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PROTECT Preprint: Journal article draft on the role of the quality of the administration in asylum decision making - comparing recognition rates in EU member states

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The role of the quality of the administration in asylum decision making
Comparing recognition rates in EU member states

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Abstract: The question this article addresses is: why is there cross-country variation in asylum recognition rates in the EU while the member states are supposed to apply the same texts of reference? Studies have investigated various potential explanations, ranging from economics to politics, with however limited explanatory power. Surprisingly, only few studies have considered the characteristics of the administration despite it being at the centre of the process through which claims are examined. This article attempts to fill this gap. We posit that recognition rates are, at least in part, determined by the features of a given administration, which may in turn be mitigated by political factors. We find that a capable administration with significant experience in asylum questions displays higher refugee status recognition rates. We also show that government preferences and the overall political context likely affect refugee recognition rates, but that the effect is contrasted where administrative capacity is higher. Importantly, we also show that the mechanisms at play are different if we consider refugee status or other protection statuses.

Key words: asylum, recognition rates, administrative capacity, political parties, European Union.

1. Introduction

As the international refugee protection system stands today, recognition of protection statuses varies a great deal from country to country, even in an integrated space such as the European Union (EU). This is so despite the fact that most countries are using the refugee definition provided by the 1951 Geneva Convention on the Status of Refugees. Put bluntly, two asylum seekers fleeing persecution from the same country may end up in a very different situation if refuge is sought in country A or in country B, thus casting shadows on the fairness and ability of the international protection apparatus to protect those who flee persecution. A wealth of studies has looked into various potential explanations, ranging from economics to politics, with however limited explanatory power (Toshkov 2014). Surprisingly, only a handful of studies has considered the characteristics of the administration despite it being at the centre of the process through which claims are examined (Sicakkan 2008a; 2008b; Hamlin 2014). The body of evidence is even thinner if we consider the research that has looked into it in a comparative manner.

This article is an attempt at filling this gap. Namely, we posit that recognition rates are, in part, determined by the features of a given administration, which may in turn be mitigated by political factors. More precisely, we hypothesize that a more developed administration, and one that has a solid experience in asylum matters, is more likely insulated from political pressures (Hamlin 2014) and thus more capable of evaluating asylum claims on the basis of their merits. Because the evaluation of asylum applications takes place in the administrative and legal machinery of the state, we consider that this is the first place where one should look to explain variation in recognition rates. The study we propose does just that. We compare recognition of protection in the EU28 in the period 2000-2018. Because not all protection statuses are equal, we distinguish recognition for the refugee status and recognition for other protection statuses. The current refugee status stems from the application of the same international norm – the UN's 1951 Geneva Convention – in all signatory states. It is also the most generous type of status towards its beneficiaries. Suffice to think of the length of stay it gives right to or the lenient conditions for family reunion and acquisition of citizenship it provides for (Sicakkan 2008)[1]. Conversely, other protection statuses are more flexible, both in terms of procedures for their granting and in terms of rights they give access to; not least because they are defined at national level, with all the room for discretion and legal changes it might imply[2]. That being stated, the administrative machinery is unlikely to explain variation in recognition of international protection by itself. In a context marked by rising scepticism towards migration in general, and towards asylum in particular, the process through which one becomes a refugee is inevitably politically charged. All the more so with the domination of the security paradigm in migration policies since the 1990s (Huysmans 2000; Huysmans and Squire 2010), which tends to conflate international protection with protecting the borders.

Therefore, the goal we pursue in this article is that of evaluating the role administrative capacity plays in explaining variation in recognition rates, in the face of situational and political changes. We draw evidence from the application of quantitative methods and find that administration matters. A capable administration with significant experience in asylum questions displays higher refugee status recognition rates. Likewise, we show that government

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[1] A good example is that of the Qualification Directive, which, in the context of EU law, provides for a minimum residence permit of 3 years for refugees and 1 year for subsidiary protection. Likewise, the same Directive allows wide margins of discretion on regulating family reunion for subsidiary protection beneficiaries; much less so for refugees. Also, the Refugee Convention obliges its signatories to facilitate refugees' naturalization whereas states are not obliged to facilitate naturalization for other protection statuses. States facilitate naturalization for Convention refugees by reducing the length of residence time required for naturalization and reducing the fees for obtaining a passport.

[2] Think for instance of so-called humanitarian protection in Italy, which was dramatically weakened by the Salvini government through its Security Decree of 2018.

preferences and the overall political context likely affect refugee recognition rates but that the effect is contrasted where administrative capacity is higher. Importantly, we also show that the mechanisms at play are different if we consider refugee status or other protection statuses. In the next section, we provide a selective review of previous studies, which converges to our research puzzle. In section three, we draw from other strands in literature to build our explanatory model and introduce our hypotheses. In section four, we detail our empirical strategy, our data and the operationalization of our key variables. More information on the construction of our variables and robustness tests are provided in the appendix below. Section five then presents our findings; section six discusses them. We conclude our argumentation in a last section.

2. Literature review

Explaining variation in recognition rates across countries has mobilized a significant amount of scholarship over the past two decades. To give an idea of said variation, figure 1 below represents the means recognition rates for both types of status and their standard deviation across EU28 countries for Syrian asylum seekers over the period 2000-2018. As is clear from the figure, there appears to be variation over time and across countries of destination. Looking at other countries of origin would also show that they represent a third source of variation.

Fig. 1 – Variation in protection recognition rate for Syrians in the EU28, 2000-2018, Refugee recognition and other statuses recognition (mean and standard deviation)
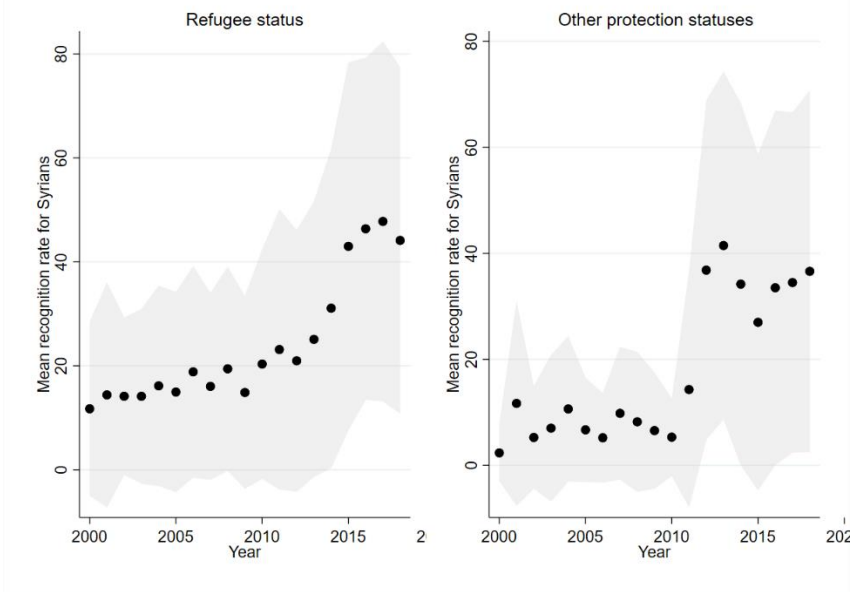
The strand of research on recognition of international protection stems from early findings highlighting the limited explanatory power of individual features (Holzer et al., 2000a). Put differently, the individual characteristics of an asylum seeker and the situation in her country of origin only explain some of the variation between different areas. Therefore, a sizable share of the variation in recognition of international protection is due to other factors; factors that likely fall outside the merits of individual claims. Different explanations were put to the test since to explain why there is residual variation in recognition of international protection, with, however, little agreement on what actually explains it.

Holzer and Schneider (2001) investigated the role of political factors, such as government's position and success of far-right parties in elections, without finding evidence of their importance. Vink and Meijerink (2003) were more interested in convergence of recognition rates between EU countries than in explaining variation. While they presented, with caution, evidence of some level of convergence, their study contributed to outlining the importance of factors that fall outside individual claims and inside the political realm. Both studies presented weak evidence, which can be attributed to methodological choices. Focusing on receiving country factors, their analysis relied on aggregated recognition rates which, consequently, disregarded factors connected to countries of origin. Yet, the original purpose of international protection is that of protecting people from persecution when their country of origin is unwilling or unable to protect them. In this regard, Neumayer's work (2005) provides sounder analyses, comparing explanations relating to both origin (political oppression, human rights violations, interstate violent conflict, genocide and politicide) and destination countries. Once sending countries' features are accounted for, there still remains variation from one receiving country to another. Analysing data for the EU15, Norway and Switzerland from 1980 to 1999, Neumayer shows that recognition rates for full refugee status depends on factors outside the merits of the asylum claims. Namely, origin-specific past asylum seekers and unemployment rate are negatively associated with the recognition of the refugee status. In a different manner, Avdan (2014) explores the role of the migration-security nexus and considers the effect of transnational terrorism on recognition rates. She posits that asylum seekers from countries that are sources of transnational terrorism are less likely to be granted protection but finds no evidence thereof. Instead, she finds that "policy tightening in Europe does not discriminate against origin countries that export terrorism even when such attacks involve victims of recipient states" (p. 465). Differently, terrorist violence within origin countries seems to increase recognition rates, a finding in line with the intentions of the Geneva Convention. Building on previous research that has highlighted the effect of protection claims on recognition rates (Holzer et al., 2000b; Vink and Meijerink, 2003; Neumayer, 2005) and the effect of recognitions rates on the number of applications (Neumayer, 2004), Toshkov (2014) proposes to investigate the dynamic and two-way process between asylum applications and recognition: higher recognition rates may spur further applications and more applicants may lead to lesser recognition rates. If the author finds evidence of a relationship in statistical terms, the magnitude of the effects, in substantive terms, appears to be very limited, even when economic and political factors are controlled for.

Interestingly, few are the studies to have looked into the infrastructure on which asylum decisions rest. Yet, determining who deserves protection and who does not is an eminently legal-administrative process through which a variety of situations are translated into a binary outcome: either protection is granted or it is not (Hathaway 1991; Caestecker and Moore, 2010; Zanfrini, 2016; Triandafyllidou, 2016). To put it differently, asylum seekers are recognized as refugees through the positive outcome of the administrative process aimed to determine their need for protection. Resultantly, despite the fact that the recognition of the refugee status flows from the interpretation of the same international law, it is by no means a straightforward process, and one that may generate variation from place to place. Sicakkan (2008) demonstrates that Refugee Status Determination institutional arrangements matter. Comparing EU15 member states, Norway and Switzerland over the period 1990-1999, he notably shows that the concentration of decision-making in the hands of the state (as opposed to sharing decision-making with other actors such as UNHCR or refugee-protecting NGOs) is conducive of lower recognition rates. Relatedly, Hamlin (2014) confronts Canada, Australia and the USA and finds that the insulation of the administrative decision-making body from political pressures leads to more generous, and more stable over time, recognition rates. Despite these two contributions rely on different approaches, hypotheses, and methods, they do share a common element: they

both consider the importance of the administrative process leading to recognition on the one hand; they both stress the potential effect of political decision-making or pressure on the outcome on the other hand.

3.   The role of the administration

Building thereupon, we propose an explanatory model that accounts for the administrative nature of the process while contemplating the influence of the political context in which the administration is itself embedded. We thus consider recognition of protection status as being affected by both ability and will to protect. As explained in introduction, we confront recognition for the full refugee status – the most standardized one, flowing from international law – and recognition of other, nationally defined, protection statuses separately. While other studies have considered recognition for the full status and recognition of other statuses together (Neumayer, 2005; Sicakkan, 2008), our research question implies we distinguish them: nationally defined statuses likely guarantee less rights than Convention status (ECRE 2017), and the rules according to which they are attributed likely leaves more room to government preferences or administrative discretion[3].

Given the foregoing and assuming the eminently administrative nature of protection recognition, the ability of a given administration to process asylum claims becomes determinant. In the Weberian tradition, modern administration is characterized by a sizeable bureaucracy that carries out its activities under procedurally correct legal enactments, and the legitimacy of the rules rests on legal authority (Weber, 2013). Furthermore, under the success and spread of New Public Management in Europe in the 1990s (Pollitt and Bouckaert, 2011), a trend that has also touched Central and Eastern European countries through EU pre-accession agreements (Sigma, 2009), the Weberian notions of impartiality, legality and neutrality of the administration were supplemented with systems for the evaluation of civil servants' competence and effectiveness. Resultantly, a competent administration avails itself of a dense set of rules which guarantees procedural certainty, accountability, and predictability. Its staff consists of transparently selected, trained, and depoliticized professionals. These principles were additionally endorsed by the European Union as guiding principles for the creation of a European Administrative Space (Sigma, 1999).

In addition, the tasks the administration is to complete cover a wide range of domains, not all of which bear the same relevance from one country to another. Therefore, previous exposure to asylum matters increases the likelihood of the administration having a specific set of primary (constitutional and legislative), but also secondary (implementation decrees, regulations, circulars) and jurisdictional (case law) provisions which limits the discretion of civil servants (Zaun, 2017). Consequently, while administrations which have not had prior exposure to asylum may have laws on paper (notably due to transposition of international or European law), administrations which have had significant exposure are characterized by a rich, closed-mesh (to take on Zaun's wording) set of norms on the matter; all the more so where administrative capacity is high.

Therefore, we posit that:

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[3] In the Netherlands, humanitarian protection is only granted via discretionary power of the Secretary for Justice and Security. This protection status was removed in 2019. In Italy, the decision to grant humanitarian protection lied with the local chief of policy, until the status disappeared in 2018. In the Slovak Republic, until 2017, the administration could decide on the granting of humanitarian protection with wide discretion and without having to justify its decisions. For more information, see EMN 2020.

H1: the higher administrative capacity, the more asylum claims are examined on the basis of their merits.
H2: the more previous exposure to asylum matters, the more asylum claims are examined on the basis of their merits.
H3: the combined effect of high exposure and high administrative capacity is associated with consideration of the claims based on their merits.

The administration's logic of action may, however, be contrasted by the political colors of the government in office, which may attempt to exert pressures on the administration[4]. As Schedler argues, administration and politics are moved by two different rationalities: while civil servants' activities are likely motivated by the fulfilment of tasks in a spirit of legality and legitimacy, politics is driven by the formation of majorities and the winning of positions through elections (Schedler 2003; Schedler and Eicher 2013; see also Green-Pedersen and Mortensen 2013). With the domination of the security paradigm in migration policies since the 1990s (Huysmans 2000; Huysmans and Squire 2010), asylum has increasingly shifted from a humanitarian matter to an immigration issue (Morris, 2002), thus conflating protection with border control. Consequently, government preferences are likely to matter, especially where the administration is weakly insulated from political pressures[5] and where the set of rules governing administrative practice tends to be sparse. Beyond questions of position a given government holds on a specific issue, how much said issue is important for the parties in office likely affects the outcome of procedures (Laver 2001), we therefore control for saliency of the issue.

Therefore, we posit that:

H4: The stronger the preferences of government, the more recognition of protection needs varies in concordance with said preferences.
H5: The higher administrative capacity, the less politics has a grasp on recognition rates.

4. Data, operationalization and method

Empirical strategy

Our hypotheses are tested on recognition rates in destination country *d*, for asylum claims coming from country of origin *o*, in year *t*. The structure of the data imposes we account for the violation of the assumption relating to independent and identically distributed random variables. The various tests conducted on variance-component models suggest the use of a three-level random intercept model in which country of origin is nested in country of destination. Our starting equation is as follows:

$$y_{dot} = \alpha + \beta_1 x_{1dt} + \beta_2 w_{2ot} + \zeta_d + \varepsilon_o + \epsilon_{dot} \tag{1}$$

Where y_{dot} is the recognition rate in destination country *d* for origin country *o* in year *t*. On the right hand-side of the equation, α is the intercept, x_{1dt} is a vector of destination-country specific regressors, w_{2ot} a vector of origin-country specific regressors, ζ_d is the random intercept specific to destination country *d*, ε_o is the random component specific to origin-country *o*, and ϵ_{dot} is the error term specific to each occasion *t* for country *o* in country *d*.

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[4] This was, for instance, clearly the case of the Salvini government in Italy, which issued a number of circulars for the attention of the administration. See Fontana 2019.
[5] A point also raised in Hamlin, 2014, for the specific case of asylum, although her approach is different from ours.

Because our dependent variables are bounded up and down and highly positively skewed, the assumptions of linear regression (notably homoskedasticity of the residuals) are not verified and the estimates produced via equation (1) are biased. To account for the distribution of our dependent variables, we resort to generalized linear models (GLM) with a logarithmic link function, an approach that has been little employed in previous research on the topic, despite it being more appropriate for the data at hand (Wooldridge, 2002; Motta, 2019). The model that best fits our data – thus producing accurate estimates – is the linear negative binomial; also called NB1 for short (Hilbe, 2011; see appendix below for robustness tests). We therefore maintain the multilevel structure of equation (1) but substitute the linear model with the following form:

$$\ln(\mu) = x\beta \tag{2}$$

Where $\ln(\mu)$ refers to the natural logarithm of the expected value of y given the covariates in our models and $x\beta$ is a vector of our independent variables and random intercepts presented in equation (1). Note that, because we use a logarithm link function, the effect of our covariates on the dependent variable are best understood if represented by the inverse of the link function; i.e. in the exponentiated form:

$$\mu = \exp(x\beta) \tag{3}$$

Where the right-hand side of the equation is exponentiated. For ease of reading, our results are presented in exponentiated form, which can be read as semi-elasticities. Alternative models and robustness tests are presented in appendix.

5. Data and operationalization

Our data come from various sources. In the lines that follow, we present our dependent variables, independent variables, and controls in turn. More details on the construction of our variables, descriptive statistics, and sources are available in appendix. Starting with our dependent variables, they are taken from the UNHCR's population data (United Nations High Commissioner for Refugees), which provides information on the decisions taken in a year. On that basis we calculate two recognition rates: one for refugee status and another one for other statuses. As is common practice, we consider recognition rates as being the percentage of positive outcomes (protection is granted) out of the total number of decisions in a year (see *inter alia* Neumayer 2005; Sicakkan 2008; Toshkov 2014). Because the information compiled by UNHCR comes from different countries, which follow different rules and practices regarding data collection, and different protection policies, the calculation of recognition rates merges together decisions taken at different levels (first and last instance, reopened cases, etc.), which may affect the precision of our results. This is however the most comprehensive source of information; one on which all previous studies on recognition rates have relied.

Regarding our independent variables, we test our hypotheses with different variables aimed at capturing the effect of capacity and politics. We test the effect of capacity in two ways. Firstly, the data that best fits our definition of administrative capacity above is that of the World Bank Governance Indicators (Kaufman and Kraay, 2019). Namely, we build our indicator of administrative capacity by combining indicators on government effectiveness (that relates to the overall quality of public services and independence of the administration from political pressures) and rule of law (relating to law abidance and lawful enforcement of policy). Given the high correlation between the two indicators (0.94), we take their average. Regarding previous exposure to asylum matters, we follow Zaun (2017) but adapt her approach to our

study, which includes a larger set of countries. We therefore create an indicator that combines the mean of the stocks of refugees and asylum seekers over the years 1990-2000 with the mean of the flows (in number of asylum applications) in the same period. In order to produce comparable values, both items are standardized by the destination-country's population before being multiplied. The variable is then rescaled to be more interpretable[6].

As for the effect of politics, our variables are derived from the Comparative Manifesto Project data (CMP), which code all the sentences of party manifestos along a range of policy issues. Firstly, we test the effect of preferences on migration of the coalitions in government. We thus start from single parties' preferences on issues related to migration and aggregate them for coalition preferences by weighting their respective importance in the lower chamber (so-called Gamson's law; see Browne and Franklin, 1973). As for the issues relating to migration, we follow Alonso and Da Fonseca (2011) and proxy position on migration through positions on multiculturalism and positions towards minority groups. Position on migration is then determined as the difference between the percentage of positive and negative statements (equation 4). We also test the effect of salience of migration issues for the political parties in the governing coalition, as operationalized in Alonso and Da Fonseca (2011; equation 5). The appendix provides more explanation and information on alternative calculations.

$$position = (pro\ migration) - (anti\ migration) \tag{4}$$

$$saliency = (pro\ migration) + (anti\ migration) \tag{5}$$

We also account for the success of far-right parties in the elections. Far-right and anti-migration preferences are different in essence: whilst far-right refers to a general positioning on the left-right political spectrum (Camus and Lebourg 2017), anti-migration refers to a policy-specific preference that may cut across the left-right dimension. That being stated, the difference *in theory* between the two denominations is counterbalanced by a strong overlap *in practice*: anti-migration parties tend to be those placed at the far-right of the political spectrum (van Spanje 2011; but see also Hainsworth 2008). Parties are classified as far-right in accordance with The PopuList dataset (Rooduijn et al., 2019; see appendix for more detail). In order to account for potential cohort effects; i.e. situational or time-dependent changes in party positions, we compute a proxy for supply of positions on migration. Namely, supply is the mean of all parties' position on migration in a given election. It tells us what sort of policies are available for the voters to choose from. Finally, we control the ability of government to enforce its position with a dummy variable on whether it is backed by a majority in the lower chamber or not.

Regarding control variables, one set pertains to destination countries and another to countries of origin. Our destination-country variables comprise socio-economic controls (old-age dependency ratio, GDP per capita, GDP growth, unemployment, and population density) and migration pressure variables (total number of applications lodged in the previous year and over the past three years, percentage of foreign nationals living in the country, and a dummy variable to indicate the years marked by the so-called "refugee crisis").

As for origin-country controls, they are demographic, economic, and political. Namely, we consider life expectancy, population density, unemployment rate and GDP per capita for the socio-economic features. For the political characteristics, we account for political rights and civil liberties (Freedom House data), human rights violations (Political Terror Scale data), intensity of (enduring) conflicts through the number of casualties in a year and over the last five

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[6] The values are very low and therefore multiplied by a large number to have them range from 0 to about 500. More details are available in appendix. The data used to calculate the indicator is taken from UNHCR's annual reports published in the 1990s.

years (Uppsala Conflict Data Program data on georeferenced events) and asylum pressure (total number of asylum application lodged in the EU in a year from a given country; UNHCR data).

Note that all the variables that could be standardized by origin- or destination-country population were standardized in order to make the values more comparable and reduce the probability of having outliers (see detail and references in appendix).

6. Empirical results

Table 1 below reports the results of six models and table 2 reproduces four additional models with interaction terms. The first two models (M1-2) only contain our independent variables for administrative features; namely, administrative capacity and previous exposure to asylum. It aims to provide a first test of our hypotheses H1 and H2 as well as to create a baseline on which to evaluate the effect of our other covariates[7]. As expected, some of the characteristics of the origin countries directly related to the right to international protection prove significant. Human rights violations as well as political rights and civil liberties are positively associated with protection recognition (both for the refugee status and other statuses). For instance, a one-point increase on the one-to-seven political rights and civil liberties index is associated with an average increase in refugee recognition rate of 29.1%, whilst a one-point increase in the share of deaths out of the total population over the past five years[8] increases refugee status recognition rate by 23%. Conversely, some factors pertaining to receiving countries also appear to affect protection rates. A one-percentage-point increase in unemployment multiplies refugee recognition rates by 1.01 while there is no evidence it has any effect on other statuses.

Moving to the test of our hypotheses, models 1 and 2 (M1-2) test the effect of capacity on our dependent variables (H1-3). Interestingly, administrative capacity (H1) as well as exposure (H2) present close to irrelevant coefficients (both in magnitude and statistical significance) for refugee status but sizable and significant (to the 99% level) coefficients for other protection statuses. Notably, administrative capacity is associated with a particularly sharp decrease in other statuses recognition rate: 77.4% (or a multiplicative factor of 0.226). Such decrease is also robust to different model specifications as the introduction of the politics variables do not seem to alter the coefficient's magnitude much (M3-onwards). Put differently, all things being equal (and, therefore, controlling for the situation in origin countries), higher administrative capacity is associated with lower recognition rates for other protection statuses. This hints at the potential role of political preferences combined with the higher level of discretion when it comes to grant protection on other basis than that of the Geneva Convention. In order to test the combined effect of administrative capacity and exposure (H3), we introduce an interaction term between these two variables (M7-8 in table 2) in the full models[9]; this proves only statistically significant for refugee recognition rate, which we investigate further by computing the marginal predicted means of the dependent variable at different levels of administrative capacity where exposure to asylum matters is set to high and low[10] (figure 2).

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[7] Note that a first baseline was constructed with the models being run on the controls only. We do not report said models for lack of space.

[8] The interpretation has here illustrative purposes as interpretation should consider the range on which the single variable is measured (see appendix for descriptive statistics). Since the variable is calculated as the ratio of the cumulated number of death over the total population, the range is rather small (0 to 1.7), so that a one-point increase is rather unlikely.

[9] We also test the interaction term in M1-2 and obtain similar results (not reported).

[10] High and low refers to the mean value of exposure plus and minus one standard error.

Tab. 1 – Regression results, exponentiated coefficients on EU28, 2000-2018

	Dependent variables:	M1 Refugee st. exp(b) st.err sig.	M2 Other st. exp(b) st.err sig.	M3 Refugee st. exp(b) st.err sig.	M4 Other st. exp(b) st.err sig.	M5 Refugee st. exp(b) st.err sig.	M6 Other st. exp(b) st.err sig.
orig.	Life expectancy	0.993 (0.003)**	0.987 (0.003)***	0.992 (0.003)***	0.987(0.003)***	0.992 (0.003)***	0.986 (0.003)***
orig.	Unemployment	1.007 (0.003)**	1.010 (0.004)***	1.007 (0.003)**	1.009 (0.004)***	1.007 (0.003)**	1.011 (0.004)***
orig.	Pop. density	1.000 (0.000)*	0.999 (0.000)***	1.000 (0.000)**	0.999(0.000)***	1.000 (0.000)*	0.999 (0.000)***
orig.	GDP per cap.	1.000 (0.000)***	1.000 (0.000)	1.000 (0.000)**	1.000(0.000)	1.000 (0.000)**	1.000 (0.000)
orig.	Pol. Rights and civil liberties	1.291 (0.016)***	1.111 (0.015)***	1.293 (0.016)***	1.114 (0.015)***	1.295 (0.016)***	1.122 (0.015)***
orig.	PTS score	1.174 (0.018)***	1.208 (0.022)***	1.175 (0.018)***	1.198 (0.022)***	1.171 (0.018)***	1.194 (0.022)***
orig.	Nb. Of deaths	1.448 (0.430)	14.989 (4.982)***	1.398 (0.416)	13.256(4.581)***	1.378 (0.411)	13.494 (4.61)***
orig.	Nb. Of deaths over past 5 yrs	1.327 (0.074)***	1.216 (0.092)**	1.344 (0.075)***	1.309(0.102)***	1.341 (0.074)***	1.292 (0.099)***
orig.	Application from orgin country	1.044 (0.042)	0.888 (0.044)**	1.050 (0.042)	0.874(0.045)***	1.045 (0.042)	0.891 (0.045)**
dest.	Old-age dpdcy ratio	159 (132)***	0.000 (0.000)***	534 (463)***	0.000(0.000)***	434 (392)***	0.000 (0.000)***
dest.	GDP per cap.	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000(0.000)***	1.000 (0.000)***	1.000 (0.000)***
dest.	Growth in GDP per cap.	1.004 (0.003)	1.013 (0.004)***	1.004 (0.003)	1.016(0.004)***	1.007 (0.003)**	1.011 (0.004)**
dest.	Unemployment	1.011 (0.004)***	0.995 (0.005)	1.009 (0.004)**	0.992(0.006)	1.009 (0.004)**	0.995 (0.006)
dest.	Pop. density	1.000 (0.000)	1.001 (0.001)**	1.004 (0.001)***	0.989(0.002)***	1.005 (0.001)***	0.986 (0.002)***
dest.	Total number of applications in dest.	1.185 (0.065)***	0.520 (0.038)***	1.165 (0.065)***	0.468(0.036)***	1.149 (0.064)**	0.496 (0.038)***
dest.	Percent of foreigner	0.981 (0.007)***	0.920 (0.009)***	0.980 (0.007)***	0.909(0.009)***	0.978 (0.007)***	0.915 (0.009)***
dest.	Migration crisis	1.031 (0.025)	0.919 (0.029)***	1.046 (0.026)*	0.933(0.030)**	1.044 (0.026)*	0.889 (0.028)***
dest.	Tot. nb. applications in dest. over past 3 years	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000(0.000)***	1.000 (0.000)***	1.000 (0.000)***
IV	Adm. capacity	1.077 (0.087)	0.226 (0.024)***	1.003 (0.084)	0.229 (0.025)***	0.943 (0.08)	0.228 (0.025)***
IV	Exposure	1.000 (0.001)	1.011 (0.002)***	1.000 (0.001)	1.013 (0.002)***	1.000 (0.001)	1.012 (0.002)***
IV	Gvt. salience			1.001 (0.005)	0.982(0.005)***	0.997 (0.005)	0.997 (0.005)
IV	Gvt. position			1.017 (0.004)***	1.001(0.005)	1.006 (0.004)	1.013 (0.005)**
IV	Supply position					1.198 (0.042)***	0.782 (0.033)***
IV	Per. far-right					1.004 (0.002)**	0.965 (0.002)***
dest.	Maj. Gvt.			1.083 (0.027)***	1.114(0.034)***	1.094 (0.028)***	1.059 (0.032)*
All	Year	1.008 (0.005)	1.148 (0.009)***	1.004 (0.005)	1.187(0.010)***	1.007 (0.005)	1.173 (0.010)***
dest.	Tot. nb. decisions in dest. in year	1.002 (0.008)	1.118 (0.010)***	1.001 (0.008)	1.108(0.010)***	1.006 (0.009)	1.099 (0.010)***
	Constant	0.000 (0.000)*	0.000 (0.000)***	0.000 (0.000)	0.000(0.000)***	0.000 (0.000)*	0.000 (0.000)***
	AIC	96,028.94	81,520.25	94,801.28	79,878.79	94,774.6	79,612.99
	BIC	96,231.26	81,722.57	95,026.56	80,104.07	95,015.41	79,853.8
	N	17,701	17,701	17,469	17,469	17,469	17,469

Significance levels: *** $p < 0.01$. ** $p < 0.05$. * $p < 0.1$. In the first column, orig. and dest. Stand for origin- and destination-country variables; IV for independent variables, our variables of interest.

Tab. 2 – Regression results, exponentiated coefficients on EU28, 2000-2018, interaction effects

Dependent variables:	M7 Refugee st. exp(b) st.err sig.	M8 Other st. exp(b) st.err sig.	M9 Refugee st. exp(b) st.err sig.	M10 Other st. exp(b) st.err sig.
orig. Life expectancy	0.992 (0.003)***	0.986 (0.003)***	0.992 (0.003)***	0.986 (0.003)***
orig. Unemployment	1.007 (0.003)**	1.011 (0.004)***	1.007 (0.003)**	1.011 (0.004)***
orig. Pop. density	1.000 (0.000)*	0.999 (0.000)***	1.000 (0.000)**	0.999 (0.000)***
orig. GDP per cap.	1.000 (0.000)**	1.000 (0.000)	1.000 (0.000)**	1.000 (0.000)
orig. Pol. Rights and civil liberties	1.296 (0.016)***	1.122 (0.015)***	1.296 (0.016)***	1.122 (0.015)***
orig. PTS score	1.171 (0.018)***	1.194 (0.022)***	1.170 (0.018)***	1.194 (0.022)***
orig. Nb. Of deaths	1.379 (0.41)	13.501 (4.614)***	1.370 (0.409)	13.683 (4.676)***
orig. Nb. Of deaths over past 5 yrs	1.347 (0.075)***	1.293 (0.099)***	1.346 (0.075)***	1.293 (0.100)***
orig. Application from orgin country	1.044 (0.042)	0.890 (0.045)**	1.042 (0.042)	0.889 (0.045)**
dest. Old-age dpdcy ratio	600 (543)***	0.000 (0.000)***	503 (454)***	0.000 (0.000)***
dest. GDP per cap.	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***
dest. Growth in GDP per cap.	1.007 (0.003)**	1.011 (0.004)**	1.007 (0.003)**	1.011 (0.004)***
dest. Unemployment	1.009 (0.004)**	0.996 (0.006)	1.009 (0.004)**	0.995 (0.006)
dest. Pop. density	1.005 (0.001)***	0.986 (0.002)***	1.004 (0.001)***	0.985 (0.002)***
dest. Tot. nb. appl. in dest.	1.149 (0.065)**	0.493 (0.038)***	1.163 (0.065)***	0.499 (0.039)***
dest. Percent of foreigner	0.979 (0.007)***	0.915 (0.009)***	0.977 (0.007)***	0.913 (0.009)***
dest. Migration crisis	1.042 (0.026)*	0.888 (0.028)***	1.042 (0.026)*	0.888 (0.028)***
dest. Tot. nb. appl. dest. past 3 yrs	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***
IV Adm. capacity	0.800 (0.074)**	0.217 (0.026)***	0.927 (0.079)	0.227 (0.025)***
IV Exposure	0.993 (0.002)***	1.010 (0.002)***	1.000 (0.001)	1.012 (0.002)***
IV Gvt. salience	0.996 (0.005)	0.997 (0.006)	0.995 (0.005)	0.996 (0.005)
IV Gvt. position	1.007 (0.004)	1.013 (0.005)**	1.039 (0.012)***	1.036 (0.013)***
IV Supply position	1.206 (0.043)***	0.781 (0.033)***	1.196 (0.042)***	0.784 (0.033)***
IV Per. far-right	1.004 (0.002)**	0.965 (0.002)***	1.003 (0.002)*	0.965 (0.002)***
dest. Maj. Gvt.	1.101 (0.028)***	1.054 (0.032)*	1.106 (0.029)***	1.063 (0.032)**
IV Adm. cap*exposure	1.004 (0.001)***	1.001 (0.001)		
IV Adm. cap*Gvt. Positon			0.979 (0.007)***	0.985 (0.008)**
All Year	1.006 (0.005)	1.172 (0.010)***	1.008 (0.005)	1.178 (0.010)***
dest. Tot. nb. decisions in dest. in yr	1.005 (0.009)	1.099 (0.010)***	1.007 (0.009)	1.100 (0.010)***
Constant	0.000 (0.000)	0.000 (0.000)***	0.000 (0.000)*	0.000 (0.000)***
AIC	94,755.72	79,613.92	94,767.94	79,611.1
BIC	95,004.3	79,862.5	95,016.52	79,859.68
N	17,469	17,469	17,469	17,469

Significance levels: *** $p < 0.01$. ** $p < 0.05$. * $p < 0.1$

At high levels of exposure, recognition rates increase as administrative capacity increases too, thus confirming, in part, H3. Differently, this relationship is inverse for lower exposure, for which recognition rates are higher at low levels of administrative capacity. Note, however, that the confidence interval at lower levels of administrative capacity is quite large, which hints at the possibility of a flatter slope. Altogether, H1 is fully dismissed; H2 is only valid for other statuses than the refugee one; and H3 is valid for refugee recognition rates only. Another result worth mentioning at this point is the difference that exists between recognition of refugee status and other statuses.

Fig. 2 – Predicted marginal means of refugee status recognition rates at low and high level of exposure and different levels of administrative capacity (estimation based on M7).
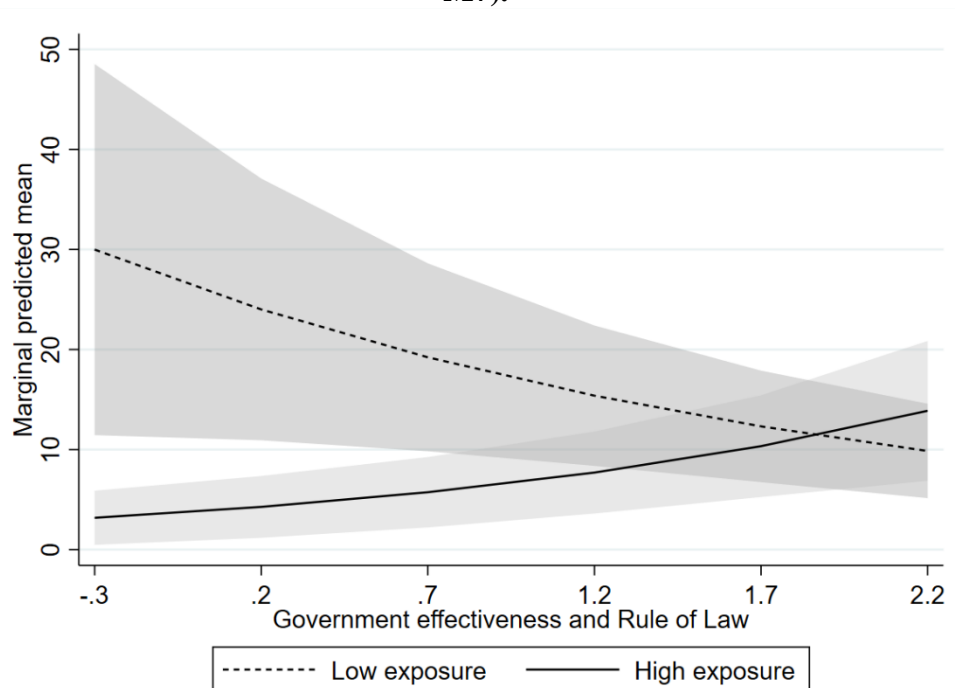

The next models present the effect of politics on the recognition of protection. We start by computing the effect of position of government on migration issues with salience of said issues for government (M3-4). We also control for whether government is backed by a majority in the lower chamber. We then add elements aimed at capturing the political context in destination country d at time t to assess the effect of situational preferences (M5-6); namely, vote for the far-right and supply of migration policy. Interestingly, position seems to matter for recognition of the refugee status whilst it is salience that matters for other statuses (M3-4)[11]. These effects are however dismissed when we control for the overall political context. More precisely, supply of migration policy appears to matter a great deal for both categories of statuses: when all the parties in competition in a given election have, on average, rather positive positions, then recognition of the refugee status increases by 20% (M5), a sizable and statistically significant (at the 99% level) coefficient. Interestingly, the effect is comparable in size and significance but opposite in direction when we consider the effect on other protection statuses: a 22% decrease in recognition (M6). This result is stable across specifications (M7-10) and suggests that, in contexts of rather positive positions towards migration, the authorities tend to grant the refugee status rather than other sorts of protection[12]; the former being more generous than the

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[11] Ideally, one would want to test the effect of positions at different levels of salience. However, creating an interaction between the two likely leads to artefactual results as the two variables are calculated for coalitions; that is, aggregate actors, and does not account for possible dissensus on the issue within the coalition (Laver, 2001:66). We nonetheless test the interaction and compute the marginal effects of different positions at different levels of salience (not reported). The interaction term is statistically significant for refugee recognition rate; the effect of higher saliency seems to matter, especially so when positions are positive. That said, differences in marginal effects between different levels of salience are negligible (and the confidence intervals of the estimates significantly overlap).

[12] This hypothesis is further tested by running M5 with refugee status recognition as a dependent variable and recognition of other statuses as an independent variable (and vice versa for M8; we do not report the models). Of course, the relationship between the two statuses is more complex and more data (especially micro-data and/or data clearly split in terms of decision-instances) would be necessary to assess it properly. That being stated, there

latter. The percentage of votes won by far-right parties follows a similar dynamic but with much smaller effects in terms of magnitude (but statistically significant too). Namely, a one percentage-point increase in votes for the far-right is associated with a 0.4% increase in recognition rate for the refugee status, but with a 3.5% decrease in other recognition statuses[13]. Government preferences, supply of migration policy and vote for the far-right need to be looked at together and thought in a time dimension. With the passage of time, all three variables (although statistically weakly correlated[14]) evolve in a similar direction (see figure 3); i.e. votes for the far-right increases, position of governments and other parties in the electoral competition are more and more restrictive towards migration.

Fig. 3 – Government position, migration policy supply and vote for the far-right (%) over time
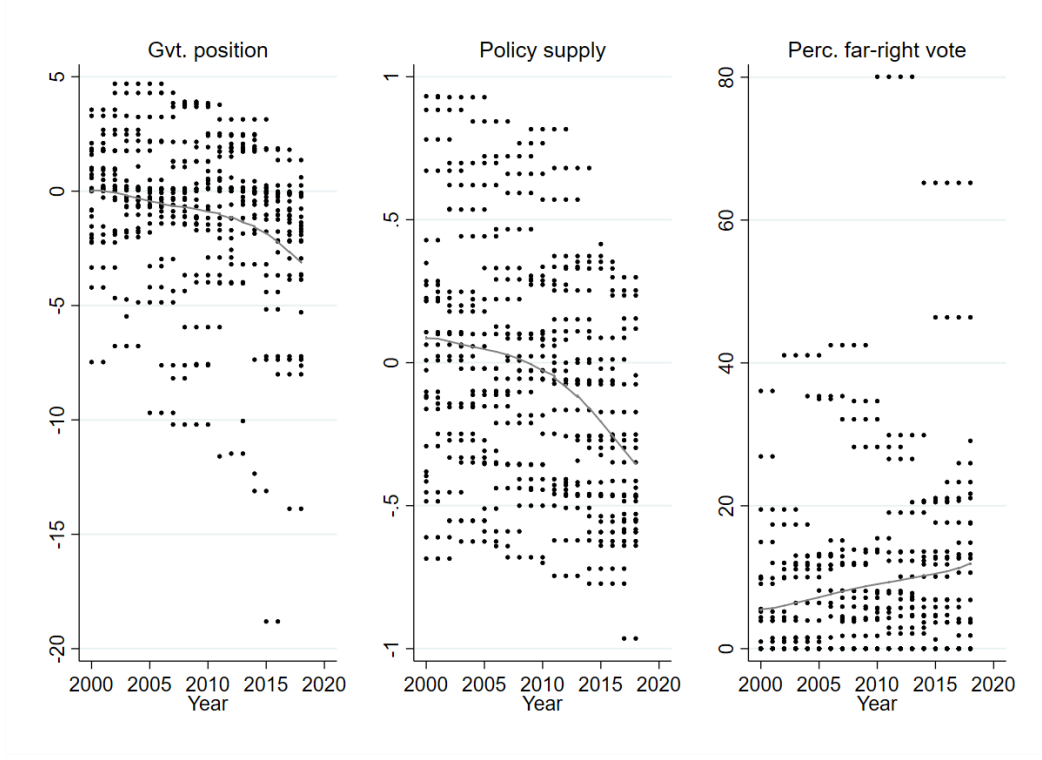
If it is difficult to isolate the effect of preferences of government from the effect of the overall context (in which government is itself embedded), it is easier to identify the causal link between policy preferences of government in office and policy outcomes. Accordingly, we conclude to the association of positive positions on the issue with higher recognition rates for refugee status (H4); but with lower recognition rates for other statuses.

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appears to be a relationship between the two as recognition for one category tends to decrease recognition for the other. Statistically though, no causal relationship (i.e. whether refugee status decreases the chances to obtain other statuses or the other way around) can be determined for reasons of possible reverse causality. Theoretically, the refugee status is the one that grants the highest levels of rights on all matters, from length of the residence permits to family reunification conditions.

[13] We further test this result by considering refugee and other statuses together to test the effect of far-right on overall recognition of protection (not reported). A one percentage-point increase in far-right vote decreases overall protection by 1% (significant at the 99% level).

[14] Correlation coefficient for Government's position and supply of migration policy is 0.61, which is somewhat high but not as high as to create multicollinearity. Correlation coefficient with percentage of vote for the far-right varies from -0.35 for policy supply to -0.27 for government preferences.

There remains to see whether policy preferences on the part of government are constrained where administrative capacity is higher. The introduction of an interaction term between the two variables proves statistically significant (M9-10). To investigate our hypothesis further, we look at the marginal effect of government preferences at different levels of administrative capacity. As figure 4 suggests, the effect of government preferences on refugee recognition rates decreases with higher levels of administrative capacity. At the highest levels of capacity (1.25 upwards), the coefficients are no longer significant; thus supporting our hypothesis H5. For recognition of other protection statuses, the results are inconclusive as the coefficients are not significantly different in magnitude and statistical significance as administrative capacity increases or decreases. Put differently, the interaction between administrative capacity and government position does not shed more light than the two variables separately (thus sending us back to M6 for interpretation).

Fig. 4 - Average marginal effect of Government preferences (at its mean; -0.56) on refugee recognition rates at different levels of administrative capacity

Average Marginal Effects of Gvt. preference (at the mean) with 95% CIs
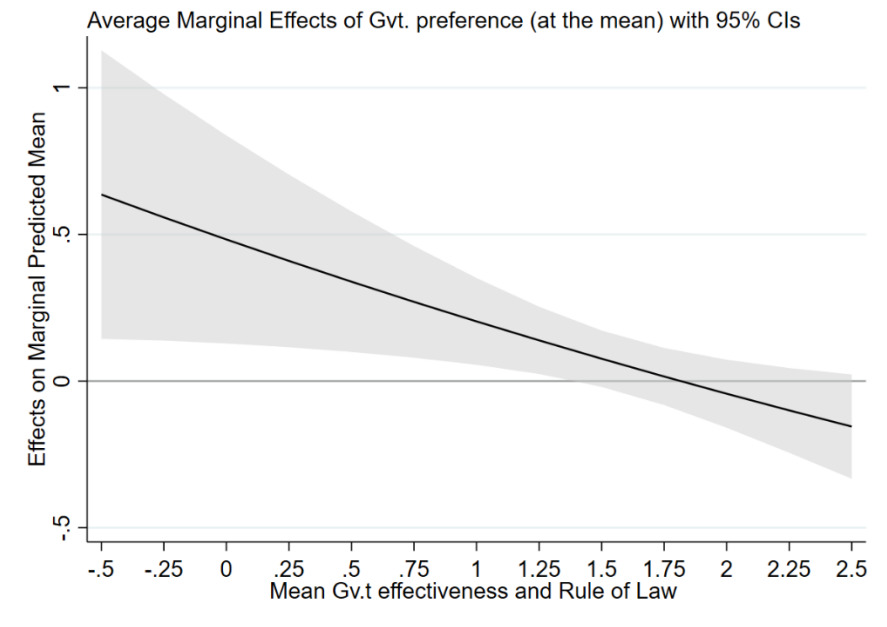
7. Discussion

As we stated in the beginning, states are obliged by international law to give a fair treatment to those who seek political asylum in their territory. When granting asylum to individuals, states are to deploy the legal criteria that are specified in the 1951 Geneva Convention. This means that they are expected to have similar asylum recognition rates for asylum seekers coming from similar conditions. However, there is a great deal of variation in recognition rates for similar applicants. Our findings show that this variation is most likely due to a combination of (1) the features of states' administrative machineries and (2) the political context in the receiving countries.

From a legal perspective, these factors should be irrelevant for the outcomes of decision-making on asylum applications. Nevertheless, they are relevant in the sense that they pose an additional risk for the success of the international community's refugee protection efforts. In general, these findings are of special interest for our knowledge of the relationships between bureaucracy and politics. Our findings indicate that the two logics mentioned in the beginning – the legal-rational logic of bureaucracy and the competitive logic of politics – are in conflict

with each other also regarding refugee protection although this is an internationally well-established legal domain. In this relationship, politics may tend to force the bureaucratic machinery to operate at the edge of – or even worse – outside the law by imposing principles that have not been legislated yet. On the other hand, as we see in our results, a high-capacity and professional administration can resist and bypass such attempts from the political sphere if they have a fairly long experience of dealing with asylum applications. Accordingly, administrations with weaker capacity may have to give in for political pressure, letting politics diffuse into the sphere of administration. Thus, in matters of political asylum, politics and administration are not as insulated from each other as our established analytical categories would foresee.

In particular, these findings and considerations show that the legal-administrative processes of asylum recognition are open to politicization if the administrative capacity is low. When such politicization occurs as debates and discussions within the domain of politics – e.g., party politics, election campaigns, citizen politics, etc. – this is within the confines of established political norms and practices. However, when politics causes administration to deviate from the laws it is supposed to follow, questions of legality and legitimacy arise. In these senses, it would be misleading to regard asylum recognition only as a legal-administrative enterprise at the point of departure because this is not always the case in all countries.

These findings have very important implications for rights in general, and refugee rights in particular. Firstly, already legislated rights may come under threat when they are politicized. Secondly, creating a strong administration around the legislated rights decreases the risk of their being violated. This requires establishing a complex set of institutions, procedures, and rules of conduct. The challenge that our findings point to at this stage is the necessity of discovering the kinds of institutional frameworks and procedures that are robust enough to follow the asylum and refugee law against any outside pressure.

8. Conclusion

Processing asylum claims equates to transforming a variety of situations into a binary outcome: either protection is granted, or it is not. This complex process takes place at the heart of states' administration and thus likely depends on the capacity of the latter to process applications in a predictable and legitimate manner. Whilst a number of studies have sought to explain variation in recognition of protection, few are the studies to have dug into the very features of the administration. Our study is an attempt to shed some more light on the role of the states' apparatuses in the recognition of protection. We find that administrative capacity matters, but so does the political context that surrounds it. Firstly, at low levels of previous exposure to asylum matters, administrative capacity appears to have a negative (but small) effect on recognition of the refugee status. Conversely, at higher levels of previous exposure, higher administrative capacity is associated with significantly higher recognition rates. Interestingly, the dynamic at play seems to be different for other protection statuses, for which exposure and capacity have effects that are independent from one another: exposure has a negligible positive effect whilst capacity sizably decreases recognition rates. Secondly, we provide evidence of a significant role of politics onto recognition rates; here too, an effect that changes according to the protection statuses considered. Greater success for far-right parties in elections is associated with slightly (if not negligible) higher levels of recognition for the refugee status but substantially lower levels of recognition for other statuses. More importantly, government preferences and overall supply of migration policy in the elections consistently affect recognition rates: more favorable policy positions translate into markedly higher recognition rates for refugee status – which grants more generous rights – and lower for other protection statuses. Considered in a time dimension though, all three variables have been evolving in a

similar direction: as time passes, vote for the far-right increases whilst government position on migration and overall supply of migration policy become ever more restrictive. Third and lastly, our analysis shows that administrative capacity curbs the grasp of politics on refugee recognition rates as the effect of the latter is less and less strong as administrative capacity increases.

All in all, our results suggest that explaining variation in protection recognition rates may have more to do with the administrative processes, that is, countries' asylum determination procedures, that lead to claim recognition (or rejection) than with the explanations that have been put forth in literature thus far. The fact that administrative capacity, along with previous exposure to asylum matters, affects recognition rates is an incentive to refocus the study of protection recognition on more proximate explanations. In other words, if our article has shown that the administrative black box influences recognition rates, more research needs to be conducted to break it down into analytically valuable categories, which allow a finer-grained analysis that can in turn lead to not only a better explanation of variation in asylum recognition but also detection of concrete asylum procedure models that better accommodate the rights of refugees as defined in the 1951 Geneva Convention on the Status of Refugees.

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Appendix

1. Data and descriptive statistics

The data used in our models come from different sources. Table A1 below provides descriptive statistics as well as general information on the data. The first column indicates the category to which each variable belongs (dependent variable, origin-country or destination-country variable) whilst the last column specifies whether the variable has been standardized by population size. Our final database counts a total of 17,469 usable datapoints.

1.1. Dependent variables

Our dependent variables are taken from UNHCR data (United Nations High Commissioner for Refugees). Each observation contains a recognition rate for a given country of origin in a destination country. In order to compare rates for which the denominator may vary to large extents, we, on the one hand, run our analyses on observations that are based on at least 10 decisions. This also improves the estimation of our coefficients as determination of protection status is less likely to be due to chance (or, put differently, more likely to be due to patterns) as the number of decisions increases. On the other hand, we control for the total number of decisions taken in a year; first, by including the variable as a control in the models and, second, by running models on raw numbers of positive decisions, with the total number of decisions included as an offset in the right-hand side of the equation (see below section on robustness for more on this).

1.2. Independent variables

Our independent variables of interest are of two types: those that pertain to capacity and those that pertain to politics. Regarding the former, we put forth two different variables, whose specification stems from our literature review. How effective an administration is in implementing policies is proxied by World Bank's data on government effectiveness, to which we add the indicator on respect for the rule of law (see Kaufman and Kraay, 2019). Given the high correlation between the two variables (0.94), we average them. The second variable is previous exposure to asylum matters. It is a time invariant variable aimed to capture how the administration is acquainted with asylum procedures. This indicator is created from UNHCR figures that we could recover using the reports produced by the agency's statistical unit in the 1990s. We consider the mean of the stocks of refugees and asylum seekers over the period 1990-2000 together with the mean of flows (applications) over the same period. Figure A1 provides a depiction of the means for EU countries (Germany is not included in the figure as its numbers are way bigger than any other EU country's). The horizontal and vertical red lines represent the grand mean of each of the two indicators. They allow us to have a clear idea, in terms of quadrants, of where each EU member state stands with respect to the others. For instance, the countries in the top-right quadrant (namely, The UK and the Netherlands) feature means that are above (or nearly so) average, whereas France, Sweden, Austria but also Croatia (to name but a few) display stocks above average but flows below the grand mean in the same period. A good deal of the European countries are well under both grand means and are located in the bottom-left quadrant.

Tab. A1 – Descriptive statistics (italics are variables not used or discussed in the main text)

Category	Variable description	Obs.	Mean	Std. Dev.	Min.	Max.	Data source	Pop. Std.
DV	Refugee status recognition ratio	18,839	0.112	0.172	0	100	UNHCR	no
DV	Other statuses recognition ratio	18,839	0.080	0.156	0	100	UNHCR	no
Dest. ctry.	Administrative capacity	18,839	1.372	0.559	-0.2890449	2.183864	World Bank	no
Dest. ctry.	Exposure	18,839	88.447	138.841	0.000	498.096	UNHCR	yes
Dest. ctry.	Gvt. position on migration (Alonso and Da Fonseca, equ. 1 below)	18,569	-0.195	3.143	-18.811	4.695	CMP	no
Dest. ctry.	*Gvt. position on migration (Alonso and Da Fonseca, equ. 2 below)*	*18,569*	*0.075*	*0.600*	*-1*	*1*	*CMP*	*no*
Dest. ctry.	Salience of migration for Gvt. (equ. 3 below)	18,569	3.828	2.862	0	18.811	CMP	no
Dest. ctry.	*Gvt. position on migration (Toshkov, equ. 4 below)*	*18,569*	*7.114*	*5.291*	*-17.821*	*19.77848*	*CMP*	*no*
Dest. ctry.	Percentage of votes for far-right parties	18,678	8.436	12.070	0	80.06	CMP	no
Dest. ctry.	Supply of position on migration (mean of all parties' positions)	18,678	0.101	0.406	-0.9644132	0.9319494	CMP	no
Dest. ctry.	Majority government	18,839	0.761	0.427	0	1	CMP	no
Dest. ctry.	Old age dependency ratio	18,839	0.258	0.044	0.156	0.354	OECD	no
Dest. ctry.	Population density	18,839	184.413	187.352	16.99402	1514.469	World Bank	no
Dest. ctry.	GDP per capita, ppp, constant prices 2017	18,839	42,930.02	12,475.11	10,056.20	115,415.40	World Bank	yes
Dest. ctry.	GDP per capita, growth	18,839	1.537	2.810	-13.863	23.986	World Bank	yes
Dest. ctry.	Unemployment (ILO estimates)	18,839	8.201	4.224	1.805	27.466	World Bank	no
Dest. ctry.	Total number of asylum application in the last year	18,839	0.188	0.230	0	1.806711	UNHCR	yes
Dest. ctry.	Total number of applications over the last three years	18,839	113,405	183,559	50	1,444,779	UNHCR	no
Dest. ctry.	Migration crisis	18,839	0.174	0.379	0	1	1=2015-2017	no
Dest. ctry.	Percentage of foreigner in population	18,839	10.364	5.072	0.5421384	43.91565	UN DESA	no
Dest. ctry.	Total number of decisions in year	18,839	592.141	3,640.642	10	304,912	UNHCR	no
Orig. ctry.	Life expectancy	18,363	66.602	8.361	39.4	84.3	UNDP	no
Orig. ctry.	Population density	17,951	131.476	198.655	1.543	7,952.998	World Bank	no
Orig. ctry.	GDP per capita, current prices	18,363	3,296.985	4,875.443	90.734	64,581.950	World Bank	yes
Orig. ctry.	Unemployment (ILO estimates)	18,348	8.679	6.188	0.317	37.25	World Bank	no
Orig. ctry.	Political rights and civil liberties	18,136	4.609	1.622	1	7	Freedom House	no
Orig. ctry.	Political terror scale	18,354	3.261	0.977	1	5	PTS	no
Orig. ctry.	Number of deaths in lethal incidents	18,363	0.005	0.029	0	0.407	UCDP	yes
Orig. ctry.	Number of deaths over the last 5 years	18,363	0.025	0.125	0	1.707	UCDP	yes
Orig. ctry.	Number of asylum applications from country of origin	18,361	0.118	0.260	0	2.568	UNHCR	yes
All	Year	18,839	2009.3	5.483	2000	2018	no source	no

Fig. A1 - Mean of the stocks of refugees/asylum seekers over 1990-2000 and mean of flows (applications) over 1990-2000, for EU countries*
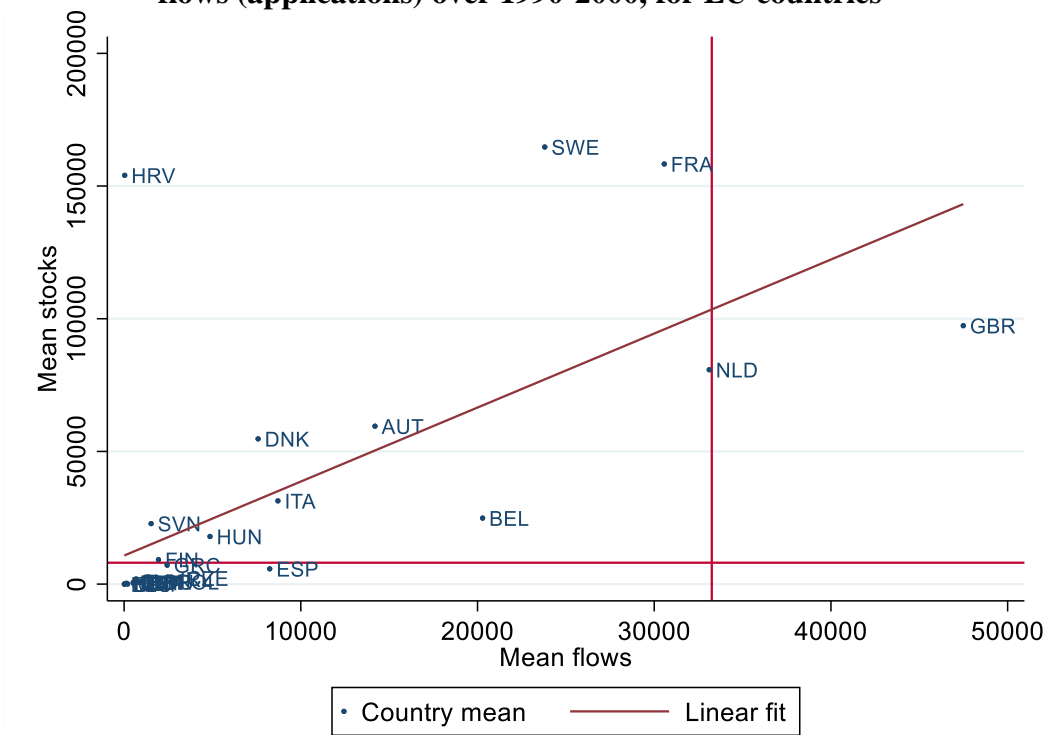

*: Germany is not depicted as it is by far an outlier on both dimensions.

To make the means comparable between EU countries and to account for the different impact of inflows on a county's asylum system[15], we divide them by the destination countries' population size. We then multiply the two indicators, and, finally, multiply the resulting figures by a large number to have interpretable figures (ranging from 0 to 500). Figure A2 presents the distribution of the indicator for all the EU member states. As can be expected, our indicator of Exposure places Western European countries at the top of the scale while Central and Eastern European states, along with Southern states feature at the bottom of the scale. Note that we also test the effect of Exposure as calculated according to raw figures (as opposed to standardized by population size).

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[15] For illustration, comparing the population of Malta to that of Germany, one asylum seeker in Malta is equivalent to 200 asylum seekers in Germany.

**Fig. A2 – Final distribution of exposure among EU member states**
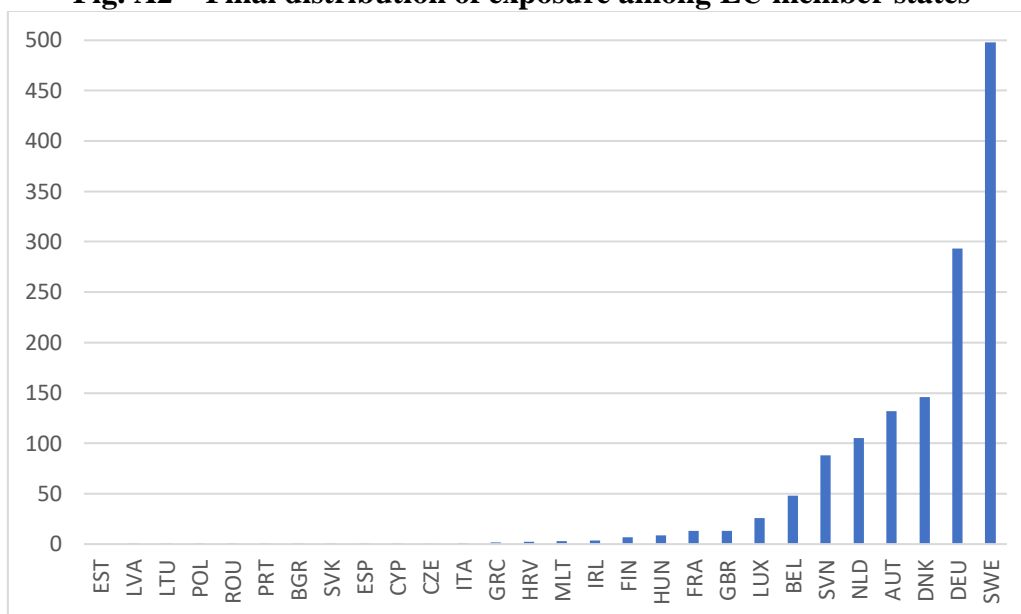
Moving to our independent variables capturing the political situation in destination countries, they are several, some are part of our core hypotheses, some others are controls aimed at holding situational characteristics constant. All the politics variables are calculated using Comparative Manifesto Project data (CMP; Volkens et al., 2020), a database of political party preferences based on the content of their platforms for (lower) chamber elections. CMP data contains information on political parties' positions and not on the position of governments. Since many of the governments over time and across space consist in coalitions, we reconstitute the composition of governments over the years in all EU countries (a task made easier by the ParlGov database; see Döring and Manow, 2020), and aggregate the preferences of the political parties in the governing coalition by weighting them by the number of seats each party control in the lower chamber (Browne and Franklin, 1973). CMP data does not contain information on party positions on migration *per se* but allows for the creation of a composite indicator based on other policy areas. Two different aggregation strategies have been suggested in previous studies. Alonso and Da Fonseca (2011) consider two categories: position on multiculturalism and position towards underprivileged minority groups. Toshkov (2014) proposed a wider indicator of position on migration, which, along with the aforementioned, includes position on internationalism and position on national way of life. For our study, the parsimony of Alonso and Da Fonseca is preferred to the wider definition proposed by Toshkov. According to CMP, internationalism refers to position on international cooperation and sovereignty, aid to developing countries, etc., a set of features that may be associated in very different ways to positions on migration. Consider for instance aid to developing countries, which may be promoted by both pro-migration and anti-migration parties; for the latter as a way to curb push-factors. Likewise, national way of life in CMP data refers to position on the country's nation and history, support for established national ideas along with support to patriotism and nationalism[16]. Whilst the national-way-of-life category may be linked to position on migration, it is a category that is much larger than that of migration. Given the differences in definition, governments' preferences as calculated following Alonso and Da Fonseca's specification and as calculated following Toshkov's are distributed quite differently. Figure A3 plots the one against the other. The red vertical and horizontal lines are set to zero, the neutral values. As is

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[16] Here too, reference to national way of life likely cut across the board.

clear from the figure, Toshkov's definition generally yields higher values, as shows the empty bottom-right quadrant and the crowded top-left quadrant (values negative for Alonso and Da Fonseca but positive for Toshkov).

Fig. A3 – Comparing positions on migration according to Toshkov and to Alonso and Da Fonseca
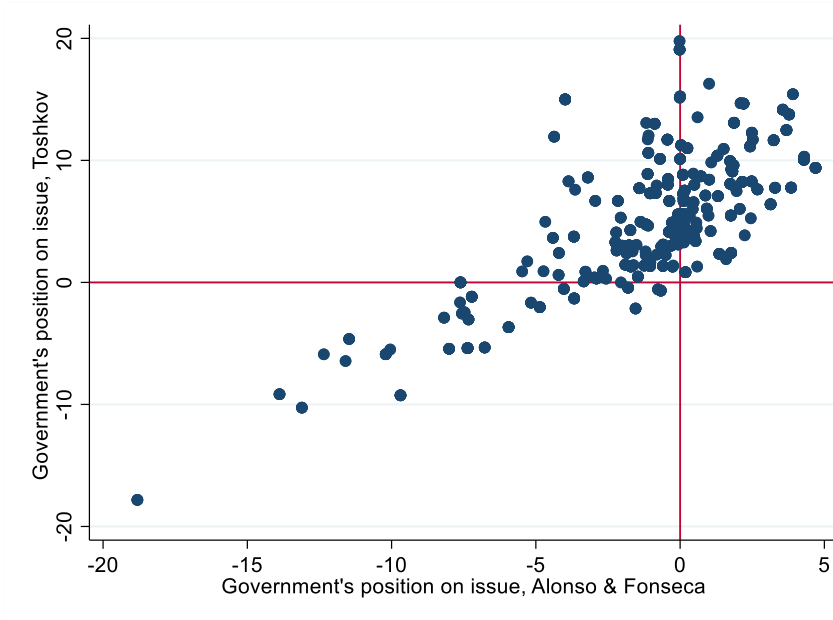
Regarding salience of the issue on which government has a position, the formula used is specified in the main text and is drawn from Alonso and Da Fonseca (2011; see equation 3 below).

In another fashion, Alonso and Fonseca propose two calculations of preferences[17]: an absolute position with positive values indicating a policy position generally in favour of migration (equation 1); and a relative position that considers the total importance given to migration in the parties' manifestos (equation 2), thus making the position independent from the total length of the manifesto.

$$position = (pro\ migration) - (anti\ migration) \qquad (1)$$

$$position = \frac{(pro\ migration) - (anti\ migration)}{(pro\ migration) + (anti\ migration)} \qquad (2)$$

$$saliency = (pro\ migration) + (anti\ migration) \qquad (3)$$

The first method (equation 1) gives a fair idea of where a coalition stands on migration with a range that virtually goes from -100 (the whole aggregate manifesto is dedicated to migration and features only negative statements) to 100 (the whole aggregate manifesto is dedicated to migration and features only positive statements). The second method (equation 2) allows the consideration of how much a coalition actually mentions migration in its aggregate manifesto by dividing the raw score by the total number of mentions. The range thus virtually goes from

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[17] Equation (1) and (2) are used by Alonso and Da Fonseca (2011) whilst Toshkov (2014) relies on equation (1) only.

-1 (all mentions on migration are negative) to 1 (all mentions on migration are positive). While this is a good measurement of relative positions, it tends to attribute extremely negative (or positive) scores to coalition that barely mentions migration in their programme. Because we also consider salience of the issue in our models, we prefer the first specification. Note that, because the second method is divided by salience (calculated as the total percentage of mentions on the issue; equation 3), it is redundant in our model for that reason. In addition, the two calculation methods yields highly correlated results (0.76) and are consistently distributed, with few exceptions, as can be seen in figure A4 (the top-left and bottom-right quadrant are nearly empty).

Fig. A4 – Comparing raw positions on migration to relative positions
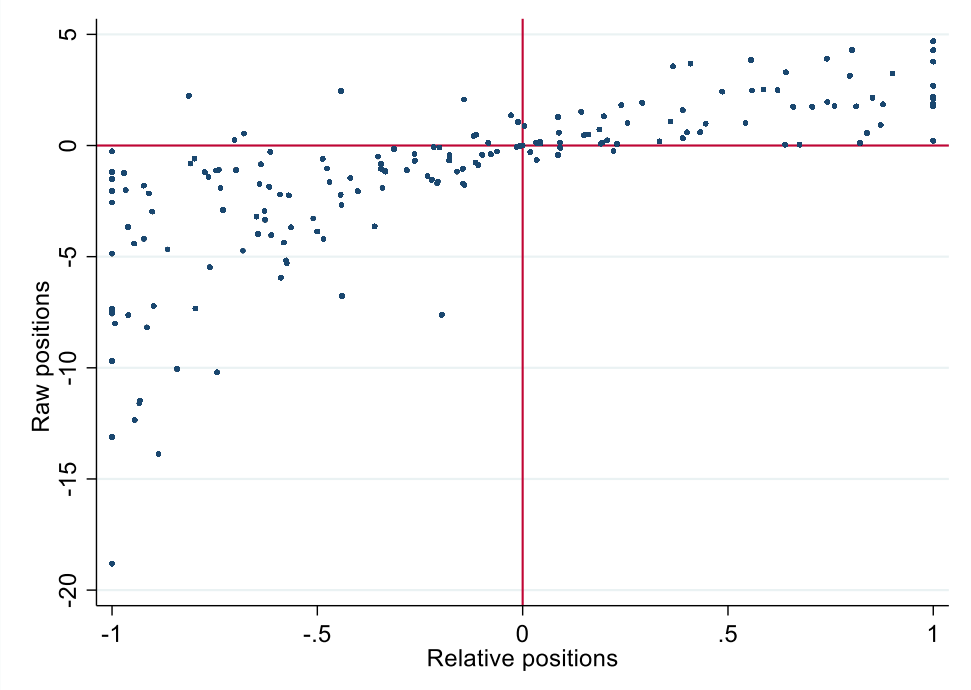
Moving to our politics controls, their calculation is more straightforward. Success of far-right parties in the elections is an addition of all the far-right parties' scores. That said, previous studies have used the party families provided by CMP data to classify far-right parties, a categorisation that is defined by the producers of CMP as a "tentative grouping of political parties and alliances into the (...) party families. The variable is constant over time and does not account for possible changes of party family" (Volkens et al., 2020b: 4). Instead, we take advantage of the results presented by The PopuList (Rooduijn et al., 2019), which provides a categorisation of populist, but also far-right parties (as two separate categories), based on the advancements of the discipline in the field. Beside success of far-right parties, we compute an indicator of a general trend in politics towards migration. It is the mean of all the parties' positions on the issue in a given election; i.e. an indicator of the supply of policy positions on the issue available to voters. All countries and parties considered, the variable suggests the existence of a trend towards more restrictive positions on migration over the years (figure A5 below).

Fig. A5 – Mean of party positions over the years 2000-2018
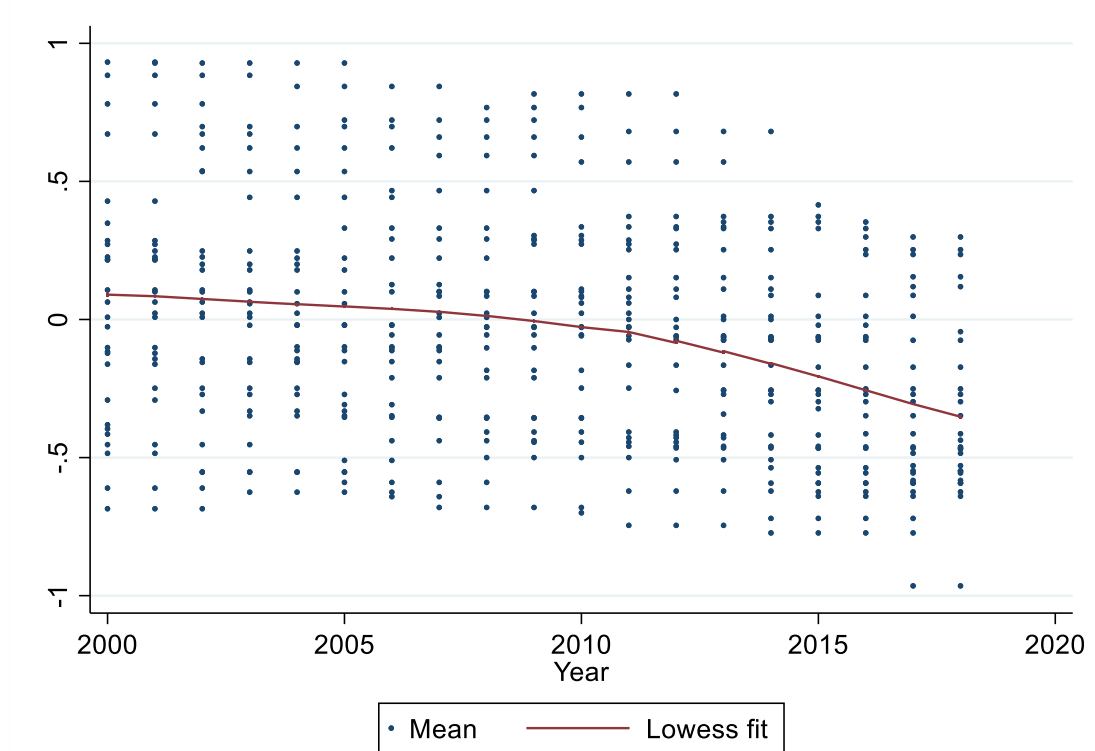
Note: lowess= locally weighted scatterplot smoothing. Means and weighted means are calculated on all the parties' position on migration, using equation (5) in the main text.

A last control is worth mentioning in this section. In order to control for government's ability to implement its own preference on matters of asylum and migration, we include a dummy variable which takes value 1 when the government in office controls the majority of the seats in the lower chamber (coded 0 in case of minority government).

1.3. Control variables

Our analysis comprises two sets of control variables: those relating to the destination countries and those relating to origin countries.

1.3.1. Destination country control variables

The first category aims to capture the differences across EU member states and over time. Economic (GDP per capita in parity of purchase power, growth in GDP per capita, unemployment) and demographic (population density, old-age dependency ratio) variables are presented in table A1 and were not modified. Another set of variables aims to capture the migratory pressure variables a given country may find itself under. We thus account for the number of asylum application lodged in the previous year in a given destination country, the total number of applications a country has received over the three previous years. We also include a dummy variable to control for the refugee crisis during which migration became very topical both because of increased influx and because of increased press coverage. The variable takes the value 1 for the years 2015, 2016, and 2017. Finally, we account for the percentage of foreigner out of the total population. Said percentage is found in the United Nations' Department for Economic and Social Affairs and is only published every five years. Values for a given year were carried forward until the next update was provided.

1.3.2. Origin country control variables

Like for destination countries, we control for some of the features of countries of origin. We control for their demographic (life expectancy, population density, human development indicator[18]) and economic (GDP per capita[19] and unemployment). Those variables were not modified; they are described in table A1.

We also control for a series of political variables, essential in the field of asylum policy. We include Freedom House's (2019) indicators on civil liberties and political rights. Given the high level of correlation between the two indicators (0.92), we calculate their mean and use it as an aggregate indicator. We use The Political Terror Scale (PTS, 2020) as an indicator of human rights violation in countries of origin. We draw from the Uppsala Conflict Data Program's Georeferenced Event Dataset (UCDP (GED); Pettersson and Öberg, 2020) to proxy for the intensity and longevity of conflicts and violence. Some more explanation on the way the data was used is in order here. Previous studies have used an aggregated database produced by UCDP (so-called "Dyadic Database") that poses a series of problem when it comes to study asylum recognition (see Neumayer, 2005, for instance). First, it relies on a categorical quantification of conflicts that takes three values consisting in cut-offs that are far apart (0=less than 25 casualties; 1= 25 to 999 casualties; 2=1000+ casualties). More importantly, previous studies have considered the casualties resulting from inter-state armed conflicts. The data on inter-state conflicts imply at least two sides, without, however, distinguishing where the casualties are located. Yet, if a conflict involves several parties, the casualties are not necessarily evenly distributed among them. We therefore suggest using an aggregation specifically tailored for our study. By considering the victims generated by violent events in which "armed force [is] used by an organized actor against another organized actor, or against civilians, resulting in at least 1 direct death at a specific location and a specific date" (Högbladh, 2020), we provide much more granular an indicator of violence in the countries of origin of asylum seekers. The number of deaths per event are aggregated by country and year. The resulting number was then standardized by the population size of the countries of origin in order to give the percentage of the population that dies every year. This gives a clearer idea of how intense a conflict is. The first variable is the percentage of casualties in a year in a given country of origin whilst the second variable sums the casualties of the last five years and express them as a percentage of the total population. Finally, the last variable in this series is the total number of applications lodged in the EU from a given country in a given year.

2. Model choice and robustness tests

Our preferred model is a negative binomial model with linear parametrization (so-called NB1), a model that fits better our data than other competing ones. In this section, we report statistics pertaining to our full model on refugee status recognition rates (M5 in the main text). Table A2 reports the log-likelihood (LL), Akaike's information criterion (AIC) and Bayesian information criterion (BIC) of competing models. Namely, we test a linear model, a Poisson model, an NB2 model, an NB2 model on the raw number of positive decisions with the logarithm of the total number of decisions as an offset, and a NB1 2-level model. Comparison

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[18] Note that this is highly correlated life expectancy; therefore, we do not include it in our analyses.

[19] Note that the data provided by the World Bank contained many missing values for countries which produce many refugees (e.g. Syria). We thus supplemented the data with that provided by the United Nations' Department of Economic and Social Affairs, after having verified the strict correlation between the values present in the two databases. Note also that GDP per capita for countries of origin is in current prices. This choice is due to the high number of missing values for GDP in constant prices and to the fact that GDP in current prices is good enough a control to proxy the economic situation across countries.

between AIC and BIC values provides compelling evidence in support of the use of NB1; with values significantly lower for negative binomial than for Poisson, and somewhat better for NB1 than for NB2 (Hardin and Hilbe, 2007). Figure A6 helps us decide better between NB2 and NB1.

Tab. A2 – Competing models: Log-likelihood, Akaike's information criterion (AIC) and Bayesian information criterion (BIC)

	Linear	Poisson	NB2 with offset[20]	NB1 2-level	NB2	NB1 2-level	**NB1**
LL	-67957.19	-89065.27	-49695.57	-50962.24	-49069	-49214.32	**-47356.3**
AIC	135976.4	178184.5	99453.13	101984.5	98200	98488.64	**94774.6**
BIC	136217.2	178394.3	99693.95	102217.5	98440.81	98721.69	**95015.41**

Figure A6 below compares the mean of the values predicted by an NB2 (top) and an NB1 (bottom) model for 200 quantiles (which amounts to group our observations by ca. 88) to those observed in our database. The red curves represent the mean predictions while the blue ones represent the mean of our actual values. The top-graph shows that NB2 fits the model rather well for lower values but, as the values of the dependent variable increase, the model performs worse. This is unfortunate for the study at hand where our objective lies with values across the spectrum and not only lower values. NB1 seems to fare better in this area as the two curves overlap throughout our sample. This confirms the results presented in table A2 where NB1 appears to be a better fit. Note that the overlap of the two curves in the bottom-graph indicates that our data is rather well-fitted, which supports the robustness of the results provided in the main text.

Fig. A6 – Mean of observed values and mean of fitted values per quantiles (200) of the fitted values for NB2 and NB1 models


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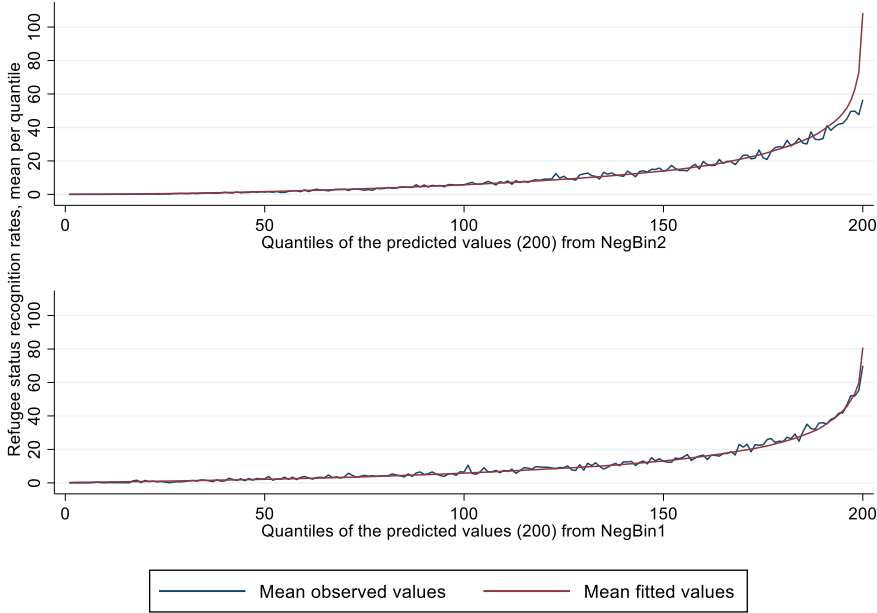
[20] The full N1 model does not converge.

Despite a relatively good fit, there appears to remain some noise in the data, as the distribution of our residuals bears witness. Figure A7 shows that some observations present relatively high Pearson residuals (greater than 3; above the red horizontal line). There are 377 such observations for the full model (model 5 in the main text; out of a total of 17,469); some of which present relatively high values. Because these observations may influence the results presented in the main text, it is important to investigate further the robustness of our models.

A closer look at the observations presenting high Pearson residuals reveals that most of them are cases in which recognition rates are calculated on a low number of total decisions (240 out of 377 observations with high Pearson residuals count less than 15 decisions). For instance, the one observation with the highest Pearson residual (31.6) is the recognition rate of Albanian asylum seekers in Spain in 2005 when 13 decisions were made with a 100% recognition rate. An analysis of all our models shows that they present a number of potentially influential observations (the observations with pearson residuals higher than the threshold) in the same order: M1 has 210 outliers; M2 has 349; M3 has 381; M4 has 364; and M6 has 358.

Fig. A7 – Distribution of Pearson residuals

Observations sorted by destination country and year
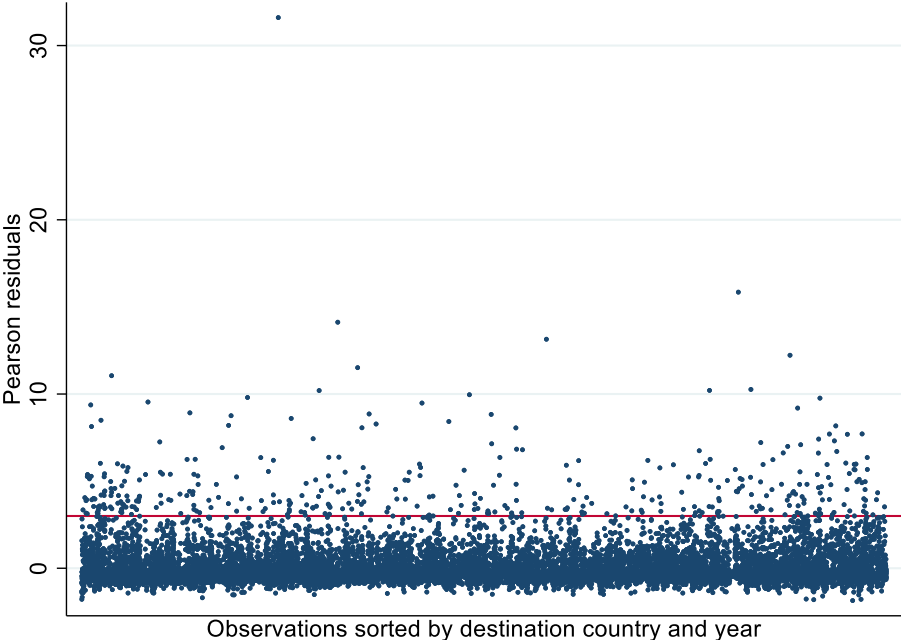
In order to test the influence of these observations on our results and, therefore, test the robustness of our models, we re-run all the models presented in the main text while excluding the values with Pearson residuals higher than the threshold established. We proceed first by removing those observation with Pearson residuals higher than 10 and then by removing those with said residuals higher than 3. Table A3 below reproduces the results (with M1 being here M1', M2, M2', etc.) of the latter series of regressions. The coefficients of interest that somewhat change are framed and presented in bold for ease of reading.

Tab. A3 - Regression results, exponentiated coefficients on EU28, 2000-2018, without potentially influential observations

Dependent variables	M1' Refugee st. exp(b) st.err sig.	M2' Other st. exp(b) st.err sig.	M3' Refugee st. exp(b) st.err sig.	M4' Other st. exp(b) st.err sig.	M5' Refugee st. exp(b) st.err sig.	M6' Other st. exp(b) st.err sig.
orig. Life expectancy	0.990 (0.003)***	0.988 (0.003)***	0.989 (0.003)***	0.988 (0.003)***	0.989 (0.003)***	0.987 (0.003)***
orig. Unemployment	1.008 (0.003)**	1.007 (0.004)*	1.008 (0.003)**	1.007 (0.004)*	1.008 (0.003)**	1.008 (0.004)**
orig. Pop. density	1.000 (0.000)**	0.999 (0.000)***	1.000 (0.000)**	0.999 (0.000)***	1.000 (0.000)**	0.999 (0.000)***
orig. GDP per cap.	1.000 (0.000)***	1.000 (0.000)	1.000 (0.000)**	1.000 (0.000)	1.000 (0.000)***	1.000 (0.000)
orig. Pol. Rights and civil liberties	1.290 (0.016)***	1.105 (0.015)***	1.288 (0.016)***	1.112 (0.015)***	1.293 (0.016)***	1.118 (0.016)***
orig. PTS score	1.175 (0.018)***	1.218 (0.022)***	1.175 (0.018)***	1.200 (0.022)***	1.172 (0.018)***	1.193 (0.022)***
orig. Nb. Of deaths	1.519 (0.430)	15.504 (5.02)***	1.418 (0.403)	14.395 (4.827)***	1.388 (0.394)	14.868 (4.910)***
orig. Nb. Of deaths over past 5 yrs	1.299 (0.069)***	1.223 (0.091)***	1.310 (0.070)***	1.317 (0.101)***	1.302 (0.069)***	1.339 (0.100)***
orig. Application from orgin country	1.044 (0.041)	0.891 (0.043)**	1.048 (0.041)	0.870 (0.044)***	1.040 (0.041)	0.884 (0.044)**
dest. Old-age dpdcy ratio	192 (156)***	0.000 (0.000)***	751 (639)***	0.000 (0.000)***	421 (373)***	0.000 (0.000)***
dest. GDP per cap.	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***
dest. Growth in GDP per cap.	1.002 (0.003)	1.020 (0.004)***	1.002 (0.003)	1.023 (0.004)***	1.006 (0.003)*	1.018 (0.004)***
dest. Unemployment	1.008 (0.004)*	0.988 (0.005)**	1.006 (0.004)	0.982 (0.006)***	1.006 (0.004)	0.987 (0.006)**
dest. Pop. density	1.001 (0.000)	1.002 (0.001)***	1.004 (0.001)***	0.987 (0.002)***	1.005 (0.001)***	0.985 (0.002)***
dest. Total number of applications in dest.	1.201 (0.065)***	0.535 (0.039)***	1.184 (0.065)***	0.469 (0.037)***	1.173 (0.064)***	0.502 (0.039)***
dest. Percent of foreigner	0.984 (0.007)**	0.908 (0.009)***	0.982 (0.007)**	0.895 (0.009)***	0.979 (0.007)***	0.904 (0.009)***
dest. Migration crisis	1.018 (0.024)	0.909 (0.028)***	1.033 (0.025)	0.933 (0.029)**	1.028 (0.024)	0.874 (0.027)***
dest. Tot. nb. appl. in dest. in past 3 years	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)***	1.000 (0.000)**	1.000 (0.000)***	1.000 (0.000)***
IV Adm. capacity	**1.140 (0.090)***	**0.204 (0.022)*****	1.048 (0.086)	0.211 (0.023)***	0.978 (0.082)	0.214 (0.023)***
IV Exposure	1.000 (0.001)	**1.013 (0.002)*****	1.000 (0.001)	1.015 (0.002)***	1.000 (0.001)	1.014 (0.002)***
IV Gvt. salience			1.000 (0.004)	**0.989 (0.005)*****	0.994 (0.005)	**1.004 (0.005)**
IV Gvt. position			1.017 (0.004)***	**1.008 (0.005)***	1.004 (0.004)	**1.019 (0.005)*****
IV Supply position					**1.226 (0.042)*****	0.790 (0.034)***
IV Per. far-right					**1.005 (0.002)*****	0.966 (0.002)***
dest. Maj. Gvt.			1.096 (0.027)***	1.116 (0.033)***	1.114 (0.028)***	1.062 (0.031)**
All Year	1.009 (0.005)***	1.180 (0.009)***	1.005 (0.005)	1.231 (0.011)***	1.010 (0.005)**	1.210 (0.010)***
dest. Tot. nb. decisions in dest. in year	1.009 (0.008)***	1.129 (0.011)***	1.008 (0.008)	1.118 (0.011)***	1.015 (0.009)*	1.110 (0.010)***

As can be seen, re-running our models without potentially influential observations confirms the results presented in the main text. There are some changes but, if anything, they confirm hypotheses that we dismissed in the main text. More precisely, rerunning M1 without the outliers barely changes the coefficients, although it does change the confidence intervals a little (see M1'). The variable on administrative capacity – not statistically significant in M1, main text – becomes significant at the 90% level. For M2, M2' yields similar results in all aspects, albeit with slightly different coefficients. The same applies for M3', where only the coefficient for administrative capacity changes in magnitude but not in statistical significance (i.e. still not significant). In M4', salience for government decreases of one significance level while position increases of one. As for M5', perhaps the most important model of our study, the statistical significance levels do not budge but the coefficients increase, thus supporting the results presented in the main text. Finally, the results in M6 change a little too: salience for government decreases recognition in M6 while it increases it in M6', but the coefficient is significant neither in M6 nor in M6'; the coefficient of government's position, instead, is significant to the 99% level in M6' whilst it was significant at the 95% level in M6.

All in all, eliminating potentially influential cases does not disconfirm the results presented in the main text; rather, it reinforces them. However, because we have little theoretical grounds to drop observations, we opt for a more conservative reading and consider the results in the main text as empirically valid.

Last but not least, we ought to check whether our results are influenced by specific countries of destination and/or origin. To do that, we look at the distribution of our Pearson residuals across destination and origin countries. Starting with destination countries, they appear to be quite homogeneously distributed, albeit some countries present higher (yet acceptable) numbers of outlying observations. Namely, Spain has 17 such observations (out of 1,979 total observations), Denmark has 14 (out of a total of 1,936 observations), and Cyprus has 13 (out of a total of 1,161). These numbers of potentially influential observations are very lowly concentrated on some destination countries, thus suggesting that there is no one single destination country driving our results. We nonetheless run our models by dropping the countries listed above. The coefficients obtained (not reported) are very much in line with those reported in the main text, both in statistical significance and in magnitude. Turning to origin countries, the distribution of potentially influential observations are more evenly distributed than for destination countries with all said figures lying beneath 10.

From the foregoing, we conclude to the soundness of the results presented in the main text. Our choice for a series of models have been guided by an attentive scrutiny of the data at hand and the results obtained appear to be robust to potentially influential observation.

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