

Debating responsibility-sharing: An analysis of the European Parliament's debates on the Common European Asylum System

Journal Article

Author(s):

Kaufmann, David (D)

Publication date:

2021

Permanent link:

https://doi.org/10.3929/ethz-b-000428027

Rights / license:

In Copyright - Non-Commercial Use Permitted

Originally published in:

European Policy Analysis 7(1), https://doi.org/10.1002/epa2.1087

Accepted version

Debating responsibility-sharing: An analysis of the European Parliament's

debates on the Common European Asylum System

David Kaufmann

ETH Zürich

HIL H 29.3, Stefano-Franscini-Platz 5, 8093 Zürich, Switzerland

Tel.: +41 44 633 94 84

kadavid@ethz.ch

Published in European Policy Analysis: https://doi.org/10.1002/epa2.1087

Abstract

The Common European Asylum System (CEAS) has failed to ensure effective protection in times of

high numbers of asylum seekers. CEAS reforms have not successfully introduced responsibility-

sharing mechanisms that can balance the effects of the Dublin Regulation's allocation rules. I

analysed the absence of substantial CEAS reforms by examining the discursive strategies used by

Members of the European Parliament (MEPs) in asylum reform debates during the European

Parliament's (EP) seventh legislative term (2009-2014). The mixed-methods analysis revealed that

(1) MEPs across the political spectrum argued in favour of responsibility-sharing, (2) MEPs from

south-eastern border European Union Member States were prone to use solidarity discursive

strategies to speak in favour of responsibility-sharing, (3) and that MEPs aligned their discursive

strategies to the actual responsibility-sharing mechanisms under discussion. These findings point to

substantive and problem-oriented debates in the EP. Yet, these debates did not translate into essential

CEAS reforms.

Keywords: responsibility-sharing, asylum policy, European Union, European Parliament, Common European

Asylum System, solidarity

2

Introduction

The persistent malfunctioning of the Common European Asylum System (CEAS) was once again evident during the so-called 'refugee crisis' of 2015 (Niemann and Zaun 2018). The Dublin Regulation, a crucial element of the CEAS, allocates the responsibility for asylum requests in European Union (EU) Member States (MS) to the country of first entry. However, the CEAS fails to provide substantial responsibility-sharing mechanisms to compensate the country of first entry (Bauböck 2018; Scipioni 2018; Zaun 2018; Ripoll Servent 2019). As a consequence, there are incentives for EU MS to shirk their protection responsibility as laid out in the Dublin Regulation, which results in the under provision of humanitarian protection in Europe (Lutz et al. 2020). Increases in numbers of asylum seekers (for example during the so-called 'Arab Spring' or the 'Refugee Crisis' of 2015) thus consistently highlight the shortcomings of the CEAS, as the CEAS is not able to adequately respond to increases in refugee arrivals and to share the responsibility among EU MS.

The CEAS was established during its first phase (2000-2006). In its second phase (2007-2014), the European Parliament (EP) acquired joint decision-making powers in asylum policy with the Council of the European Union (Council) (Kaunert and Leonard 2012, Ripoll Servent 2015, Trauner and Ripoll Servent 2016, Zaun 2017). In order to make the distribution of the

_

¹ Three directives and one regulation constitute the cornerstones of the CEAS: The Reception Conditions Directive (2003/9/EC), the Asylum Procedures Directive (2005/85/EC), the Qualification Directive (2004/83/EC) and the Dublin Regulation (343/2003). Additionally, the Temporary Protection Directive (2001/55/EC) and the Eurodac Regulation (2725/2000) exist as part of the CEAS' legal framework.

² The Dublin Regulation assigns responsibility based on a hierarchy of criteria (see Peers 2016, 295-305). While the country of first-entry rule is not the first criteria, it is, however, the most common means of assigning responsibility.

³ The literature uses the terms 'responsibility-sharing' and 'burden-sharing' interchangeably. I use 'responsibility-sharing' to avoid the perception of asylum seekers as a burden to their host societies.

responsibilities and costs borne by EU MS undertaking humanitarian protection more fair, the European Commission (EC) mandated the EP to finalise CEAS reforms no later than 2012. The reforms to the CEAS were expected to include responsibility-sharing mechanisms that would balance the effects of the Dublin Regulation's allocation rules. Crucial CEAS reforms were finalised in summer 2013.⁴ However, these reforms lacked substantive responsibility-sharing elements (Zaun 2017; Ripoll Servent 2019). Thus, strengthening the role of the EP did not did not result in greater responsibility-sharing. Given the EP's crucial but ineffective role (Ripoll Servent 2015, 2019, Trauner and Ripoll Servent 2016), I examine the CEAS reform debates in the EP to uncover how the EP debated responsibility-sharing mechanisms. Specifically, I analyse the discursive strategies that Members of the European Parliament (MEPs) used to argue in favour of responsibility-sharing mechanisms to examine who speaks on behalf of responsibility-sharing, how and why. The answers to these research questions should help to explain why CEAS reforms do not include responsibility-sharing mechanisms.

This article examines all asylum policy debates in the EP plenary and in the relevant Committee on Civil Liberties, Justice and Home Affairs (LIBE) in the seventh legislative term of the EP (2009-2014). By conducting a content analysis of video protocols, I compiled an original data set of MEP speech acts that are in favour of responsibility-sharing mechanisms. Based on the literature, I derive four discursive strategies that are in favour of responsibility-sharing: avoidance of damaging unilateral action, insurance rationale, package deal and solidarity (Thielemann 2005; Thielemann et al. 2011). I outline a structure, an ideology and a policy hypothesis to test why MEPs chose a given discursive strategy.

⁴ The Qualification Directive was reformed in 2012. The directives on Asylum Procedures and Reception Conditions as well as the Dublin Regulation were reformed in June 2013.

This article finds that MEPs across the political spectrum spoke largely in favour of responsibility-sharing mechanisms. A mixed-methods analysis of this dataset revealed that MEPs from south-eastern border EU MS (Cyprus, Greece, Italy, or Malta) spoke more in favour of responsibility-sharing by mainly using the solidarity discursive strategy. Interestingly, MEPs from right-wing parties were more prone to employ solidarity discursive strategies; however, they infused solidarity frames with their political vocabulary so as to demand solidarity with their country of origin. In addition, speech acts often applied solidarity as a discursive strategy to demand redistributive responsibility-sharing mechanisms (sharing money or sharing people). The use of this strategy makes sense because solidarity argues for a balanced and fair distribution of responsibilities and costs between EU MS. In contrast, employing the avoidance of damaging unilateral action discursive strategy, the other prominently used strategy, is more closely related to the logic of policy harmonisation (i.e., sharing norms). Thus, MEPs aligned their discursive strategies to the logic of the policy (i.e., responsibility-sharing mechanism) under discussion.

These findings suggest that there were substantive and problem-oriented debates in the EP. However, this debate quality did not translate into substantive CEAS reforms because they were blocked by the Council, which inserts national interests into EU policy-making (see also Ripoll Servent and Trauner 2014, Ripoll Servent 2015, 2019, Trauner and Ripoll Servent 2016, Zaun 2017, 2018).

Asylum policy-making in the European Union

Given the rise of asylum applications following the end of the Cold War and as a result of the conflicts in former Yugoslavia, north-western EU MS, such as Germany, France, the United Kingdom (UK), the Netherlands and Sweden, which hosted large numbers of asylum seekers, started to negotiate systems to distribute the responsibility for asylum requests amongst European

countries (Zaun 2017). The incentive for EU MS to participate in this kind of a European asylum system was mainly to prevent so-called 'asylum shopping', whereby asylum seekers filed applications in multiple EU MS following their rejection in another state (Scipioni 2018, 7). These intergovernmental negotiations led to the Dublin Regulation, which entered into force in 1997. The treaty of Amsterdam in 1999 communitarised asylum policy from an intergovernmental framework to a supranational defined area of freedom, security and justice.

The CEAS framework was implemented under The Hague Programme (2005-2010). The first phase of the CEAS focused on policy harmonisation and the establishment of minimum protection standards in EU MS. In 2007, the EC formally acknowledged the uneven distribution of asylum numbers: '[T]he Dublin System may de facto result in additional burdens on Member States that have limited reception and absorption capacities and that find themselves under particular migratory pressures because of their geographical location' (European Commission 2007, 10). In the second phase of the CEAS, the EP 'acquired joint decision-making powers on asylum, which represents a significant increase in power for this institution compared to previous institutional arrangements' (Kaunert and Léonard 2012, 1405). The EC tasked the EP with reforming EU asylum policy in the second phase of the CEAS. These reforms aimed to introduce responsibilitysharing between EU MS and to increase protection standards in them. The CEAS reforms were finalised in 2013. Whereas the CEAS has been able to raise protection standards and help formalise asylum systems in newer EU MS, there are barely common minimum standards and the goals of the Stockholm Programme and the Lisbon Treaty have not been accomplished with regard to solidarity and responsibility-sharing (Zaun 2017; Niemann and Zaun 2018; Scipioni 2018).

The EP is a supranational parliament (Ripoll Servent 2018). As a result, MEPs tend to be influenced by supranational institutions and international rights frameworks, they have maintained

liberal views on policies in the Area of Freedom, Security and Justice, and they are generally willingly to push EU integration further (Ripoll Servent 2018; Zaun 2017, 181-183). However, some aspects of the EP can be compared to those of national parliaments (Ripoll Servent 2018). For example, party ideology regarding migration and asylum policy remains important in the EP (Frid-Nielsen 2018).

Responsibility-sharing in asylum systems

Sharing schemes are based on the logic of collective action in the provision of public goods (Czaika 2009). The axiom of burden-sharing is to share the marginal costs in the same proportion as the marginal benefits. It is possible to conceptualise European asylum provision as a public good (e.g. Noll 2003; Thielemann 2018; Lutz et al. 2020). Humanitarian protection is an international obligation of states, but the costs are borne by countries that host more refugees than others. Following a classic public goods logic, there exist powerful incentives for EU MS to free-ride on the efforts of others and to shirk their responsibility onto other EU MS. Thus, the provision of humanitarian protection constitutes a collective action problem in an international environment without a strong central enforcement institution. Responsibility-sharing mechanisms can incentivise states to participate in the provision of the public good (Noll 2000)

Prior to the turn of the millennium, judicial scholars were already advocating for international responsibility-sharing systems to tackle global refugee problems (Schuck 1997). Many national asylum systems implement responsibility-sharing to ensure the fair internal distribution of asylum applications between sub-national territorial units (Thielemann et al. 2011, 41). At the international level, the preamble of the 1951 Convention relating to the Status of Refugees prominently mentions responsibility-sharing. However, there is no international responsibility-sharing system in place for refugees or asylum seekers. In the EU, the European Refugee Fund and the European

Asylum Support Office are the two existing asylum institutions that could potentially integrate responsibility-sharing mechanisms. However, they lack sufficient budgets for incentivising responsibility-sharing (Thielemann 2010, 10).

Discursive strategies that argue in favour of responsibility-sharing in asylum systems

There are four discursive strategies that advocate for responsibility-sharing in the literature, namely avoidance of damaging unilateral action, insurance rationale, package deal and solidarity (Thielemann 2005; Thielemann et al. 2011). According to Eiko Thielemann (2005), these strategies have already proved to be successful in the creation of redistributive mechanisms in other EU-institutions. I apply these discursive strategies to the perspective of MEPs.

Avoidance of damaging unilateral action argues against having EU MS take unilateral responses that may be effective in one MS, but which could have negative externalities for another. Such 'responsibility-shifting' includes state practices that seek to prevent asylum seekers from lodging asylum claims in their state or that allow asylum seekers to transit into a neighbouring EU MS. Responsibility-sharing mechanisms could help avoid damaging unilateral actions within the institutional framework of the CEAS.

The insurance rationale argues that responsibility-sharing can function as an insurance device. Responsibility-sharing can enhance the predictability of future asylum numbers, thereby allowing states to calculate future costs and the utilisation of their asylum system. Given that asylum applications are subject to significant fluctuations, 'it might make sense for a state to accept a role as net contributor today, if they can expect to become net beneficiaries of the system when in need at some point in the future' (Thielemann 2005, 809). Fluctuations and administrations' desire to plan future asylum numbers can motivate states to participate in a responsibility-sharing system (Thielemann et al. 2011, 39-40).

The package deal argues that states can link their participation in responsibility-sharing to other contributions to the public good of humanitarian protection. Thielemann and Dewan (2006) illustrate how every EU MS can contribute to humanitarian protection in one of two principal ways: proactively (e.g. peacekeeping/making, development cooperation) and reactively (hosting and protecting displaced people). MS can justify their different contributions based on their different comparative advantages, which assumes that it is efficient for states to contribute to the policy fields that they are specialised in and that do not provoke much national political resistance (Thielemann 2005, 810).

Solidarity, as a discursive strategy, adheres to the normative principles of fairness and equality. Solidarity can be understood as a commitment to the well-being of other members of a group (Mason 2000). Solidarity is the commitment to a mutual concern: 'Minimally this means that member must give each other's interests some non-instrumental weight in their practical reasoning (...) [and] there must be no systematic exploitation or no systematic injustice' (Mason 2000, 27). The principle of solidarity forbids free-riding or 'responsibility-shifting' (Baurmann 1999, 253). The EU internalised, at least formally, solidarity as a central value in Article 80 of the Treaty of Lisbon that states: 'the policies of the Union (...) shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States' (European Union 2008, § 80).

Three hypotheses

In the following, I outline a structure, an ideology and a policy hypothesis to explain why MEPs chose a certain discursive strategy to advocate for responsibility-sharing in the CEAS. Different rationales underpin the four discursive strategies. Avoidance of damaging unilateral action, insurance rationale, and package deal relate to economic and intergovernmentalist arguments.

They argue for minimising the costs of unilateral actions, minimising possible future risks, or compensating the costs of asylum reception (fiscal and socio-political) with other contributions to the public good of humanitarian protection. These arguments seek to increase the efficiency of the whole CEAS without introducing redistributive mechanisms. The principle of solidarity, on the contrary, adheres to the normative principles of fairness and equality. Solidarity argues for a balanced distribution of the responsibility and costs borne by the different EU MS. The construction of the hypotheses mirror these different rationales ...with solidarity often in juxtaposition to the other three discursive strategies.

Structure hypothesis

The structure hypothesis posits that MEPs' discursive strategies vary depending on the number of asylum seekers in their country of origin. A Liberal Intergovernmentalist (Moravcsik 1993) take on EU asylum policy argues that EU MS with a high number of asylum seekers face strong domestic pressures to encourage other MS to engage in responsibility-sharing (Czaika 2009; Zaun 2017). As a consequence, MEPs from MS with high numbers of asylum seekers are more likely to be in favour of responsibility-sharing and to use a *solidarity* discursive strategy than MEPs from MS with low numbers of asylum seekers.

• H 1: The higher the number of asylum seekers in a MEP's country of origin, the more likely the MEP is to use a *solidarity* discursive strategy that is in favour of responsibility-sharing mechanisms.

Ideology hypothesis

The ideology hypothesis posits that MEPs' discursive strategies vary depending on their political ideology. Political ideology and party membership are powerful predictors of conflict structures

in asylum policies (Bernhard and Kaufmann 2018) as well as MEPs' speech acts on EU asylum policy (Gianfreda 2018, Frid-Nielsen 2018). The political left tends to adhere to cosmopolitan views and supports more liberal asylum policies, while the political right tends to adhere to nationalist ones and supports more restrictive asylum policies (Kriesi et al. 2008; Bernhard and Kaufmann 2018).⁵ Economic and intergovernmentalist arguments drive avoidance of damaging unilateral action, insurance rationale, and package deal strategies. Thus, these discursive strategies follow a right-leaning political ideology. On the contrary, the notion of equality and solidarity stems from a left-leaning and cosmopolitan ideological framework (Mason 2000, 27-28). I therefore assign the *solidarity* discursive strategy to the left political ideology.

- H 2.1: The more right the political ideology of a MEP, the more likely the MEP is to use an *avoidance of damaging unilateral action*, *insurance rationale* or a *package deal* discursive strategy in favour of responsibility-sharing mechanisms.
- H 2.2: The more left the political ideology of a MEP, the more likely the MEP is to use a *solidarity* discursive strategy in favour of responsibility-sharing mechanisms.

Policy hypothesis

The policy hypothesis posits that discursive strategies vary depending on the type of redistributive responsibility-sharing mechanism that is under discussion. Gregor Noll (2000, 270) distinguishes between three types of asylum responsibility-sharing mechanisms:

- Sharing norms (i.e. harmonising asylum legislation)
- Sharing money (i.e. reallocating funds)

_

⁵ The analysis primarily uses the economic dimension (left/right). However, I will use the socio-cultural distinction between Traditional-Authoritarian-Nationalist (TAN) values and Green-Alternative-Libertarian (GAL) values (Hooghe, Marks, and Wilson 2002) to test the reliability of the political ideology measurement.

• Sharing people (i.e. distributing asylum seekers and/or refugees)

Sharing norms does not contain an explicit redistributive dimension. Sharing money and sharing people are redistributive mechanisms that depend on a refugee admission quota that would have to be defined for each EU MS. Sharing money is a financial redistributive mechanism that shares the costs associated with admitting refugees. EU MS that take fewer refugees than specified by their admission would financially compensate EU MS that host more refugees than specified in their quota. Sharing people is a physical redistributive mechanism. Asylum seekers or refugees would be relocated to EU MS that would not yet have reached the number of asylum seekers specified by their admission quota. The physical relocation of asylum seekers or refugees is not only likely to spark political resistance from nationalist or communitarian groups; it is also controversial from a human rights perspective, because it may transfer humanitarian migrants without their consent (Thielemann 2003, 260; Lutz et al. 2020). The principle of solidarity fits the logic of redistributive responsibility-sharing as it argues for a balanced and fair distribution of asylum seekers between EU MS.

 H3: If a redistributive responsibility-sharing mechanism is under discussion (sharing money or sharing people), then a MEP is more likely to employ a *solidarity* discursive strategy.

Research design

This article applies a mixed-method analysis that examines MEP speech acts in the EP and in the LIBE committee in the seventh legislative term of the European Parliament (from July 2009 until July 2014). This time period includes the mandate given by the Stockholm Programme of 2010 to the LIBE committee to finalise the CEAS no later than 2012. Responsibility-sharing debates became particularly salient in 2011 given the high numbers of asylum seekers triggered by the so-

called 'Arab Spring'. This article's original data set stems from video protocols that record all EP plenary and committee meetings.

I first scanned the preliminary agendas of every EP or LIBE committee meeting to determine whether elements of the CEAS were under discussion. I watched the relevant debates, and I registered all individual speech acts in favour of responsibility-sharing. I only coded speech acts in favour of responsibility-sharing because there were only a few speech acts against responsibility-sharing in the EP. The exception was the few speech acts that linked the rejection of responsibility-sharing with a rejection of the further communitarisation of asylum policies. I coded the speech acts according to the four theoretically derived discursive strategies.⁶ I watched a total of around 50 hours of video protocols covering 38 LIBE committee meetings and 16 EP plenary sessions. I found relevant speech acts in 32 LIBE committee meetings and 14 EP plenary sessions (see Appendix section A2).

I first analysed the occurrence of speech acts using descriptive statistics. Multinomial Logit Model (MNLM) estimations and predicted probabilities tested the proposed hypotheses. The MNLM is used given the unordered categorical dependent variable. A qualitative assessment of speech acts helped to interpret the findings from the statistical analysis by evaluating the plausibility of statistical effects (Seawright 2016). Online Appendix A1 shows the data sources and the operationalisation of the variables. Online Appendix A3 reports different MNLM estimations models.

⁶ Another researcher independently coded two representative LIBE meetings. The intercoder reliability was 84%.

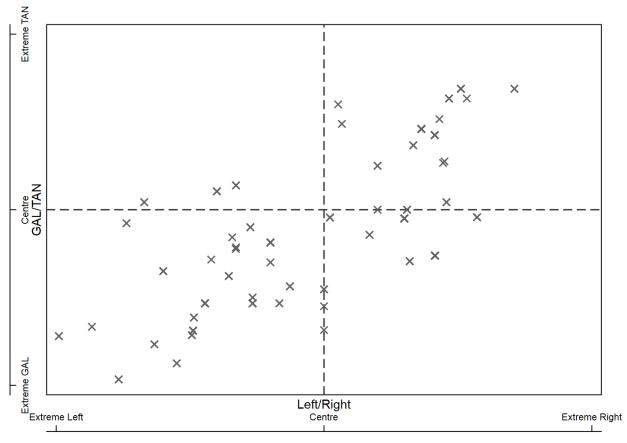
Results

Seventy-one different MEPs delivered the 216 coded and classified speech acts. These MEPs belong to 50 different national parties, and they originate from 19 out of the then 27 EU MS.⁷ Figure 1 depicts how MEPs across the political spectrum⁸ argued for responsibility-sharing mechanisms. The figure also indicates a slight extremity bias, meaning that MEPs on the more extreme sides of the political spectrum are more prone to advocate for responsibility-sharing mechanisms.

⁷ There were no speech acts in favour of responsibility-sharing from MEPs originating from Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, Lithuania or Luxembourg.

⁸ Please note that not all quadrants are equally covered in the population of MEPs because the two dimensions correlate.

Figure 1. Plot of coded speech acts on a party ideology matrix, N=71.



Source: Own content analysis

Table 1. Number of speech acts by political group and MEP's region of origin.

		Spe	ech acts of a	ll MEPs (<i>N</i> =	216)	Speech acts of MEPs with no special position (N=108)						
	Non-south	-eastern bord	der EU MS	South-eastern border EU MS			Non- south	n-eastern bor	der EU MS	South-eastern border EU MS		
	Speech acts (%)	Seats in EP (%)	Difference, percentage points	Speech acts (%)	Seats in EP (%)	Difference, percentage points	Speech acts (%)	Seats in EP (%)	Difference, percentage points	Speech acts (%)	Seats in EP (%)	Difference, percentage points
ALDE	28 (96.55)	77 (91.66)	+4.89	1 (3.45)	7 (8.33)	-4.88	11 (91.67)	77 (91.67)	0	1 (8.33)	7 (8.33)	0.00
ECR	0	54 (100.00)	0.00	0	0 (0.00)	0.00	0	54 (100.00)	0	0	0 (0.00)	0.00
G/EFA	22 (91.66)	54 (98.18)	-6.52	2 (8.33)	1 (1.82)	+6.51	7 (77.78)	54 (98.18)	-20.40	2 (22.22)	1 (1.82)	+20.40
EFD	0 (0.00)	21 (65.63)	-65.63	2 (100.00)	11 (34.38)	+65.62	0 (0.00)	21 (65.63)	-65.63	2 (100.00)	11 (34.38)	+65.62
EPP	28 (35.00)	218 (82.26)	-47.26	52 (65.00)	47 (17.74)	+47.26	23 (57.50)	218 (82.26)	-24.76	17 (42.50)	47 (17.74)	+24.76
GUE/NGL	5 (55.56)	30 (85.71)	-30.15	4 (44.44)	5 (14.29)	+30.15	5 (71.43)	30 (85.71)	-14.28	2 (28.57)	5 (14.29)	+14.28
S&D	57 (79.17)	150 (81.52)	-2.35	15 (20.83)	34 (18.48)	+2.35	24 (63.16)	150 (81.52)	-18.36	14 (36.84)	34 (18.48)	+18.36
Independ- ents	0	27 (100.00)	0.00	0	0 (0.00)	0	0	27 (100.00)	0.00	0	0 (0.00)	0.00
Total	139 (64.35)	631 (85.73)	-21.38	77 (35.65)	105 (14.27)	+21.38	70 (64.81)	631 (85.73)	-20.92	38 (35.19)	105 (14.27)	+20.92

Table 1 demonstrates relevant speech acts by political group, MEPs' regions of origin, whether it is a south-eastern border EU MS or not, and whether MEPs hold a special position in the LIBE committee as a rapporteur or a shadow rapporteur of a CEAS reform proposal. MEPs' region of origin serves as a proxy for high asylum pressure. The grey columns are most relevant as they display the differences between the percentage of relevant speech acts and the percentage of seats in the EP as an indicator of an overrepresentation or underrepresentation of speech acts.

MEPs from south-eastern border EU MS spoke about 21 percentage points more in favour of responsibility-sharing than MEPs from other EU MS. This percentage difference remains stable whether or not I include MEPs with special positions. If I distinguish speech acts by political group, I can see that Alliance of Liberals and Democrats for Europe (ALDE) group members spoke a bit more in favour of responsibility-sharing than their number of seats would suggest. However, this effect vanishes when we only count MEPs that do not have a special position. The centre-right European People's Party (EPP) group has a high percentage difference between MEPs from southeastern border EU MS and other MEPs. This suggests that responsibility-sharing for MEPs of the EPP is only a priority in states with high asylum numbers. Similarly, the European United Left-Nordic Green Left group (GUE/NGL) displays a high percentage difference between MEPs from south-eastern border EU MS and MEPs from other MS. However, this difference in percentage diminishes when I only count MEPs that do not hold a special position. The Progressive Alliance of Socialists and Democrats (S&D) has a high percentage difference of speech acts between MEPs from south-eastern border EU MS and other MEPs, but only in the case of MEPs who do not hold a special position. The percentage differences for the Greens–European Free Alliance (G/EFA) group should be interpreted with caution because there was only one seat in the EP held by an MEP from a south-eastern border EU MS. MEPs from the Europe of Freedom and Democracy

(EFD) group only made two speech acts and no speech acts were made from European Conservatives and Reformists (ECR) MEPs or from unattached MEPs.

As in Figure 1, Table 2 reveals an extremity bias in the occurrence of the speech acts. In addition, south-eastern MEPs seem to prefer responsibility-sharing more than MEPs from the rest of the EU. As the percentage differences for conservative MEPs is higher than for social democratic MEPs, this descriptive analysis suggests that the extremity bias is more pronounced to the right of the political spectrum. However, there is not a large variety amongst the political groups in the percentage of MEPs that spoke in favour of responsibility sharing.⁹

While the descriptive analyses indicate that political ideology and the country of origin matters, it calls for a more sophisticated analysis of how these two variables influence how MEPs speak in favour of responsibility-sharing. I will now test the three proposed hypotheses with the help of MNLM estimates. Out of 216 speech acts, MEPs employed the solidarity discursive strategy 143 times (66.2%), the avoidance of unilateral action discursive strategy 60 times (27.8%) and the insurance rationale discursive strategy 13 times (6%). When only counting MEPs that did not hold special positions, out of the total 92 speech acts, the solidarity strategy was employed 79 times (72.7%), the avoidance of unilateral action strategy 27 times (29.3%) and the insurance rationale strategy 2 times (2.2%) (see Online Appendix A1 for descriptive statistics). No MEP chose a package deal strategy. It does not seem as though the package deal discursive strategy matches the realities of the legislative debates in the EP. Instead, actual policy-making deals and negotiations

⁹ The following percentage of MEPs from each political group spoke in favor of responsibility-sharing: ALDE 10.71%, G/EFA 16.36%, EFD 6.25%, EPP 8.68%, GUE/NGL 14.29%, S&D 12.5%.

seem to occur in preparatory bodies preceding parliamentary meetings and not in the parliamentary settings (e.g. Ripoll-Servent 2018; Ripoll-Servent and Panning 2019).

Table 2 reports the model estimations and distinguishes between whether MEPs have a special role as the rapporteurs or the shadow rapporteurs of an asylum policy under discussions. The effects were interpreted using predicted probabilities.

Table 2. Multinominal logit estimates.

		ech acts of all EPs		ch acts of MEPs cial position		ech acts of all EPs	Model 4: Speech acts of MEPs with no special position		
	ADUA/ Solidarity	Insurance Rationale/ Solidarity	ADUA/ Solidarity	Insurance Rationale/ Solidarity	ADUA/ Solidarity	Insurance Rationale/ Solidarity	ADUA/ Solidarity	Insurance Rationale/ Solidarity	
Asylum pressure (IV)	-0.196	-0.010	-0.440	0.404					
(Asylum numbers: lag of the last month, per capita, per 1000 inhabitants, logarithmised)	(0.185)	(0.222)	(0.297)	(0.632)					
Asylum pressure (IV)					-1.386*	0.276	-1.273	1.917	
(Dummy, MEP from south-eastern border EU MS)					(0.633)	(0.880)	(0.806)	(2.406)	
Political ideology (IV)	-0.332**	-0.218	-0.465**	-0.258	-0.259*	-0.204	-0.338	-0.345	
(0=Extreme left, 10=Extreme right)	(0.110)	(0.148)	(0.176)	(0.406)	(0.116)	(0.148)	(0.177)	(0.424)	
Sharing money (IV)	-2.780***	-0.178	-3.230**	-14.816	-2.907***	-0.245	-3.335**	-14.755	
(0=no sharing money mechanism, 1=sharing money mechanism)	(0.701)	(0.987)	(1.231)	(2487.127)	(0.717)	(0.981)	(1.277)	(2255.895)	
Sharing people (IV)	-3.823***	-0.110	-3.549***	-1.015	-3.545***	-0.199	-3.288***	-1.296	
(0=no sharing people mechanism, 1=sharing people mechanism)	(0.562)	(0.750)	(0.817)	(1.521)	(0.561)	(0.759)	(0.802)	(1.610)	
GDP per Capita (control)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
(lag of the last month)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)	
Unemployment rate (control)	-0.199	0.993	-0.749	0.123	0.056	0.933	-0.371	0.375	
(lag of the last month, logarithmised)	(0.529)	(0.822)	(0.799)	(2.466)	(0.506)	(0.796)	(0.745)	(0.131)	
LIBE committee (control)	-1.264*	14.522	-1.772*	14.850	-1.252*	14.486	-1.724*	14.860	
(0=MEP is not a member of LIBE, 1= MEP is a member of LIBE)	(0.564)	(869.590)	(0.729)	(1787.184)	(0.564)	(853.330)	(0.738)	(1587.101)	
Intercept	2.249	-19.519	3.710	-17.484	2.932	-20.147	4.819	-22.146	
	(1.805)	(869.596)	(2.604)	(1787.212)	(1.678)	(853.337)	(2.346)	(1587.180)	
Likelihood ratio x^2	111	.86	52	.13	114	5.89	53	47	
Percent correctly predicted (Adjusted count R ²)		326		375		338	53.47 0.385		
N * - < 0.05: ** - < 0.01: *** - < 0.001	2	14	10	06	2	14	10	06	

^{*} p < 0.05; ** p < 0.01; *** p < 0.001.

Notes: Standard errors in the parentheses. ADUA stands for the discursive strategy avoidance of damaging unilateral action. The parameter estimates are defined with respect to the baseline category *solidarity*, the comparison avoidance of damaging unilateral action/ insurance rationale can be calculated by subtracting the estimates of column one from those of column two.

In all four models, the comparisons between insurance rationale/ solidarity and insurance rationale/ avoidance of damaging unilateral action show no significant results. This is because of the low number of speech acts that MEPs employed using the insurance rationale discursive strategy. Thus, I can only scrutinise the difference between the avoidance of damaging unilateral action and solidarity strategies. The estimated effects are similar in all four models with regard to their direction and magnitude. It is less likely that a MEP uses the avoidance of damaging unilateral action discursive strategy instead of the solidarity discursive strategy, if a MEP...

- ...originates from a south-eastern border EU MS.
- ...has a left-leaning political ideology.
- ...is a member of the LIBE committee.

It is also less likely that a MEP uses the avoidance of damaging unilateral action discursive strategy instead of the solidarity discursive strategy if redistributive responsibility-sharing mechanisms (sharing money or sharing people) are under discussion. There are no significant effects when I operationalise 'asylum pressure' with the actual number of asylum seekers. There are also no significant effects for GDP and unemployment rates of EU MS. I computed different measurements and time lags for the used variables to test the reliability of the operationalisations (see Online Appendix A3).

Table 3 shows predicted probabilities for the variables 'South-eastern border EU MS', 'Sharing Money', 'Sharing People', and 'LIBE membership' by using estimates from Model 3. I examine the influence of political ideology in the discussion section because the direction of the effect is opposite of the proposed direction in the hypothesis. MEPs that originate from a south-eastern border EU MS(Cyprus, Greece, Italy, or Malta) are much more likely to use the solidarity discursive strategy to argue for a responsibility-sharing mechanism. The two dummies that capture the type of responsibility-sharing mechanism under discussion both show that MEPs are more

likely to employ the solidarity discursive strategy when redistributive responsibility-sharing mechanisms are under discussion. In addition, MEPs that are members of the LIBE committee are more likely to use a solidarity discursive strategy than MEPs that are not. There is, however, no statistical association between the discursive strategies used and the type of speech act forum (LIBE committee or EP plenary, see Online Appendix A3).

Table 3. Predicted probabilities.

	Variable: asylum pressure, MEP from south- eastern border EU MS			e: sharing ney		e: sharing ople	Control: LIBE membership		
	Yes	No	Yes	No	Yes	No	Yes	No	
Pr (Avoidance of damaging unilateral action)	0.071	0.234	0.014	0.211	0.033	0.541	0.120	0.344	
Pr (solidarity)	0.922	0.761	0.980	0.784	0.961	0.455	0.802	0.656	

Discussion

Overall, the findings support the structure and policy hypotheses and contradict the direction of the ideology hypothesis. This section examines and interprets these results.

The *structure hypothesis* is only supported when asylum pressure is operationalised with the proxy that a MEP originates from a south-eastern border EU MS (Cyprus, Greece, Italy and Malta). In combination with the findings from the descriptive analysis, it shows that MEPs from Cyprus, Greece, Italy and Malta spoke in favour of responsibility-sharing more often, and they did so by mainly relying on the solidarity discursive strategy. When I employ another measure for asylum pressure, like the actual number of asylum seekers, or when I expand the proxy to MEPs from southern border EU MS (plus France, Spain, and Portugal), the effects of this variable become insignificant. With regard to the absence of an effect of asylum numbers, this may mean that asylum numbers do not reflect MEPs' perceived 'asylum pressure', which is probably because south-

eastern border EU MS have limited incentives and/or capabilities to register all asylum seekers that arrive or travel through (see Lutz et al. 2020).

The testing of the *ideology hypothesis* reveals that right-leaning MEPs are more prone to use a solidarity discursive strategy. A qualitative comparison of two speech acts by two Italian MEPs in the same EP plenary debate reveals how it is possible to reframe and infuse solidarity with political ideology. A MEP from the radical right Lega North party delivers the first speech act and the second MEP from the social democratic Partito Democratico gives the second.

(...) Lampedusa has been invaded by tens of thousands of North Africans that the island will never ever be able to accept. Italy has, for weeks, been targeted by hundreds of boats of illegal immigrants. If we do not react together, if the EU does not react, the migratory wave of displaced people will continue. (...) However, apart from a few words of solidarity, the Italian Government has been left alone to handle this biblical exodus of such unforeseeable dimensions. Where is Europe? Until now, Brussels has been guilty of hiding; my fellow citizens can no longer stand its shameful behavior. Europe has left Italy alone to face the unprecedented emergency.

(Bizzotto 2011)

I went to Lampedusa on Monday and saw 4 000 - 5 000 people on the ground, huddling together to sleep under the sun and the rain (...) Tunisia is now home to 150 000 migrants who come from Libya and shows its solidarity. It is a poor country showing solidarity, while wealthy Europe is unable to accommodate 5 000 migrants. Europe should instead show its solidarity to these wonderful kids who have sparked the Jasmine Revolution originating in Sidi Bouzid that is changing North Africa and the world.

(Corcetta 2011)

These two speech acts show how MEPs infuse solidarity with their commonly used ideological vocabulary, their interpretation of migration and their construction of the deservingness of asylum seekers. Whereas the radical-right MEP demands solidarity with Italy and uses dehumanising

vocabulary such as 'invasion' or 'migratory wave,' the social democrat MEP constructs asylum seekers as deserving and heroes of the Jasmine Revolution as well as demanding solidarity with them.

In general, MEPs across the political spectrum use the solidarity discursive strategy extensively. The nature of EP debates might explain this finding. EP debates, especially those in the committees, often cover topics that are not voted upon (Proksch and Slapin 2010). Speech acts may be better explained by political ideology when more established asylum policies are under discussion, such as whether to support a liberal or restrictive asylum policy in the EP plenary (Gianfreda 2018, Frid-Nielson 2018).

The support for the *policy hypothesis* suggests that MEPs align the use of discursive strategies to the responsibility-sharing mechanisms under discussion. A similar underpinning rational connects discursive strategies and responsibility-sharing mechanisms: Whereas avoidance of damaging unilateral action is a suitable argument for supporting policy harmonisation (i.e. sharing norms), solidarity is a powerful argument for sharing money or for sharing people. Solidarity argues for a balanced and fair distribution of responsibilities and costs between EU MS. Redistributive responsibility-sharing could be an element to ensure this fair distribution.

Overall, there is ample evidence that there was no substantial policy contestation about responsibility-sharing mechanisms in the EP. MEPs are generally willing to implement responsibility-sharing in asylum policy (see also Ripoll Servent 2019, Zaun 2017, 181-183). This finding sparks the question of why why did the EP fail to include any responsibility-sharing elements in the CEAS?

The speech acts collected in this analysis ¹⁰ suggest that the Council, which represents nation states' interests, blocked the introduction of responsibility-sharing into the CEAS. Literature on EU asylum policy-making describe this finding in detail (e.g., Ripoll Servent and Trauner 2014, Ripoll Servent 2015, 2019, Trauner and Ripoll Servent 2016, Zaun 2017, 2018). National interests manifest themselves in the Council because it engages national ministers in EU policy-making. The relevant body is the Council for Justice and Home Affairs, which gathers the Interior Ministers of EU MS. The interaction between the Council and the EP in the second phase of the CEAS is described as a tango, where the Council has the lead (Zaun 2017, 182-183) and where the EP adapted its policy preferences to those of the Council (Ripoll Servent and Trauner 2014). With regard to responsibility-sharing, MEPs' speech acts suggested that these two legislators were not even dancing with each other as the speech acts state that the Council refused to participate in the co-legislation of new EU asylum policies.

When you read the conclusion of the Council you can read these kind words from the Council but it is obvious that their words are overpromised and underdelivered. (...) Nothing is happening and that is the feeling what we are getting from the Council.

(Hennis-Plasschaert 2009).

Timothy Kirkhope's statement is especially interesting because he is not only a longstanding MEP of the ECR group, he is also a former UK Under-Secretary of State responsible for Immigration:

We also need cooperation and communication between Parliament and the Council, more action by the Council, more determination by the Council. I would like to seek a reassurance that it intends to inform this House regularly. (...) Please, Council, let us get on with this.

(Kirkhope 2011).

25

¹⁰ MEPs' speech acts are, of course, biased in this regard since they are the Council's counterpart delegates in the codecision procedure. However, given the lack of transparency in the Council, MEP statements and qualitative studies on the Council are the only available sources for studying EU asylum policy-making under co-decision.

Claude Moraes, a Social Democrat MEP from the UK, summarises the allegations of the EP against the Council:

The Council has refused to create an asylum policy and real formal burden-sharing since 1999.

(...)the core of the asylum package which we are discussing today – should have been implemented long ago. We would then have had a concept of resettlement and a concept of burden-sharing, but we do not.

(Moraes 2011)

Conclusion

This article examines speech acts in favour of responsibility-sharing in EP asylum policy debates. The EC mandated the EP to finalise the CEAS reforms in the EP's seventh parliamentary term that lasted from 2009 to 2014. I coded all of the EP's asylum debates (in the plenary as well as in the LIBE committee) during this time period to analyse the discursive strategies of MEPs that argue in favour of responsibility-sharing. I analysed the speech acts using a mix of descriptive, statistical and qualitative methods.

The analysis reveals that MEPs' political ideology and country of origin as well as the responsibility-sharing mechanism under discussion influenced their discursive strategies. MEPs across the political spectrum argued in favour of responsibility-sharing. However, MEPs' political ideology affects how they frame solidarity. For example, solidarity can be used to blame the EU for its lack of solidarity with a MEP's own country of origin or it can stress the need for solidarity between EU MS or the need for EU solidarity with asylum seekers. This finding resembles Stella Gianfreda's content analysis (2018), which finds that the discursive frames amongst party families are blurred in the EP when compared to debates in national parliaments. I could only find nuances in their discursive strategies by using qualitative research techniques.

MEPs from south-eastern border EU MS (Cyprus, Greece, Italy, or Malta) spoke out more often in favour of responsibility-sharing, and they mainly used a solidarity discursive strategy. These

'frontline' countries are CEAS entry points, which have to deal with disproportional responsibility for asylum seekers due to the Dublin Regulation's allocation mechanism. These speech acts are therefore motivated by the asylum situation in the country of origin and MEPs may also want to send a signal both to their parties and constituents back home.

MEPs often use solidarity as a discursive strategy for demanding redistributive responsibility-sharing mechanisms (sharing money or sharing people). This makes sense because solidarity argues for a balanced and fair distribution of responsibilities and costs between EU MS. These findings also suggest that there were substantive and problem-oriented debates in the EP because I could observe a fit between MEP's discursive strategies and the actual responsibility-sharing mechanism under discussion.

These findings spark the question of why there has been no real reform of the CEAS. The content of the collected MEP speech acts suggests that the Council, as the second legislative body of the EU, blocks the introduction of responsibility-sharing. This finding is in line with previous research on EU asylum policy-making (e.g. Ripoll Servent and Trauner 2014, Ripoll Servent 2015, 2019, Trauner and Ripoll Servent 2016, Zaun 2017, 2018). National interests manifest themselves in the Council and powerful EU MS have successfully opposed responsibility-sharing (Parkes 2010, Zaun 2017). While this analysis revealed problem and solution-oriented debates in the EP, this debate quality was unable to leave its mark on EU asylum policy. However, the EP has not given in or reverse its policy position; it still advocates for responsibility-sharing mechanisms, for example, in the so-called 'Wikström Report' (European Parliament 2017). However, one can question whether the main purpose of speech acts is to influence policy-making. Committee debates often cover topics that are not voted on. MEPs often use plenary debates for agenda-setting purposes in the absence of a direct right to initiate legislation. In addition, policy-making often takes place in preparatory bodies that precede parliamentary meetings and, of course, in the

trilogues (informal negotiations between representatives of the EP, Council and EC) (Proksch and Slapin 2010, Ripoll-Servent 2018, Ripoll-Servent and Panning 2019).

Despite the EP's efforts, the CEAS continues to malfunction as could be observed during the so-called 'refugee crisis' in 2015/2016, which led to heightened political tensions between EU MS as well as to greater human suffering outside and within the EU (Bauböck 2018; Niemann and Zaun 2018; Lutz et al. 2020). While the EP was able to form a coherent position during the 'refugee crises' to support CEAS reforms, it was not enough to break the deadlock among EU MS (Ripoll-Servent 2019). Thus, 'many of the dynamics we see today during the EU's "refugee crisis" have been present since the early days of EU asylum co-operation and (...) the effectiveness of EU asylum policies suffers from the same problems that lie at the heart of the crisis' (Zaun 2017, 3). The so-called 'refugee crisis' was thus largely a political crisis and a failure of European asylum politics.

Acknowledgments

This article profited much from stimulating discussions in the ECPR Joint Sessions Workshop "Diversifying Migration, Changing Policies: Patterns, Causes and Effects of Immigration and Citizenship Regulations" in Nicosia 2018. It also substantially improved thanks to the comments of Thomas Widmer, the reviewers as well as the editors of European Policy Analysis. There are no potential conflict of interest.

References

- Baurmann, Michael. 1999. "Solidarity as a Social Norm and as Constitutional Norm." In *Solidarity*, ed. Kurt Bayretz, 243-272. Dordrecht: Kluwer.
- Bauböck, Rainer. 2018. "Refugee Protection and Burden-Sharing in the European Union." *Journal of Common Market Studies* 56(1): 141–156.
- Bernhard, Laurent, and David Kaufmann. 2018. "Coping with the asylum challenge: Tightening and streamlining policies in Western Europe." *Journal of Ethnic and Migration Studies* 44(15) 2506 –2523.
- Czaika, Mathias. 2009. "Asylum Cooperation among Asymmetric Countries: The Case of the European Union." *European Union Politics* 10(1): 89–113.
- European Commission. 2007. Green Paper on the future Common European Asylum System.

 Online [31.10.2018]: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0301:FIN:EN:HTML.
- European Parliament. 2017. Report on the proposal for a regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person. Online [31.10.2018]: http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A8-2017-0345+0+DOC+PDF+V0//EN.
- Frid-Nielsen, Snorre Sylvester. 2018. "Human Rights or Security? Positions on Asylum in European Parliament Speeches." *European Union Politics* 19(2): 344–362.
- Geddes, Andrew. 2008. *Immigration and European Integration. Beyond fortress Europe?*Manchester: Manchester University Press.
- Gianfreda, Stella. 2018. "Politicization of the Refugee Crisis? A Content Analysis of Parliamentary Debates in Italy, the UK, and the EU." *Italian Political Science Review* 48(1): 85–108.

- Hooghe, Liesbet, Gary Marks, and Carole J. Wilson. 2002. "Does Left/Right Structure Party Positions on European Integration?" *Comparative Political Studies* 35 (8): 965–989.
- Kaunert, Christian, and Sarah Léonard. 2012. "The Development of the EU Asylum Policy: Venue-shopping in Perspective." *Journal of European Public Policy* 19 (9): 1396–413.
- Kriesi, Hanspeter, Edgar Grande, Romain Lachat, Martin Dolezal, Simon Bornschier, and Timotheos Frei. 2008. *West European Politics in the Age of Globalization*. Cambridge: Cambridge University Press.
- Lutz, Philipp, David Kaufmann, and Anna Stünzi. 2020. "Humanitarian Protection as a European Public Good: The Strategic Role of States and Refugees." *Journal of Common Market Studies*. Early Online.
- Mason, Andrew. 2000. Community, Solidarity and Belonging: Levels of Community and their Normative Significance. Cambridge: Cambridge University Press.
- Moravcsik, Andrew. 1993. "Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach." *Journal of Common Market Studies* 31(4): 473–524.
- Niemann, Arne, and Natascha Zaun. 2018. "EU Refugee Policies and Politics in Times of Crisis: Theoretical and Empirical Perspectives." *Journal of Common Market Studies* 56(1): 3–22.
- Noll, Gregor. 2000. Negotiating Asylum, the EU Acquis, Extraterritorial Asylum and the Common Market of Deflection. The Hague: Kluwer Law International.
- Noll, Gregor. 2003. "Risky Games? A Theoretical Approach to Burden-Sharing in the Asylum Field." *Journal of Refugee Studies* 16(3): 236–252.
- Parkes, Roderick. 2009. European Migration Policy from Amsterdam to Lisbon. Baden-Baden: Nomos.
- Peers, Steve. 2016. EU Justice and Home Affairs Law. Oxford University Press, Oxford.
- Proksch, Sven-Oliver, and Jonathan B. Slapin. 2010. "Position Taking in European Parliament Speeches." *British Journal of Political* Science 40(3): 587–611.

- Ripoll Servent, Ariadna. 2015. *Institutional and Policy Change in the European Parliament:*Deciding on Freedom, Security and Justice. Houndmills: Palgrave Macmillan.
- Ripoll Servent, Ariadna. 2018. The European Parliament. London: Macmillan and Palgrave.
- Ripoll Servent, Ariadna. 2019. "Failing Under the 'Shadow of Hierarchy': Explaining The Role of the European Parliament in the EU's 'Asylum Crisis'." *Journal of European Integration* 41(3): 293–310.
- Ripoll Servent, Ariadna, and Lara Panning. 2019. "Preparatory Bodies as Mediators of Political Conflict in Trilogues: The European Parliament's Shadows Meetings." *Politics and Governance* 7(3): 303–315.
- Ripoll Servent, Ariadna, and Florian Trauner. 2014. "Do Supranational EU Institutions Make a Difference? EU Asylum Law Before and After 'Communitarization'." *Journal of European Public Policy* 21(8): 1142–1162.
- Schuck, Peter. 1997. "Refugee Burden-Sharing: A Modest Proposal." *Yale Journal of International Law* 22: 243–297.
- Scipioni, Marco. 2018. "Failing Forward in EU migration policy? EU Integration after the 2015 Asylum and Migration Crisis." *Journal of European Public Policy* 25(9): 1357–1375.
- Seawright, Jason. 2016. Multi-Method Social Science: Combining Qualitative and Quantitative Tools. Cambridge University Press
- Thielemann, Eiko. 2003. "Between Interests and Norms: Explaining Burden-Sharing in the European Union." *Journal of Refugee Studies* 16(3): 253–273.
- Thielemann, Eiko. 2005. "Symbolic Politics or Effective Burden-sharing? Redistribution, Side-payments and the European Refugee Fund." *Journal of Common Market Studies* 43(4): 807–824.

- Thielemann, Eiko. 2010. "The Common European Asylum System: In Need of a More Comprehensive Burden-Sharing Approach." In *The Politics of Migration and Migrant Integration*, ed. Adam Luedtke. Cambridge Scholar Press.
- Thielemann, Eiko. 2018. "Why Refugee Burden-Sharing Initiatives Fail: Public Goods, Free-Riding and Symbolic Solidarity in the EU." *Journal of Common Market Studies* 56(1): 63–82.
- Thielemann, Eiko, and Torun Dewan. 2006. "The Myth of Free-riding: Refugee Protection and Implicit Burden-sharing." *West European Politics* 29(2): 351–369.
- Thielemann, Eiko, Richard Williams, and Christina Boswell. 2010. What System of Burden-Sharing Between Member States for the Reception of Asylum Seekers? Technical Report, European Parliament, Brussels.
- Trauner, Florian, and Ariadna Ripoll Servent. 2016. "The Communitarization of the Area of Freedom, Security and Justice: Why Institutional Change Does not Translate into Policy Change." *Journal of Common Market Studies* 54(6): 1417–1432.
- Zaun, Natascha. 2017. EU Asylum Policies: The Power of Strong Regulating States. Cham: Springer.
- Zaun, Natascha. 2018. "States as Gatekeepers in EU Asylum Politics: Explaining the Non-adoption of a Refugee Quota System." *Journal of Common Market Studies* 56(1): 44–62.

Cited MEP speech acts

- Bizotto, Mara. 4.4.2011. EU response to the migration flows in North Africa and the southern Mediterranean, in particular, in Lampedusa. Strasbourg: European Parliament plenary. Speech online [16.03.2020]: https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20110404&secondRe f=ITEM-019&language=EN&ring=A7-2011-0075.
- Crocetta, Rosario. 4.4.2011. EU response to the migration flows in North Africa and the southern Mediterranean, in particular, in Lampedusa. Strasbourg: European Parliament plenary. Speech online [16.03.2020]: https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20110404&secondRe f=ITEM-019&language=EN&ring=A7-2011-0075.
- Hennis-Plasschaert, Jeanine. 6.10.2009. Joint debate on the Asylum Package. Brussels: LIBE committee.
- Kirkhope, Timothy. 23.03.2011. Establishment of a joint EU resettlement programme (debate). Brussels: European Parliament plenary. Speech online [20.03.2020]: https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20111026+ITEM-012+DOC+XML+V0//EN&language=EN.
- Moraes, Claude. 4.4.2011. EU response to the migration flows in North Africa and the southern Mediterranean, in particular, in Lampedusa. Strasbourg: European Parliament plenary. Speech online [16.03.2020]: https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20110404&secondRe f=ITEM-019&language=EN&ring=A7-2011-0075.

Appendix

A1 Data and operationalisation

Table A1.1. Variables and their operationalisation.

and
cants by
ata
nui/sho
kker et
k et al.
nui/sho
n
nual
nui/sho
101/ SHO
e
s/en/ma
e
s/en/ma
ir r

Table A1.2. Descriptive statistics.

Variable	N	Mean or mode	Standard	Minimum/		
			deviation	maximum		
Dependent variable: Discursive	216	4	-	1/4		
strategy						
Independent variable: Asylum						
Pressure						
Asylum inflow 1	216	-3.245	1.560	-6.558/1.001		
Asylum inflow 12	215	-0.903	1.546	-4.437/1.669		
Difference in asylum inflow 1	216	-0.001	0.302	-1.843/2.651		
Difference in asylum inflow 12	216	-0.079	0.772	-4.806/2.838		
Southern border EU MS	216	1	-	0/1		
South-eastern border EU MS	216	0	-	0/1		
Independent variable: Political				_		
ideology						
Left Right	214	5.004	2.100	0.050/8.556		
GAL/TAN	214	4.474	2.292	0.167/8.444		
Independent variable: Responsibility-						
sharing mechanism						
Sharing money	216	0	0.120	0/1		
Sharing people (IV)	216	1	0.501	0/1		
Control GDP per Capita						
GDP 1	216	25224.070	8962.800	6200/45400		
GDP 12	216	25299.070	8472.028	6100/44500		
Control unemployment rate						
Unemployment rate 1	216	2.308	0.484	1.481/3.314		
Unemployment rate 12	216	2.242	0.424	1.308/3.211		
Control: LIBE committee						
LIBE membership	216	1	0.389	0/1		
Speech act forum	216	1	0.500	0/1		
Control: special position	216	Mean = 0.500	0.501	0/1		

There are missing values in the independent variables of asylum pressure, political ideology and responsibility-sharing mechanism. With regard to asylum pressure, there is no data in the Eurostat database for asylum numbers in the UK in 2018. With regard to political ideology, the 2010 Chapel Hill expert survey (Bakker et al. 2015) did not gather any data for Cyprian and Maltese parties nor for the Italian party *Unione Democratici per l'Europa* or for the Latvian party *Politisko*

organizāciju savienība 'Par cilvēka tiesībām vienotā Latvijā'. I was able to obtain the data for the Cyprian and Maltese parties from the 2014 Chapel Hill expert survey (Polk et al. 2015). However, this survey did not include the missing Italian and Latvian parties. It was not possible to assign speech acts to a specific type of responsibility-sharing mechanisms in 20 instances.

A2 Content analysis

Table A2.1 provides an overview of the number of coded speech acts, including the year they took place and the forum in which they occurred (LIBE committee or EP plenary).

Table A2.1. Overview of year and forum of the coded speech acts.

Year	LIBE comm	ittee	European Parl	iament Plenary	Total	Total
	Number of	Number of	Number of	Number of	number	speech acts
	meetings	speech acts	meetings	speech acts	of	
					meetings	
2009	5	17	0	0	5	17
2010	9	33	4	10	13	43
2011	10	38	7	60	17	98
2012	6	22	2	12	8	34
2013	2	5	1	19	3	24
2014	0	0	0	0	0	0
Total	32	115	14	101	46	216

Content analyses benefits from a theory-driven taxonomy and criteria (Krippendorf 2004, 105–106). I deductively established categories with the help of theoretical literature. I developed a criteria catalogue to describe the core characteristics of the different discursive strategies (see Table A2). I used this criteria catalogue as a guideline during the content analysis. It is rather abstract because I derived different discursive categories before the analysis. Speech acts in the EP last between one and three minutes. These limited time periods facilitate the coding because MEPs have to formulate their argument concisely.

Table A2.2. Keyword description of the different discursive strategies.

Avoidance of damaging unilateral action	Insurance rationale	Package deal	Solidarity
Cooperation	Public good	Comprehensive	Solidarity
		solution	
Multilateral issue	Free rider	Multi-dimensional	Equality
		phenomenon	
Negative side-effects	Insurance device	Overall package	Fairness
Spill over effect/	Predictability	Interdependence with	Injustice
burden-shifting		other policy areas	
'Keep one's own house	Instability of migratory	Specialisation of	Collective
clean first'	flows	different Member	responsibility
		States	
Downward spiral	Adverse selection	Proactively/reactively	Balance

A3 Multinomial logit estimations

Table A3. Model estimations.

	Mode	el A1	Mode	el A2	Mod	el A3	Mode	el A4	Mode	el A5	Model A6		Model A7		Mode	l A8
	ADUA/S	IR/S														
Asylum pressure (lag of the last month, per capita, per 1000	-0.196 (0.185)	-0.010 (0.222)											-1.592 (1.311)	0.208 (0.900)	-0.180 (0.179)	0.092 (0.222)
inhabitants, log) Asylum pressure (mean of the last year, per capita, per 1000 inhabitants, log)			-0.047 (0.181)	-0.082 (0.221)												
Asylum pressure (difference to the last month, per capita, per 1000 inhabitants)					-0.283 (1.627)	0.139 (1.452)										
Asylum Pressure (difference to the last year, per capita, per 1000 inhabitants)							-0.203 (0.315)	0.624 (0.556)								
Asylum Pressure (Dummy, MEP from Southern border EU MS)									-0.746 (0.523)	-1.095 (0.100)						
Asylum Pressure (Dummy, MEP from south-eastern border EU MS)											-1.386* (0.633)	0.276 (0.880)				
Political ideology (0=Extreme left, 10=Extreme right)	-0.332** (0.110)	-0.218 (0.148)	-0.341** (0.111)	-0.182 (0.150)	-0.356*** (0.109)	-0.190 (0.135)	-0.354*** (0.108)	-0.204 (0.137)	-0.369*** (0.111)	-0.219 (0.143)	-0.259* (0.116)	-0.204 (0.148)			-0.319* (0.107)	-0.203 (0.146)
Political ideology (0=Extreme GAL, 10=Extreme TAN)													-0.242* (0.099)	-0.027 (0.128)		
Sharing money (IV) (0=not sharing money mechanism, 1=sharing money mechanism)	-2.780*** (0.701)	-0.178 (0.987)	-2.785*** (0.699)	-0.241 (0.980)	-2.747*** (0.699)	-0.215 (0.981)	-2.767*** (0.700)	-0.220 (0.980)	-2.723*** (0.709)	-0.086 (0.996)	-2.907*** (0.717)	-0.245 (0.981)	-2.781*** (0.697)	-0.215 (0.982)	-2.640*** (0.691)	-0.329 (0.991)
Sharing people (IV) (0=not sharing people mechanism, 1=sharing people mechanism)	-3.823*** (0.562)	-0.110 (0.750)	-3.772*** (0.552)	-0.278 (0.738)	-3.798*** (0.552)	-0.148 (0.748)	-3.818*** (0.553)	-0.237 (0.741)	-3.744*** (0.555)	-0.159 (0.744)	-3.545*** (0.561)	-0.199 (0.759)	-3.659*** (0.522)	-0.049 (0.742)	-3.562*** (0.511)	-0.289 (0.745)
GDP per capita (lag of the last month, per 1000 inhabitants)	0.000 (0.000)	0.000 (0.000)			0.000 (0.000)	0.000 (0.000)			0.000 (0.000)	0.000	0.000 (0.000)	0.000 (0.000)	0.000 (0.000)	0.000 (0.000)	0.000 (0.000)	0.000 (0.000)
GDP per capita (mean of the last year, per 1000 inhabitants)			0.000 (0.000)	0.000 (0.000)			0.000 (0.000)	0.000 (0.000)								

Unemployment rate (lag of the last month, per 1000 inhabitants), log	-0.199 (0.529)	0.993 (0.822)			-0.015 (0.494)	0.852 (0.769)			0.399 (0.580)	1.264 (0.883)	0.056 (0.506)	0.933 (0.796)	-0.052 (0.488)	1.002 (0.763)	-0.430 (0.516)	1.082 (0.798)
Unemployment rate (mean of the last year, per 1000 inhabitants), log			0.096 (0.595)	0.181 (0.851)			0.225 (0.551)	0.235 (0.754)								
LIBE committee (LIBE membership, dummy)	-1.264* (0.564)	14.522 (869.590)	-1.228* (0.552)	14.622 (913.210)	-1.227* (0.554)	15.255 (1271.671)	-1.321* (0.563)	14.890 (910.291)	-1.137* (0.561)	14.610 (857.471)	-1.252* (0.564)	14.486 (853.33)	-1.415* (0.556)	14.059 (681.667)		
LIBE committee (speech act forum, dummy)															-0.252 (0.418)	.6285608 .6452403
Intercept	2.249 (1.805)	-19.519 (869.596)	2.581 (1.703)	-16.738 (913.214)	2.961 (1.667)	-20.386 (1271.675)	2.359 (1.745)	-16.491 (910.294)	2.459 (1.710)	-19.206 (857.476)	2.932 (1.678)	-20.147 (853.337)	2.667 (1.647)	-20.498 (681.674)	2.111 (1.807)	-5.611 (3.044)
Likelihood ratio x ² Percent correctly predicted (Adjusted count R2) N	111 0.3	26	107 0.3	14	0.3).39 322	109 0.3	19		3.26 330	115 0.3	38	106. 0.30	01	102. 0.30	00

* p < 0.05; *** p < 0.01; **** p < 0.001.

Notes: Standard errors in the parentheses. *Solidarity* is the baseline category. All of these models do not specific whether MEPs that conducted these speech acts had a special role as rapporteur or shadow rapporteur.

References

Bakker, Ryan, Catherine de Vries, Erica Edwards, Liesbet Hooghe, Seth Jolly, Gary Marks, Jonathan Polk, Jan Rovny, Marco Steenbergen, Milada Vachudova. 2015. "Measuring Party Positions in Europe: The Chapel Hill Expert Survey Trend File, 1999-2010." *Party Politics* 21(1): 143–152.

Krippendorf, Klaus. 2004. *Content Analysis: An Introduction to its Methodology*. London: Sage. Polk, Jonathan, Jan Rovny, Ryan Bakker, Erica Edwards, Liesbet Hooghe, Seth Jolly, Jelle Koedam, Filip Kostelka, Gary Marks, Gijs Schumacher, Marco Steenbergen, Milada Vachudova, and Marko Zilovic. 2017. "Explaining the salience of anti-elitism and reducing political corruption for political parties in Europe with the 2014 Chapel Hill Expert Survey data." *Research & Politics* 4(1): 1–9.