

RESPOND

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Protection Regimes – a Critical Analysis

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About the Project

RESPOND is a Horizon 2020 project which aims at studying the multilevel governance of migration in Europe and beyond. The consortium is formed of **14 partners from 11 source, transit and destination countries and is coordinated by Uppsala University in Sweden.** The main aim of this Europe-wide project is to provide an **in-depth understanding of the governance of recent mass migration** at the macro, meso and micro levels through cross-country comparative research. It also seeks to critically analyse governance practices with the aim of enhancing the migration governance capacity and policy coherence of the European Union, its member states and third countries.

RESPOND will study migration governance through a narrative which is constructed along five thematic fields: (1) border management and security; (2) refugee protection regimes; (3) reception policies; (4) integration policies; and, (5) conflicting Europeanisation. Each of these thematic fields is reflective of a particular juncture in the migration journey of refugees, and hence their selection is designed to provide a holistic view of policies, impacts and of the responses given by affected actors within.

In order to better focus on these themes, we divided our research question into work packages (WPs). The present report is concerned with the findings related to WP4, which focuses specifically on **reception policies, practices and humanitarian responses to the current refugee crisis.** Despite efforts to achieve harmonisation (as especially promoted by the 2016 Common European Asylum System, CEAS, and by the European Neighbourhood Policy), relevant differences exist in this field in the countries that are the objects of research (Austria, Denmark, Germany, Greece, Hungary, Italy, Poland, Sweden, United Kingdom, Turkey and Lebanon). WP4 will map the policies and practices of reception and humanitarian responses of the afore-mentioned countries, as well as migrants' own perceptions, actions and reactions in the context of those policies and practices. The main objectives of WP4 are as follows then:

- to develop a mapping of policies and practices of reception in the countries being researched;
- to develop a typology of these policies, practices and responses;
- to assess the coherence of these policies and practices with respect to EU and international standards;
- to study migrants' perceptions, actions and reactions to said policies and practices;
- to provide basic information in the area of reception for the development of all subsequent WPs.

The last objective will be achieved through an additional comparative report to be based on the data obtained from the individual country reports.

Introduction

The expression 'refugee protection regime' is frequently used to indicate both the national and international system of principles, legal norms, administrative procedures and practical processes that should guarantee protection for those who, forcibly removed from their country of origin, seek (and sometimes manage) to obtain protection as asylum applicants first, and as refugees, beneficiaries of subsidiary protection or national forms of temporary protection once their application has been successful. More than 20 million entries can be retrieved when searching online for 'refugee protection regime', more than six million when searching for 'international protection regime'. The very same expressions have been widely used in RESPOND research addressing both country-specific case studies and comparative analyses.

What we intend to highlight in this report is the questioning of the very notion of 'regime' being applied to refugee protection. First, the report discusses the use of the concept of 'regime' / 'regimes' in the Social Sciences; second, it highlights the most crucial elements of the refugee protection system as they have emerged in RESPOND findings; and, third and finally, it questions the pertinence of using the notion of 'regime' to describe the national and European mechanisms in place to grant (or not) the right to asylum.

Regime and Regimes

How can we provide a general introduction to regime and regimes? Regime is a word extremely common across many different disciplines, so much so that we rarely see the need to introduce it or question the notion itself or indeed its origins – often merely taking it for granted in its various applications. The term represents the typical example of the phenomenon that Sartori (1970), long ago, named 'concept stretching': regime has become such a recurrent concept that it is in danger of being 'stretched' so far that it loses all significance; it can be applied to virtually any set of configurations, procedures and mechanisms.

To understand what lies beneath the concept of regime, as well as its applications and implications, we have to start with the etymology of the word. Its roots can be traced back to the Latin term *regimen*, 'rule', and later to the French word *régime*. It is from the latter that its current main application as 'system of government or rule' came, as used originally in the term 'Ancien Régime' to define the pre-revolutionary system of governance.

Still, the term is much more widespread in both common and technical language: in Science and Technology parlance, regime indicates the conditions under which a scientific or industrial process occurs. In the business and administration realms, it can also indicate a particular way of operating or organising a venture. In a number of languages as well as in politics, the notion of regime has negative connotations, colloquially associated with what we know as 'totalitarian' or 'authoritarian' regimes – thus linking it to specific people (e.g. Muammar Gaddafi's regime) or ideologies (e.g. communist or fascist regimes). Here, however, the word will be used mostly as a neutral term: at its core, regime identifies a set of conditions or rules that identify or constitute a process or a system. This largely stands for when we look at the application and definition of the concept across different scholarly disciplines. However, regime can also adapt to less structural and formalised notions, as rooted in Michel Foucault's works and thought (1998, original 1983). In this case, the regime approach parts from rigid systemic and state-centered interpretations; rather, Foucault's

conceptualisation encompasses a bundle of heterogeneous elements such as practices, discourses, institutionalisations, architecture and similar that ‘come together’ to build what he coins a certain ‘knowledge-power-complex’, or ‘knowledge-power-regime’, wherein he develops a decentralised understanding of ‘power’ and ‘the state’.

In the Social Sciences / Political Science, the concept of regime often refers to a multilevel, multiscalar order. Sometimes it may be preceded by a spatial adjective (national, international) that refers to the specific area over which it has jurisdiction, and can be used to refer to all manner of substantive remits over which it has control (Ward 2007). More specifically, a regime defines the set of principles, norms, rules and decision-making procedures as well as practices around which the expectations of individual actors (normally governments) converge and are institutionalised (ibid.). In Political Science, most commonly, the notion of regime is associated with that specifically of ‘political regime’, which was defined by the Italian scholar Leonardo Morlino (1997) as the set of both formal and informal rules and procedures that define the nature of political power in a country, the distribution of that power and its relations with society at large. This itself is based on Easton (1965), who was the first to use the concept in modern Political Science, as well as on Fishman (1990). More recently, O’Donnell (2004: 15) proposed a definition of regime taking into consideration the patterns – explicit or otherwise – that determine the channels of access to key government positions, the characteristics of the actors who are admitted or excluded from such access, and the resources or strategies that they can use to gain that access.

Besides the concise definition hereof, there is a widespread consensus among Political Science scholars that regime is furthermore a midrange concept that stands between the broad notions of political system (which comprises the state, the regime and the national community) and of government – although some tend to use the two terms synonymously. It is also distinct from the form of government or the system thereof, which may change without necessarily also leading to regime change (i.e. from a parliamentary to a presidential republic). This definition is much broader than others that have been proposed by, for instance, Law scholars, who usually link the term regime to the specific set of rules and institutions that govern a given sector. However, there is also a juridical definition of political regime that refers to the complex formal rules and laws that form the basis of the constitutional system in a given country – thus being not too far away from the definition employed by political scientists.

Following the research strand defined by Morlino, Easton, Fishman and O’Donnell, each political regime has a defined set of characteristics. The primary and most important distinction in this case, however, is between democratic and non-democratic regimes. Democratic regimes must adhere to at least some minimum conditions such as competitive elections, universal suffrage, a multiparty system, freedom of speech and information, rule of law and an accountable government. Non-democratic regimes are more varied, and can be divided into authoritarian, totalitarian and hybrid regimes. Totalitarian regimes are the least common, involving a ruling ideology, mass mobilisation and total control of the state by the ruling party – the prime examples being the National Socialist regime in Germany and Stalinism in the Soviet Union respectively. The most commonly accepted definition of authoritarian regimes was the one originally proposed by Juan Linz (1964), with it identifying limited pluralism, mentality over ideology, absent or limited political mobilisation, and ill-defined executive powers (often vague and shifting, serving to extend the power of the executive) as their fundamental characteristics.

Finally, hybrid regime is the most recent typology, and represents a growing category in recent years. Those falling into it total about one-third of the world's independent countries, thanks to only partial transitions between authoritarianism and democracy or due to the democratic backsliding currently being witnessed in a number of states around the globe. Hybrid regime is a broad notion applied to those entities that no longer configure some form of non-democracy while they do not yet constitute a complete democracy either (i.e. 'partial democracies', 'electoral democracies', 'illiberal democracies', 'competitive authoritarianisms') (Morlino 2009). Such regimes do not fulfil the minimum requirements of a democracy, have institutions and procedures of a democracy regardless, but at the same time retain or acquire aspects of traditional or authoritarian regimes too.

International Relations also use the concept of regime, in the form of 'international regimes', which is linked to the regime theory emerging from the 1980s. The standard definition of international regime is attributed to Stephen Krasner, according to which it is the 'principles, norms, rules, and decision-making procedures around which actor expectations converge in a given issue-area' (1983: 185). International regimes can also be identified with international conventions (i.e. the Bretton Woods System) and even some international, intergovernmental organisations (e.g. the International Monetary Fund, International Atomic Energy Agency). International regimes are hence to be distinguished from national regimes, which describe the formal and informal structures of political power in a given country. Regime theorists generally try to explain the emergence, persistence, change and decline of these relatively stable patterns of international collaboration and coordination, which still count among the major foci of IR scholarship. In particular, various theories have been proposed to shed light on some of the most relevant dilemmas here: what accounts for the emergence of instances of rule-based cooperation in the international system; how do international institutions (such as regimes) affect the behaviour of state and non-state actors in the issue-areas for which they have been created; which factors, be they located within or without the institution, determine the success and the stability of international regimes (Hasenclever, Mayer and Rittberger 1997). Regime studies also tend to concentrate on either the creation of international regimes or their analysis.

Scholarly research focusing on international regimes flourished from the 1980s into the 1990s, with all of IR's major theoretical schools represented in the study thereof. This would lead to different approaches to regimes being taken according to the respective explanatory variables emphasised, which can be classified as power-based (realist), interest-based (neoliberal) and knowledge-based (constructivist/cognitivist) approaches respectively (Hasenclever, Mayer and Rittberger 1997). Realists see in international regimes an extension of the power politics that suffuse all international political life and apply economic rationality to explain the creation and demise of regimes. Neoliberal theories focus at their core heavily on economic analogies and rationality. For neoliberals, international regimes are an epiphenomenon of power and made necessary by the 'market failure' of an anarchical international system – in particular by the lack of an authoritative international legal framework and by imperfect information and transaction costs, which prevent states from having confidence in contracts. Thus regimes alleviate this problem by providing states with more and better information about others' activities, providing a single standard over many bilateral ones.

The constructivists' approach, meanwhile, moves away from the other two schools as it tries to determine actor preferences instead. Their logic is not purely rational but rather guided

by a principle of appropriateness based on perceptions of the situation at hand and the role that each international actor plays in it. Regimes can thus provide a source of respective self-understandings of the world. They can have both regulative effects, as neoliberals and realists assert, but also constitutive ones too (Kamis and Hasenclever 2011). Regimes construct identities by delineating what socially acceptable norms and interests are. At the same time, regimes are in a process of continual self-interpretation and self-definition in response to change and, as such, are dynamic (Brahm 2005). Despite these three schools differing in their approaches, there is nevertheless still a general consensus within IR on the nature and definition of international regimes.

An alternative approach has been proposed, however, that looks at the works of Foucault and his conceptualisation of power (Hammer 2007) and decentralised notion of the state (Poulantzas 1978; Sharma und Gupta 2006), one criticising the existing approaches as too state-centred and of limited use in understanding and addressing the new realities of international relations. In particular, they focus on the new role of intergovernmental as well as non-state actors, forging new multilayer networks that stretch across the different classical scales of power (the local, national, regional and international) (Walters and Haahr 2005). In line with regulation theory and their understanding of the systemic nature of conflict in capitalist systems, these approaches shed light on the inherent ambiguities and inconsistencies regarding the link between law and political processes – and on the constant negotiation and contestation occurring (Brand 2005; Duez 2009). Such an approach directly challenges the state-centric paradigm that dominates international legal theory.

In Economics, the term regime also has a long history of application in diverse fields but without fixed definition. The broadest conceptualisation of an economic regime is ‘a given set of rules and/or institutions, which are said to govern the economy as a system’ (Brida, Punzo and Puchet Anyul 2008:56). In the most general sense, economic regimes are much like political regimes, with types such as command economy economic regimes, liberal economic regimes, corporatist economic regimes and *laissez-faire* economic regimes – which can also be defined as ‘economic systems’ (see, for instance, Berend 2006). In other cases, economic regimes can also take the form of supranational/international regimes in line with the definition used in IR. Further uses are more technical in nature, and generally relate to market cycles and dynamics that are mostly the qualitative behaviour resulting from a set of rules/institutions, in contrast to alternative static definitions (Brida, Punzo and Puchet Anyul 2008).

Finally, having explored the concept of regime and its application across the other Social Sciences, we address it now from the perspective of Legal Studies / Law scholars. Indeed, we might argue that the various uses of regime in Legal Studies are, at least in principle, much in line with those in the other Social Sciences, and particularly with Political Science and IR – as it can be broadly defined as the dynamics of relations between law, politics and society. More specifically, legal regime can be defined as a ‘system or framework of rules governing some physical territory or discrete realm of action that is at least in principle rooted in some sort of law’ and ‘can be used to characterize a set of complex realities’ (Hurst 2018: 21, 27). Such definition is also close to that of a legal system, which involves regular interactions between elements that together make up an entity with boundaries. In this case, legal regimes are generally studied comparatively to understand how states (or supranational entities) shape their legal institutions’ behaviour in particular ways (legal systems). This benefits from works on the comparative analysis of legal families and traditions (see, among others, David and Brierley 1985), as well as on law and politics. Yet the scope of a legal system, much like a

political one, is broader than the usual application of the notion of regime. Indeed, the most diffuse use of the term regime by Law scholars is related to more specific scopes. It identifies the specific set of rules, measures and norms aimed at achieving a certain goal. For this reason legal regime is almost never used as a stand-alone term, but is accompanied by another signifier that refers to the area over which it has jurisdiction – one which can be used to refer to all manner of substantive remits over which it has control. For instance we have the legal regimes of marriage, environment protection and citizenship, or respectively those for the Arctic, cyberspace or peacekeeping forces. All these applications still have in common the identification of a more or less cogent set of norms that regulate the specific scope of application.

The Origins of International Protection Regimes

Despite the presence of a pre-existing literature on refugees and asylum, scholarly works mentioning explicitly the expression 'refugee protection regime' would only become more common in the second half of the 1990s. Since then, it has been the subject of hundreds of academic works. Some have focused specifically on its nature as a regime (see, among others, Fitzpatrick 2000); numerous reports, documents and debates have also ensued.

The origins of the protection of refugees have been traced back to the experience of interwar Europe, where international assistance efforts by governments, the League of Nations and private organisations could be considered part of an international regime (Skran 1995). However, as recalled by the United Nations High Commissioner for Refugees, the foundations of the (current) international protection regime are the 1951 Refugee Convention and its 1967 Protocol (UNHCR, 2006). According to Erika Feller, former director of the Department of International Protection of UNHCR, the refugee protection regime has its origins in general principles of human rights [...] and also draws on principles and standards articulated in other international instruments or through court processes in a variety of jurisdictions. Additionally, the international protection regime is guided by so-called 'soft law' pronouncements and directives of authoritative international and regional bodies, including the conclusions of UNHCR's Executive Committee. (2001: 581)

Historically, the international protection regime began to develop in practice in the 1950s, seeing subsequent both expansions and restrictions. The 1960s and 1970s witnessed the former, the 1980s and 1990s the latter. International protection regime is a well-known and widespread term, but has yet to arrive at a unitary definition and application. Thus, in spite of relatively solid legal bases, the regime of the international protection (of refugees) is a soft and composite concept, one influenced by a number of different factors. In this regards it is comparable to other forms of international regimes, and of legal regimes.

Refugee Protection Regime

When mentioning the 'refugee protection regime', all official documents and the vast majority of academia refer to a set of legal norms and principles, to prescriptions firmly rooted in a number of international treaties, international customary law obligations, principles and standards articulated in other international instruments or through court processes in a variety of jurisdictions and also to the so-called soft law obligations stemming from authoritative international and regional legal bodies. The architrave of such a regime is, as noted, the 1951

Convention Relating to the Status of Refugees (the so-called Geneva Convention) and its 1967 Protocol. It incorporates, either directly or as an inevitable interpretation, the fundamental concepts of the refugee protection regime, even though in itself it is an instrument of quite limited intent – addressing, from a rather narrow perspective, the question of refugee status, and not taking into consideration either causes or solutions.

Yet it remains, almost 70 years after its adoption, the sole binding refugee protection instrument of universal reach, and it sets out the basic principles that still permeate the national systems of asylum and also the regional ones – first and foremost the European versions. Those principles can be summed up in: *non-refoulement*; non-discrimination; non-criminalisation. Moreover, refugee protection also embraces the guarantee of basic human rights that can be seriously endangered by the conditions that refugees encounter, such as the right to life, liberty and security of person, the right to be free from torture and other cruel or degrading treatment, the right not to be discriminated against and the right of access to basics needs (food, shelter, medical assistance) – as well as to, at a later point, self-sufficiency (a livelihood, education, healthcare).

Therefore, in the language of both academia and international organisations, ‘protection’ means using legal tools (both hard and soft law) to make sure that any request for the guaranteeing of fundamental rights by each and every human being in need of protection is properly addressed by states. ‘Protection is thus based in the law; it may be wider than rights, but it begins with rights and rights permeate the whole’ (Goodwin-Gill 2014: 37). Which kind of ‘regimes’ do the legal frameworks on refugee protection at the national and international levels create then? In other words, going beyond the rhetoric, our question here is whether the experiences we have studied offer to people in search of protection the shelter of consistent, coherent and predictable legal norms upon which a reliable set of practices can be established.

Even though based on the international framework, the national protection ‘regimes’ studied by the 11 RESPOND teams are far from homogeneous. Homogeneity does not exist even among the eight (nine given the UK was still part of the EU project in 2018) EU member states studied by RESPOND. The CEAS, designed to give member states a ‘joint approach to guarantee high standards of protection for refugees’, still grants significant room for manoeuvre to nation states, so that the dominant trait of the ‘regime’ for asylum seekers’ and refugees’ protection remains its variability. Indeed, the source of law that characterises the CEAS is the directive (and not the regulation), that, by definition, allows member states to choose the form and methods of implementation that best accommodate their own needs. Therefore, it is hard to say that there is one single European refugee protection regime. In fact, the aspiration to equivalent and homogenous national asylum systems is far from being realised; significant divergence continues to exist with regard to the rates of acceptance of asylum applications as well as concerning the protection systems in place. In addition to heterogeneous asylum practices, there is also divergence in what we can simply call the ‘country system’ – that in relation to social welfare systems, and indeed to the prospects of employment and integration in general. But, at the national level, the picture remains equally blurred, with unevenness and inconsistency dominating over coherence and systematisation.

The Basic Traits of the Legal Protection Framework

In all RESPOND countries the legal framework concerning migration and asylum, and therefore the basis of the protection 'regime', is extremely complex and overgrown. In each, national legislation has been changed continuously – and not necessarily coherently – especially since the experiences of the years 2014/2015/2016, publicly framed as 'European refugee crisis'. In the UK, 12 Acts of Parliament regulating immigration issues have been approved in the last 20 years alone. In Italy, the Consolidated Law on Immigration is the result of multiple, fragmentary normative stratifications, with it jeopardising internal consistency and effectiveness. The very same complexity and rapid evolution is also shown in the legal frameworks of Austria and Germany (cf. Respond national reports on refugee protection, <https://respondmigration.com/publications-1>).

To add further complexity, in most RESPOND countries the acts of primary legislation only provide for the general framework, but immigration and protection issues are de facto regulated in detail and implemented by a congeries of acts of secondary legislation (by-laws, regulations, ministerial circulars, administrative rules, and similar). This trend peaks in Turkey, where the entire regulation of the 'Temporary Protection status' (currently the main form of protection granted in the country) is defined by such acts of secondary legislation. The latter retain a central role also in the legal frameworks of Austria, Italy and Poland too. Even the UK displays such a dynamic, with thousands of immigration laws reportedly being rushed through parliament once a month on average. Moreover, secondary acts are rarely subject to parliamentary debate. Hence, with the lack of adequate parliamentary control, there is a wide discrepancy between theory and practice in the concrete regulation of important migration issues, and in particular the provisions concerning protection.

In most RESPOND countries, all tiers of government (from the national to the local) are involved with different – often overlapping – competences. In addition, in some RESPOND countries the management of migration and asylum involves multiple other relevant actors, such as the third sector and private companies, the courts and also EU and UN agencies. Given that adequate mechanisms of coordination are often missing, this multiplicity of actors ends up undermining the uniformity of practices and often results in substandard services and uncertain rights. The certainty and predictability of the law, fundamental pillars of the rule of law that should unequivocally characterise contemporary democracies, are therefore in doubt – seriously undermining the right to protection.

In evident contrast with the basic principle of non-criminalisation informing the international protection regime, in RESPOND countries in the past few years there has been a growing political narrative, strongly propagated by media, conflating the status of the 'protection seeker' with a condition of 'illegality' or 'irregularity'. Following this pattern, more and more frequently governmental authorities deploy the punitive arsenal of criminal law against migrants – regardless of their personal circumstances – in an attempt to manage and control migration. Along with this, the distinction between criminal law and immigration law is also progressively blurring. Evidence of such a scheme has been analysed and theorised in what has been called 'cimmigration law' (Stumpf 2010; García Hernández 2016).

Most RESPOND countries have narrowed – and, sometimes, even prevented – third-country nationals' access to the international protection process. To this end, RESPOND countries have designed and deployed a sophisticated toolbox, one entailing both physical and procedural barriers. Concerning physical ones, during the time frame 2011–2017, through

the systematic recourse to pushback operations and/or, in a more blatant way, through the construction of fences (as in the Hungarian case), migrants have been physically prevented from accessing EU territory and consequently from submitting an asylum claim. However, in the majority of cases, limiting access to the international protection regime has been achieved through the implementation of tools and procedures already designed within the scope of the EU asylum *acquis*. Examples are: the hotspots approach; the proliferation of asylum procedures pre-categorising asylum applicants mostly based on nationality, as with the ‘safe third country’ or ‘country of origin’ concepts; and, lately, as invented by Germany and now taken over by Greece, such arbitrary categories as the ‘prospect to stay’.

The majority of RESPOND countries’ legislation converges towards the reduction of asylum standards. First and foremost, asylum seekers are often limited in their freedom of movement; they are also denied other fundamental rights however, such as access to the right to work and to welfare. In addition, a blanket ban is in force on asylum seekers’ right to family unity. Indeed, in all RESPOND countries, while awaiting the outcome of the Refugee Status Determination (RSD) procedure applicants are not allowed to also apply for family reunification, given the temporary nature of their current status. However, what can often happen is that the conclusion of the RSD process takes a year or even longer. As a result, the fundamental right to family unity may be severely hindered for months on end. In Turkey, a blanket suspension of this right has been in place since 2017. In Greece and Sweden, meanwhile, refugees are entitled to family reunification, but they have to submit their application within three months from the granting of their own status. The same deadline is also established by the national legislations of Austria and Germany. If a refugee fails to meet this deadline, further requirements are imposed in order to enjoy the right to family unity: namely, the so-called material conditions.

Concluding Remarks

As we have seen, what is common to all notions of ‘regime’ across disciplines – whether in branches of the Social Sciences or Science and Technology – is the idea of it as something systemic and often organised. According to these stricter definitions, regime implies something systemic in nature and with an internal logic (one that should be functional to the aim the regime stands for); a rather coherent set of elements. And it is exactly this something systemic that is somewhat jeopardised in the nature of what is named the European and national regime of protection.

In some cases the lack of a uniform, consistent approach has opened and still opens the door to more favourable conditions, and the significant room for discretion available to each officer in the protection process may benefit those asylum seekers that encounter more enlightened ones. Yet, what characterises contemporary democratic and constitutional states is the rule of law. It is the paramount guarantee of respecting fundamental rights. Outside the rule of law there are no rights, only privileges – ones that depend on the benevolence of rulers and that can not be vindicated before a court. Two of the core constitutive elements of the rule of law are the principle of equality before the law and the predictability of the law. Those very same two elements strongly rely on the existence of an organised, coherent and harmonised set of laws and regulations. In other words: on a consistent regime. What happens when the systemic nature and the internal coherence of the set of laws and regulations that constitute the ‘regime’ are absent is that rights come to be at stake, at risk of being jeopardised.

In its investigation of migration governance in Europe and beyond, RESPOND research has revealed that, despite some efforts at harmonisation at the EU level, the dominant trait of the protection mechanisms for people forcibly fleeing their countries of origin in all states scrutinised is a tangible lack of a systemic and consistently organised approach. The legal uncertainty by which asylum applicants are constrained in various RESPOND countries sometimes turns out to be a formidable tool of migration containment and control. Furthermore, precarious legal status not only weakens asylum applicants, raising frustration and anxiety, but also strengthens the discretion of authorities, paving the way for a legal twilight zone that some authors describe as a 'legal black hole' (Mann 2018).

The condition of precarity in which people in need of protection are embedded can be regarded as a common trend running across all RESPOND countries. This pervasive uncertainty encompasses, in many instances, every stage of the national protection system: from rescue operations and provisions of succour, to the RSD, to the set of entitlements bestowed to refugees after their obtainment of protection.

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