparatus is discernible not only in discourses and practices, but also in the organisational structures, spaces, and legal norms that contribute to the ecology of this specific site of expert knowledge production. It participates in the construction of the legitimacy of both institutions and individual actors involved in knowledge production.

The third article – the “access article”<sup>3</sup> – examines the unsuccessful negotiation for access to conduct ethnographic research with the COI units of Switzerland and Norway’s asylum administrations. Co-authored with Christin Achermann, this paper reveals how the intended

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<sup>1</sup> Rosset, Damian (2019a). “Documenter les pays d’origine pour les procédures d’asile à l’Ofpra, 1988-2008”, *Monde(s). Histoire, Espaces, Relations*, 15(1), 117-140.

<sup>2</sup> Rosset, Damian (2019b). “« We have our own kitchen » : Distance et légitimité dans la production de savoir pour la procédure d’asile”, *Politique et Sociétés*, 38(1), 49-69.

<sup>3</sup> Rosset, Damian and Christin Achermann (2019). “Negotiating research in the shadow of migration control: access, knowledge, and cognitive authority”, *Social Anthropology / Anthropologie Sociale*, 27(S1), 49-67.

research competed with the heads of both units' beliefs and identities, questioning their emic "idealised construction" of COI as both a type of knowledge and a field of practice. Over the 30 months of the process, the negotiation became a competition over cognitive authority and the monopoly of legitimate knowledge production about the field, in which the illegibility of bureaucratic processes shielded the legibility of the state as discourse.

A methodological chapter follows the three articles. It describes the data collected and the methods of analysis. It also discusses two specific methodological issues that emerged from the difficulties of accessing the field, namely how suspicion "works on" the researcher and how an interdisciplinary approach and methodological flexibility allow for academic resilience. The chapter ends with a description of the epistemological stance of this thesis – an ethnographic perspective using bricolage methodology.

Finally, a closing chapter offers a general discussion of the findings of the articles. It does so by identifying cross-cutting themes across the three articles and articulating their findings. It shows how practices of (self-)representation permeate the construction of objectivity in the production of COI and how these practices impact legibility and illegibility in the asylum bureaucracies. The closing chapter also argues that COI contributes to the depoliticisation of asylum procedure through technicisation. Finally, it shows how situated nature of COI knowledge is negotiated and discusses concomitant legitimation of bureaucracy and expertise in the context of COI.

By looking at the epistemic and procedural legitimation work of COI professionals, this thesis discusses not only how the legitimacy of knowledge and procedures are constructed around notions of fairness and objectivity, but also how this process has a depoliticising effect on the politics of asylum by rendering the procedure technical. COI is then an important device in the bureaucratisation of asylum procedures and the depoliticisation of asylum.



## **2. Setting the scene**

Any endeavour to tell a story requires you to choose a starting point, which will always be subjective and imperfect because no social phenomenon occurs spontaneously. In this thesis, I chose to focus this history of the production of country information in asylum procedures in, roughly, the past three decades. The choice is justified by the fact that the formalisation of the production of country information can be traced back to the creation of the first units dedicated to this task in Western (European) administrations in the second half of the 1980s. This evolution coincides with a period of profound transformation in the implementation of asylum law in Europe, of which COI is both a product and a catalyst.

However, this particular context is anchored in a much longer history of the idea and politics of asylum. Obscuring a longer historical perspective carries the risk of overlooking the contingency of contemporary notions of “asylum” and “refugee”. Therefore, in this chapter, I very briefly lay out a few historical markers to provide context for the quite narrow and specialised topic of COI in the wider history of continuity and change in asylum in Europe.

### **2.1. Asylum in the modern age**

The origins of the contemporary notion of asylum can be traced back at least to Greek and Egyptian antiquities, but its main current characteristics originate in the early modern period and the development of the Westphalian national order. Indeed, the development of territorial sovereignty since the 16<sup>th</sup> century fostered the transformed asylum as a conception of refuge linked to religion and specific places (e.g. sanctuaries) to one anchored in monarchy and the emerging principle of territorial sovereignty: “Le droit d’asile est donc une conséquence et non une limitation du principe de souveraineté” (Noiriel 1991: 20).

Over the course of the 19<sup>th</sup> century, the question of asylum was increasingly placed in a tension between two notions inherited from the French revolution – the universalism of human rights and the increasing nationalisation of Western societies who barricaded their spaces of freedom and democracy. The processes of national integration that accompany the development of welfare states in industrialised countries further exacerbated this tension (Noiriel 1991: 85), as the nation was increasingly conceived as a community united by obligations of mutual support (Kymlicka 2015: 5, Wimmer and Glick-Schiller 2003: 310) between citizens sharing a common history, culture and destiny (Miller 1995).

Yet the hosting of refugees in several European countries during the 19<sup>th</sup> century mainly occurred on an *ad hoc* basis. As such, it lacked any coherent public policy, institutional settings, not to mention a uniform definition of the refugee. These elements are a product of the 20<sup>th</sup> century, which witnessed the expansion of the nation-state form as the dominant model of political organisation around the world, the definition of a “refugee problem” caused by the very process of nation-building (Saunders 2018), and the emergence of an international refugee regime to solve it.

## **2.2. An international refugee regime**

In the aftermath of the First World War and the Russian Revolution, the notion of a refugee undergoes a first phase of internationalisation and formalisation with the creation of a High Commissioner for Refugees within the League of Nations. Led by the Commissioner Fridtjof Nansen, the institution did not formally define the refugee but relied instead on a “category-oriented” approach designed to resettle and repatriate individuals on the basis of their belonging to a national or ethnic group in need of protection (Lochak 2013).

As Natasha Saunders argues, one can characterise “the development of the refugee regime [over the 30 years preceding the proclamation of the 1951 Refugee Convention], as the result of a battle between two competing understandings of the ‘problem’ in need of a solution: the problem faced by refugees and the problem of the refugees” (2018: 26). She adds that “the latter understanding of the ‘problem’ took precedence and has provided the dominant framework for the search of solutions to ‘the refugee problem’ ever since” (Saunders 2018: 26). The right of asylum developed in the early days of the international refugee regime is above all a right of the state to grant it (Behrmann 2018: 42). This rationale forms the basis of the 1951 Convention, which was conceived as a solution to the problem states faced as a result of important movements of people caused by the Second World War and its aftermath. The 1951 Convention enshrines an individualist, persecution-centred definition of the refugee that had matured over the 30 years preceding its proclamation (Saunders 2018: 28; see also Hathaway 1990).

This international regime was quite uniformly – and successfully – implemented by the major Western signatory states. The UNHCR organised resettlement programs for a relatively small number of individuals who were assigned to the newly created category of “refugee” in part because they originated in countries of the Soviet bloc. It is widely acknowledged that asylum has been used as a legitimating device by Western states in an international system characterised by the ideological confrontation of the Cold War (Gibney 1992; Schuster 2004). As a result, asylum policies conducted during this period shaped the popular figure of the refugee as a “freedom fighter” in the collective representations of the host countries (Gibney and Hansen 2003: 70). The interest

constellation also includes an economic side, as European states were experiencing labour shortage. This was quickly filled by refugees entitled with the full panoply of social rights.

### **2.3. Transformations**

Asylum policies and administrative practices of refugee status determination underwent an important transformation during the 1980s, specifically in the Western European context. The aforementioned modalities of implementation of the 1951 Convention were deeply unsettled by three interrelated developments: the sharp and sustained increase in asylum applications, the diversification of origin countries and complexification of the motives for flight among asylum seekers, and the modification of the modalities of access to the European territory.

The root causes of these developments can only be examined briefly. They include structural changes at the global level (increase in refugee-producing events following decolonisation; “exit revolution”, i.e. the removal of legal barriers to emigration (Zolberg 2007); cultural and technological transformations associated with globalisation, etc.) and internal policies of the relevant states, especially their decision to end their labour migration policies by the 1970s (Hollifield 1992).

The sharp rise in asylum-seekers coming from the Global South without having been “invited” coincides with what Nick Gill and Anthony Good identify as the birth of a “chronic moral panic” about asylum seekers, which still dominates public discourse about asylum (Gill and Good 2019: 2). This does not mean that states were merely reacting to external upheavals – they were indeed part and parcel of the upheavals (Stünzi and Miaz 2020). Their participation in these upheavals has been marked by extensive legislative activity, a bureaucratisation of the procedure, and the Europeanisation of asylum policies.

At the national level, the relevant states have been engaged in a race to the bottom (Piguet 2013: 91) designed to make their territory as unwelcoming as possible through “a proliferation of asylum policy reforms designed to reduce, deter and rationalize asylum claims and processing” (Gibney and Hansen 2005: 71). Measures to prevent access to their territories, to limit employment and welfare benefits, or to exclude individuals from the asylum procedure have been quickly replicated from one state to another since the mid-1980s. Yet these same states publicly acknowledge the moral value of asylum in a kind of schizophrenic attitude (Gibney 2004: 2) that Liza Schuster associates with the legitimating function of asylum, confirming their nature as liberal states (2004).

The fears of the abuse of the asylum procedure to counter the increasingly restrictive migration regulation were crystallised in the figure of the “bogus asylum seeker” (Leyvraz et al. 2020). In a development sharply contrasting with the Cold War period, during which the few asylum



applications lodged in each country were subject to superficial administrative procedures, many states put more thought, energy and resources into application registration and refugee determination procedures. Significant resources, knowledge and techniques were implemented to assess the “credibility” of the asylum application in a climate of general suspicion.

This process of bureaucratisation takes different forms depending on the prior level of institutionalisation of asylum procedures. In a country with established asylum administrations, like France, bureaucratisation entailed the re-organisation of the procedure, the standardisation of eligibility assessment and the professionalisation of staff (see “history article”). In countries like Norway or Switzerland, that until then had only weakly formalised asylum procedures, the bureaucratisation of asylum consisted of setting up full-fledged administrations (Brochmann and Lavenex 2002). One of the characteristics of the bureaucratisation and technicisation of asylum procedures has been the increasing use of different kinds of expertise, and it is in this period that the first units dedicated to documenting countries of origin emerged in several countries, like Germany, Norway and Switzerland.

Closely related to the aforementioned trends, efforts to harmonise immigration and asylum policies at the European level took place in the same period. Shortly after the Ministries of the Interior and Foreign Affairs of Benelux, France and Germany laid the foundation for an internal space of free movement, they established a system that was designed to prevent the arrival of asylum seekers through visa regimes, carrier sanctions or the presence of airport liaison officers (Bigo and Guild 2003). For Noiriél, European integration bears many similitudes with the political processes of nationalisation of the early 20<sup>th</sup> century (1991: 323). In particular, the Schengen Convention implements the new dichotomy between the European “us” and non-European “them”: “force est de constater que la mise en œuvre d’une citoyenneté européenne est fondée sur le rejet de ceux qui ne peuvent y prétendre” (Noiriél 1991: 323).

Concluding this very short historical overview of the field within which the topic of this thesis is situated, it is meaningful to highlight three elements about asylum that should serve as caveats, while reading about one very specific aspect of asylum procedures. They are summarised in three quotes that underline the importance of approaching asylum as the result of a history of continuity and change. First, the notion of asylum is always located in a field of tension: “Toute l’histoire du droit d’asile est traversée par la contradiction entre le principe intangible de la souveraineté nationale et les idéaux des ‘droits de l’homme” (Noiriél 1991: 19-20). Second, this tension is regulated by the states as the right of asylum is primarily a right of the state: “Granting asylum can be a means of undermining one’s enemies, gaining skills and labour, augmenting a declining

population or legitimating one regime over another. Where no such advantage is evident, or where the costs of granting asylum outweigh the benefits, asylum has fallen into disuse” (Schuster 2004: 61). Last, the categorisations of refugees, as well as their modes of qualification, are always socially and historically contingent: “Loin d’avoir constitué des réponses neutres répondant à des besoins objectifs, les définitions du réfugié sont, au contraire, toutes politiquement situées et (...) en disent finalement bien plus long sur les sociétés qui les élaborent et les mettent en œuvre que sur les individus qu’elles sont censées désigner” (Akoka 2018: 16).



### 3. Country of origin information in asylum procedures

Country of origin information is...

“Crucial for a fair and efficient asylum determination process” (ECRE 2005: 3)

“Une des garanties d’un traitement juste et efficace des demandes d’asile” (OFPRA 2003: 22)

“Eine wichtige Grundlage für rechtskonforme und effiziente Asyl- und Wegweisungsverfahren”  
(SEM n.d.: 1)

As the quotes above demonstrate, in the language of institutions acting in the field of asylum, the topic of this thesis – country of origin information (COI) – is consistently<sup>4</sup> regarded as a fundamental tool in refugee status determination (RSD). In this introductory chapter, I describe the different elements “COI” stands for in practice and introduce the notion of “COI standards”. These standards emerged in the context of a developing “COI community”, which I briefly present. I then discuss the existing infrastructures of COI production in different national European systems. Systematic cross-country comparisons are difficult, but putting COI units in perspective with one another is heuristically useful. I show that despite these differences, COI units share several core characteristics, and especially a common idea of their role in RSD. I go on to discuss the differentiated uses of COI at different levels and moments of RSD. The chapter ends with a widening of the focus of the thesis by looking at COI practices outside of state administrations.

#### 3.1. COI and COI standards<sup>5</sup>

In the implementation of refugee law, “the decision-making task does not generally turn on issues of law, but of fact” (Thomas 2011: 37) or, as Andrew Tae-Hyun Kim puts it “factual findings drive asylum adjudication” (2013: 581). Among these facts that need to be “found” or “established”, many relate to the countries of origin (and transit) of asylum seekers. Caseworkers in asylum

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<sup>4</sup> The significance of country of origin in the development of “fair and efficient procedure” is a formula found in the discourse of many state and civil society actors involved in asylum procedures in Europe (e.g. ACCORD 2013; CoE 2016). It echoes the conclusions of the October 1999 European Council Summit at Tampere, which foresaw, among different measures towards establishing a Common European Asylum System, the implementation of “common standards for a fair and efficient asylum procedure” (EU 1999).

<sup>5</sup> Some elements in this section are published in Rosset (2015).

administrations and judges in courts dealing with asylum appeals rely on information about the countries of origin for a variety of purposes in the decision-making process. According to Michael Kirschner (2008), this information is often essential for assessing the credibility of the migrant's story (including the person's claimed origin), determining refugee status, as well as deciding on subsidiary protection when deportation is not possible or lawful.

Asylum seekers' credibility is assessed, on the one hand, according to the degree of internal cohesion and substantiation of their narrative, and, on the other hand, the external consistency of their statements in relation to available contextual information, particularly on the situation in their country of origin or transit countries (Affolter et al. 2019: 271; Kirschner 2008; Thomas 2011; Gibb and Good 2013). In parallel with the credibility of the narrative, country information is used to assess the well-foundedness of asylum seekers' "fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" (Geneva Convention 1951). The information on the political and social situation in the country or region of origin then responds to the need to rule on the existence of specific risk groups and on the affiliation of the asylum seeker to one of these groups.<sup>6</sup>

Finally, when authorities decide that a person does not qualify for refugee status within the definition of the Geneva Convention, information on countries of origin is used to assess a right to subsidiary protection. In this context as well, country information is necessary to establish relevant facts. For example, the existence of sufficiently safe transport to the place of origin or the place of internal refuge; the availability and accessibility of particular medical treatments; the risk of inhuman treatment not taken into account by the Geneva Conventions but which would make a deportation violate the fundamental principle of non-refoulement under international law.

This quick overview illustrates the crucial importance of relevant, reliable, accurate and up-to-date information on the countries of origin and transit in asylum administrations. It also explains why the ability to collect this kind of information is considered a core competency of a "fair and efficient" asylum system (Kirschner 2008; Gibb and Good 2013). Most European administrations responsible for RSD today include specific units dedicated to gathering, processing and disseminating country of origin information. Produced in this context, the information has come to be referred to under the "COI" acronym, with a variety of offshoots; "COI units" within which "COI researchers" generate "COI products" according to "COI standards".

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<sup>6</sup> Robert Gibb and Anthony Good note that since "their fear concerns something that may happen to them *in the future* (...), decisions on refugee status are always risk assessments, differentiating them from the great bulk of legal proceedings in other fields, which aim to apportion blame or responsibility for events in the past" (Gibb and Good 2013: 292).

The latter standards are quality criteria defining good practices in COI production and dissemination. They have been produced since the beginning of the twenty-first century by several state (UK Home Office 2003; IRB-CISR 2007; Staatendokumentation 2016; BAMF 2013; Landinfo 2015), inter- and supra-state (UNHCR 2004; IARLJ 2009; EU 2008; ECS 2010; EASO 2012) or civil society (ACCORD 2004, 2013; Collier 2007) organisations. These various sources are quite consensual about what constitutes good COI research, and their content can be divided into two categories: substantial and procedural criteria.

Substantial criteria deal with the content of COI reports and the choice and validation of sources and information. These need to be relevant with regard to RSD, reliable, accurate and up to date. Procedural criteria deal with the way the information is produced and presented. They address the attitude of the country analyst who must not only ensure impartial work and purpose, but also ensure the protection of personal data and preferably use publicly available sources, as information should be transparent and traceable.

One important guiding principle that transcends the substantive and procedural criteria for good COI is that it should not include a legal evaluation of the situation in the country of origin or interpretation of their implication for decision-making. COI standards aim to allow for the production of objective factual information devoid of a normative dimension, a “raw material” that decision-makers have to operationalise (Gibb and Good 2013).<sup>7</sup> This follows the corollary maxim of *narra mihi factum, narro tibi jus*, namely *testis non est iudicare* – “it is not to the witness to judge”.

As Robert Gibb and Anthony Good note, however, “the process of providing COI is not one of filtering out a ‘truth’ that exists out there but that has been contaminated by selectivity or bias; it is fundamentally and inevitably interpretive in character” (Gibb Good 2013: 322; see also Good 2007: 224). There is indeed an inherent tension in the role of “fact-teller”, as the mere narrative activity of “telling” contradicts the possibility of COI as a “fact” that “exists, prior to its interpretation, as a form of raw data ‘out there’ in the world” (Gibb Good 2013: 322).

### **3.2. The (European) COI community**

Besides fostering a certain level of quality in fact-finding for the asylum procedure, COI standards also serve another function: to set benchmarks that allow for the trusted exchange of information between COI units and asylum administrations. The mere existence of common methodologies –

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<sup>7</sup> See on this topic the “access article”, which discusses the way this division of labour is implemented through the distancing of COI production from its utilisation in RSD.

whether produced in a bottom-up process at the initiative of COI units (EU 2008) or a more top-down approach resulting from a need from EU institutions (EASO 2012) – thus also reveals the existence of a cross-national COI community in which information is shared and co-produced. These exchanges are indeed very regular and take place in different more or less formalised forums (ICMPD 2006; Engelmann 2015; Wall 2018).

The most formalised exchanges happen in the framework of the European Asylum Support Office (EASO). Since its creation in 2011, the Malta-based EASO has been particularly active in the field of COI. It has taken over pre-existing “COI Specialists Networks” on the main countries and regions of origin of asylum applicants in Europe, where COI researchers from national administrations meet on a regular basis. It also publishes COI reports drafted by one or more participating COI units which are reviewed by several counterparts and an external reviewer.<sup>8</sup> The EASO manages an online “COI portal” where publicly available reports from national COI units are centralised.<sup>9</sup> The European organism runs a COI training module including an e-learning platform and training sessions in Valletta (Ahmed 2016: 28). The EASO is also currently incorporating the activities of MedCOI, a specialised service on medical and health-related COI that was one of the most ambitious common projects of European COI units.<sup>10</sup>

Several European COI units – mainly the oldest ones – also interact within another inter-state platform that they share with their counterparts in Australia, Canada, New Zealand and the US: the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC).<sup>11</sup> This platform is remarkable as it illustrates that the COI community transcends the European field and that it reaches beyond the cooperation within the EU/Dublin states. In this framework, the Heads of participating COI units exchange informally and confidentially in bi-annual meetings. Other COI-related activities, such as workshops and training on specific countries, methods or other issues are also organised in this framework. This discreet organisation also manages a private online platform designed exclusively for COI researchers in IGC member administrations.

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<sup>8</sup> For example, see the recent report on Afghanistan co-drafted by the Finnish and Romanian units and reviewed by their Danish, Dutch and Luxemburgish counterparts, as well as the UNHCR: EASO, *Afghanistan. Key socio-economic indicators Focus on Kabul City, Mazar-e Sharif and Heart City*, [https://coi.easo.europa.eu/administration/easo/PLib/EASO\\_COI\\_Afghanistan\\_KSEI\\_April\\_2019.pdf](https://coi.easo.europa.eu/administration/easo/PLib/EASO_COI_Afghanistan_KSEI_April_2019.pdf) accessed 30 April 2019.

<sup>9</sup> EASO, *EASO COI Portal*, <https://coi.easo.europa.eu> accessed 30 April 2019.

<sup>10</sup> Created in 2010 under the initiative of the Dutch COI unit, it quickly became a reference point for other COI units that began to delegate health-related questions requiring specialised medical knowledge to MedCOI.

<sup>11</sup> The list of IGC-participating countries has constantly evolved since its creation in 1985. The last country to join the club was Poland at the end of 2017. Today, participating countries are Australia, Belgium, Canada, Denmark, Finland, Germany, Greece, Ireland, the Netherlands, New Zealand Norway, Poland, Switzerland, Spain, Sweden, the UK, and the US (Wall 2018: 35).

Cooperation among COI units also takes place in looser networks. For example, the COI units of German-speaking countries have established an informal network to foster their collaboration, called D-A-CH (Germany, Austria, Switzerland), in which they exchange information and reports. The COI units of Nordic countries share a similar network (Engelmann 2015: 194). Some projects are also undertaken bilaterally; in particular, fact-finding missions to the countries of origins have been conducted jointly since the early 2000s (see “history article”). Finally, much more informal types of exchanges also take place at the level of individual country analysts who specialise in the same countries of origin (Engelmann 2015: 194).

### **3.3. A topography of COI units**

Despite the strong interactions between COI units and a certain standardisation of national practices through the establishment of common quality criteria, the historical development of COI units has not led to the emergence of homogeneous structures across Europe. The important differences between the institutional contexts and organisational settings of national COI units make a systematic comparison difficult. By highlighting some of these differences, this section offers a topography of COI units in Europe. It is not intended to be comprehensive, but to offer an image of the diversity of forms that COI work can take in European asylum administrations. In doing so, it outlines a background against which the three COI units that are mainly discussed in this thesis – the French, Norwegian and Swiss ones – can be contextualised.

The most visible difference lays in the organisational settings within which COI units operate. All national asylum systems in Europe have at least two instances. The first instance – usually an administration – decides on asylum claims and a second instance – usually a specialised court – adjudicates claimants’ appeals against negative decisions of the first instance. The localisation of COI units within these systems varies significantly from one country to another. In France and Switzerland, the administrative bodies (Ofpra and SEM) and appeal bodies (CNDA and FAC) each have their own COI unit. In Norway, the COI unit is an independent unit administratively located in the first instance (UDI) but which works for both the administration and the second instance (UNE). In both Belgium and Austria, the sole COI units are located in the administration (CGRA and BFA) and the courts cannot commission research from them. In Ireland, the Refugee Documentation Centre is a civil society organisation providing COI to first instance caseworkers, members of courts and tribunals, and legal representatives. In the Netherlands, two COI units co-exist within two different ministries and are tasked with different types of COI research: a unit located in the Ministry for Foreign Affairs produces country reports according to terms of references set by the unit within



the Immigration and Naturalisation Service, which also deals with internal ad hoc queries from its RSD services.

What exactly counts as a COI unit is also not always clear. The organisational entities where COI is produced oftentimes fulfil additional tasks related to research (e.g. analysing migration flows and conducting risk analysis) or documentation and information management (libraries and databases). While the Danish or the Norwegian units can be considered as “exclusively COI units”, the “Analysis” section of the Swiss migration agency is divided into two teams: “country of origin information” and “migration analysis”.<sup>12</sup> When DIDR, the French COI unit, was created, it was divided into four sections, two of which were responsible for COI and one for documentation management. The last one was tasked with monitoring crisis situations and anticipating emerging issues (see “history article”). Today, the unit is divided into geographical sections, and the research tasks (COI and monitoring/anticipation) are divided within these sections. In Belgium, CEDOCA is responsible for the CGRA’s library.

This variety also makes quantifications and comparisons difficult when it comes to the human resources of COI units. Obtaining precise information on the number of persons performing comparable tasks related to COI is a challenge, as can be exemplified by the IZAM, the “Asylum and Migration Information Centre” of the German Bundesamt für Migration und Flüchtlinge (BAMF). While a recent publication mentioned that “the Germans have a specialised COI unit of 100 people involving 30 country researchers, 10 administrative staff and 60 persons being in charge with documentation and library work” (Engelmann 2015: 109), the answer to a query I made to EASO in 2014 was: “Approx. 50 (also involved in RSD)”.<sup>13</sup> That same year, however, the German administration responded to a “European Migration Network” enquiry that it counted “14 country analysts and around 14 other COI specialists (researchers, documentation staff)” (EMN 2014).

While IZAM certainly functions as the German COI unit, it is definitely not only that. Keeping the focus on COI production in order to be able to compare comparable elements thus requires the establishment of boundaries within entities and choices to be made. With these caveats in mind, I list in Table 1 below the number of people working on COI across twenty European COI units.<sup>14</sup>

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<sup>12</sup> Interestingly, only the COI unit is mentioned on the SEM’s website.

<sup>13</sup> E-mail from EASO, 16.08.2014. In 2014, I contacted the EASO with a range of questions about COI units in Europe. In one of these emails, I asked: “How many people work as COI researchers in [each member state’s] COI units?”

<sup>14</sup> These are the COI units about which I have obtained information from the two sources mentioned above (EMN 2014 and e-mail from EASO, 16.08.2014). Other countries either did not have a COI unit at the time or did not provide information (Ireland).

When precisions were available, I took into account all the persons listed as “COI experts”, “researchers”, “COI specialists”, “country analysts” or “documentalists”.<sup>15</sup>

A first observation is that COI work is performed by a relatively small number of individuals; all the twenty COI units listed in the table employed less than thirty COI researchers, half of them less than ten (yellow). Belgium and Germany benefited from the largest COI units in Europe, followed by Norway (green). The remaining units with more than ten COI researchers (blue) were all located in Northern and Western Europe, while, with the exception of Finland, all smaller units operated in Central, East and South European asylum administrations. It is also in this geographical zone that asylum administrations without COI units were found (e.g. Spain, Italy, Cyprus, Latvia).

The relative resources invested in COI appear completely different when one puts them in perspective with the demand, operationalised as the annual number of asylum applications per country, as shown in Table 2. The table emphasises the five-year period between 2010 and 2014 because of the high variability of the numbers of asylum applications per year. However, I also present the COI researcher per asylum application ratio for 2014 as it is the year for which the numbers of COI staff were estimated. Five of the seven asylum administrations with a ratio lower than 500 asylum (green) applications per COI professional are in Central and Eastern Europe, while, with the exception of Greece, all the administrations that counted more than 2000 applicants per COI professional (yellow) are in Western and Northern Europe.

Table 1. Estimated number of COI staff in European national administrations

Country (ranked by COI staff number)	COI staff number for 2014 (estimation*)
Belgium	28
Germany	28
Norway	26
Sweden	18
Austria***	17
France***	12
Netherlands***	12

Table 2. Estimated COI staff per asylum application ratio

Country (ranked by COI staff per asylum application ratio)	COI staff per asylum applications ratio in 2014**	COI staff per asylum applications ratio per annum between 2010 and 2014**
Czech Republic	1 / 115	1 / 73
Slovakia	1 / 58	1 / 96
Lithuania	1 / 195	1 / 198
Romania	1 / 194	1 / 204
Croatia	1 / 225	1 / 383
Norway	1 / 486	1 / 419
Finland	1 / 503	1 / 473

<sup>15</sup> A full table listing all the EU countries (+ Norway and Switzerland) and including the raw information at my disposal is available in Appendix 1.

United Kingdom	12	Belgium	1 / 495	1 / 662
Denmark	10	Denmark	1 / 1482	1 / 747
Switzerland***	10	Bulgaria	1 / 2158	1 / 837
Czech Republic	8	Poland	1 / 851	1 / 1033
Hungary	8	Austria***	1 / 1651	1 / 1043
Poland	8	Netherlands***	1 / 1988	1 / 1214
Romania	8	Hungary	1 / 5171	1 / 1647
Finland	7	Switzerland***	1 / 2211	1 / 2009
Bulgaria	5	United Kingdom	1 / 2605	1 / 2294
Greece	4	Greece	1 / 2363	1 / 2342
Slovakia	4	Sweden	1 / 4172	1 / 2608
Croatia	2	Germany	1 / 6181	1 / 3102
Lithuania	2	France***	1 / 4919	1 / 4576

\* The number of staff is informed by two 2014 sources: a document of the European Migration Network (2014) and a response obtained from EASO in July 2014. The numbers are estimations insofar as some arbitration had to be done between competing figures and sometimes unclear information.

\*\* Compiled by the author based on figures from the UNHCR (2015: 20).

\*\*\* In 2014, the asylum appeal courts of Austria, France and Switzerland also included COI units whose staff are not accounted for here. In the Netherlands, the numbers concern the COI unit in the Immigration and Naturalisation Service – the staff involved in COI work in the Ministry of Foreign Affairs is not accounted for (no information was found).

These discrepancies in human resources should not, however, be understood as the only way to compare the relative means of COI units. During my research, it has also been pointed out by several respondents that the important differences in terms of available funding for a variety of services and opportunities (e.g. access to certain databases, consultancies, organising fact-finding missions, or inviting country specialists) also generated significant disparities in the kind of information a unit was able to produce. However, I did not have access to the budgets of the COI units.

In order to round off the list of differences between COI units, it is finally worth to mention striking differences in their products. In a general way, in most European countries, COI products can be divided in three categories: general country or thematic reports; query responses; and fact-finding mission reports. However, not all units produce all types of reports and not necessarily in the same way. Country or thematic reports are longer document that present in-depth research.

Some COI units produce reports consisting in collated information with few or no comment except for the source of information (e.g. Ireland and Denmark), while other COI reports include some level of analysis and summaries (e.g. Norway and Switzerland). Practices with regard to publication

also differs from one country to another (ICMPD 2006), although there is a tendency for increasing publicity of these documents.<sup>16</sup>

Query responses are a large category of COI produced in direct response to a decision-maker's question, which, depending on the countries, range from formalised documents to e-mails and sometimes discussions over the phone or in person. In Norway, Landinfo publishes some longer (i.e. more formalised) query responses, while in most other countries they are not made public.

Fact-finding missions (FFMs) are conducted mainly by West European COI units, but with significant variation across administrations; for example, in 2012, Landinfo reported conducting between 15 and 25 FFMs annually, while the British, Finnish and French COI units reported one or two per year (EMN 2012). The way of reporting FFMs also varies. "FFM reports" are often made publicly available (except e.g. Austria; EMN 2012) and they are the main accessible product of the Danish COI unit. Meanwhile the Norwegian Landinfo has given up publishing them, but instead updates the existing reports with the information collected during such missions.

#### **3.4. COI and its utilisation in RSD**

COI products are mobilised for different purposes in the assessment of claims to international protection. According to Robert Thomas:

"In the asylum context, the fact-finding task is complex as it normally comprises two discrete aspects. It involves the assessment of both the particular circumstances of the individual's case and the general social and political situation in the country from which refuge is being sought in order to determine whether an individual would be at risk on return. The evidentiary needs of decision-making are then to collect the facts needed to answer two types of risk assessment questions: risk-group existence and then risk-group affiliation" (Thomas 2011: 37).

COI products include both types of information required for the RSD process. COI reports and query responses often provide general information necessary for the definition, such as the treatment of ethnic or religious groups, national human rights, the treatment of government opponents, or discrimination against certain groups. But they can also be concerned with highly specific, ad hoc information to deal with the particularities of individual cases, and in particular in order to test the credibility of their narratives. As already mentioned earlier, asylum seekers' stories

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<sup>16</sup> Appendix 1 includes the information on which COI units publish their reports on the EASO COI portal.

are assessed, on the one hand, with regard to their degree of plausibility of internal coherence and, on the other hand in relation their external consistency<sup>17</sup> with available knowledge, “material” (Affolter et al. 2019: 271) or “objective evidence” (Good 2007: 187; see also Kirschner 2009). When it comes to COI, this evidence can relate to geographical and historical details to which asylum seekers’ stories will be confronted, for example if they relate to places, events, local customs or aspects of the judicial system in the country of origin (Rosset 2015).

As has been outlined above, the way information is presented in the reports can vary significantly from one country to another. However, with one significant exception,<sup>18</sup> the practice across all European administration is consistent with the notion that COI reports should not contain (explicit) policy-related assessments such as an evaluation of eligibility to international protection for specific groups. The interpretation of the legal implications of this material is the task of decision-makers, the caseworkers in asylum administration and judges in asylum appeal courts.

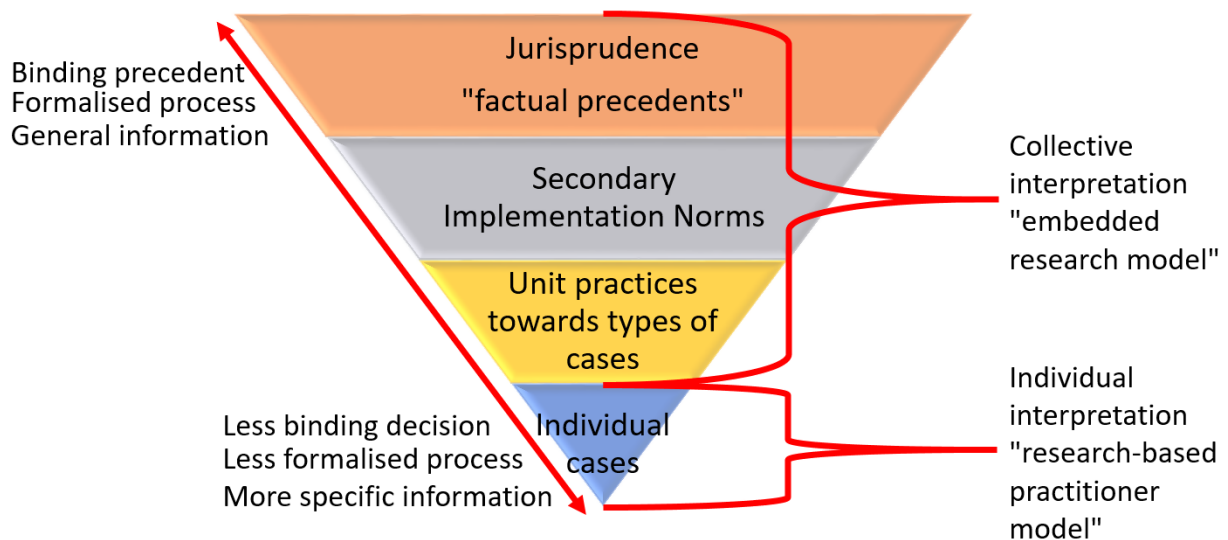
In order to provide an overview of the different organisational levels and procedural levels at which COI is mobilised and interpreted, I put forward a general model in the form of a “funnel of COI interpretation” (Figure 1). The funnel represents different levels at which COI is interpreted in decision-making, from the perspective of the individual RSD caseworker in asylum administration. Situated at the bottom of the funnel, the caseworker will mobilise and interpret COI in the evaluation of individual cases, but this interpretation is also constrained by increasingly formalised and binding interpretations at the upper levels of the funnel. Not all the stages presented in this funnel model are equally applicable to all refugee status determination regimes (Hamlin 2012); for example, not all appeal bodies engage in jurisprudential evaluations of the situations in countries of origin. Nevertheless, it allows the conceptualisation of how different types of knowledge (specific vs general) are mobilised by different actors at different levels of the asylum procedure.

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<sup>17</sup> In the Swiss asylum administration, this criterion for arguing for the non-credibility of an asylum claim is referred to as ‘contradiction to facts’ (Affolter et al. 2019: 271).

<sup>18</sup> Since 2014, the UK “Country Policy and Information Team” (CPIT) has stopped publishing COI reports and instead produces “Country Policy and Information Notes” that present both the country information and its institutional interpretation for decision-making.

**Figure 1.** The funnel of COI interpretation



The funnel is divided into four levels, three of which can be described as collective interpretations of COI (where the interpretation is the fruit of a consensus at a certain level and has a binding effect for individual decision-making) and one that focuses on COI interpretation at the individual level of RSD decision-makers. Another way to put it, looking at the use of COI “from below” through the lenses of individual caseworkers having to decide on a particular asylum claim, is to refer to different models of organisational research use (Nutley et al. 2007: 203) that the levels of the funnel correspond to. On the one hand, individual caseworkers are expected to use and interpret research in their decision-making practice. In this individualised model, caseworkers are viewed as “research-based practitioners” whose role requires them to “keep abreast of the latest research, which then informs his or her day-to-day practice” (Nutley et al. 2007: 205). On the other hand, the autonomy of caseworkers to interpret COI is constrained by interpretations made at other levels in the organisation of the asylum procedure. COI is interpreted in case law, in internal policy and in their units’ practices, which are to an extent binding. This type of organisational use of research knowledge corresponds to the “embedded research model”, which describes situations where “research use is largely achieved by embedding research in the systems and processes by way of standards policies, procedures and tools” (Nutley et al. 2007: 203).

### 3.4.1. Factual precedents

Starting at the height of the funnel of COI interpretation are judicial decisions that define “factual precedents” about a specific country of origin. Indeed, in several countries (e.g. France,

Switzerland and the UK<sup>19</sup>), the highest courts in the asylum system produce decisions that lay out its specific interpretations of the situation in countries of origin. Called “Country Guidance” in the UK or “Länderurteile”<sup>20</sup> in Switzerland, these decisions are considered to ensure the consistency of administrative and judicial decisions in similar cases, but also to rationalise the use of the public resources by offering a framework to assess similar cases. These “factual precedents” and the interpretation of COI they include are binding to all parties in the asylum procedures until they are replaced by another “factual precedent” (Rosset 2015).

#### 3.4.2. Secondary implementation norms

A step lower in the funnel, at the institutional level of asylum administrations, COI is interpreted in what Jonathan Miaz calls “secondary implementation norms” (SINs) (Miaz 2017a: 289; Lascoumes 1990), internal documents which define the agencies’ policy towards applications made by persons from specific countries and for specific motives.

Practices regarding these documents vary widely from one country to another. In Switzerland and France, they are confidential. In Norway, “memos on practices and procedures” are published on the migration agency’s website. In France, these documents are called notes d’appui à l’instruction, but they are referred to by practitioners as la doctrine, according to a recent news article entitled “Ofpra’s most closely guarded secret” (Aubry and Le Loët 2019). The same article briefly describes the content of a doctrine as “une présentation très sourcée de la situation du pays, suivie des questions que doit absolument poser l’[Officier de protection] pour ne pas rater son entretien. Et puis, juste derrière, la position de l’Ofpra sur tel ou tel profil de demandeur, enrichie de propositions de décisions positives ou négatives, motivées par des arguments” (Aubry and Le Loët 2019). In Switzerland, the “APPA” (for Asylpraxis – pratique d’asile) are similar in content, including references to case law, COI and several “typical cases”. A fictional example can be found in Jonathan Miaz’ thesis (2017a: 733-738).

In Norway, the Practice notes are available on the migration agency’s website. According to Tone Liodden, “Practice notes provide ‘binding guidelines’ for caseworkers, thereby contributing to equal

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<sup>19</sup> In Norway and in Sweden, where precedents are not legally binding for lower instances (Stern 2013; Liodden 2017), there is no such system. Nevertheless, even without formalised “factual precedents”, case law will generally be taken into account in decision-making processes in lower instances (*Ibid.*).

<sup>20</sup> For example, see the Swiss Federal Administrative Court’s decisions about the situation of minorities, such as the Tibetans in Nepal and India (ATAF 2014/12), Yezidis in Turkey (ATAF 2013/11) and Christians in central Iraq (ATAF 2013/12) or the security situation in Mosul (ATAF 2013/1), Mogadishu (ATAF 2013/27), Darfur (ATAF 2013/21), or in the Turkish provinces of Hakkari and Sirnak (ATAF 2013/2).

treatment. The notes contain an interpretation of the current situation in the country and describe the way legal rules and political instructions apply” (2017: 104). For Cecilie Schjatvet, the summaries presented in practice notes (where “the refugee definition is applied to COI [country information]” (Schjatvet, 2014:116) crystallises established interpretations within a unit. The practice in the UK is again an interesting case. As mentioned above, the Home Office stopped producing separate COI and guidance<sup>21</sup> documents in 2014 to blend them into unique “Country Policy and Information Notes”.

#### 3.4.3. Unit-level practices

At the lower level of the decision-making units, the collective interpretation of COI is a less formalised process, but it nevertheless influences the caseworkers’ margin of interpretation. Such “communities of interpretation” may be particularly strong in administrations where decision-making units are organised around regional specialisations, like in France or Norway.<sup>22</sup>

In the Norwegian case, Tone Liodden mentions that “much decision-making takes place in deliberation between colleagues” (2017: 70). At the SEM, Laura Affolter observed that Heads of units “work towards maintaining a *unité de doctrine*” (2017: 121) among their subordinates.

#### 3.4.4. Caseworkers as “research-based practitioners”

Finally, the use and interpretation of COI at the individual level of RSD caseworkers is pretty well documented (see e.g. Affolter 2017a, 2017b; Miaz 2017a; Liodden 2017; Poertner 2018) and the following presents just an overview of the literature’s findings. Caseworkers mobilise and interpret COI at three moments of the RSD process at the “street-level” of their bureaucratic practice.

In anticipation of the asylum interview, caseworkers consult available COI to assess the main qualification and credibility questions at play. They also sometimes contact the COI if a particular element in the file requires ad hoc information (Miaz 2017a). During the interview, the knowledge on the country of origin serves to guide the interaction and consequently frames the narratives of asylum seekers within specific topics rendered relevant to the caseworker due to available COI. Quite specific COI is particularly used to assess the credibility of the asylum seeker’s story,

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<sup>21</sup> Both “COI Reports” and “Operational Guidance Notes” were published online.

<sup>22</sup> In Switzerland, the SEM (then ODM/BFM) tried this system between 2011 and 2014. During this period, the COI unit was dissolved and the country analysts were “embedded” in the geographical units of their specialization. Their work was, however, coordinated by a reference person for COI.



especially to test the claimed country of origin (Poertner 2018). After the interview, COI is used in order to verify facts and assess the credibility of individual claimants' stories. Again, caseworkers can turn to the COI unit to verify specific facts or research additional elements brought up by the interview.

### **3.5. Non-state COI production**

In the previous sections in this chapter (and to a large extent also in the rest of this thesis), I discuss the practices of COI production and utilisation with a quite narrow focus on state organisations. Importantly, one shall bear in mind COI units and country analysts do not act autonomously from their social context beyond the institutions they evolve in. For example, the “history article” shows how civil society organisations were essential in creating a documentation centre in the French asylum system.<sup>23</sup> The external perception of the work of COI units is a salient question in both the “distance” and “access” articles. The role of non-state organisations in the development of COI guidelines and best practices is also mentioned, in particular the methodological work of ACCORD (2013).

However, in this section, I would like to address the COI work that happens outside of national asylum administrations, which is a blind spot throughout this work. Different organisations play a role in different capacities. One important actor is the already mentioned Vienna-based ACCORD, run by the Austrian Red Cross but mainly financed by the EU Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior, and the UNHCR. The organisation produces COI compilations in English commissioned by the UNHCR as well as query responses in German that can be mandated by Austrian asylum lawyers and refugee counsels, but also RSD decision-makers in the Austrian administration and asylum tribunal. Most importantly, ACCORD runs *ecoi.net*, the most important openly available online database for COI, at least since the UNHCR decided to stop including COI on its *refworld.org* website in early 2019.

Other important organisations in this respect are those that specialise in refugee support. The Swiss Refugee Council is a primary example as it possesses its own COI unit.<sup>24</sup> In the UK, Asylum Aid published women-specific COI between 2000 and 2016.<sup>25</sup> Other non-governmental

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<sup>23</sup> By creating Documentation-Réfugiés, a documentation centre that functioned as Ofpra's COI unit between 1988 and 1994.

<sup>24</sup> Swiss Refugee Council Countries of Origin <https://www.refugeecouncil.ch/countries-of-origin.html> accessed 30 April 2019.

<sup>25</sup> It also published a specific methodological resource “Country of Origin Information and Women: Researching gender and persecution in the context of asylum and human rights claims” (Collier 2007).

organisations engage with the production of COI by publishing assessments and commentaries on governmental COI reports, like the Asylum Research Consultancy in the UK. Brussels-based Asylos<sup>26</sup> is a looser international network of volunteers who research COI at the demand of asylum lawyers in Europe. According to its website, the network includes more than a hundred volunteers who each commit at least two hours per week to Asylos.

Some organisations whose core activity is not related to migration or asylum also get involved in COI because they deem it relevant to their target population. For example, believing that country reports used in asylum procedures lack child-specific information, UNICEF Netherlands started a “Child Notices” project in 2012 with a pilot report on Afghanistan<sup>27</sup>. The Dutch branch of UNICEF was later joined by its Belgian and Swedish counterparts in producing a “Methodological Guidance on Child Notice” upon which authors of subsequent Child Notices relied.<sup>28</sup> Similar cases can happen spontaneously at a more local level, with organisations producing country reports specifically aimed at informing (or more bluntly influencing) RSD when they estimate that the authorities’ practices indicate a poor understanding of country conditions in the field of their specialisation. It was, for example, the case of the “Groupe SIDA Genève”, which prepared a notice on access to HIV care and treatment in Cameroon, which was explicitly prepared in response to prior decisions of the FAC.<sup>29</sup>

Lastly, individuals with no prior involvement with asylum enter the world of COI as country experts. This is particularly visible in countries with an adversarial judicial system like the UK, as shown in Anthony Good’s extensive study of the role of anthropologists in the British asylum courts (2007)<sup>30</sup>. A US-based academic told me that he had acted as an expert witness for asylum cases in Austria, Canada, Germany, Poland, and the US at the demand of asylum seekers’ lawyers. In all cases, he provided written testimonies (signed letters or notarised affidavits) that were included in the case

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<sup>26</sup> Asylos, <https://asylos.eu> accessed 07.05.2019.

<sup>27</sup> UNICEF NL, *Child Notices*, <https://www.unicef.nl/ons-werk/nederland/child-notices> accessed 30 April 2019.

<sup>28</sup> UNICEF, *Methodology Guidance on Child Notice*, [https://www.unicef.nl/files/unc\\_methodology\\_guide\\_child\\_notice\\_en\\_final\\_web.pdf](https://www.unicef.nl/files/unc_methodology_guide_child_notice_en_final_web.pdf) accessed 30 April 2019

<sup>29</sup> Groupe SIDA Genève (2015), Note de synthèse sur l’accès aux soins et traitements contre le VIH au Cameroun, 36-45, [https://odae-romand.ch/wp/wp-content/uploads/2017/01/Renvois\\_acces\\_aux\\_soins\\_2015\\_final\\_fr.pdf](https://odae-romand.ch/wp/wp-content/uploads/2017/01/Renvois_acces_aux_soins_2015_final_fr.pdf) accessed 30 April 2019

<sup>30</sup> Interestingly, based on his experience, Anthony Good, together with his colleague Tobias Kelly, produced a “best practices guide” for such oral testimonies, including “information on the formal responsibilities of the expert, some of the common dos and don’ts, and examples of structures, stock phrases, and necessary requirements (such as sentences which set out the expert’s credentials and the expert’s understanding of his or her role), points to consider when giving oral evidence, and a discussion about fees” (Good and Kelly 2013).

files by the lawyers and, in some circumstances, he also gave oral testimony in person or over the phone.<sup>31</sup>

COI units also sometimes invite recognised specialists (academics, journalists, analysts) of certain countries or regions to either conduct commissioned research (e.g. Richards 2014; Danecki and Górak-Sosnowska 2015) or to make a presentation or workshop in the administration. An example is David Bozzini, a Professor of anthropology at the University of Fribourg and a specialist of Eritrea, who lists in his online CV his activity as a country expert for the SEM in Switzerland, the Ofpra in France, the UDI and UNE in Norway, as well as for the Independent Chief Inspector of the UK Border Agency and the UNHCR.<sup>32</sup>

This overview shows that there exists a wider, more heterogeneous field of COI beyond the networks of national COI units. However, it is difficult to account for the ways these two worlds mingle or even to what extent COI products civil society organisations are taken into account in COI research in national COI units. For example, a search for the term “Swiss Refugee Council” (in English, German and French) in the EASO COI portal lists 75 reports published by national administrations’ COI units or the EASO quoting the civil society as a source of information.<sup>33</sup> The figure seems quite low when considering that the EASO portal includes 11’271 entries in total and that the COI database *ecoi.net* contains 865 documents (mainly reports and query responses) produced by the Swiss Refugee Council.

Starting with the observation that COI is considered in institutional discourse as a crucial device to operate “fair and efficient” asylum procedures, this chapter has described this particular field of expertise and bureaucratic practices. An increasingly standardised type of knowledge, COI is used as “material” or “objective” evidence in the assessment of the credibility of asylum seekers and their eligibility. The procedural logic of refugee decision-making envisions COI as a “raw” factual information, the legal interpretation of which is the task of decision-maker. This interpretation

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<sup>31</sup> Field notes 6 April 2018.

<sup>32</sup> Bozzini David, CV, <http://www.davidbozzini.org/cv.html> accessed 07.05.2019.

<sup>33</sup> EASO, COI portal search by keywords "Swiss Refugee Council"OR"Schweizerische Flüchtlingshilfe"OR"Organisation suisse d'aide aux réfugiés", <https://coi.easo.europa.eu/search/results#k=%22Swiss%20Refugee%20Council%22OR%22Schweizerische%20Fl%C3%BChtlingshilfe%22OR%22Organisation%20suisse%20d'aide%20aux%20r%C3%A9fugi%C3%A9s%22>, accessed 23.09.2019. Out of the 75 reports, 11 are either translations or updates of other reports that automatically take over the sources of the SFH. Interestingly, only one of these reports has been published by the SEM’s COI unit (and one report published by the EASO was drafted by this unit). A similar search for “Child Notice” gave 26 results.

happens at different levels of the asylum system and a model to account for the utilisation of COI has been proposed.

The chapter also accounts for emergence of a European “COI community”, whose integration relies on a dense net of both formal and informal types of cooperation and institutional platforms. Yet, despite the standardisation of COI and intense cooperation between national units in Europe and beyond over the past three decades, a topography of COI capabilities in Europe has shown that the field is still defined by variety, in terms of organisational structures, resources and output. The fragmentation of the “COI field” is noted with reference to the implication of non-state actors in COI work.

By discussing the recent social scientific literature on COI and RSD, the following chapter explores in greater depth the context and main issues surrounding the work of COI units. The chapter also describes the contribution of this thesis to the literatures on COI, RSD and migration control bureaucracies.



## **4. Literature review**

In this chapter, I review the academic literature in which this thesis is grounded. The chapter is divided into four sections. The first section presents the (limited) existing literature on COI in the social sciences and details the main existing publications. The second section discusses the flourishing qualitative research on bureaucratic practices in the field of asylum procedures. The third section outlines the contributions of this thesis to the presented literature on RSD and the last section discusses the thesis' contribution to three other bodies of social scientific literature.

### **4.1. The budding literature on COI**

The first time I searched for social scientific studies on COI, I was quite unsuccessful. It was probably in early 2013, and I was trying to nourish my reflections on my own practice as a country analyst at the Swiss Federal Administrative Court (FAC). Most of the then existing literature was institutional, either normative (e.g. ACCORD 2004; EU 2008; ECS 2010) or descriptive (e.g. ICMPD 2006; Gábor 2011). In several countries, (critical) evaluations of COI, and in particular its utilisation, had been published by civil society organisations (Flård 2007; Williams et al. 2009; Tsangarides 2010).

By that time, it seemed that outside the world of practitioners, COI was of interest only to legal scholars (Goodwin-Gil 1992; Thomas 2008, 2011) and to Anthony Good who had already identified many of the theoretical questions and issues raised by the production of COI in his work on the use of anthropological expertise in the British asylum courts (Good 2003, 2004, 2007).

A few months later, however, Robert Gibb and Anthony Good published their article “Do the facts speak for themselves?” (2013), in which they cover a range of issues regarding COI production and utilisation. The authors compare the structures, roles and uses of COI in France and Great Britain, looking at both the administrative and judicial levels (Gibb and Good 2013). They demonstrate the central role that COI plays in the RSD process in both countries, but also the contrasting practices related to COI production and utilization between the two countries. Robert Gibb and Anthony Good also discuss the contents and objectives of the EU COI guidelines (EU 2008) and remark that, while in France the document is systematically referred to, it is nowhere visible in the British case. The authors critically examine the claim made by COI professionals (in particular those of the British COI unit) that their reports do not contain interpretation or analysis. Finally, they question the way COI material is assimilated as “objective evidence” in the legal reasoning of British asylum courts (Gibb and Good 2013: 321).

In early 2015, Claudia Engelmann published her thesis “Common standard via the backdoor” (2015) in which she devotes a chapter to describing national COI infrastructures and cooperation at the European level (2015: 103-136). In particular, she shows the importance of informal modes of cooperation among the units of West European administrations during the 1990s and how these ties were in part formalised in the 2000s and especially after the enlargement of the EU in 2004. She puts forward to consider the COI community as an epistemic community, understood as “a network of professionals with recognised expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area” (Haas 1992: 3), additionally characterised by the “presence of a knowledge-community, a shared set of problem and solution-understanding and insulation from political pressure” (Engelmann 2015: 190).

I also contributed to the social scientific production on COI early in the PhD process with two articles that are not part of the present thesis. A first article (2015), published in a Swiss legal online publication, presents the role of COI in asylum procedures and the COI structures operating in each of the instances of the Swiss asylum system. It demonstrates how, despite the wide discretionary power and authority of the upper instance (the FAC) to “establish” the factual situation in a country of origin (in particular in “factual precedents”, see chapter 3), the SEM has several possibilities to force it to engage in an institutional dialogue and negotiate the reality of these distant territories. The second article was co-authored with Tone Liodden (Rosset and Liodden 2015). It examines the controversy about a report on Eritrea produced in 2014 by the Danish COI unit, which had been used to legitimise a restrictive turn in Danish asylum policy. We show how some of the controversial content circulated through the products of other COI units even after the Danish authorities had modified it. It also pointed to a possible symbolic function of COI: although the Danish authorities swiftly returned to their former practice, the number of asylum claims made by Eritrean nationals dropped dramatically during the months that followed the report’s publication.

More recently, Jasper van der Kist, Huub Dijksebloem and Marieke De Goede published their article “In the shadow of asylum decision-making” (2018), taking a quite distinct perspective analytically grounded in the actor-network theory (ANT). Based on “a critical reading of the procedures, guidelines, methods, research missions, and protocols” (van der Kist et al. 2018: 71) they reconstruct the production of COI reports, which they describe as a three-phase process:

“first, a phase of investigation, where foreign lands are reduced to stable and mobile forms so that they can be studied and manipulated at research units; second, the concordance of information production, that is, the formation of a shared set of transnational research practices, relying on standardized instruments and practical skill; and third, the phase of

consolidation, which involves the return of country information constructed inside research units into the administrative and regulatory world” (van der Kist et al. 2018: 71).

The article further conceptualises COI units as Latourian “centres of calculation”: “Even if COI units are not firmly central nor strictly calculative, they occupy a strategic position where information on the refugee-sending world is accumulated, interpreted, combined, and mobilized” (van der Kist et al. 2018: 72). By reducing RSD to a calculative operation, the authors argue, COI primarily serves as an instrument of procedure regulation and knowledge standardisation, reducing doubt in the generation of knowledge. This process also shows “how complex and frail information about countries of origin becomes deployed as valid grounds for asylum decision-making” (van der Kist et al. 2018: 68).

A final work worth mentioning is Joshua Hatton’s article “MARS Attacks!” (2018), which thematises COI as a case study for how “MARS academics” (i.e. the academic field of “migration and refugee studies”) contribute to the restrictive politics of migration by providing state institutions with technical and symbolic assistance, thereby also contributing to harming their human subjects of their research. Hatton describes the creation of the Home Office’s Advisory Panel on Country Information (APCI)<sup>34</sup> in 2003, a body composed of (mainly prominent) migration studies academics and providing the British COI unit with a non-binding ‘post-publication quality assurance system’ on its reports. He argues that the creation of the APCI mandated by the 2002 Nationality, Immigration and Asylum Act was “a concession” to its opponents who criticised the Act’s provisions on ‘safe countries of origin’ and ‘non-suspensive appeals’ in cases deemed ‘clearly unfounded’ (Hatton 2018: 111). APCI reports and other documents like minutes of its board meetings would later be used in parliament to legitimate the inclusion of specific countries on the list of ‘safe countries’ by giving weight to the Home Office’s COI reports (Hatton 2018: 115).

This thesis contributes to the literature on COI in different ways. First, it situates the development of COI in the history of asylum procedures, showing how COI has been both a product and a catalyst of the bureaucratisation of asylum procedures.

Second, it shows how different objectivity-enhancing devices, such as standards and methodologies, or the performance of objectivity and distance from the asylum procedure, contribute to the epistemic legitimation of COI work. In this context, the three articles presented in this thesis all show the important efforts that COI invest into instituting and reproducing their field of expertise.

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<sup>34</sup> The APCI has been replaced in 2009 by the Independent Advisory Group on Country Information (IAGCI).



Finally, it offers an alternative conceptualisation of the “COI community”, going beyond Claudia Engelmann’s characterisation of the European transnational COI networks as an “epistemic community”. I propose to refer to it as a “transnational guild” (Bigo 2016), a term which emphasizes the importance of “solidarity at a distance expressed by the strength of some professional loyalty bounds” (Bigo 2016: 400), as well as “hyper-valorization of certain activities or know-how” (Bigo 2016: 410).

I use the word “budding” with regard to the social scientific literature on COI because of its recent apparition, but also because I expect it to continue growing over the coming years. Importantly, the PhD projects of Jasper van der Kist at the University of Manchester and Valentin Feneberg at the Humboldt University of Berlin promise significant contributions to this field, rooted, respectively, in science and technology studies (STS) and in the sociology of law.

#### **4.2. The flourishing literature on asylum procedures**

Over the last decade, bureaucratic practices in asylum procedures have attracted significant academic interest and a flourishing literature has emerged on RSD in European, North American and Latin American national asylum systems, as well as within UNHCR in different countries. This growing body literature, mainly produced by early-career researchers (Akoka 2019: 20), can be categorised as a “third wave” of scholarly inquiry into refugee status determination. Schematically, the evolution of the academic production on asylum procedures in Europe over last three decades can be categorised in three periods, during which the main focus of research interest has shifted from the asylum seekers and refugees in the 1990s to state policies in the 2000s (e.g. Koser 2000; Lavenex 1999; Zetter 2007) and further into the practices within the state, with an acceleration since around 2010 (Akoka 2019: 20).

This “third wave” of research on RSD thus approaches asylum procedures from the perspective of their concrete implementation by looking specifically at the practices, discourses and interactions of the various actors involved (crucially decision-makers and judges, but also all sorts of experts and intermediaries, as well as civil society actors who co-construct the procedure). An important characteristic of the third wave is the geographical breadth of relatable studies undertaken within a limited timeframe in a number of countries. For clarity, I present a non-exhaustive list of publications in this literature in Table 3.<sup>35</sup>

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<sup>35</sup> For a more complete bibliography of studies dealing with bureaucratic practices of refugee status determination in English, French, and German, see my open access Zotero library: [https://www.zotero.org/groups/2287583/asylum\\_procedures\\_bibliography/items](https://www.zotero.org/groups/2287583/asylum_procedures_bibliography/items).

Austria	Dahlvik 2016, 2017, 2018, 2019
Belgium	Hamila 2019 Mazzocchetti 2017 Spotti 2019
Brazil	Jensen 2018 Magalhães 2016, 2018
Canada	Tomkinson 2014, 2015a, 2015b, 2018, 2019
Denmark	Danstrøm and Whyte 2019
France	Akoka 2011, 2013, 2019 d’Halluin-Mabillot 2012 Fassin and d’Halluin 2005, 2007 Fassin and Kobelinsky 2012 Kobelinsky 2013, 2015, 2019 Spire 2007
Germany	Schittenhelm 2015 Schittenhelm and Schneider 2017 Schneider 2019 Schneider and Nieswandt 2018
Italy	Sorgoni 2019
Norway	Liodden 2017, 2019 Rosset 2019b
Sweden	Hedlund 2017 Johannesson 2012, 2017 Joormann, 2019
Switzerland	Affolter 2017a, 2017b Affolter, Miaz and Poertner 2019 Fresia, Bozzini, and Sala 2013 Miaz 2017a, 2017b, 2017c, 2019 Poertner 2017, 2018
United Kingdom	Campbell 2013, 2017, 2019 Farrell 2012 Gill et al. 2016, 2018 Good 2015 Griffiths 2012 Hambly 2019 Jubany 2017 Schuster 2018
United States	Bohmer and Shuman 2018
UNHCR e.g. in Egypt or Mauretania and Turkey	Brücker 2019 Fresia and Von Känel 2016.

Besides these studies located within individual national “RSD regimes” (“both the set of institutions that are responsible for conducting RSD and the relationships and power dynamics between those

institutions” (Hamlin 2012: 935)), asylum procedures have also been approached “from below” through comparative research, with studies comparing RSD in:

- France and Germany: Probst 2011a, 2011b, 2012;
- France and the UK: Gibb and Good 2013, 2014;
- Germany and Sweden: Schneider and Wottrich 2017;
- Spain and the UK: Jubany 2011.

While this literature emerged in parallel and with a fair amount of international collaborations between its authors,<sup>36</sup> a transversal discussion of the studies of different national cases – a kind of qualitative meta-analysis of research on asylum procedures – remains to be produced. The closest to such an endeavour is Nick Gill’s conclusion of the volume he edited with Anthony Good (Gill and Good 2019). Drawing on the book’s ethnographic accounts of ten European asylum procedures, he identifies two “key antagonisms” that came across in the case studies: the tension between fairness and efficiency in the daily work of RSD on the one hand and, on the other hand, the antagonism between consistency and variety across time and space (Gill 2019).

Of course, there are limits to the comparative potential of this body of literature represented by the “third wave”. In particular, the level of comparability that these texts offer is dubious; they are rooted in different disciplines and sub-disciplines of the social sciences, the books, chapters, and articles deal with different actors at different levels of different asylum systems, using different methods of inquiry. Recognising these limitations, it is nevertheless striking to observe, as we shall see below, the many similarities and recurrences across national case studies when looking at the level of individual civil servants and their practices within the asylum procedure. One obvious reason for such parallels is that all these national case studies deal with similar tasks in the implementation of the same international legal norms with regard to the refugee definition and non-refoulement. Moreover, asylum administrations do not function in strictly secluded national settings but are subject to transnational processes of norms diffusion, especially within the legal sphere through the interplay of international and national judicial institutions and the impact of their rulings on national policies. This is even more the case in a context like Western Europe, characterised by an “institutionally thick environment” (Guiraudon and Lahav 2000: 166).

While acknowledging the particularities of specific institutional contexts and national RSD regimes, it is thus justified to look at the “third wave” literature as a body of knowledge about asylum

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<sup>36</sup> Different academic networks emerged from various research events and subjects, such as IRNAP, the International Research Network on Asylum Procedure, founded in 2014 and currently counting 28 members ([www.asylumprocedures.weebly.com](http://www.asylumprocedures.weebly.com)), or the research network of the ASYFAIR project (<https://asyfair.com/research-network/>).

procedures that can be articulated in a holistic way. Among recurrent themes with regards to the work of decision-making, street-level bureaucrats (Lipsky 2010) and judges, one finds the question of discretionary power in conditions of important uncertainties (Miaz 2017b; Gill et al. 2018; Jubany 2017; Campbell 2017; Dahlvik 2017; Affolter 2017a; Kobelinsky 2019; Liodden 2019), the importance of institutional norms and cultures and the socialisation of actors (Jubany 2011; Campbell 2019; Affolter 2017b; Johannesson 2018; Schneider 2019), or the impact of productivity demands on their work (Poertner 2017; Campbell 2019; see also Gill 2016). The interest for other actors involved in the procedure – such as translators, legal counsel, or medical expertise – also sheds light on questions of the communication, mediation and negotiation of various types of knowledge and narratives (Fassin and d’Halluin 2005; Gibb and Good 2014; Danstrøm and Whyte 2019; Gibb 2019; Spotti 2019; Dahlvik 2019).

### **4.3. Locating the thesis in RSD literature**

#### **4.3.1. The search for truth and the culture of suspicion**

This thesis contributes to the “third wave” research on decision-making in asylum procedures by examining the emergence and the conditions of production of a type of expert knowledge dedicated to RSD. Expertise is a significant subject in this literature because caseworkers depend on different types of expert knowledge to reduce the uncertainty inherent to their job (Kelly 2012; Dahlvik 2017; Liodden 2017, 2019). Indeed, in asylum adjudication, “the stakes are high, the uncertainties are often plentiful” (Liodden 2017: v), as asylum seekers rarely can document their risk of persecution and the assessment of their claim then often heavily relies on their stories. Moreover, decision-making takes place in a specific context, which has been described as a “culture of suspicion, denial and disbelief” (Souter 2011) towards asylum seekers. The relationship between the search for truth and the pervasive culture of suspicion that reigns in asylum administration is a common trope of the “third wave” literature on RSD. Olga Jubany argues that the asylum screening process is “saturated by the legitimated meta-message of disbelief and denial” (2017: 6). In particular, the assessment of the asylum seekers’ credibility is loaded with suspicion (Jubany 2011; 2017; Affolter et al. 2019: 273; Miaz 2017b).

In this context of search for “truth” (or rather of “untruth”), the mobilisation of “objective evidence” takes a central role. Almost all the research on decision-making in RSD mentions the importance of different kinds of expertise – medical, geopolitical, linguistic – in decision-making. The central and increasing role of medical expertise, especially with regards to testifying trauma and torture, has been identified in what considered the early works of the “third wave” of research on RSD (Fassin and d’Halluin 2005, 2007; d’Halluin 2012; Kelly 2012). For example, Carolina Kobelinsky

observed the importance accorded to medical certificates, bearing an “aura of objectivity” in the French asylum procedures: “These types of proof aim to build an image of a legitimate asylum seeker: a victim who has suffered morally, physically, or both and who bears the marks of this suffering” (Kobelinsky 2015: 343). This “truth from the body” takes precedents over the truth of the asylum seeker’s narrative (Fassin and d’Halluin 2005).

Language has also been explored as a field of expertise in asylum procedure. On the one hand, interpreters often play a central role, conveying not only translation but also “cultural interpretation” and “expertise” on the countries of origin (Gibb and Good 2014; Gill et al. 2016; Dahlvik 2018: 100-110, 2019). On the other hand, “language analysis”, which supposedly allows to determine the place of origin of asylum seekers with some level of precision based on their use of dialects and accents, also carry an important weight in credibility assessment (Campbell 2013; Kam 2015). Finally, several authors have explored in some detail the use of COI in credibility assessment (e.g. Johannesson 2012; Affolter 2017b; Dahlvik 2017; Liodden 2017; Miaz 2017a; Jubany 2017; Poertner 2018). However, unlike the other types of expertise, very little interest has been written on the conditions of production of the knowledge of countries of origin.

Didier Fassin sees the centrality of “truth” in the evaluation of asylum claims as the result of a historical development initiated in the early 1980s:

“In three decades, asylum granting has (..) plummeted from nine to one out of ten applications in France — a dramatic change that is paralleled by the evolution in other European countries. With increased restrictions on immigration to limit labor market access for non-European foreigners, the refugee question was redefined by economic needs and asylum was subsumed under the logics of immigration control. This evolution is accompanied by a profound loss of credibility of asylum seekers within the institutions in charge of assessing their applications. Not so long ago, the relationship between the administration and the claimants was one of trust. It has reversed into mistrust” (Fassin 2013: 47)

Within institutions dealing with asylum adjudication, this historical development has been influenced by different, but interrelated, processes that have reinforced the importance of truth and expertise in RSD: on the one hand, the bureaucratisation of the asylum procedures and the sophistication of asylum law and, on the other hand, the Europeanisation of asylum policies.

#### 4.3.2. The bureaucratisation and sophistication of asylum law

The bureaucratisation of asylum has its roots in a political discourse emerging in the late 1970s and early 1980s, fostering more restrictive migration policies. Based on the idea that the new categories of asylum seekers – increasingly coming from outside Europe – use the asylum procedure to bypass the restrictive immigration policies, it posits that the lenient screening of asylum seekers constitutes a “pull factor” for individuals who do not qualify as refugees (Legoux 1999; Valluy 2009). This narrative of abuse and deterrence is complemented with a narrative of protection of refugees that justifies the restrictive turn: “bogus asylum seekers” who want to “abuse the system” must thus be identified and excluded, so that “deserving refugees” and the “asylum system” can be preserved (Hassan 2000; Hamidi and Fischer 2016).

In bureaucratic terms, this conception translates into practices through an increasing insistence on the individual treatment of asylum claims and the complexification of investigation tools for this purpose. In all Western countries, this evolution takes indeed the form bureaucratisation in the Weberian sense, i.e. a rationalisation process, characterised by the division of labour, increased specialisation, as well as technical training and evaluation by supposedly impartial procedures (Weber 2019; Stünzi and Miaz 2020). The gradual processes involves the standardisation the procedures (for example in interview techniques or the use of expert knowledge) as well as the development of identification and verification of documents, which become increasingly used as evidence (Fresia et al. 2013).

The process of juridification – the proliferation of laws – is entangled with the politicisation of a legal field (Hedlund 2016: 42). In the Swiss case, Jonathan Miaz (2017) shows how the “normative inflation” in the field of asylum caused by its high level of politicisation has led to the introduction in law of certain instruments that paradoxically guarantee some procedural guarantees to asylum seekers. The juridification has also manifested itself in the multiplication of legal statuses and participated – together with the increased role of tribunals – in the concomitant process of judicialisation of the administrative decision-making processes in the asylum procedure (formalised process, more complex decision-making, procedural guarantees, etc.). Jonathan Miaz refers to this double process as “the sophistication of asylum law” (2017a).

Looking at the emanations of both processes of bureaucratisation and sophistication of law, one can identify common patterns. They both lead to a technicisation (of law and procedures) and produce depoliticising<sup>37</sup> effect by co-opting civil society organisations that support asylum seekers

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<sup>37</sup> In this thesis, the notion of depoliticisation is used to designate processes by which states attempt to remove issues from the political field of social contestation. Depoliticisation “reduces open contestation and conflict and conceals struggles” (Bakonyi 2018: 259; see also Standing 2017).

into either the co-production of law (Miaz 2017a) or the co-production of expert knowledge (d'Halluin-Mabillot 2012). They also manifest themselves in the daily practices of RSD through the standardisation of procedures, including the credibility assessments and the formalisation of decision-making processes, increasingly forcing decision-makers to justify and objectify their decisions according to pre-established lists of criteria and with the support of “objective evidence” authorised by experts (Fresia et al. 2013).

#### 4.3.3. The Europeanisation of asylum

The bureaucratisation of the asylum procedure and the sophistication of asylum law are further interrelated with another historical process, the Europeanisation of asylum policies, driven by the objective to set up a Common European Asylum System. In many ways, the top-down processes of harmonisation (or vertical Europeanisation, see e.g. Favell and Guiraudon 2009; Guiraudon 2010) have influenced the above-discussed processes of standardisation and reinforced the bureaucratisation of asylum procedures. For example, Schittenhelm and Schneider (2017) explain that one function of achieving similar procedural standards across Europe is that it reinforces “the notion of a neutrally acting bureaucracy in modern states” (Schittenheld and Schneider 2017: 1698) by negating the role of a purported arbitrariness stemming from varying local conditions.

The increasing role of EASO in producing RSD manuals and conducting trainings on subjects like interviewing, credibility and evidence assessment (Lahusen 2016; Schneider and Wottrich 2017; Schittenhelm 2019) indicates that the presence of the European level may also be increasingly pervasive in the socialisation of caseworkers at the national level (horizontal Europeanisation).<sup>38</sup> Even if the street-level bureaucrats are usually not directly socialised within European networks (Favell and Guiraudon 2009) – which remain reserved to specific groups of specialists within national administrations (Schneider and Nieswandt 2018) – the Europeanised modes of doing and thinking may well transpire from their practices and discourse. This topic has, however, remained largely unexploited in the « third wave » scholarship on RSD. Currently, however, to my knowledge, only one existing study on RSD decision-making took such an approach – Stephanie Schneider

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<sup>38</sup> Another way in which the horizontal Europeanisation could happen is through bureaucrats’ network-thinking, through the anticipation of what civil servants in other countries would do, for example when deciding on “Dublin cases”. Such dynamics have recently been described in other contexts of European migration bureaucracies, most importantly by Federica Infantino (2019) in her work on visa policies and “transnational policy-making from below”, but also more implicitly by Tobias Eule, Lisa Borrelli, Annika Lindberg and Anna Wyss (2019) in the European field of migration control.

and Kristina Wottrich' comparison of the impact of EASO RSD training modules Sweden and Germany (Schneider and Wottrich 2017).

The situation is very different when it comes to research on COI. The budding literature on the subject invariably locates COI work within transnational (and other supra-national) ideational and material environments. This is evidently linked to the particular involvement of COI units in European cooperation on asylum, as the topic was identified early on as an important element in the harmonisation of asylum procedures (see "history article").

#### 4.3.4. The contributions of this thesis

The contributions of this thesis to the literature on RSD emanate both from its individual articles and from the thesis taken as a whole. The three articles importantly contribute to the understanding of asylum procedures by shedding light on an important part of RSD work, yet happening "in the shadow" of asylum procedures and often taken for granted.

Importantly, the thesis contributes to the numerous works on the production of expert knowledge in RSD (e.g. d'Halluin 2012; Kelly 2012; Kam 2015; Netz 2019), by showing how the COI field of bureaucratic expertise is instituted, objectified and legitimated. It also shows the effects of the increasing mobilisation of expertise on the legitimation of asylum bureaucracies through their increasing technicisation.

The "history article" offers an original account of the bureaucratisation of asylum procedure, by focusing on one specific but paradigmatic instrument of this process. It shows how the creation of the French COI unit was a response to an increasing contestation of the restrictive turn in RSD. The history of the French COI unit also demonstrates the importance of the processes of Europeanisation in this domain. Both processes led to develop an established field of expertise, playing an increasing role in asylum procedures. The article, especially in connection to the rest of the thesis, highlights the importance of considering bureaucratic practices, and in particular refugee status determination, in their historical dimension.

The "distance article" contributes to the literature on RSD by shedding light on the norms and values that inform the production of COI. It shows how a mechanism of distancing COI from the decision-making process conveys the Norwegian unit with a particular claim for objectivity, which contributes to depoliticise the asylum procedure and legitimate its actors.

The "access article" highlights the difficulty, as a researcher, to navigate the complex dynamics within asylum administration and contributes to the literature on RSD primarily from a



methodological perspective, by pointing to the inherent partiality of access and the power of field actors to control knowledge in a politically charged environment.

The article also invites to further explore asylum administrations beyond the national level, by highlighting the importance of transnational networks in the way they provide bureaucrats with resources to endow their practices with meanings and authority. More generally, the thesis highlights the importance of the transnational level in the functioning of state bureaucracies in the context of refugee status determination, which remains a challenge for a literature permeated with methodological nationalism.<sup>39</sup> In the context of “transnational policy-making from below” (Infantino 2019), this study also points, although not explicitly, to the potential of future research in institutionalised informal settings such as the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC).

#### **4.4. Contributing beyond the field of RSD**

Beyond the field of RSD, the collection of articles and the accompanying chapters taken as a whole also contribute to a wider literature on (migration) bureaucracies by tackling three dimensions of expert knowledge production in such contexts: the formalisation of knowledge in relation to (il)legibility practices; the role of expertise in migration management and control; the co-production of knowledge and bureaucracies.

First, this thesis contributes to the understanding of knowledge practices in (migration) bureaucracies. In much literature on migration control and management, focusing on the practices of *street-level bureaucrats*, professional knowledge is considered situated, implicit and informal. For example, Federica Infantino talks about the central importance of “local” knowledge in the implementation of visa policies, “the specialized, experiential, contextual, and interactively derived expertise that underpins street-level policy implementation” (Infantino 2016: 45). Laura Affolter (2017) examines the implicit knowledge of RSD decision-makers. Tobias Eule, Lisa Borrelli, Annika Lindberg and Anna Wyss (2019) claim that reliance on informal knowledge is systemic to the European migration regime and inherently productive. In this thesis, my perspective on bureaucratic knowledge focuses on rather different dynamics as, in the case of COI producers, I show that knowledge is productively and pro-actively de-situated, explicated and formalised.

This point also relates to the question of bureaucratic “legibility practices” (Scott 1998) and the

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<sup>39</sup> The same cannot be said of research on European migration bureaucracies in general (see e.g. Feldmann 2011; Eule et al. 2019; Lindberg and Borrelli 2019a; Infantino 2019).

illegibility of bureaucratic practices (Das 2004; Eule *et al.* 2019). Indeed, the informal and implicit character of knowledge production and circulation renders the practice of the state opaque and illegible. Instead, as we claim in the “access article”, “COI units produce both legibility *for* the state (producing operational knowledge) and legibility *of* the state (performing rational and objective decision-making)” (Rosset and Achermann 2019: 63). By considering COI as a legitimating device of the state, I argue that one of its roles is to render the state legible, by performing the rationality and objectivity of its functioning. Indeed, as this thesis makes clear, actors within the field of COI have become specialists in the presentation of self (Hilgartner 2000).

The second contribution localises the thesis at the other end of bureaucratic knowledge – the growing body of literature on the role of expert knowledge in the field of migration management and control (Boswell 2009; Pécoud 2015; Scheel and Ustek-Spilda 2019). In this framework, this thesis stands out chiefly by the type of expertise it deals with, as COI, by its qualitative, descriptive nature, doesn’t “let itself objectify” as easily as the quantifiable data at the centre of these works. As a result, the thesis contributes to understanding the social conditions of the legitimation of expertise, by showing not only how knowledge legitimates decision-making in the field of asylum governance (Boswell 2009), but also the mechanisms that legitimate the knowledge itself.

The thesis shows how the important normative dimension of knowledge production in the field of asylum and the processes that it legitimates are “hidden behind a ‘technical’, ‘evidence-based’, or ‘scientific’ assessment of the ‘problems’, as well as behind the universal” (Pécoud 2015: 93). Indeed, COI participates to depoliticising the field of migration control by contributing to the “politics of expertise through which migration is enacted as a reality that can be managed” (Scheel and Ustek-Spilda 2019: 663).

By showing how COI became a field of expertise in its own right and through which mechanisms it constructs the legitimacy and authority of its knowledge work, this thesis contributes to understand how the depoliticisation of asylum procedures operates. In this respect, the thesis also speaks to a wider constructivist literature on evidence-based policy-making (Standring 2017) and the technicisation of bureaucratic governance (Rose 1999; Hibou 2012; Bokanyi 2018).

Finally, I believe that the slightly peculiar nature of this thesis, composed of an eclectic collection of three articles allows it to claim an original inquiry into the co-production of the authority of knowledge and bureaucracy (Dear 2004; Jasanoff 2004; Hoag 2011). Indeed, by tackling the relationship between COI and legitimation from different perspectives, using different types of data and approaches, I show how different ontological understandings of legitimation bring different pieces to the complex puzzle of state authority (see closing chapter).

This chapter presented extensively the social scientific literature on COI and the “third wave” of research on RSD, which is characterised by its interest for the micro-level practices of decision-making. It located the research presented in this thesis in three important themes of this literature: the politics of truth, suspicion and expertise in RSD; the bureaucratisation and the sophistication of asylum law; and the Europeanisation of asylum.

The chapter discussed the contributions of this thesis to the literatures on COI and RSD, but also more widely on (migration) bureaucracies. It identified in particular three areas, namely the formalisation of knowledge in relation to (il)legibility practices, the role of expertise in the depoliticisation of migration management and the co-production of knowledge and bureaucracies. The following chapter introduces a general theoretical framework to the three articles of this thesis.

## **5. Theoretical framework: the state, knowledge and legitimacy**

The focus on bureaucratic practices of knowledge production in a sensitive and politically charged field of governance positions the thesis within a rather classical set of inquiries around the relationship between the state, knowledge and legitimacy. In this chapter, I explore this triangular relationship and provide a general theoretical framework to articulate the findings of the three articles presented. This theoretical endeavour is made complicated by the heterogeneity of the articles' respective approaches in ontological, methodological and theoretical terms.<sup>40</sup>

In order to tackle this challenge, I open the chapter with a discussion of what constitutes the state from an ontological point of view and how the state relates to and relies on the notions of knowledge and legitimacy. I then put forward a model of four types of legitimation based on the work of Theo van Leeuwen (2007), which I apply to the field of asylum procedures. Finally, I discuss the relationship between COI and legitimacy work occurring at different levels.

### **5.1. Manifestations of the state**

According to Philip Abrams, the notion of "state" is a mask "which prevents our seeing political practice as it is" (1988: 82). This does not mean that the state does not exist. It means that the scholar's task is "to unmask the state by studying its material manifestations ('state-system') and ideological reifications ('state-idea'), which are produced under the more abstract and obfuscating notion of 'the state'" (Kalir et al. 2019). This research agenda, which the present thesis aims to contribute to, can be carried out through different understandings of the nature of both the state-system and the state-idea. Sheila Jasanoff (2004) mentions the existence of three "ontological" states: the organisational, the material and the embodied state. Astonishingly (and unfortunately), this useful categorisation is only mentioned by Jasanoff. Therefore, I briefly take the liberty of elaborating on my understanding of these categories.

The forms and structures that states adopt are of primary interest for scholars utilising comparative approaches (Damaska 1986; Adler 2003; Hamlin 2014), as well as those who analyse the organisational state to account for its historical success as a dominant structure (Weber 2019;

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<sup>40</sup> For a longer discussion of the "methodological bricolage" of this thesis, as well as on the associated difficulties, refer to chapter 8.

Olsen and March 1989) or to interpret the meanings and ideological content of its structuration (Brunsson 2002).

The second ontological state is made visible (and tangible) through its bureaucratic production; the state materialised in documents, infrastructures and the organisation of space (Hull 2012; Das 2004; Mathur 2016; Poertner 2017; Darling 2014; Cabot 2012; Hambly 2019). Paperwork, for example, offers a valuable entry point into the inner workings of bureaucracies (Barrera 2008: 4) while simultaneously serving the ideological project of the legibility of the state (Hull 2012; Scott 1998).

Finally, the embodied state can relate to two different ways of conceiving and approaching the state. On the one hand, scholars of public action stress that it is in the daily work of individual civil servants that the state is embodied and enacted (Lipsky 1980; Crozier and Friedberg 1977). On the other hand, the state is also embodied within members of society (including civil servants). Timothy Mitchell (1991), for example, proposes the state can be understood through the “metaphysical effect” it produces to become recognised as an objectified structure. From a Foucauldian perspective, the power produces identities that are inscribed in the bodies of the governed. “Embodying the state” can thus be a useful analytical approach to understand “who enacts policy and in what way” (Mountz 2004: 328).

However, this embodied state then also raises methodological questions relating to the capacity to produce knowledge on the state since any analysis is subject to the bending of state power: “celui qui prétend parler de l'État Inconscient, (...) sent bien que c'est encore l'État qui parle à travers son analyse” (Lourau 1978: 108). In this respect, Pierre Bourdieu (2012) talks about “state categories of thought”, which imply that any sociological study of the state should necessarily also be a sociology of knowledge:

“le travail de sociologue, dans ce cas particulier [celui de l'État], consiste à essayer de se réapproprier ces catégories de la pensée d'État que l'État a produites et inculquées en chacun de nous, qui se sont produites en même temps que l'État se produisait et que nous appliquons à toutes choses, et en particulier à l'État pour penser l'État, en sorte que l'État reste l'impensé, le principe impensé de la plupart de nos pensées, y compris sur l'État” (Bourdieu 2012: 173).

It is important to note that, just as the “state-idea” and the “state system” are two dimensions of the same “state”, the three ontological states presented do not exist in separate but parallel ontological universes. Instead, they are an analytical distinction to shed light on different aspects of the same object and are necessarily related to each other, oftentimes heuristically complementary. In this thesis, the state is encountered in all three ontological manifestations.

## 5.2. The state and knowledge

Knowledge production is an essential characteristic of bureaucratic and judicial institutions (Hoag 2011: 81; Affolter 2017b). In the Weberian rational-legal model of authority, bureaucracies “rule through knowledge: this is [their] specific basic rational character” (Weber 2019: 352). Bureaucratic states not only gain “enormous power (...) through expertise” but have a “tendency to increase [this] power even further through the knowledge that it gathers in its activities” (ibid.). In this vision, knowledge is thus a twofold instrument of power.

First, knowledge invests the state with authority through rationality, and the use of expert knowledge is a core feature of modern bureaucracies (Sabatier 1978; Weiss 1979; Nutley et al. 2007). As Christina Boswell (2009) argues in her analysis of the use of expert knowledge in European migration governance, the use of expertise can indeed be used as a basis for rational policy-making. But, she continues, it can equally be used by state actors in a symbolic way, either to substantiate the policy-makers’ pre-existing policy preferences or to legitimate the functioning of the institutions by signalling the rationality of their decision-making processes (Boswell 2009).

Second, domination through knowledge accumulation is patently exemplified in James Scott’s work on the “legibility practices” of the states (1998). In order to “see” their jurisdictions, to make their environments knowable, states engage in ordering the social and physical spaces they govern. Through planning, measurement and standardisation, states create an order that they can control.

However, this one-directional vision of knowledge as a (instrumental and/or symbolic) tool of the state’s domination is not satisfactory for authors who consider the production of the state and knowledge as indissociable processes. Michel Foucault (1994), for example, also claimed that “power produces knowledge” but understood it in a less instrumental and more essential way: “pouvoir et savoir s’impliquent directement l’un dans l’autre; il n’y a pas de relation de pouvoir sans constitution corrélative d’un champ de savoir, ni de savoir qui ne suppose et ne constitue en même temps des relations de pouvoir” (Foucault 1994: 32).

Timothy Mitchell showed how the construction of the modern Egyptian state was grounded in the interplay of several forms of modern expertise (engineering, accounting, surveying, bureaucracy, economics) and produced unintentional power effects by way of a process in which:

“the intentional or human is always somewhat overrun by the unintended. But it is a particular form of manufacturing, a certain way of organizing the amalgam of the human and nonhuman, things and ideas, so that the human, the intellectual, the realm of intentions and ideas seems to come first and to control and organize the nonhuman” (Mitchell 2002: 42-43).

Distinguishing his approach from that of James Scott, Mitchell writes: “whereas Scott is concerned with the way modern states have misused the powers of science, and distinguishes this misuse from proper science, I am concerned with the kinds of social and political practice that produce simultaneously the powers of science and the powers of modern states” (Mitchell 2002: 312, n. 77).

The co-production of (scientific or expert) knowledge and the state is facilitated by the similar epistemic expectations faced by science and bureaucracy. Both can “act as objectivity machines, generating vision from nowhere and everywhere” (Hoag 2011: 84). Authority based on objectivity is a common characteristic of both types of organised action (Dear 2004). Emphasising the similarities between the mechanisms by which expert knowledge production and bureaucratic work construct authority also prompts us to reflect on the notion of legitimacy, upon which this authority is acquired.

### **5.3. The state and legitimation**

According to Max Weber, the authority of the state relies on its legitimacy, which essentially rests in the state’s subjects’ willingness to obey (2019: 338). Legitimacy can thus be defined negatively, as the absence of essential contestation of the relationship of domination. In order to ensure obedience and avoid contestation, political organisation must thus engage in legitimation work – in short “acquiring and preserving support from the general public” (Wæraas 2018: 18).

Reaching again to Philipp Abrams, the state is seen “first and foremost an exercise in legitimation – and what it being legitimated is, we may assume, something which if seen directly and as itself would be illegitimate, an unacceptable domination. Why else all the legitimation-work?” (Abrams 1988: 76). This assertion is, in my opinion, not very useful because it either makes the normative point that no (state) domination can be legitimate, or envisages the existence of a type or rule that would be inherently legitimate and whose legitimacy would not require action.

Instead, departing from the same standpoint that states are “first and foremost an exercise in legitimation”, it is more interesting to look, on the one hand, at the sources of legitimacy<sup>41</sup> that will be the object of legitimation and, on the other side, on the mechanism of legitimation. Indeed,

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<sup>41</sup> As I explain below, there are two type of legitimacy that are central in this thesis: epistemic legitimacy (Jasanoff 2011) and procedural legitimacy (Boswell 2009). However, the utilisation of the word “legitimation” is not consistent throughout this thesis. This due to different parts being written and published at different times and my understanding and conception of legitimation evolving. This common framework should allow to show how they are nevertheless interrelated

legitimation always longs towards something, a state of legitimacy, and, as any process, legitimation requires mechanisms.

In this thesis, I put forward to apply a conceptualisation of the mechanisms of legitimation developed by linguist Theo van Leeuwen (2007) that can be productively transposed to the production of knowledge in the bureaucratic context of asylum procedures. Based on his work in critical discourse analysis and social semiotics, van Leeuwen puts forward four main mechanisms of legitimation, which Norman Fairclough (2003)<sup>42</sup> has slightly adapted as follows:

- 1) 'authorisation', legitimation by reference to the authority of tradition, custom, law, and of persons in whom some kind of institutional authority is vested;
- 2) 'rationalisation', legitimation by reference to the utility of institutionalised action, and to the knowledges society has constructed to endow them with cognitive validity;
- 3) 'moral evaluation', legitimation by reference to value systems;
- 4) 'mythopoesis', legitimation conveyed through narratives.

(Fairclough 2003: 98; see also Van Leeuwen 2007: 92)

Theo van Leeuwen adds, these mechanism of legitimation “can occur separately or in combination. They can be used to legitimise, but also to de-legitimise” (van Leeuwen 2007: 92). In the following subsections, I explore van Leeuwen’s four categories of legitimation in relation to the asylum procedure. I do so by referring to different bodies of literature that are particularly relevant to each type of legitimation process. Before entering in the categorisation, I briefly situate the asylum procedure in the wider field of asylum.

#### **5.4. Producing legitimacy in the field of asylum**

Asylum procedures can be analysed as an organisational, material, and embodied manifestation of the state (Jasanoff 2004), both as a “manifestation” and a “reification” (Abrams 1988; Kalir *et al.* 2019). In order to bring together these different perspectives in an analytical endeavour, Michel Foucault’s notion of “apparatus” is helpful as it allows us to distinguish coherence in networks of various discursive and material elements (Foucault 1994: 299).

Locating the asylum procedure in the wider field of asylum helps us to disentangle the various apparatuses that make up this field of governance, thereby providing insight into its functioning in

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<sup>42</sup> Fairclough relied on a then unpublished version of van Leeuwen’s model, which explains why the reference is older than the source it is supposed to rely on.



terms of authorities, rationales, techniques and, importantly, registers of legitimacies. This allows to avoid excessive approaching the asylum procedure as an idiosyncratic field, while highlighting its specificities. Based on a collective reflection with two colleagues,<sup>43</sup> I put forward through four separate apparatuses to conceptualise the field of asylum governance:

1. An apparatus of flow management based, on the one hand, on the accelerated treatment of cases through the sorting mechanisms of the Dublin system and the evaluation of “manifestly unfounded” or “simple” cases and, on the other hand, on the policies of deterrence against failed asylum seekers (Gibney and Hansen 2003; Hassan 2000: 185-186);
2. An administrative and judicial apparatus of case management responsible for processing asylum claims and status determination, sorting individuals into legal categories (Zetter 1991, 2007);
3. An apparatus of bodies management materialised in the placement of asylum seekers in reception centres (accommodation, support and supervision of persons awaiting a decision) and characterised by tensions between assistance and efficiency and between assistance and control (De Coulon 2019);
4. A more intangible apparatus of subject management designed for disciplining behaviours by delineating desirable behaviours from deviant misconduct with a system of retribution and punishment (e.g. specific centres for uncooperative asylum seekers or merit-based integration policies).

Each of these four apparatuses carries its own moral economies (Fassin 2009), rationalities and functions. They also materialise and operate through differentiated mechanisms, infrastructures and instruments. Importantly, they also rely on and promote different registers of legitimation. The persons and processes at the heart of this thesis participate in the apparatus of case management, which aims to filter the files of the “true refugee” among the “bogus asylum seekers”. In the following subsections, I discuss van Leeuwen’s four mechanisms of legitimation in relation to the registers of legitimation of the apparatus of case management and the work of COI.

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<sup>43</sup> This conceptualisation of the field of asylum governance was developed with two fellow PhD students, Camilla Alberti and Raphaël Rey (Alberti et al. 2018). The main features of each apparatus are summarised in a table (see Appendix 2), which offers a visualisation of the “topography of asylum governance” within which asylum procedures take place. The table was generated based on the Swiss asylum system, but its general framework is certainly transposable to other European contexts.

#### 5.4.1. Authorisation

The different sources of authority mentioned in the case of “authorisation” can be broadly related to the Weberian legal, traditional and charismatic ideal types of legitimate authority (Weber 2019). However, van Leeuwen’s model is an inversion of Weber’s perspective. Rather than focusing on the way legitimacy fosters authority, this model forces us to consider the reverse process of legitimacy deriving from authority. In other words, while legitimacy authorises (Weber), authority legitimates (van Leeuwen).

In this sense, the legitimacy of the apparatus of asylum case management derives in part from its mere institutional nature as a bureaucratic and judicial state system vested with the authority to allocate status and rights. With regards to COI, the mutual production of authority and legitimacy prompts us to question “how knowledge-making is incorporated into practices of state-making, or of governance more broadly, and, in reverse, how practices of governance influence the making and use of knowledge” (Jasanoff 2004: 3). Jasper van der Kist, Huub Dijkstra and Marieke de Goede point to this co-production in the field of COI: “Between knowledge production and decision-making there is a process of consolidation; the authority of a COI report is drawn from its use in governmental deliberations, while decision-makers use the authority of country expertise to validate their policy decisions” (van der Kist et al. 2018: 79).

#### 5.4.2. Rationalisation

Rationalisation is defined as legitimation by reference, on the one hand, “to the utility of institutionalised action”, and, on the other hand “to the knowledges society has constructed to endow them with cognitive validity” (van Leeuwen 2007: 92). With respect to bureaucracy, the first aspect of rationalisation broadly corresponds to the ideas of efficiency and adequacy. But here too, the legitimation process can be a two-way street. New institutionalist scholars have shown that organisations strive to conform to the expectations of their environment precisely because their goal is often not efficiency but legitimacy (DiMaggio and Powell 1991; Brunsson 2002). The perceived utility of institutionalised action (and consequently of the organisations that perform it) is not only a product of its social evaluation as an adequate problem-solving process. It is also the fruit of organisational endeavours to present themselves as useful, relevant and rational. In the apparatus of case management, the “problem” is one of identification (sorting the refugees from other migrants) and the solving mechanism lies in administrative structures and the increasingly sophisticated processes of classification.

This understanding allows us to unpack the second aspect of rationalisation – the mobilisation of “knowledges society has constructed to endow them with cognitive validity”. It can be described as “regimes of truth” (Foucault 1980), the assemblage of discourses, mechanisms, procedures, and delegated individuals who define what counts as true. Rationalisation as a mode of legitimation is particularly relevant to considering the role of COI in asylum procedures. In order for the knowledge produced by COI units to be “endowed with cognitive validity”, it must conform to specific external expectations (e.g. neutrality, systematic methods and transparency). If the expert knowledge is indeed validated, then its mobilisation in refugee status determination signals the rationality of procedures, acting as a powerful legitimating factor (see distance article).

#### 5.4.3. Moral evaluation

Legitimation through “moral evaluation” refers to adherence to the relevant “value systems”. This notion is well-captured by the notion of “moral economies”: “the production, distribution, circulation, and use of moral sentiments, emotions and values, and norms and obligations in social space” (Fassin 2009: 1257).

In bureaucratic fields, this notion can be fine-tuned with reference to the two complementary Weberian notions of ethics and ethos (Eckert unpublished in Affolter 2017a). Ethos is characterised by a set of values attached to the functioning of bureaucracy, such as impartiality, obedience, predictability, equal treatment, procedural fairness, efficacy, depersonalisation, but also increasingly by accountability, transparency or even deliberative or participatory processes (du Gay 2008). Ethics is rather associated to its substantive goals of fostering a common weal, as the legitimacy of bureaucracies also rests “on claims that they manifest a constitutional agreement and exist for the public good” (Bear & Mathur 2015: 18).

In refugee status determination, the idea of the common weal can be linked to the “fair and efficient” formula. It consists, on the one hand, of the subsistence of the legal system and of state sovereignty, and, on the other hand, of an efficient state system with efficient procedures (Poertner 2017). These create what is considered a fair procedure: a right to protection for “deserving” people, for “true” refugees. This is made possible by a rule-oriented apparatus incorporating values such as legal neutrality, fairness, efficiency and transparency (Affolter et al.; Liodden 2019). As previously mentioned (see chapter 3 and 4), COI is strongly associated with the moral economies of asylum procedures.

#### 5.4.4. Mythopoesis

Finally, the idea of “mythopoesis” refers to “narratives whose outcomes reward legitimate actions and punish non-legitimate action” (van Leeuwen 2007: 92). Van Leeuwen exemplifies this through two kinds of tales: “moral tales, [in which] protagonists are rewarded for engaging in legitimate social practices, or restoring the legitimate order” and “cautionary tales, [that] convey what will happen if you do not conform to the norms of social practices. Their protagonists engage in deviant activities that lead to unhappy endings” (van Leeuwen 2007: 105-106). This category of legitimation may require more of a stretch to apply it to the work of asylum bureaucracies. Nevertheless, the importance of predicting the consequences of actions considered “good” or “bad” according to a set of socially held preferences is apparent in refugee status determination processes that are inherently about prognosis. Moreover, the field of migration policy is also permeated with “policy narratives” about the “causes, dynamics and impacts of migration” (Boswell et al. 2011).

Antoine Pécoud (2015) identifies one such set of narratives, or myths, in the “international migration narratives” developed by migration-related international organisations. He demonstrates how their framing of migration issues as problems that can be catalogued and solved in a managerial way has participated in creating a depoliticised idea of migration as a phenomenon to be “managed”.

Research on decision-making in RSD offers some concrete examples of mythopoetic legitimations. In Switzerland, Ephraim Poertner (2017) revealed how the risk assessments in decision-making not only concern the asylum seeker whose claim is assessed, but also the wider social implications of a positive or negative decision in terms of migration policy through the discourse of “politics of deterrence”. Asylum adjudication is informed by caseworkers’ representations of possible consequences, such as that too many positive decisions carry the risk of creating a “pull effect”, which would hamper Switzerland in its “competition with other European countries to become the least attractive destination for asylum seekers” (2017: 18). The “politics of deterrence” thus provides caseworkers with an elaborate narrative of what is a desirable, legitimate order, and what would constitute dangerous and deviant behaviour. Similarly, in the case of the Swedish courts, Martin Joorman shows how the political idea of “regulated immigration” transpires in the legal decision-making on asylum cases (2019: 124). These examples show how mythopoetic legitimations can intervene in the workings of asylum administrations.

But beyond mythopoesis in RSD, it is also possible to conceive RSD as mythopoesis — what Jérôme Valluy called the “juridical fiction of asylum”, “une fiction qui laisse croire à l’existence d’une définition claire du réfugié et d’une procédure efficace permettant de l’identifier” (Valluy 2004: 17). This fiction, or myth, supposes the existence of an essentialised genuine refugee, corresponding to “l’archétype rêvé du réfugié” in the words of Karen Akoka (2011).

## 5.5. COI and legitimacy work

The leading theme of the three articles of this thesis is the relationship between the bureaucratic practice of COI production and the construction of legitimacy. In this respect, the objects of the legitimacy work are of a different nature. If COI contributes to the legitimation of state action through its “apparatus of case management”, it remains to be clarified what exactly is legitimated in COI “legitimacy work” and how to account for it.

As the previous section indicates, the apparatus of asylum case management is permeated with the idea of legitimacy rooted in the adequacy of procedures (Boswell 2009). Moreover, I claim that COI, in its essence as expert knowledge, also relies significantly on “epistemic legitimacy”, which emphasizes the importance of “regulatory knowledge” in the legitimation of national states (Jasanoff 2011). Both notions of procedural and epistemic legitimacy importantly rely on the ideal of objectivity, focusing on the procedural way to attain it in the first case and on the construction of scientific objectivity in the second.

One entry point into the legitimating role of COI can thus be found in its oft-repeated discursive association with “fair and efficient asylum procedures” (see chapter 3). COI is then associated with both an idea of justice, as well as good management. Such a perspective also places COI at the heart of the inherent tension of asylum, as “the ‘fair and efficient’ standard is in itself reflecting a balance between the individual and the state’s interests” (Vedsted-Hansen 2011: 255). Sarah Craig and Karin Zwaan note that the “twofold goal (...) is, from a human rights perspective, a task that creates internal contradictions, in the sense that implementing efficiency may rule out fairness, and promoting fairness requires an investment of time and effort which State authorities may discourage” (2019: 28).<sup>44</sup>

Another more concrete entry point into the relationship between COI and legitimation is the counterfactual question: under what conditions is COI associated with de-legitimation? And if legitimation concerns COI as expert knowledge, COI units as producers of knowledge, and asylum administrations as legal, rational democratic state organisations, then what undergoes de-legitimation when a controversy about a COI report emerges? In this respect, the controversy around a report on Eritrea published in late 2014 by the Danish COI unit is particularly enlightening.

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<sup>44</sup> Jens Vedsted-Hansen notes that in this tension, “the notion of ‘fairness’ is flexible enough to allow for compromises with the potentially strong demand for efficiency” (Vedsted-Hansen 2011: 255). However, one can argue that the opposite statement could also be true and that what is “strongly demanded” relates *in fine* to a political choice.

On 25<sup>th</sup> November 2014, the Danish Ministry of Justice issued a press release stating that information gathered in a recent government report would make it more difficult for Eritrean nationals to receive refugee status in Denmark. (...) The report was based on two fact-finding missions to Ethiopia and Eritrea in late 2014. The report was produced in the context of heightened political controversy over increasing numbers of Eritrean asylum applications in Denmark. In anticipation of the publication of this report, Denmark suspended refugee status determination for Eritrean asylum seekers.

After its publication, the report came under harsh criticism from several organisations (e.g., AI 2014; HRW 2014; UNHCR 2014). (...) There was also controversy within the government body responsible for the report: Shortly after its publication, two of the three participants from the Danish fact-finding mission went on sick leave due to disagreements with their superiors about the report. (...) The report was also criticised for methodological errors. It presented incomplete and selective quotations and arrived at conclusions that relied primarily on information gathered from anonymised international organisations and Western embassies that were based in Asmara (but did not have access to the field). Danish media picked up the story and elevated it to a headline news story known as the 'Eritrea Case' ('Eritrea-sagen'). In the aftermath of the scandal, Danish authorities backpedalled on their use of the report, stating that they would revert to former practices when handling asylum applications lodged by Eritrean nationals. (Rosset and Liodden 2015: 26-27)

Looking at what undergoes de-legitimation when a COI report is contested is, first and foremost, the report itself – the information produced. The identified methodological flaws of the report question its objectivity. In a rare type of confrontational reaction, the UNHCR distanced itself from the report, pointing to the report's problematic sourcing and making it explicit that it was not the anonymised "UN agency" quoted in the report (UNHCR 2014).

The Eritrea report controversy also shows that a shadow can be cast over the analysts' or the COI unit's competence or intentions. One of the co-authors of the Danish report, who left the Danish migration agency after its publication, stated that it represented a "torpedo into the work that we have done over the past 20 years to build credibility and transparency" (Lange Olsen 2015).

In the Danish Eritrea report controversy, it was moreover suggested that the conclusions of the report had been pushed "from above" (Rosset and Liodden 2015). The strength of the backlash and the sudden politicisation of the otherwise technical device of COI was certainly due to the fact that it was used to legitimate an important and restrictive shift in decision-making. But the core criticism was related to methodological shortcomings that called the report's objectivity into

question. Because procedures had not been respected<sup>45</sup> and the objectivity of knowledge was called into question, the whole institution that was caught in a process of de-legitimation.<sup>46</sup>

In all cases and at different levels, there is the idea that de-legitimation is caused by non-adherence to existing procedures and norms, which questions the ideal of bureaucratic rationality and the objectivity of knowledge production. The debate will then remain technical and deal with the epistemic and procedural dimensions of legitimacy. The existence of COI opens up space for contestation, but it also constrains the reach of this contestation to a technical issue. It is important to note that by rendering the procedure technical (Rose 1999), COI also contributes to depoliticising the question of asylum itself (Standing 2017).

Contestation of COI will never deal with fundamental systemic questions (for example, about the relevance of the notion of refugee or the existence of an archetypical refugee). Instead, it will always target the self-referential methods of this specific type of expertise and its capacity to deliver “objectivity”. In this sense, whether it is contested or not, COI plays a legitimating role in the RSD as mythopoesis, the “pensée d’État” that individuals can be identified and categorised to sort the refugees from the other non-deserving categories.

This chapter presented a general theoretical framework for the articles in this thesis. It discussed the different ontologies of the (organisational, material and embodied) state encountered in this thesis. It also presented the triangular relationship between state, knowledge and legitimacy. It then proposed a model to conceptualise different modes of legitimation and discussed how they relate to the field of asylum procedures, conceptualised as an apparatus of case management.

The chapter concluded with some reflections on the types of legitimacy work that the bureaucratic practice of COI entails. It discussed, and this will be further explored in the articles, how COI can have both a procedural and an epistemic legitimation function, the objective of which is not only the produced knowledge and the decision-making processes that mobilise it but also the wider “pensée d’Etat” on asylum by a process of depoliticisation.

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<sup>45</sup> I refer here primarily to the procedural dimension of COI production, but also to the public perception of procedural shortcomings. As we note in the “access article”, an inquiry of the *Danish Ombudsman* into the process found no breach of law. However, the official did criticise the authorities’ handling of the case, which had contributed to affecting trust in them.

<sup>46</sup> As we note in our article, while the report was swiftly corrected and the policy change that was introduced following the publication of the report was withdrawn, the move created a deterrent effect and the number of Eritreans applying for asylum in Denmark dropped in the following months (Rosset and Liodden 2015).

## **6. The “history article”**

Rosset, Damian (2019a). “Documenter les pays d’origine pour les procédures d’asile à l’Ofpra, 1988-2008”, *Monde(s). Histoire, Espace, Relations*, 15(1), 117-140.

### **6.1. Foreword to the “history article”**

This article is mainly based on archival documents collected in the French asylum agency, Ofpra, and examines the institutionalisation of its COI unit between 1988 and 2008. It locates the development of the French COI unit within different histories – that of the specific unit, but also those of the agency and of European asylum policies – and within the two distinct but interrelated historical processes of bureaucratisation and Europeanisation. Through the development of a specific field of practices and type of expert knowledge, the history of the COI unit reflects the increasing bureaucratisation of asylum procedures. It illustrates, in particular, the role of associative actors in this process. In the French case, country information was initially mobilised as a tool of contestation of a restrictive turn in the treatment of asylum claims that occurred in the 1980s. By co-opting the documentation capacities developed by civil society organisations through contracting and, later, through the internalisation of knowledge production within the agency, the bureaucratisation of Ofpra included shifting “the contested issues [of COI] from the realm of public contestation” to that of the administration (Bakonyi 2018: 259). This history of the French COI unit shows that COI becomes, over time, an increasingly sophisticated instrument for instructing asylum applications, but also for legitimating procedures through rationalisation, as is discussed in more details in the “distance article”. Arguably, by instituting a well-defined and standardised field of expertise, the history of COI also contributes to the legitimacy the work of COI units and researchers through “authorisation”.

Vertical and horizontal Europeanisation processes, but also other forms of international collaboration, are particularly salient in the development of COI, not only defining legal and methodological standards, but also through various more or less formalised ways of collaboration and socialisation. With regards to Europeanisation, it must be acknowledged that the history of COI Europeanisation as presented in the article may seem suspiciously coherent, given the otherwise messy nature of the European migration apparatus (Eule et al. 2019). This is in part due to the focus on the development of the bureaucratic practices of COI in relation the European framework, while obscuring some of its failures to meet their policy goals. The most important one is the incapacity of increasingly integrated COI practices – which should lead to



an increasingly harmonised knowledge used to determine refugee status across Europe – to produce the effect of consistent decision-making across Europe. Yet, the “asylum lottery” persists and the differences in recognition rates for citizens of the same countries of origin remain very important across European administrations (ECRE 2019). For the field of COI, it could be seen as a “productive failure”, prompting even more development, standardisation and cooperation.

Another reason for the smooth vision of Europeanisation that the article conveys is a clear convergence of interests at different levels (COI unit; administration, EU) in developing COI capacities, as well as the capacity for the French COI unit and its head to “appropriate” the structures of opportunity offered by the European level. This appropriation can be characterised by three different types of “usages” of Europe (Woll and Jacquot 2010: 116). On the one hand, there is an important “cognitive usage” of Europe to frame the relevance of COI and its contours. On the other hand, the article shows a “legitimizing usage” of Europe, for example in the way the unit’s head stresses to increasing importance of COI European directives on asylum procedures and qualification. The processes of Europeanisation endow the COI unit with the legitimacy and prestige of a European stature that its head leverages to demand increasing resources.

Another aspect that is obscured by the focus on the inner workings of the French administration is the national political context within which the history of COI occurs. The position of the Ofpra in the French state system is indeed a topic of contention during the period under scrutiny. As Karen Akoka explains, “avec le passage en 2007 de la tutelle du ministère des Affaires étrangères à celle du ministère de l’Intérieur, le traitement des réfugiés passe d’une problématique diplomatique et internationale à une question liée à la gestion de l’immigration et au maintien de l’ordre public” (2019: 25). This shift was, however, was not sudden, but rather the completion of a long-lasting process during which the Ministry of the Interior amplified its influence over asylum policies – starting with the requirement for asylum seekers to register with the préfecture since 1993 and gaining increased weight in Ofpra’s management over time (Alaux 2004).

Finally, the history of the French COI unit also corresponds to a period marked by the increasing influence of New Public Management approaches to the functioning of the state. Ahmed Hamila (2019) suggests that the introduction of NPM in the Belgian asylum administration, with its valorisation of procedural standards and expertise, was instrumental in the development of the Belgian COI unit. This line of inquiry is not accounted for in this article and I could not say to what extent, in the French case, this ideology has played a particular role in the form of (neoliberal?) bureaucratisation that the Ofpra underwent. Nevertheless, it is evident that many of the

characteristics of the context in which the practice of COI developed in Europe can be associated with NPM and, more broadly, neoliberalism – in particular “technicisation”, “standardisation”, “depoliticisation”, managerialism (Hibou 2015).

## **6.2. “Documenter les pays d’origine pour les procédures d’asile à l’Ofpra, 1988-2008”**

« La Division de l’information, de la documentation et des recherches (DIDR) est à la pointe de l’analyse de la situation dans les pays d’origine. Son rôle est indispensable pour une instruction de qualité des demandes d’asile dans les meilleurs délais. En apportant aux officiers de protection l’information la plus objective et fiable sur la situation dans les pays d’origine qui leur est indispensable pour prendre leur décision de manière éclairée, elle contribue au bon déroulement de la mission d’instruction et de protection de l’Ofpra.<sup>47</sup> »

Comme l’indique cet extrait du rapport d’activité de l’Office français de protection des réfugiés et des apatrides (Ofpra) pour l’année 2017, les informations sur les pays d’origine sont aujourd’hui considérées comme un élément indispensable d’une mise en œuvre juste et efficace du droit d’asile par les administrations.<sup>48</sup> Au sein des administrations en charge des procédures d’asile en Europe, la récolte, le traitement et la diffusion de ce savoir forment le cœur de métier d’unités qui leur sont spécifiquement dédiées.

L’acronyme COI – pour Country of Origin Information – fait partie du vocabulaire courant des praticiens du droit d’asile dans les administrations européennes. Il permet de se référer à toutes les informations qui permettent d’établir les faits liés au pays d’origine pour évaluer le risque de persécution encouru par le demandeur d’asile en cas de retour, mais aussi pour examiner la vraisemblance de son récit, notamment la cohérence de celui-ci avec des éléments factuels connus. Les COI désignent notamment les rapports produits par les unités COI comme la DIDR

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<sup>47</sup> Ofpra, *Rapport d’activité 2017*, Fontenay-sous-Bois, Ofpra, 2018, p. 69. L’auteur remercie chaleureusement Aline Angoustures et Dzovinar Kévonian de leur invitation à contribuer à ce numéro thématique. Il exprime également sa gratitude envers Christin Achermann, Didier Leyvraz, Aurélie Mariotti, Robin Stünzi et deux relecteurs anonymes pour leurs précieux commentaires sur des versions antérieures de cet article, ainsi qu’envers Gisèle Borie pour l’important travail de préparation qu’il a nécessité. Cette recherche a pu être effectuée grâce à l’aide inestimable de la Mission histoire et archives de l’Ofpra et au soutien financier du Pôle de recherche national suisse “nccr – on the move”.

<sup>48</sup> Robert Thomas, *Administrative Justice And Asylum Appeals: A Study of Tribunal Adjudication* (London : Bloomsbury Publishing, 2011), p. 38; Damian Rosset, « Le savoir sur les pays d’origine dans les procédures d’asile », *Jusletter*, 16 mars 2015.

au sein de l'Ofpra. Ces unités et le savoir qu'elles produisent sont d'importants facteurs de légitimation des procédures d'asile.<sup>49</sup>

Les pratiques que constitue la production de cette expertise font l'objet de diverses lignes directrices issues d'institutions diverses qui définissent des critères de qualité méthodologiques, substantiels et formels.<sup>50</sup> Aujourd'hui, les rapports COI produits par la DIDR et ses homologues européens mentionnent systématiquement leur observance de ces standards.

La réification des COI comme type spécifique de savoir et registre particulier de pratiques est, bien évidemment, le fruit d'un développement historique. L'objectif de cet article est d'historiciser les COI en se penchant sur l'institutionnalisation de la documentation sur les pays d'origine au sein de l'Ofpra. Une telle approche permet de contribuer à la littérature scientifique encore succincte dont les COI font l'objet à ce jour. D'une part, elle complète la recherche sur les pratiques administratives de production et de mobilisation des COI dans les administrations d'asile européennes<sup>51</sup> en dévoilant le développement particulier dont ont découlé ces pratiques et les normes qui les légitiment.

D'autre part, en mettant l'accent sur l'histoire particulière d'une unité COI nationale, cet article approfondit la réflexion abordée par Claudia Engelmann sur les interactions formelles et informelles entre les différentes unités COI des administrations européennes qui ont mené au développement d'une véritable communauté de pratiques transnationale au niveau européen, et à une certaine harmonisation des politiques d'asile.<sup>52</sup> Car l'histoire des COI est aussi celle de l'eupéanisation, à la fois horizontale et verticale,<sup>53</sup> des procédures d'asile.

Il s'agit enfin de contribuer à la littérature sur l'histoire de l'Ofpra en se focalisant sur un petit service (du moins en termes d'effectifs) en son sein dont le développement reflète et renforce la bureaucratisation de la procédure d'asile. Retracer l'histoire du Service de documentation de l'Ofpra en mettant l'accent sur un maillage de contextes dans lesquels elle s'inscrit permet donc

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<sup>49</sup> Damian Rosset, « "We Have Our Own Kitchen": distance et légitimité dans la production de savoir pour la procédure d'asile », *Politique et Sociétés*, 2019/1.

<sup>50</sup> Union européenne, *Lignes directrices de l'UE pour le traitement de l'information sur les pays d'origine (COI – Country Of Origin Information)*, 2008; European Asylum Support Office, *COI Country of Origin Information Report Methodology*, 2012; Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), *Researching Country of Origin Information: Training Manual*, 2013.

<sup>51</sup> Robert Gibb, Anthony Good, "Do the Facts Speak For Themselves? Country of Origin Information in French and British Refugee Status Determination Procedures," *International Journal of Refugee Law* (2013/2), p. 291-322.

<sup>52</sup> Claudia Engelmann, *Common Standards Via The Backdoor. The Domestic Impact of Asylum Policy Coordination in the European Union* (Maastricht: Universitaire Pers Maastricht, 2015).

<sup>53</sup> Virginie Guiraudon, « Les effets de l'eupéanisation des politiques d'immigration et d'asile », *Politique européenne*, 2010/2, p. 7-32.

d'appréhender par ses marges l'histoire plus générale de l'administration de l'asile en Europe et, en particulier, celle plus restreinte de la construction d'une communauté COI européenne.

La recherche est fondée en grande partie sur des documents vus dans les fonds d'archives de l'Ofpra en septembre 2017 et février 2018, principalement les fonds DIR/127 et DIR 1/128, consultés sur dérogation, qui contiennent les archives ayant trait, respectivement, à la création du Service de la documentation (1984-1995) et à son développement (1996-2007). Ces données sont complétées par d'autres fonds d'archives examinés à l'Ofpra,<sup>54</sup> et par divers rapports d'organismes impliqués dans le développement historique des COI.

Cet article retrace les vingt premières années de l'institutionnalisation de la documentation sur les pays d'origine à l'Ofpra. Il en situe la genèse en 1988, à la signature d'une convention de prestation de service avec l'association Documentation-Réfugiés. En suivant le développement chronologique de ce service, il met l'accent sur la manière dont ce développement s'inscrit dans l'histoire de l'Ofpra, de la communauté COI et de l'eupéanisation des procédures d'asile.

#### 6.2.1. Informer sur les pays d'origine : une nécessité nouvelle

Le besoin de systématiser la récolte de documentation sur les pays d'origine des demandeurs d'asile devient un sujet de discussion au début des années 1980. Durant cette période s'amorce un phénomène que certains auteurs ont appelé en France « la remise en cause » du droit d'asile ou même son « grand retournement<sup>55</sup> » contre les exilés et dont les contours sont analogues à ce qui se passe alors dans d'autres pays européens durant la même période.<sup>56</sup> Dans un contexte d'augmentation du nombre de demandes d'asile, de diversification des origines géographiques des demandeurs et de baisse des taux d'octroi du statut de réfugié, la notion du détournement de la procédure se répand. Elle suppose que celle-ci est utilisée pour contourner la politique migratoire

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<sup>54</sup> DIR 1/4 Rapports d'activités annuels (avec statistiques) de 1991 à 1996 ; DIR 1/5 Rapports d'activités annuels (avec statistiques) de 1997 à 2008 ; DIR 1/6 Organigrammes de l'Office ; DIR 5/21 Projet « Lignes directrices communes à l'Union européenne pour le traitement de l'information sur les pays d'origine » : correspondance, questionnaire, réponses au questionnaire, document de présentation du projet, minutes des réunions, demande de financement 2005-2008 (consulté sur dérogation).

<sup>55</sup> Luc Legoux, « La remise en cause du droit d'asile en France », in Véronique Lassailly-Jacob, Jean-Yves Marchal, André Quesnel (dir.), *Déplacés et réfugiés. La mobilité sous-contraite*, Paris, Édition de l'IRD, 1999, p. 71-88 ; Jérôme Valluy, *Rejet des exilés : le grand retournement du droit d'asile*, Paris, Éditions du Croquant, 2009.

<sup>56</sup> Voir par exemple : Carole Bohmer, Amy Shuman, *Rejecting Refugees. Political Asylum in the 21st Century* (London: Routledge, 2008); Matthey J. Gibney, Randall Hansen, "Immigration and Asylum: From 1900 to the Present," in George J. Borjas, Jeff Crisp Poverty, *International Migration and Asylum* (London: Palgrave Macmillan, 2005), p 70-96; Alain Maillard, Christophe Tafelmacher, *Faux réfugiés ? La politique suisse de dissuasion d'asile, 1979-1999*, Lausanne, Éditions d'En Bas, 1999.

des États européens devenue plus restrictive à partir des années 1970.

Au sein des services de l'Ofpra, cette évolution se manifeste à travers deux processus interdépendants, le durcissement et la bureaucratisation. Le tournant restrictif est illustré par les chiffres de reconnaissance du statut de réfugié qui, à l'instar des autres pays européens, s'inversent durant la décennie, passant de 77 % en 1981 à 15,5 % en 1990.<sup>57</sup> Le processus de bureaucratisation prend la forme d'une standardisation, lente et différenciée selon les services, de la procédure d'asile, ainsi que des profils et des cahiers des charges de celles et ceux qui la mettent en œuvre.

La bureaucratisation est également liée à la notion d'abus de la procédure et ce lien sous-tend le principe général des pistes de réformes tracées par la direction de l'Ofpra dès le début des années 1980, selon lequel « La seule façon de décourager les détournements de procédure est de répondre aux requêtes par des décisions rapides et rigoureusement fondées.<sup>58</sup> » Cette nouvelle rigueur implique aussi la généralisation de l'exigence de qualification individuelle et de preuves<sup>59</sup> et la dépolitisation du statut de réfugié à travers la mobilisation de divers types d'expertises.<sup>60</sup>

Les moyens de preuve liés au pays de provenance deviennent d'autant plus importants que le profil des officiers de protection change : le recrutement privilégie désormais les profils de Français diplômés alors qu'auparavant, dans certaines sections, le recrutement concernait souvent des officiers originaires des pays ou des régions dont ils traitaient les demandes.<sup>61</sup> De plus, à la fin de la décennie :

« Une nouvelle division du travail voit le jour : les missions de protection sont dissociées des fonctions d'éligibilité alors qu'auparavant les deux étaient assumées par les mêmes agents. Ainsi, la dimension sociale du métier d'officier de protection s'efface au profit de la dimension de contrôle.<sup>62</sup> »

C'est dans ce contexte, marqué à la fois par la diversification des origines géographiques des demandeurs d'asile et la mise en place d'une instruction plus approfondie et soupçonneuse des

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<sup>57</sup> Karin Oellers-Frahm, « Grundlagen des Asylrechts in Frankreich », in Kay Hailbronner (dir.), *Asyl- und Einwanderungsrecht im europäischen Vergleich*, Köln, Bundesanzeiger, 1992, p. 33.

<sup>58</sup> Ofpra, *De la Grande Guerre aux guerres sans nom, une histoire de l'Ofpra*, Fontenay-sous-Bois, Ofpra, 2010, p. 25.

<sup>59</sup> Karen Akoka, « Crise des réfugiés, ou des politiques d'asile ? », *La Vie des idées*, n° 31, 2016.

<sup>60</sup> Marion Fresia, David Bozzini, Alice Sala, *Les rouages de l'asile en Suisse: regards ethnographiques sur une procédure administrative*, Neuchâtel, Swiss Forum for Migration and Population Studies, 2013.

<sup>61</sup> Karen Akoka, « Du consulat des réfugiés à l'administration des demandeurs d'asile: la fabrique des réfugiés à l'Ofpra (1952-1992) », *e-Migrinter*, vol. 11, 2013, p. 193-197.

<sup>62</sup> Karen Akoka, Alexis Spire, « Pour une histoire sociale de l'asile politique en France. », *Pouvoirs*, vol. 1, 2013, p. 67-77.

dossiers individuels, qu'émerge l'idée d'établir un service dédié à la documentation à l'Ofpra. Un groupe de travail institué en 1984 est notamment chargé d'une réflexion sur la création d'un centre de documentation. Il livre ses conclusions en janvier 1985 dans un rapport dont les lignes introductives sont univoques :

« Il est indispensable de créer le plus rapidement possible un Centre de documentation sur les réfugiés répondant aux besoins de l'Ofpra et de la Commission des recours [...]. Les éléments épars d'information qui existent dans chacun de ces organismes sont très insuffisants pour permettre d'apprécier en bonne connaissance de cause la situation des droits de l'homme dans les principaux pays concernés. Les agents de l'Ofpra, les rapporteurs et les membres de la Commission sont exposés, de ce fait à commettre de sérieuses erreurs dans l'appréciation des cas individuels.<sup>63</sup> »

Ces préoccupations sont d'ailleurs partagées par les associations de soutien aux exilés qui observent le lien entre la diminution des taux de protection et la diversification des pays d'origines et qui mesurent les risques liés à une information défailante sur des pays peu connus. En France, les associations identifient cet enjeu dès le début des années 1980 et lancent des campagnes d'information sur les nouveaux pays de provenance, notamment le Sri Lanka. Au milieu des années 1980, plusieurs associations cherchent, sans succès, à instituer un centre de documentation commun avec l'Ofpra et la Commission de recours des réfugiés (CRR). C'est finalement en février 1987 qu'est créée l'association Documentation-Réfugiés (et sa revue du même nom) à l'initiative de France terre d'asile qui met à disposition des locaux et son fond documentaire, en collaboration avec Amnesty International, la Croix-Rouge française, la Cimade, le Secours catholique, la Ligue des droits de l'Homme et le Service social d'aide aux émigrants.<sup>64</sup> Constitué au départ de son seul directeur, Pedro Vianna, et de la documentaliste de France terre d'asile, l'association peut rapidement s'adjoindre les services d'un objecteur de conscience, engagé à la fin de son service. Hormis la participation du monde associatif, diverses subventions permettent de financer le centre et notamment d'acquérir des produits documentaires.

Documentation-Réfugiés s'intègre rapidement dans un réseau de centres similaires, coordonné par le Haut Commissariat des Nations unies pour les réfugiés (HCR). En effet, des organisations analogues ont précédé sa création dans d'autres pays européens, comme le centre de documentation allemand ZDWF ou celui du British Refugee Council. D'autres organismes nationaux s'étaient lancés dans la production de rapports sur les pays d'origine à l'instar de

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<sup>63</sup> Rapport du groupe de travail sur la constitution et le fonctionnement d'un service de documentation sur les réfugiés, 28 janvier 1985, DIR 1/127 (accès sur dérogation).

<sup>64</sup> Entretien téléphonique, le 4 avril 2018, avec Pedro Vianna, ancien directeur de Documentation-Réfugiés.

l'Organisation suisse d'aide aux réfugiés ou du Danish Refugee Council.

La collaboration entre ces organismes débouche notamment sur la publication de Refugee Abstracts, un bulletin publié dès mars 1982 par le Centre de documentation sur les réfugiés du HCR et disponible par abonnement. Il contient des résumés de publications et des bibliographies concernant les réfugiés, ainsi que des comptes rendus critiques d'ouvrages, des textes juridiques et des annonces de conférences.<sup>65</sup> Le HCR produit aussi, en collaboration avec le réseau informel, un « Thesaurus international de la terminologie relative aux réfugiés » dans plusieurs langues (dont Documentation-Réfugiés élabore la version française<sup>66</sup>).

Le milieu associatif européen crée, en outre, un groupe de travail sur l'information et la documentation au sein du Conseil européen sur les réfugiés et les exilés (CERE/ECRE) qui se développe davantage autour de la jurisprudence comparée. Ces réseaux, formés au début des années 1980, reflètent l'importance donnée aux ressources documentaires par les organisations de soutien aux exilés, confrontées à des situations similaires dans leurs contextes nationaux où la bureaucratisation de la procédure d'asile et une diversification des pays d'origine sont caractéristiques. L'information sur les pays d'origine est un enjeu dans la contestation du tournant restrictif des procédures d'asile.

#### 6.2.2. 1988-1994, une documentation associative

La signature de la convention de prestation de service entre l'Ofpra et Documentation-Réfugiés, en décembre 1988, intervient dans un contexte institutionnel de rupture et à l'initiative personnelle du directeur de l'Office. Auparavant, depuis juin, l'Office connaît de graves dysfonctionnements et ne traite plus qu'un tiers des demandes d'asile, ce qui entraîne la démission fracassante de Jean Brouste, alors directeur, protestant ainsi contre les refus opposés à ses demandes de renfort en personnel.<sup>67</sup> En septembre, François Dopffer lui succède, obtient des moyens supplémentaires et le mandat de réformer l'Office afin d'améliorer son fonctionnement. Les divisions géographiques responsables du traitement des demandes d'asile sont uniformisées et réorganisées de manière à mieux répondre à « la nouvelle géopolitique de l'asile<sup>68</sup> ». Les premiers pas sont entrepris vers une

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<sup>65</sup> UNHCR, *10 Years of Refugee Abstracts. Cumulative Index 1982-1991* (Geneva: UNHCR Centre for Documentation on Refugees, 1992), p. 1-8.

<sup>66</sup> Documentation-Réfugiés, *Rapport d'activité 1991*, DIR 1/10.

<sup>67</sup> François Julien-Laferrère, « 1983-1993 : dix ans de revirements. Du réfugié bienvenu au demandeur d'asile indésirable », *Migrations Société*, 2016/3, p. 75-90, en ligne [<https://www.cairn.info/revue-migrations-societe-2016-3-page-75.htm>] (consulté en novembre 2018).

<sup>68</sup> *Id.*

informatisation de l'Office. La dotation en personnel est triplée.<sup>69</sup> C'est dans ce contexte qu'est signée la convention de prestation de service qui fera de l'association le premier Service de documentation de l'Office, ainsi que de la CRR, également couverte par la convention.

Durant l'année précédente, l'association entreprend ses activités en développant, dans un premier temps, une revue de presse publiée tous les dix jours et des documents émanant d'organismes gouvernementaux et non-gouvernementaux. Toutes les six semaines, Documentation-Réfugiés publie des suppléments documentaires. L'un référence tous les documents acquis par le centre avec des résumés, un autre publie une chronique sur la jurisprudence dans le domaine de l'asile, d'abord française, puis dans une perspective comparée, notamment la jurisprudence canadienne, belge et suisse. Un supplément sur les associations et des « fiches-pays » complète chacun de ses numéros. Les fiches-pays offrent une présentation détaillée (sur 4-5 pages au début augmentant jusqu'à 20-25 pages) de la situation dans un pays d'origine. À la demande d'associations membres, il est aussi possible de constituer des dossiers sur des sujets précis. Selon Pedro Vianna, en un an et demi, le centre de documentation « s'était affirmé comme une autorité en la matière, notamment grâce à sa fiabilité et sa neutralité politique<sup>70</sup> ». Cette affirmation illustre la posture adoptée par Documentation-Réfugiés et son directeur, celle d'une source d'information dépolitisée (et donc fiable et légitime) malgré son ancrage associatif et militant. Elle inscrit aussi l'association dans une coproduction du processus de bureaucratisation du champ de l'asile.<sup>71</sup>

Ainsi, la signature de la convention avec l'Ofpra offre des perspectives nouvelles pour l'association. En échange d'une contribution financière annuelle, n'importe quel officier de protection de l'Ofpra, et tout président, rapporteur ou assesseur de la CRR peuvent désormais visiter le centre de documentation ou poser des questions particulières nécessitant des recherches documentaires par les employés du centre. La contribution augmente au fil du temps, en parallèle avec la demande croissante de l'office et de l'offre de l'association. Les consultations cumulées d'agents de l'Ofpra et de juges ou d'assesseurs de la CRR passent de 85 en 1989, à 453 en 1990 et 719 durant les onze premiers mois de 1991.<sup>72</sup>

Documentation-Réfugiés voit aussi son personnel augmenter. À la fin de l'année 1991, l'association emploie huit salariés et deux objecteurs de conscience travaillant à plein temps, ainsi qu'un réfugié et une secrétaire bénévole à temps partiel. Des bénévoles assurent, en outre,

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<sup>69</sup> Ofpra, *De la Grande Guerre, op. cit.*, p. 27 (cf. note 58).

<sup>70</sup> Entretien avec Pedro Vianna (cf. note 64).

<sup>71</sup> Marion Fresia, David Bozzini, Alice Sala, *Les rouages de l'asile, op. cit.* (cf. note 60).

<sup>72</sup> Consultations documentaires émanant de l'Ofpra et de la CRR du 13 décembre 1988 au 30 novembre 1991, 19 mars 1992, DIR 1/10.



diverses tâches de soutien – comme la relecture des épreuves, des traductions ou le classement documentaire.<sup>73</sup>

La gestion de l'association souffre toutefois d'une inadéquation constante des moyens fournis, et leur adaptation périodique est en décalage avec la croissance continue de son activité. L'association connaît des problèmes financiers et passe par une « situation de crise » au printemps 1991 qui requiert la sollicitation d'aides exceptionnelles et de subventions.<sup>74</sup> À la demande de l'Ofpra, un audit du centre de documentation est mené qui, selon un rapport d'activité de l'association, conclut que « les dysfonctionnements constatés sont dus à l'insuffisance de moyens.<sup>75</sup> »

Alors que la nomination de François Dopffer à la tête de l'Office a été déterminante pour la mise en place du partenariat avec Documentation-Réfugiés, celle de Francis Lott qui le remplace en août 1991, semble en annoncer la fin. Pedro Vianna souligne une hostilité immédiate du nouveau directeur à l'égard de son association. L'année suivante, quand la revue Documentation-Réfugiés fait état d'une grève du personnel de l'Ofpra, ainsi que d'une affaire impliquant un représentant du HCR en France, la rupture avec Francis Lott – qui aurait tenté, selon Pedro Vianna, d'empêcher ces publications – est consommée.<sup>76</sup>

Tout en entrant au Conseil d'administration de Documentation-Réfugiés, l'Ofpra diminue son engagement financier dès 1992. Ce retrait plonge l'association dans un déficit récurrent de ressources et participe à sa disparition à l'automne 1994.

### 6.2.3. Le commencement des collaborations intergouvernementales

Les années de fonctionnement de Documentation-Réfugiés sont une période charnière dans le développement de la documentation institutionnelle sur les pays d'origine au niveau européen. D'abord, des unités dédiées spécifiquement à la documentation sur les pays d'origine apparaissent au sein des administrations d'asile. Alors que seule l'administration allemande possède une telle structure en 1985, d'autres homologues lui emboîtent le pas, au cours des années 1988, 1989 et

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<sup>73</sup> Documentation-Réfugiés, *Rapport d'activité 1991, op. cit.* (cf. note 66).

<sup>74</sup> Compte rendu de la réunion du Conseil d'administration de Documentation-Réfugiés du 21 janvier 1992, 19 mars 1992, DIR 1/10.

<sup>75</sup> Documentation-Réfugiés, *Rapport d'activité 1991, op. cit.* (cf. note 66).

<sup>76</sup> Entretien avec Pedro Vianna (cf. note 57).

1990, notamment au Canada, en Suisse, en Norvège.<sup>77</sup> Ensuite cette période voit émerger les prémices de l'étroite collaboration qui se développe entre ces unités.

Une première réunion, organisée en 1989 sous les auspices du HCR dans la commune genevoise de Dardagny, est souvent citée dans les documents internes et publics comme point de référence et acte fondateur de la communauté COI. Les conclusions du séminaire de Dardagny soulignent que « l'information sur les pays d'origine constitue l'une des garanties d'un traitement juste et efficace des demandes d'asile<sup>78</sup> ».

Le colloque de Dardagny débouche sur des projets de collaboration qui se poursuivent dans le cadre des Consultations intergouvernementales sur les politiques en matière de droit d'asile, de réfugiés et de migrations (CIG/IGC). Parfois aussi appelée « Consultations informelles », cette organisation sert de plateforme d'échanges informels et confidentiels aux fonctionnaires des administrations migratoires des pays participants (Allemagne, Australie, Autriche, Belgique, Canada, Danemark, États-Unis, Finlande, France, Grande-Bretagne, Italie, Pays-Bas, Norvège, Suède, Suisse<sup>79</sup>).

Au niveau européen, un processus similaire est entamé en lien avec la première convention de Dublin de 1990. Celle-ci prévoit en effet que les États membres procèdent à des échanges mutuels portant, notamment sur les « informations de caractère général concernant la situation dans les pays d'origine ou de provenance des demandeurs d'asile<sup>80</sup> ». En juin 1992, le Conseil européen crée le Centre d'information, de réflexion et d'échange en matière d'asile (CIREA). Forum consultatif et informel, sans pouvoir exécutif, le CIREA réunit essentiellement des fonctionnaires des administrations nationales. Il sert de plateforme d'échange d'informations diverses sur les demandeurs d'asile et les routes migratoires, ainsi que sur les législations et jurisprudences nationales concernant l'asile. Il publie également des rapports conjoints sur les pays d'origine.<sup>81</sup>

Alors que les CIG sont avant tout une plateforme d'échange au service des administrations et au service de leur agenda pratique et politique, le CIREA poursuit l'objectif explicite de contribuer à

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<sup>77</sup> UNHCR, *Final Report, Consultancy on Country of Origin Information, prepared for the Coordinating Group of the Task Force on Information and Documentation* (Geneva: UNHCR, 1990).

<sup>78</sup> *Id.*

<sup>79</sup> Patrick Wall, *In a Constructive, Informal and Pragmatic Spirit. Thirty Years of the Intergovernmental Consultations on Migration, Asylum and Refugees, the World's First Regional Consultative Process on Migration* (Geneva: IGC, 2018).

<sup>80</sup> Union européenne, *Convention relative à la détermination de l'État responsable de l'examen d'une demande d'asile présentée dans l'un des États membres des Communautés européennes – Convention de Dublin*, Official Journal (OJ) C 254, 19 août 1997, p. 1-12.

<sup>81</sup> Ingrid Boccardi, *Europe and Refugees: Towards an EU Asylum Policy* (The Hague: Kluwer law international, 2002), p. 88; Claudia Engelmann, *Common Standards*, *op. cit.* (cf. note 52).

l'harmonisation des procédures d'asile en Europe. Le Conseil de l'Union européenne adopte d'ailleurs le texte suivant en juin 1994 :

« Les ministres chargés de l'immigration ont exprimé à plusieurs reprises l'intérêt d'établir des rapports communs sur la situation dans certains pays tiers d'origine des demandeurs d'asile. Ils considèrent que ce mécanisme est essentiel dans la perspective d'une analyse convergente, puis harmonisée des demandes d'asile.<sup>82</sup> »

Une convergence dans l'évaluation des situations dans les pays d'origine devrait mener à évaluer les demandes d'asile de personnes issues de ces pays de manière similaire. Cette logique d'harmonisation guide les actions de l'Union européenne en matière de COI au cours des deux décennies suivantes et explique probablement l'importance donnée à cet instrument particulier dans la mise en place progressive d'un système européen d'asile commun.

#### 6.2.4. 1992-1995, la création d'un service de documentation

Dès 1992, alors que l'Ofpra diminue son soutien à Documentation-Réfugiés et que le CIREA démarre ses activités, la direction de l'Office décide d'étoffer son propre service de documentation jusque-là quasiment inexistant. Le service, composé de deux personnes (dont une à mi-temps) est placé sous la responsabilité du chargé de communication. Ses tâches principales consistent à recenser les ouvrages détenus par les diverses divisions de l'Office. Il continue en outre à diffuser les « actions urgentes » d'Amnesty International et la revue Documentation-Réfugiés, tâche essentielle de la personne jusque-là en charge des questions documentaires.<sup>83</sup>

Le service est également chargé de centraliser et de contrôler les requêtes adressées à Documentation-Réfugiés qui émanaient auparavant directement des officiers de protection et n'étaient pas répertoriées de manière systématique. Cette tâche du travail souffre toutefois « du poids des habitudes prises dans chacune des divisions de l'Office » et qui nécessite notamment de composer avec « certaines suspicions résultant de la fidélité d'agents de l'Office à Documentation-Réfugiés, centre qui n'en demeure pas moins – malgré ses difficultés budgétaires – un lieu d'échange privilégié entre l'Office et le milieu associatif.<sup>84</sup> » Cet extrait du rapport d'activité de l'Ofpra en 1993 indique que la création du Service de documentation est perçue de façon hostile

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<sup>82</sup> Conseil de l'Union européenne, *Orientations relatives au contenu des rapports communs sur les États tiers (texte adopté par le Conseil le 20 juin 1994)*, OJ C 274, 19 septembre 1996, p. 52-54.

<sup>83</sup> La documentation à l'Ofpra et à la CRR, 15 mai 1995, DIR 1/127 (accès sur dérogation).

<sup>84</sup> Ofpra, *Rapport d'activité 1993*, DIR 1/4.

à Documentation-Réfugiés et comme la volonté de la direction de l'Office d'internaliser la documentation.

À la suite de la disparition de Documentation-Réfugiés, à partir de janvier 1995, le Service de documentation de l'Ofpra prend une véritable envergure dans l'organigramme de l'Office. Rattaché directement au directeur de l'Office, il est doté de cinq postes dont celui de responsable auquel est nommée Marion Raoul, ancienne cheffe de la division Amérique impliquée dans la création du service.<sup>85</sup> Ce remaniement répond non seulement à la disparition de Documentation-Réfugiés, mais aussi à la nouvelle organisation des services de l'Office qui souhaitent notamment élargir le nombre de pays à traiter par chaque officier de protection, fonction rendue alors plus « généraliste ».

Le Service de la documentation oriente ses activités dans trois directions : l'enrichissement et la gestion du fonds documentaire, la recherche de sources externes de documentation (notamment les périodiques) et l'élaboration de « produits documentaires<sup>86</sup> ». De 1993 et jusqu'en avril 1995, le service documentaire émergent avait essentiellement produit des « notes d'information » à l'intention des employés de l'Office annonçant l'arrivée de revues, d'ouvrages et de rapports, ainsi que la diffusion d'émissions télévisées pertinentes, par exemple un reportage sur un pays d'origine. Dès le mois de mai 1995, le service remplace ces notes d'information par la diffusion hebdomadaire du sommaire de la revue de presse de la CRR et celle bimensuelle d'une liste de « Publications et documents reçus ». Le contenu des documents référencés dans la revue de presse et parmi les « documents reçus » est à la disposition des employés de l'Office dans les locaux du Service de la documentation. La mission d'information sur les pays s'occupe encore en 1995 principalement de constituer des « dossiers pays alimentés de coupures de presses et des actions urgentes d'Amnesty International.<sup>87</sup> »

Le service continue également sa mission de recensement des ouvrages et documents en possession des divisions géographiques, qui permet de créer un catalogue, un fichier Excel accessible depuis les ordinateurs de l'Office. Une réflexion est également menée sur les abonnements aux périodiques. En effet, à la fin de 1994 :

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<sup>85</sup> Aline Angoustures, « L'Ofpra et le traitement des demandes d'asile des Chiliens en France », *Hommes & migrations*, 2014/1, p. 65.

<sup>86</sup> Ofpra, *Rapport d'activité du service de la documentation 1995*, p. 2, DIR 1/4.

<sup>87</sup> *Id.*

« La “Documentation” en tant que telle n’était abonnée qu’au Monde et au Figaro. La plupart des abonnements parvenaient directement aux différents services de l’Office où de nombreux agents regrettaient qu’ils circulent difficilement.<sup>88</sup> »

Au cours des premiers mois de son existence, le service est peu fréquenté. Les principaux utilisateurs sont initialement les officiers de protection de la Division Afrique-Amériques située au même étage que le Service de documentation. Plus généralement, la responsable note en mai 1995 que « le réflexe d’avoir recours au Service de la documentation en cas de problème soulevé par un dossier n’existe pas vraiment<sup>89</sup> ». Cette attitude se modifie toutefois au cours de l’année et le rapport annuel du service indique qu’il « semble que, peu à peu, le “réflexe-documentation” se crée à l’Office<sup>90</sup> ».

La création du service entérine deux orientations qui marquent son histoire et sa spécificité internationale. La première concerne les profils des chargées de recherches qui sont toutes des anciennes officiers de protection mutées vers ce service.<sup>91</sup> Cette expérience de l’instruction, au détriment peut-être d’une connaissance préalable des pays d’origine, reste la norme dans le recrutement du service et constitue une caractéristique française. Au sein des administrations homologues de l’Ofpra, les recrutements sont habituellement externes. Si l’expérience de la procédure peut être valorisée dans certaines unités COI – qui comptent d’anciens décideurs dans leurs effectifs (par exemple en Norvège), d’autres n’en recrutent généralement pas, préférant mettre l’accent sur l’expertise des pays d’origine (par exemple en Suisse).

La deuxième orientation prise par le Service de documentation concerne son rapport à l’unité déjà existante de la CRR, en fonction depuis mai 1991. Composée d’un chef de service et de trois secrétaires, cette unité a constitué un fonds documentaire et des dossiers de pays, mis à jour quotidiennement. Son produit phare est la revue de presse hebdomadaire d’une cinquantaine de pages avec – outre une partie sur le droit migratoire en France et à l’étranger –, des articles sur l’actualité des pays d’origine.<sup>92</sup>

Pendant les dix années suivant la création du Service de la documentation de l’Ofpra, le bien-fondé de l’existence parallèle des deux services fait l’objet de discussions et, par périodes, occasionne de fortes tensions entre les deux institutions. Du point de vue des directeurs successifs de l’Office qui militent pour une fusion, cette situation est un doublon injustifié, un gaspillage de précieuses

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<sup>88</sup> *Id.*

<sup>89</sup> La documentation à l’Ofpra et à la CRR, *op. cit.* (cf. note 83).

<sup>90</sup> Ofpra, *Rapport d’activité du Service de la documentation 1995*, p. 7, *op. cit.* (cf. note 86).

<sup>91</sup> Organigramme de la direction, 21 août 1996, DIR 1/6.

<sup>92</sup> Bilan et projets du Service de documentation de la CRR, 30 janvier 1995, DIR 1/127 (accès sur dérogation) ; Doc infos, 4 mai 1995, DIR 1/127 (accès sur dérogation).

ressources.<sup>93</sup> Mais du point de vue des présidents successifs de la Commission, l'autonomie en matière documentaire est nécessaire pour garantir l'indépendance du pouvoir judiciaire<sup>94</sup> : les cas portés devant la CRR étant des recours de plein contentieux, une constatation indépendante des faits est jugée nécessaire.<sup>95</sup> Dans le paysage des systèmes d'asile européens, l'existence de deux unités COI (première instance et celle de recours) est une spécificité que la France ne partage plus aujourd'hui qu'avec le système suisse. Au fil du temps, d'autres systèmes nationaux ayant cette caractéristique l'ont abandonnée en concentrant la production d'informations sur les pays d'origine dans la seule première instance, comme la Belgique en 2000, la Norvège en 2006 ou l'Autriche en 2014.

#### 6.2.5. 1995-2000, une période de consolidation

Le nombre de personnels et des missions se stabilise les années suivant la création du service. Les effectifs restent constants et le nombre de recherches déposées par les officiers de protection varie relativement peu – 225 et 255 entre 1996 et 1998, puis 362 et 388 au cours des deux années suivantes.

Toutefois, la période est marquée par une grande activité internationale de la responsable du service et de son adjointe. Dès sa prise de fonction, la première avait évoqué l'importance d'établir des contacts avec d'autres unités similaires,<sup>96</sup> valorisant ainsi la coopération concrète avec les unités homologues plus qu'avec les structures plurilatérales en formation. À la suite de missions auprès du Centre de documentation sur les réfugiés du HCR à Genève et de la documentation néerlandaise en 1995, une mission est organisée auprès du service homologue allemand au début de 1996. La responsable du service prend alors la mesure des différences de développement avec son centre.

Le Service de l'information et de la documentation du Bundesamt für die Anerkennung Ausländischer Flüchtlinge (BAFI) allemand compte en effet 105 agents dont 33 travaillent dans quatre divisions géographiques et se consacrent à l'analyse et la recherche sur des questions concernant les pays d'origine des demandeurs d'asile. Une soixantaine d'agents travaille au sein d'une Division de la documentation qui gère la documentation juridique, une base de données sur

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<sup>93</sup> Lettre du directeur de l'Ofpra au président de la CRR, 24 septembre 1997 (accès sur dérogation) ; Conseil de l'Ofpra du 12 décembre 2000, 7 décembre 2000, DIR 1/128 (accès sur dérogation).

<sup>94</sup> Note à l'attention de Monsieur le secrétaire général, objet : relations entre les services de documentation Ofpra et CRR, 23 avril 2002, DIR 1/127 (accès sur dérogation).

<sup>95</sup> Entretien avec Aline Angoustures, ancienne documentaliste de la CRR, 20 septembre 2017.

<sup>96</sup> Note à l'attention du directeur, 9 mars 1995, DIR 1/127 (accès sur dérogation) ; La Documentation à l'Ofpra et à la CRR, 15 mai 1995, DIR 1/127 (accès sur dérogation).

les pays d'origine et une bibliothèque ouverte au public. De plus, l'informatisation avancée du BAFI permet à ses employés de consulter une base de données documentaire depuis tous les sites de l'Office.<sup>97</sup>

Il est convenu qu'une collaboration soit mise en place entre les deux administrations et que des recherches puissent être mandatées d'une unité à l'autre, chaque fois que cela est nécessaire. La réalisation d'études conjointes et bilingues qui permettent de resserrer les liens entre les deux services est également prévue. Sur proposition française, le projet d'un premier document de ce type, concernant les partis politiques au Tchad, est lancé. L'échange de personnel est proposé avec la mise en place de stages.

En fait, la collaboration que le BAFI veut développer avec le service français n'est pas une exception, mais semble plutôt relever d'une stratégie de l'office allemand. En effet, il entretient déjà à l'époque « des relations privilégiées dans ce domaine [...] avec les Pays-Bas, la Suisse et le Canada selon des modalités diverses<sup>98</sup> ». Ce type de réseaux bilatéraux plus ou moins informels se développe parmi les services documentaires européens dans la deuxième moitié des années 1990. Concernant la documentation de l'Ofpra, ils se matérialisent notamment à travers les échanges documentaires et d'informations toujours plus fréquents, surtout avec les services belge, suisse, canadien et allemand.<sup>99</sup>

L'activité multilatérale du CIREA, prend de l'ampleur et, selon le rapport d'activité de l'Office pour 1998,

« une importance croissante pour l'Ofpra : tant en ce qui concerne l'examen [...] des situations dans les pays d'origine que, de plus en plus, l'étude de dossiers types. Cette double approche, extrêmement concrète, permet progressivement un rapprochement des analyses et des pratiques des organismes chargés de l'examen en première instance des demandes d'asile.<sup>100</sup> »

Ces échanges à la fois sur l'information sur les pays d'origine et son évaluation dans des cas concrets participent donc à une harmonisation des pratiques au sein des États membres. Toutefois, ce type de réunions qui concernent les pays d'origine, n'est pas ouvert initialement aux chargés de recherches des centres de documentation, mais réservé aux décideurs. C'est d'ailleurs

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<sup>97</sup> Le service de l'information et de la documentation (IuD) du Bundesamt (BAFI), 13 novembre 1995, DIR 1/127 (accès sur dérogation).

<sup>98</sup> Compte rendu de la mission effectuée au BAFI, Nuremberg-RFA, du 21 au 23 février 1996, 6 mars 1996, DIR 1/127 (accès sur dérogation).

<sup>99</sup> Bilan des recherches 1998, nd, DIR 1/128 (accès sur dérogation).

<sup>100</sup> Ofpra, *Rapport d'activité 1998*, p. 13, DIR 1/5.

aux affaires juridiques qu'il « incombe de diffuser, sur le réseau de l'Office, la documentation sur les pays d'origine qui lui parvient via la liaison électronique<sup>101</sup> ». Ainsi écartée des échanges sur les contenus de l'information, la responsable du service est plutôt impliquée dans les réunions concernant sa gestion documentaire.

Un projet de liaison électronique reliant des administrations européennes est discuté, mais la nature confidentielle des documents du CIREA en complique la mise en œuvre. Un autre obstacle est l'existence, depuis 1995 et via les CIG dont la France s'est entre-temps retirée, d'un site web sécurisé partagé par les services allemand, canadien, étasunien, néerlandais, australien, danois, britannique, suédois et suisse, ainsi que par le HCR. Le site contient une liste indexée de documents qui peuvent être mis à disposition, un annuaire des chargés de recherche, un agenda des recherches en cours dans chaque organisme, ainsi qu'un forum privé sur lequel les collaborateurs des unités nationales peuvent échanger librement et en temps réel.<sup>102</sup>

Les échanges dans ces réseaux permettent aussi de mesurer le retard pris par l'Ofpra en matière d'informatisation, qui reste balbutiante et devient un problème urgent pour l'Office. En 1999, le service ne dispose que de trois ordinateurs connectés à un réseau internet Très bas débit lié aux lignes téléphoniques et dont la mémoire vive est insuffisante. Dès lors, l'informatisation du service et du fonds documentaire devient une priorité. Elle se concrétise notamment par l'acquisition, d'un logiciel documentaire – Alexandrie,<sup>103</sup> à la fin de l'année 1999.

Ce logiciel permet d'indexer les fonds documentaires de l'Ofpra et de la CRR selon un thesaurus élaboré dans le cadre des CIG et traduit par le Service de la documentation. La base de données est accessible aux officiers de protection via l'intranet. Il est prévu d'acquérir et de raccorder à l'intranet 500 postes dans les années suivantes.<sup>104</sup> Au moment de son acquisition, le logiciel est pensé comme un outil pouvant être partagé par les Services de documentation de l'Ofpra et de la CRR. Toutefois, la Direction de la CRR s'oppose à ce principe et demande la création de deux « entrées » séparées dans la base de données.

L'informatisation et l'indexation des références dans Alexandrie représentent une charge de travail considérable. Le service, qui compte alors sept personnes, consacre néanmoins l'essentiel de son activité « à la satisfaction des demandes de recherches qui ne cessent de croître en nombre et en

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<sup>101</sup> Informations sur les pays d'origine à l'Ofpra et à la CRR : état de la situation actuelle, 26 octobre 2000, 1/127 (accès sur dérogation).

<sup>102</sup> Compte rendu de la réunion du groupe de travail informel sur le stockage des informations en matière d'asile dans l'Union européenne, 1 juillet 1997, DIR 1/128 (accès sur dérogation).

<sup>103</sup> Note relative à l'optimisation des recherches documentaires via internet, 11 octobre 1999, DIR 1/128 (accès sur dérogation).

<sup>104</sup> Audit du centre de documentation, Étude de l'existant et des besoins, février 2002, DIR 1/128 (accès sur dérogation).



complexité ». En ce qui concerne les produits documentaires comme les chronologies et les dossiers sur les pays, « le service n'est pas en mesure de satisfaire pleinement l'attente de ses utilisateurs<sup>105</sup> ».

#### 6.2.6. Le traité d'Amsterdam (1999) : un accélérateur de la standardisation des COI

Le tournant du millénaire est particulièrement fort en termes de coopération européenne. La multiplication des projets d'harmonisation des politiques migratoire et d'asile est alimentée par l'entrée en vigueur du traité d'Amsterdam le 1<sup>er</sup> mai 1999. Celui-ci prévoit un délai de cinq ans pour la mise en place progressive d'un « espace de liberté, de sécurité et de justice », notamment à travers des mesures de contrôle migratoire et dans le domaine de l'asile.<sup>106</sup> Parmi ces mesures, le Conseil doit édicter des normes minimales régissant, d'une part, les conditions que doivent remplir les demandeurs d'asile pour pouvoir prétendre au statut de réfugié et, d'autre part, les procédures d'octroi ou de refus de ce statut.<sup>107</sup>

Ce processus débouche en avril 2004 sur l'adoption d'une directive dite « qualification », puis, en décembre 2005, d'une directive dite « procédure ». Ces textes entérinent le rôle des COI en tant qu'exigence légale dans les procédures d'asile. Le premier prévoit que l'évaluation individuelle d'une demande de protection internationale doit notamment tenir compte de « tous les faits pertinents concernant le pays d'origine au moment de statuer sur la demande, y compris les lois et règlements du pays d'origine et la manière dont ils sont appliqués<sup>108</sup> ». En outre, le texte précise que « les déclarations du demandeur sont jugées cohérentes et plausibles et elles ne sont pas contredites par les informations générales et particulières connues et pertinentes pour sa demande<sup>109</sup> ». Quant à la directive procédure, elle indique que les États membres doivent veiller à ce que,

« des informations précises et actualisées soient obtenues auprès de différentes sources, telles que le [HCR], sur la situation générale existant dans les pays d'origine des demandeurs d'asile et, le cas échéant, dans les pays par lesquels les demandeurs d'asile

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<sup>105</sup> Informations sur les pays d'origine à l'Ofpra et à la CRR, *op. cit.* (cf. note 101).

<sup>106</sup> Union européenne, *Traité d'Amsterdam modifiant le traité sur l'Union européenne, les traités instituant les Communautés européennes et certains actes connexes*, 11997D/ Journal officiel n° C 340 du 10 novembre 1997, 1997, art 73.

<sup>107</sup> *Ibid.*, art 73 K al. 1 let. b et c.

<sup>108</sup> Conseil de l'Union européenne, *Directive 2004/83/CE du Conseil du 29 avril 2004 concernant les normes minimales relatives aux conditions que doivent remplir les ressortissants des pays tiers ou les apatrides pour pouvoir prétendre au statut de réfugié ou les personnes qui, pour d'autres raisons, ont besoin d'une protection internationale, et relatives au contenu de ces statuts*, 2004, art. 4 al. 3 let. a.

<sup>109</sup> *Ibid.*, art. 4 al. 5 let. c

ont transité, et à ce que le personnel chargé d'examiner les demandes et de prendre les décisions ait accès à ces informations.<sup>110</sup> »

Les cinq ans qui s'écoulent entre l'entrée en vigueur du Traité d'Amsterdam et la publication des deux directives sont une période particulièrement intense pour les COI (dont l'acronyme s'impose justement à cette époque). De nombreuses études, formations et conférences sont organisées sur le sujet dans divers contextes.<sup>111</sup> En particulier, des efforts sont entrepris pour définir les contours des COI, en termes de portée, de méthodes et de contenus. Des « bonnes pratiques » sont édictées tant par des organisations gouvernementales que non gouvernementales.<sup>112</sup>

La Commission européenne promeut également la mise en place de règles de méthodologie commune auxquelles elle consacre la seconde réunion du groupe EURASIL (European Union Network for Asylum Practitioners) en novembre 2002 à laquelle participe le Service de la documentation de l'Ofpra.<sup>113</sup> Remplaçant le CIREA dès juillet 2002, ce « Réseau de l'UE pour les Praticiens de l'Asile » supervisé par la Commission européenne reprend dans les grandes lignes les fonctions de son prédécesseur : six à huit fois par an, il organise des réunions entre fonctionnaires des administrations chargées de l'asile dans États-membres, ainsi qu'en Suisse, en Norvège et en Islande. En favorisant l'échange d'informations sur les pays d'origine et sur des questions liées à la pratique dans les procédures d'asile, l'objectif d'EURASIL est de renforcer les convergences d'approche et d'évaluation des besoins de protection des demandeurs d'asile. Ces missions sont développées selon le Programme de La Haye, deuxième phase dans la construction d'un espace commun de liberté, de sécurité et de justice en Europe.

En marge des rencontres EURASIL, qui donnent plus de place aux unités COI que ne le faisait le CIREA, le service de l'Ofpra développe davantage ses collaborations bilatérales et se rapproche en particulier du Centre de documentation de l'administration belge.<sup>114</sup> C'est avec ce centre et leur homologue suisse que le service de l'Ofpra réalise deux missions d'enquête en République

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<sup>110</sup> Conseil de l'Union européenne, *Directive 2005/85/CE du Conseil du 1<sup>er</sup> décembre 2005 relative à des normes minimales concernant la procédure d'octroi et de retrait du statut de réfugié dans les États membres*, 2005, art. 8 al. 2 let. B.

<sup>111</sup> ICMPD, *Practical Guide to the Effective Gathering and Usage of Country of Origin Information* (Vienna: ICMPD, 2002); ICMPD, *Comparative Study on Country of Origin Information Systems. Study on COI Systems in Ten European Countries and the Potential for Further Improvement of COI Co-operation* (Vienna: ICMPD, 2006).

<sup>112</sup> Home Office Research, Development and Statistics Directorate, "Country of Origin Information: A User And Content Evaluation," *Home Office Research Study 271*, 2003; UNHCR, *Country of Origin Information: Towards Enhanced International Cooperation* (Geneva: UNHCR, 2004); Austrian Centre for Country of Origin and Asylum Research and Documentation, *ACCORD COI Network & Training. Researching Country of Origin Information: A Training Manual* (Vienna: ACCORD, 2004).

<sup>113</sup> Ofpra, *Rapport d'activité 2002*, Fontenay-sous-Bois, Ofpra, 2003.

<sup>114</sup> Ofpra, *Rapport d'activité 2003*, Fontenay-sous-Bois, Ofpra, 2004.

démocratique du Congo (RDC) en 2004 dans le cadre du programme ARGO de la Commission européenne. La France et la Belgique partagent ensuite le rôle de « pays experts » de la RDC au sein du projet European Country Sponsorship où certaines unités COI, disposant d'une expertise particulière sur un pays, deviennent des points de référence pour leurs homologues.<sup>115</sup>

Un autre projet ARGO, dirigé par l'unité COI néerlandaise et impliquant huit unités au total, mobilise le service de l'Ofpra qui participe en 2006 et 2007 à un autre processus marquant de l'histoire des COI, celui de la définition des Lignes directrices communes à l'UE pour le traitement de l'information sur les pays d'origine.<sup>116</sup> Ce document publié en avril 2008 établit des critères de qualité (notamment pertinence, fiabilité, équilibre, exactitude, actualité, transparence et traçabilité) communs, dont le respect doit permettre de régler les problèmes formels qui subsistent dans l'échange des rapports COI entre les administrations.<sup>117</sup>

#### 6.2.7. 2001-2008, une institutionnalisation aboutie

Les développements qui interviennent au niveau européen durant la période de mise en œuvre du traité d'Amsterdam sont suivis de près au sein de l'Ofpra, dont le Rapport d'activité 2003 souligne déjà l'importance accordée aux COI dans le projet de directive « procédure » :

« Conçue de longue date comme l'une des garanties d'un traitement juste et efficace des demandes d'asile, l'information sur les pays d'origine tend de plus en plus à voir son rôle précisé et les modalités de son utilisation définies, notamment du fait de l'harmonisation européenne. L'article 7 du projet de directive dite "procédure" en fait l'une des conditions d'un "examen approprié des demandes d'asile".<sup>118</sup> »

L'entrée dans le XXI<sup>e</sup> siècle marque d'ailleurs également une importante évolution du Service de la documentation, notamment à travers la dotation en ressources humaines supplémentaires qui intervient dans un contexte plus large de recrutement au sein de l'Office<sup>119</sup>. En 2001, dix personnes travaillent sous les ordres de Marion Raoul dont le service est divisé entre la mission de gestion

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<sup>115</sup> Ofpra, *Rapport d'activité 2007*, Fontenay-sous-Bois, Ofpra, 2008, p. 31.

<sup>116</sup> Union européenne, *Lignes directrices*, *op. cit.* (cf. note 50).

<sup>117</sup> Common EU Guidelines for the Evaluation and Validation of Factual COI. Proposal for ARGO project, 2005, DIR 5/21 (accès sur dérogation).

<sup>118</sup> Ofpra, *Rapport d'activité 2003*, *op. cit.* (cf. note 114).

<sup>119</sup> Karen Akoka, Alexis Spire, « Pour une histoire sociale », *op. cit.* (cf. note 62).

documentaire et celle des recherches documentaires, chacune occupant quatre personnes. Un officier de protection en charge de créer le site internet de l'Ofpra complète l'équipe.

L'informatisation du service se développe et un réseau intranet est mis en place. Fin 2001, la base de données Alexandrie comporte 5 763 entrées et le service vise à mettre un nombre croissant de documents en texte intégral à la disposition des utilisateurs. Malgré l'accès internet excessivement lent<sup>120</sup>, la modernisation de l'Office amène une augmentation spectaculaire des demandes de recherches, passant de 388 en 2000 à 735 en 2001. L'unité modifie son nom pour devenir le Service de la documentation et des recherches. L'augmentation nouvelle des activités de recherche répond peut-être à la recommandation d'un audit externe effectué en 2002, de « moderniser l'image du service par un nom qui reflète sa spécificité<sup>121</sup> ».

En 2003, l'Ofpra déménage dans un nouveau bâtiment à Fontenay-sous-Bois. La réunion de l'ensemble de l'Office sur un seul site est particulièrement propice au travail du Service de la documentation jusque-là à l'étroit dans ses locaux. De plus, l'Office se rapproche ainsi de ses principaux utilisateurs, les officiers de protection, auparavant sur deux sites différents et contraints de formuler leurs demandes par téléphone et messagerie.<sup>122</sup> Le déménagement aurait donc aussi favorisé « la mise en place de synergies avec certains de ses utilisateurs, plus nombreux désormais à fréquenter sa bibliothèque<sup>123</sup> ».

Malgré ces changements, à partir de 2002 le nombre des demandes de recherches est en baisse continue. En 2004, il chute à 350 demandes, moins de la moitié des recherches mandatées en 2001. La réduction des délais d'instruction imposés aux officiers, ainsi que l'installation de bornes internet au sein des divisions géographiques expliquent cette diminution.<sup>124</sup> Toutefois, les années suivantes voient le nombre de demandes augmenter à nouveau (601 en 2005, 848 en 2006<sup>125</sup>), ce que la responsable du service attribue d'une part, au renforcement des effectifs du service et, d'autre part, à une nouvelle reconnaissance du service liée à sa participation aux missions de récolte d'information en RDC.<sup>126</sup>

En 2005, quatre nouveaux chargés de recherches renforcent le service, dont trois sont issus de divisions géographiques.<sup>127</sup> Ces nouvelles recrues rejoignent le pôle Recherches et produits

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<sup>120</sup> Audit du centre de documentation, *op. cit.* (cf. note 104).

<sup>121</sup> *Id.*

<sup>122</sup> *Id.*

<sup>123</sup> Ofpra, *Rapport d'activité 2003*, *op. cit.* (cf. note 114).

<sup>124</sup> Ofpra, *Rapport d'activité 2004*, Fontenay-sous-Bois, Ofpra, 2005.

<sup>125</sup> Ofpra, *Rapport d'activité 2006*, Fontenay-sous-Bois, Ofpra, 2007.

<sup>126</sup> Renforcement éventuel des effectifs du service en vue de sa réorganisation, 6 avril 2006, DIR 1/128 (accès sur dérogation).

<sup>127</sup> Ofpra, *Rapport d'activité 2005*, Fontenay-sous-Bois, Ofpra, 2006.

documentaires de l'unité qui compte maintenant huit collaborateurs (dont un à mi-temps). Le pôle Acquisition et traitement de l'information/bibliothèque reste doté de quatre postes. Le Service de la documentation change de nom à l'été 2006 pour adopter l'acronyme CEDRE, pour Centre d'étude, de documentation et de recherches. Selon sa responsable, cette modification « témoignerait de son renouveau et inscrirait davantage ses activités parmi les missions exercées au sein de l'Office<sup>128</sup> ».

Si les comparaisons sont rendues difficiles à cause des différents cahiers des charges et des structures des centres de documentation nationaux, il est néanmoins apparent que les huit postes dédiés spécifiquement à la recherche sur les pays d'origine en 2006 placent le CEDRE parmi les plus petites unités COI en Europe occidentale. L'autre unité COI de petite taille est celle du Danemark, qui emploie six chargés de recherche et un agent administratif sous la direction d'un chef de service. À l'autre extrémité de ce classement figurent les unités belge et allemande qui emploient chacune trente personnes à la production d'informations sur les pays d'origine.<sup>129</sup> Cette situation est soulignée dans un rapport de juin 2006, rédigé pour la Commission des finances, du contrôle budgétaire et des comptes économiques de la nation, au Sénat, qui note que le « Service de documentation est traditionnellement le "parent pauvre" des services de l'Ofpra », comparé à son homologue belge.<sup>130</sup> Pourtant, les ressources COI françaises apparaissent encore nettement plus limitées si l'on rapporte ces chiffres au nombre de nouvelles demandes d'asile déposées la même année : alors que la France possède un chargé de recherche pour plus de 3 000 demandes, ce ratio est de moins de 300 au Danemark et en Belgique, de 700 en Allemagne et d'environ 1 100 en Grande-Bretagne.<sup>131</sup>

L'année 2008 marque une rupture pour le service. Le 1<sup>er</sup> janvier 2009, le CEDRE est hissé au rang de division et devient la DIDR (Division de l'information, de la documentation et des recherches). Marion Raoul quitte l'unité qu'elle a dirigée pendant quatorze ans pour prendre la tête de la Mission affaires européennes et internationales de l'Office.<sup>132</sup> La Division est structurée autour de quatre sections dont deux sont chargées des COI et une de la gestion documentaire. La dernière remplit

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<sup>128</sup> Ofpra, Renforcement éventuel, *op. cit.* (cf. note 126).

<sup>129</sup> ICMPD, *Comparative Study*, *op. cit.* (cf. note 111).

<sup>130</sup> Adrien Gouteyron, *Rapport d'information fait au nom de la commission des finances, du contrôle budgétaire et des comptes économiques de la nation sur le contrôle relatif à l'Office de protection des réfugiés et des apatrides (Ofpra)*, Paris, Sénat, 2006.

<sup>131</sup> Chiffres compilés sur la base de données issues de ICMPD, *Comparative Study*, *op. cit.* (cf. note 111) et d'Eurostat : Piotr Juchno, "Asylum Applications in the European Union," *Statistics in focus*, n° 110 (2007), p. 3.

<sup>132</sup> Ofpra, *Rapport d'activité 2008*, Fontenay-sous-Bois, Ofpra, 2009, p. 35.

une fonction nouvelle de « veille, anticipation, cellule de crise », dans le but de suivre les situations de conflits et d'anticiper des problématiques émergentes.

#### 6.2.8. Des histoires convergentes

L'institutionnalisation de la documentation sur les pays d'origine à l'Ofpra est le fruit de plusieurs histoires convergentes. Elle reflète d'abord l'évolution de la procédure d'asile et de sa bureaucratisation, à travers le développement d'un type de savoir expert et dépolitisé spécifique et du domaine de pratiques qui le construit. Elle illustre, notamment, le rôle des acteurs associatifs dans ce processus. Au fil du temps, l'information sur les pays d'origine, dont la production est internalisée au sein des administrations, devient un instrument toujours plus sophistiqué de l'instruction des demandes d'asile, mais aussi de la légitimation des procédures.

Cette histoire est aussi celle d'un double processus d'eupéanisation des politiques d'asile et de leur mise en œuvre. En effet, si les unités COI nationales se sont développées en parallèle au sein des administrations européennes, elles l'ont aussi fait en constante interaction dans des contextes plus ou moins formalisés.

Une eupéanisation « verticale<sup>133</sup> » s'opère à l'initiative des institutions européennes. Elles visent à harmoniser les procédures d'asile en Europe, pour répondre à l'exigence d'équivalence et de concordance que supposent le système de répartition des demandeurs d'asile de la convention de Dublin et, plus généralement, l'idée d'un Régime européen d'asile commun. À travers la définition de normes légales, l'adoption de messages politiques et la mise en place de structures qui encouragent les collaborations entre fonctionnaires, l'Union européenne promeut non seulement une harmonisation des procédures, mais aussi celle de l'information. La mutualisation de l'information doit permettre aux diverses administrations de disposer des mêmes « faits » afin d'en tirer des conclusions similaires lors de l'évaluation des demandes d'asile.

L'eupéanisation des COI prend aussi une forme « horizontale<sup>134</sup> » à travers les échanges multilatéraux et bilatéraux plus informels qui se développent entre les administrations des différents pays. En effet, les praticiens trouvent dans ces collaborations une manière de pallier le manque de ressources et d'optimiser leur activité, mais aussi de définir les normes, les méthodes et les objectifs qui doivent les guider. Ainsi les deux types d'eupéanisation contribuent à la socialisation des acteurs et à la production d'une communauté de pratiques fortement intégrée.

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<sup>133</sup> Virginie Guiraudon, « Les effets de l'eupéanisation », *op. cit.* (cf. note 53).

<sup>134</sup> *Id.*

Ces processus dotent l'histoire institutionnelle des unités COI d'une stature européenne. Cet argument est d'ailleurs utilisé par la responsable du service pour solliciter des ressources comblant le retard de l'Ofpra sur les administrations comparables en Europe. Nous l'avons vu, l'histoire de l'institutionnalisation de la documentation à l'Ofpra est aussi celle d'une administration qui peine à accompagner les évolutions technologiques des années 1990-2000.

Depuis 2008, date limite de cette étude, les rapports annuels de l'Ofpra mettent en relief plusieurs directions dans l'évolution de la DIDR. Au cours de cette décennie, l'institutionnalisation de la documentation au sein de l'Ofpra se confirme. Dès 2009, les décisions stratégiques sur le programme de travail de la Division sont prises par un « Comité d'orientation des recherches » présidé par le directeur général de l'Office.<sup>135</sup> Une nouvelle base de données sur les pays d'origine, « Flora », est introduite, puis transformée en « portail métier » contenant toute la documentation utile à l'instruction des demandes d'asile.<sup>136</sup> Les effectifs de la Division sont augmentés, de sorte qu'en 2017, dix-neuf chargés de recherche travaillent à la production d'informations sur les pays d'origine.<sup>137</sup>

La cheffe de la DIDR est impliquée dans la structuration de l'activité COI du Bureau européen d'appui en matière d'asile (EASO) créé en 2011, qui reprend et développe les activités de collaboration démarrées dans le cadre des programmes EURASIL et ECS.<sup>138</sup> Sous l'égide de cette nouvelle structure, l'intégration de la « communauté COI » européenne est renforcée : production de rapports communs, mise en place d'un portail COI partagé en ligne, création de réseaux d'experts sur certains pays et régions d'origine<sup>139</sup> ou encore définition de nouvelles lignes directrices méthodologiques.

Enfin, une autre évolution notable réside dans la communication dont la DIDR fait l'objet, notamment à travers les rapports d'activité de l'Ofpra qui décrivent le travail, les méthodes et les compétences des chargés de recherches,<sup>140</sup> mais aussi lors d'événements destinés au public comme les Journées Portes ouvertes de l'Office où les chargés de recherche sont valorisés.<sup>141</sup> La nouvelle visibilité du travail de la DIDR est renforcée par la publication, depuis août 2014, de la

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<sup>135</sup> Ofpra, *Rapport d'activité 2012*, Fontenay-sous-Bois, Ofpra, 2013, p. 50.

<sup>136</sup> Ofpra, *Rapport d'activité 2010*, Fontenay-sous-Bois, Ofpra, 2011, p. 48.

<sup>137</sup> Ofpra, *Rapport d'activité 2017*, *op. cit.* (cf. note 47).

<sup>138</sup> Ofpra, *Rapport d'activité 2011*, Fontenay-sous-Bois, Ofpra, 2012, p. 49.

<sup>139</sup> Ofpra, *Rapport d'activité 2017*, *op. cit.* p. 70 (cf. note 47).

<sup>140</sup> Voir par exemple : Ofpra, *Rapport d'activité 2015*, Fontenay-sous-Bois, Ofpra, 2016, p. 18 ; Ofpra, *Rapport d'activité 2016*, Fontenay-sous-Bois, Ofpra, 2017, p. 79.

<sup>141</sup> *Ibid.*, Ofpra 2016, p. 20.

plupart de ses rapports mis en ligne sur le site de l'Ofpra.<sup>142</sup> Cette communication sur l'expertise mobilisée dans la détermination du statut de réfugié participe à la bureaucratisation mais aussi à la dépolitisation des procédures d'asile en soulignant l'importance et la rationalité des processus décisionnels.<sup>143</sup>

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<sup>142</sup> Ofpra, « Nos publications » [<https://www.ofpra.gouv.fr/fr/l-ofpra/nos-publications/les-publications-de-l-ofpra>] (consulté en novembre 2018).

<sup>143</sup> Damian Rosset, « “We Have Our Own Kitchen” », *op. cit.* (cf. note 49).





## 7. The “distance article”

Rosset, Damian (2019b). “« We have our own kitchen » : Distance et légitimité dans la production de savoir pour la procédure d’asile”, *Politique et Sociétés* 38(1), 49-69.

### 7.1. Foreword to the “distance article”

This article deals specifically with the construction of legitimacy in the production of COI. It shows how the division of labour implied in *narra mihi factum, narro tibi jus* is put into practice by the Norwegian COI unit Landinfo through a complex and heterogeneous apparatus. This “infrastructure of distantiation” can be considered as a typical instrument of legitimation through rationalisation. By signalling the adherence to international COI standards and the strict division of labour between COI production and utilisation, the knowledge produced is legitimised as objective and unbiased. The utilisation of such knowledge, in turn, legitimates the procedures that mobilise it. However, distantiation can also be seen as mythopoetic instrument of legitimation: the distance between the production of COI and its utilisation in RSD is a constant narrative in Landinfo’s communication, further reinforcing and reproducing the legitimacy of the norm of distantiation.

Inspired by new institutionalist literature and focusing on the materialisation of a norm into a coherent set of structures and practices, the article has an inherent functionalist logic. The norm of distance is not, however, considered merely as a “self-reproducing force” (Favell and Recchi 2011: 67) in itself. The article recognizes and stresses the agency of the various actors involved in (re)producing the “infrastructure of distantiation” in different ways. It accounts for the historical development of Landinfo and shows how its creation was anchored in a political will to provide the production of COI not only with performative objectivity (e.g. through organisational autonomy) but also with authority by integrating both pre-existing COI units of the Norwegian system into one. The article also shows how country analysts perform distance in their practices of knowledge production. Nevertheless, the functionalist framework of this article does require a caveat – the type of coherence for which it can account can obscure a messier picture, as the following “access article” illustrates.

By focusing at the “ecological” level of this infrastructure of distantiation, the article does not account for more micro or macro levels where “distance” is productively mobilised in the governance of migration, with regards to “moral distance” (Bauman 1989; Eule 2014; Gill 2016) or “government at a distance” (Rose and Miller 1992; Hibou 2015; Infantino 2016).

There is, however, an interesting parallel to be drawn between the processes of distancing in terms of legitimation, for example around the notion of “outsourcing”. Although COI is not strictly-speaking “outsourced” by the state in the case of Landinfo, it can nevertheless be worth thinking about the distantiation as a similar process. COI would then, on the one hand, be an instrument of “government at a distance”, a delegated task regulated by standardised procedures and formalities (Hibou 2015). On the other hand, the infrastructure of distantiation would also allow for “moral outsourcing”, where the “responsibility for the system and its effects” would always be “elsewhere” (Gill 2019: 106).

In keeping with the conceptualisations developed in the theoretical framework (chapter 5), the Norwegian infrastructure of distantiation navigates the three models of ontological states. It is embedded in the organisational setting of the asylum system, materialised in space and in the bureaucratic production of documents, and embodied in the COI researchers’ daily work

## **7.2. “« We have our own kitchen » : Distance et légitimité dans la production de savoir pour la procédure d’asile”**

La constatation des faits liés au pays d’origine du demandeur d’asile est un élément essentiel des procédures de détermination du statut de réfugié, à la fois pour établir la situation sociale et politique générale qui y règne et les circonstances particulières aux cas individuels (Thomas, 2011 ; Rosset, 2015). Le savoir disponible sur les pays d’origine participe notamment à l’évaluation du bien-fondé de la crainte du requérant d’être persécuté en cas de retour dans son pays ou de la compatibilité d’un renvoi avec le principe de non-refoulement. Il est également mobilisé dans l’évaluation de la crédibilité du récit du demandeur en permettant aux acteurs étatiques de confronter ce récit à des connaissances disponibles sur les pays d’origine : ce lieu, cet événement, cette tradition que le demandeur mentionne existent-ils et sont-ils bien tels qu’il les décrit ?

La plupart des administrations chargées des décisions en matière d’asile dans les pays occidentaux disposent d’unités spécifiquement dédiées à la production et la circulation d’informations sur les pays d’origine. L’activité de ces unités s’est développée au cours des trente dernières années en un champ de pratiques professionnelles et un domaine de savoir à part entière (Engelmann, 2015), objectivés sous l’acronyme COI pour country of origin information (Good, 2015). Une norme fondamentale ayant structuré le développement des COI est celle de la séparation entre la production de savoir et son utilisation dans la prise de décision lors de la détermination du statut de réfugié.

Cette séparation se manifeste dans un ensemble de normes, de procédures, de discours et de stratégies organisationnelles qui constituent un dispositif complexe, une véritable « infrastructure de distanciation » de la production des COI vis-à-vis des procédures d'asile. Le présent article se penche sur l'infrastructure de distanciation dans laquelle évolue l'unité COI norvégienne Landinfo.

Objet d'une démarche inductive, l'analyse confronte des données de natures différentes, issues de divers types de sources écrites (bases juridiques, rapports administratifs, débats parlementaires, articles de presse, produits COI<sup>144</sup>) et d'entretiens menés avec le chef de Landinfo et deux analyste-pays<sup>145</sup> de l'unité. Ces données ont été récoltées entre septembre 2015 et avril 2016, notamment au cours d'un séjour de recherche en Norvège effectué en janvier et février 2016. Les trois entretiens semi-directifs, menés en anglais, ont eu lieu durant cette période dans les bureaux de Landinfo.<sup>146</sup>

L'article est divisé en deux parties. La première offre une contextualisation théorique et thématique. Elle développe la notion d'infrastructure de distanciation, définie comme un dispositif participant à l'écologie des COI comme situation d'expertise, avant de discuter du lien entre la norme de distanciation des COI et la légitimité des institutions et des individus impliqués. La seconde partie expose et analyse les composantes multiples de l'infrastructure de distanciation des COI de la procédure d'asile en Norvège.

### 7.2.1. Situations d'expertise et légitimité

#### 7.2.1.1. L'écologie de la production d'expertise

Malgré un intérêt croissant pour les modalités de qualification, de production et d'utilisation de savoirs experts à travers diverses approches disciplinaires<sup>147</sup>, une littérature cohérente peine à émerger, ne serait-ce qu'en raison de la polysémie des notions d'expert et d'expertise. Afin de dépasser ce problème et d'atteindre une compréhension plus subtile de l'expertise en action, les promoteurs d'une approche « pragmatique, écologique et politique » de l'expertise incitent à

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<sup>144</sup> Les documents en langue norvégienne ont été traduits en anglais.

<sup>145</sup> La dénomination des fonctions des personnes en charge de produire des informations sur les pays d'origine varie considérablement selon les administrations nationales dans lesquelles elles travaillent. En Norvège, leur poste est intitulé *Landrådgiver* (conseiller-pays). Le terme analyste-pays, plus courant, est utilisé ici.

<sup>146</sup> Les citations mobilisées dans cet article ont été relues et, à l'exception de l'une d'entre elles, toutes ont été révisées par les personnes interrogées.

<sup>147</sup> Pour une revue, voir Dumoulin et al. (2005) ; et Barbier et al. (2013).

aborder tout d'abord les pratiques d'expertise par leur contexte, « d'étudier le travail des experts dans la variété des situations où il se déroule » (Barbier et al., 2013 : 15).

Aborder la production de savoir par le contexte n'est pas spécifique à l'approche écologique qui est adoptée dans le présent article. Diverses traditions de l'étude de la production du savoir telles que la sociologie des sciences, l'anthropologie des connaissances ou les sciences cognitives ont en commun d'avoir « contribué à incarner l'activité de pensée, à la situer dans des pratiques, dans des lieux, dans un monde d'objets » (Latour, 1994 : 587). La métaphore écologique puise plutôt son intérêt dans l'appareil méthodologique qu'elle offre. Atsushi Akera (2007 : 419) propose une représentation par couches des contextes de production de savoir dont les différents niveaux – notamment l'histoire, les institutions, les organisations, les artefacts et les acteurs – contiennent des éléments liés à un ensemble plus large par des relations métonymiques. Une écologie du savoir requiert donc d'identifier les liens entre objets et sujets présents dans les différentes couches de l'environnement au sein duquel ce savoir est produit (ibid. : 418).

En se concentrant sur un aspect particulier des contextes dans lesquels se pratiquent les COI – celui de la norme de séparation entre les COI et la procédure d'asile –, il s'agit de révéler les liens entre des éléments hétéroclites d'une infrastructure cohérente de distanciation. L'infrastructure dont il est question ici peut donc être comprise comme un dispositif foucauldien que l'on peut mettre au jour par la mise en réseaux d'éléments matériels et discursifs (Foucault, 1994 : 299). Le dispositif n'est pas seulement la « concrétisation d'une intention au travers de la mise en place d'environnements aménagés » (Peeters et Charlier, 1999 : 18), mais aussi un lieu de perpétuation et de consolidation de ces environnements par les discours et les pratiques. L'approche écologique permet de distinguer les niveaux dans lesquels se situent les éléments du dispositif.

L'identification et la description d'un tel dispositif posent enfin la question de sa fonction. Le rôle de la distance dans les processus administratifs peut essentiellement être abordé selon deux angles, tous deux liés à des caractéristiques de l'organisation bureaucratique moderne idéaltypique de Max Weber (1971) : l'impersonnalité des fonctions et le rationalisme par la division du travail. Premièrement, la distance peut être envisagée comme un outil de détachement moral et de diffusion de la responsabilité individuelle. Elle est alors un instrument de médiation permettant aux acteurs individuels de séparer leurs actions des conséquences de ces actions (Bauman, 1989).<sup>148</sup>

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<sup>148</sup> Cette fonction de la distance a récemment été examinée dans deux études consacrées à l'administration des migrations, celle d'Eule (2014) menée au sein des *Ausländerbehörde* allemandes, et celle de Gill (2016) consacrée au système d'asile britannique.

La seconde fonction de la distance – celle qui est au centre du présent article – est liée à la notion de légitimité. Le recours à un savoir expert permet aux organisations de renforcer leur légitimité en indiquant qu’elles adoptent les atours de modes rationnels de prise de décisions (Boswell, 2009 : 11). Séparer les sites de production des COI de ceux de leur utilisation signale et matérialise l’autonomie des producteurs de savoir du contexte politique sensible dans lequel ce savoir est produit, le protégeant de pressions qui tendraient à le biaiser. La distance peut donc renforcer la légitimité de l’ensemble de la procédure d’asile et des institutions en charge. Il s’agit d’une légitimité que les sociologues néo-institutionnalistes qualifient d’externe (Brunsson, 2002), liée à la capacité d’une organisation de démontrer que ses normes, structures et actions sont conformes aux attentes de ce que serait son comportement approprié (Boswell, 2009 : 43). Toutefois, les organisations éprouvent également le besoin d’assurer une légitimité interne qui passe par le développement et la reproduction permanente de normes et de croyances (ibid. : 42).

La fonction de l’infrastructure de distanciation ne doit donc pas être abordée uniquement en tant que renforcement de la « légitimité institutionnelle » du système d’asile norvégien en général et de Landinfo en particulier. Son impact sur la « légitimité individuelle » des producteurs de COI doit aussi être examiné.

#### 7.2.1.2. Les COI et la norme de distanciation

Les normes et les « bonnes pratiques » liées à la production des COI ont largement été thématiques et définies au niveau intergouvernemental, notamment européen. Cela s’explique par le fait que les unités nationales se sont développées en parallèle et en interaction. Dès la création des premières unités COI<sup>149</sup> dans certaines administrations d’asile européennes au milieu des années 1980, certaines formes de collaboration internationale et de réflexion commune sur la nature, le rôle et la forme des COI se sont développées. En 1989, un premier colloque sur les COI a notamment réuni à Dardagny (Suisse) des représentants des administrations responsables de l’asile de plusieurs pays européens, des États-Unis, du Canada et de l’Australie afin d’échanger sur les expériences nationales et de développer des collaborations étatiques (HCR, 1988 : 19). L’année suivante, un séminaire international organisé par le Haut Commissariat des Nations Unies pour les réfugiés (HCR) à Évian abordait diverses thématiques en lien avec la nature et les objectifs

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<sup>149</sup> L’utilisation de l’acronyme COI est postérieure. Selon Good (2015 : 122), celle-ci s’est répandue en Grande-Bretagne autour de 2005, mais elle était déjà utilisée au moins depuis 2002 (ICMPD, 2002).

des COI, ainsi que les étapes de la procédure d'asile dans lesquelles elles sont mobilisées (HCR, 1990).<sup>150</sup>

Ces collaborations s'intensifient au tournant du millénaire<sup>151</sup>, notamment en lien avec le développement d'un système d'asile communautaire européen. Dans l'optique d'un système basé sur l'équivalence des procédures nationales se développe une forte volonté d'uniformisation de l'information sur les pays d'origine. La directive européenne dite « de qualification » de 2004 instaure l'obligation légale de recourir aux COI.<sup>152</sup> La période de préparation de cinq ans de cette directive est particulièrement intense en études, formations et conférences sur les COI organisées par des acteurs divers (organisations non gouvernementales, gouvernements, organisations internationales) (ICMPD, 2002 ; 2006).

La tendance à l'uniformisation ne s'est pas limitée à définir le besoin d'institutionnaliser les COI dans les procédures d'asile ; elle s'est aussi traduite par une réflexion sur la méthodologie et les contenus des COI, ainsi que sur leur utilisation. Plusieurs organismes étatiques (IRB-CISR, 2007), interétatiques (HCR, 2004 ; UE, 2008) ou de la société civile (ACCORD, 2006) ont défini des bonnes pratiques pour la production des COI. Ces documents soutiennent qu'il est primordial que l'information soit produite de manière indépendante de la procédure et qu'elle ne comporte pas d'évaluation juridique guidant les décisions. Le document le plus souvent cité, intitulé « Lignes directrices communes à l'UE pour le traitement de l'information sur le pays d'origine (COI, Country of Origin Information) », a été rédigé conjointement par plusieurs unités COI nationales.<sup>153</sup> Robert Gibb et Anthony Good notent que ces lignes directrices produites par des praticiens des COI « focus less upon the intrinsic weight and reliability of COI than on how, and by whom, that COI is “processed” » (2013 : 312). Comme le stipulent les lignes directrices, « Afin de satisfaire les critères d'objectivité et d'impartialité requis, il conviendrait également, chaque fois que cela est

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<sup>150</sup> À côté des administrations nationales, le HCR joue également un rôle pionnier en récoltant dès 1992 des informations sur les pays d'origine transmises aux États, puis en 1996 en créant Refworld, une base de données sous forme de CD-Rom, puis de site Internet ([www.refworld.org](http://www.refworld.org)). Le HCR tient encore aujourd'hui ce site à jour.

<sup>151</sup> Pour une revue du développement de la collaboration en matière de COI dès les années 1990, voir ICMPD (2002 ; 2006) et Engelmänn (2015).

<sup>152</sup> L'évaluation d'une demande de protection internationale doit notamment prendre en compte « tous les faits pertinents concernant le pays d'origine au moment de statuer sur la demande, y compris les lois et règlements du pays d'origine et la manière dont ils sont appliqués » (UE, 2004). La directive dite « de procédure » de 2005 ajoute que les États membres « veillent à ce que [...] des informations précises et actualisées soient obtenues auprès de différentes sources, telles que [le HCR], sur la situation générale existant dans les pays d'origine des demandeurs d'asile et, le cas échéant, dans les pays par lesquels les demandeurs d'asile ont transité, et à ce que le personnel chargé d'examiner les demandes et de prendre les décisions ait accès à ces informations » (UE, 2005).

<sup>153</sup> Celles d'Allemagne, de Belgique, du Danemark, de France, de Suisse, des Pays-Bas, de Pologne et du Royaume-Uni.

possible, de préserver l'indépendance du traitement et de la production de la COI par rapport au processus de prise de décision et de définition de la politique d'asile. » (UE, 2008 : 6)

Cet extrait est commenté en note de bas de page de la manière suivante : « selon le HCR [...], il y va de la crédibilité et de l'autorité de la COI » (ibid.). La citation se réfère à un document du Haut Commissariat des Nations Unies pour les réfugiés dans lequel l'agence émet en effet l'opinion que la fiabilité des données produites comme COI ne garantit pas l'autorité et le respect accordés à ces données (HCR, 2004 : 17). Il ne suffit donc pas que le savoir produit corresponde aux critères de qualité établis, mais il importe également que cette qualité puisse être reconnue. La remise en cause de l'autorité de l'information utilisée met en doute la crédibilité de l'ensemble du processus. Selon le HCR (ibid. : 17-18), cette remise en cause doit dès lors être évitée par les États en garantissant l'indépendance substantielle et factuelle (ou organisationnelle) des producteurs de COI.

La légitimité du savoir produit se confond donc avec celle des acteurs qui le produisent, des procédures qu'il sert et, par conséquent, des institutions étatiques elles-mêmes. Ainsi, l'infrastructure de distanciation sert également d'élément de langage dans ce que Nils Brunsson (2002) appelle le talk organisationnel. Selon celui-ci, les organisations doivent non seulement être en mesure de remplir leurs objectifs, mais aussi de refléter certaines normes et valeurs à travers leurs structures formelles et leur rhétorique. L'institutionnalisation et la professionnalisation des COI participent à la construction de la crédibilité des institutions seulement dans la mesure où la production des COI se situe dans un cadre perçu comme indépendant. La norme de distanciation présente à un niveau international et idéationnel est intimement liée à la légitimité des processus décisionnels.

### 7.2.2. L'infrastructure norvégienne de distanciation

Pour appréhender les dispositifs de distanciation qui matérialisent la norme de la séparation entre la production de savoir COI et l'évaluation des demandes d'asile, il faut quitter le niveau de la « communauté COI » transnationale et se pencher sur celui des systèmes nationaux. En effet, c'est à ce niveau que se situe l'essentiel des pratiques au centre de cet article et chaque unité COI chemine dans un contexte national particulier. D'un « régime de détermination du statut de réfugié » (Hamlin, 2014 : 9) à l'autre, les structures organisationnelles, ressources et pratiques dans lesquelles s'inscrivent la production et la circulation des COI varient considérablement (ICMPD, 2006 ; Gyulai, 2011 ; Engelmann, 2015). L'infrastructure de distanciation prendra donc dans chaque cas une forme spécifique, révélatrice d'« écologies » différentes.



Le cas qui fait l'objet de la présente analyse est celui de l'unité COI norvégienne, Landinfo. En tant que pays non-membre de l'Union européenne, la Norvège n'est pas liée par les directives européennes en matière d'asile. Partie prenante des accords de Dublin, elle a cependant cherché à aligner ses politiques d'asile sur celles des autres pays européens (Liodden, 2017 : 9).<sup>154</sup> La Norvège est membre associé du Bureau européen de soutien en matière d'asile (BEAA/EASO) dont la coopération en matière de COI a été une activité phare depuis sa création en 2011. Les collaborateurs de Landinfo sont actifs dans ce réseau, comme ils l'ont été dans ceux qui l'ont précédé (par exemple Eurasil et European Country of Origin Sponsorship), ainsi que dans d'autres réseaux internationaux, notamment les Consultations intergouvernementales sur les politiques concernant le droit d'asile, les réfugiés et les migrations (CIG/IGC), dont le groupe de travail sur les COI existe depuis le milieu des années 1990.

Dans le paysage des unités COI européennes, Landinfo se distingue par son autonomie organisationnelle, par sa politique relativement ancienne de publication de ses recherches en ligne<sup>155</sup>, ou encore par le nombre important de missions de récolte d'informations dans les pays d'origine (fact-finding missions) qu'entreprennent ses analystes. Il m'a personnellement été possible de constater la très bonne réputation de Landinfo au sein de la « communauté COI », un interlocuteur qualifiant même l'unité de « Rolls-Royce des COI ».

L'unité emploie 29 personnes : un chef, 21 analystes-pays, quatre documentalistes, deux assistantes administratives et une responsable de la base de données (Landinfo, n.d.a<sup>156</sup>). Les analystes-pays ont tous une formation universitaire dans les sciences sociales ou, pour une minorité, en langues orientales.<sup>157</sup> Au sein de Landinfo, les analystes-pays sont divisés en quatre sections géographiques : Afrique ; Asie ; Moyen-Orient ; Europe, Asie centrale et Amérique latine (ibid.).

L'analyse de l'infrastructure de distanciation de Landinfo vis-à-vis de la procédure d'asile est organisée selon quatre dimensions qui décrivent la manière dont elle est institutionnalisée sur le plan organisationnel, localisée dans l'espace, reproduite dans les pratiques et activement communiquée. Lorsque cela est utile, le cas de Landinfo est mis en perspective avec ceux d'autres

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<sup>154</sup> Cependant, selon Brekke et Staver (2018), cette tendance à l'alignement sur les standards européens a connu un retournement depuis 2015 à la suite d'une certaine « renationalisation » de la politique migratoire norvégienne.

<sup>155</sup> C'est le cas, selon Petterson (2006), depuis la mise en ligne du site Internet de Landinfo ([www.landinfo.no](http://www.landinfo.no)) au début de 2006.

<sup>156</sup> Chiffres de novembre 2018.

<sup>157</sup> Les sciences politiques sont la discipline la plus représentée (9), suivie par la langue arabe (4), la géographie sociale (3), la sociologie (2), l'étude des religions (1) et l'anthropologie (1). Les profils des employés de Landinfo sont disponibles sur le site de l'unité (Landinfo, n.d.a).

unités COI européennes afin d'illustrer les spécificités de l'infrastructure de distanciation norvégienne. Avant d'entrer dans le vif du sujet, la section suivante présente les tâches de Landinfo liées à la procédure d'asile norvégienne.<sup>158</sup>

#### 7.2.2.1. Landinfo et le système d'asile norvégien

Dans le système d'asile norvégien, l'administration responsable des décisions en matière d'asile est le Directorate de l'immigration (Utlendingsdirektorat – UDI). Une assistance juridique est offerte aux personnes dont la demande d'asile est rejetée et celles-ci peuvent faire appel auprès de la Commission de recours en matière d'immigration (Utlendingsnemnda – UNE). Une décision négative de l'UNE peut faire l'objet d'un appel auprès du système judiciaire ordinaire aux niveaux local et régional, ainsi que d'un recours en cassation auprès de la Cour suprême (Schjotvet, 2014 : 124)<sup>159</sup>.

Les informations de Landinfo peuvent être sollicitées par les autorités à chacune de ces étapes. Les COI sont générées et transmises sous diverses formes, le plus souvent écrite mais également orale dans certaines situations. Des notes thématiques approfondies (temanotater) analysent des thèmes majeurs liés à la situation dans un pays. Des exemples récents de telles notes sont intitulés : « Syrie : service militaire – annulation, report et exemption », « Ethiopie : manifestations estudiantines jusqu'en 2014 », ou encore « Albanie : documents de voyage et d'identité ».<sup>160</sup> D'autres rapports plus concis (respon) répondent à des questions spécifiques pour lesquelles les autorités migratoires norvégiennes ont besoin d'information.<sup>161</sup>

Ces deux types de produits COI sont, sauf exceptions liées à la confidentialité de certaines sources ou informations, accessibles publiquement sur le site Internet de Landinfo. Les analystes-pays répondent également à des questions plus particulières, souvent liées à des cas spécifiques et posées directement par les personnes en charge des décisions en matière d'asile à l'UDI. Elles peuvent faire l'objet d'une discussion téléphonique ou d'un échange de courriels. À titre indicatif,

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<sup>158</sup> Il est utile de mentionner ici que la procédure d'asile n'est pas le seul contexte dans lequel évolue Landinfo. L'unité peut être sollicitée par l'ensemble des autorités impliquées dans les questions migratoires (exemples : autres départements de l'UDI et de l'UNE, police, ministère de la Justice).

<sup>159</sup> Pour une description détaillée de la procédure d'asile en Norvège, voir EMN (2012). Pour une discussion récente et approfondie des pratiques professionnelles des fonctionnaires impliqués dans cette procédure, voir la thèse de doctorat de Liodden (2017) qui se penche sur les notions d'incertitude et de pouvoir discrétionnaire dans ce contexte.

<sup>160</sup> Ces rapports et tous les autres peuvent être consultés sur le site Internet de Landinfo (n.d.b).

<sup>161</sup> À titre d'exemple, une note intitulée « Bangladesh : divorce » répondait en novembre 2015 aux quatre questions suivantes : « Comment peut-on divorcer ? Le divorce est-il courant ? Existe-t-il diverses possibilités de divorcer en fonction de la religion à laquelle on appartient ? La possibilité de divorcer est-elle différente pour les hommes et les femmes ? » (Landinfo, n.d.b).

l'unité a produit 36 notes thématiques, 91 respons et répondu à plus de 1600 demandes par courriel en 2016 (Landinfo, 2017 : 8-9).

Les cinq documentalistes de Landinfo sont responsables de mettre à jour la base de données Landdatabasen. Cette base de données, accessible par les employés de l'UDI et du ministère de la Justice, contient des documents de divers types sur 102 pays (rapports officiels ou d'organisations de la société civile, articles de presse, etc.).

En plus des formats écrits, les informations sur les pays d'origine font également l'objet d'une circulation orale. Les analystes-pays effectuent des présentations destinées aux divers acteurs des autorités migratoires norvégiennes (121 en 2016), ainsi que des comptes rendus des voyages effectués dans les pays d'origine (fact-finding missions). Enfin, les analystes-pays comparaissent également comme témoins experts dans les séances de l'UNE et lors d'audiences devant les cours de justice, respectivement 145 et 134 fois en 2016 (Landinfo, 2017 : 10). Ils peuvent être cités à comparaître à la demande de l'une ou l'autre des parties.

#### 7.2.2.2. Une distanciation institutionnalisée

Si Landinfo est à disposition de l'ensemble des acteurs institutionnels du système d'asile norvégien<sup>162</sup>, l'unité se situe sur le plan organisationnel au sein de l'UDI. Cet état de fait résulte directement d'un choix effectué lors de la création de l'unité en 2005 initiée sous l'impulsion de la ministre du Gouvernement local et du Développement régional<sup>163</sup> dont dépendait alors l'UDI. Celle-ci a mutualisé les ressources en personnel dédiées à la production de COI de l'UDI et de l'UNE, à savoir les cinq analystes-pays de l'UNE et les sept analystes-pays, trois documentalistes et le chef de l'unité COI de l'UDI.

La création d'une « unité de savoir sur les pays » (landkunnskapsenhet) a été proposée en janvier 2004 dans le cadre d'une réforme du système de contrôle migratoire qui a fait l'objet d'un rapport gouvernemental au Parlement – Melding til Stortinget (ou Stortingetsmelding [Message au parlement]). Ce document décrit sommairement l'argumentaire pour changer le système qui prévalait jusque-là pour les COI, ainsi que les contours de la nouvelle unité.

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<sup>162</sup> L'une de mes interlocutrices m'a également affirmé répondre à des questions issues de représentants juridiques de demandeurs d'asile. Elle le fait volontiers dans la mesure où les ressources le permettent. Le rapport annuel 2015 de Landinfo (2016) précise que si l'unité accorde toujours la priorité à ses utilisateurs principaux, elle organise également, lorsque les ressources le permettent, des présentations sur demande d'acteurs qui n'en font pas partie, notamment des organisations de la société civile.

<sup>163</sup> Erna Solberg du Parti conservateur (*Høyre*), première ministre de la Norvège depuis octobre 2013.

Le principal argument en faveur d'une structure unique évoqué dans le document est le risque de confusion que pourraient causer des différences dans l'évaluation de la situation dans les différents pays et régions. Une discordance entre les savoirs des deux instances de la procédure d'asile risquerait de créer un quiproquo pour les plaignants et leurs représentants juridiques lors de la préparation des recours. Une source de savoir unique participerait, au contraire, à des pratiques plus uniformes entre les différents niveaux de la demande d'asile (Norvège, 2004a : 24-45). Lors des débats parlementaires, cette logique a été contestée par des députés de deux partis minoritaires qui y voyaient une réduction de la sécurité du droit (Norvège, 2004b).<sup>164</sup>

La possibilité de créer une nouvelle agence indépendante a été examinée, mais écartée pour deux raisons. D'une part, cela aurait induit des coûts de gestion plus importants. D'autre part, il a été considéré qu'une certaine proximité entre les analystes-pays et les agents responsables de décisions en matière d'asile permet aux premiers de mieux évaluer le type d'informations nécessaires grâce à une meilleure compréhension de la procédure, du droit et des arguments des demandeurs (Norvège, 2004a : 25-26).

Il est pertinent de revenir ici à la discussion sur les normes et les valeurs véhiculées par les structures formelles des organisations (Brunsson, 2002). Les structures délimitent non seulement les options, les choix, les apprentissages et les croyances des acteurs qui évoluent en leur sein, mais comportent également une dimension éthique. Une structure qui ne serait pas porteuse de sens quant au travail quotidien des individus ne permettrait pas de distinguer les actions des bureaucrates selon leur conformité avec la structure. Seule l'existence d'une « éthique de la structure » permet de définir les responsabilités des acteurs (Whitford, 2012 : 395).

Le choix fait par les autorités norvégiennes de séparer sur le plan organisationnel la production des COI de son utilisation peut donc être interprété comme un élément important de l'infrastructure de distanciation. Dans une représentation écologique, la structure organisationnelle est donc à la fois la matérialisation au niveau institutionnel de la norme de distanciation et un cadre définissant la conformité des actions des individus qui évoluent en son sein. Le choix d'une unité unique renforce en outre la légitimité du savoir produit puisqu'il limite le risque d'incohérences et de remises en cause du savoir à l'intérieur des institutions.

Cependant, le Stortingetsmelding ne se limite pas à la description structurelle de la nouvelle unité COI. Il évoque également des modalités de fonctionnement de cette unité dans le système d'asile, notamment que la nouvelle unité doit être « académiquement indépendante », à savoir que ni

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<sup>164</sup> Aujourd'hui, parmi les administrations européennes, seuls les systèmes d'asile suisse et français comportent deux unités COI, respectivement au sein de l'administration d'asile et de l'instance de recours.

l'UDI, ni l'UNE ne possède l'autorité de l'instruire sur la manière de présenter ou d'évaluer la situation dans un pays ou une région (Norvège, 2004a : 26). Le texte établit que la distanciation entre le site de production du savoir et celui de son utilisation était bien l'objectif des décideurs politiques. Ce document officiel n'est pas uniquement une source utile au chercheur pour identifier les logiques et les objectifs des décideurs politiques ; comme l'indique le chef de Landinfo, il institutionnalise également les fondements du mandat de l'unité :

A White Paper ("stortingsmelding" in Norwegian) defines the framework for our work, consisting of two pillars. The first pillar is Landinfo's role, which is limited COI. That means that we do not have a role in decision-making and policy development. The White Paper clearly states the separation between the decision-making process and the process of generating COI. The other pillar for Landinfo is our independence. We cannot be instructed by anybody with respect to COI issues such as content or methodology. (Entretien réalisé le 22 janvier 2016)

La mention écrite du mandat de Landinfo et de la séparation entre les COI et la prise de décision apporte une forte contribution à l'infrastructure de distanciation. Bien qu'un *Melding til Stortinget* n'ait pas force de loi – il sert à informer le parlement de questions particulières et peut être débattu, mais n'est pas sujet à ratification<sup>165</sup> –, ce document offre une dimension quasi légale et tout au moins officielle à l'infrastructure de distanciation.

### 7.2.2.3. Une distanciation localisée

L'autonomie organisationnelle de Landinfo se matérialise également dans l'espace. Les bureaux de Landinfo se situent au troisième étage d'un immeuble commercial du centre d'Oslo, dans des locaux indépendants du reste de l'UDI et environ à égale distance entre les locaux de la première et de la seconde instance. Lorsque j'interroge le chef de Landinfo sur l'avantage de disposer de ses propres locaux, celui-ci m'indique que : « The fact that we are geographically separated from the decision-makers' offices is important. We do not even have the same cantina; we have our own kitchen. This may appear to be only symbolic, but it underlines our independence—not only for the case workers, but also for lawyers, journalists or NGO's. » (Entretien réalisé le 22 janvier 2016)

Cette situation géographique participe donc avant tout à la perception sociale de l'autonomie de Landinfo. L'importance de cette perception concerne non seulement les acteurs internes à la

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<sup>165</sup> Je suis reconnaissant envers Henrik Westermarck de l'Institut suisse de droit comparé pour son aide quant à la clarification de la nature (non)légale d'un *Melding til Stortinget*.

procédure, mais aussi externes, comme les journalistes et les organisations de la société civile. L'absence de lieux d'échanges informels avec les utilisateurs des COI (par exemple une cantine) renforce l'impression d'indépendance de Landinfo. Au-delà de la fonction symbolique de la distance géographique, une analyste-pays trouve des avantages pratiques à cette limitation des possibilités de contacts informels : « I don't feel I interfere with their case processing at all. At all. And also we sit, you know, very separately from them so it's not like they come in and ask us all the time "look at this case, what do you think?" It used to be like that before we became that one unit, I think, but it's not like that. » (Entretien réalisé le 18 février 2016)

Cette personne ayant été engagée après la création de Landinfo, les raisons qui lui font dire que la situation aurait changé à ce moment-là ne sont pas claires. Toutefois, elle affirme clairement son sentiment que la séparation spatiale des producteurs de COI vis-à-vis de la procédure d'asile leur permet de diminuer le risque d'interférer dans la prise de décision en limitant les possibilités d'échanges informels, dont les modalités ne seraient pas réglées par les procédures en place.

#### 7.2.2.4. Une distanciation pratiquée

Comment produire et communiquer une information en évitant de suggérer l'interprétation qui doit en être faite ? C'est en substance la question méthodologique que pose la distanciation des COI vis-à-vis des procédures d'asile. Cette question est au cœur de la pratique quotidienne des analystes-pays. Selon le chef de Landinfo, la capacité de ne pas déborder sur le domaine de la prise de décision reste la question dont l'équipe de Landinfo discute le plus souvent : « Since the establishment of Landinfo, one of the core themes we have discussed and elaborated on has been how to fill our role in order to be relevant to our users, but to avoid crossing the line to decision-making. » (Entretien réalisé le 22 janvier 2016)

Malgré un rôle défini légalement et considéré comme bien compris par les différents acteurs du système (voir section suivante), la mise en application de ce celui-là reste un enjeu dans les pratiques quotidiennes. La difficulté de tenir la posture, de ne pas franchir la ligne dans la distribution d'information est, selon mes trois interlocuteurs, particulièrement difficile à tenir lorsque les analystes-pays témoignent oralement devant une cour de justice. Cet aspect du travail des analystes-pays de Landinfo est spécifique à la procédure d'asile norvégienne, aucun de leurs homologues européens ne devant se présenter devant le tribunal. Le chef de Landinfo explique :

On the paper and in theory it appears easy to differentiate between COI and decision-making. But in daily work, for example, if the analyst provides oral witness statement in court, it can be more tricky to stay on the right side of the line between COI and decision-

making. In most of the cases the judge wouldn't know too much about the country in question, and it could be difficult for her/him to find out whether the appellant's story is trustworthy, or whether it is safe to return a person to his/her home country. For the judge it can be tempting to ask the country expert of her/his opinion—but the analyst has to decline to comment on these questions. (Entretien réalisé le 22 janvier 2016)

Une brèche potentielle de l'infrastructure de distanciation apparaît lorsque l'analyste-pays doit affirmer et défendre la posture que lui dicte le registre normatif de sa profession. Les attentes vis-à-vis de l'analyste-pays ne sont pas conformes au rôle distancié de la prise de décision. Il ne s'agit donc plus de se cacher derrière l'infrastructure de distanciation, mais de la défendre et la mettre en œuvre dans la pratique.

Les enjeux propres à l'interaction avec les utilisateurs des COI ne proviennent pas uniquement d'attentes inopportunes de ceux-ci ou de situations sociales particulières comme une audition en salle d'audience. Une analyste-pays indique comment « rester dans son rôle » peut se manifester dans la production écrite, à travers des choix de vocabulaire :

We have discussions on language: do we use terminology that can be understood from a legal perspective? How do we use words like "torture"? When we say "torture," do we say what that means? Do we qualify something to being "torture" or not? Or do we say "according to" or "Amnesty International refers to it as..."? So we have long discussions on single words and what they might be interpreted as saying. (Entretien réalisé le 11 février 2016)

Afin d'éviter de déborder de leur rôle et d'entrer dans le terrain décisionnel, les analystes-pays doivent donc prendre en compte la manière dont les mots qu'ils utilisent seront interprétés par leurs clients. Ici, la norme de distanciation intervient au seuil de l'interaction, puisqu'il s'agit pour eux non seulement de rester dans le cadre de leurs prérogatives, mais aussi de s'assurer que les autres acteurs partagent cette impression. Lors de ses recherches au sein des tribunaux d'asile britanniques, Anthony Good (2007) a également noté l'importance du vocabulaire dans la division des rôles entre producteurs et utilisateurs du savoir. Dans le cas qu'il analyse, les pourvoyeurs d'informations sur les pays d'origine ne sont pas des chercheurs COI professionnels, mais des universitaires (principalement des anthropologues) appelés à comparaître devant la justice comme témoins experts. Good rapporte les méprises induites par l'utilisation par les anthropologues de termes tels que crédibilité. « Whereas the academic contexts "plausibility" and "credibility" may seem virtually interchangeable, in legal circles "credibility" is a term of art, a judgment which only the court is entitled to make. » (2007 : 199) Outrepasser son rôle par de telles maladresses de langage peut disqualifier un expert et, par ricochet, son expertise aux yeux des juges (ibid.).

Le sens que les utilisateurs des COI peuvent attribuer à certaines expressions et la manière dont ils les interpréteront juridiquement engagent donc les producteurs de ce savoir. Afin de maintenir la séparation entre la production de savoir et la prise de décision, ceux-ci doivent connaître le vocabulaire de la procédure. La capacité des analystes-pays à opérationnaliser la distanciation est donc également liée à leur niveau de compréhension de la procédure d'asile. Cela soulève un certain paradoxe, puisqu'une meilleure connaissance de la procédure peut permettre de mieux s'en distancier. Il est intéressant de noter que sur les 21 analystes-pays de Landinfo, au moins huit ont une expérience antérieure dans l'évaluation des demandes d'asile, au cœur de la procédure (Landinfo, n.d.a).<sup>166</sup>

Cette section a montré qu'au sein de l'unité COI norvégienne, la norme de distanciation fondamentale pour les COI n'est pas considérée comme un acquis. Elle fait l'objet d'une reproduction que les analystes-pays appliquent dans leurs pratiques quotidiennes. La thématization de la question du rôle du producteur de COI, à travers les discussions et les développements méthodologiques, démontre le rôle proactif que jouent ces acteurs dans la construction et la reproduction de l'infrastructure de distanciation entre les COI et la procédure d'asile. La section suivante se penche sur cette question.

#### 7.2.2.5. Une distanciation communiquée

Le travail de distanciation vis-à-vis de la procédure d'asile ne se reflète pas uniquement dans la production de COI – il possède aussi une dimension communicative. Celle-ci intervient autant à l'interne, vis-à-vis des divers acteurs du système d'asile norvégien, qu'à l'extérieur de celui-ci.

Bien que la pratique professionnelle des analystes-pays nécessite, comme l'a montré la section précédente, de défendre sa posture dans l'interaction avec les autres acteurs, la clarification des rôles et la gestion des attentes font également l'objet d'un travail de l'institution. Landinfo a notamment introduit un système de formation systématique destinée aux fonctionnaires de l'UDI en charge des décisions d'asile dont le chef de l'unité explique qu'il s'agit d'un outil d'apprentissage des rôles : « We have designed e-learning modules for our users in order to clarify Landinfo's role and to make it easier for them to use our services according to our role. » (Entretien réalisé le 22 janvier 2016)

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<sup>166</sup> Là encore, les pratiques en termes de recrutement dans les unités COI varient beaucoup d'un pays à l'autre : alors qu'au sein de l'Office français de protection des réfugiés et apatrides (OFPRA) en France une expérience de la procédure est un prérequis pour travailler dans l'unité COI, l'unité COI du Secrétariat d'État aux migrations (SEM) en Suisse ne recrute que des personnes externes.



La norme de séparation des rôles fait donc l'objet d'un apprentissage institutionnalisé. Mes interlocuteurs s'accordent pour dire que leur rôle est bien compris par leurs clients de l'UDI. Une analyste-pays indique que ceux-ci sont « disciplinés » (« they are very disciplined with regard to when they should ask us questions or not »). Elle relate aussi l'évolution récente de la compréhension du rôle des COI parmi les juges de l'UNE :

The judge is always very aware of the way the questions should be asked [...] and that has changed also, I think, in these years I have been working here. When I came in 2008, [...] they were not always thinking so consequently about that as they are now. I think it has happened a lot in the Appeal's Board during those years. They have become more aware. I think because [the head of unit] has regular meetings with the Appeal's Board. And they discussed these things. And we had the appeal's board coming here and hav meetings with some of us, like me for instance we have had a lot of dialogue on how to address questions. (Entretien réalisé le 18 février 2016)

Le rappel du rôle de Landinfo ne se fait pas uniquement dans l'interaction avec les clients de l'UDI ou de l'UNE. Il est également communiqué de manière systématique à l'intention de l'extérieur. Chaque rapport thématique est précédé d'un avertissement en norvégien et en anglais déclarant que l'information contenue a été collectée et analysée selon les critères de qualité reconnus pour les COI ainsi que les lignes directrices internes de Landinfo sur l'analyse des sources et de l'information. Il y est également précisé : « Country of Origin Information presented in Landinfo's reports does not contain policy recommendations nor does it reflect official Norwegian views. » Les documents respons aussi contiennent ce genre d'avertissement.

Le site Internet de Landinfo sur lequel ces rapports sont publiés indique pareillement à plusieurs endroits son indépendance vis-à-vis des autorités migratoires et présente le Stortingsmelding comme étant la source de sa création (Landinfo, n.d.a). Il comporte en outre une section intitulée « COI Practices » (Landinfo, n.d.c) qui décrit les méthodes de collecte et de présentation de l'information, d'analyse des sources et des informations, ainsi que le processus éditorial et d'assurance qualité des recherches. Cette section contient aussi trois documents méthodologiques propres à Landinfo et quatre documents de sources internationales (ibid.). Cette transparence est d'ailleurs mise en avant par le chef de l'unité : « If you want to learn more about the methodology and the content of our work, you are invited to visit our homepage. Both our guidelines on source and information analysis and our reports are accessible on Landinfo.no. » (Entretien réalisé le 22 janvier 2016)

Cette transparence et la manière proactive dont elle est communiquée peuvent être perçues comme un élément de plus dans le dispositif de distanciation vis-à-vis de la procédure d'asile. Il y

est écrit que si Landinfo est responsable du savoir qu'elle produit, l'unité ne peut être tenue responsable de l'interprétation qui est faite de ces informations dans le processus de prise de décision. D'ailleurs, l'interprétation générale de l'information sur les pays aux fins de la procédure est disponible sur le site de l'UDI, dans des documents intitulés praksisnotater et qui définissent la pratique de l'administration pour les différents pays d'origine.<sup>167</sup> Ainsi, l'évaluation externe de la pratique de l'administration en matière d'évaluation des demandes d'asile en provenance d'un pays donné peut également être séparée de l'information sur laquelle elle se base. De potentielles critiques doivent être dirigées soit vers les COI, soit vers leur interprétation juridique.

La période de mon séjour de recherche à Oslo, au début de 2016, coïncidait avec une controverse sur la décision du gouvernement de renvoyer des demandeurs d'asile qui étaient entrés en Norvège par sa frontière septentrionale avec la Russie vers ce pays qu'il considérait comme un « pays tiers sûr ». Lors d'un débat à la télévision publique entre des opposants à cette nouvelle politique et la ministre de l'Immigration, le dernier rapport de Landinfo sur le système d'asile en Russie a été projeté comme élément introductif, formant la base « factuelle » pour la discussion. Les participants des deux bords s'y sont référés fréquemment pour avancer leurs arguments respectifs, sans jamais en questionner le contenu (NRK TV, 2016). Mon entretien avec le chef de Landinfo a eu lieu le jour suivant ce débat. Il s'y est référé pour illustrer la position de Landinfo dans le débat public comme source d'information fiable et respectée.

### 7.2.3. Distanciation et légitimité

Les informations sur les pays d'origine constituent un site particulier de production de savoir expert. Agissant dans le domaine politiquement sensible de l'asile, leur production fait l'objet d'une attention publique particulière. La perception sociale d'une production indépendante est essentielle pour ancrer l'autorité et la légitimité des acteurs et des institutions. L'infrastructure de distanciation participe à cette légitimité en signalant, sinon en permettant, la production indépendante d'un savoir objectif et neutre.

En reprenant la métaphore écologique, il apparaît que l'infrastructure norvégienne de distanciation est perceptible à travers les multiples couches de l'environnement dans lequel évoluent Landinfo et ses employés. Elle est perceptible sur les plans international et idéationnel dans la norme de distanciation qui caractérise une « bonne pratique » acceptée en termes de COI. Elle est

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<sup>167</sup> Le site de l'UDI : annonce « The memos are mainly normative descriptions of work practice. They may contain internal processing routines. The memos on practices and procedures are binding on case officers in the Norwegian Directorate of Immigration. » (UDI, n.d.)

matérialisée dans des documents officiels régissant les règles et les structures institutionnelles qui conditionnent la production de COI. Elle est renforcée et reproduite par l'unité Landinfo elle-même dans sa communication à l'interne et à l'externe du système d'asile norvégien. Enfin, elle se manifeste dans les discours et les pratiques au niveau des individus. Pour reprendre, hors de son contexte, l'expression du chef de Landinfo, l'analyse démontre que son équipe possède « sa propre cuisine » – elle jouit d'un espace symbolique et matériel situé hors de la procédure d'asile.

En jouant sur les mots, on peut ajouter que Landinfo a sans doute aussi sa cuisine interne, ses procédures, ses règles informelles et ses routines. Ces aspects qui participent aussi à l'expansion ou à la contraction de l'infrastructure de distanciation ne font pas l'objet de la présente analyse. Toutefois, la description de l'infrastructure de distanciation laisse aussi apparaître des zones de tension potentielles au sein desquelles la norme de distanciation est mise à mal. L'une d'entre elles concerne la contradiction apparente entre le besoin de connaître les utilisateurs des COI et celui de s'en distancier. En effet, pour évaluer la manière dont l'information produite sera utilisée et interprétée, les analystes-pays doivent connaître le fonctionnement et le langage de la procédure. Leur capacité de se distancier est donc tributaire d'une certaine proximité. Une autre zone de tension se situe dans l'interaction avec les utilisateurs des COI et plus particulièrement lorsque les analystes-pays interviennent comme témoins experts dans les tribunaux. Ces situations sociales particulières peuvent pousser l'analyste-pays à « franchir la ligne » entre savoir et évaluation.

L'infrastructure de distanciation n'est donc pas acquise. Si elle cadre les pratiques des producteurs d'expertise, elle requiert aussi que ceux-ci la reproduisent et la renforcent. Les discours de mes interlocuteurs et les pratiques qu'ils m'ont rapportées démontrent que leur forte adhésion à la norme de distanciation et leurs efforts pour la mettre en pratique ne sont pas l'effet inconscient de discours internalisés. Il s'agit bien davantage d'une activité consciente et proactive.

La cohérence manifeste entre les normes, les structures, les discours et les pratiques peut s'expliquer par les intérêts convergents des différents niveaux et acteurs. L'indépendance reconnue de l'analyste-pays rejaille sur son autorité comme producteur de savoir et sur la légitimité des COI produites pour les procédures d'asile. Les décisions administratives en ressortent légitimées, ainsi que les institutions qui en sont responsables.

Il existe toutefois aussi un risque inhérent à une structure de légitimation aussi aboutie et cohérente. La création d'une seule unité de production de COI dans le système d'asile norvégien a limité les possibilités de production de savoir contradictoire à l'intérieur même de ce système. L'absence de contradiction interne et le haut degré de légitimité externe, dont atteste l'épisode du débat télévisé, comporte également le risque que le savoir produit ne fasse plus du tout l'objet de remise en cause et gagne un statut hégémonique et indiscutable.

Une récente analyse de 150 cas de recours concernant des décisions de l'UNE auprès de la Cour de district d'Oslo a par exemple révélé que le tribunal accordait une très grande confiance aux informations produites par Landinfo, au détriment notamment d'autres sources de savoir possiblement contradictoire (Kirkeby Hauge, 2016). L'étude cite notamment un arrêt déclarant que Landinfo joue un rôle « plus neutre » que le HCR, présenté comme un groupe d'intérêt (interessorganisasjon), ce qui implique que le savoir produit par l'unité norvégienne doit se voir accorder plus de poids que celui produit par l'agence onusienne (ibid. : 31). L'importance cruciale donnée au rôle de la source d'information dans le monde de l'asile au détriment de l'évaluation de l'information elle-même révèle comment la construction de la légitimité d'un savoir se réalise par sa mise en contexte.

#### 7.2.4. Bibliographie

ACCORD (Austrian Centre for Country of Origin and Asylum Research and Documentation), 2006, ACCORD COI Network & Training. Researching Country of Origin Information: A Training Manual, consulté sur Internet (<http://www.refworld.org/docid/4ecf86c32.html>) le 12 mai 2016.

Akera, Atsushi, 2007, « Constructing a Representation for an Ecology of Knowledge: Methodological Advances in the Integration of Knowledge and its Various Contexts », *Social Studies of Science*, vol. 37, no 3, p. 413-441.

Barbier, Marc, Lionel Cauchard, Pierre-Benoit Joly, Catherine Paradeise et Dominique Vinck, 2013, « Pour une approche pragmatique, écologique et politique de l'expertise », *Revue d'anthropologie des connaissances*, vol. 7, no 1, p. 1-23.

Bauman, Zygmunt, 1989, *Modernity and the Holocaust*, Ithaca, Cornell University Press.

Boswell, Christina, 2009, *The Political Uses of Expert Knowledge: Immigration Policy and Social Research*, Cambridge, Cambridge University Press.

Brekke, Jean-Paul et Anne Staver, 2018, « The Renationalisation of Migration Policies in Times of Crisis: The Case of Norway », *Journal of Ethnic and Migration Studies*, vol. 44, no 13, p. 2163-2181.

Brunsson, Nils, 2002 [2e éd.], *The Organization of Hypocrisy: Talk, Decisions, Actions in Organizations*, Norway, Abstrackt/Liber.

Dumoulin, Laurence, Stéphane La Branche, Cécile Robert et Philippe Warin (sous la dir. de), 2005, *Le recours aux experts. Raisons et usages politiques*, Grenoble, Presses universitaires de Grenoble.

EMN (European Migration Network), 2012, *The Organisation of Asylum and Migration Policies in Norway*. Report to the European Migration Network from the Norwegian Contact Point, April 2012, consulté sur Internet ([http://www.udi.no/globalassets/global/european-migration-network\\_i/studies-reports/organisation-asylum-norway.pdf](http://www.udi.no/globalassets/global/european-migration-network_i/studies-reports/organisation-asylum-norway.pdf)) le 10 juillet 2016.

Engelmann, Claudia, 2015, *Common Standards Via the Backdoor. The Domestic Impact of Asylum Policy Coordination in the European Union*, thèse de doctorat en science politique, Maastricht University, Universitaire Pers Maastricht, Maastricht.

Eule, Tobias G., 2014, *Inside Immigration Law: Migration Management and Policy Application in Germany*, Surrey, Ashgate Publishing.

Foucault, Michel, 1994, *Dits et écrits 1954-1988. Tome III : 1976-1979*, Paris, Gallimard.

Gibb, Robert et Anthony Good, 2013, « Do the Facts Speak for Themselves? Country of Origin Information in French and British Refugee Status Determination Procedures », *International Journal of Refugee Law*, vol. 25, no 2, p. 291-322.

Gibney, Matthew J., and Randall Hansen (2005). 'Asylum policy in the West: Past trends, future possibilities', in: George J. Borjas and Jeff Crisp (eds.), *Poverty, international migration and asylum*, London: Palgrave Macmillan, 70–96.

Gill, Nick, 2016, *Nothing Personal? Geographies of Governing and Activism in the British Asylum System*, Oxford, Wiley-Blackwell.

Good, Anthony, 2007, *Anthropology and Expertise in the Asylum Courts*, Londres, Routledge.

Good, Anthony, 2015, « Anthropological Evidence and "Country-of-origin Information" in British Asylum Courts », dans Benjamin N. Lawrence et Galya Ruffer (sous la dir. de), *Adjudicating Refugee and Asylum Status. The Role of Witness, Expertise, and Testimony*, Cambridge, Cambridge University Press, p. 122-146.

Gyulai, Gabor, 2011, *Structural Differences and Access to Country Information (COI) at European Courts Dealing with Asylum*, Hungarian Helsinki Committee, consulté sur Internet ([http://helsinki.hu/wp-content/uploads/EN\\_Structural-differences-and-access-to-country-information-COI-at-European-courts-dealing-with-asylum.pdf](http://helsinki.hu/wp-content/uploads/EN_Structural-differences-and-access-to-country-information-COI-at-European-courts-dealing-with-asylum.pdf)) le 10 juillet 2016.

Hamlin, Rebecca, 2014, *Let Me Be a Refugee. Administrative Justice and the Politics of Asylum in the United States, Canada, and Australia*, Oxford, Oxford University Press.

HCR (United Nations High Commissioner for Refugees), 1988, *Background Note for the Workshop on How to Assess the Situation in Countries of Origin of Asylum Seekers*.

HCR (United Nations High Commissioner for Refugees), 1990, *Final Report, Consultancy on Country of Origin Information, Prepared for the Coordinating Group of the Task Force on Information and Documentation, Seminar on the Functioning of Asylum Procedures Arranged in the Context of the Inter-governmental Consultations on Asylum-seekers in Europe and North America, in Cooperation with the French Government, Évian, 13-15 juin 1990*.

HCR (United Nations High Commissioner for Refugees), 2004, *Country of Origin Information: Towards Enhanced International Cooperation*, consulté sur Internet (<http://www.unhcr.org/refworld/pdfid/403b2522a.pdf>) le 12 mai 2016.

ICMPD (International Centre for Migration Policy Development), 2002, *Practical Guide to the Effective Gathering and Usage of Country of Origin Information*, Vienne, ICMPD.

ICMPD (International Centre for Migration Policy Development), 2006, *Comparative Study on Country of Origin Information Systems – Study on COI Systems in Ten European Countries and the Potential for Further Improvement of COI Co-operation*, Vienne, ICMPD.

IRB-CISR (Immigration and Refugee Board of Canada – Commission de l'immigration et du statut de réfugié du Canada), 2007, *Policy on Country-of-origin Information Packages in Refugee Protection Claims*, consulté sur Internet ([www.irb-cisr.gc.ca/Eng/BoaCom/references/pol/pol/Pages/PolOrigin.aspx](http://www.irb-cisr.gc.ca/Eng/BoaCom/references/pol/pol/Pages/PolOrigin.aspx)) le 12 juillet 2016.

Kirkeby Hauge, Charlotte, 2016, *Domstolenes bruk av landinformasjon – en empirisk og normativ analyse av underrettspraksis [L'utilisation par les tribunaux de l'information sur les pays – une analyse empirique et normative de la jurisprudence]*, mémoire de master, Faculté de droit, Université de Bergen, consulté sur Internet ([bora.uib.no/bitstream/handle/1956/12564/144800130.pdf](http://bora.uib.no/bitstream/handle/1956/12564/144800130.pdf)) le 20 août 2016.

Landinfo, 2016, *Årsrapport 2015*, consulté sur Internet ([https://landinfo.no/asset/3341/1/3341\\_1.pdf](https://landinfo.no/asset/3341/1/3341_1.pdf)) le 7 novembre 2018.

Landinfo, 2017, *Årsrapport 2016*, consulté sur Internet ([https://landinfo.no/asset/3552/1/3552\\_1.pdf](https://landinfo.no/asset/3552/1/3552_1.pdf)) le 7 novembre 2018.

Landinfo, n.d.a, Om Landinfo [À propos de Landinfo], consulté sur Internet (<https://landinfo.no/om-oss/>) le 7 novembre 2018.

Landinfo, n.d.b, Publikasjoner [Publications], consulté sur Internet (<https://landinfo.no/publikasjoner/>) le 7 novembre 2018.

Landinfo, n.d.c, COI practices, consulté sur Internet (<https://landinfo.no/en/methodology/>) le 7 novembre 2018.

Latour, Bruno, 1994, « Une sociologie sans objet ? Note théorique sur l'interobjectivité », Sociologie du travail, vol. 4, p. 587-607.

Liodden, Tone Maia, 2017, The Burdens of Discretion. Managing Uncertainty in the Asylum Bureaucracy, thèse de doctorat en sociologie, Université d'Oslo, Norvège.

Norvège (Kommunal- og regionaldepartementet [Ministère du Gouvernement local et du Développement régional]), 2004a, St.meld. nr. 21 (2003-2004) Styringsforhold på utlendingsfeltet. Tilråding frå Kommunal- og regionaldepartementet av 16. januar 2004, godkjend i statsråd same dagen. (Regjeringa Bondevik II) [Gouvernance dans le domaine de l'immigration. Recommandation du ministère du Gouvernement local et du Développement régional du 16 janvier 2004, approuvée le même jour par le cabinet des ministres. (Second cabinet Bondevik)], consulté sur Internet (<https://www.regjeringen.no/no/dokumenter/stmeld-nr-21-2003-2004-/id584999/?ch=1&q=>) le 12 mai 2016.

Norvège (Stortinget [Parlement]), 2004b, Innstilling frå kommunalkomiteen om styringsforhold på utlendingsfeltet [Recommandation du comité local sur la gouvernance dans le domaine de l'immigration], consulté sur Internet (<https://www.stortinget.no/no/Saker-og-publikasjoner/Publikasjoner/Innstillinger/Stortinget/2003-2004/inns-200304-219/>) le 14 juillet 2016.

NRK TV, 2016, Debatten: asylutsendingene [Débat : les renvois de demandeurs d'asile], 21 janvier 2016, consulté sur Internet (<https://tv.nrk.no/serie/debatten/NNFA51012116/21-01-2016>) le 10 juillet 2016.

Peeters, Hugues et Philippe Charlier, 1999, « Contributions à une théorie du dispositif », Hermès, vol. 25, p. 15-23.

Petterson, Dag, 2006, « Ny åpenhet om landkunnskap » [Nouvelle ouverture dans le savoir sur les pays], Dagbladet, 1 juin 2006, consulté sur Internet ([www.dagbladet.no/kultur/2006/06/01/467766.html](http://www.dagbladet.no/kultur/2006/06/01/467766.html)) le 17 juillet 2016.

Rosset, Damian, 2015, « Le savoir sur les pays d'origine dans les procédures d'asile », Jusletter, 16 mars 2015.

Schjætvet, Cecilie, 2014, Troverdighetsvurderinger i asylsaker: Juss og tverrfaglighet i opplæringen i fire direktorater – Belgia, Storbritannia, Sverige og Norge [Évaluation de la crédibilité dans les cas d'asile : droit et interdisciplinarité dans l'instruction au sein de quatre agences – Belgique, Royaume-Uni, Suède et Norvège], Oslo, Utlendingsdirektorat - Forsknings- og utviklingsprosjekter.

Thomas, Robert, 2011, *Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication*, Londres, Bloomsbury Publishing.

UDI (Utlendingsdirektorat [Directorat norvégien de l'immigration]), n.d., Documents – UDI Memos on Practices and Procedures, consulté sur Internet ([www.udiregelverk.no/en/documents/udi-memos-on-practices-and-procedures/](http://www.udiregelverk.no/en/documents/udi-memos-on-practices-and-procedures/)) le 10 juillet 2016.

UE (Union européenne), 2004, Directive 2004/83/CE du Conseil du 29 avril 2004 concernant les normes minimales relatives aux conditions que doivent remplir les ressortissants des pays tiers ou les apatrides pour pouvoir prétendre au statut de réfugié ou les personnes qui, pour d'autres raisons, ont besoin d'une protection internationale, et relatives au contenu de ces statuts, consulté sur Internet (<http://www.refworld.org/docid/50ed43ea2.html>) le 12 juillet 2016.

UE (Union européenne), 2005, Directive 2005/85/CE du Conseil du 1er décembre 2005 relative à des normes minimales concernant la procédure d'octroi et de retrait du statut de réfugié dans les États membres, consulté sur Internet (<http://www.refworld.org/docid/4fd606552.html>) le 12 juillet 2016.

UE (Union européenne), 2008, Lignes directrices de l'UE pour le traitement de l'information sur les pays d'origine (IPO/COI), consulté sur Internet ([https://www.sem.admin.ch/dam/data/sem/internationales/herkunftslander/coi\\_leitlinien-f.pdf](https://www.sem.admin.ch/dam/data/sem/internationales/herkunftslander/coi_leitlinien-f.pdf).) le 12 mai 2016.

Weber, Max, 1971 [1922], *Économie et société*, Paris, Plon.

Whitford, Andrew B., 2012 [2e éd.], « Strategy, Structure, and Policy Dynamics », dans B. Guy Peters et Jon Pierre (sous la dir. de), *The SAGE Handbook of Public Administration*, Londres, Sage Publications, p. 392-402.





## 8. The “access article”

Rosset, Damian and Christin Achermann (2019). “Negotiating research in the shadow of migration control: access, knowledge, and cognitive authority”, *Social Anthropology / Anthropologie Sociale*, 27(S1), 49–67.

### 8.1. Foreword to the “access article”

While the previous article dealt mainly with the notion of legitimacy, the focus of the “access article” is rather on authority and, importantly, the authority to produce knowledge about COI. Here, the state is approached as deeply embodied in the persons of Mr Apel and Mr Wald, who were the main gatekeepers to my planned research field and with whom we entered in a competition over the cognitive authority (the capacity to produce and impose legitimate meanings) over the field of COI.

The article applies the notion of “transnational guild » (Bigo 2016) to the COI community, arguing that this notion fits well with the dynamics of the transnational field of COI. This notion allows us to not only account for the integration of this group based on a shared know-how, COI as their specific *craft*, but also emphasise the role of personal bonds and loyalties expressed in displays of “solidarity at a distance”. Importantly, the notion of transnational guild allows to challenge centripetal conceptions of the nation state, by showing how individuals can operate simultaneously within centrifugal fields that develop in a certain autonomy from the national political field (Bigo 2016: 400).

Within the transnational COI community, we also identified a COI institutional habitus – “similar ways of acting, thinking and feeling” (Affolter 2017: 10) that actors acquire through belonging and becoming part to an institution – where the authority and legitimacy of knowledge are deeply grounded in positivist epistemology.

In terms of legitimation, by highlighting the relationship between, on the one hand, the illegibility of the bureaucratic processes we encountered and, on the other hand, the clear and legible way the state presents itself, the article reveals the performative dimension of rationalisation. In the same process, legitimation through authorisation was made visible in the black-boxing of COI production.

## 8.2. “Negotiating research in the shadow of migration control: access, knowledge, and cognitive authority”

Far away from the frontline of migration control and management, where border guards, prison staff and miscellaneous street-level bureaucrats perform their tasks and enact the state, other actors of the migration apparatus (Feldman 2011) operate in its shadow, relatively immune to public and scientific attention. It is the case of country analysts who produce “country of origin information” (COI) relevant to the migration authorities, particularly to those responsible for refugee status determination (Gibb and Good 2013; van der Kist 2018). This expert information is fundamental in evaluating the credibility of asylum seekers and assessing their eligibility for international protection (Rosset 2015). In most European countries, country analysts are located in dedicated ‘COI units’ within the national asylum administration.

In order to observe the daily practices of bureaucratic knowledge production and discuss them with their performers, we planned to conduct ethnographic research in several such units. Instead, this article recounts a failed 30-month negotiation to gain access to the COI unit of the Swiss State Secretariat for Migration and, to a lesser degree, its Norwegian counterpart, Landinfo.<sup>168</sup> We interpret this denial of access not as a general resistance to research, but as a situated case of knowledge control and discipline.

Although entering and exiting research fields are considered ‘standard anthropological tropes’, their analytical importance has long been neglected (Gupta & Ferguson 1997) and only recently gained attention (Chaudhuri 2017). It is widely recognised that the field itself has the capacity to control the knowledge produced about it, as researchers are confronted with various gatekeepers at multiple levels, formal and informal, internal and external, who hold the metaphorical (or actual) key to the ‘research field’ and the informants, institutions, interactions and artefacts within (Ibid.). Thus, analysing the conditions of access encountered and the ensuing negotiations of entry can shed light on the realities and social structures of the field (Di Trani 2008: 259).

In attempting to study the specific bureaucratic setting of COI units, we concurred with Bourdieu’s claim that a sociology of the state is necessarily a sociology of knowledge since the task should

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<sup>168</sup> A first version of this paper was presented at the 14th IMISCOE Annual Conference in Rotterdam in June 2017. The participants of the double panel “What does access do to knowledge?”, as well as Camilla Alberti, Luca Pfirter and Michelle provided comments on previous versions of the article. Barak Kalir and two anonymous reviewers commented successive versions. We are extremely grateful to all these persons for their invaluable help in improving the article. This research was supported by the nccr – on the move funded by the Swiss National Science Foundation. It has also benefited from a grant from the University of Neuchâtel’s ‘Fonds des donations’.

consist of re-appropriating the categories of thinking produced by the state. This is especially important as the state remains 'the unthought principle of the greater part of our thoughts, including those on the state' (Bourdieu 2012: 173). Knowledge production is at the heart of both bureaucratic practices and representations, contributing to performing the 'state' into being (Sharma and Gupta 2006), or as Hoag (2011: 81) puts it: 'producing knowledge — reams and reams of it indeed — is what bureaucracies do best'.

However, while attempting to study practices that enact the state, we found ourselves entering into a competition over the legitimacy to claim knowledge and produce discourse about our field (Lézé 2008). Initially, the object of the interaction was physical access to persons and places. Over time, the research project and its epistemology became the object of the negotiation, along with ourselves as the researchers, our definitions of 'the field' and, ultimately, the nature of legitimate knowledge (production). Consequently, our questions and interests also evolved, shifting from the bureaucratic knowledge work of specific units towards the nature and functioning of bureaucracies and questions of knowledge production and control by the state itself. We interpret our access negotiations as a journey in the legibility (Scott 1998) and illegibility (Das 2004; Eule et al. 2019) of the state. Casting light on the interrelationship between these two notions — where the illegibility of bureaucratic processes shields the legibility of the state as discourse — we contribute to the anthropological literature on the state by connecting it to the sociology of knowledge concept of black-boxing (Latour 1999). Indeed, the unequal access to knowledge that results from illegibility prevents outsiders from producing and claiming knowledge about the state, thus reinforcing the state's narrative about itself.

The first part of this article presents an overview of the initial research project and describes the strategy developed to access the field, followed by a chronological account of the negotiation process<sup>169</sup>. The second part outlines and analyses the negotiation phase, and the matters at the heart of these interactions: cognitive authority — the capacity to impose meaning and knowledge differentials over a topic (Lézé 2008: 264) — and the power to produce legitimate knowledge about the field.

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<sup>169</sup> The material we analysed in this article emanates mainly from interviews, field notes and e-mail correspondence. We are conscious of the ethical questions raised by the use of this specific material. Thorough reflections and discussions on ethics, especially how to avoid harming the safety, dignity or privacy of our interlocutors despite recounting a difficult interaction, have guided the writing process to ensure respecting ethical research standards.

### 8.2.1. Negotiating access

#### 8.2.1.1. Defining the field and the access strategy

The first author of this article,<sup>170</sup> Damian, submitted a PhD proposal in 2014 for a three-part investigation into the production and utilisation of COI in the asylum administrations of three countries: Switzerland, Norway, and France.<sup>171</sup> These COI units were selected because of their contrasting characteristics in terms of resources, recruitment, communication, and position in respective asylum procedures. The first part of the project focused on the institutional history of each COI unit to understand the rationalities of the actors involved in their creation and development and to account for the differences in institutional layouts across European asylum administrations. The second part aimed to analyse the everyday work of COI analysts through participant or non-participant observation and in-depth interviews. It focused on categorisations of information and sources and the construction of the authority of knowledge. The third part, focusing on the practices of decision-makers, examined the mobilisation of COI in refugee status determination.

The project proposal left space for themes to emerge inductively from fieldwork and the research design was purposefully broad for a single PhD project, as it was expected to evolve. This breadth was also based on the pragmatic consideration that almost no social scientific research existed on the actual practices related to COI in asylum administrations.<sup>172</sup> While hopeful of offering the first comprehensive analysis on this topic, we were also conscious that we might fail to access some of the places, people and information we envisaged and would thus have to adapt the project.

#### 8.2.1.2. The access strategy

Planning access necessarily involves calculations with unclear variables, such as locating the most relevant and favourable gatekeepers, assessing the best way to approach them (in)formally, or defining the most appropriate way to present ourselves to our interlocutors. Given the uncertainty, these calculations – resulting in the definition of general strategies to achieve access, as well as

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<sup>170</sup> This article deals with the experience of its two authors. It is written in the first-person plural. When describing situations, actions, and interpretations that only concern one of the authors, the third-person singular, *he* or *she*, is used.

<sup>171</sup> Following the developments described in this article, the project changed, and the French COI was ultimately never contacted.

<sup>172</sup> A notable exception was the work of Gibb and Good (2013) on the role of COI in the French and British asylum systems.

more short-term ad-hoc tactics – are inherently subjective and influenced by our representations and habitus (Kalir 2006: 238).

Going into our field, we knew that European COI units were densely interconnected. Fifteen units had been involved in producing common methodological guidelines (EU 2008; ECS 2010), for example. Coordination of COI production and circulation was also among the first tasks of the European Asylum Support Office (EASO) established in 2010 to replace older platforms (Rosset 2019a) alongside other more informal transnational networks (Engelmann 2015). The Swiss COI unit was well-integrated in these networks; its Head, Mr Gerd Apel,<sup>173</sup> was the coordinator of a working group on COI at European level. We identified him as a crucial gatekeeper to his own unit and with influence amongst his European counterparts.

Our access strategy was consequently to first gain access to the Swiss COI unit, before contacting the Norwegian and French units. We believed it would be easier to convince other gatekeepers once cleared by an authoritative peer. Considering the inductive nature of the research, it was also probable that the scope of access to the first research field and the initial results would influence the access needed to the other fields. Confidence in this access strategy was drawn from the knowledge that other PhD students were currently completing extensive ethnographic fieldwork on decision-making in the asylum procedure – conducting interviews with caseworkers and heads of units, accessing internal documents, and observing of the everyday work of the agency – in various units of the Swiss State Secretariat for Migration (SEM) (Affolter 2017a; Miaz 2017; Poertner 2018). Our confidence was further bolstered by the numerous positive experiences by Damian's supervisor (and second author, Christin) in her research on migration and penal administrations, and by the fact that the SEM had earlier mandated her with commissioned research. Further, while Damian was not an insider of the SEM, he was not a total outsider to the COI community. The idea for this PhD topic had matured while working as a country analyst in the COI unit of the Federal Administrative Court (FAC), the only appeal body of the Swiss asylum system. However, despite similar missions, the two COI units did not work together and contacts were scarce.

When defining an access strategy, it was difficult to predict whether Damian would be considered an insider, familiar with the work of COI producers, or as a suspicious outsider, as an academic and a COI researcher from another unit of the same asylum system (Chaudhuri 2017). To some extent, it was probable that he would be considered both (Wolf 1996: 15). These fears would soon be put to the test. Damian first met the crucial gatekeeper, Mr Apel, in late-2013 while still working

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<sup>173</sup> All names were anonymised using the 'German names generator' of the website [www.fantasynamengenerators.com](http://www.fantasynamengenerators.com).

at the FAC. Damian approached Mr Apel after a workshop held by the SEM and told him about his academic plans. Mr Apel replied that he was not opposed in principle, but Damian must make an official request to his hierarchy with a concrete project proposal.

#### 8.2.1.3. Reaching out

In July 2014, six months after leaving his FAC position, Damian sent an official request to conduct field research at the SEM to Joachim Mutz, Head of the Asylum Directorate. The request included a brief description of the research project and explicated the researcher's needs: interviews with 8 to 10 country analysts, 8 to 10 caseworkers, and Mr Apel; non-participant observation of these persons' work (without specifying the duration, but indicating especially relevant situations such as trainings and internal presentations); and access to internal documents to trace the history of the COI unit.<sup>174</sup>

Mr Mutz responded negatively to this request, citing the heavy 'investment' the research would involve while assessing the potential 'return on investment' for the agency as 'relatively limited'.<sup>175</sup> He nevertheless suggested that Damian should contact Mr Apel to discuss how the project could be made less resource-intensive and which 'aspects should be covered additionally so that such research would present a more concrete interest for the office'.<sup>176</sup> He also asked if the two other agencies envisaged as research fields had already given him an answer.

At the time, we thought this refusal was largely based on a misunderstanding of the actual burden the research represented for SEM's resources.<sup>177</sup> Damian contacted Mr Apel in September 2014 to set up a meeting to discuss how the project could be adapted to be less demanding and more beneficial to the SEM.<sup>178</sup> Mr Apel asked for a revised research proposal before the meeting could take place,<sup>179</sup> which Damian sent in late-September.<sup>180</sup> Finally, their first meeting took place on 11 November 2014 in the SEM's cafeteria.

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<sup>174</sup> E-mail from Damian to Mr Mutz, 02.07.2014.

<sup>175</sup> E-mail from Mr Mutz to Damian, 14.07.2014.

<sup>176</sup> E-mail from Mr Mutz to Damian, 14.07.2014.

<sup>177</sup> E-mail from Christin to Damian, 15.07.2014.

<sup>178</sup> E-mail from Damian to Mr Apel, 05.09.2014.

<sup>179</sup> E-mail from Mr Apel to Damian, 16.09.2014.

<sup>180</sup> E-mail from Damian to Mr Apel, 29.09.2014.

#### 8.2.1.4. Meeting the gatekeeper

The meeting started positively with Mr Apel telling Damian he was 'brave' to leave his position at the FAC to embark on a PhD. However, the tone changed quickly when Mr Apel stated 'I think you are being instrumentalised by the people from the Centre for Migration Law'. It turned out that Mr Apel had previously met a Professor from this Centre who allegedly had 'a project to establish a Swiss Landinfo'.<sup>181</sup> Mr Apel referred to the Norwegian COI unit, Landinfo, whose broad organisational autonomy is distinctive in the landscape of European COI units. The comparison seemed charged with intent: 'So, the conclusion of your thesis will be that we need to introduce a system like Landinfo in Switzerland?'<sup>182</sup>

Mr Apel asked again if the two other COI units had confirmed participation, agreeing that his counterparts would likely contact him before giving an answer. He further stated that the project remained excessively vague to garner his support at this stage. According to Mr Apel, organisational structures were of secondary importance; the research should instead aim at comparing the COI units' resources, room for manoeuvre, knowledge management practices, or access to different networks.<sup>183</sup>

Mr Apel explained that he works and thinks like a manager dealing with limited resources. Therefore, his staff also needed to be convinced before he would get back to his superiors. He suggested that Damian should present his project during a team meeting the following month. The presentation took place on 15 December 2014 in a meeting room on the SEM's premises. It was attended by members of the COI unit and their colleagues from another team. Mr Apel's direct superior, Mr Haas, was also present. Damian's field notes describe the meeting in this way:

I don't feel much enthusiasm towards my presentation, but the audience seems to listen quite attentively. After a few minutes, Mr Apel leaves the room – I will be told afterwards that he had an emergency. I finish my presentation fifteen minutes later and receive questions on the choices of my research sites. [One person] says the project is overly ambitious. One man asks many questions, all targeted at defining whether I am 'a critical researcher'. Mr Apel gets back to the room and repeats many questions that had already been discussed. He concludes the meeting by asking me with a smile if I felt I had convinced his analysts. I reply that I had not expected boundless excitement but that my research questions seemed relevant to the analysts.

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<sup>181</sup> Field notes 11.11.2014. Damian had never met this person who later denied having any opinion on COI structures.

<sup>182</sup> Ibid.

<sup>183</sup> Ibid.



I am irritated when I leave the meeting one hour and forty-seven minutes after entering, as I realise the SEM has already devoted more resources on this negotiation than I needed to conduct my entire fieldwork, including the waste of time of people who had nothing to do with it.<sup>184</sup>

#### 8.2.1.5. Negotiating at multiple levels

A meeting between Mr Apel, Mr Haas, Damian and Christin was scheduled for 21 January 2015, in anticipation of which Mr Apel wrote that the project was ‘still very vague and to a large degree dependent on external factors’, stating that he hoped the researchers would have received responses from the Norwegian and French COI units by then.<sup>185</sup> Damian replied that the other COI units would not be contacted right away, and that: ‘In the current situation, I am unable to further clarify and adapt my [project] without making promises I will be unable to hold at a later stage’.<sup>186</sup>

We met Mr Apel and Mr Haas in the latter’s office. Mr Haas suggested that we may have been unaware of the resources that had already been spent on the research request. As the previous field notes excerpt shows, we were very aware of it. The discussion was frank and open, and we left the SEM feeling relieved as Mr Haas eventually said that Damian could count on his fieldwork. Per his request, we sent a final project proposal with specific indications of time and resources needed and a confidentiality agreement. Unexpectedly, on 30 March, we received a negative response from Mr Haas explaining that the burden was too heavy for the SEM’s limited resources.<sup>187</sup>

Christin called the Head of the SEM’s Asylum Directorate, whom she personally knew from previous professional contacts, for clarification. Mr Mutz said he was reluctant to allow participant observation because former experiences with ethnographic research had proven too demanding of resources. However, he did not object to us conducting interviews and demanded a new formal research request, which Damian sent on 18 May 2015.<sup>188</sup>

Perhaps unsurprisingly in the context of increased numbers of asylum seekers arriving in Europe during the summer of 2015, Mr Haas replied in July that due to the exceptional workload and several absences in the COI unit, any interviews before mid-September would be impossible. The

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<sup>184</sup> Field notes 15.12.2014.

<sup>185</sup> E-mail from Mr Apel to Damian, 22.12.2014.

<sup>186</sup> E-mail from Damian to Mr Apel, 23.12.2014.

<sup>187</sup> E-mail from Mr Haas to Mr Apel, 30.03.2015.

<sup>188</sup> E-mail from Damian to Mr Mutz, 18.05.2015.

first interview would have to be conducted with Mr Apel.<sup>189</sup> Over the following six months, Damian sent e-mails every month suggesting possible dates for the interviews. They were met with either excuses and postponement or no reply.

As months passed, we revised our initial approach strategy and reached out to Daniel Wald, the Head of the Norwegian Landinfo.<sup>190</sup> The reply stated 'We are able to accommodate your wish to speak to some of our country analysts and also with our Head of Unit'. The details would be discussed upon arrival in Oslo in January 2016.<sup>191</sup> Although the e-mail also specified that 'Unfortunately, we cannot offer you non-participatory observant status in our offices, due to resource situation and other more principled considerations',<sup>192</sup> there seemed to be at least potential for access into this field.

After a meeting with Mr Wald and a Landinfo country analyst, Damian sent two confidentiality agreements<sup>193</sup> and a document describing the foreseen interviews. However, Mr Wald's reaction was rather reluctant. It included the following excerpt:

Landinfo considers your proposed research to be a most ambitious undertaking into a field that, in our experience, requires in-depth prior familiarisation to the subject field and a highly sensitized and open approach in order for the outcome to succinctly mirror actual circumstances in the COI domain. We also have a particular concern about the present non-engagement of any other European COI units/resources in your study, and recognise a clear uncertainty as to which, if any, other such sources will be engaged. Thus – at present – your proposal, your presentation of the research plan at our offices and the previously published papers (of which Landinfo was unaware of having been subject to evaluation), raise several hesitations on our part.

As previously agreed, Landinfo will contribute to your study. However, in consideration of the above constraints and hesitations, we will restrict interviews to a limited number of staff.<sup>194</sup>

This e-mail represented a change in tone from Landinfo, questioning Damian's capacity to 'succinctly mirror actual circumstances' of a field he had been involved in for over four years. Additionally, it repeated Mr Apel's argument that obtaining access was dependent on having access to other sites. The 'previously published papers' that contributed to Mr Wald's hesitation

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<sup>189</sup> E-mail from Mr Haas to Damian, 09.07.2015.

<sup>190</sup> E-mail from Damian to Mr Wald, 22.10.2015.

<sup>191</sup> E-mail from Landinfo collaborator to Damian, 26.10.2015.

<sup>192</sup> *ibid.*

<sup>193</sup> In both Norway and Switzerland, the confidentiality agreements we were asked to draft were never used.

<sup>194</sup> E-mail from Mr Wald to Damian, 15.01.2016.

referred to an article written in 2015 by Damian and a Norwegian colleague while waiting to enter the field. The four-page paper dealt with controversy over a report about Eritrea published by the Danish COI unit in late-2014 (Rosset and Liodden 2015). Based on this report, the Danish authorities announced a restrictive turn towards Eritrean asylum seekers before backpedalling and returning to their former practice. Using Boswell's typology of expert knowledge utilisation (2009), the article put forward that besides its instrumental utilisation in decision-making, COI could also have symbolic functions – in this example to deter potential asylum applicants. It also discussed how the Danish report circulated in asylum policies in Norway and the UK.

Damian was eventually able to conduct three interviews in Oslo, with Mr Wald and two country analysts. Before leaving Oslo, Damian asked Mr Haas and Mr Apel whether his research at the SEM was still considered a possibility. He received the following response:

Dear Mr Rosset,

We can meet on Tuesday 22 March, 14-15, and discuss the next proceedings.

Your tendentious article about the alleged instrumentalisation of Eritrea COI has provoked considerable irritation in my team, so that no Analyst is ready to willingly conduct an interview with you or support your work in any other way.

Best wishes,

Gerd Apel<sup>195</sup>

Christin found it necessary to re-establish some boundaries, making Mr Apel aware of her 'deep irritation' towards the 'displeasing and disrespectful, baseless denigration' of the article. She also requested clarification of the purpose of the proposed meeting.<sup>196</sup> In the absence of an answer, Damian met Mr Apel in his office without a clear understanding of the agenda. Mr Apel complained that we had persisted with his superiors after receiving a clear, negatory response. He also came back to the article he had called 'tendentious' in his e-mail:

[He said we] should have withdrawn our article before its publication, as a Danish parliamentary commission had reviewed the case and found no problem at all. I didn't respond as I wasn't sure what he was referring to. It turns out he was probably speaking of

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<sup>195</sup> E-mail from Mr Apel to Damian, 22.2.2016.

<sup>196</sup> E-mail from Christin to Mr Apel, 17.03.2016.

the Ombudsman's report that was published after our article that didn't say there was no problem at all, but that the law had not been broken.<sup>197</sup>

After expressing his complaints, Mr Apel unpredictably asked: 'So, do you have questions?' Damian interviewed him for an hour and forty minutes. After thirty months of negotiating access, he had finally been granted one official interview. It was also the last time he talked to Mr Apel.

#### 8.2.1.6. The last encounter

Damian's last encounter with Mr Apel and Mr Wald took place in November 2016, on the premises of the Geneva-based 'Intergovernmental Consultations on Migration, Asylum and Refugees' (IGC). This platform for informal exchanges between officials of its member states runs a dedicated working group where heads of COI units meet for off-the-record discussions (Rosset 2019a) and Damian was invited by the organisation's Secretariat to attend one such meeting and present his research. In a sense, this was the first time Damian could conduct 'observation' of COI professionals at work. During a break, however, he was requested to stop taking notes. Another participant had complained that it went against the 'Chatham House rules' that IGC meetings followed.

Mr Apel and Mr Wald were present but did not speak to Damian, even after he presented his research project, which had evolved significantly. Nevertheless, the event had unexpected consequences for Damian's research, as Mr Apel subsequently opposed IGC allowing him to consult its archives.<sup>198</sup> At the time of submitting this article, in March 2019, Damian has still not received a final decision about access to these archives.

#### 8.2.2. Negotiating competence, cognitive authority and knowledge

The chronological account of the negotiation process indicates that some level of mistrust from the most important gatekeeper existed from the outset. Despite our awareness of Mr Apel's wariness and our best efforts, we were unable to change the course of the interaction. While it is impossible to know what the outcome may have been with a more successful negotiation, it is possible to identify patterns in the negotiation process and use them as windows into local meanings, norms, and perspectives in and on the field.

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<sup>197</sup> Field notes 23.03.2016.

<sup>198</sup> E-mail from IGC Secretary General to Damian, 27.01.2017.

Analysing the process, we realised that the negotiation shifted from the topic of access to that of cognitive authority, i.e. the capacity to produce and impose legitimate meaning about the field. Displays of gatekeeping power (not replying to e-mails, sanctioning the researcher for a publication, or questioning competence) revealed the rationales and logic of the actors within the field and of the field itself. Indeed, the former and the latter are bound together by an institutional habitus – the set of ‘schemes of thinking, acting, feeling and desiring’ (Affolter 2017: 2) produced and constantly re-enacted by the organisation through the work of individual officials.

#### 8.2.2.1. Negotiating competence

Our cognitive authority as researchers was constantly challenged during negotiations through dismissal of our ability to conduct quality research and criticism the project itself. Damian was rarely recognised as an expert insider, despite his previous experience as a country analyst. This experience was only ever mentioned by Mr Apel to stress that his research would be incomplete should it not include his former workplace, or to criticise the FAC’s role and practices in terms of country information.<sup>199</sup> While Mr Apel and Mr Wald questioned our authority as researchers to produce knowledge over their field, they felt legitimate in their right to assess the academic project in our field.

The interconnectedness of the European COI community made it possible for one reluctant gatekeeper to block research not only into his own unit but also to his counterparts. Yet, Mr Apel argued his reluctance was partly due to the absence of commitment from his French and Norwegian counterparts, criticising the research for relying excessively on ‘external factors’. Meanwhile, he acknowledged that his colleagues would likely turn to him when contacted.<sup>200</sup> This attitude created a ‘race to the bottom’, where the multi-sited nature of the research design would legitimise spending less time and resources than the other sites. We thus found ourselves caught between two dimensions of our research field(s) – the national field of each COI unit and the transnational field of the COI community – that our interlocutors were able to strategically manoeuvre to achieve their interests.

Bigo (2016) observed similar capabilities to operate simultaneously in national and transnational bureaucratic fields among actors in the security domain. He identified the emergence of

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<sup>199</sup> Field notes 11.11.2014; E-mail from Mr Apel to Damian, 01.12.2014; interview with Mr Apel 22.03.2017.

<sup>200</sup> A role he played consciously, for example confirming his role in Landinfo’s reflections on Damian’s research: ‘Mr Wald and I are friends. I assume he also told you that. He also called me if he should talk to you or not’ (interview with Mr Apel, 22.03.2016).

'transnational guilds', defined as 'actors whose struggles and solidarity at a distance are connected with a profession and, inside this profession, with a specific craft explaining the common dispositions between individuals who are very distant from each other' (ibid.: 407-408). Arguably, the COI community, through the shared experiences, challenges, values and methods of COI units, as well as their intense interactions over three decades (Engelmann 2015: 189-199; Rosset 2019a) can be apprehended as a transnational guild with common dispositions and habitus. The duplicity of the field created the conditions for the catch-22 situation we experienced.

This inextricable situation echoes another argument for refusing entry into the field. Recounting his attempts to access immigration judges in the UK, Campbell quotes a 'somewhat ironic' reply: 'Your research is not based on a detailed and accurate knowledge of the system as it is and a genuine, open-minded attempt to discover more about it' (2017: 11). As seen in Mr Wald's e-mail, Damian faced the same paradox where alleged inaccurate or insufficient prior knowledge about the field was reason to prevent him from accessing the field.

The 'genuine, open mind' expected from Campbell also echoes the 'highly sensitised and open approach' mentioned in Mr Wald's e-mail<sup>201</sup> that implicitly (but quite evidently) stressed Damian's supposed lack thereof. Such expectations are familiar to anthropologists who are in particularly interested in informants' emic perspectives on the world. Arguably, COI professionals could be interesting potential partners for para-ethnographic research, to draw on their self-conscious, reflexive representations and narratives of the organisational cultures they evolve in (Holmes and Marcus 2005). Their expert position requires some level of reflexivity, especially as their training and everyday practices involve reflecting on their positionality regarding the asylum procedure (Rosset 2019b). Nonetheless, in our case, being 'sensitised' and 'open' to the field's representations seems to mean adhering to them even before entering the field.

Our failure to access the field prevented us from reaching the emic or the para-ethnographic in the representations at work within, but it does reveal the importance of the strategic of the field's gatekeepers with regard to their control over the discourse about it. Beyond our interlocutors' personalities and their distrust towards the proposed research, we can draw two hypotheses to explain why these specific actors gave such weight to preserving the field from potentially competing discourse – both related to the politics of expertise at play. First, as sites of expert knowledge production, COI units may be particularly sensitive to controlling discourses that surround them. The authority of the knowledge (COI) they produce relies on external recognition of the validity of the production processes (van der Kist et al. 2018). Second, as heads of these

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<sup>201</sup> E-mail from Mr Wald to Damian, 15.01.2016.

units, these actors have strategic interests in controlling these representations (Deeb and Marcus 2011). As the following section shows, cognitive authority over the field was at play.

#### 8.2.2.2. Negotiating cognitive authority over the research field

As mentioned before, the SEM had demonstrated openness towards ethnographic research in recent years. We assumed that the production of COI would constitute a less delicate area than decision-making on asylum claims, where previous research was conducted. While acknowledging that the interpersonal dimension influenced the access negotiation, it is relevant to look at the symbolic position of COI units and their staff within asylum administrations to understand why our assumption was flawed.

The work of asylum caseworkers is regularly contested (e.g. in judicial appeals or advocacy campaigns), but the difficulty of their position is acknowledged. In a sense, research into their practices does not carry significant risk of de-legitimation. In contrast, we view the position of country analysts as a rather prestigious one within the SEM. In discussions with other civil servants, we observed country analysts' image as highly skilled specialists holding unique expertise on exotic countries and 'on the ground' experience. They also occupy a higher pay grade than caseworkers. As experts, they foster the legitimacy of asylum institutions by facilitating well-informed decisions based on what are considered objective facts.

In this context, reluctance to display how COI is produced may be interpreted as an obvious case of black-boxing (Latour 1999), i.e. the process by which scientific facts are made autonomous from the social conditions and practices that lead to their construction or 'the way scientific and technical work is made invisible by its own success' (ibid.: 304). In this respect, it is noteworthy that the COI units also mobilise the language of science. The Swiss unit's website, for example, explains that 'Country Analysis follows international standards of quality' and 'findings are documented in keeping with scientific practice' (SEM n.d.b.). It thus appears that, in comparison with caseworkers, COI professionals have much more to lose from letting someone 'unveil' their everyday practices because of the particular work of knowledge production they engage in.

However, the inner workings of the "COI black box" were not the primary concern our interlocutors brought up. Instead, the box's location was an issue, as the project was repeatedly criticised for approaching the work of COI units as an element of asylum procedures. This may seem quite incongruous as these units were created to produce and disseminate knowledge for refugee status decision-making and this remains their core business. To make sense of this apparent paradox, one needs to understand some central assumptions within the COI profession.

Over the years, producers of COI in Western countries' asylum administrations have gone beyond developing networks, resources and capabilities to gather better information more efficiently (ICMPD 2006; Engelmann 2015). They have also engaged in a substantial epistemological endeavour to develop 'COI standards' – quality criteria defining what constitutes 'good COI' in terms of methods and content (EU 2008; ECS 2010; EASO 2012). One important norm that emerged from this process is that the production of COI should be independent of its utilisation. This strict separation fosters the legitimacy of the actors, procedures and institutions involved (Rosset 2019b). Accordingly, actors within the field saw an exclusive focus on the COI units per se as a more relevant level of analysis.

Reflecting on his access to psychoanalysts as research partners, Lézé writes, 'Like philosophers who confer their discipline with a status of [social] exterritoriality (Bourdieu 1997: 54), psychoanalysts' understanding of their practices is not only an idealised construction, but also outside the world' (2008: 263). The civil servants we interacted with held a similar 'idealised construction' of the COI community's professional practices and a strong belief in the autonomy of the COI units from their social, political and bureaucratic context. Continuing the black box metaphor, our interlocutors would only allow us to open it if it were extracted from its environment. Such shared understandings and perceptions relate to the transnational institutional habitus of COI producers who 'exchange not only information but also meanings of life and ways of framing the world' (Bigo 2016: 411) across European asylum administrations. As we shall see below, elements of this institutional habitus shifted our interactions further towards the nature of research and the understanding of what constitutes relevant and legitimate knowledge.

#### 8.2.2.3. Negotiating legitimate knowledge

In his academic context, Damian's initial research project had been evaluated positively and validated by his faculty. However, Swiss civil servants systematically dismissed it as 'vague' during the same period. This discrepancy is partly the result of diverging understandings, on the part of COI civil servants and ourselves, over fundamental epistemological questions.

At the end of Damian's interview with Mr Apel, the civil servant said, 'Now we will see if your work meets the criteria'.<sup>202</sup> It was evident on previous occasions that the research was being evaluated through the positivist cognitive apparatus of the COI world rather than that of Damian's academic

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<sup>202</sup> Interview with Mr Apel, 22.03.2017.



field. Mr Apel made this clear while criticising Damian's presentation of the research project to his team:

You have done a very bad presentation. You may have underestimated your audience because analysts always analyse. They always do source criticism and so on. And maybe you were also not prepared to be questioned like they question people on a fact-finding mission.<sup>203</sup>

According to Mr Apel, Damian's capacity to convince the COI field of his project's worth depended on the evaluation of him as a valid source based on the criteria applied to sources in COI reports. Thus, according to Mr Apel's reasoning, as Damian was considered a bad source, he should not be granted access to COI production. In the absence of explicit reproaches, it is difficult to assess why the presentation was bad. It is perhaps more interesting to examine what would have made Damian a 'good' source by COI standards.

#### 8.2.2.4. Epistemology and the COI institutional habitus

The very practice of COI relies on a positivist epistemology assuming the existence of an external world made of objective facts that can be reported neutrally. For example, the EU COI Guidelines aim to offer 'basic common criteria on how to process transparent, objective, impartial, and balanced factual COI' (EU 2008: 8).

In COI epistemology, facts are either found in so-called 'fact-finding missions' or collected from available sources – data is like mushrooms in the forest waiting to be picked (Bensa 2010), the opposite of a qualitative approach that assumes data does not exist independently of the context of interpersonal relations (Lavanchy 2013: 678) and that meaning is socially constructed. Our interlocutors' repeated demands for clarifications of research aims and procedures and requests for specificity in the 'concrete [interview] questions' that would be asked not only signalled suspicion and intention to control the research but also hinted at their misconceptions about how qualitative and interpretive social sciences conceptualise data. The gatekeepers thus assessed the question of granting access by evaluating the research project according to their own professional standards.

How data would be 'processed' or 'analysed' was another point of contention. A 2012 EASO methodological document defines analysis as 'A neutral evaluation or study of [the information

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<sup>203</sup> Interview with Mr Apel, 22.03.2016. His subordinates' opinions were repeatedly mobilised by Mr Apel who spoke on their behalf to justify his reluctance in letting Damian in.

collected and summarised in the report], usually made by breaking a subject down into its constituent parts and then describing the parts and their interrelationships' (EASO 2012: 13). Furthermore, this report asserts 'the collected information should be analysed by explicitly validating the sources as well as the information' (ibid.). While the analytical process includes the 'codification' and 'classification' of data, COI epistemology draws a line before two further key steps of qualitative analysis – 'interpretation' and 'theorisation'. Instead, the 'interpretation' of facts for refugee status determination is the role of decision-makers – caseworkers and asylum judges – and crossing this line is considered malpractice (Rosset 2019b).

In the COI institutional habitus, authority and legitimacy over knowledge relies on adhering to this positivist epistemology. Commenting on the PhD project's objectives, Mr Wald wrote:

Based on our initial exchanges, Landinfo was asked to contribute with factual information on the development of COI and of COI units over the past decade, the methodological advances that COI units have made in the same period, and the everyday practices that COI units are engaged in. (...)

The topics above have been subject to in-depth and qualified review, analysis and efforts of professionalisation throughout the last decade – a vast amount of research (and outcome) has been produced and shared by individual COI units, and – more recently – by EASO. Also, standards for COI production have been established and described through various guidelines, authored by EURASIL ([on fact-finding missions]), ACCORD, individual COI units, ECS and EASO, to mention a few.<sup>204</sup>

It is hard to interpret by what standards the above-mentioned review was considered 'in-depth' and 'qualified'. To our knowledge, no empirical research has ever been conducted on professional practices within COI units. The proposed references are either descriptive or normative texts on COI – all but one produced by state organisations. The only non-governmental actor referenced, the Austrian Red Cross' COI centre ACCORD, played an important role in the methodological development of COI standards and their dissemination (ACCORD 2013). The 'vast amount of research (and outcome)' that Mr Wald refers to is essentially the codification of methods and best practices for producing COI, written by authorised institutional actors. These documents importantly contribute to how COI units produce knowledge about themselves.

Following actor-network theory scholars, these normative and descriptive documents, as well as COI units' websites and their publicly available reports, can be understood as inscriptions, i.e. artefacts 'through which actors seek to translate the messiness of the world (...) into usable, mobile

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<sup>204</sup> E-mail from Mr Wald to Damian 15.01.2016.

knowledge' (Best and Walters 2013: 333). By rendering 'the ideas and practices contained in them commonsensical', the producers of these inscriptions 'translate them into a black box that no one seeks to examine too carefully' (ibid.). Therefore, the public transparency that COI units engage in is not discordant with their reluctance to external scrutiny but is instead another side of the same black box.

On a more self-reflexive note, it became clear to us that we had failed to foresee and prevent a mismatch between respective epistemological positions. The constructivist, interpretative, and inductive nature of the planned research was irreconcilable with the positivist epistemology grounded in our interlocutors' institutional habitus. We clearly miscalculated the breadth of this gap, mistakenly assuming that we could count on shared backgrounds and understandings, partly because all our interlocutors had a social sciences education. Perhaps somewhat naively, we had not considered that the project would be put into question because of diverging methodologies.

### 8.2.3. Black-boxing the state

Analysing thirty months of vain negotiations to access a research field is an ambiguous endeavour. It forces us to reflect on personal failure, methodological shortcomings and also wasted time, energy and opportunities. However, it also allows us to make sense of the process and provide valuable information on the field, its nature, functioning and dynamics (Di Trani 2008: 259).

Several specific elements of the politics of expertise around COI units came to the front during our negotiation for access. First, the positivistic posture of our interlocutors reflects the epistemic stance on which COI relies as an expert knowledge: a collection of objective facts allowing rational and de-politicised decision-making. Second, to guarantee this objectivity, the production of knowledge is separated from its utilisation and interpretation. The idealised construction of the field as a distinct entity from the rest of the refugee status determination regime explains why our interlocutors actively contested our situation of it within a wider apparatus of migration control. Last, our research threatened the field's monopoly over the production of meaning and knowledge about itself and according to its own premises. Questioning the competence of outsiders to grasp the complexities of their work reflected a competition over the legitimacy and power to talk about the field.

Attempting to enter the COI field challenged its monopoly of legitimate discourse over itself. Our experience confirms the importance of understanding gatekeeping at the threshold of the state as determining not only what one is allowed to see, but also how to see it (Abrams 1988) and the difficulty 'to talk about bureaucracies without allowing bureaucratic ideals to predetermine the

analysis' (Hoag 2011: 85) when adherence to specific cognitive frameworks conditions the physical access to the research field.

It will come as no surprise to anthropologists of the state that we encountered a research field that did not match the Weberian hierarchical, rational and impersonal ideal-type of bureaucratic organisations. Instead, we faced messy and often contradictory processes shaped by institutional and structural codes as well as individual subjectivities and personalities. This experience illustrates the way state actors exert power through illegible bureaucratic processes that produce asymmetries of knowledge with outsiders (Das 2004; Eule et al. 2019).

Despite the illegibility that characterised our interactions with the field's gatekeepers, we contend that our failure to gain access can also be interpreted as a case of legibility production. Scott (1998) revealed how states engage in 'legibility practices' by generating knowledge and language that allows them to regulate and govern. But states also make themselves legible to society by projecting self-representations and performance of objectivity, transparency and rationality (Sharma and Gupta 2006). Arguably, COI units produce both legibility for the state (producing operational knowledge) and legibility of the state (performing rational and objective decision-making). Indeed, the expert knowledge they produce plays an important instrumental role in refugee status determination and asylum policies, as well as a symbolic role in legitimising the procedures and the institutions in which they evolve (Boswell 2009; Rosset and Liodden 2015; van der Kist et al. 2018; Rosset 2019b).

The particular function of COI as sites of expert knowledge production facilitates interpretation of the same processes in terms of black-boxing. By black-boxing the production of facts on the countries of origin, our interlocutors arguably also contribute to black-boxing the state as a fact. This process combines the opaqueness of the actual processes of knowledge production and the pro-active production of knowledge about the same processes through transparency. Bureaucracies, like science, can act as 'objectivity machines, generating vision from nowhere and everywhere' (Hoag 2011: 84) – performing the state as a neutral 'viewpoint on viewpoints (...) [making] believe that it is not itself a viewpoint' (Bourdieu 2012: 56).

Reflecting on access to the state as a research field allows us to reflect on its contours. While the bureaucratic postures within the Swiss administration appeared disarticulated, our relationships with the heads of the two COI units bear striking similarities. The coherence of the beliefs and (self-)representations, as well as the informal communications, solidarities, and personal bonds displayed in these transnational spaces questions the pertinence of the level of analysis of national state bureaucracies (Bigo 2016; Infantino 2019). Our experience with the Swiss and Norwegian COI units shows that bureaucratic actors also drew on the ambivalence between the national and

the transnational to deny access, playing on both the interconnectedness of the COI community and the maintenance of these institutions' national boundaries.

#### 8.2.4. References

Abrams, Ph. 1988. 'Notes on the Difficulty of Studying the State (1977)', *Journal of historical sociology* 1(1): 58-89.

ACCORD [Austrian Centre for Country of Origin and Asylum Research and Documentation] 2013. *Researching Country of Origin Information: Training Manual*, (<http://www.refworld.org/docid/5273a56b4.html>) Accessed 15/08/18.

Affolter, L. 2017. *Protecting the System: Decision-Making in a Swiss Asylum Administration*. Doctoral dissertation completed at the University of Bern.

Bensa, A. 2010. *Après Lévi-Strauss, pour une anthropologie à taille humaine*. Paris: Textuel.

Best, J., and Walters, W. 2013. "Actor-Network Theory" and International Relationality: Lost (and Found) in Translation', *International Political Sociology* 7(3): 332-334.

Bigo, D. 2016. 'Sociology of transnational guilds', *International Political Sociology* 10(4): 398-416.

Bourdieu, P. 1997. *Méditations pascaliennes*. Paris: Seuil.

Bourdieu, P. 2012. *Sur l'État. Cours au Collège de France (1989-1992)*. Paris: Seuil.

Boswell, Ch. 2009. *The Political Uses of Expert Knowledge. Immigration Policy and Social Research*. Cambridge: Cambridge University Press.

Campbell, J.R. 2017. *Bureaucracy, law and dystopia in the United Kingdom's asylum system*. London: Routledge

Chaudhuri, S. 2017. 'Witches, Activists, and Bureaucrats: Navigating Gatekeeping in Qualitative Research', *International Journal of Sociology* 47(2): 131-145.

Das, V. 2004. 'The signature of the state: the paradox of illegibility', in: Das, V. and D. Poole (eds.), *Anthropology in the Margins of the State*, 225-252. Sante Fe: School of American Research Press.

Deeb, H. N., and G. E. Marcus 2011. 'In the green room: An experiment in ethnographic method at the WTO', *PoLAR: Political and Legal Anthropology Review*, 34(1): 51-76.

Di Trani, A. 2008. 'Travailler dans des lieux sensibles', in: Bensa, A. and Fassin, D. (eds.), *Les politiques de l'enquête*, 245-260. Paris: La Découverte.

- EASO [European Asylum Support Office] 2012. EASO Country of Origin Information report methodology, (<http://www.refworld.org/docid/4ffc33d32.html>) Accessed 15 August 18.
- ECS [European Country of Origin Sponsorship] 2010. EU common guidelines on (Joint) Fact Finding Missions, (<http://www.refworld.org/docid/4d0246f79.html>) Accessed 15 August 18.
- Engelmann, C. 2015. *Common standards via the backdoor: the domestic impact of asylum policy coordination in the European Union*. Maastricht: Universitaire Pers Maastricht.
- EU [European Union] 2008. *Common EU Guidelines for Processing Country of Origin Information (COI)*, (<http://www.refworld.org/docid/48493f7f2.html>) Accessed 15 August 18.
- Eule, T. G., L. M. Borrelli, A. Lindberg and A. Wyss 2019. *Migrants Before the Law: Contested Migration Control in Europe*. Cham: Palgrave Macmillan.
- Feldman, G. 2011. *The migration apparatus: Security, labor, and policymaking in the European Union*. Stanford: Stanford University Press.
- Gibb, R. and A. Good 2013. 'Do the facts speak for themselves? Country of origin information in French and British refugee status determination procedures', *International Journal of Refugee Law*, 25(2): 291-322.
- Gupta, A. and Ferguson, J. 1997. *Discipline and Practice: 'The Field' as Site, Method, and Location in Anthropology*, in: Gupta, A. and J. Ferguson (eds.), *Anthropological Locations: Boundaries and Grounds of a Field Science*, 1-46. Berkeley: University of California Press.
- Hoag, C. 2011. 'Assembling partial perspectives: thoughts on the anthropology of bureaucracy', *PoLAR: Political and Legal Anthropology Review*, 34(1): 81-94.
- Holmes, D. R. and G. E. Marcus 2005. 'Refunctioning ethnography: The challenge of an anthropology of the contemporary', in: Denzin, N. K. and Y. S. Lincoln (eds.), *The Sage handbook of qualitative research (3rd ed.)*, 1099-1113. Thousand Oaks: Sage.
- ICMPD [International Centre for Migration Policy Development] 2006. *Comparative Study on Country of Origin Information Systems*, ([http://research.icmpd.org/fileadmin/Research-Website/Publications/Comparative\\_Study\\_on\\_COI\\_Systems.pdf](http://research.icmpd.org/fileadmin/Research-Website/Publications/Comparative_Study_on_COI_Systems.pdf)) Accessed 15 August 18.
- Infantino, F. 2019. *Schengen Visa Implementation and Transnational Policymaking*, Cham: Palgrave Macmillan.
- Kalir, B. 2006. 'The field of work and the work of the field: Conceptualising an anthropological research engagement', *Social Anthropology*, 14(2): 235-246.

Latour, B. 1999. *Pandora's Hope. Essays on the Reality of Science Studies*, Cambridge: Harvard University Press.

Lavanchy, A. 2013. 'Dissonant alignments: The ethics and politics of researching state institutions', *Current Sociology* 61(5-6): 677—692.

Lézé, S. 2008. 'Résister à l'enquête', in: Bensa, A. and Fassin, D. (eds.), *Les politiques de l'enquête*, 261—276. Paris: La Découverte.

Miaz, J. 2017. *Politique d'asile et sophistication du droit: pratiques administratives et défense juridique des migrants en Suisse (1981-2015)*. Doctoral dissertation completed at the Universities of Lausanne and Strasbourg.

Poertner, E. 2018. *Re-Cording Lives: Governing Asylum in Switzerland and the Need to Resolve*. Doctoral dissertation completed at the University of Zürich.

Rosset, D. 2015. 'Le savoir sur les pays d'origine dans les procédures d'asile', *Jusletter* 18.3.2015.

Rosset, D. and T. M. Liodden, T.M. 2015. 'The Eritrea report: Symbolic uses of expert information in asylum politics', *Oxford Monitor of Forced Migration* 5(1): 26-32.

Rosset, D. 2019a. 'Documenter les pays d'origine pour les procédures d'asile à l'Ofpra, 1988—2008', *Monde(s). Histoire, Espaces, Relations* 15(1), 117-140.

Rosset, D. 2019b. '« We have our own kitchen »: Distance et légitimité dans la production de savoir pour la procédure d'asile', *Politique et Sociétés* 38(1): 49-69.

SEM [Swiss State Secretariat for Migration] (n.d.b.), "Country of Origin Information (COI)" (<https://www.sem.admin.ch/sem/en/home/internationales/herkunftslaender.html>) Accessed 7 March 2019.

Scott, J. C. 1998. *Seeing like a state*. New Haven: Yale University Press.

Sharma, A. and A. Gupta 2006. 'Introduction: Rethinking Theories of the State in an Age of Globalization', in: Sharma, A. and A. Gupta (eds.), *Anthropology of the state*, 1-42. Oxford: Blackwell Publishers.

van der Kist, J., Dijstelbloem, H., and de Goede, M. 2018. 'In the Shadow of Asylum Decision-Making: The Knowledge Politics of Country-of-Origin Information', *International Political Sociology* 13(1): 68-85.

Wolf, D.L. 1996. *Feminist dilemmas in fieldwork*. Boulder: Westview Press.

## 9. Methodology

Unlike usual conventions in research, I have decided to place my chapter on methods and methodology after presenting the results of my doctoral research. This is, in part, a matter of personal taste; just like the “making of” features that narrate the history of the production of movies, when I read qualitative research, I usually give more importance to the methods section or chapter after having read the research results. There are however reasons specific to this thesis that make it particularly relevant to proceed in this way. Most importantly, it prevents repetition as one of the presented articles is already a kind of “making of” this thesis<sup>205</sup>, which raises several methodological questions around the issue of access to the research field and knowledge production. Another argument for this structural choice was to prevent this chapter from being a spoiler of the “access article”. I also did not want the other two articles in the collection to be read with an exaggerated focus on the circumstances in which they were produced – the history of my access failures and successes. Finally, the chosen structure better reflects the way this thesis was manufactured; rather than presenting an (inauthentic) ex-ante methodological design, this chapter provides an ex-post methodological explanation (if not justification) of the actual research output, as well as a few methodological reflections on the research process.

In this chapter, I present the data I gathered in the framework of my PhD research and discuss some of the main ethical concerns it raised. I go on to discuss several methodological issues that were salient in the course of my research. The first deals with positionality and the way a suspicious relationship with gatekeepers “works on” a researcher. The second changes the negative focus from research hindrances to the importance of enablers in overcoming them. The third describes how “academic resilience” allowed me to creatively react to my problem of accessing the field of COI units. In the last section of this chapter, I put forward a description of the epistemological stance of this thesis, which I claim is an ethnographic perspective using bricolage methodology.

### 9.1. Data description

The collected data that I mobilise explicitly in the three articles of this thesis can be divided into five main categories: interviews; archival documents; e-mails exchanges and field notes; institutional

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<sup>205</sup> If the “access article” were a movie, it could be Keith Fulton’s and Louis Pepe’s “Lost in La Mancha”, which was initially supposed to be the “making of” Terry Gilliam’s cinematographic adaptation of Don Quixote, but was eventually released independently as a movie recounting Gilliam’s failure to produce his own movie.



reports and websites; legal and administrative texts. I used the transcriptions of six semi-structured expert interviews (Bogner et al. 2009) that I conducted in three countries. In January and February 2016, I interviewed the Head of Landinfo, the national COI unit, and two Country Analysts in Oslo. These interviews were mainly mobilised in the “distance article”. The interview I conducted in March 2016 in Bern with the Head of the Swiss COI unit was essentially used in the “access article”. For the “history article”, I talked to a former Country Analyst in September 2017 in Paris and, in April 2018, conducted a phone interview with the former Director of Documentation-Réfugiés, the first documentation centre in the French asylum system.

Additionally, the “history article” is mainly based on archival documents from the French Office de protection des réfugiés et des apatrides (Ofpra) ranging from 1952 to 2012 (mainly 1985-2006). I was particularly lucky to obtain an exemption from the French Archives nationales and the Ministère de la culture that allowed me to consult quite a large range of relatively recent (and thus officially embargoed) archival documents regarding country information at Ofpra. I was the first researcher to consult this corpus of the archive, which I consulted during two stays in Paris in September 2017 and in February 2018.

In the “access article”, we also analysed our e-mail correspondence with the Heads of the Swiss and Norwegian COI units, as well as notes from our meetings with them. These interactions happened between October 2013 and November 2016 (although negotiations for access ended in March 2016). The meetings took place in the offices of the SEM in Bern and Landinfo in Oslo, as well as in the premises of the IGC in Geneva.

This original data was complemented with the analysis of an important body of secondary literature. It included a range of reports on COI units, practices, methods and guidelines produced by different non-governmental, governmental and inter-governmental organisations. The majority of these reports were available online and a few, mainly older ones, were provided by different interlocutors. I also examined websites of asylum administrations and COI units in different Western countries, as well as of non-governmental organisations dealing with COI.

A final set of analysed documents was composed by national (mainly Swiss, French, Norwegian) and European legal and administrative texts and jurisprudence. All of them were consulted online. In the Norwegian case, for such texts I relied on translations that I commissioned. These texts, as well as the secondary literature mentioned above, were used in all three articles of this thesis.

My articles were also informed by many sources of information that I could not directly cite or mobilise; in particular, formal and informal interviews I conducted with former Country Analysts from Switzerland (4) and Norway (1). While I could not cite this data, the information it provided allowed me to triangulate and validate specific interpretations (Flick 1992; Hammersley and

Atkinson 2007), as well as to, more generally, gain a better understanding of the field I was working in and the individuals that populated it. As I explain below, I additionally collected a wide range of miscellaneous data from several sources and through different methods that I did not use in the articles presented in this collection.

## 9.2. A note on ethics

Gerd Apel, Daniel Wald, Mr Haas... Any reader of the “access article” connected to the internet<sup>206</sup> can find their real name in a moment. This situation raises two questions. Under these conditions, why anonymise? Under these conditions, is it ethically acceptable to write an article where the respondents are not – from the point of view of the writer – presented in a good light? I do not have definitive answer to either question, but I can explain how we tackled these questions.

We were asked “why anonymise?” when we presented a first version of the article at a conference. The discussant of our paper<sup>207</sup> questioned why we were protecting these persons in positions of power who were seemingly using this power to prevent us from doing research. Our response was that it were not the personal identities of our interlocutors that were interesting, but rather the way they fulfilled their official function as civil servants. Given how easy it would be to find out the names behind the pseudonyms, the relevance of anonymisation was nonetheless questionable. Our rationale was that, if we could not prevent someone from finding out their identity after reading the article, we could avoid a situation where someone comes across the article after inserting their real names in a search engine.

It is important to note that the question of anonymity was tackled with Mr Apel and Mr Wald in preparation of the interviews. It was made clear that I would anonymise their names but that it would refer to their function in publications and could then obviously not guarantee their anonymity, which both accepted. However, this cannot be considered as a complete “informed consent” – after all it was discussed in the framework of the interviews and it cannot be assumed that the access negotiations constituted data for my research. I was myself unconscious of that at the time.

We did not however conclude that, under such conditions, knowledge production was ethically unacceptable. The counterfactual would mean that research can only be produced in excessively formalised conditions. Instead, the production of the “access article” was a process involving many balancing acts.

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<sup>206</sup> Given that this publication is online-only, this scenario is all the more likely.

<sup>207</sup> Here again, the curious reader will quickly find the identity of the said discussant.

The exchanges we mobilise explicitly (data from discussions, interviews and e-mails) are always exchanges between person acting in socially sanctioned capacities, as official and researcher. There is data that we did not quote, like information gathered from different actors we were aware of our negotiations. Another example of non-cited data was when an e-mail included content that was manifestly not intended to me (although I may also have assumed that the person who left the history of previous exchanges made it on purpose). We were however careful to triangulate the mobilised data with non-cited information as much as possible, in order to confirm our main interpretative conclusions on the negotiation process.

### **9.3. Researching under (internalised) suspicion**

The “access article” recounts in detail the difficult and eventually unsuccessful process of negotiating access to the COI units of the Swiss and Norwegian asylum administrations. It offers a methodological discussion on the importance of analysing access as an integral part of the research. Whether successful or not, the access negotiation always sheds light on the “field” one attempts to enter. Another methodological aspect that the article does not explicitly engage with, however, is the consequences of the suspicion that characterised this process on my own positionality and the research process.

Based on her experience researching the Norwegian asylum agency, Tone Liodden talks about “institunoia”, which she describes as “the slightly paranoid and anxious relationship between a researcher and the institution under research, where the former depends on the good-will of the institution and the latter is concerned about the researcher’s conclusions and potential misuse of information” (Liodden 2017: 52). If this notion has to be applied to my case, I believe that the word “slightly” could be cut out from the definition. Many assumptions that could be characterised as paranoid were made on both sides in the difficult interactions with the main gatekeepers of my research. The tension and feeling of unease that it created – as well as its impact on the research process and knowledge production – is also worth examining.

One aspect related to this tension is the difficulty of making the “right” choices in communicating in a situation of suspicion. Some of the “tactics” (de Certeau 1984) I adopted in my attempts to gain access, while aimed at diminishing suspicion, ended up reinforcing it. For example, when I first contacted Landinfo to conduct research in Norway, I wrote that I was going to spend two months in Oslo as a visiting fellow at the Institute for Social Research (ISF) and would like to take this opportunity “to carry out a part of my doctoral research at Landinfo”.<sup>208</sup> It would have been more

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<sup>208</sup> Email from Damian to Mr Wald, 22 October 2015.

accurate to present things the other way around: my wish to conduct research about Landinfo was the reason I organised a research stay at ISF. But this way of introducing my query allowed me to initially avoid mentioning the comparative aspects of my project or my previous contacts with the Swiss COI, as I did not want to mention my difficult and noncommittal relationship with its Head. It did come up during our e-mail exchanges as Landinfo demanded additional information on the research, but when I first met the Head of Landinfo, he told me, in what I felt as a reproaching tone, that their initial acceptance to accommodate my research was based on a misunderstanding about how central Landinfo was in it.

Maybe this was the “right” tactic – maybe a more transparent way of communicating from the outset would have instigated contact between Mr Wald and Mr Apel before Landinfo’s initial acceptance to accommodate part of my research demands, with a detrimental effect. Maybe the three interviews I managed to conduct at Landinfo were the most I could get under the circumstances. Or maybe not. Access negotiations necessarily involve uncontrollable and unknowable variables and illegible processes (Kalir et al. 2019; Lindberg and Borrelli 2019b), but defining access strategies and tactics under suspicion is particularly tricky as every move can potentially be interpreted as suspicious and suspicion can be anticipated in any scenario.

My activities outside the actual interactions with my interlocutors also impacted my relationship with the gatekeepers, such as the publication of an article that was assessed as a proof of my bias (Rosset and Liodden 2015; see “access article”). Over time, I internalised the gatekeepers’ suspicion and began to assess my own activities according to how they would be interpreted by the Heads of the Swiss and Norwegian units. At the height of the tensions (at least from my perspective), I happened to try to persuade them of my good faith in discussions we held in my dreams. One good illustration of the internalisation of suspicion is an e-mail I sent to the Head of the Swiss COI in April 2016:

Cher Monsieur Apel,

Je viens de prendre connaissance du postulat de Carine Chapelle du [date] ([URL]). Etant données les circonstances, j’aimerais que vous sachiez que je ne suis pas du tout à l’origine de l’idée de ce postulat, même si j’ai bien évidemment eu des échanges avec la Prof. Chapelle sur COI dans le cadre de nos activités au Centre de droit des migrations.

Avec mes meilleures salutations,

Damian Rosset<sup>209</sup>

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<sup>209</sup> E-mail from Damian to Mr Apel, 20 April 2016.

This e-mail refers to a parliamentary postulate<sup>210</sup> submitted by a former MP and Professor of Law at the Centre for Migration Law, which demanded to clarify the criteria for publishing COI produced by the Swiss COI unit with the goal of increasing the number of published reports. While I do not lie in the e-mail – I was indeed unaware that the MP would publicly mobilise the quite informal exchanges she initiated on COI publication practices – I clearly minimise my role as much of the postulate is actually informed by two e-mails I wrote in response to her questions. In a sense, Mr Apel’s previously expressed fear that I was being “instrumentalised by the people of the Centre for Migration Law”<sup>211</sup> (see “access article”) became a (possibly self-fulfilling) prophecy.

What my e-mail primarily illustrates is my need to justify my actions to an important gatekeeper to my fieldwork and a person I was interacting with for more than two years. I wrote it immediately after another colleague made me aware of the postulate, based on several assumptions of how Mr Apel would have interpreted it. First, I assumed that he was aware of the existence of the postulate, which is reasonable given that the administration had provided a reply. Second, I immediately assumed that he had linked the postulate to me, which would imply that he knew (or found out) that besides her activity as an MP, Carine Chapelle was active in the same institution as I. Third, I assumed that it reinforced Mr Apel’s negative opinion about my intentions and reliability. Given our previous contact, all these assumptions were reasonable. However, they did not necessitate a reaction. Mr Apel did not complain to me. There was nothing that I found problematic in the postulate, which basically prompted transparency (although I did tell Carine Chapelle that I did not find the SEM practice to be particularly problematic in this respect). Moreover, at that time I had no more hopes to collect additional data from this administration. It seemed that I needed to somehow “clear my name” in my imaginary version of Mr Apel’s opinion of me. As I write in the e-mail, this was something that “given the circumstances, I wanted him to know”. I had internalised a suspicion that was not his. Instead, it was my meta-perspective on his supposed suspicion (Laing, Phillipson and Lee 1966).

But the most important aspect of this internalised suspicion in methodological terms is its impact on research output (Brettell 1993). Beyond the limitations that suspicion brought to data collection, internalised suspicion influenced what I would do with the data I had been able to collect. Importantly, the fear of repercussions also prompted me to “hold my punches” in my publications.

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<sup>210</sup> “A postulate mandates the Federal Council to examine and report on whether to submit a bill to the Federal Assembly or to take a measure”, see: Federal Assembly – Swiss Parliament (n.d.), *Lexicon of parliamentary terms*, <https://www.parlament.ch/en/%C3%BCber-das-parlament/parlamentsw%C3%B6rterbuch/parlamentsw%C3%B6rterbuch-detail?WordId=177> accessed 15.04.2019.

<sup>211</sup> Field notes 11.11.2014.

I was expecting my interlocutors to look for bias and unfounded criticism of their work and wanted to avoid feeding this narrative.

While writing the “distance article”, I was particularly wary of my interviewees’ reaction because they were going to be given a chance to read the text before publication as I agreed to allow a quote check before publication. This was one of the reasons I separated so firmly (and maybe a little artificially) the two Weberian functions of distance in bureaucratic processes – moral detachment through impersonality and legitimation through division of labour – and concentrated on the latter that I assumed were less controversial from these actors’ point of view. Despite my wariness, the interviewees demanded substantial changes in the quotes, partly depriving some of their sharpness.

In the “access article”, we avoided using quotes from my interviews in Norway, so that we did not need to send the article for quote check before publication. I did not have a similar agreement and constraint with regards to the interview with Mr Apel. Nevertheless, the article raised several ethical questions, especially about the anonymity of the actors and the usability of data (especially the e-mails), which we discussed thoroughly throughout the writing process. We felt that we were walking on eggshells and regularly guessed Mr Apel’s potential reactions, even considering the potential risk of a legal case. The successive revisions of the paper toned down the arguments as we gave up some material that could be considered damaging to Mr Apel’s reputation. As I explain below, the mere fact that this paper is co-authored with my supervisor reflects the unease I felt with tackling the subject. I asked her if she would like to write it with me not only because she was deeply involved in the negotiation process, but also because, to some extent, it reassured me to know that we could share the hypothetical blame.

The writing process of the “history article” was less influenced by these absent-present figures of suspicious readers. Nevertheless, I can remember hoping that Mr Apel or Mr Wald would also read this less interpretive paper and see that my intentions were not grounded in a malicious will to criticise their work.

From a methodological point of view, and although the power relationships and personal stakes are incomparable, it is also interesting to note the parallels that can be drawn between my experience as an unusual “client” of the asylum administrations with the ones of their usual clientele, asylum seekers. My credibility and the truthfulness of my intentions were constantly assessed. In response, I acted according to the anticipated beliefs and preferences of individuals with ample discretionary power engaged in a rather opaque decision-making process taking place in an institutional context of suspicion (e.g. Affolter 2017a; see also chapter 4 in this thesis).

#### 9.4. Acknowledging enablers

While one of the topics this thesis (and the section just above) discusses extensively is the way specific reluctant individuals hindered the initially planned research, it also needs to be said that I have encountered many very helpful people, without whom I could not have completed this collection of articles. Many of them are listed in the acknowledgements of this thesis, but a few belong more straightforwardly in the methods section as they have acted as sources, enablers, or benevolent gatekeepers.

First, I have had constructive contact (in person and in correspondence) with representatives of three inter-governmental organisations – UNHCR, IGC and ICMPD – involved either in archives and documentation units or in different aspects of COI. They provided me with very valuable documents (mainly unpublished reports on COI collaborations) and, in the case of the two Geneva-based organisations, took time to conduct extremely instructive discussions with me.

Second, I was extremely lucky to come across academics who offered me publication opportunities. At an event on refugee labelling that took place in Paris in March 2017<sup>212</sup>, Aline Angoustures, the Head of Ofpra's Mission histoire et archives, and Dzovinar Kévonian from the University of Paris-Nanterre attended my presentation. A few months later, they invited me to write what became the "history article" in this thesis in the special issue of *Monde(s)* that they were guest editing. Moreover, Aline Angoustures and her team at Ofpra were crucial in helping me access, navigate and process the rich archival corpus that I was able to consult. In the same vein, in 2015, Sule Tomkinson and Jonathan Miaz had invited me to submit an article to their special issue in *Politique et Sociétés* early in the process of my thesis. This forced me to change my perspective on my PhD project and to think creatively by designing a paper based on the limited data I had at my disposal.

Finally, I have received a lot of moral support from colleagues at all levels of academia, especially with regard to my access problems. In particular, the idea to make productive use of my problematic access negotiations was first brought up by staff members of the Institute for Social Research in Oslo when I presented them with my research project and the "access snags" I encountered during my research stay in early 2016.<sup>213</sup> Without the encouragements and collaboration of Christin

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<sup>212</sup> Colloque international : « L'étiquetage comme réfugié : Approches comparées des pratiques institutionnelles », 27-28 March 2017, Nanterre, organised by Karen Akoka, Dzovinar Kévonian and Giulia Scalettaris. Programme: Le Carnet du Sophiapol, <https://sophiapol.hypotheses.org/20769> accessed on 22 April 2019.

<sup>213</sup> Rosset Damian, "Country of origin information in asylum procedures: research agenda and snags", Presentation at the Institute for Social Research (ISF), Oslo, 16.02.2016.

Achermann, however, I would certainly not have found the confidence to tackle the introspective issue of failure (and even less so in a publication).

I must also recognise that I did receive some welcoming reactions during informal discussions I held with several actors who would have been relevant for my research, which I decided not to exploit – for example, a senior German civil servant, an EASO official, the Head of the Polish COI unit or a Finnish Country Analyst, all of whom stated that they would be open to talking to me. I did not pursue these potential venues for a variety of reasons. At the time, due to the difficulties with access, I had moved on to explore other perspectives on COI than the bureaucratic practices of Country Analysts (see the following section). Constrained by the timeframe of my PhD funding, busy with ongoing projects, and afraid of renewing my previous experiences – where suspicion on the side of field actors had developed after positive initial contacts –, I was wary of opening new avenues of waiting and delaying. It is necessary, however, both for reasons of intellectual honesty and reflexivity, to acknowledge that I ignored these potential entries into the COI field.

### **9.5. Academic resilience**

One of the striking observations I made while studying towards a PhD was the number of resources, discussions and representations of successful research processes one comes across as an early-career researcher, sometimes using dubious quantifications. For example, while writing this part of the chapter, I read a tweet by an academic coach, stating that “a PhD is 90% persistence and 10% intelligence”.<sup>214</sup> Two years ago, at an international conference, I heard a professor of anthropology quoting Woody Allen’s assertion that “80% of success is showing up” while talking about access and research. Without entering into a discussion on the kinds of intelligence needed to obtain a PhD or on the merits of such quantifications, I can certainly confirm that “persisting” and “showing up” have been crucial in completing this thesis, which raises some particular methodological questions. They revolve around my agency as a researcher navigating between numerous systemic and interpersonal sets of hindrances and opportunities.

With regards to persistence, besides the kind of insisting and bearing with the actors described in the “access article”, my methodological strategy can be best described as one of “academic resilience”. I was consistently looking for new possible (thematic and theoretical) takes on my research topic, multiplying the sites of data collection and types of data collected, and, indeed, “showing up” at conferences and events, exchanging on my research with people from different

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<sup>214</sup> Hugh Kearns, *Secret 7...*, <https://twitter.com/ithinkwellHugh/status/1117661330717192193>, accessed on 30 April 2019.



disciplinary backgrounds and theoretical approaches. A pre-condition to “academic resilience” was thus to be open to interdisciplinary endeavours and to be methodologically flexible.

The three articles presented in this thesis represent only one aspect of the research I conducted over the past five years. In addition to the data they mobilise, I have collected and partly analysed a range of other miscellaneous data in multiple sites. This included interviews with miscellaneous actors: COI researchers in non-governmental settings, academics with experience as “country experts” for asylum agencies and courts, officials of different international organisations, and asylum activists. I even asked a colleague to interview me in an attempt to explore the value of integrating an auto-ethnographic perspective. In a different direction, I conducted non-participant observation in civil society events on countries of origin, in particular, Eritrea. I also started analysing Swiss and British jurisprudence, including COI in Eritrean cases.

Looking for alternative perspectives on my research topic did not only involve multiplying the sites of inquiry and methods, but it also involved diversifying the theoretical and disciplinary avenues. While my initial PhD project was essentially grounded in sociological neo-institutionalism (Brunsson 2002; DiMaggio and Powell 1991; March and Olsen 2006; Rizza 2008) and the sociology of public action (Crozier & Friedberg 1977; Friedberg 1993; Gioia et al. 2000), my inductive journey led me to explore a much wider social scientific literature, ranging from the anthropology of knowledge and science and technology studies (STS) to the anthropology of the state and the sociology of law.

In terms of research output, “showing up” importantly contributed to my capacity to be resilient. As I touch upon in the previous section, each of the three articles in my thesis’ collection resulted from opportunities made possible by coming across specific people at specific moments. I first “showed up” at a workshop organised by Laura Affolter, Jonathan Miaz and Ephraim Poertner near Bern in September 2014.<sup>215</sup> It was attended mainly by early-career researchers working on asylum procedures in different European countries and resulted in the creation of the International Research Network on Asylum Procedures (IRNAP)<sup>216</sup>, which became the most relevant network for my research over time. One of the first projects that emerged from IRNAP was the special issue proposal of Sule Tomkinson and Jonathan Miaz for *Politique et Sociétés*. Among the “founding members” of the network was Karen Akoka, who later invited me to present my research in Paris, where I “showed up” despite doubting I had much to say about the topic. This resulted in the possibility to engage in the “history article”, as I described above. Finally, the publication of the

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<sup>215</sup> “Tackling asylum proceedings from below? Practices of asylum adjudication in Europe”, International workshop organised by Laura Affolter, Jonathan Miaz and Ephraim Poertner in Ueberstorf, 18-20 September 2014.

<sup>216</sup> For more information about the network: IRNAP <https://asylumprocedures.weebly.com>, accessed on 22 April 2019.

“access article” was made possible by a collaboration with Barak Kalir who I met in the framework of a double panel we organised with Christin Achermann at the 2017 IMISCOE annual conference in Rotterdam.

My objective was clear: in order to fulfil my university’s requirements for a PhD by published work (writing a coherent monography had quickly become out of the question), I had to publish at least three articles with some level of overall coherence. Despite the disciplinary variety of the journals in which they appear (history, political science and social anthropology), the three articles I present in this thesis are the most coherent possible collection among the many publication options I envisaged. Nevertheless, the time and energy I invested in these alternative directions shall not go to waste, and I am currently working on several publication projects.

First, I am continuing to work on the methodological issue of researching under suspicion. In an article I am currently drafting<sup>217</sup>, I explore my experience with the SEM and Landinfo as an example of how (attempting to) research on migration control, a field saturated by suspicion, involves researchers in the social production of suspicion. Second, I am working with Jasper van de Kist on an article grounded in STS literature, in which we analyse how different modes of legitimation of COI rely on devices, objects, and material settings to produce trust in asylum procedures. We also look at the way the legitimacy mechanisms in the three case studies (the UK Home Office, the Norwegian Landinfo, and the EASO) participate to the enactment of relevant publics and the shaping of non-publics, in particular asylum seekers themselves.<sup>218</sup> Third, I am preparing an article with Jonathan Miaz, in which we are pooling data from our respective research in the Swiss asylum procedure to explore the differentiated uses of COI at different levels of decision-making. The “funnel of COI interpretation” presented in chapter 2 was developed in this framework.<sup>219</sup> We also plan to work together on the institutional negotiations of the reality of countries of origin in the context of asylum procedures (Rosset 2015), with a case study on the ways the reality of Eritrea has been constructed in the Swiss context between 2004 and 2019<sup>220</sup>. All of these projects exist thanks to me “showing up” at some place at some point.

This discussion of “academic resilience” as a methodological resource finally prompts reflection on some variables that make it possible to be resilient. Besides the indispensable moral support that I received from my family, friends and colleagues, I also certainly benefited from a certain

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<sup>217</sup> Working title: “Internalising suspicion: a researcher under credibility assessment”

<sup>218</sup> Working title: “Trust in Asylum Decision-making: Fostering the Legitimacy of Country of Origin Information” (see also van der Kist and Rosset 2019).

<sup>219</sup> Working title: “The uses of country of origin information in the Swiss asylum procedure” (see Miaz and Rosset 2019).

<sup>220</sup> This is also a subject I have previously explored and presented in different settings (e.g. Rosset 2017).

confidence acquired from my socialisation in a family where university education is the norm. I also want to believe that, to some extent, my taste for autodérision (a notion badly translatable as self-mockery) and a healthy dose of “proactive fatalism”<sup>221</sup> were useful coping resources. More tangibly, being able to “show up” relied on a certain kind of mobility capital, which includes both the accumulated past experiences of mobility and the capacity to engage in future beneficial movements (Moret 2018). I owed an important part of my mobility capital to my Swiss citizenship and my affiliation with a Swiss university and a large research project funded by the Swiss National Science Foundation. I did not need to apply for visas at any time and securing travel funding has never been a big issue, whether it was to attend conferences or to organise research stays abroad. Additionally, much of this opportunity-generating activity was enabled not only by structural privilege but also by personal availability. I highly doubt, for example, that I would have attended the 2014 workshop or the 2017 Paris conference if I were already a parent, as neither seemed essential for my research at the time.

## **9.6. An ethnographic perspective and a methodological bricolage**

Closing this methodological chapter, the present section discusses the epistemology of this thesis. I start explaining why, despite this thesis not being “an ethnography” of COI, I claim to have adopted an ethnographic perspective throughout my research. When it comes to methods, I argue that the construction, approach and contents of this thesis are best described as “methodological bricolage”.

There is not one consensual definition of what constitutes ethnography as the term has been used to refer to a wide range of methods of data collection and analysis (and combinations thereof), but the requirement of at least some level of immersion in the field under research, normally through observation and/or participation, is constitutive of the method (Marcus 2013). Even considering types of ethnography that do not necessarily rely on observation methods – e.g. “institutional ethnography” (Smith 2005) – the understanding and description of micro-level practices, which I did not access, is always central. And even if “ethnography is an art of the possible, and it may be better to have some of it than none at all” (Hannerz 2003: 2013), the very limited observation I was able to conduct at best offered some relief to my analysis.

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<sup>221</sup> A little like Denis Diderot’s character *Jacques le Fataliste*, who keeps repeating to his master that our lives are pre-determined when narrating past events (which prompts to accept the present with neither contentment or regret), while acting enterprisingly throughout the novel.

This thesis is simply not “an ethnography” as it falls short of ethnographic methods and data. I do however consider that much of the way I approached and constructed my research object has been significantly influenced by an ethnographic perspective. I acknowledge that such a claim participates in the stretching of this overused concept (Ingold 2014). I do, however, find it heuristically meaningful and, failing to find a better word, I explain below what I consider the “ethnographic features” of my research: my research interests, the importance of reflexivity, as well as the multi-sited nature of my research.

#### 9.6.1. An ethnographic perspective

The first “ethnographic feature” of my research lies in the focus on meaning-making. Sule Tomkinson and Jonathan Miaz (2019) note in the introduction to the special issue of *Politique et Sociétés* in which my “distance article” was published that, although I do not use the word “ethnography” to qualify the methods mobilised, I nevertheless pay a particular attention “à l’espace, aux pratiques et au sens qu’y prêtent les acteurs (...), ainsi qu’à leurs effets sur leur travail quotidien de mise en œuvre de la politique d’asile” (Tomkinson and Miaz 2019: 9). Adopting an “ecological” perspective on the work of COI units and professionals allowed me to locate my research in a bottom-up perspective despite not accounting for the micro-level of the daily practices of COI production.

The second “ethnographic feature” of this research is the centrality of reflexivity in my research process (Mauthner and Doucet 2003). Although I do not explicitly reflect on the role of my former occupation as a country analyst in the collection of articles, this previous involvement with my research object has definitely played a role in the framing of my research, as well as in the interpretive process.

Loïc Wacquant describes ethnography “as embedded and embodied social inquiry” (Wacquant 2015: 4). The research is embedded because of the researcher’s “physical co-presence with(in) the phenomenon in real time and space” (Ibid.). The research is also embodied because “long-term, intensive, even initiatory, forms of ethnographic involvement liable to allow the investigator to master in the first person, *intus et in cute*, the prediscursive schemata that make up the competent, diligent, and appetent member of the universe under examination” should be fostered (Wacquant 2015). While I never succeeded in embedding myself in the projected research fields<sup>222</sup>, much of

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<sup>222</sup> To some extent, however, I remained *embedded* in my research object (if not the field) as I continued encountering COI in different forms (and in different capacities). Upon quitting the FAC, I remained in contact with several former colleagues and I started working in an environment where asylum law and politics are common discussion themes. I thus remained anchored in networks where

my inquiry was informed by the embodied knowledge as my experience as a COI researcher provided me with the ability to reach some understanding of my research field, a “prediscursive schemata”, without which I would have struggled to make meaning out of the collected data.

While initially planning my fieldwork, I paid particular attention to taming my previous knowledge and preconceptions of the field by trying to detach myself through theorising and the construction of the research design. This was one of the reasons (not the main one) for choosing to focus my research on administrations rather than courts involved in RSD, as it would otherwise have meant I would be studying my former workplace and colleagues. It is then a certain paradox that my embodied knowledge ended up being such a central resource when I had to change my research plans and find new problematics to conduct my study.

Finally, the multi-sited research design is importantly informed by ethnographic methodology (Marcus 1995; Hannerz 2003) and is its third “ethnographic feature”. My “multi-sited non-ethnography” approaches COI units and professionals “in, and between, several physical locations as part of a single study” (Muir 2011: 1014).

The individual products of the thesis – the three articles – each deal mainly with one national COI unit, which is always put into perspective with other national cases and located in wider national and transnational contexts. Each case is thus “explicitly conceived of as part of a larger context that exceeds the boundaries of the field site” (Muir 2011: 1014). Thus, the objective is not only to link together similar cases, but also to give meaning to the whole. The multi-sited research design allowed the research to transcend national boundaries (Wimmer and Schiller 2002) by identifying the transnational field within which the actors of the COI community evolve.

### 9.6.2. Methodological bricolage

The methodological design of this thesis is also grounded in an approach that has been largely influenced by ethnographic epistemology, “methodological bricolage”, which “can be considered a critical, multi-perspectival, multi-theoretical and multi-methodological approach to inquiry (Rogers 2012: 1). Norman Denzin and Yvonna Lincoln (2000) have conceptualised the idea of “bricolage research” with reference to Claude Lévi-Strauss’ metaphor of the meaning-making bricoleur (in opposition to the engineer) who constructs the objects of meanings with the material at hand,

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I would be addressed with COI-related questions, e.g. to review a civil society report. I taught migration law practitioners the role of COI in asylum procedures in a module of a certificate of advanced studies (CAS). One article I co-authored – the one for which I was blamed by my interlocutors – ended up being cited as a source in a decision of the British High Court, a “Guidance Case” on Eritrea. I even counselled a colleague in anticipation of a job interview with Mr Apel.

without a clear idea of the final shape, and sometimes without even being able to distinguish between the tool and the material (Lévi-Strauss 1962).

Methodological bricolage is consequently characterised by inductivism, eclecticism and flexibility (Rogers 2012). Creatively combining multiple research tools, it is also inherently interdisciplinary, often located “in the liminal zones where disciplines collide” (Kincheloe 2001: 689). Methodological bricolage implies adopting a multiperspectival approach of the research object (Kellner 1995; see also Achermann 2009) and examining “how socio-historical dynamics influence and shape an object of inquiry” (Rogers 2012: 10). In my research, I have performed bricolage in different ways, acting respectively (and sometimes simultaneously) as a methodological, interpretive and theoretical bricoleur (Denzin and Lincoln 2000).<sup>223</sup>

The heterogeneity of the data I collected is described in the first section of this chapter. Each article relies on a set of data of different natures. This material I had “at hand” required different analytical approaches and each article is based on different ways of coding and classifying data. In the “history article”, I adopted a genealogical approach to studying the institutionalisation of the French COI unit, DIDR. I analysed the archival material, paying special attention to several historical processes inferred from the literature – mainly the bureaucratisation and Europeanisation of asylum procedures – using thematically pre-structured codes (Gibbs 2007).

In the “distance article”, I chose, analysed and interpreted the data – interview transcripts, administrative and legal documents, description of the spatial arrangements of COI – through theoretical coding (Thornberg and Charmaz 2013), based on a research interest that emerged inductively from my fieldwork. While I was aware of the emic importance given to the separation between COI production and interpretation, the coherence of the apparatus that I describe emerged inductively from interview material.

Finally, the “access article” is a genuine product of a reflexive analytical process (Mauthner and Doucet 2003), informed by numerous discussions with colleagues and presentations of my research in different settings. The analysis “encompasses continual evaluation of subjective responses, intersubjective dynamics, and the research process itself” (Finlay 2002: 532).

Beyond the idea of using multiple kinds of data and methods of analysis, bricolage also involves theoretical and interpretive flexibility and creativity: “[it] is concerned not only with multiple methods of inquiry but with diverse theoretical and philosophical notions of the various elements encountered in the research act. Bricoleurs understand that the ways these dynamics are

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<sup>223</sup> Norman Denzin and Yvonna Lincoln (2000) additionally identify the figures of the “political bricoleur” and the “narrative bricoleur” which are less directly relevant in my approach.

addressed – whether overtly or tacitly – exerts profound influence on the nature of the knowledge produced by researchers” (Kincheloe 2001: 682). Ontologically, each of the three articles of this thesis could be referred to differently than with the labels I chose. The “history article” would be the “diachronic article”, the “distance article” could be better described as the “functionalist article” and the “access article” would become the “reflexive article”.

The three articles of this thesis, written for and published in journals in different disciplines – history, political science and social anthropology – show how the mobilisation of diverse theoretical and epistemological resources, as well as positionings, allowed the problematising of different elements of the field’s functioning. The differences in writing styles and storytelling not only illustrate the anticipated expectations of each journal’s readership and editorial boards, but also influence the actual knowledge produced, as “writing is simultaneously a method of discovery, a method of interpretation, and a method of analysis” (Denzin 2013: 569; Richardson and Lockridge 2004).

To sum up, the collection of articles presented in this thesis converge to qualify my research as a “methodological bricolage”: its reliance on an emergent (or inductive) methodological design (Denzin and Lincoln 2000; Rogers 2012); the multidisciplinary approach, problematising, analytical methods and writing (Kincheloe 2001); the multiperspective approach, with a particular importance on the historicising of the research object (Kellner 1995).

This chapter has described the methods used for data collection and analysis. It has also discussed a range of ethical and methodological issues specifically related to a research conducted in interactions charged with suspicions. Finally, I have positioned the epistemology of this thesis in an ethnographic perspective using methodological bricolage.

However, the word “bricolage” does not only refer to the action of “bricoler”. It also designates the result of this endeavour, the assemblage of the different material. In the context of this thesis, this task is made difficult by the important, sometimes quite fundamental, differences between the different ontological groundings of the different articles that compose it. Putting forward the bricolage resulting from this thesis is, nonetheless, the task of the closing chapter.

## 10. Closing chapter

This closing chapter offers a synthesis of the three articles in the thesis in two steps. First, it presents two cross-cutting themes that illustrate how legitimization work permeates the practices of COI. On the one hand, COI is saturated with the question of the (self-)representation of the state and its bureaucratic actors. It appears to be an important tool for understanding the dynamics of the construction of legibility and illegibility in the asylum bureaucracies. On the other hand, COI contributes to the depoliticisation of asylum by making RSD a technical issue. In its second part, this chapter attempts to assemble the partial findings of the different articles in a coherent framework. It does so by showing how the situated nature of COI knowledge is negotiated, as well as by putting forward a model to approach the mechanism of concomitant legitimization of bureaucracy and expertise.

### 10.1. Cross-cutting findings on legitimization

#### 10.1.1. COI units as objectivity machines

One of the salient observations of the three articles is how much energy COI units invest in performing objectivity. Discussing the use of country information as “objective evidence” in the jurisprudence of British asylum tribunals, Anthony Good warns that this notion “should not be taken too seriously as indicative of an explicit philosophical stance adopted by the courts, yet its positivistic overtones do reflect a general reluctance on the part of the appellate authorities, legal representatives, and, above all, the Home Office, to acknowledge the contextualisation to which all knowledge is subject” (Good 2007: 224).

Similarly, my discussions with actors of the COI field never reflected a pure and naïve rationalist belief but rather thematised the inherent contradiction of their position as “fact-tellers” (see chapter 3). The position of expert entailed in COI practice comes with a necessity to reflect on the social conditions of expertise (Holmes and Marcus 2005; Barbier et al. 2013). The “distance article” exemplifies just how much agency is needed to maintain “distance” and how fragile the social position of experts is. Nevertheless, the same agents would also oftentimes claim objectivity by, for example, talking about “clean facts”, “raw information” or “unbiased reports”.



The objectivity devices of COI units and producers – such as COI standards, distance vis-à-vis the procedure, institutional communication, verification<sup>224</sup> – then appear as “carefully orchestrated performances, in which certainty and reliability command the action on the frontstage while doubt and uncertainty, even if privately acknowledged, are relegated to the relative obscurity of the backstage” (Jasanoff 2011: 311). My research shows that it would, however, be simplistic to consider that the discrepancy between what is made visible and what is kept invisible is the sole result of a strategic effort for opacity.

There is certainly an important component of the presentation of self (Hilgartner 2000), and we showed in the “access article” how keen COI actors can be on maintaining the “monopoly of legitimate speech” about their field. Yet, the tension between the claim for objectivity and the acknowledgement of its impossibility that permeates the COI field is not only present in the private discourse of individuals but also in that of institutions. For example, the chapter on COI of the SEM’s “manuel asile et retour” cites Robert Gibb’s and Anthony Good’s assertion that “COI, like all other discursive forms of knowledge about the complexities of the real world, does not lend itself to the binary reductionism required by legal decision making, with its application of the general to the particular and its collapsing of probability into certainty. Law is positivistic by necessity, whereas COI, by its very nature, cannot be” (Gibb and Good 2013: 322, quoted in SEM n.d.: 3). Nevertheless, the same document states that the result of COI research must be presented in an “objective and neutral way” and explains that sticking to a “range of quality criteria” helps to “resist the (usually unconscious) cognitive bias in the perception and treatment of information” (SEM n.d.: 6-7). With reference to the last point, the document cites, among several academic references, a book by psychologist and behavioural economist Daniel Kahneman (2011), whose work was also mentioned to me by the Head of Landinfo.

A quite obvious explanation for the identified “paradox” could then be that there is no paradox. While acknowledging the impossibility of actual objectivity, for example because of “cognitive bias”, COI researchers may well have a pragmatic take. Instead of genuine faith in the possibility of objectivity, they would at least believe in the capacity of COI objectivity devices to ensure the best possible degree of objectivity for the asylum procedure.

An alternative explanation – or rather an explanation at another level – may be rooted in the tension between the manifestation and the reification of the state (Abrams 1998; Kalir et al. 2019), as

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<sup>224</sup> Indeed, the “verification” of COI by legitimating bodies in some countries, like the IAGCI in the UK (Hatton 2018), can also be counted as an objectivity device. We put forward this interpretation in the paper we are currently working on with Jasper van der Kist, in which we also examine the way EASO “co-opts” civil society organisations in the legitimation of COI through consultative mechanisms (van der Kist and Rosset 2019).

embodied by COI researchers. Tobias Eule, Lisa Borrelli, Annika Lindberg and Anna Wyss encountered the same kind of dynamics during a workshop where they presented the results of their research on migration control practices in Europe to state officials of the agencies they had researched. They observed that their interlocutors both acknowledged the messiness and informality of bureaucratic practices in their agencies and confirmed their commitment to “a Weberian ideal of rationally functioning state and the fairness of legal procedures” (Eule et al. 2019: 233).

The apparent paradox may well be rooted in two facets of the state: the “state idea” and the “state system” (Abrams 1988: 82). The civil servants embody both facets – simultaneously the messy, illegible state-system and the coherent, legible state-idea – and it is the commitment to the idea that fuels the system. Adapting this thought to our case and to the discrepancy in my respondent’s discourse, it would thus not primarily be COI that makes the idea of objectivity possible, but the idea of objectivity that makes COI possible in the first place and grounds its epistemic legitimation.

Through commitment to objectivity, the inherently political act of producing knowledge (in particular in the sensitive field of asylum) is depoliticised and, as I shall clarify in the next section, this depoliticisation of knowledge production acts as a powerful instrument of the “pensée d’Etat”.

#### 10.1.2. COI and the depoliticisation of asylum

Throughout the thesis, the notion of depoliticisation is used in different contexts and to qualify different objects: knowledge, knowledge production, bureaucratic procedures. I understand depoliticisation as a process that extracts its object from the political field, the legitimate area of social contestation. It is thus a process which neutralises political contestation (Standing 2017; Bakonyi 2018). In the field of COI, depoliticisation has, I argue, been performed through the increasing technicisation of the field. In this section, I want to discuss how COI plays a role in depoliticising the notion of asylum itself and introduce it with an illustrative vignette.

##### Box 1. The ecclesial RSD

In early 2019, I was contacted by a friend with a request to help him gather COI for what appeared to be a rather strange case. One of his relatives wanted to help a young asylum seeker who, in accordance with the Dublin regulation, was set to be deported from Switzerland to the

country that assessed and rejected his initial asylum application. According to his lawyer in that country, the failed asylum seeker would then inevitably be deported to his country of origin.

This was unacceptable for the young man's Swiss sponsor who feared that his health impairments, ethnic and religious affiliation and lack of social network in his country of citizenship (where he had never lived) put him at serious risk of ill-treatment upon return. In order to block the deportation process, the sponsor contacted a religious order with the request to covertly accommodate the asylum seeker until the passing of the deadline set by the Dublin regulation for Switzerland to deport him, after which Switzerland would become responsible for the case.

A representative of the religious order replied that they would consider the case but would have to be convinced that the individual in question indeed needed their help. The kinds of demands he presented were strikingly similar to those of actual asylum procedures, including a detailed description of the person's story and evidence that this story put him at risk in case of returning to his country of citizenship. The clergyman specifically asked for a risk assessment.

This experience was striking with regard to the relationship between knowledge production and authority. The friend who contacted me would actually have a strong claim to country expertise regarding this specific country of origin where he had previously worked as a humanitarian professional. Nevertheless, he felt that his first-hand knowledge of the country was not the kind of expertise that was needed or relevant. Instead, he was looking for information from authorised sources, written documents whose purported objectivity could be presented in a neutral way.

This anecdote offers several layers to show how objectivity and depoliticisation act to promote a "pensée d'Etat" about the field of asylum. It illustrates the strength of the state discourse and representations of refugee deservingness and the pervasiveness of asylum procedures' logics of categorisation, structuring even the perception and arguments of those who try to contest it. The described ecclesial asylum procedure, which shadows state-operated RSD, shows just how successful the depoliticised idea of a refugee identity that can be determined through the analysis of objective evidence has become.

More importantly to us, it also reveals how the power of the "pensée d'Etat" (Bourdieu 2012) in the field of asylum – grounded in the belief of the existence of "genuine" and "bogus" refugees that can be sorted out through an objective mechanism (Legoux 2004; Stünzi 2018) – is prominently based on the knowledge of their situation in their country of origin. Moreover, the technicity of this type of knowledge is also put to the front. Considering this story, it appears that the processes, practices

and discourses described in this thesis significantly contribute to shaping these representations of RSD as an objective, rational and depoliticised process.

Returning to Karen Akoka's assertion that the definitions of refugees "en disent finalement bien plus long sur les sociétés qui les élaborent et les mettent en œuvre que sur les individus qu'elles sont censées désigner" (Akoka 2018: 16), I put forward that a similar claim can be done with regard to the modes of granting asylum.

As I point out in the foreword the "history article", and suggest elsewhere with references to authors such as Adam Standring and Béatrice Hibou, some of the characteristics observed in the development and functioning of COI units, importantly its depoliticising effects can be understood in terms of the "neoliberal bureaucratisation of the world" (Hibou 2015). COI can then be understood as one of type of "bureaucratic techniques and practices [that] form a machinery for the manufacture of moral, political, and social indifference that makes a phenomenon suitable, presentable, and acceptable when it is actually not" (Hibou 2015: 108).

## **10.2. Articulating the findings**

In this section, I return to the cross-cutting issues from the collection of articles and outline in the previous section, but I attempt to present them in a coherent framework. This endeavour is complicated by the ontological and epistemological heterogeneity of the three articles, which does not always allow for direct comparison or confrontation. However, I argue that this consequence of the "methodological bricolage" of my thesis also helps account for a variety of dynamics that can be assembled in creative and articulate ways. In the next section, I draw on the notion of "situated knowledge" (Haraway 1988) to show the mechanism by which COI was instituted as a field of expertise. In the following section, I put forward a model to account for the different types of legitimations at play in the field of COI.

### **10.2.1. De-situating and re-situating bureaucratic knowledge production**

The question of the situatedness of knowledge is transversal to the three articles of this thesis. We know from feminist scholars that all knowledge is partial, embodied and situated (Haraway 1988; Rose 1997). The "history article" situates contemporary practices and discourses around COI within a social and institutional historical context. By discussing the emergence and development of COI in France and elsewhere, it shows how the process was deeply influenced by the processes of bureaucratisation and Europeanisation of the asylum procedure. It also shows the gradual

refinement of the definition of the COI unit's role from a documentation centre collecting press clippings and going through TV guides to spot any upcoming documentaries about exotic countries to a full-fledged research unit conducting on-the-ground fact-finding missions, participating in international networks, and producing a specific, sophisticated type of expertise.

The “distance article” shows how this construction of a domain in its own right resulted in a mechanism of de-situating knowledge production. The multiple layers of the COI researchers' organisational, material, epistemological and discursive environments – the ecologies of their knowledge production – participate in creating a physical and symbolic space away from the asylum procedure. The infrastructure of distanciation is then an “objectivity device” that participates in the performance of objectivity, the “god trick of seeing everything from nowhere” (Haraway 1988: 581). This objectivity legitimises the knowledge produced and, consequently, the actors producing it and the procedures relying on it (Boswell 2009; Hoag 2011, see also section below). This process not only endows COI and asylum procedures with epistemic legitimacy, but also authority, as the state then “achieves power by ostensibly detaching knowledge from potentially biased standpoints and from the distortions that any perspective or viewpoint necessarily entails” (Jasanoff 2011: 309).

In the “access article”, another mechanism for de-situating COI production is at play – the process of the black-boxing of facts. The more widely COI becomes accepted as objective facts, the more the processes and social circumstances of its production are obscured, simultaneously reinforcing the perception that facts are autonomous and objective (i.e. not produced but merely detected and collected) (Latour 1999). Black-boxing, in this case, also relies on preventing both the inquiry into the production of facts and the emergence of an alternative knowledge claim about the field. While distanciation de-situated and depoliticised the production of knowledge vis-à-vis its social environment, black-boxing de-situates and autonomises the produced knowledge vis-à-vis the sites of their production.

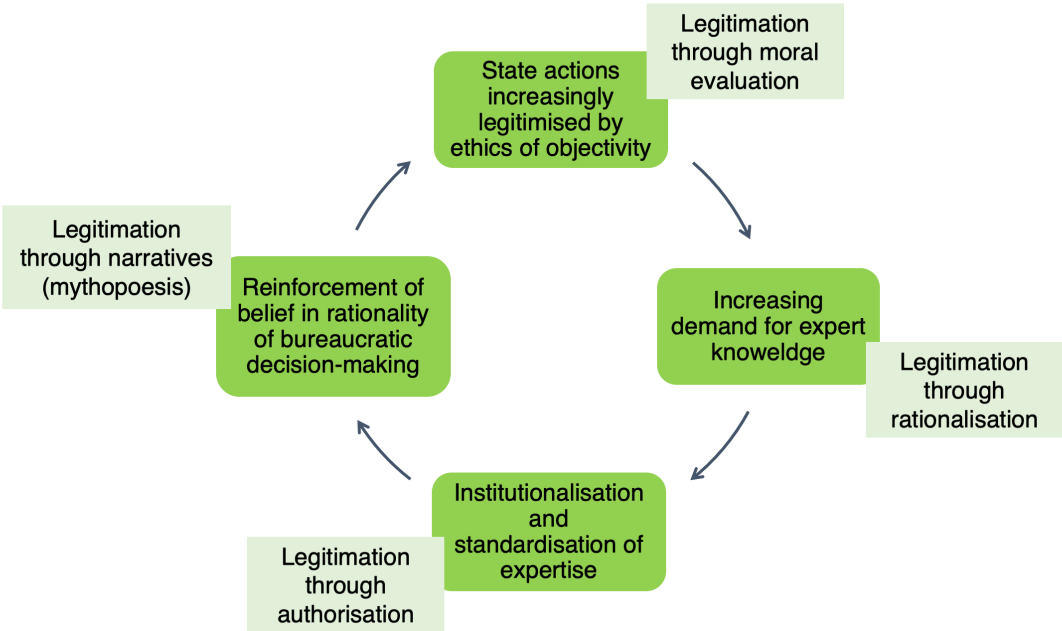
If distanciation and black-boxing serve to de-situate the production of knowledge, then what builds the exterritorial space where COI is produced? A hint to answer this question comes from the process of black-boxing itself, which does not only rely on obscuring the practices of fact production but also on the pro-active communication and transparency about COI methods and procedures of knowledge generation. The production of COI is thus re-situated in this coherent normative environment, signalling a well-defined field of practice and a type of knowledge, characterised, among other things, by a strong positivist epistemology. Moreover, the production of COI is also re-situated in a social context – that of the transnational COI community, which not only reinforces and materialises the existence of COI as a profession with particular know-how and craft but which also fosters a feeling of belonging that leads to solidarity at a distance (Bigo 2016).

The way actors in the COI world (have) manage(d) to de-situate and re-situate the production of knowledge points to the politics of expertise at play. The actors of the COI community are not merely commissioned experts who provide a service based on the client’s demands. The development of the practices of COI in European (and other) asylum administrations reveals the instituting dimension of expertise (Castel 1985) that “simultaneously creates and redefines the appraised object” (Barbier et al. 2013: n). Through the production of norms and standards, COI practitioners have defined the legitimate framework for the practice of this particular type of expertise (Castel 1985: 91).

10.2.2. The circular legitimation of bureaucracy and expertise

This thesis questions the interrelationship between the production of knowledge and legitimacy in the context of asylum procedures, and this concluding section offers a tentative general answer. Based on the theoretical discussion, the three articles, and the previous sections of this closing chapter, I put forward an understanding of the different processes of legitimisation at play in the field of COI through a circular model (Figure 2). The model uses Theo van Leeuwen’s (2007) categorisation of legitimations and applies it to the way COI, as a form of expertise, and asylum procedures, as a bureaucratic process, are legitimated.

Figure 2. The circular model of legitimation of bureaucracy and expertise



The “history article” and the literature review (chapter 4) describe the process of bureaucratisation (Fresia et al. 2013) which, beginning in the early 1980s, increasingly geared asylum procedures towards the search for “truth” and “objectivity” through the development of investigation tools and procedural standards for the evaluation of individual claims. The political context in which these institutional developments took place was marked by a restrictive turn in migration policies. The bureaucratisation of RSD, materialised in ever-more thorough screening processes and standardised procedures, responded to the identified need to sort the “true refugees” from the mass of “bogus asylum seekers” in order to “fight the abuses” and, consequently, to “preserve the protection system” for the deserving exiles (Legoux 1999; Stünzi 2018). These elements convey the legitimisation through moral evaluation of bureaucratisation as they define “value systems” within which asylum procedures take place by indicating what is considered to be the substantive goals of the particular bureaucratic structure (Bear and Mathur 2015).

The importance of attaining the “truth” of asylum cases and adjudicating them with “objectivity” prompts bureaucracies to develop different types of expert knowledge. Whether medical, legal or geopolitical, this expertise legitimises the bureaucratic process through rationalisation. Indeed, drawing on expert knowledge reinforces the legitimacy of asylum procedures by indicating that they “[adopt] the trappings of rational decision-making styles” (Boswell 2009: 11).

In turn, the forms of mobilised expert knowledge become institutionalised and – through specialisation and the development of norms and standards (see in particular the “distance article”) – establish themselves as distinct fields of expertise. This process of “rendering technical” (Rose 1999) has a triple legitimisation effect. First, it certainly reinforces the above-mentioned legitimisation of the procedures through rationalisation, as the created standards will need to reflect the conformity of organisational action with external expectations.

Second, by defining the contours of what practices are legitimate to perform the particular type of expertise, the actors within the field are legitimated through authorisation. Indeed, they become the persons in whom the institutional authority to produce (and evaluate) particular types of knowledge is vested. Regardless of the actual knowledge production practices, the mere existence of a self-ruling field of expertise reified under the acronym COI provides its actors with legitimacy (see “access article”).

Finally, the institutionalisation of expertise and its successful claim for objectivity not only fosters the image of the existence of a rational bureaucratic process but further reinforces the narrative of the possibility of an objective decision-making process. Through a mythopoetic mechanism of legitimisation of state action, it reinforces the idea that “true” and “bogus” asylum seekers can be identified and sorted through a rational, depoliticised, evidence-based process. In turn, this

narrative supports the moral value of pursuing yet more objectivity and the circle of legitimation starts over, producing increasingly sophisticated fields of expert and bureaucratic practices, as well as increasingly powerful narratives with a depoliticising effect.

The circular model shows how the legitimacy of expertise and bureaucracy are co-produced. Moreover, it highlights the interdependence of the different types of procedural and epistemic legitimations and of the different subjects and objects being legitimated – experts and expertise on the one hand, and, on the other hand, decision-makers and procedures. Perhaps most importantly, by successfully positioning asylum procedures as a technical concern, COI has a depoliticising effect on the broader field of asylum.





## 11. Bibliography

Abrams, Philipp (1988). 'Notes on the Difficulty of Studying the State (1977)', *Journal of historical sociology*, 1(1), 58–89.

ACCORD [Austrian Centre for Country of Origin and Asylum Research and Documentation] (2004). ACCORD COI Network & Training. *Researching Country of Origin Information: A Training Manual*, Vienna: ACCORD.

ACCORD [Austrian Centre for Country of Origin and Asylum Research and Documentation] (2013). *Researching Country of Origin Information: Training Manual*, Vienna: ACCORD.

Achermann, Christin (2009). 'Multiperspective research on foreigners in prisons in Switzerland', in: Bilger, Veronika and Ilse van Liempt (eds), *The Ethics of Migration Research Methodology: Processes, Policy and Legislation in Dealing with Vulnerable Immigrants*, Eastbourne: Sussex Academic Press, 49–80.

Adler, Michael (2003). 'A socio-legal approach to administrative justice', *Law & Policy*, 25(4), 323–352.

Affolter, Laura (2017a). *Protecting the System: Decision-Making in a Swiss Asylum Administration*, PhD thesis, University of Bern.

Affolter, Laura (2017b). 'Asyl-Verwaltung kraft Wissen: Die Herstellung von Entscheidungswissen in einer Schweizer Asylbehörde', in: Christian Lahusen and Stephanie Schneider (eds), *Asyl verwalten. Zur bürokratischen Bearbeitung eines gesellschaftlichen Problems*, Bielefeld: transcript Verlag, 145-171.

Affolter, Laura, Jonathan Miaz and Ephraim Poertner (2019). 'Taking the "Just" Decision: Caseworkers and Their Communities of Interpretation in the Swiss Asylum Office', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 263–284.

Ahmed, Elisabeth (2016). 'Training in the Module "Researching Country of Origin Information"', *The Researcher*, 11(2), 28–29.

AI [Amnesty International] (2014). *Eritrea-rapport tegner misvisende billed'*.

- Akera, Atsushi (2007). 'Constructing a Representation for an Ecology of Knowledge: Methodological Advances in the Integration of Knowledge and its Various Contexts', *Social Studies of Science*, 37(3), 413–441.
- Akoka, Karen (2011). 'L'archétype rêvé du réfugié', *Plein droit*, 2011/3, 13–16.
- Akoka, Karen (2013). 'Du consulat des réfugiés à l'administration des demandeurs d'asile: la fabrique des réfugiés à l'Ofpra (1952-1992)', *e-Migrinter*, 11, 193–197.
- Akoka, Karen (2016). 'Crise des réfugiés, ou des politiques d'asile ?', *La Vie des idées*, 31.
- Akoka, Karen (2018). 'Réfugiés ou migrants ? Les enjeux politiques d'une distinction juridique', *Nouvelle revue de psychosociologie*, 25(1), 15–30.
- Akoka, Karen (2019). 'La fabrique des réfugiés dans la Guerre froide : une ethnographie historique des « vingt glorieuses » de l'attribution de l'asile en France (1952-1972)', *Politique et Sociétés*, 38(1), 19–48.
- Akoka, Karen and Alexis Spire (2013). 'Pour une histoire sociale de l'asile politique en France', *Pouvoirs*, 144, 67–77.
- Alaux, Jean-Pierre (2004). 'L'asile dans le pot commun de l'immigration', *Plein droit*, 59-60(1), 18–22.
- Alberti, Camilla, Raphaël Rey and Damian Rosset (2018). 'Legitimacies of governance in the field of asylum in Switzerland', paper presented at the NCCR - on the move Research Days, University of Neuchâtel, 27 April 2018.
- Angoustures Aline (2014). 'L'Ofpra et le traitement des demandes d'asile des Chiliens en France', *Hommes & migrations*, 1305, 59–68.
- Aprile, Sylvie (2019). 'L'accueil des réfugiés en Europe au XIXe siècle Des lois pour assister ou pour renvoyer', *Monde(s). Histoire, Espaces, Relations*, 15(1), 25–43.
- Aubry, Arnaud and Karine Le Loët (2019). 'La « doctrine », le secret le mieux gardé de l'Ofpra', *Les Jours*, 20.3.2019.
- Bakonyi, Jutta (2018). 'Seeing Like Bureaucracies: Rearranging Knowledge and Ignorance in Somalia', *International Political Sociology*, 12(3), 256–273.
- BAMF [Bundesamtes für Migration und Flüchtlinge] (2013). *Qualitätsstandards des Bundesamtes für Migration und Flüchtlinge*, Nürnberg: BAMF.

- Barbier, Marc, Lionel Cauchard, Pierre-Benoit Joly, Catherine Paradeise and Dominique Vinck (2013). 'Pour une approche pragmatique, écologique et politique de l'expertise', *Revue d'anthropologie des connaissances*, 7(1), 1-23.
- Barbier, Marc, Lionel Cauchard, Pierre-Benoît Joly, Catherine Paradeise and Dominique Vinck. (2013). 'Towards Pragmatic, Ecological and Political Approaches to Expertise', *Revue d'anthropologie des connaissances*, 7(1), a-v.
- Barrera, Leticia (2008). 'Files circulation and the forms of legal experts: agency and personhood in the Argentine Supreme Court', *Journal of Legal Anthropology* 1(1), 3-24.
- Bauman, Zygmunt (1989), *Modernity and the Holocaust*, Ithaca: Cornell University Press.
- Bear, Laura, and Nayanika Mathur (2015). 'Remaking the public good: A new anthropology of bureaucracy', *The Cambridge Journal of Anthropology*, 33(1), 18–34.
- Behrman, Simon (2019). 'Refugee Law as a Means of Control', *Journal of Refugee Studies*, 32(1), 42–62.
- Bensa, Alban (2010). *Après Lévi-Strauss, pour une anthropologie à taille humaine*. Paris: Textuel.
- Best, Jaqueline and William Walters (2013). "'Actor-Network Theory" and International Relationality: Lost (and Found) in Translation', *International Political Sociology*, 7(3), 332-334.
- Bigo, Didier (2016). 'Sociology of transnational guilds', *International Political Sociology*, 10(4), 398-416.
- Boccardi, Ingrid (2002). *Europe and Refugees: Towards an EU Asylum Policy*, The Hague: Kluwer law international.
- Bogner, Alexander, Beate Littig and Wolfgang Menz (2009). *Interviewing experts*. London: Springer.
- Bohmer, Carol, and Amy Shuman (2018). *Political Asylum Deceptions – The Culture of Suspicion*. Cham: Palgrave Macmillan.
- Bohmer, Carole and Amy Shuman (2008). *Rejecting Refugees. Political Asylum in the 21st Century*, London: Routledge.
- Boswell, Christina (2009). *The Political Uses of Expert Knowledge: Immigration Policy and Social Research*, Cambridge: Cambridge University Press.

Boswell, Christina, Andrew Geddes and Peter Scholten (2011). 'The Role of Narratives in Migration Policy-Making: A Research Framework', *British Journal of Politics and International Relations*, 13, 1–11.

Bourdieu, Pierre (1997). *Méditations pascaliennes*, Paris: Seuil.

Bourdieu, Pierre (2012). *Sur l'État. Cours au Collège de France (1989-1992)*, Paris: Seuil.

Brekke, Jean-Paul and Anne Staver (2018). 'The Renationalisation of Migration Policies in Times of Crisis: The Case of Norway', *Journal of Ethnic and Migration Studies*, 44(13), 2163-2181.

Brettell, Caroline (1993). *When They Read What We Write: The Politics of Ethnography*, Westport: Bergin & Garvey.

Brochmann, Grete and Sandra Lavenex (2002). 'Neither in nor out: The impact of EU asylum and immigration policies on Norway and Switzerland', in: Sandra Lavenex and Emek M. Uçarer (eds), *Migration and the Externalities of European Integration*, Boulder: Lexington Books, 55–73.

Brücker, Pauline (2019). 'Le guichet du HCR, entre standardisation bureaucratique et ethos humanitaire : le cas du HCR-Caire', *Politique et Sociétés*, 38(1), 129–155.

Brunsson, Nils (2002). *The Organization of Hypocrisy: Talk, Decisions, Actions in Organizations* (2<sup>nd</sup> ed.), Oslo: Abstrackt/Liber.

Cabot, Heath (2012). 'The governance of things: Documenting limbo in the Greek asylum procedure', *PoLAR: Political and Legal Anthropology Review*, 35(1), 11–29.

Campbell, John R. (2013). 'Language analysis in the United Kingdom's refugee status determination system: seeing through policy claims about "expert knowledge"', *Ethnic and Racial Studies*, 36(4), 670–690.

Campbell, John R. (2017). *Bureaucracy, law and dystopia in the United Kingdom's asylum system*, London: Routledge

Campbell, John R. (2019). 'The World of Home Office Presenting Officers', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 91–108.

Castel, Robert (1985). *L'expert Mandaté et l'Expert Instituant Situations d'expertise and Socialisation Des Savoirs*, Actes de la table ronde 'Situations d'expertise et Socialisation Des Savoirs' organisée par le CRESAL à Saint-Étienne, 14-15.3.1985.

CBAR-BCHV [Comité Belge d'Aide aux Réfugiés / Belgisch Comité voor Hulp aan Vluchtelingen] (2011). "La Crainte est-elle fondée ?" Utilisation and application de l'Information sur les pays dans la procédure d'asile', Brussels: Comité Belge d'Aide aux Réfugiés.

Chaudhuri, Soma (2017). 'Witches, Activists, and Bureaucrats: Navigating Gatekeeping in Qualitative Research', *International Journal of Sociology*, 47(2), 131–145.

CoE [Council of Europe] (2016). Migrants in limbo in Europe have the right to live in dignity. 15 November 2016 Human Rights Note of the Commissioner for Human Rights.

Cohen, Stanley (2002). *Folk devils and moral panics: The creation of the mods and rockers*, London: Routledge.

Collier, Bethany (2007). *Country of Origin Information and Women: Researching gender and persecution in the context of asylum and human rights claims*, London: Asylum Aid London.

Crozier, Michel, and Erhard Friedberg (1977). *L'acteur et le système*, Paris: Seuil.

D'Halluin-Mabillot, Estelle (2012). *Les épreuves de l'asile. Associations et réfugiés face aux politiques du soupçon*, Paris: EHESS.

Dahlvik, Julia (2016). 'Asylanträge verwalten und entscheiden: der soziologische Blick auf Verborgenes', *Österreichische Zeitschrift für Soziologie*, 41(2), 191–205.

Dahlvik, Julia (2017). 'Asylum as construction work: Theorizing administrative practices', *Migration Studies*, 5(3), 369–388.

Dahlvik, Julia (2017). 'Entscheiden über Asyl. Organisationssoziologische Überlegungen zum Zusammenspiel von Formalität und Informalität im österreichischen Asyl-Verwaltungsverfahren', in Christian Lahusen and Stephanie Schneider (eds), *Asyl verwalten. Zur bürokratischen Bearbeitung eines gesellschaftlichen Problems*, Bielefeld: transcript Verlag, 117–144.

Dahlvik, Julia (2018). *Inside Asylum Bureaucracy: Organizing Refugee Status Determination in Austria*, Cham: Springer.

Dahlvik, Julia (2019). 'Why Handling Power Responsibly Matters: The Active Interpreter Through the Sociological Lens', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 133–154.

Damaska, Mirjan R. (1986). *The faces of justice and state authority: a comparative approach to the legal process*, New Haven: Yale University Press.

- Danecki, Janusz and Katarzyna Górak-Sosnowska (2015). *Religious problem in Syria*, Warsaw: Country of Origin Information Unit, Polish Office for Foreigners.
- Danstrøm, Matilde Skov, and Zachary Whyte (2019). 'Narrating Asylum in Camp and at Court', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 175–194.
- Darling, Jonathan (2014). 'Another letter from the Home Office: reading the material politics of asylum', *Environment and Planning D: Society and Space*, 32(3), 484–500.
- Das, Veena (2004). 'The Signature of the State: The Paradox of Illegibility', in: Veena Das and Deborah Poole (eds), *Anthropology in the Margins of the State*, Santa Fe: School of American Research Press, 225–252.
- De Certeau, Michel (1984). *The practice of everyday life*, Berkeley: University of California Press.
- De Coulon, Giada (2019). *L'illégalité régulière. Ethnographie du régime de l'aide d'urgence en Suisse*, Lausanne: Antipodes.
- Dear, Peter (2004). 'Mysteries of state, mysteries of nature: authority, knowledge and expertise in the seventeenth century', in: Sheila Jasanoff (ed.), *States of knowledge: the co-production of science and the social order*, London: Routledge, 206–224.
- Deeb, Hadi N. and Georges E. Marcus (2011). 'In the green room: An experiment in ethnographic method at the WTO', *PoLAR: Political and Legal Anthropology Review*, 34(1), 51–76.
- Denzin, Norman K. (2013). 'Writing and/as Analysing and Performing the World', in: Uwe Flick (ed.), *The SAGE Handbook of Qualitative Data Analysis*, London: Sage, 569–584.
- Denzin, Norman K., and Yvonna S. Lincoln (2000). *Handbook of Qualitative Research*. London: SAGE.
- Di Trani, Antonella (2008). 'Travailler dans des lieux sensibles', in: Alban Bensa and Didier Fassin (eds), *Les politiques de l'enquête*, Paris: La Découverte, 245–260.
- DiMaggio, Paul J., and Walter W. Powell (1991). *The new institutionalism in organizational analysis*, Chicago: University of Chicago Press.
- Du Gay, Paul (2008). 'Max Weber and the moral economy of office', *Journal of Cultural Economy*, 1(2), 129–144.
- Dumoulin, Laurence, Stéphane La Branche, Cécile Robert and Philippe Warin (2005), *Le recours aux experts. Raisons et usages politiques*, Grenoble: Presses universitaires de Grenoble.

EASO [European Asylum Support Office] (2012). EASO Country of Origin Information report methodology.

Eckert, Julia (unpublished). 'The Bureaucratic Production of Difference: Ethos and Ethics in Migration bureaucracies'.

ECS [European Country of Origin Sponsorship] 2010. EU common guidelines on (Joint) Fact Finding Missions.

ECRE [European Council on Refugees and Exiles] (2005). Towards Fair and Efficient Asylum Systems in Europe.

ECRE [European Council on Refugees and Exiles] (2019). Asylum statistics 2018: Changing arrivals, same concerns.

EMN [European Migration Network] (2012). Ad-Hoc Query on Fact finding missions.

EMN [European Migration Network] (2014). Ad-hoc query on searching of COI for asylum procedures.

EMN [European Migration Network], 2012, The Organisation of Asylum and Migration Policies in Norway. Report to the European Migration Network from the Norwegian Contact Point.

Engelmann, Claudia (2015). Common standards via the backdoor: the domestic impact of asylum policy coordination in the European Union, Maastricht: Universitaire Pers Maastricht.

EU [European Union] (1996). Orientations relatives au contenu des rapports communs sur les États tiers (texte adopté par le Conseil le 20 juin 1994), OJ C 274, 19.09.1996.

EU [European Union] (1997). Convention relative à la détermination de l'État responsable de l'examen d'une demande d'asile présentée dans l'un des États membres des Communautés européennes – Convention de Dublin, Official Journal (OJ) C 254, 19.08.1997, 1–12.

EU [European Union] (1997). Traité d'Amsterdam modifiant le traité sur l'Union européenne, les traités instituant les Communautés européennes and certains actes connexes, 11997D/ Journal officiel n° C 340 du 10 novembre 1997.

EU [European Union] (1999). Tampere European Council 15-16.10.1999: Presidency Conclusions.

EU [European Union] (2004). Directive 2004/83/CE du Conseil du 29 avril 2004 concernant les normes minimales relatives aux conditions que doivent remplir les ressortissants des pays tiers



ou les apatrides pour pouvoir prétendre au statut de réfugié ou les personnes qui, pour d'autres raisons, ont besoin d'une protection internationale, et relatives au contenu de ces statuts.

EU [European Union] (2005). Directive 2005/85/CE du Conseil du 1<sup>er</sup> décembre 2005 relative à des normes minimales concernant la procédure d'octroi and de retrait du statut de réfugié dans les États membres.

EU [European Union] (2008). Common EU Guidelines for Processing Country of Origin Information (COI).

EU [European Union] (2008). Lignes directrices de l'UE pour le traitement de l'information sur les pays d'origine (COI – Country Of Origin Information).

Eule, Tobias G. (2014). *Inside Immigration Law: Migration Management and Policy Application in Germany*, Surrey: Ashgate Publishing.

Eule, Tobias G., Lisa M. Borrelli, Annika Lindberg and Anna Wyss (2019). *Migrants Before the Law: Contested Migration Control in Europe*, Cham: Palgrave Macmillan.

Fairclough, Norman (2003). *Analysing discourse: Textual analysis for social research*, London: Routledge.

Farrell, Catherine (2012). 'Asylum Narratives and Credibility Assessments: An Ethnographic Study of the Asylum Appeal Process in Scotland', PhD thesis, University of Glasgow.

Fassin, Didier (2009). 'Moral Economies Revisited', *Annales. Histoire, Sciences Sociales*, 64(6), 1237–1266.

Fassin, Didier (2013). 'The Precarious Truth of Asylum', *Public Culture*, 25(1), 39–63.

Fassin, Didier and Carolina Kobelinsky (2012). 'Comment on juge l'asile : L'institution comme agent moral', *Revue française de sociologie*, 53(4), 657–688.

Fassin, Didier and Estelle d'Halluin (2005). 'The Truth from the Body: Medical Certificates as Ultimate Evidence for Asylum Seekers', *American Anthropologist*, 107(4), 597–608.

Fassin, Didier and Estelle d'Halluin (2007). 'Critical evidence: The politics of trauma in French asylum policies', *Ethos*, 35(3), 300–329.

Favell, Adrian and Virginie Guiraudon (2009). 'The sociology of the European Union: an agenda', *European Union Politics*, 10(4), 550–576.

Favell, Adrian, and Ettore Recchi (2011). 'Social mobility and spatial mobility', in: Adrian Favell and Virginie Guiraudon, *Sociology of the European Union*, London: Palgrave Macmillan, 50-75.

- Feldman, Gregory (2011). *The migration apparatus: Security, labor, and policymaking in the European Union*, Stanford: Stanford University Press.
- Finlay, Linda (2002). “‘Outing’ the researcher: The provenance, process, and practice of reflexivity”, *Qualitative Health Research*, 12(4), 531–545.
- Flård, Helge (2007). *The use, misuse and non-use of country of origin information in the Swedish asylum process*, Stockholm, Sweden: The Swedish Refugee Advice Centre.
- Flick, Uwe (1992). ‘Triangulation Revisited: Strategy of Validation or Alternative?’, *Journal for the Theory of Social Behaviour*, 22(2), 175–197.
- Foucault, Michel (1980). *Power/Knowledge: Selected Interviews & Other Writings, 1972-1977*, edited by Colin Gordon, New York: Pantheon Books.
- Foucault, Michel (1994), *Dits et écrits 1954-1988. Tome III : 1976-1979*, Paris: Gallimard.
- Fresia, Marion, and Andreas Von Känel (2016). ‘Universalizing the refugee category and struggling for accountability: the everyday work of eligibility officers within UNHCR’, in: Kristin B. Sandvik and Katja L. Jacobsen (eds), *UNHCR and the Struggle for Accountability*, London: Routledge, 101–118.
- Fresia, Marion, David Bozzini and Alice Sala (2013). *Les rouages de l’asile en Suisse: regards ethnographiques sur une procédure administrative*. Neuchâtel: SFM, Swiss Forum for Migration and Population Studies.
- Friedberg, Erhard (1993). *Le Pouvoir et la Règle. Dynamiques de l’action organisée*, Paris: Seuil.
- Gibb, Robert (2019). ‘Communicative Practices and Contexts of Interaction in the Refugee Status Determination Process in France’, in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 155–174.
- Gibb, Robert, and Anthony Good (2013). ‘Do the Facts Speak for Themselves? Country of Origin Information in French and British Refugee Status Determination Procedures’, *International Journal of Refugee Law*, 25(2), 291–322.
- Gibb, Robert, and Anthony Good (2014). ‘Interpretation, translation and intercultural communication in refugee status determination procedures in the UK and France’, *Language and Intercultural Communication*, 14(3), 385–399.
- Gibbs, Graham R. (2007). *Analyzing qualitative data*. London: Sage.

Gibney Matthew J. and Randall Hansen (2005). "Immigration and Asylum: From 1900 to the Present," in George J. Borjas, Jeff Crisp Poverty, *International Migration and Asylum*, London: Palgrave Macmillan, 70–96.

Gibney, Matthew J., and Randall Hansen (2003). *Deportation and the liberal state: the forcible return of asylum seekers and unlawful migrants in Canada, Germany and the United Kingdom*, Geneva: UNHCR Evaluation and Policy Analysis Unit.

Gill, Nick (2016). *Nothing Personal? Geographies of Governing and Activism in the British Asylum System*, Oxford: Wiley-Blackwell.

Gill, Nick (2019). 'Conclusion', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer International Publishing, 307–318.

Gill, Nick and Anthony Good (2019). *Asylum Determination in Europe: Ethnographic Perspectives*. Cham: Palgrave Macmillan.

Gill, Nick, Rebecca Rotter, Andrew BurrIDGE and Jennifer AllSopp (2018). 'The Limits of Procedural Discretion: Unequal Treatment and Vulnerability in Britain's Asylum Appeals', *Social & Legal Studies*, 27(1), 49–78.

Gill, Nick, Rebecca Rotter, Andrew BurrIDGE, Jennifer AllSopp and Melanie Griffiths (2016). 'Linguistic Incomprehension in British Asylum Appeal Hearings', *Anthropology Today*, 32(2), 18–21.

Gioia, Dennis A., Majken Schultz and Kevin G. Corley (2000). 'Organizational Identity, Image, and Adaptive Instability', *Academy of Management Review* 25(1), 63–81.

Glaser, Charles L. (1994). 'Realists as optimists: Cooperation as self-help', *International security*, 19(3), 50–90.

Good, Anthony (2003). 'Anthropologists as experts: Asylum appeals in British courts', *Anthropology today*, 19(5), 3–7.

Good, Anthony (2004). "'Undoubtedly an expert"? Anthropologists in British asylum courts', *Journal of the Royal Anthropological Institute*, 10(1), 113–133.

Good, Anthony (2007). *Anthropology and Expertise in the Asylum Courts*, London: Routledge.

Good, Anthony (2015). 'Anthropological Evidence and "Country-of-origin Information" in British Asylum Courts', in: Benjamin N. Lawrence and Galya Ruffer (eds), *Adjudicating Refugee and Asylum Status. The Role of Witness, Expertise, and Testimony*, Cambridge: Cambridge University Press, 122–146.

- Good, Anthony and Tobias Kelly (2013). Expert country evidence in asylum and immigration cases in the United Kingdom – Best Practice Guide, Edinburgh: University of Edinburgh.
- Goodwin-Gil, Guy S. (1992). 'Safe Country-Says Who', *International Journal of Refugee Law*, 4, 248–250.
- Gouteyron Adrien (2006). Rapport d'information fait au nom de la commission des finances, du contrôle budgétaire and des comptes économiques de la nation sur le contrôle relatif à l'Office de protection des réfugiés and des apatrides (Ofpra), Paris: Sénat.
- Griffiths, Melanie (2012). "'Vile liars and truth distorters"; Truth, trust and the asylum system', *Anthropology Today*, 28(5), 8–12.
- Guiraudon, Virginie (2003). 'The constitution of a European immigration policy domain: a political sociology approach', *Journal of European Public Policy*, 10(2), 263–282.
- Guiraudon, Virginie (2010). 'Les effets de l'eupéanisation des politiques d'immigration and d'asile', *Politique européenne*, 31(2), 7–32.
- Guiraudon, Virginie and Gallya Lahav (2000). 'A reappraisal of the state sovereignty debate: The case of migration control', *Comparative political studies*, 33(2), 163–195.
- Gupta, Akhil and James Ferguson (1997). 'Discipline and Practice: 'The Field' as Site, Method, and Location in Anthropology', Gupta, Akhil and James Ferguson (eds), *Anthropological Locations: Boundaries and Grounds of a Field Science*, Berkeley: University of California Press, 1–46.
- Gyulai, Gábor (2011). *Structural Differences and Access to Country Information (COI) at European Courts Dealing with Asylum*, Budapest: Hungarian Helsinki Committee.
- Haas, Peter M. (1992). 'Introduction: epistemic communities and international policy coordination', *International Organization*, 46(1), 1–35.
- Hambly, Jessica (2019). 'Interactions and Identities in UK Asylum Appeals: Lawyers and Law in a Quasi-Legal Setting', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 195–218.
- Hamidi, Camille, and Nicolas Fischer (2016). 'Les politiques d'asile en Europe, un révélateur des tensions contemporaines du contrôle de l'immigration', *Idées économiques and sociales*, 189, 38–45.
- Hamila, Ahmed (2019). 'Les persécutions liées à l'orientation sexuelle : un « nouveau » motif pour octroyer le statut de réfugié en Belgique ?', *Politique et Sociétés*, 38(1), 157–177.

- Hamlin, Rebecca (2012). 'International law and administrative insulation: a comparison of refugee status determination regimes in the United States, Canada, and Australia', *Law & Social Inquiry*, 37(4), 933–968.
- Hamlin, Rebecca (2014). *Let Me Be a Refugee: Administrative Justice and the Politics of Asylum in the United States, Canada, and Australia*, Oxford: Oxford University Press.
- Hammersley, Martyn, and Paul Atkinson (2007). *Ethnography: Principles in practice*, London: Routledge.
- Hannerz, Ulf (2003). 'Being there... and there... and there! Reflections on multi-site ethnography', *Ethnography*, 4(2), 201–216.
- Haraway, Donna. (1988). 'Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective', *Feminist Studies*, 14(3), 575–99.
- Hassan, Lisa (2000). 'Deterrence measures and the preservation of asylum in the United Kingdom and United States', *Journal of Refugee Studies*, 13(2), 184–204.
- Hathaway, James (1990). 'A Reconsideration of the Underlying Premise of Refugee Law', *Harvard International Law Journal*, 31, 129-83.
- Hatton, Joshua (2018). 'MARS Attacks! A Cautionary Tale from the UK on the Relation between Migration and Refugee Studies (MARS) and Migration Control', *movements. Journal for Critical Migration and Border Regime Studies*, 4(1), 103–129.
- Hedlund, Daniel (2016). *Drawing the limits: Unaccompanied minors in Swedish asylum policy and procedure*, PhD thesis, Stockholm University.
- Hedlund, Daniel (2017). 'Constructions of credibility in decisions concerning unaccompanied minors', *International Journal of Migration, Health and Social Care*, 13(2), 157–172.
- Hibou, Béatrice (2015). *The Bureaucratization of the World in the Neoliberal Era - An International and Comparative Perspective* | B. Hibou | Palgrave Macmillan.  
<https://www.palgrave.com/gp/book/9781137495273> (Accessed October 2, 2019).
- Hilgartner, Stephen (2000). *Science on stage: Expert advice as public drama*, Stanford: Stanford University Press.
- Hoag, Colin (2011). 'Assembling partial perspectives: Thoughts on the anthropology of bureaucracy', *PoLAR: Political and Legal Anthropology Review*, 34(1), 81–94.

Hollifield, James F. (1992). *Immigrants, Markets, and States: The Political Economy of Postwar Europe*, Cambridge: Harvard University Press.

Holmes, Douglas R. and George E. Marcus (2005). 'Refunctioning ethnography: The challenge of an anthropology of the contemporary', in: Norman K. Denzin, Norman and Yvette S. Lincoln (eds), *The Sage handbook of qualitative research* (3rd ed.), Thousand Oaks: Sage, 1099–1113.

Home Office Research, Development and Statistics Directorate (2003). "Country of Origin Information: A User and Content Evaluation," Home Office Research Study 271.

HRW [Human Rights Watch] (2014) *Denmark: Eritrea Immigration Report Deeply Flawed*.

Hull, Matthew S. (2012). *Government of paper: The materiality of bureaucracy in urban Pakistan*. Los Angeles: University of California Press.

IARLJ [International Association of Refugee Law Judges] (2009). 'Judicial Criteria for Assessing Country of Origin Information (COI): A Checklist: Paper for 7th Biennial IARLJ World Conference, Mexico City, 6–9 November 2006 COI-CG Working Party', *International Journal of Refugee Law* 21(1), 149–168.

ICMPD [International Centre for Migration Policy Development] (2006). *Comparative Study on Country of Origin Information Systems*, Vienna: ICMPD.

ICMPD [International Centre for Migration Policy Development] (2002). *Practical Guide to the Effective Gathering and Usage of Country of Origin Information*, Vienna: ICMPD.

Infantino, Federica (2016). *Outsourcing Border Control: Politics and Practice of Contracted Visa Policy in Morocco*, Cham: Palgrave Macmillan.

Infantino, Federica (2019). *Schengen Visa Implementation and Transnational Policymaking*, Cham: Palgrave Macmillan.

Ingold, Tim (2014). 'That's enough about ethnography!', *HAU: Journal of Ethnographic Theory*, 4(1), 383–395.

IRB-CISR [Immigration and Refugee Board of Canada – Commission de l'immigration et du statut de réfugié du Canada] (2007). *Policy on Country-of-origin Information Packages in Refugee Protection Claims*.

Jasanoff, Sheila (2004). *States of knowledge: the co-production of science and the social order*. London: Routledge.

- Jasanoff, Sheila (2011). 'The Practices of Objectivity in Regulatory Science', in: Charles Camic, Neil Gross and Michèle Lamont (eds), *Social Knowledge in the Making*, Chicago: University of Chicago Press, 307–338.
- Jensen, Katherine (2018). 'The epistemic logic of asylum screening: (dis)embodiment and the production of asylum knowledge in Brazil', *Ethnic and Racial Studies*, 41(15), 2615–2633.
- Johannesson, Livia (2012). 'Performing Credibility: Assessments of Asylum Claims in Swedish Migration Courts', *Retfærd. Nordisk Juridisk Tidsskrift*, 35(3)/138, 69–84.
- Johannesson, Livia (2017). *In Courts We Trust: Administrative Justice in Swedish Migration Courts*. PhD thesis, Stockholm University.
- Johannesson, Livia (2018). 'Exploring the "Liberal Paradox" from the Inside: Evidence from the Swedish Migration Courts', *International Migration Review*, 52(4), 1162–1185.
- Joormann, Martin (2019). *A Critical Investigation of Legitimacy Claims within the Precedents of Swedish Asylum Law*, PhD thesis, Lund University.
- Jubany, Olga (2011). 'Constructing truths in a culture of disbelief: Understanding asylum screening from within', *International Sociology*, 26(1), 74–94.
- Jubany, Olga (2017). *Screening asylum in a culture of disbelief: Truths, denials and skeptical borders*, Cham: Springer.
- Julien-Laferrrière, François (2016). '1983-1993 : dix ans de revirements. Du réfugié bienvenu au demandeur d'asile indésirable', *Migrations Société*, 2016/3, 75–90.
- Kahneman, Daniel (2011). *Thinking, fast and slow*, New York: Farrar, Straus and Giroux.
- Kam, Noé Mahop (2015). 'Recovering the sociological identity of asylum seekers: language analysis for determining national origin in the EU', in: Benjamin N. Lawrance and Galya Ruffer (eds), *Adjudicating Refugee and Asylum Status*, Cambridge: Cambridge University Press, 54–83.
- Kalir, Barak (2006). 'The field of work and the work of the field: Conceptualising an anthropological research engagement', *Social Anthropology / Anthropologie Sociale*, 14(2), 235–246.
- Kalir, Barak, Christin Achermann and Damian Rosset (2019), 'Re-searching Access: What do attempts at studying migration control tell us about the state?', *Social Anthropology/Anthropologie Sociale*, 27(S1), 5–16.

- Kellner, Douglas (1995). *Media Culture: Cultural Studies, Identity, and Politics Between the Modern and the Postmodern*, New York: Routledge.
- Kelly, Tobias (2012). 'Sympathy and suspicion: torture, asylum, and humanity', *Journal of the Royal Anthropological Institute*, 18(4), 753–768.
- Kim, Andrew Tae-Hyun (2013). 'Rethinking review standards in asylum', *Willam & Mary Law Reveal*, 55, 581.
- Kincheloe, Joe L. (2001). 'Describing the Bricolage: Conceptualizing a New Rigor in Qualitative Research', *Qualitative Inquiry*, 7(6), 679–692.
- Kirkeby Hauge, Charlotte (2016). *Domstolenes brv landinformasjon – en empirisk og normativ analyse av underrettspraksis*, Master's dissertation, University of Bergen.
- Kirschner, Michael (2008). 'Country-of-Origin-Information-Standards als Qualitätskriterium im Schweizer Asylverfahren', *ASYL. Schweizerische Zeitschrift für Asylrecht und-praxis / Revue suisse pour la pratique et le droit d'asile* 8(3), 11–21.
- Kobelinsky, Carolina (2013). 'Enquête de vérité. La production des décisions concernant les demandes d'asile', in Fassin, Didier, Yasmine Bouagga, Isabelle Coutant, Jean-Sébastien Eideliman, Fabrice Fernandez, Nicolas Fischer, Carolina Kobelinsky, Chowra Makaremi, Sarah Mazouz and Sébastien Roux (eds), *Juger, réprimer, accompagner. Essai sur la morale de l'État*, Paris: Seuil, 101–132.
- Kobelinsky, Carolina (2015). 'Judging Intimacies at the French Court of Asylum', *PoLAR: Political and Legal Anthropology Review*, 38(2), 338–355.
- Kobelinsky, Carolina (2019). 'The "Inner Belief" of French Asylum Judges', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 53–68.
- Koser, Khalid (2000). 'Asylum policies, trafficking and vulnerability', *International Migration*, 38(3), 91–111.
- Kymlicka, Will (2015). 'Solidarity in diverse societies: beyond neoliberal multiculturalism and welfare chauvinism', *Comparative Migration Studies*, 3(17), 1-19.
- Lahusen, Christian (2016). 'Auf dem Weg zu einem europäischen Verwaltungsfeld? Zur Soziologie der Bürokratisierung Europas am Beispiel des Gemeinsamen Europäischen Asylsystems', *Berliner Journal für Soziologie*, 26(1), 109–133.



- Laing, Ronald D., Herbert Phillipson and A. Russell Lee (1966). *A Theory and a Method of Research*, London: Tavistock.
- Lascoumes, Pierre (1990). 'Normes juridiques and mise en œuvre des politiques publiques', *L'Année sociologique* (1940/1948), 40, 43–71.
- Latour, Bruno (1994) 'Une sociologie sans objet ? Note théorique sur l'interobjectivité', *Sociologie du travail*, 4, 587–607.
- Latour, Bruno (1999). *Pandora's Hope. Essays on the Reality of Science Studies*, Cambridge: Harvard University Press.
- Landinfo (2015). Retningslinjer for kilde- og informasjonsanalyse
- Lange Olsen, Theis (2015). 'Eritrea-sagen: Åbenmuede embedsmænd forlader Udlændingestyrelsen', DR.DK, 25.03.2015.
- Lavanchy, Anne (2013). 'Dissonant alignments: The ethics and politics of researching state institutions', *Current Sociology*, 61(5-6), 677–692.
- Lavenex, Sandra (1999). *Safe third countries: extending the EU asylum and immigration policies to Central and Eastern Europe*, Budapest: Central European University Press.
- Legoux, Luc (1999). 'La remise en cause du droit d'asile en France', in: Véronique Lassailly-Jacob, Jean-Yves Marchal and André Quesnel (eds), *Déplacés and réfugiés. La mobilité sous contrainte*, Paris: Édition de l'IRD, 71–88.
- Lévi-Strauss, Claude (1962). *La pensée sauvage*, Paris: Plon.
- Leyvraz, Anne-Cécile, Raphaël Rey, Damian Rosset and Robin Stünzi (2020, forthcoming). *Asile et Abus – Regards pluridisciplinaires sur un discours dominant / Asyl und Missbrauch – Multidisziplinäre Perspektiven auf einen vorherrschenden Diskurs*, Zurich: Seismo Verlag.
- Lézé, Samuel (2008). *Résister à l'enquête*, in: Alban Bensa and Didier Fassin (eds), *Les politiques de l'enquête*, Paris: La Découverte, 261 – 276.
- Lindberg, Annika and Lisa M. Borrelli (2019). 'All quiet on the 'Eastern front'? Controlling transit migration in Latvia and Lithuania', *Journal of Ethnic and Migration Studies*, DOI:10.1080/1369183X.2019.1575719
- Lindberg, Annika and Lisa M. Borrelli (2019b). 'Let the Right One In? On European migration authorities' resistance to research', *Social Anthropology / Anthropologie Sociale*, 27(S1), 17–32.

Liodden, Tone Maia (2017). *The burdens of discretion. Managing uncertainty in the asylum bureaucracy*, PhD thesis, University of Oslo.

Liodden, Tone Maia (2019). 'Making the Right Decision: Justice in the Asylum Bureaucracy in Norway', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 241–262.

Lipsky, Michael (1980). *'Street level bureaucrats'*, New York: Russell Sage Foundation.

Lochak, Danièle (2013). 'Qu'est-ce qu'un réfugié? La construction politique d'une catégorie juridique', *Pouvoirs*, 2013/1, 33-47.

Magalhães, Bruno (2016). 'The Politics of Credibility: Assembling Decisions on Asylum Applications in Brazil', *International Political Sociology*, 10(2), 133–149.

Magalhães, Bruno (2018). 'Obviously without foundation: Discretion and the identification of clearly abusive asylum applicants', *Security Dialogue*, 49(5), 382–399.

Maillard, Alain and Christophe Tafelmacher (1999). *Faux réfugiés ? La politique suisse de dissuasion d'asile, 1979-1999*, Lausanne: Éditions d'En Bas.

March, James G. and Johan P. Olsen (2006). "Elaborating the 'New Institutionalism'", in: Rod A.W. Rhodes, Sarah A. Binder and Bert A. Rockman (eds), *The Oxford Handbook of Political Institutions*, Oxford: Oxford University Press, 3–20.

Marcus, George E. (1995). 'Ethnography in/of the world system: The emergence of multi-sited ethnography'. *Annual review of anthropology*, 24(1), 95–117.

Mathur, Nayanika (2016). *Paper tiger: Law, Bureaucracy and the Developmental State in Himalayan India*, Cambridge: Cambridge University Press.

Mauthner, Natasha S. and Andrea Doucet (2003). 'Reflexive accounts and accounts of reflexivity in qualitative data analysis', *Sociology*, 37(3), 413–431.

Mazzocchetti, Jacinthe (2017). 'Dire la violence des frontières dans le rapport de force que constitue la procédure d'asile. Le cas d'Ali, de l'Afghanistan en Belgique', *Revue européenne des migrations internationales*, 33:2, 91–114.

Miaz, Jonathan (2017a). *Politique d'asile et sophistication du droit : pratiques administratives et défense juridique des migrants en Suisse (1981-2015)*, PhD thesis, Université de Lausanne and Université de Strasbourg.

- Miaz, Jonathan (2017b). 'From the Law to the Decision: The Social and Legal Conditions of Asylum Adjudication in Switzerland', *European Policy Analysis*, 3(2), 372–396.
- Miaz, Jonathan (2017c). 'Qui peut rester et qui doit partir ? Les frontières au prisme des usages sociaux du droit d'asile en Suisse', *Trajectoires. Travaux des jeunes chercheurs du CIERA*, Hors série n° 3.
- Miaz, Jonathan (2019). 'Le Droit et ses médiations : pratiques d'instruction des demandes d'asile et encadrement institutionnel des décisions', *Politique and Sociétés*, 38(1), 71–98.
- Miaz, Jonathan and Damian Rosset (2019). 'The Uses of Country of Origin Information in the Swiss Asylum Procedure', paper presented at the Neuchâtel Graduate Conference on Migration and Mobiliy Studies, Neuchâtel, 13 September 2019.
- Miller, David (1995). *On Nationality*, Oxford: Clarendon Press.
- Mitchell, Timothy (1991). 'The limits of the state: Beyond statist approaches and their critics', *American political science review*, 85(1), 77–96.
- Mitchell, Timothy (2002). *Rule of experts: Egypt, techno-politics, modernity*. Los Angeles: University of California Press.
- Moret, Joëlle (2018). *European Somalis' Post-Migration Movements: Mobility Capital and the Transnationalisation of Resources*, Cham: Springer, 99–138.
- Mountz, Alison (2004). 'Embodying the nation-state: Canada's response to human smuggling', *Political Geography*, 23(3), 323–345.
- Muir, Stewart (2011). 'Multisited Ethnography', in Dale Southerton (ed.), *Encyclopedia of Consumer Culture*, Thousand Oaks: SAGE Publications, 1015.
- Netz, Sabine (2019). 'Enacting biorelational citizenship in X-ray rooms and offices: on age assessments of migrants in Germany', *Citizenship Studies*, 23(7), 720–737.
- Noiriel, Gérard (1991). *La tyrannie du national: le droit d'asile en Europe (1793-1993)*, Paris: Calmann-Lévy.
- Norway (Kommunal- og regionaldepartementet) (2004), St.meld. nr. 21 (2003-2004) Styringsforhold på utlendingsfeltet. Tilråding frå Kommunal- og regionaldepartementet av 16. januar 2004, godkjend i statsråd same dagen. (Regjeringa Bondevik II).
- Norway (Stortinget) (2004). Innstilling frå kommunalkomiteen om styringsforhold på utlendingsfeltet.

Nutley, Sandra M., Isabel Walter and Huw TO Davies (2007). *Using evidence: How research can inform public services*, Bristol: Policy press.

Oellers-Frahm, Karin (1992). "Grundlagen des Asylrechts in Frankreich", in: Kay Hailbronner (ed.), *Asyl- und Einwanderungsrecht im europäischen Vergleich*, Köln: Bundesanzeiger.

Ofpra (2010). *De la Grande Guerre aux guerres sans nom, une histoire de l'Ofpra*, Fontenay-sous-Bois: Ofpra.

Ofpra (2018). *Rapport d'activité 2017*, Fontenay-sous-Bois: Ofpra.

Olsen, Johan P. and James G. March (1989). *Rediscovering institutions: The organizational basis of politics*, New York: Free Press.

Piguet, Etienne (2009). *L'immigration en Suisse: soixante ans d'entrouverture, 2<sup>nd</sup> ed.*, Lausanne: Les presses polytechniques et universitaires romandes.

Pécoud, Antoine (2015). *Depoliticising Migration: Global Governance and International Migration Narratives*, London: Palgrave Macmillan.

Peeters, Hugues and Philippe Charlier (1999). 'Contributions à une théorie du dispositif', *Hermès*, 25, 15–23.

Pettitt, Jo, Laurel Townhead and Stephanie Huber (2008). 'The use of COI in the refugee status determination process in the UK: Looking back, reaching forward', *Refuge: Canada's Journal on Refugees*, 25:2, 182–194.

Poertner, Ephraim (2017). 'Governing asylum through configurations of productivity and deterrence: Effects on the spatiotemporal trajectories of cases in Switzerland', *Geoforum*, 78, 12–21.

Poertner, Ephraim (2018). *Re-Cording Lives: Governing Asylum in Switzerland and the Need to Resolve*, PhD thesis, Universität Zürich.

Probst, Johanna (2011a). 'L'asile des deux côtés du Rhin', *Plein droit*, 4, 31–34.

Probst, Johanna (2011b). 'Entre faits et fiction: l'instruction de la demande d'asile en Allemagne et en France', *Cultures & Conflits*, 84, 63–80.

Probst, Johanna (2012). *Instruire la demande d'asile: étude comparative du processus décisionnel au sein de l'administration allemande et française*, PhD thesis, Université de Strasbourg and Philipps-Universität Marburg.

Richards, Joanne (2014). 'An Institutional History of the Liberation Tigers of Tamil Eelam (LTTE)', Geneva Graduate Institute CCDP Working Paper.

Richardson, Laurel and Ernest Lockridge (2004). *Travels with Ernest: Crossing the Literary/Sociological Divide*, Walnut Creek: AltaMira Press.

Rizza, Roberto (2008). 'Néo-institutionnalisme sociologique et nouvelle sociologie économique : quelles relations ?', *Revue Interventions économiques* 38, 1–20.

Rogers, Matt (2012). 'Contextualizing Theories and Practices of Bricolage Research', *The Qualitative Report*, 17(48), 1–17.

Rose, Gillian (1997). 'Situating knowledges: positionality, reflexivities and other tactics', *Progress in human geography*, 21(3), 305–320.

Rose, Nikolas (1999). *Powers of freedom: Reframing political thought*, Cambridge: Cambridge university press.

Rosset, Damian (2015). 'Le savoir sur les pays d'origine dans les procédures d'asile. Construction et négociation institutionnelle de la réalité', *Jusletter*, 16.3.15.

Rosset, Damian (2017). 'The legal frames of social representations: Negotiating Eritrea's reality through the lenses of refugee status determination in Switzerland', paper presented at the International Meeting on Law and Society, Mexico City, 21 June 2017.

Rosset, Damian (2019a). 'Documenter les pays d'origine pour les procédures d'asile à l'Ofpra, 1988–2008', *Monde(s). Histoire, Espaces, Relations*, 15(1), 117–140.

Rosset, Damian (2019b). '« We have our own kitchen » : distance et légitimité dans la production de savoir pour la procédure d'asile', *Politique et Sociétés*, 38(1), 49–69.

Rosset, Damian and Christin Achermann (2019). 'Negotiating research in the shadow of migration control: access, knowledge, and cognitive authority', *Social Anthropology / Anthropologie Sociale*, 27(S1), 49–67.

Rosset, Damian and Tone M. Liodden (2015). 'The Eritrea report: Symbolic uses of expert information in asylum politics', *Oxford Monitor of Forced Migration*, 5(1), 26–32.

Sabatier, Paul (1978). 'The acquisition and utilization of technical information by administrative agencies', *Administrative Science Quarterly*, 23(3), 396–417.

Saunders, Natasha (2018). *International Political Theory and the Refugee Problem*, London: Routledge.

SEM [Swiss State Secretariat for Migration] (n.d.), *Manuel asile et retour / Handbuch Asyl und Rückkehr*.

Schittenhelm, Karin (2015). 'Asylsuchende im Blickfeld der Behörde. Explizites und implizites Wissen in der Herstellung von Asylbescheiden in Deutschland', *Soziale Probleme*, 26(2), 137–150.

Schittenhelm, Karin (2019). 'Implementing and Rethinking the European Union's Asylum Legislation: The Asylum Procedures Directive', *International Migration*, 57(1), 229–244.

Schittenhelm, Karin and Stephanie Schneider (2017). 'Official standards and local knowledge in asylum procedures: decision-making in Germany's asylum system', *Journal of Ethnic and Migration Studies*, 43(10), 1696–1713.

Schjætvet, Cecilie (2014). *Troverdighetsvurderinger i asylsaker: Juss og tverrfaglighet i opplæringen i fire direktorater – Belgia, Storbritannia, Sverige og Norge*, Oslo: Utlendingsdirektorat - Forsknings- og utviklingsprosjekter.

Schneider, Stephanie (2019). 'Becoming a Decision-Maker, or: "Don't Turn Your Heart into a Den of Thieves and Murderers"', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer International Publishing, 285–306.

Schneider, Stephanie and Kristina Wottrich (2017). '„Ohne'ne ordentliche Anhörung kann ich keine ordentliche Entscheidung machen“ –Zur Organisation von Anhörungen in deutschen und schwedischen Asylbehörden', in: Christian Lahusen and Stephanie Schneider (eds), *Asyl verwalten. Zur bürokratischen Bearbeitung eines gesellschaftlichen Problems*, Bielefeld: transcript Verlag, 81–115.

Schneider, Stephanie, and Carolin Nieswandt (2018). 'EASO—Support Office or Asylum Authority? Boundary Disputes in the European Field of Asylum Administration', *Österreichische Zeitschrift für Soziologie*, 43(1), 13–35.

Schuster, Liza (2004). *The use and abuse of political asylum in Britain and Germany*. London: Routledge.

Schuster, Liza (2018). 'Fatal flaws in the UK asylum decision-making system: an analysis of Home Office refusal letters', *Journal of Ethnic and Migration Studies*, doi:10.1080/1369183X.2018.1552827.

Scott, James C. (1998). *Seeing like a state*, New Haven: Yale University Press.

Sharma, Aradhana and Akhil Gupta (2006). Introduction: Rethinking Theories of the State in an Age of Globalization, in: Aradhana Sharma and Akhil Gupta (eds), *Anthropology of the state*, Oxford: Blackwell Publishers, 1–42.

Smith, Dorothy E. (2005). *Institutional ethnography: A sociology for people*, New York: Altamira Press.

Sorgoni, Barbara (2019). 'What Do We Talk About When We Talk About Credibility? Refugee Appeals in Italy', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer International Publishing, 221–240.

Souter, James (2011). "Bogus" asylum seekers? The ethics of truth-telling in the asylum system', *Open Democracy*, 29.

Spire, Alexis (2007). 'L'asile au guichet', *Actes de la recherche en sciences sociales*, 169(4), 4–21.

Spotti, Massimiliano (2019). "It's All About Naming Things Right": The Paradox of Web Truths in the Belgian Asylum-Seeking Procedure', in: Nick Gill and Anthony Good (eds), *Asylum Determination in Europe: Ethnographic Perspectives*, Cham: Springer, 69–90.

Staatendokumentation (2016). *Methodologie der Staatendokumentation*, Vienna: BFA.

Standing, Adam (2017). 'Evidence-based policymaking and the politics of neoliberal reason: a response to Newman', *Critical Policy Studies*, 11(2), 227–234.

Stünzi, Robin (2018). *Les multiples visages d'une rationalité sécuritaire dans les politiques d'asile suisses : une analyse socio-historique de la production de discours et de stratégies gouvernementales autour d'une mobilité indésirable*, PhD thesis, Université de Neuchâtel.

Stünzi, Robin and Jonathan Miaz (2020, forthcoming). 'Le discours sur les abus dans le domaine de l'asile : contexte d'émergence dans une perspective historique et européenne', in: Leyvraz, Anne-Cécile, Raphaël Rey, Damian Rosset and Robin Stünzi (eds), *Asile et Abus – Regards pluridisciplinaires sur un discours dominant / Asyl und Missbrauch – Multidisziplinäre Perspektiven auf einen vorherrschenden Diskurs*, Zurich: Seismo Verlag.

Thomas, Robert (2008). 'Consistency in asylum adjudication: Country Guidance and the asylum process in the United Kingdom', *International Journal of Refugee Law*, 20(4), 489–532.

Thomas, Robert (2011). *Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication*, London: Bloomsbury Publishing.

Thornberg, Robert, and Kathy Charmaz (2013). 'Grounded Theory and Theroetical Coding', in: Uwe Flick (ed.), *The SAGE Handbook of Qualitative Data Analysis*, London: SAGE, 153–169.

Tomkinson, Sule (2014). 'The impact of procedural capital and quality counsel in the Canadian refugee determination process', *International Journal of Migration and Border Studies*, 1:3, 276–290.

Tomkinson, Sule (2015a). 'Soupçon sur l'asile au Canada', *Plein droit*, 2015/2, 26–29.

Tomkinson, Sule (2015b). *Contextualizing Discretion: Micro-dynamics of Canada's Refugee Determination System*, PhD thesis, Université de Montréal.

Tomkinson, Sule (2018). 'Who are you afraid of and why? Inside the black box of refugee tribunals', *Canadian Public Administration*, 61(2), 184–204.

Tomkinson, Sule (2019). 'Trois nuances de l'expertise stratégique : le rôle des avocats dans la procédure d'asile', *Politique et Sociétés*, 38(1), 99–128.

Tomkinson, Sule and Jonathan Miaz (2019). 'Au cœur des politiques d'asile : perspectives ethnographiques', *Politique et Sociétés*, 38(1), 3–18.

Tsangarides, Natasha (2010). *The Refugee Roulette: The Role of Country Information in Refugee Status Determination*, London: Immigration Advisory Service.

United Nations (1951). *Convention Relating to the Status of Refugees*.

UNHCR [United Nations High Commissioner for Refugees] (1988). *Background Note for the Workshop on How to Assess the Situation in Countries of Origin of Asylum Seekers*.

UNHCR [United Nations High Commissioner for Refugees] (1990). *Final Report, Consultancy on Country of Origin Information, Prepared for the Coordinating Group of the Task Force on Information and Documentation, Seminar on the Functioning of Asylum Procedures Arranged in the Context of the Inter-governmental Consultations on Asylum-seekers in Europe and North America, in Cooperation with the French Government, Évian, 13-15 juin 1990*.

UNHCR [United Nations High Commissioner for Refugees] (1992). *10 Years of Refugee Abstracts. Cumulative Index 1982-1991* (Geneva: UNHCR Centre for Documentation on Refugees).

UNHCR [United Nations High Commissioner for Refugees] (2004). *Country of Origin Information: Towards Enhanced International Cooperation*, Geneva: UNHCR.



UNHCR [United Nations High Commissioner for Refugees] (2014). Fact Finding Mission Report of the Danish Immigration Service, “Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return. Country of Origin Information for Use in the Asylum Determination Process”, UNHCR’s perspective.

UNHCR [United Nations High Commissioner for Refugees] (2015). Asylum Trends 2014. Levels and Trends in Industrialized Countries, Geneva: UNHCR

Valluy, Jérôme (2004). ‘La fiction juridique de l’asile’, *Plein droit*, 4, 17–22.

Valluy, Jérôme (2009). *Rejet des exilés : le grand retournement du droit d’asile*, Paris: Éditions du Croquant.

Van der Kist, Jasper, Huub Dijstelbloem and Marieke de Goede (2018). ‘In the Shadow of Asylum Decision-Making: The Knowledge Politics of Country-of-Origin Information’, *International Political Sociology*, 13(1), 68–85.

Van der Kist, Jasper and Damian Rosset (2019). ‘Performing Accountability and Transparency in Refugee Status Determination: Country of Origin Information and its Rituals of Verification’, paper presented at the ECPR General Conference, Wrocław, 6 September 2019.

Van Leeuwen, Theo (2007). ‘Legitimation in discourse and communication’, *Discourse & Communication*, 1(1), 91–112.

Wacquant, Loïc (2015). ‘For a sociology of flesh and blood’, *Qualitative Sociology*, 38(1), 1–11.

Wall, Patrick (2018). *In a Constructive, Informal and Pragmatic Spirit. Thirty Years of the Intergovernmental Consultations on Migration, Asylum and Refugees, the World’s First Regional Consultative Process on Migration*, Geneva: IGC.

Wæraas, Arild (2018). “On Weber: Legitimacy and Legitimation in Public Relations”, in: Øyvind Ihlen and Magnus Fredriksson (eds), *Public Relations and Social Theory: Key Figures, Concepts and Developments*, London: Routledge, 18-38.

Weber, Max (1971 [1922]). *Économie et société*, Paris: Plon.

Weber, Max (2019). *Economy and Society: A New Translation*, Cambridge: Harvard University Press.

Weiss, Carol H. (1979). ‘The many meanings of research utilization’, *Public administration review*, 39:5, 426–431.

- Whitford, Andrew B. (2012), 'Strategy, Structure, and Policy Dynamics', in: B. Guy Peters and Jon Pierre (eds), *The SAGE Handbook of Public Administration* 2<sup>nd</sup> ed., London: Sage, 392–402.
- Williams, Elizabeth, Jo Pettitt, and Stephanie Huber (2009). *The Use of Country of Origin Information in Refugee Status Determination: Critical Perspectives*, London: Immigration Advisory Service.
- Wimmer, Andreas and Nina Glick Schiller (2002). 'Methodological nationalism and beyond: nation–state building, migration and the social sciences', *Global networks*, 2(4), 301-334.
- Wolf, Diane L. (1996). *Feminist dilemmas in fieldwork*, Boulder: Westview Press.
- Woll, Cornelia, and Sophie Jacquot (2010). 'Using Europe: Strategic action in multi-level politics', *Comparative European Politics*, 8(1), 110–126.
- Zetter, Roger (1991). 'Labelling refugees: Forming and transforming a bureaucratic identity', *Journal of refugee studies*, 4(1), 39–62.
- Zetter, Roger (2007). 'More labels, fewer refugees: Remaking the refugee label in an era of globalization', *Journal of Refugee Studies*, 20(2), 172–192.
- Zolberg, Aristide R. (2007). 'The Exit Revolution, Citizenship and Those Who Leave', in: Nancy L. Green and François Weil (ed.), *The Politics of Emigration and Expatriation*, Champaign: University of Illinois Press, 33-60.



## Appendix 1. List of COI units in European asylum systems

	Administration	name of the COI unit	reports available on EASO portal (20.04.2019)	COI staff est.	COI staff reported in 2014 either from EMN or EASO	website, when found
Austria	BFA	Staatsdokumentation	yes	17	17 (EASO)	<a href="https://www.staatendokumentation.at/">https://www.staatendokumentation.at/</a>
Belgium	CGRA	CEDOCA	yes	28	28 COI-experts (EMN 2014) 28 researchers + 10 library staff (EASO)	<a href="https://www.cgira.be/fr/infos-pays">https://www.cgira.be/fr/infos-pays</a>
Bulgaria	State Agency for Refugees	"Information and Analysis" Department	no	5	5 COI experts (EMN 2014)	
Croatia	Service for Foreigners and Asylum	Information and documentation Centre	no	2	2 (EASO)	
Cyprus	no unit (EMN 2014)		no			
Czech Republic	Department for Asylum and Migration Policy	Country Policy and Information Team	no	8	8 (EASO)	
Denmark	Immigration Service	COI division	Yes, only FFM reports	10	10 (EASO)	
Estonia	no unit (EMN 2014)		no			
Finland	Finnish Immigration Service	Country Information Service (CIS)	yes	7	6 COI experts + head + database person + trainees (EMN 2014) 12, including 1 for database and library (EASO)	<a href="https://migr.fi/en/country-information-service">https://migr.fi/en/country-information-service</a>
France	Opra	DIDR	yes	12	12 researcher, 23 staff in total (EMN 2014) 23 (including 11 researchers, 3 researchers head of Section + 1 documentation Section) (EASO)	<a href="https://milo.bami.de/milop/livelink.exe?u=nc-llworkspace">https://milo.bami.de/milop/livelink.exe?u=nc-llworkspace</a>
Germany	BAMF	Information Centre	yes	28	14 country analysts and around 14 other COI specialists (researchers, documentation staff) (EMN 2014) Approx. 50 (also involved in RSD) (EASO)	
Greece	Asylum Service	COI Unit	no	4	4 COI experts (EMN 2014)	
Hungary	Office of Immigration and Nationality	Documentation Centre	only 2 (2011 and 2015) both FFM reports	8	8 (head + 7 researchers) (EMN 2014) 7 researchers (EASO)	
Ireland	External provider	Refugee Documentation Centre	yes		n.a.	
Italy	Commissione nazionale per il diritto di asilo	Unità COI	yes		n.a.	
Latvia			no			
Liechtenstein			no			
Lithuania	Migration Department		yes, 1	2	2 (EASO)	<a href="https://col.migracija.lt/home/">https://col.migracija.lt/home/</a>
Luxembourg			no		4 (building-up phase) (EASO)	
Malta			no			
Netherlands	Ministry of Foreign Affairs	Cluster Ambtsberichten	yes	n/a		
	Immigration and Naturalisation Service	TOELT	no, only ToRs for MFA COI reports	12	11 country experts + 1 senior country analyst + 11 documentalists in front office (EMN 2014)	
Norway	UDI	Landinfo	yes	21	29 (21 country analysts, 5 documentalists + librarians, administrative staff) (EASO)	<a href="http://landinfo.no">landinfo.no</a>
Poland	Office for Foreigners	Country of Origin Information Unit	not really, only older, commissioned reports	8	8 researchers + head of unit (EMN 2014) 10 (8 researchers, 1 librarian, 1 manager) (EASO)	<a href="http://wikip.udsc.gov.pl/">http://wikip.udsc.gov.pl/</a>
Portugal			no			
Romania	Asylum and Integration Directorate		no	8	1 national coordinator + 2 experts in central admin + 4 in regional centres (EMN 2014) 6 regional COI researchers (5 operational/1 vacant + 3 COI specialists inside the Asylum & Integration Directorate (AID) (1 National Coordinator & 2 COI support specialists) (EASO)	
Slovakia	Migration Office	DDFC	yes	4	4 (EASO)	
Slovenia			no	1	1 COI researcher (EASO)	
Spain			no			
Sweden	Migrationsverket	Lifos	yes	18	11 COI Analysts, 7 Researchers, 1 Database Administrator and 1 Librarian (EMN 2014)	<a href="https://lifos.migrationsverket.se/">https://lifos.migrationsverket.se/</a>
Switzerland	SEM	Mila	yes	10	10 (Rosset 2015)	<a href="https://www.sem.admin.ch/sem/fr/home/internationales/herkunftslaender.html">https://www.sem.admin.ch/sem/fr/home/internationales/herkunftslaender.html</a>
UK	Home Office	Country Policy and Information Team	yes	12	12 country officers/researchers (EMN 2014)	<a href="https://www.gov.uk/government/collection/s/country-policy-and-information-notes">https://www.gov.uk/government/collection/s/country-policy-and-information-notes</a>

## Appendix 2. A topography of asylum governance

	Apparatus of flow management	Apparatus of case management	Apparatus of bodies management	Apparatus of subjects management
<b>Who? What?</b>	flows / series of objects	legal and administrative cases	bodies and series of bodies	social and economic subjects
<b>Why? Logics / rationalities</b>	filtering / deterring	sorting, classifying	<ul style="list-style-type: none"> <li>Surveillance, effective deportation</li> <li>Securing basic needs (housing, food, health, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>Control, discipline</li> <li>Socio-economic (differentiated) inclusion</li> </ul>
<b>Ethics: ideas of common weal System survival</b>	legal system, sovereignty	legal system, sovereignty	public order	social and public order, security
<b>Economic efficiency</b>	protection of welfare	efficient procedures, efficient state	efficient use of public resources	protection of welfare
<b>Individual rights</b>	humanitarian values, family protection	right to protection, deservingness	human dignity, basic rights	right to participation, democracy
<b>Moral figures</b>	<ul style="list-style-type: none"> <li>bogus asylum seeker (abuser), economic migrant, dangerous other</li> <li>genuine refugee, vulnerable person</li> </ul>	<ul style="list-style-type: none"> <li>liar (abuser), bogus asylum seeker</li> <li>truth-teller, genuine refugee, vulnerable person</li> </ul>	<ul style="list-style-type: none"> <li>Manipulative, profiteering asylum seeker</li> <li>Vulnerable person</li> </ul>	<ul style="list-style-type: none"> <li>criminal (abuser), potential threat</li> <li>Bogus asylum seeker</li> <li>Potential resident and citizen</li> </ul>
<b>How? (non-exhaustive) Assemblage</b>	externalization, asylum-migration nexus	Federal administrations and courts, caseworkers, judges, experts	Federal and Cantonal authorities, privatization and delegation of reception, assistance and control	Federal and Cantonal authorities, delegation of reception, civil society
<b>Infrastructures</b>	border controls, biometric databases, etc.	refugee status determination regime, sites of asylum cases production	gathering bodies (encampment)	Federal and cantonal centers, specific centers, detention
<b>Instruments</b>	Dublin system, fast-track procedure	credibility assessment, etc.	restrictions of the freedom of movement, coercive measures	(restrictive) socio-economic rights
<b>Management of conducts</b>	different kinds of dissuasive measures	restrictions based on non-collaboration	threats of coercion and restrictions on social assistance, financial incentives (return assistance)	threats of coercion and restrictions on social assistance, perspective of status improvement
<b>Ethos: values that underpin procedures</b>	automaticity, efficiency, speed, technological neutrality	rule orientation, legal neutrality, equality before the law, efficiency, transparency	Efficiency, cost-effectivity, "humane manner", flexibility	Cost-effectivity, efficiency, participatory elements, etc.
<b>Functions / Effects</b>	Avoiding encounters, keeping asylum seekers away: physical distance	Bureaucratic distance, silencing of asylum seekers	Marginalization State's distancing of responsibility/accountability	Civic stratification Socio-economic hierarchization Maintaining social order

### **Appendix 3. Abstract of the “history article”**

#### **Résumé**

À la fois type spécifique de savoir et registre particulier de pratiques, l'information sur les pays d'origine (COI/Country of Origin Information) est considérée comme un outil fondamental de la détermination du statut de réfugié. Cet article se penche sur l'institutionnalisation de la documentation sur les pays d'origine au sein de l'Ofpra entre 1988 et 2008 et montre comment cette histoire renvoie à celles de l'institution, de la communauté COI et de l'eupéanisation des procédures d'asile.

**Mots-clés :** Européanisation ; COI ; Documentation ; Ofpra ; Asile.

**Title in English: Researching Country of Origin Information for the French Asylum Procedure, 1988-2008**

#### **Abstract**

Both a specific type of knowledge and a particular field of practices, Country of Origin Information (COI) is considered a fundamental tool in refugee status determination. This article examines the institutionalisation of documentation on countries of origin in the French asylum administration between 1988 and 2008 and shows how this history reflects that of the institution, of the COI community and of the Europeanisation of asylum procedures.

**Key words:** Europeanisation; COI; Documentation; OFPRA; Asylum.

## **Appendix 4. Abstract of the “distance article”**

### **Résumé**

La stricte séparation entre la production d'informations sur les pays d'origine (COI pour country of origin information) et l'évaluation des demandes d'asile est une norme fondamentale de la pratique professionnelle des producteurs de COI. En se penchant sur l'unité COI norvégienne, cet article examine la manière dont cette séparation est matérialisée à travers une véritable infrastructure de distanciation mise en place autour des sites de production des COI. Ce dispositif se manifeste non seulement dans les discours et les pratiques, mais aussi dans les structures organisationnelles, les lieux et les normes légales qui participent à l'écologie de la situation d'expertise particulière que constituent les COI. Il participe à la construction de la légitimité des institutions, mais aussi des acteurs impliqués dans la production du savoir.

**Mots clés** : information sur les pays d'origine; COI; procédures d'asile; détermination du statut de réfugié; légitimation; distanciation; expertise; écologie du savoir.

**Title in English: "We have our own kitchen": distance and legitimacy in the production of knowledge for the asylum procedure**

### **Abstract**

The strict separation between the production of country of origin information (COI) and the assessment of asylum applications is a fundamental norm in the professional practice of COI producers. By looking at the Norwegian COI unit, this article examines the way this separation is materialised through an infrastructure of distantiation built around COI production sites. This mechanism is discernible not only in discourses and practices, but also in the organisational structures, spaces, and legal norms that contribute to the ecology of this specific site of expert knowledge production. It participates in the construction of the legitimacy of both institutions and individual actors involved in knowledge production.

**Keywords**: country of origin information; COI; asylum procedures; refugee status determination; legitimation; distantiation; expertise; ecology of knowledge.

## **Appendix 5. Abstract of the “access article”**

### **Abstract**

This article recounts the failure to gain access to the Swiss asylum agency’s ‘country of origin information’ (COI) unit and how it negatively impacted access to similar research sites in Europe. As producers of indispensable expert knowledge, these units play an important instrumental and symbolic role in asylum procedures and policies. Interpreted as a situated case of knowledge control rather than a general resistance to research within the institution, the denial of access reveals how the intended research challenged gatekeepers’ idealised construction of COI both as a type of knowledge and as a field of practice. The negotiation about access gradually shifted to other topics, such as the researcher’s competence, the field’s situation, and the nature of legitimate knowledge – all related to politics of expertise and the COI units’ legitimising functions in the wider migration apparatus. The negotiation became a competition over cognitive authority and the monopoly of legitimate knowledge production about the field. By black-boxing country information, the gatekeepers fostered the illegibility of bureaucratic processes and the legibility of the state as discourse. Analysing the 30-month negotiation process also reveals the difficulties to seize the contours of the state when encountering transnational bureaucratic fields.

**Key words:** access; cognitive authority; country of origin information; refugee status determination; state

**Titre en français: Négocier la recherche dans l’ombre du contrôle migratoire : accès, savoir et autorité cognitive**

### **Résumé**

Cet article décrit l’insuccès à accéder à l’unité d’information sur le pays d’origine (COI) de l’administration suisse responsable de l’asile et son impact négatif sur l’accès à des sites de recherche similaires en Europe. En tant que productrices d’un savoir expert essentiel, ces unités jouent un rôle instrumental et symbolique important dans les procédures et les politiques d’asile. Interprété comme un cas situé de contrôle du savoir, plutôt que découlant d’une résistance générale à la recherche au sein de l’institution, le refus d’octroyer l’accès révèle la façon dont la recherche envisagée remettait en question la construction idéalisée des COI par les « gatekeepers » – à la fois comme type de savoir et comme champ de pratique. La négociation sur l’accès a peu à peu dérivé vers d’autres sujets, tels que la compétence du chercheur, le positionnement du terrain et la nature du savoir légitime – tous liés à la politique de l’expertise et aux fonctions de légitimation des unités COI dans le dispositif migratoire plus large. La négociation s’est transformée



en compétition sur l'autorité cognitive et le monopole de la production légitime de savoir sur le terrain. Par la mise en boîte noire des informations sur les pays, les « gatekeepers » ont protégé l'illisibilité des processus bureaucratiques et la lisibilité de l'État en tant que discours. L'analyse du processus de négociation de 30 mois révèle également les difficultés à saisir les contours de l'État lorsque l'on rencontre des champs bureaucratiques transnationaux.

**Mots-clés** : autorité cognitive, information sur les pays d'origine, détermination du statut de réfugié, accès, état

## Appendix 6. Pledge of honour



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