

« Institution Building in Migration Policy New Challenges for New Member States »

Topic

The purpose of this master thesis was to first analyse the possible institution building requirements for new Member States to effectively implement European migration policies. Second, it aimed at evaluating the Union's impact on the administrative changes pursued. The peculiarities of the migration policy areas were emphasized in order to grasp the new challenges posed by the institutional accession criteria, expanded to the migration legislation subsequently to its communitarization.

Literature

Most of the analysis was based on working papers, scientific articles, speeches, draft on IOs workshops and EU documents. Three interviews were conducted: One with a Polish scholar, and the two others with professionals working in the migration field (at IOM BO Budapest and at FRONTEX Agency, Warsaw).

N.B.: There is a lack of directly relevant literature on the topic at stake. Most articles concentrate either on the legal harmonization of EU migration policies or adopt a top-down approach (instead of the viewpoint of the national administrations, an approach which has hardly been adopted yet by researchers with regards to the institutional aspects of migration policies). Additional interviews with stakeholders directly concerned would have proved useful.

Structure

The first chapter was devoted to depict the EU approach towards migration, expose the capacity to implement migration policies as a new membership conditionality and assess the impediments to a consistent implementation of migration policies.

The second chapter focused on institutional building to implement the *acquis* in the field of migration. On the one hand, it was assessed whether the (SIGMA) 'European administrative

standards' which are expected to be followed by prospective Member States' administrative bodies are equally relevant for the institutional developments related to the implementation of migration policies. On the other hand, the impact of the European Union on the reshaping of their migration administration structures was evaluated.

The case of Hungary was used in the third chapter to illustrate the institutional changes made within a new Member States' migration administration structure and its capacity to strengthen institutional developments aimed at effectively implementing the migration *acquis*.

Results

A conclusion was drawn as to the important legal and institutional developments achieved by New Member States' national administration in harmonising their legislation in line with the migration *acquis* and approximating their migration policies as well. Their ability to practically take into consideration the European administrative standards would, by contrast, be largely constrained by domestic factors. In addition, contrary to institution building in other EU regulatory policies, it is uneven to assess the degree of Europeanization of their administrative structure and organization related to migration policies. An administrative convergence shift is overall more probable in case new Member States' approach and migration policy are characterized by EU patterns. Indeed, in case of shared concerns, as notably the limitation of illegal immigration from third countries, the financial and institutional assistance provided by the EU (e.g. Phare programmes) shall be absorbed more efficiently by the national authorities. Overall, however, the elaboration of a comprehensive EU migration policy should be the first step to possibly foster a defined framework with regards to institution building requirement in migration policy. Considering that, since new (and future) Member States had no previous experience in migration management, a comprehensive strategy may lead to a «European model of migration institutional management» which would in turn reverse the lack of institutional tools to implement EU migration policies in an enlarged Union.