

The EU's asylum policy: A matter of national interests?

- *A perspective from the European Parliament*



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Abstract

During the high inflow of refugees and migrants in 2015 and onwards, the European Union experienced an unprecedented number of arrivals since World War II. As a response to the crisis, the EU proposed a number of immediate actions to be taken such as the emergency relocation mechanism to lift the burden from the most affected member states. Although the mechanism was intended to relocate 160,000 asylum seekers from Italy and Greece to other member states, less than 20% had been relocated when the mechanism expired in September 2017. Furthermore, the EU has unsuccessfully attempted to establish a permanent mechanism to be activated in times of crisis.

This thesis sets out to investigate the reasons behind the failed attempt by the EU to establish an effective and lasting mechanism to share asylum seekers by interviewing six MEPs from the LIBE Committee combined with the theory of liberal intergovernmentalism. The theory focuses on member states when looking for plausible explanations of the failure of a common EU policy. Three hypotheses have been deduced based on the theory of LI, two at the national level and one at the EU level, in order to investigate why the EU's attempt failed.

The first two hypotheses of respectively Germany and Hungary have shown a deep divide between the two countries. Angela Merkel, on the one hand, opened the German border and advocated for a common EU solution, while Viktor Orbán opposed the creation of permanent quotas, and refused to participate in the emergency relocation mechanism, as he is unwilling to transfer sovereignty within this area to the EU. It seems that both MS's responses to the high inflow of refugees are related to their government's national interests. Indications suggests that Merkel and her government have long-term economic interests in welcoming asylum seekers to Germany, whereas the Hungarian government with Orbán in front has played on fear of refugees and portrayed them as a threat to the country. The actions of both governments have supposedly served their political interests of being re-elected, which corresponds to the predictions of liberal intergovernmentalism.

This divide between the MS is also evident from how countries like Portugal, Germany and Sweden have been rather open to immigration and hence hold an interest in receiving people, while

Hungary and the rest of the Visegrád group, on the other hand, rejects to participate in relocations due to concerns over transferring sovereignty and having an interest in keeping asylum seekers out. There seems to be conflicting national interests among the MS, and thereby a lack of preference convergence, which has hindered the establishment of an effective relocation mechanism.

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1. Introduction

The European Union recently witnessed the largest refugee and migrant crisis since World War II (Rothman and Ronk 2015; Danish United Nations Association). In 2015, more than one million refugees and migrants entered Europe and most of them came through the EU's southern border (Clayton and Holland 2015; UNHCR 2015). During the peak of the crisis, the EU presented the European Agenda on Migration, which introduced a set of immediate actions to be taken to respond to the crisis in the Mediterranean (European Commission 2015a). Among them was a proposal for an emergency relocation mechanism¹ intended to ease the pressure on the frontline countries (European Commission 2015a: 4). The mechanism relied on member states (MS) to show solidarity and share the burden of the asylum seekers in the EU. Through the scheme the MS were initially supposed to relocate 160,000 asylum seekers from Greece and Italy to other MS, but by September 2017, when the mechanism expired, only slightly more than 29,000 had been relocated (Dearden 2017a; European Commission 2017a). The MS' responses to the crisis have varied a lot. Germany, with Angela Merkel in front, received 1/3 of all the relocations carried out, and additionally opened the borders to refugees fleeing the Syrian civil war. On the other hand, Hungary's PM, Viktor Orbán, has continually refused to participate in the relocation mechanism, and reacted by building a fence at the border to prevent asylum seekers from entering the country (Dearden 2016; Delcker 2016; European Commission 2018).

In addition to an emergency relocation mechanism, the European Commission (EC) has proposed the establishment of a permanent mechanism to ensure a fair sharing of the burden, if future inflow of refugees and migrants occur (European Commission 2015a: 4). However, this has not been agreed upon which means that at the moment of writing, there is no active relocation mechanism in place. Our research question derives from a curiosity to investigate why the EU's 28 MS did not relocate 160,000 people over a period of two years, and subsequently why the EU has not been able to establish a permanent mechanism to share asylum seekers. In this thesis we will therefore investigate the underlying reasons behind the EU's failed attempt to create a functioning relocation mechanism based on the role of the MS. This leads us to the following Research Question (RQ):

¹ The emergency relocation mechanism is also referred to as a relocation scheme, and will be termed by both in this thesis.

Based on liberal intergovernmentalism how do the MEPs explain the EU's failed attempt to establish an effective mechanism to share asylum seekers?

In order to address the RQ sufficiently, we will include Germany, Hungary and the European level as three units of analysis. Furthermore, we will both be looking at the temporary scheme that lasted two years and the so far failed attempt by the European Commission, and the European Parliament (EP) to establish a permanent relocation mechanism to allocate refugees in the EU based on the principle of European solidarity. To do so, we have conducted interviews with Members of the European Parliament (MEPs) from the LIBE Committee that both understand the particular mechanism and the MS' national perspective.

First, we will account for the methodological considerations that constitute the foundation for this paper. Secondly, the theoretical background of liberal intergovernmentalism, which this paper is based upon, will be presented. The third part consists of an operationalization of the theory into three measurable hypotheses. Section four elaborates on the core concepts and definitions in this thesis and the fifth part provides an explanation of the EU's asylum policy such as its development and the emergence of the relocation mechanism. In the sixth section the analysis attempts to explain why the EU's relocation mechanism failed by looking at the EU and two important countries, which have contradicting opinions on how to handle the refugee crisis namely Germany and Hungary. In the seventh part an elaboration of the main findings in the analysis will be provided through a discussion. Finally, we will provide a conclusion.

1.1 Literature review

As the relocation mechanism is a recently invented EU instrument, there is a gap in the literature, when it comes to investigate the obstacles the mechanism has witnessed. Therefore, it is important that more research is done on the topic to shed light on the issue. The relocation mechanism to share asylum seekers is a rather uncovered research topic, nevertheless the EU's asylum policy and the concept of solidarity is are not. Scholars have thus conducted research on the topics before. Some of the most important scholars in relation to our topic and their main findings will be mentioned shortly below. First, Lang (2013) argues that there is a need for solidarity in the EU's asylum policy and that the Dublin convention hinders this. Küçük (2016)

concludes that the Dublin system hinders European solidarity and Hatton (2015) believes that there is a need for further integration in EU's asylum and migration policy. Although Bagdonas (2015) mainly focuses on the Baltic States, he still argues that a functioning relocation mechanism is vital for the survival of the Dublin system, and that the refugee crisis is in reality about a breakdown of the rules of the European asylum system due to internal contradictions, the incomplete nature of European integration and divergence of national interests. More recently, Roots (2017) agreed with Bagdonas (2015) on the reasons for the breakdown of the European asylum system and explains that because the EU has not been able to handle the refugee crisis effectively, it has led to a general solidarity crisis in the EU. Schimmelfennig (2017) argues that despite the similarities between the financial crisis and the refugee crisis, the financial crisis has led to more integration while it is not the case with the refugee crisis because there are no strong interests in cooperation in regard to refugees. Further, Scipioni (2017) argues that the EU itself has created the conditions for the emergence of the crisis by pushing integration forward through incomplete agreements, though these incomplete agreements are not the only reason for the EU's failing asylum policy. He points out that there are pragmatic and structural limits for what the EU can achieve in its current form.

Despite the number of arrivals having dropped (UNHCR 2018), the topic is still highly relevant as migrants and refugees still arrive in the EU every day, and the discussion on how to handle the crisis in the EU continues. The EC has been working on a permanent relocation mechanism, but the MS cannot agree on the terms of it. This means that at the moment of writing, the relocation mechanism has expired, and no new mechanism or policy is in place to cope with the still existing inflow of refugees across the Mediterranean Sea. By applying the theory of LI and interviewing MEPs, this thesis will seek to explain why the EU's attempt to find a joint European solution to the refugee and migration crisis has failed.

2. Methodology

This chapter will address the approaches and considerations for the methodological choices set out for the analysis. Furthermore, we will present the overall research design, elaborate on case selection and the chosen data for the thesis. Lastly, the limitations of the methodological approach to the empirical data will be discussed.

2.1 Structure and approach

The starting point of any empirical study is the RQ. The overall framework should therefore be designed in order to respond to the RQ in the best way possible (Andersen et al. 2014: 66). As the purpose of the thesis is to investigate the underlying reasons why the EU did not succeed with establishing a function relocation mechanism, a qualitative approach has been favored. The qualitative approach suits well since it enables us to understand the complexities of the topic in depth.

A social scientific project can be conducted in many ways and the design of the framework provides possibilities and limitations to the overall thesis (Harboe 2011: 59). Hence, the research design determines the methods used to gather the data (Harboe 2011: 59). The thesis is structured around the deductive approach where the chosen theory will be operationalized into three overall hypotheses that will be used in the analysis. The theory will thus be deduced into three testable hypotheses that together will constitute the analytical framework of the analysis based on the theory's expectations to the empirical reality (Andersen et al. 2014: 73). The deductive method will be applied in the research design as we expect the theory to be able to explain large and important aspects of why the EU's attempt to establish an effective relocation mechanism. Further, the thesis is based on a small case study design consisting of three units of analysis one for each hypothesis.

The first two hypotheses operate at the national level and focus respectively on Germany and Hungary, while the last hypothesis operates at the European level and further investigates the role of the EU's institutions' in failing to establish an effective mechanism. The two countries have been selected for several reasons, but most importantly because they constitute opposing positions on how the refugee crisis should be handled. On the one hand, Germany has had a welcoming approach towards asylum seekers through its open-door policy and with the expression "*Wir schaffen das*" (We can do it) by the German chancellor, Angela Merkel (Delcker 2016). By opening its borders Germany consequently accepted more than one million refugees into the country in 2015 alone (Baume 2017; Smith 2016). Germany has been a strong advocate for solving the crisis at the European level through first an emergency relocation mechanism and later a permanent mechanism (Time 2015; Willsher and Kirchgaessner 2015). Hungary, on the other hand, has built a large fence around its borders to Serbia and Croatia to keep asylum seekers out (Dearden 2016). Further, Hungary has been extremely skeptical of a common EU

approach on how to handle refugees, and therefore took the emergency relocation mechanism to court together with Slovakia (Official Journal of the European Union 2016; European Council on Refugees and Exiles 2016). Although Hungary was initially supposed to benefit from the scheme by getting 54,0000 refugees relocated from Hungary to other countries, the country declined the proposal from the EC (European Commission 2015b; European Parliament 2015: 4). The Hungarian PM, Viktor Orbán, has been very outspoken in his critique of the mechanism and is the only country that, following the two years of the mechanism, pledged zero relocations of refugees despite the fact that the EC launched infringement procedures against Hungary (European Commission 2017b).

Germany and Hungary represent two important attitudes in the EU in regards to how to deal with asylum seekers arriving in the EU as both have strong opinions concerning the relocation mechanism. By combining the two cases that possess different opinions on the establishment of the EU's relocation mechanism we hope to attain a better understanding of the existing poles in the EU and whether these have complicated a common EU approach. We further expect the MEPs to provide us with a deeper understanding of why a united front to handle migrants and refugees in the EU has been so weak.

2.2 Data

As the purpose of the thesis is to investigate what the MEPs believe led to failed European policies on asylum an in-depth qualitative approach have been favored. Qualitative data is defined as all data, which are not numbers and thereby the qualitative study is open to a broad diversity (Elklit and Jensen 2014: 117). When conducting qualitative interviews it is important to remember that as a researcher you are embedded in the social interaction of the interview, and that the interview is not between equal partners, since the researcher defines and controls the interview (Kvale and Brinkmann 2009: 3). How you appear and what you say or do, may influence how the interviewee responds (Kvale and Brinkmann 2009: 33). However, the presence of the researcher in the qualitative research interview and the modification of questions in the concrete situation should be considered a strength rather than a weakness provided that the data has not been systematically distorted (Harrits et al. 2014: 147). Through a semi-structured interview guide we have strived for a balance between making room for new discovery in regards to what the respondents bring into the conversation while also making sure, through themes, that we have asked the same overall questions. The interview-guide ensures that the

interviewees are asked the same central questions, but opposed to a structured interview, it leaves room for follow-up questions, and allows changes in the order as well as the phrasing of the questions (Harrits et al. 2014: 150).

2.2.1 Primary data sources

Our primary data consists of six elite interviews with politicians from the EP, all of whom are members of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and therefore can provide us with a unique knowledge about the EU's asylum policy and the relocation mechanism. This particular group has been selected for several reasons. First, as national representatives who serve at the EU level, the MEPs understand both the national and European political environment. The MEPs thus holds a double identity by being elected at the national level, but arranged in political groups in the EP across nationalities in accordance with their political beliefs. Secondly, the European Parliament suits well as we are investigating what have hindered an effective EU solution to handling migrants and refugees. If we had focused more on the technical issues of the mechanism such as how it was created, the EC would have been better suited. Third, a benefit of the EP is that we can focus on a Committee, which provides multiple nationalities and different political ideologies. If we had chosen the MEPs randomly the risk of them not having an interest in the topic would be higher, and had we chosen to select a single nationality the answers would be biased toward that country. A similar risk would be present, if we had selected a single political group, as it would provide us with only one political ideology. As the subject is the EU's asylum policy the LIBE Committee has been selected. The Committee is among other things concerned with asylum and refugees. By choosing the LIBE committee we have ensured that there is a stronger possibility that the interviewees possess knowledge or an interest in the topic. When concentrating on a single Committee it provides us with an in-depth understanding of what the MEPs from the LIBE Committee consider to be the main reasons for the why the EU have not been able to establish an effective relocation mechanism.

2.2.2 Secondary data sources

Our secondary data consists of various publications from the European bodies such as communications papers, reports and papers from the EC to the EP, press releases from the EP, the paper on EC's state of the Union speech, several of the Commission's progress reports and documents from the European Council and Court of Justice in regard to the refugee crisis and the

relocation scheme. The data has been used to further enlighten us on the issue and to complement the MEPs explanations. When collecting data, we have also relied on multiple international organizations, books and journal articles for information on European politics, Justice and Home Affairs, the EU and international relations to gain a more in-depth understanding of the refugee crisis and the EU's asylum policies. The use of online sources and newspaper articles in the analysis have been necessary because the discussions of the EU's relocation mechanism is ongoing and therefore not much in-depth work has been written about the subject, hence to obtain the newest developments news articles have been important. However, when applying news articles, we have strived to be critical and only selected the highest quality such as *The Independent*, *The Financial Times*, *The Guardian*, *EUobserver*, *Politico* among others. Our secondary data is based on Western media from Europe and the USA. We have consciously decided to exclude sources from the ruling government in Hungary due to uncertainties of its reliability when it comes to the issue of refugees. Hence, we may be slightly biased by the western public discourse when considering Hungary although we strive to be objective.

2.3 Elite interviews

The thesis is based on six semi-structured elite interviews with members from the EP. Besides being politicians from the EP, the interviewees have various nationalities and are all members of the LIBE Committee. As we are interviewing politicians from the Parliament these are elite interviews. MEPs constitute a privileged group in society as European politicians and they hold a rather high social status and have more influence on political outcomes than the general public (Richards 1996 in Litting 2009: 99). Elites, like politicians, are used to being interviewed and to express their opinion publicly, hence there is a risk that politicians will give a rehearsed speech when being interviewed (Kvale and Brinkmann 2009: 167). To avoid a rehearsed speech the MEPs did not receive the questions beforehand, and the choice of a semi-structured interview allowed flexibility in the interview, and to ask questions that would get the interview back on track, if necessary. We have chosen to make the interviews partly confidential in the hope that it would make the interviewees more open to answer the questions in a freely manner and to overcome if some preferred not to be mentioned by name. This has been possible since we do not consider their names to be central for the analysis. Moreover, being aware of the issue of access related to elite interviews, we contacted all 59 members of the LIBE Committee including the chair and the co-chairs. In this way, we got interviews with MEPs from six different

countries: The Czech Republic, Germany, Luxembourg, the Netherlands, Portugal and Sweden (see table 1 below).

Interviewee	Nationality	Political Party	Date	Reference
MEP 1	Luxembourg	Group of the European People's party	11-10-2017	(MEP1 2017)
MEP 2	Portugal	Group of the Progressive Alliance of Socialists and Democrats	12-10-2017	(MEP2 2017)
MEP 3	The Netherlands	Europe of Nations and Freedom group	16-10-2017	(MEP3 2017)
MEP 4	The Czech Republic	Group of the European People's party	17-10-2017	(MEP4 2017)
MEP 5	Germany	Group of the Progressive Alliance of Socialists and Democrats	17-10-2017	(MEP5 2017)
MEP 6	Sweden	Group of the Greens/European Free alliance	18-10-2017	(MEP6 2017)

Table 1: Interviewees with MEPs from the LIBE Committee

The interviewees represent a broad variation of nationalities such as small, medium and large MS. In addition, there is a variation between old MS such as Germany and Luxembourg and new member states (NMS) like the Czech Republic. Additionally, there is also a broad geographical diversity among the MEPs, as they come from Northern (Sweden), Southern (Portugal), Central (Germany) and more Eastern parts of Europe (Czech Republic).

The MEPs are members of four different political groups in the EP and represent a strong mix of political ideologies. There are two from each of the largest groups. These are the Group of the European People's Party (EPP) and the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament (S&D). One MEP represents the Group of the Greens/European Free alliance and lastly one MEP is from Europe of Nations and Freedom. The left and the right-wing of the political spectrum are both present among the interviewees, which we expect to illustrate a more nuanced picture of why the EU's attempt to create an effective relocation mechanism failed. It tends to be difficult to get comments from the right-wing, however, with Europe of Nations and Freedom represented, we have managed to get a right-wing perspective on the topic. It is important to keep MEP3's ideology in mind, and not neglect his occasionally rather strong statements. However, we have not been able to get a Hungarian MEP to speak on the issue, which could have provided the paper with insights from the country's perspective.

Some of the MEPs belong to parties in power at the national level. These are MEP2 (Portugal), MEP5 (Germany) and MEP6 (Sweden). Their opinions are thus expected to represent the opinion of their national governments more than of those who are in opposition. The other three MEPs do not belong to the ruling parties in their countries, and are therefore not necessarily expected to represent their governments' opinions. With everything held together, the variations among the MEPs are great.

2.4 Transcribing interviews

When transcribing the spoken interview into a written text there are various things that should be taken into consideration (Kvale and Brinkmann 2009: 199; Harrits et al. 2014: 171). How to transcribe an interview should be related to the overall goal of the analysis, though there is no objective way of doing it (Kvale and Brinkmann 2009: 208-209). Since we are not conducting a discursive analysis, we have decided to leave out 'ehm' and repetition of words as they are more likely to cause confusion, than being an asset to the analysis. The differences between the spoken and written language can often cause practical and principal problems (Kvale and Brinkmann 2009: 202-203). We have decided to transcribe the interviews in their full length, despite the fact that some argue that it is not necessary when working deductively (Harrits et al. 2014: 171). Although it is time consuming, we consider it valuable as it makes the task of processing the empirical data more manageable. In addition to the transcriptions, meaning condensation has been conducted by shortening the meaning expressed by the respondent to shorter and

more concise statements (Kvale and Brinkmann 2009: 205). We have condensed the meaning in accordance with the themes from our interview guide, as it provide us with a greater clarity and overview of the essence of each interview. Though, when citing the MEPs in the analysis still applied the full length. Additionally, when using the MEPs' quotes in the analysis, the wording and grammar has sometimes been changed slightly, since none of the interviewees hold English as their native language hence their proficiency vary greatly.

2.5 Theory of science

The thesis is based on the deductive approach that entails hypothesis testing. We have applied the method by deducing three overall hypotheses from the theory and already existing knowledge, which constitutes the main arguments of this thesis. Deduction implies the use of logic inferences, and that these will be considered valid, if they are logically coherent though a logic inference does not necessarily have to be true in the sense that it conform to reality (Thurén 2011: 31). When working deductively, it is important to keep in mind that under most circumstances the proposed hypotheses cannot conclusively be verified or falsified, but the probability of its validity can (Thurén 2011: 31; Gilje and Grimen 2007: 31). Also, in principle a hypothesis should be formulated so it possible to reject it. Karl Popper argued that it is never possible to verify a hypothesis since it is not possible to be certain whether it is true. Popper, therefore, argued when working with hypotheses you should strive to falsify your assumptions by making many and unlikely hypotheses (Gilje and Grimen 2007: 17). We recognize the problematic of determining when we actually know something, especially when dealing with politicians, who hold different nationalities and ideologies. However, our main goal is not to verify or falsify our hypotheses, but to get a deeper understanding of the subject, which we are examining and testing by means of logic inference and the underlying theory.

2.6 Limitations

The primary data is based on MEPs from the LIBE Committee as mentioned above and our decision to select politicians from merely one EU institution brings some limitations. The interviewees are politicians who possess a broad and varied range of knowledge within many policy areas, and we can therefore not be certain that all interviewees are knowledgeable within the field of asylum and migration. Nevertheless, as all interviewees are members of the LIBE Committee, they are likely to be competent in the field. Furthermore, interviews with politicians

tend to have a general character. If we had conducted interviews with members from the cabinet in the EC, concerned with migration, home affairs and citizenship, the interviewees would likely be experts in regard to the technical issues of the relocation mechanism, but may not have know much about the contemporary political landscape in their home countries, and possibly be biased in favor of the EU.

The interviewees could also have been from the Council, however then the perspective would be from the national level, and we would not have the important dynamic between the EU and the MS, as the EP provides. Another possibility for carrying out the research is either to do interviews with the Parliament, the Commission and the Council, or just the Parliament and the Commission. Selecting two or three EU institutions may have provided us with a broader EU perspective of the institutions attempt to distribute asylum seekers.

We are aware that no Hungarian MEP is among the interviewees, which would have provided us with first-hand information on Hungary's actions and opinions. Despite trying to get in contact with Hungarian members from LIBE it has not been possible. Instead, we have asked the six MEPs questions in regard to Hungary. A possible way to overcome this issue would have been to contact Hungarian MEPs outside the LIBE Committee. Though, this would have obscured our research framework, as our main focus is on members from this particular Committee, and further made it less likely that the MEP would be knowledgeable within the EU's relocation mechanism. In addition, there is no guarantee that a Hungarian MEP outside the Committee would have agreed to take part in an interview.

3. Theoretical approach

The following section will elaborate on the theory of Liberal Intergovernmentalism (LI) and the main predictions behind it. However, since LI evolves from the traditional theory of intergovernmentalism and share many of its assumptions, the chapter will start by briefly elaborating on intergovernmentalism before moving on to the main theory of this paper namely LI. Intergovernmentalism stems from the International Relations (IR) theory of realism, and is based on a traditional idea of states as being the most important actors in the international system (Kelstrup et al. 2012: 192; Nugent 2010: 432-433). The fundamental assumption is that states only collaborate when and as long as it serves their own interests. Particularly, in regard to security and high politics, states will be less willing to integrate (Kelstrup et al. 2012: 192).

According to intergovernmentalism, international law and institutions cannot fully bind states because integration is considered a temporary arrangement. These agreements, therefore only apply as long as states abide by it (Kelstrup et al. 2012: 193). When looking at the historic development of the EU, the integration process has arguably been driven by nation states as the primary actors rather than supranational institutions (Pollack 2015: 16). Nevertheless, the theory has been criticized for its pessimistic view on binding judicial collaboration among states such as EU law (Kelstrup et al. 2012: 193). In the 1980s, with the revival of the EU integration process, a new and modified version of intergovernmentalism namely LI appeared, as Andrew Moravcsik argued that the criticism could be accounted for by underlining the power and preferences of the EU's member states (Kelstrup et al. 2012: 194; Pollack 2015: 16-17).

3.1 Liberal intergovernmentalism

The theory of LI is strongly connected to the work of Andrew Moravcsik (Nugent 2010: 433). He has conducted extensive research on European integration and is especially known for the development of LI in his book *"The choice for Europe"* from 1998 and through several other publications. LI is a synthesis or a theoretical framework, which seeks to explain the larger development of regional integration in the EU by linking various factors, and theories into one collective approach since one theory alone cannot account for the integration process (Moravcsik 1998: 20; Moravcsik and Schimmelfennig 2009: 68). LI's most important elements consist of a liberal interpretation of how national preferences and thereby the interests of states are created based on negotiations and preferences between national groups and an intergovernmental theory about bargaining between states (Kelstrup et al. 2012: 195). In addition, the theory holds two important assumptions regarding politics; that **states are actors** and that **states are rational** (Moravcsik 1998: 18; Moravcsik and Schimmelfennig 2009: 68). Based on the intergovernmental character of LI it thus greatly emphasized that MS, when conducting studies on the EU, should be considered the main players in a situation of anarchy (Kelstrup et al. 2012: 195; Moravcsik and Schimmelfennig 2009: 68). Since states are rational, they calculate the utilities of different options, and select the option which favors them the most. Moravcsik argues that states tend to reach their aims by international bargaining instead of through a central authority and that the EU therefore *"is best seen as an international regime for policy-coordination"* (Moravcsik 1993: 480; Moravcsik and Schimmelfennig 2009: 68).

LI consist of a three-step framework that can be used, in order to explain why states decide to cooperate at the international level (Moravcsik and Schimmelfennig 2009: 69-70; Nugent 2010: 433; Pollack 2015: 17). The framework ties 1) a liberal theory on the formation of national preferences together with 2) an intergovernmental version of bargaining at the European level and 3) a model of institutional choice that stresses international institutions role in granting credible commitments for member states' governments (Pollack 2015: 17). Through the three-step framework, states start by defining their national preferences, then bargain to substantial agreements, and if a convergence of preferences takes place institutions are created or adjusted to secure the outcome (Moravcsik and Schimmelfennig 2009: 68-69).

States' national interests are not fixed or uniform, but vary between and within the state depending on factors like domestic institutions, time and the specific issue regarding societal interdependence and there is thus no hierarchical order of national interests (Moravcsik 1998: 6; Moravcsik and Schimmelfennig 2009: 69). Further, states' preferences are shaped at the national level and subsequently brought to intergovernmental negotiations and therefore bargaining is perceived as a two-level game (Kelstrup et al. 2012: 195). While different groups in the society express preferences, governments collect them. The relation between the society and the national governments is understood as one of a principal agent since societal principal's assign (or confine) agents of governments with power (Moravcsik 1993: 483). The main interest of any government is to stay in office (Andreatta 2011: 33; Moravcsik 1993: 483). This requires backing from a domestic alliance of electorates, parties, interest groups and administrations whose views are transferred through national institutions and performances of political representation (Moravcsik 1993: 483). Moravcsik claims that governments are only willing to bargain at the supranational level, if the topics are in the favor of the national voters (Andreatta 2011: 33). But, on the other hand, international negotiations and institutions can alter the national environment where policies are created by allocating political resources. By delegating policies to the supranational institutions, it can actually provide domestic governments with more resources against their national opponents (Andreatta 2011: 33). The decision to cooperate or create international institutions stems from a common outcome of interdependent rational decisions and intergovernmental negotiation (Moravcsik and Schimmelfennig 2009: 68).

The theory's liberal emphasis on national interests is coherent with several plausible incentives for governments to back or resist integration in the EU. The various interests include federalist

and national views and concerns on national security and economic interests (Moravcsik 1993: 484; Moravcsik 1998: 68-70). Federalists strive for European integration as the end goal while opponents of EU integration are focused on ideas of the nation states and the maintaining of national sovereignty. The national security motivation of liberals is based on the idea that economic interdependence and shared institutions are tools to reinforce peace between democratic states and guarantee political support for democratic projects like the uniting of Germany and a collective front toward the former Soviet Union (Moravcsik 1993: 484). Further Moravcsik argues that geopolitical interests also play a role. Geopolitical interests reflect perceived threats to national sovereignty or territorial integrity (Moravcsik 1998: 26). Geopolitical interests does also hold ideological differences, which are reflecting historical memories of e.g. World War II or the preferred style of domestic governance (Moravcsik 1998: 68-70). In the case of EU integration, most national preferences have been related to economic matters rather than security (Moravcsik and Schimmelfennig 2009: 70).

States' national preferences rarely converge completely, and the end-result of bargaining depends on the relative bargaining power of the involved actors (Moravcsik 1998: 7; Moravcsik and Schimmelfennig 2009: 70-71). The relative bargaining power of an actor in international politics may be the outcome of several things. In the case of the EU, two things are critical: asymmetrical interdependence and information regarding other's preferences and agreements (Moravcsik and Schimmelfennig 2009: 71). Overall, the actors who needs a certain agreement the least hold a better position during bargaining, because they can pressure the other actors to make concessions. The states that have most information about the other's preferences can manipulate the result to their own benefit. Thus, the outcome of negotiations often reflects the relative bargaining power of the involved states (Moravcsik 1998: 3; Moravcsik and Schimmelfennig 2009: 71).

The last step of LI is institutional choice, which holds the idea that states develop a preference for institutions through their interactions with each other, in order to maintain and secure the obtained agreements (Kelstrup et al. 2012: 197; Moravcsik 1998: 9; Moravcsik and Schimmelfennig 2009: 72). Following LI, supranational organizations develop due to an interest by national governments to avoid non-compliance in the bargaining process, free riding and in general to reduce uncertainty when implementing agreements. In other words, governments decide to pool decision-making or to transfer competences to supranational institutions such

as the European Parliament, the European Commission and the European Council to utilize the benefits of integration (Moravcsik 1998: 485; Schimmelfennig 2017: 4). The delegation of sovereignty to international institutions, like the EU, does only takes place when and as long as it is in the interest of the nation states (Kelstrup et al. 2012: 197).

4. Operationalization

This chapter will elaborate on how the RQ will be approached in the analysis. Also, it will include core concepts, theory and the considerations behind the analytical approach. The purpose of the operationalization is to clarify the paper's framework and structure. Operationalization is about translating theoretical and often abstract concepts to concrete variables that can be measured, and thus used in an empirical study (Klemmesen et al. 2014: 32).

Based on the assumptions set by LI, we have deduced three overall hypotheses that we expect will be able to provide explanations for why the EU have not been able to establish an effective mechanism to relocate asylum seekers between the MS. Before translating the theory into measurable units, we will elaborate on the theory's predictions to the research topic. When looking at why the EU has failed to create an effective mechanism various explanations may be given depending on the chosen theory. This comes with possibilities and limitations. The explanations of LI will due to its intergovernmental character focus on the MS when investigating the underlying reasons for the failure of a common policy on asylum seekers.

Based on the predictions of LI, three overall hypotheses have been deduced which will be explored in the analysis. The following hypotheses, provided in the model below (table 2), are influenced by the overall assumption of this thesis, namely that the EU cannot enforce policies of solidarity on the member states, if it is not in the MS' interests, and that a common stance between the MS is difficult due to various political, economic and security interests. As LI is a state-centered theory, it considers the MS to be the most important actors in the European Union. Scholars of LI do recognize the importance of supranational institutions such as the EU, but they argue that states will only cede sovereignty, if and as long as it is in the interests of the MS (Kelstrup et al. 2012: 192). The argument put forward by LI is that European integration occurs through a preference convergence amongst the MS and that alignments occur through rational calculations of states' interests.

The thesis is built upon three units of analysis, one at the European level and two at the national level, each with a belonging hypothesis and two indicators. These will be tested throughout the analysis based on the six MEPs statements. The first two hypotheses operate at the national level, as the focus of LI is on the MS and is intended to provide a deeper understanding of the MS' actions. The first hypothesis is on Germany, a country that has been in favor of the emergency relocation mechanism and of a permanent EU solution to handle asylum seekers. The hypothesis goes as follows: *'Germany has accepted high numbers of asylum seekers because showing solidarity corresponds with the government's national interests'*. The first indicator is economic interests and we thus look into whether Germany has economic incentives when accepting asylum seekers. The second indicator is political interests, where we will analyze if it has influenced the country's willingness to participate in the scheme. The second hypothesis is related to Hungary, and will investigate the factors influencing a skeptical country. In addition, the hypothesis may provide us with a deeper understanding of the reluctance by the Visegrád countries². The second hypothesis goes as follows: *'Hungary has refused to participate in the relocation mechanism because showing solidarity does not correspond with the government's national interests'*. Indicators that we will look for are political- and security interests, and whether these have affected Hungary's opposition to the mechanism, and its perspective on EU cooperation. The last hypothesis operates at the European level and focuses on various MS and the EU's attempt to make common policies on asylum. The hypothesis goes as follows: *'The European Commission's attempt to establish a permanent relocation scheme has failed due to a lack of preference convergence between member states'*. The underlying assumption is that the MS are crucial actors and if the EU does not have the support from its MS, then it cannot act. The two related indicators that will be analyzed are conflicting national interests between the MS and that the MS hold the power. Furthermore, this hypothesis builds on the findings of the previous two hypotheses by investigating the MS' national interests more broadly. The three hypotheses and their indicators are illustrated in table 2 below.

² The Visegrád group consists of Poland, the Czech Republic, Slovakia and Hungary.

Hypothesis	Germany has accepted high numbers of asylum seekers because showing solidarity corresponds with the government's national interests	Hungary has refused to participate in the relocation mechanism because showing solidarity does not correspond with the government's national interests	The European Commission's attempt to establish a permanent relocation mechanism has failed due to a lack of preference convergence between member states
Indicators	<ul style="list-style-type: none"> • Economic interests • Political interests 	<ul style="list-style-type: none"> • Security interests • Political interests 	<ul style="list-style-type: none"> • Conflicting national interests • Member states hold the power

Table 2 - Illustrates three hypotheses of why the EU have not been able to establish an effective relocation mechanism based on the theory of liberal intergovernmentalism.

4.1 Elaboration and definitions of core concepts

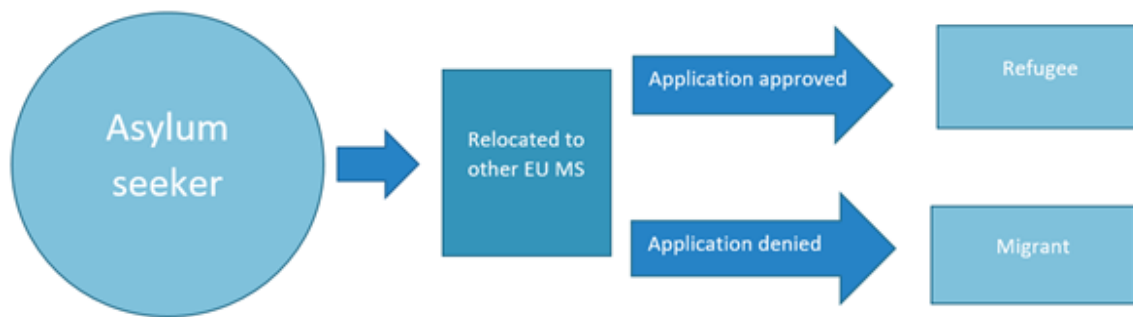
4.1.1 Clarification of refugees, migrants and asylum seekers

Refugees, migrants and asylum seekers are sometimes confused, and the terms refugee and migrant are often used interchangeable (Moldovan 2016: 682). However, there are important differences between the concepts, which will be addressed in this section.

First, when considering the term refugee the Geneva Convention from 1951 is important, as being the backbone of most refugee law. The Convention is therefore often referred to as the Refugee Convention. The classification as a refugee applies to any person who has been categorized a refugee under previous conventions and protocols and/or any person who cannot or is unwilling to return to his/her country of nationality due to a "*wellfounded fear of being persecuted for reasons of race, religion nationality, membership of a particular social group or political opinion*" (The Refugee Convention 1951: 14). The definition has been criticized for only applying to people who fear personal persecution (Moldovan 2016: 681-682). People fleeing for

other reasons such as war are thus not considered refugees following the traditional definition. This means that Syrians who fled from the civil war does not qualify as refugees, and therefore some argue that the classic Geneva Convention needs a revision since it does not fit the types of crisis occurring today (Moszynski 2011: 1). Our understanding of a refugee is in line with the one set out by the Geneva Convention, though it does also include people fleeing from war. Second, migrants are also people who leave their country of origin, but for other reasons. They leave more voluntarily often in the search for a better future and/or work, which is why migrants are often associated with economic migrants or migrant workers (UNESCO). Migrants are not forced to leave their home although poverty sometimes make people feel forced to leave (Amnesty International). Nevertheless, migrants do not have the same legal rights as refugees in terms of protection.

The current situation in Greece and Italy has made it difficult to determine who is a refugee and who is a migrant. We are currently witnessing mixed migration, which is defined by IOM as: *"complex population movements including refugees, asylum seekers, economic migrants and other migrants"* (International Organization for Migration 2008: 2). Refugees and migrants are increasingly using the same routes to Europe and are thereby being mixed (Regional Mixed Migration Secretariat). It stretches and mixes the definitions of migrant and refugee together, and it becomes difficult to separate the two (Horwood and Reitano 2016: 16-17). Lastly, an asylum seeker is someone who has applied for protection, and is awaiting the decision on the application in the particular MS (UNHCR). An asylum seeker can therefore in principle be both a refugee and a migrant, as nothing prevents migrants from applying for asylum. To simplify, if an application for protection is rejected the asylum seeker's status changes to migrant, whereas if the application is approved he/she becomes a refugee, which is illustrated through model 1 below. It is worth noticing that not all migrants are rejected asylum seekers, since not all migrants apply for asylum. But, in order to qualify as a refugee an application for protection has to be recognized in the MS where the application has been lodged.



Model 1: Asylum seekers

Our understanding of asylum seekers is in accordance with that of UNHCR who define asylum seekers as people who are waiting for their asylum application to be processed. In order to qualify for the relocation mechanism, people must apply for asylum hence the focus of this paper is on asylum seekers. Although most people who qualify for relocation are expected to be refugees, their status (as a refugee or migrant) are not determined until after the relocation has taken place as illustrated in the model above. It is thus up to the receiving MS to examine the applications and accept or reject asylum seekers.

4.1.2 Defining relocation

Relocation is an important concept when investigating the European response to the refugee crisis, though it can easily be confused with the concept of resettlement. Adding to the confusion, the Commission addresses both relocation and resettlements together in several split reports (European Commission 2016a). The concepts are closely related, but differ in one important aspect. The EC defines relocation as: *“The transfer of persons who are in need of or already benefiting from a form of international protection in one EU member state to another EU member state where they would be granted similar protection”* (European Commission a). Relocation is therefore to move refugees or asylum seekers from one EU member state to another inside the EU's borders. Resettlements, on the other hand, vary from relocation in terms of where a person in need of international protection is transferred from. Resettlements are transfers to an EU MS from a country outside the Union (Barigazzi 2017; European Council 2016). An example of resettlements is the EU-Turkey agreement from March 2016. With the agreement *“All new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey”* (European Council 2016). For every Syrian returned to Turkey, the

EU will resettle another Syrian to the EU. In short, relocations are transfers from one EU country to another while resettlements are transfers from outside the EU to an EU member state.

4.1.3 European solidarity

The concept of European solidarity has been much debated during the EU's refugee crisis. As a response to the large influx of migrants and refugees arriving at Europe's external borders, the EC created a temporary emergency mechanism (European Commission 2015a: 4). With the mechanism, the EC called upon MS to show solidarity and share the responsibility of refugees (Maurice 2015a). Solidarity is a cornerstone of the EU's asylum policy, which is evident from article 80 of the TFEU. The article states that policies on border checks, asylum and immigration are subject to the principle of solidarity and a fair sharing of the responsibility between MS including the financial aspects (The Danish Parliament's EU Information Centre 2011: 90).

The Constitutional treaty from 2004 introduced a solidarity clause with article I-43 and the provision on the implementation of the clause (article III-329) (Gestri 2012: 109-110). Entering into force in 2009, the Treaty of Lisbon merged the two articles into a single solidarity clause, namely the article 222 TFEU (Gestri 2012: 110) where solidarity became a part of the legal framework of the EU. The clause makes it possible through legal means for the EU to act collectively, and help other MS if they are "*the victim of a natural or man-made disaster*" (Gestri 2012: 109-110; EUR-Lex). The EU has thereby increased the importance of acting in unity. The solidarity clause was strengthened in 2014, with the adoption of procedures and rules for the functioning of the clause. The provision is supposed to ensure that everyone involved, both at the EU level and national level, cooperates for a quick response to both terror attacks and disasters (EUR-Lex). In the peak of the crisis in 2015, speculations started on whether some of the South-Eastern MS would trigger the article as a response to the influx of refugees (Parkes 2015: 1). Furthermore, some MEPs urged the MS and the EC's President to activate the article as a response to the refugee crisis since they argued that the refugee crisis is a disaster, to which the article is applicable (Wikström and Verhofstadt 2015). Though so far, the article has not been activated.

Despite being emphasized, frequently used and incorporated into the Lisbon Treaty, the term European solidarity lacks a clear definition set by the EU. In a press release the Commission refers to solidarity as "*a shared value within the European Union – between its citizens, member states, and in its action inside and outside the Union*" (European Commission 2017c) and the

current President of the Commission, Jean-Claude Juncker, describes it as “*the glue that holds the Union together*” (European Solidarity Corps 2016). Although it is vaguely defined solidarity is undoubtedly important to the European Union. The EU agency, Eurofound, puts another account of solidarity forward. The agency specifies the European principle of solidarity as sharing the benefits like prosperity, but also the burdens, equally and fairly between the MS (EurWORK 2011). Our understanding of solidarity is to share the burdens and benefits, and provide mutual support between member states, and thus is in accordance with the definition set out by Eurofund.

5. The EU's asylum policy

The emergency relocation mechanism is a part of the EU's asylum policy, which has gone through great changes throughout time. Today issues of migration and asylum have become one of the EU's top priorities as a consequences of the large inflow of asylum seekers in 2015 and onwards (European Commission b). In this chapter we will first outline how the EU's asylum policy has developed through time, and then provide an elaboration on the technicalities behind the relocation mechanism.

5.1 The development of the EU's asylum policy

The last two decades have brought a lot of changes to the area of asylum, with a gradual development of common policies and more competence to the EU. Asylum policies in the EU are managed through the area of Justice and Home Affairs (JHA), which today is an integral part of the European Union. This section provides a short overview of the development of JHA through time and how competences within the EU's asylum policy have shifted.

Beginning with the Maastricht treaty in 1993, JHA was for the first time incorporated into the treaties as a third pillar (Lavenex 2015: 370). The competences was though still in the hands of the MS, as the treaty only established a forum for intergovernmental negotiations (Ucarer 2013: 284). One of the most notable developments within the area of asylum was the Dublin Convention in 1990 (Ucarer 2013: 287). It determined which state is responsible for handling an asylum claim. Since then, the Dublin Convention has been renewed twice, latest in 2013 (Regulation (EU) 604/2013). Like the Dublin convention from 1990, the following two Dublin regulations determine the responsibility of member states to examine an application for asylum. The article that has been applied most is article 13, which states that if a third country national illegally cross the external border of the EU, the MS where a person enters, is responsible for

examining the application for asylum. Another important article is article 18 of Dublin stating that MS are allowed to return applicants to the first country of arrival.

With the treaty of Amsterdam, asylum along with other areas under JHA, moved from the third pillar to the first pillar, but the process was gradually (Lavenex 2015: 371; Ucarer 2013: 288). For these areas, the treaty provided new rules for decision-making, though the first five years was a transition period. During this period, decisions was still reached by unanimity in the Council with the European Parliament holding a consulting role. The Council did still act on a proposal from the Commission or the MS. Following the transition period, the MS lost their right to initiate in the areas and the Commission gained the exclusive right to do so. At this time, the European Parliament only had a consultation role. In 1999, the MS committed themselves to create a Common European Asylum System (CEAS) and a European Refugee Fund, which financially assists EU countries receiving refugees and people in need of international protection (European Commission 2017d; Ucarer 2013: 289).

The Lisbon treaty represents the most significant change to JHA (Ucarer 2013: 287). With the treaty in 2007, the pillar structure was abolished and an 'Area of Freedom, Security and Justice' (AFSJ) was established as second in the general aims of the EU (Lavenex 2015:368). The treaty also provided the Commission with the exclusive right to propose legislation in the last areas under the former third pillar (Lavenex 2015: 373). Though, the most significant change in decision-making brought by the Lisbon treaty was in favor of the European Parliament. The EP gained considerable power with the introduction of the Ordinary Legislative Procedure (OLP) in most areas of JHA (Lavenex 2015: 375). The OLP with co-decision by the EP and qualified majority voting (QMV) in the Council was introduced in almost every field of JHA. Furthermore, the Lisbon treaty³ formalized the goal of integrated border management and common policies on asylum and immigration. Currently, most JHA agencies are concerned with the exchange of information and coordination of national law-enforcement authorities (Lavenex 2015: 376). In 2009, the European Asylum Support Office (EASO) was created. The office gathers and exchange information on asylum proceedings in the EU's member states and countries of origin (Lavenex 2015: 377-378).

³ The goal of integrated border management and common policies on asylum and immigration is specified in the articles 77-79 TFEU.

CEAS has been under development for many years and as with other policy areas, much have changed through times. As: *"Justice and Home Affairs touches on many issues that are deeply entrenched in national political and judicial systems"* (Lavenex 2015: 368) the area is strongly connected to the question of state sovereignty. MS have been reluctant to engage in so-called hard supranational legislation within migration and asylum. The area has therefore been characterized by intergovernmental decision-making procedures until recently, as cooperation among national agencies has gradually moved from loose intergovernmental cooperation to more supranational governance within the EU (Lavenex 2015: 367-368).

5.2 The emergency relocation mechanism

The unfolding of the refugee and migrant crisis since 2015 has added pressure on Greece and Italy, as more refugees continued to arrive at the Southern border of the EU. With overloaded reception centers and national asylum systems being under severe pressure, the countries struggled to effectively manage and register all migrants arriving (Spindler 2015). At some point, it became evident that Greece and Italy could not manage the high number of refugees on their own. To help remove the pressure from them, the EC proposed in 2015 that refugees should be relocated from Greece and Italy to other MS (European Commission c). This was the first time article 78(3) of the Treaty on the Functioning of the European Union (TFEU) had been used (European Parliament 2018a). The article can be activated, if MS are confronted by an emergency situation of a sudden inflow of third-country nationals. When activated, the Commission can propose the adoption of provisional measures for the benefit of the MS confronted by the emergency and the Council then adopts the temporary measures after consulting the EP.

The first proposal for a relocation mechanism came in May 2015 and was a part of the European Agenda on Migration. In this agenda, the Commission highlighted the need for a common European policy in the area (European Commission 2015b: 2). The EC proposed the relocation of 40,000 refugees from Greece and Italy (European Parliament 2018a) and in July 2015, the EU member states agreed on a resolution for the relocation of 24,000 people from Italy and 16,000 from Greece over a two year period (Council Decision (EU) 2015/1523).

In order for asylum seekers to qualify for relocation they had to fulfill a set of criteria *"based on a threshold of the average rate at Union level of decisions granting international protection in the procedures at first instance, as defined by Eurostat, out of the total number at Union level of deci-*

sions on asylum applications for international protection taken at first instance, based on the latest available statistics" (Council Decision (EU) 2015/1523). The threshold was set at 75% meaning that asylum seekers had to come from a country where at least 75% of previous asylum seekers had been granted international protection according to Eurostat statistics. The threshold was made as an attempt to ensure that asylum seekers in need of protection would be relocated.

With the Council Decision of 14 September the provisional measures in the area of international protection to help Greece and Italy was established, and the relocation from the two countries started in October 2015 (Council Decision (EU) 2015/1523). The relocation was based on voluntary commitments from the MS, and they would receive financial support, namely 6,000 EUR in return for each relocated asylum seeker received. Denmark did not have to partake in the mechanism, as the country opted out, and Ireland and the United Kingdom does not have to participate either, as they have the option of opting in, and are therefore not bound by the decision. Before the Council Decision, the EC proposed to relocate additionally 120,000 refugees: 50,400 from Greece, 15,400 from Italy and 54,000 from Hungary (European Commission 2015b). This puts the total number of relocation at 160,000. In this proposal, the EC further suggested to establish a permanent relocation scheme to help other MS that would experience a future crisis situation with pressure on their asylum system similar to the situation in Greece and Italy. Later, on 22 September 2015, the Council accepted parts of the proposal from the Commission and established a second relocation mechanism to relocate 160,000 asylum seekers within a period of two years (Council Decision (EU) 2015/1601). However, Hungary declined the proposal of help from the EU and the 54,000 asylum seekers, foreseen to be relocated from Hungary, was added to the number of asylum seekers to be relocated from Greece and Italy. Ireland used their possibility to opt in and chose to participate in the relocation mechanism, despite not being obligated to do so (European Council 2015: 4). Although the permanent scheme was part of the EC's proposal, it was never adopted.

With the new mechanism the same criteria as the first relocation mechanism applied for asylum seekers to qualify for relocation. The scheme was intended to last two years and applied to the asylum seekers arriving between September 2015 and September 2017, and for those who were already in Greece and Italy. Opposed to the first relocation scheme the second was based on a mandatory distribution key, which determines the number of asylum seekers each MS

must accept. The mandatory distribution key is based on a combination of several factors. When calculating the number of asylum seekers a country is obligated to accept, the size of the population counts for 40%, the GDP counts 40% while the average number of past asylum seekers and the unemployment rate each count 10% (Council Decision (EU) 2015/1601).

As the establishment of the second relocation did not need unanimity in the Council, it was adopted by QMV with four countries voting against it. These were the Czech Republic, Hungary, Romania and Slovakia (European Parliament 2018b). Only three months after the relocation scheme was adopted Slovakia and Hungary took it to court (European Council on Refugees and Exiles 2016; Zalan 2017a). They were convinced that the procedure used to adopt the relocation mechanism was against the rules set out in the treaties and they questioned whether the current refugee situation in the EU could be considered an emergency (Official Journal of the European Union 2016; European Council on Refugees and Exiles 2016). The ruling came in September 2017 and the Court of Justice of the European Union dismissed the case brought by Slovakia and Hungary (Court of Justice of the European Union 2017).

The relocation mechanism had a rough start and to monitor the progress, the Commission published regularly reports on its development (European Commission 2017e: 7). After six months, the EC realized the very slow progress of relocations, and therefore started to publish the reports on a monthly basis (European Commission 2017e: 7). The EC's first progress report shows that by March 2016 only 937 people had been relocated; 569 from Greece and 368 from Italy (European Commission 2016a: 5). The Commission pointed out their dissatisfaction with the slow implementation of the relocation mechanism, and called on the MS to speed up the process (European Commission 2016a: 2, 5, 7). The fourth progress report was published a year after the adoption of the relocation mechanism. It showed that the process of relocation had accelerated, though it was too slow and more effort was needed (European Commission 2016b: 2-3). After a year, and having run for half the period a total of 5,651 people had been relocated; 4,455 from Greece and 1,196 Italy (European Commission 2016b: 2). The goal of reaching 160,000 relocations seemed very optimistic at this point although the number of relocations had accelerated considerably the last months (European Commission 2016b: 3).

When the Commission published its 10th progress report, it revealed that by February 2017 only 14% of the intended relocations had been carried out, and with the current speed the goal of 160,000 relocations would not be reached by September 2017 (European Commission

2017e: 3, 7). Although the EC pointed out that there had been progress, it had been inconsistent and the EC called for all member states to accelerate and meet their legal obligations (European Commission 2017e: 6-7). In a press release related to the publication of the 10th progress report the EC adjusted the goal of relocations from 160,000 to 98,255 relocations (European Commission 2017f). The 54,0000 relocations intended to help Hungary were no longer to be relocated from Greece and Italy, but were instead changed to resettlements of Syrian refugees in Turkey.

The progress report from April 2017 stated that the Commission now was aiming to relocate only those eligible and currently in Greece and Italy (European Commission 2017g; European Council on Refugees and Exiles 2017). This meant approximately 14,000 from Greece (European Commission 2017g: 2) and around 3,5000 from Italy (European Commission 2017h). By April 2017, the number of relocations was only 16,340 and because the EC realized that it would not possible to reach the goal of 98,000 the Commission decided to only focus on those eligible in Italy and Greece which included 33,840 relocations (European Commission 2017g: 2; European Commission 2017h).

The latest progress report was published on 6 September 2017 three weeks before the relocation mechanism expired (European Commission 2017i). At this point, the number of relocations had reached almost 27,700 people, which was close to the latest goal set by the Commission (European Commission 2017i: 2). Once again, the EC underlined that just because the relocation mechanism expired on 27 September, the member states should not stop pledging places for relocated asylum seekers at this date, as they can be relocated within a "*reasonable time thereafter*" (European Commission 2017i: 6), and thereby keeping the relocation mechanism alive for a longer time and provide the MS with more time to meet their obligations. By November 2017, a total of 10,265 had been relocated from Italy and 21,237 from Greece (European Commission 2017j). The number of relocated people two months after the mechanism expired was low and 66,836 remained to be relocated before the goal (of 98,000 relocations) and legal commitment by the MS was reached. The MS only reached less than a third of the goal after it was lowered and less than 20% of its initial goal. There is thus plenty of room for improvement.

Moving on to the permanent relocation mechanism, which was first proposed together with the second emergency relocation mechanism in 2015, but that part of the proposal was not adopted, and the discussion on a permanent relocation mechanism has since been stuck in the Council (European Parliament 2018c). However, when the EC in May 2016 proposed a reform

of the CEAS, a permanent relocation mechanism was part of the proposed reform of Dublin (European Parliament 2018d). The permanent mandatory quotas are thus still being discussed. The EU presidency, currently under Bulgaria, has been assigned the task of finding political consensus to reform the Dublin regulation before the end of June 2018 (Bulgarian Presidency of the Council of the European Union 2018; Nielsen 2018). On recommendation from Germany, Bulgaria has decided to seek agreements on the other parts of the reform, and leave the question of mandatory permanent quotas to be the last issue discussed (Nielsen 2018).

6. Analysis

When more than one million refugees and migrants arrived in the EU between 2015 and 2016 it became clear that the EU's asylum system especially the Dublin rules had to be reformed (European Commission 2017k; European Parliament 2017). The main problem was that: "*The Dublin system was never designed to achieve solidarity and the fair sharing of responsibility; its main purpose from the very beginning was to assign responsibility for processing an asylum application to a single Member State*" (European Parliament 2017). The main purpose was to make the MS accountable. The Dublin regulation puts the responsibility at the MS where the asylum seeker first entered the EU (European Parliament 2017). However, the problem arose when almost everyone entered through the same few countries. After Turkey closed its border, refugees and migrants arrived in increasing numbers to Greece and Italy and the pressure on the two countries became severe (European Commission 2017k). Many refugees and migrants continued their journey up north, in particular to Germany and Sweden, which led some MS to put up temporary border controls (European Commission 2017k). As border controls goes against the whole European project of a free and borderless Schengen area, it was important for the EU to come up with a fast solution to solve the unequal distribution of refugees between the MS. The EU's institutions and MS' governments were being put under great pressure by the public outcry, the extensive media coverage and an unlimited political attention to show that they are able to meet the challenge (Carrera et al. 2015: 1). Part of the EC's response was the European emergency relocation mechanism.

This chapter will analyze the failure of the emergency relocation mechanism and investigate why it has been so difficult for the EU and its MS to agree on a permanent mechanism to share

asylum seekers in the future. In order to do so, the analysis has been divided into three units that we consider important for understanding the reasons behind the unsuccessful attempt by the EU to establish effective measures to share asylum seekers in the EU. The three parts are build on the theory of LI and will each look into a hypothesis. The first two units operate at the national level focusing respectively on Germany and Hungary, as they represent two diverging poles in the EU. Germany with Merkel in front calls for EU solutions to the crisis while Orbán together with other Eastern member states are more reluctant to partake in the mechanism (Deutsche Welle 2016; Maurice 2015b). The last unit is connected to the European level and will investigate MS' national interests, and the EU institution's role in the failed attempt to establish effective distributional schemes for asylum seekers. The three units of analysis are meant to provide a deeper and more nuanced understanding of the obstacles that the EU has witnessed when trying to establish a common European system to distribute asylum seekers.

6.1 Germany has accepted high numbers of asylum seekers because showing solidarity corresponds with the government's national interests

During the height of the refugee crisis in 2015, the German Chancellor Angela Merkel decided to open the German borders to the many refugees fleeing from the civil war in Syria. The decision has been much debated both in the EU and in Germany. Further, Germany has been the country receiving most relocated asylum seekers, with more than 10,000 relocations from Greece and Italy (European Commission 2018). The question is whether the government with Merkel in front solely accepted the refugees as an act of solidarity, or if there were other interests behind the humanitarian act such as economic or political interests. In this section, we will investigate the following hypothesis namely that Germany has accepted high numbers of asylum seekers because showing solidarity corresponds with the government's national interest by looking into two related indicators. These are political and economic interests.

6.1.1 Will refugees be economically beneficial to Germany?

In the summer of 2015, Germany opened its border so asylum seekers fleeing from the civil war in Syria could enter the country. Since then, Germany has become a magnet for those who make it across the Mediterranean, and with more than one million refugees and migrants entering in 2015, Germany is the country in the EU who hosts the largest number of asylum seekers (Baume 2017; Smith 2016; Trines 2017). One of the interviewed MEPs argues that Germany has been crucial in saving our collective European honor with the decision to accept refugees with the famous expression by Merkel namely '*wir schaffen das*' (*we can do it*) (MEP2 2017: 2).

Though, the decision to do so has been rather controversial among the German population. The German MEP claims that the situation since 2015 has changed completely, and that there no longer is the same welcoming attitude among the population and the government (MEP5 2017: 7). But, why did Merkel initially decide to have a welcoming approach? Was it merely an act of selflessness, or did the government see it correspond with its economic interests? In this section, we will look closer at the possible long-term economic interests behind hosting more than one million asylum seekers (Baume 2017; Smith 2016). The theoretical starting point is rooted in LI's understanding of states as being rational actors where governments calculate the outcome that favors them the most (Moravcsik and Schimmelfennig 2009: 68).

Some of the MEPs pointed out that Germany might have taken a lot of refugees because they are needed for the country's workforce. MEP2 thinks Germany has been open to refugees because the country is used to receive and integrate refugees and migrants, and therefore understands the need for the maintenance of the society (2017: 11). She further argues that: "[...] *We live in a continent that is in demographic decline. We need migrants. It is estimated that we in Europe as a whole need about three million per year, so as Mrs. Merkel said 'wir schaffen das'. It is one million and we need three million per year*" (MEP2 2017: 6). MEP2 elaborates and claims if we do not get inflows of people in Europe then our social security will not be sustainable in a couple of years (2017: 7). The favoring of migrants may be related to her socialist's ideology and the fact that she is from Portugal, which has been open to asylum seekers during the crisis (Costa and Sousa 2017; Murray 2015). The Swedish MEP continues along the same line by emphasizing that migrants are needed to maintain today's welfare systems: "[...] *I really do not understand why the countries are so reluctant because they all need migrants for their welfare systems in the future because we are an ageing population here in Europe, and if we want to keep our welfare system then we need people working*" (MEP6 2017: 6). MEP6 is also from a refugee friendly party in the EP namely the Greens party and likewise MEP2 her statements could be influenced by her ideological stance. Though there are strong backing for the claims by MEP2 and MEP6 that Germany needs more people to secure its welfare system, and turn the declining population around (Dettmer et al. 2015; Deutsche Welle 2015; Nardelli 2016; Rapoza 2017).

Moreover, MEP1 says that Germany had many immigrant workers from Turkey in the 1960s: "[...] *in order to acquire a workforce that simply was not available within the country any longer*" (2017: 10). The German government invited back then guest workers into Germany to fill the

gap in the country's workforce (Bartsch et al. 2010), which may be what Merkel is doing again. MEP6 argues that it should be appreciated that people are coming to the EU: "[...] *many of those who came from Syria are highly skilled because they were the ones who had the money to leave [...] so we really should be very happy that people come to us (the EU) [...]*" (2017: 10). Again her statement may reflect her positive stance in regards to refugees though it is true that the first wave of asylum seekers who came from Syria had many skilled people (Chazan 2017).

MEP4 adds to the discussion by bringing up the importance of states' economy: "*Every Prime Minister wants to have the best economy [...] I think especially for Germany because they had unemployment rates around 5% before the immigration crisis, but they need more people to work in the factories*" (2017: 5). Through the statement it becomes evident that MEP4 agrees with MEP2 and MEP6 that Germany received high numbers of refugees because they are needed to secure the country's future economy. This is interesting as the statements come from both countries that has been rather open towards receiving refugees (Portugal and Sweden) and a country that has rejected to accept refugees (the Czech Republic), which reinforces the argument. Furthermore, MEP1 claims that: "*We have always considered that it is in our national interests to have a growing economy [...]*" (2017: 13). MEP1 is from a pro-European party and states that he does not understand much about national interests though he mentions economy to be one of them. If we presume that a growing economy is in Merkel's interests, it might then explain why she decided to open the German border. Based on the MEP's statements above, it is likely that there was an economic motive behind letting more than one million refugees and migrants into the country. If this is the case, it would correspond with the theory's predictions that states by means of rational calculations chooses the option that favors them the most (Moravcsik and Schimmelfennig 2009: 68).

Many MS have used the economy as an argument for rejecting refugees and migrants, but for the German government it seems to be the opposite as the government possibly saw a hope in the newcomers, that they would be able to save the country's future economy (Allen 2016; Business Insider 2015; Dettmer et al. 2015). Germany's population has until recently, and for the last decade been shrinking, so adding a large number of people, through the asylum seekers, may help alter the concern that the ageing and declining population will not be able to provide sufficient social security for the fast-growing generation of pensioners (Dettmer et al. 2015; Deutsche Welle 2017; Fuchs 2017). The idea that Germany need more people has also been

emphasized by the former interior minister who said: *"We need people. We need young people. We need immigrants. All of you know that, because we have too few children"* (Hansen 2017). The increasing concern over a declining population may have impacted the decision and influenced Merkel's willingness to accept large numbers of asylum seekers during the refugee crisis, as MEP2 and MEP6 also indicated above.

There is uncertainty about what the consequences will be of letting more than one million asylum seekers into Germany. In regards to the declining population a consequence of the high influx in 2015 has been that the German population for the first time in decades is not decreasing (Deutsche Welle 2017; Fuchs 2017; Nardelli 2016). Moreover, MEP6 claims that the asylum seekers Sweden received kept the economy running (2017: 8). This claim is supported by the Swedish financial magazine, DI, which links the influx of refugees and migrants in 2015 to the growth in its GDP (Ollila 2016). However, when looking into the German numbers it becomes clear that it has been, and still is, expensive to accept large amounts of asylum seekers at least in the short term. The German state has spent €21.7bn on refugees in 2016 alone, which surpassed the expectations and the budget, set by the government (Dearden 2017b; German Federal Ministry of Finance 2017). Furthermore, the German Commissioner for Immigration, Refugees and Integration at the time, Aydan Ozoguz, said that during the next five years only a quarter of the refugees will enter the labor market while for others it will take up to 10 years (Chazan 2017). Initially, the many arriving refugees and migrants who were working-age and highly motivated created optimism in the German society that the inflow could fill the country's skills scarcity, and resolve the demographic crisis posed by its rather low birth rate. But, as Ozoguz explains there has been a change in perceptions among the German population from the first Syrians entering Germany who were doctors and engineers, to the many more who lacks competencies and language skills (Chazan 2017; Cottrell 2016; Delcker and Karnitschnig 2016). The change in perceptions as mentioned above is also underlined by the German MEP (MEP5 2017: 7).

Although it will last some years where the 2015-inflow will be an economic burden to Germany, and the government may have thought it would be faster to get the refugees and migrants to join the workforce, the decision by Merkel could have positive economic consequences in the long run (Chazan 2017; Chu 2015). This might have been what Merkel aimed for, as the country will both have more educated people, and more people in its factories (Alderman 2015; Chu

2015; Dettmer et al. 2015). MEP4 puts another account forward for why the optimism has shifted. He argues that Merkel's decision to open the borders was based on a lack of information and claims that she did not know the situation on the Balkan routes well enough:

"[...] Merkel did not have the information about the real situation on the Balkan routes [...] Before Merkel declared that she would take all Syrians there were people from Pakistan, Afghanistan, Egypt, Algeria, Iran, Bangladesh, and Myanmar etc. But after Merkel declared that she would take all refugees from Syria then everybody said that they were from Syria [...] so it was a lot of lies" (MEP4 2017: 1-2).

When migrants and refugees heard that all Syrians would be let into Germany, it created chaos because people were so desperate that they would lie about their nationality to get protection, according to MEP4. Whether Merkel thought that most of the people who arrived in Germany would be skilled and ready to work is uncertain, but in reality asylum seekers from several different countries arrived in Germany where some were more ready for the labor market than others.

It is extremely difficult to say how big a role the economy played when the German government decided to open the borders and let asylum seekers into Germany. Another thing that could have influenced the decision is Germany's role in World War II, as MEP1 believes the war has made Germany more open to refugees (2017: 10). MEP4 likewise argues that many Germans today have a WWII complex, which has made the country open to receive refugees, and made them focus more on solidarity (2017: 8). On the contrary, the German MEP says that he does not see any European solidarity anymore – not even from Germany. He mentions that it was especially the German Minister who was against helping to finance a program to save refugees and migrants in the Mediterranean Sea:

"I do not see any (solidarity). Another question regarding Germany; the Italian government rescued in 2014 and 2015 150,000 refugees. They made the Mare Nostrum program and then asked the EU member states whether they could support and finance this program because they could not finance it alone. It was especially the German Minister of Finance who put the thumb down and said no to that, and the next years thousands of refugees drowned" (MEP5 2017: 7).

The statement reveals how he thinks Germany is not always acting in solidarity with the other MS. As MEP5 is German and belongs to a party in power at the national level (SPD) his credibility is high since being skeptical towards decisions made partially by his own party. In this case, the German Finance Minister opposed the proposal, which may indicate that Germany is acting in solidarity when it corresponds with its national interests such as a growing economy. MEP5 further claims that one of the main problems in the EU has been the austerity policy⁴, which may have played a role in Germany's rejection to help finance the Mare Nostrum program to help refugees and migrants in the Mediterranean: *"[...] If you impose policies of austerity on the member states, on the one hand, and you try to cope with the challenges of migrants and refugees, on the other hand, you will get problems, and therefore the austerity policy is one of the main issues that we are facing in the European Union"* (MEP5 2017: 3). MEP2 agrees to this and states that the unwillingness to participate in the relocation scheme is related to austerity policies and populism (2017: 6-7) and MEP5 thinks that these policies leads to questions about where the money for the refugees comes from (2017: 9).

To summarize the first indicator it seems that economic interests could have played a role in Merkel's decision to open Germany's border in 2015. Several of the MEPs claim that the German government has taken a lot of refugees because they need people for its workforce as being a declining population. It has further been mentioned by two MEPs that it is crucial that Germany receives more people otherwise it cannot secure its future welfare system. Another point made was that Germany has previous imported a workforce to fill its shortage gap which could be what Merkel intended to do. Despite being an economic burden at the moment and in the coming years there might still be long-term economic interests in accepting high numbers of refugees.

6.1.2 Political interests in welcoming migrants and refugees

In this section, we will investigate what were driving Merkel's decision to welcome large numbers of refugees into Germany, and later to change approach. Has Merkel's openness primarily been related to the fact that the country needs more people due to a declining and ageing population, and to increase its workforce, as the previous section indicated, or is there more to it than that? Could there be some political interests for Merkel and her government in accepting

⁴ Austerity measures was widespread following the financial crisis in 2008. As a consequence of the crisis Germany like most other MS put restraints on their budgets.

large numbers of asylum seekers to Germany? The theoretical starting point in this analysis is rooted in LI's understanding of states as rational actors and the expectation is that government's primary interest is to stay in power (Andreatta 2011: 33; Moravcsik 1993: 483).

When looking at the crisis in actual numbers, Germany is the country in the EU that has received the largest amount of asylum seekers, which is evident from the table at appendix 3. Out of all 1,260,000 first time applicants in 2015, Germany received 440,000, or approximately a third of all asylum seekers in the EU (Appendix 3). The following year, the number of asylum seekers coming to Germany was 450,000 out of 700,000 in the whole Union (MEP6 2017: 2). Moreover, as mentioned earlier, Germany has also been the top recipient country in regards to the emergency relocation mechanism. Germany has received more than 10,000 relocations from Greece and Italy, meaning that as a single country, Germany got nearly one third of all relocations carried out (European Commission 2018).

MEP1 believes that the welcoming culture in Germany is related to the fact that the country is used to hosting immigrants as Germany made an agreement with Turkey in 1956 (2017: 10). The deal meant that Germany received many migrant workers (Nasr 2017; Prevezanos 2011). According to MEP1, MEP2 and MEP6 the trend is the same with other countries that have a history of hosting immigrants or refugees. They further argues that their respective country, (Luxembourg, Portugal and Sweden) has been more willing to receive immigrants during the crisis, because they have done it before (MEP1 2017: 9; MEP2 2017: 11; MEP6 2017: 7). Returning to Germany the country is not only used to hosting migrants, the country does also have experience with immigrants from Muslims countries due to their agreement with Turkey. Today nearly five million Muslims live in Germany, which equals 6% (6.1%) of the population (Hackett 2017; Pew Research 2017), which possibly played a role in the government's openness toward refugees from especially Syria.

The roots of Germany's welcome culture could have deep routes as MEP4 argues that Germany's welcoming culture is related to the World War II complex: *"I think in Germany especially it is the effect of the Second World War. Many people in Germany have the Second World War complex, and now they are asking for much more solidarity, and you can see how the society is open to people from other countries"* (2017: 8). MEP1 supports the argument by claiming that, if somebody asks Germany whether they can take a few thousand refugees they will do it, and that this is: *"[...] not only because Mrs. Merkel had a particular human moment in the summer of*

2015, but also because the country has a tradition and a certain past, which may facilitate the post-war tradition of being open to refugees and also migrants" (2017: 10). MEP1, like MEP4, argues that the openness is related to Germany's role during WWII. The War has made the German population eager to show that they no longer are the country they were during the War (Bird 2015; Horn 2015). In line with that, MEP6 argues that solidarity is an interest for Germany, and that the country would like the other MS to show solidarity (2017: 12).

Initially when Merkel opened Germany's border, the majority of the population supported her actions (AFP 2015; Akrap 2015; Bird 2015; Graham-Harrison et al. 2015). The theory argues that politicians strive for re-election, and as the population supported Merkel's decision, she could have welcomed refugees, because the population was initially in favor of showing solidarity. Although the political mainstream supported Merkel's decision to open the border at the time, it soon became rather unpopular in the German society (Graham-Harrison et al. 2015; Witte 2018). According to MEP5, Germany was ready to take refugees in 2015, but the situation has since changed completely, and there is no longer a welcoming attitude among the population (2017: 7). A survey from 2016 pointed out that 81% of the German population did not think the German government, led by Merkel, handled the refugee crisis well. The survey further revealed that Merkel had the lowest support in the population for more than 4.5 years, as it revealed that only 46% of the Germans supported her compared to 75% before the refugee crisis (Copley 2016). The election results also reflect that the German population did not any longer agree with Merkel's refugee policy, and the decision to open the borders and welcome more than one million asylum seekers has been costly for Merkel in terms of popularity (Barkin 2017; Baume 2017; Connolly 2016; Kirschbaum 2017). In fact, the government's refugee policy has resulted in a declining electorate support, which is evident from the latest election on 24 September 2017, where Merkel's party, the CDU, and the sister party, CSU, lost 8.5 points compared to the previous election in 2013 (Aytac 2017; Financial Times 2017; Joffe 2017). Merkel has as a consequence become a weaker chancellor, and her party now accounts for only 33% of the votes in Germany, which is the lowest result since 1949 (Aytac 2017; Financial Times 2017; Oltermann 2016; Wagstyl et al. 2017). MEP5 also points out the rise of the far right in Germany (AfD – Alternative für Deutschland), who received 13% of the votes in the latest election (2017: 7). A reason for the rise of the AfD seems to be the dissatisfaction with the German chancellor (The Guardian 2017; Karnitschnig 2016; Schick 2016; Wagstyl 2017).

MEP1 argues that by accepting high numbers of refugees and migrants you risk getting social movements in the population against the next wave of asylum seekers (2017: 17), which could have been what happened to the German chancellor. Furthermore, the amount of asylum seekers entering the country was severe and there was a sense that the German government had lost the control at its borders (Oltermann and Connolly 2016). Subsequently, people were questioning whether Merkel would run a fourth time as chancellor (Cole 2016; Connolly 2016). Even in her own party, the CDU, members discussed whether Merkel's refugee policy really was taking Germany's interests into account (Oltermann 2016; Schnee 2015). Merkel thus had to defend her well-known expression "*Wir schaffen das*" on several occasions, and in an interview she expressed why she chose a welcoming policy toward refugees: "*It was an extraordinary situation and I made my decision based on what I thought was right from a political and humanitarian standpoint*" (Baume 2017). This corresponds well with MEP3's account of why Merkel decided to take the humanitarian standpoint, as he believes that, when the crisis was at its height politicians wanted to show to their electorates that they were doing the right thing, and therefore many were very passionate and trying to help solve the crisis (2017: 5). He continues and argues that: "*Merkel is much more aware of the fact that she should do the right thing, as a morally developed person*" (MEP3 2017: 13). He believes that Merkel was doing what that she thought was morally correct. His statement is noteworthy as MEP3 is right-wing and anti-immigrant. It is therefore striking how he mentions that the morally correct thing for Merkel is to welcome asylum seekers, knowing that he would never support this himself.

Though Merkel herself claims that her refugee policy in 2015 was merely related to her moral standard, there seems to be indications suggesting that it was not the only concern. MEP2 believes that "[...] *our governments play for the next election and for what is popular [...]*" (2017: 7), and MEP4 backs this up, as he claims that many politicians will do anything to be re-elected (2017: 8). MEP2 and MEP4 are from different countries (Portugal and Czech Republic), and do not belong to the same party either, however, they both highlight that politicians pursue a re-election. More interestingly, as being politicians their statements thus also apply to themselves. Along the same line, Merkel has a history of being calculating and follow popular sentiments of her supporters (Collinson 2017; Lehmann 2016; Moore 2017; Schnee 2015). Der Spiegel has revealed that Merkel's actions are directed by an extensive and detailed opinion survey carried out on regular basis with the result that her policies and rhetoric has thoroughly been aligned

with public opinion (Schnee 2015). Initially, the German population agreed to welcome refugees, however the situation has changed since 2015. But when Merkel closely follows the sentiments of the electorates why did she then continue the positive rhetoric on refugees for so long? Maybe Merkel has what MEP2 claims many other heads of states lack, namely a state-vision (2017: 9).

Moreover, MEP2 points out that despite Germany's good intentions some of its actions have been rather negative, and that these led to the strong reluctance by some of the Central and Eastern MS: "[...] *although Germany and Merkel did well and meant good, they also did some very contradictory and negative things that actually led to the reactions of the Visegrád group. I am pretty sure that Austria, and the other countries would never have said that they were going to build walls and borders [...] if they had not had the green light from Germany*" (MEP2 2017: 3). From the statement she indicates that some of Germany's actions during the crisis have led the Visegrád group to reinforce border controls as getting a green light from a powerful country as Germany. She further mentions Merkel's suspension of Schengen as one thing that has created controversy:

"Germany was the first country to suspend the Schengen agreement [...] when we reached October, and the Bavarians at their Oktoberfest – they did not want too many strange faces around, and therefore pressed as partners (CSU) of Mrs. Merkel to actually suspend Schengen. By suspending Schengen, and people often neglect that Germany was the first country to suspend Schengen, it triggered a lot of the countries to do the same" (MEP2 2017: 3).

Based on the quote she points out that Germany was the first to suspend Schengen. When Germany re-instated border controls a number of countries followed and did the same (European Commission d: 5). MEP2 claims that Germany's actions have caused the negative reactions by other MS, as closing the borders, signalized that such actions are allowed. Further, MEP2 states that the Bavarian sister party (CSU) pressured Merkel to change her political direction (2017: 3). The CSU disagreed from the very beginning with Merkel's refugee friendly policy (AFP 2015; Lehmann 2016). According to the theory of liberal intergovernmentalism the main interest of any government or in this case, Chancellor Merkel is to be re-elected, which requires backing from the electorates and a domestic coalition (Moravcsik 1993: 483). In this case, the CSU is part of the domestic alliance, which Merkel needs on her side to ensure re-election.

There seems to be indications that Merkel changed the government's refugee policy, due to a massive critique and declining electorate support, and so she could remain in office. Merkel's refugee friendly policy was popular in 2015 where there was an extensively welcoming attitude in the society (Akrap 2015; Bird 2015; Graham-Harrison et al. 2015). Following MEP4, the public mood was very pro-refugees, and the German people were doing several things to help asylum seekers, and to make them feel welcome (2017: 8). People even applauded the first asylum seekers, who arrived by train in Germany (Akrap 2015; Graham-Harrison et al. 2015). According to the theory of LI various groups in the society express preferences while the governments collects these preferences, and the relation between the government, and the people is therefore understood as the principal-agent (Moravcsik 1993: 483). Merkel has thus collected preferences of the people like an agent when deciding on how to handle the many asylum seekers. However, by changing her policy when the public support for it declined, it could look like Merkel prioritized a reelection above European solidarity. Hence, it is not just other countries that follow their national interests, as MEP5 argues, Germany does the same (2017: 5). It thus seems true what MEP6 claims namely that: *"There is only solidarity (between member states) sometimes when it is in the national interests"* (2017: 13).

In conclusion, the MEPs have pointed out signs that economic interests may have played a role for why Merkel accepted high numbers of asylum seekers. This is related to Germany's interest in a strong workforce, and to turn around the declining population, according to the MEPs. Hence, despite the fact that it has been rather expensive for the German state to accept the refugees, there might be economic prospects in the long run. When moving on to political interests, there was initially a strong interest by the German government to show solidarity and accept refugees. Merkel did this by accepting more than a third of all relocated refugees and by opening its borders to all Syrians during the peak of the crisis in 2015. The MEPs does also mention that the World War II has been important in explaining why the country welcomed refugees, and it has been highlighted that Germany's history of hosting migrants has made it more prone to do it again. Further, Merkel might have long-term visions for Germany, and act in accordance with what she believes is best for the country. The decision to open the border was initially supported by the German population, but as pointed out the attitude among the population shifted, and during the last election, Merkel and the CDU was punished for their refugee-friendly policy. After being under pressure from her coalition partner, the CSU, Merkel closed the border, which

may indicate that she holds an interest in being re-elected. In short, there are signs that Germany showed solidarity because, at the time, it corresponded with the government's economic interest in maintaining a sustainable German workforce, and reflected the wish of the population.

6.2 Hungary has refused to participate in the relocation mechanism because showing solidarity does not correspond with the government's national interests

Hungary's role during the refugee crisis has been rather controversial, and the country has repeatedly received critique from several sides including Amnesty International, the EU and its MS for not showing solidarity and accepting asylum seekers in times of crisis (Al Jazeera 2017; McLaughlin 2017; Ridgwell 2015). The EU has long been unsatisfied with Hungary for rejecting to participate in the relocation mechanism, which has led to the launch of infringement procedures against the country (European Commission 2017b; European Commission 2017k). Hungary's response to the relocation mechanism was to challenge the EU's decision on mandatory quotas by taking it to court where it lost the case (Court of Justice of the European Union 2017; Rankin 2017). The question is whether Hungary has rejected a common EU approach because being part of it goes against the government's national interest, or if there are other reasons behind the country's strong resistance towards the mechanism. This section will examine whether the MEPs think showing solidarity in regards to the EU's relocation mechanism conflicts with Hungary's national interests as the hypothesis suggests. Indicators that we will look into are security and political interests.

6.2.1 Hungary's fear of refugees

Since the creation of the emergency relocation mechanism Hungary has been extremely outspoken in its critique of the common mechanism. The country has refused to participate despite being legally obligated to do so, and took together with Slovakia the decision of mandatory quotas to court, in order to avoid being part of it. The Hungarian government has during the entire crisis had a tough stance on refugees and migrants, and in an attempt to keep asylum seekers out the government built a large razor wire at the Serbian border (Lyman 2017; Osborne 2016; Saeed 2017; Sandford 2017). But how come Hungary has been so reluctant to be part of a common mechanism to share refugees in the EU? The assumption is that the Hungarian government has refused to partake because it goes against the government's national interests. Following Moravcsik, the willingness of governments to pool sovereignty or delegate control over a policy

to the EU may be related to states' perceived threats and concerns in regards to sovereignty (Moravcsik 1998: 26, 68-70). This section will, based on the six MEPs, investigate whether they think security interests have influenced the rejection of the scheme.

The far-right PM of Hungary, Viktor Orbán, and his Fidesz party⁵ has taken strong measures against refugees and migrants during the high inflow. An example is the approval of a controversial law in 2017 that allows asylum seekers to be detained which according to the UN Refugee Agency violates both international and EU law (Lyman 2017; Zalan 2017b; Zalan 2017c). The argument for doing this is that Hungary needs to be protected against refugees and migrants (Dearden 2017c; Karnitschnig 2015).

According to MEP4 the fear of refugees and migrants is related to a lack of experience with them. He further argues that without knowledge of foreigners the first thing that comes to mind is concerns for security. As an example he mentions his mother who is from the Czech Republic, and not used to see foreigners and therefore perceives asylum seekers as a danger to the country (MEP4 2017: 7). His statement is interesting as being a Czech, his country likewise Hungary has been unwilling to accept refugees. He thus may provide us with an understanding of the sentiments in Hungary. Despite many supporters of the far-right Fidesz party may never have met a refugee, they still consider them dangerous (Than 2018). MEP1, MEP2 and MEP6 argues in accordance with this that those who are used to receive refugees also tend to be more willing to accept asylum seekers (MEP1 2017: 9; MEP2 2017: 11; MEP6 2017: 7). It thus appears that the fear of the unknown could help explain the reluctance among the Hungarian population to hosts refugees and migrants since the MS that are use to accept asylum seekers also tend to be more willing to do so. Moreover, the fear could also be related to how the Hungarian PM portrays asylum seekers. Under various circumstances, he has called asylum seekers for invaders, poison, animals and a threat to a Christian Europe, (The Guardian 2016; Osborne 2016; Quackenbush 2016). Additionally, he has uttered that: *"Every single migrant poses a public security and terror risk"* (Michelson 2016). In line with this, MEP6 claims that a number of MS have rejected asylum seekers due to a concern that some might be terrorists (2017: 7). She

⁵ The Fidesz (Hungarian Civic Alliance) is the ruling party in Hungary where Orbán is the president. Fidesz is a conservative right-wing populist party.

thinks it is wrong and states that most terrorists are homegrown, and that we create the terrorists ourselves for instance by rejecting them (MEP6 2017: 7). Her statement may be influenced by her left-wing ideology, as being part of the Greens party in the EP that advocates a humanitarian approach. Similarly, her country of origin, Sweden, may also have influenced her stance. Moreover, MEP1 agrees that too many wrongly labels refugees and migrants as potential terrorists and believes that many MS are really sensitive when it comes to security issues (2017: 15, 21).

Another thing that has been mentioned several times by the MEPs is the history of Hungary. Hungary's history is following the MEPs important in order to understand why the country has been reluctant to accept asylum seekers and partake in the relocation scheme. MEP2 mentions that because Hungary has been under communist rule for a long time it has created a rather inward-looking mindset among the population (2017: 12). More to it, MEP1 argues that the country has a historical complex following World War I: *"the politicians and quite a bit of the Hungarian society have a historical complex ever after the First World War when they lost territories because they had been on the wrong side of history"* (2017: 18). Furthermore, MEP3 agrees that the history is important for understanding the behavior of the Hungarian government today (2017: 13), and MEP1 claims that this is related to why Hungarians not only thinks that they do not need to be part of the relocation scheme, but also believes that they must actively reject it (2017: 19). Getting back to MEP3, he points out that being under various foreign rules throughout history has created a certain attitude in the Hungarian society:

"It is not strange that Orbán is the only one who emphasizes the Christian culture and heritage of his country [...] but he has a point, because two generations ago they had a dictatorship from the Ottoman Empire [...]. Then they had a Communist dictatorship and now an outside force (the EU) is telling them to allow a lot of people in to their country. They (Hungarians) are thinking that there rings a bell. We have seen this before and we do not like it, and this is what the Visegrád four holds together" (MEP3 2017: 13).

There seems to be agreement among the three MEPs that history could hold some of the explanation to why Hungary has refused to participate. Returning to MEP3's statement, he believes that Orbán has a good reason for emphasizing Hungary's Christian roots, as the country has been under Muslim rule, during the Ottoman Empire. Moreover, he argues that the various foreign rules in Hungary have created a certain resistance towards obeying orders from other

powers, and thereby claims that the EU is a foreign power. Orbán himself supports this statement as he portrays the EU as an “*external force*” that interferes with Hungary’s internal affairs by forcing the country to accept asylum seekers (Than 2018). This strong reluctance to obey the EU may be related to the fact that Hungary throughout time has had to defend itself against greater powers (Puhl 2015). On the contrary, MEP2 says that every country joined the EU willingly (2017: 12), so to label the EU a foreign power is misleading when in fact Hungary is part of this so-called outside power. As MEP3 is anti-EU, this might explain why he mentions the Union as a foreign power. MEP4 backs up MEP3’s argument by saying that: “[...] *post-communist countries do not like if somebody from Brussels say that you have, or you must*” (2017: 4). This is important, as MEP4 himself is from the Czech Republic hence part of the Visegrád group. MEP3 and MEP4 believes that when the EU demands Hungary to obey the rules of the relocation mechanism against their will then it causes concerns in Hungary due to the previous mentioned history that has created resistance in Hungary.

MEP3 continues by arguing that Orbán is aware of the danger of centralization (2017: 10). This point is also emphasized by Orbán himself who has said that one of the reasons for why Hungary has denied quotas of asylum seekers is because it is a matter of sovereignty, and to be able to preserve the power to decide who can stay in Hungary and who cannot (Blome et al. 2018; Than 2017; Than 2018). This is backed up by Moravcsik who argues that an unwillingness to pool sovereignty to the EU may be related to a country’s fear over ceding sovereignty from the national level (Moravcsik 1998: 26). Further, the current foreign minister of Hungary, Peter Szijjarto, agrees as he claims that the relocation mechanism is a matter of sovereignty (Zalan 2017a). MEP3 has uttered that he agrees with Hungary’s stance in regards to the relocation mechanism, and with the country’s unwillingness to transfer sovereignty to the EU (2017: 6). However, as MEP3 belongs to a Eurosceptic party (Europe of Nations and Freedom) which is also against transfer of competence to the Union his statements about Hungary may therefore as much reflects his own opinions about the EU. Another important point is that Hungary initially was suppose the benefit from the relocation mechanism, but the offer from the Commission was declined by the Hungarian government with the argument that they do not perceive themselves as a frontline country (European Commission 2015b; European Parliament 2015: 4). This is despite the fact that Hungary initially received high numbers of asylum seekers. In

2015, Hungary received 174,000 asylum applications (Michelson 2016). There seems to be indications that Hungary does not want anybody to interfere with their handling of refugees, and thus favor to keep the issue at national level instead of European level, even if it means they have to decline an offer of help.

Another point mentioned by MEP3, which is important to Orbán, is the question of religion, and the maintenance of a Christian society: “[...] *In Hungary there is a sense that they will never be under the Islamic seat again [...]*” (2017: 17). The issue with Muslims and Islam is brought up several times by MEP3, and once again it is important to keep in mind his right-wing political ideology. He argues that being part of the Ottoman Empire for more than 100 years, and thereby under Muslim rule has created a certain attitude towards Muslims (MEP3 2017: 12-13). The inflow brings back memories of the Ottoman Empire, and the fear of being under Muslim rule again, which has not caused happiness among the Hungarian population (Molodikova 2015). Likewise Orbán states that refugees is a threat to Europe's Christian roots and culture, and he has thus positioned himself as Europe's Christian defender (Browne 2018; Euronews 2018; Karnitschnig 2015; Reuters 2015). However, MEP1 questions Hungary's obsession with Christianity, as they do not live by the Christian values of solidarity such as loving your neighbor (2017: 12). If they did so, he argues, they would show solidarity with other MS and he claims that Hungary was offered to take only Christian refugees, but declined that too. This underlines that MEP1 believes that participating in the relocation mechanism is not solely a matter of religion (2017: 12), as the far-right MEP else claims (MEP3 2017: 17).

Only one of the MEPs points to the fact that Hungary received a lot of refugees, namely MEP3 (2017: 12). In 2015, Hungary received the largest number of asylum seekers relative to its population (Molodikova 2015; Eurostat 2016), which might explain Orbán's rhetoric in regards to the refugee crisis. MEP1 and MEP2 argue that Orbán played the invasion card in regards to the crisis, and that he talks about refugees and migrants as a foreign army invading Hungary (MEP1 2017: 8; MEP2 2017: 2). Orbán himself has stated that the Muslim refugees entering Hungary are Muslims invaders, and he has further argued that Europe is under invasion by migrants (Blome et al. 2018; Robin-Early 2018; Walker 2018). However, MEP1 does not agree with the Hungarian leadership that refugees and migrants pose a threat to Hungary as he argues that a

thousand migrants would not change anything in Hungary. Further, he considers it to be nonsense, if the Hungarian government feels threatened by a small amount of Muslims (MEP1 2017: 9; 19).

In conclusion, when viewing Hungary's strong measures to avoid the relocation mechanism and Orbán's rhetoric, it seems that there is a strong interest in the Hungarian government to maintain its sovereignty and to keep Muslims out. Though the sincerity of the fear has been questioned by one MEP. It is mentioned by several of the MEPs that this fear and reluctance relates to the country's history and that it has shaped the Hungarian society. It is further stated that being under various foreign rules throughout times have created a resistance towards following orders (from the EU) and possibly also supranational cooperation on asylum. Furthermore, being part of the Ottoman Empire appears to have played an important role to why Hungarians fear Muslims. It has also been pointed out that Orbán has played the invasion card on refugees, and thereby been playing on the fear in the population, which will be investigated in depth in the next section.

6.3.2 Orbán's political propaganda

The current PM of Hungary, Viktor Orbán, has been very outspoken in his critique of the EU's relocation mechanism (Euractiv 2017; Karnitschnig 2015; Michelson 2016). The previous section shows that there are signs of Orbán trying to push an agenda of security as a reason for staying outside the EU cooperation on asylum seekers. But could there also be a political interest for the Hungarian government not to show solidarity, and to reject participation in the relocation scheme? According to Moravcsik, the primary interests of governments, and hence politicians, are to remain in power (1998: 483). This prediction by Moravcsik will serve as the theoretical basis of this section. This part of the analysis will look into whether the MEPs believe that political interests likewise has played a role in the boycott of the scheme, and if so, what these political interests are.

Several of the MEPs highlight that the political aspect have been important for why the Hungarian government continually has opposed the scheme. MEP3 argues that the Visegrád group had to disobey the relocation mechanism from an electoral viewpoint (2017: 6) due to the fear of refugees and migrants among the Hungarian population. Similarly, MEP4 claims that there is a political interest in opposing the mechanism: *"Because it is part of politicians agenda. Also, if you explain to the people that all Muslims are bad, and that people from the Middle East are coming*

and killing you, raping you etc. then you cannot accept anybody. This is part of the agenda [...] and you can see how Mr. Orbán is really successful" (2017: 8). He thus mentions that the way governments talk about Muslims influences how the population perceives them, and that Orbán has successfully convinced the Hungarian people of this fear. The fear of Muslims was examined in the previous part, however MEP4 suggests that this perception of fear might also be connected to political interests, and that politicians, like Orbán could have an interest in creating a perception of refugees and migrants as a threat to their nation. MEP1 supports the claim and states that Orbán through propaganda plays on the fear of Muslims:

"When listening to Hungary you will be told that a thousand migrants could completely turn the Hungarian national logic upside-down, which is of course pure crap. But, this is the way the Hungarian leadership perceives it, and if you notice what goes on in the country right now in terms of social reactions and popular reactions against migrants of whatever category then the propaganda has worked. The propaganda has found its way down into large svadas of the population who really now seem to be convinced that every migrant is a threat to their Christianity, their decency, dignity and the virginity of their girls [...]" (MEP1 2017: 9).

Through the statement he indicates that the Hungarian leadership's propaganda has worked, and that it has convinced large parts of the Hungarian population that migrants and refugees pose a threat to the country. The Hungarian xenophobia has massively increased since Orbán became PM, which suggests that his propaganda is working (Byrne 2016; Hungarian Spectrum 2016). However, these negative sentiments towards refugees and migrants have not been created by Orbán, since it has deep roots and stems from long before the current government took office (Beauchamp 2015; Byrne 2017). The extensive use of propaganda is brought up several times by the MEPs during the interviews, which may be important in explaining why Orbán has refused to show solidarity and participate in the mechanism. MEP2 adds to the discussion on propaganda by saying that Orbán uses the invasion card on the refugees for the purpose of propaganda (2017: 2). More to it MEP4 argues that "[...] *People are facing a lot of propaganda and it is so strong that it is problematic*" (2017: 7). MEP1 puts forward an idea for what interest Orbán holds in using propaganda, as he argues the following:

"[...] We are talking about the usefulness of propaganda and about what sort of policy you can implement, or you think you have to implement in order to A) stay in power and B) coerce your population into building a wall and a fence around yourself, so that it really becomes the fortress

Hungary and the fortress Fidesz within Hungary, and that is what they are doing"

(MEP1 2017: 19).

MEP1 believes that it is in the political interest of Viktor Orbán to burst propaganda out on his population, and convince the voters to agree with his opinions, as it would secure him the position as Prime Minister. His opinion thereby corresponds with the theory's assumption, namely that politicians main interests are to stay in power. MEP1 moreover underlines this interest, as he explains that when it comes to migration, the Fidesz party has their hands on two to three millions voters, and thereby has found a way to secure a re-election (2017: 19). When the topic falls on migration, the Fidesz party rises in popularity, and especially in rural Hungary the party has secured voters (Than 2018; Zalan 2016). It thereby looks like Orbán's widespread use of propaganda has convinced the Hungarian population that accepting asylum seekers pose a threat to the Hungarian nationality (Hungarian Spectrum 2016), and that participation in the relocation mechanism would be as well, as it would mean accepting asylum seekers. This allows Orbán to claim that he merely acts in the interest of the population, when rejecting the mechanism (Diekmann 2016; Schultheis 2018). By doing so, he has been able to ensure himself the backing of a national alliance, which is needed in order to be re-elected. This tactic has been rather successful for the ruling government, as recent polls shows that the support for the his party is at the highest level in six years (Reuters 2017a).

MEP3's opinions diverge from the other MEPs, as he is more positive in regards to Orbán's actions during the crisis: *"What I am thinking is that Orbán actually puts his country and his people first, and that those countries who accepted refugees in the numbers they did [...] are complete toughs – you are crazy when you do that [...]"* (MEP3 2017: 13). He thus believes that Orbán is doing the right thing by rejecting to take relocated asylum seekers from Greece and Italy, because in that way he puts his country first, and is doing what is best for his people oppose to other countries who participate in the mechanism. MEP3 is right-wing, like Orbán, which makes the statement interesting. It may illustrate how right-wing politicians through their ideology equals saying no to a common EU approach on asylum seekers with prioritizing their country. Hence, the ideology of the Hungarian government is important when understanding its resistance towards the EU's relocation scheme.

MEP1, MEP2 and MEP5 argue in a different direction by claiming that it cannot be in the objective national interest of Hungary not to show solidarity, and participate in the relocation mechanism, since it harms their image as a country (MEP1 2017: 12, MEP2 2017: 12, MEP5 2017: 4). MEP1 continues and states that he does not believe that it is in the interest of the population of Central Europe not to take refugees, but that political propaganda has turned them into believing that it is: *"I do not believe in this myth that Centrally European populations would by definition be hostile towards anybody who does not look or smell right, and does not have the right religion [...] But it is political propaganda that turns them to this, and this propaganda has been particularly strong in Eastern Europe"* (MEP1 2017: 11). The four MEPs think that a national interest should serve the population, however, they disagree on what the interests of the Hungarian population are. MEP3 believes that Orbán is doing what is best for his people whereas the three others, MEP1, MEP2 and MEP5, disagree and argues that it harms the country's image.

In October 2016, a national referendum was held in Hungary on whether or not to accept asylum seekers who had arrived in the EU and remarkable 98% voted no (Kingsley 2016; Shuster 2016). Though the voter turnout was only 43% and below the threshold of 50%, which meant that it was not legally valid. Low turnouts are not uncommon in Hungarian referendums, which is also evident from the turnout in 2003 on the issue of whether to join the EU that only had slightly more voters. So despite the low turnout, Orbán declared it to be a victory and called it politically valid, as the result was clear; the Hungarian people do not want to accept the relocation mechanism, or receive asylum seekers. Consequently, the Hungarian government can actually claim to act in the interest of the population, when rejecting to participate in the mechanism, as being backed up by the result of the referendum. Furthermore, if you have a population who is skeptical towards foreigners you may lose an election, if you do not act in accordance with them, and therefore it is important to ensure that your opinion corresponds with that of your electorates.

Another reason why the Hungarian government may want to oppose the scheme is mentioned by MEP4 who says that the Greens in Austria favored solidarity, and was punished by the population (2017: 9-10). The party only received 4.5% of the votes, which was a backlash from 12.4% in the previous election and the Greens thus lost all 24 seats in Parliament (Baily 2017). If this is the result of favoring solidarity, and the interests of Orbán is to remain in power, he would of course not favor solidarity, having in mind what recently happened in Austria, and in

Germany where the CDU lost many voters due to Merkel's open door policy (Smale and Eddy 2017; BBC 2017). MEP2 agrees with the interest in re-election, as she believes that: "[...] *our governments play for the next election [...]*" (2017: 7). This does not only apply to Hungary, but also for other European governments. It is thus a political interest that runs across political ideologies. Further, this supports the prediction by LI that governments' primary interests are to remain in power (Moravcsik 1993: 483). So far, two different dynamics have been discussed, namely Orbán's use of propaganda to influence the opinion of the Hungarian population, and how the government adapts to the preferences of the population. These two dynamics are both used with the purpose of being re-elected. As mentioned earlier, the Fidesz party has found a topic where it can ensure electoral support from its citizens, and by propagandizing the topic they could be hoping for an increase in support.

Moreover, MEP1 argues that the entire country of Hungary has been taken hostage by the nationalistic Fidesz party ruled by one man namely Viktor Orbán (2017: 19). MEP2 agrees, as she thinks the resistance towards the relocation mechanism: "[...] *is related to its (Hungary's) leadership*" (2017: 14). She further argues that the opposition to the relocation mechanism is related to Hungary's leadership and questions how a guy like Viktor Orbán can lead a European country. Moreover, MEP1 claims that political leadership shapes the public opinion, and not the other way around, and that Viktor Orbán has shaped the public opinion in Hungary to fit his opinion (2017: 9).

As already mentioned, the Fidesz party is a nationalist right-wing party, which plays a role in Orbán's political interest, as MEP6 argues the right-wing parties are reluctant to take part in the relocation mechanism and that Hungary has rejected asylum seekers: "[...] *because they are very right-wing and that stems from Orbán, which is related to their ideology [...]*" (2017: 7, 13). MEP6 agrees with MEP1 on the importance of the leadership and points out the role of ideology when explaining why Hungary has refused to participate in the relocation mechanism. Moravcsik argues that the resistance towards supranational integration can be related to ideology (Moravcsik 1993: 484). Ideologies valuing the nation state and the preservation of sovereignty will most likely oppose integration, which is also the case with Hungary's right-wing and nationalistic leader, Orbán. MEP1, MEP2 and MEP6 belongs to three different political groups yet all point out the role of Hungary's leadership, its ideology and how it could have played a role in the resistance towards participating in the relocation mechanism.

To sum it up, the MEPs have suggested that the Hungarian government both has political and a perceived security interest in actively opposing the scheme. However, some of the MEPs argue that they do not believe it serves Hungary's genuine national interest not to participate in the mechanism, and it is further pointed out, that political propaganda has reinforced the fear of refugees and migrants among the Hungarian citizens. The use of propaganda was a central topic for the MEPs as they argued that Orbán has used it extensively to spread fear of refugees and migrants. Additionally, it has been discussed how the use of propaganda serves Orbán's political interest in re-election, which corresponds with the prediction of the theory of LI. Furthermore, Hungary's history has been mentioned by various MEPs as important to why the country has refused to participate in relocation. Also, it has been argued that the various foreign rules in Hungary such as the Ottoman Empire have created reluctance towards obeying orders and transfer of sovereignty to the EU. Following the analysis it seems that Hungary has refused to accept a mandatory quota mechanism to share asylum seekers because showing solidarity does not correspond with the government's national interests.

6.3 The European Commission's attempt to establish a permanent relocation mechanism has failed due to a lack of preference convergence between member states

The question of the EU's role when it comes to managing the refugee crisis has been subject to much controversy. Could or should the EU have done more to push for an effective solution to share asylum seekers? Or is it even fair to blame the EU when, in fact, it seems that the main obstacle to put amendments through is related to the MS. Despite being approved in the Council, the emergency relocation mechanism reached less than 20% of its goal when it ended in October 2017 (Dearden 2017a; European Commission 2017a). Four countries (Romania, the Czech Republic, Slovakia and Hungary) were against implementing the emergency relocation mechanism, and the latter two were so dissatisfied with its approval that they challenged the decision in the European Court of Justice (European Parliament 2015: 4). In this part of the analysis, we will look into whether the MEPs believes that the failed attempt to establish a permanent mechanism is related to a lack of preference convergence between the MS, as the theory suggests. First, we will investigate if national interests conflict between other MS than Hungary and Germany. Secondly, we will look into the indicator that predicts the MS to hold the power in the area of asylum.

6.3.1 Member states have conflicting interests

The previous analyzes of Germany and Hungary have shown that there are various reasons why the countries have reacted differently to the high inflow of asylum seekers arriving in Europe, and that these actions seems to be related to each government's national interests and in particular their prominent leaders, Merkel and Orbán. In 2015, Merkel opened the German border and welcomed Syrian refugees into the country while Orbán reacted by building a large fence around its border. On the one hand, Germany favored solidarity, and advocated for a common European approach to share the burden between the many MS (Deutsche Welle 2016). On the other hand, we have seen Orbán being more focused on keeping refugees out and portraying them as a security threat for political gains. But how about the other MS do they hold various conflicting interests as is the case with Germany and Hungary, and if so has this complicated the establishment of a permanent mechanism to share refugees? The theory of LI holds the idea that states eventually will develop a preference for institutions through its interactions with each other (Moravcsik 1998: 9; Moravcsik and Schimmelfennig 2009: 72). However, as this has not been the case with mandatory relocation quotas, at least not yet, we will investigate whether the failed attempt to institutionalize the topic is related to conflicting national interests between the MS. Despite the previously discovery of conflicting interests between Germany and Hungary, this part of the analysis will elaborate on the diverging opinions and conflicting interests by including the other MS that the MEPs mentions as influential.

MEP2 has an idea of why many populations in the EU are skeptical toward receiving more asylum seekers. She argues that it is because most European governments did not tell their citizens that they need migrants and refugees to maintain their societies (2017: 7; 11). She continues and states that: *"We need migrants. It is estimated that Europe as a whole needs about three million per year [...] and they come as well because there is a need for them in Europe for jobs, for the companies* (MEP2 2017: 6). Through the statement it is evident that she thinks most MS should be interested in welcoming refugees, and further stresses that for Portugal welcoming asylum seekers served the government's interest. The humanitarian act of welcoming asylum seekers may thus also be related to more rational calculations, which could be why the Portuguese PM offered to accept more relocations than being obligated to (Costa and Sousa 2017). The acceptance of asylum seekers could be related to an attempt to fight the declining population that is threatening the future of the Portuguese society and economy (Costa and Sousa 2017; Euractive 2016). Corresponding to MEP2's statement, MEP5 and MEP6 similarly highlight that

Portugal offered to accept more relocations and was ready to help during the crisis (MEP5 2017: 4; MEP6 2017: 9).

As already mentioned in the first analysis on Germany, MEP6 pointed out the economic benefits for Sweden in accepting large amounts of asylum seekers, as the incoming refugees and migrants, according to her, kept the economy running (2017: 8). Following the Swedish financial magazine, DI, the influx of refugees and migrants in 2015 is the reason behind the growth in GDP in Sweden (Ollila 2016). Further, the Swedish PM thinks that accepting refugees could benefit the Swedish economy in the long term (Kirk 2015). In addition, MEP6 says that the Swedish government is in favor of a permanent relocation mechanism (2017: 8), and states that: *"We (Sweden) are a small country, but are trying in someway to be a humanitarian superpower"* (2017: 11). As acting humanitarian seems to be crucial for Sweden, the economic benefits may merely be a side effect from being open to asylum seekers. It is worth keeping in mind that MEP6 is a member of a refugee-friendly party, and her statements might not reflect the genuine Swedish interests, but on the contrary her political party is in government and Sweden has accepted many refugees during the crisis (European Commission 2018).

Not all countries have followed Germany, Portugal and Sweden's humanitarian approach to the crisis and MEP1 puts an account forward for why some MS opposed the mechanism. He thinks they did it because they are in the Union for the wrong reasons, namely for the economic benefits (2017: 6-7). MEP5 is likewise convinced that some of the MS are in the Union for the wrong reasons, as he states: *"You know, especially in the Eastern European countries. Hungary, Poland, and the others are not ready to take their own responsibility, and they are not ready to convince their own inhabitants that the European Union is not only a mechanism to generate some money for them"* (2017: 3). He thereby argues that for some of the Eastern MS joining the EU was driven by economic incentives. MEP6 agrees with the statements, as she believes many states entered the EU for economic reasons, and adds that the Eastern states also did to secure themselves against Russia (2017: 11).

It is interesting that the three MEPs (MEP1, MEP5, and MEP6) all emphasizes that the Eastern countries entered the EU for the money while MEP4 who is from the Czech Republic did not. While it seems that the new MS have entered the EU due to economic interests, MEP6 claims that the founding MS created the Union based on values and peace, and that all entering MS have signed on these values (2017: 11). In addition, she argues that Germany and Sweden

would like the whole Union to be more solidary (MEP6 2017: 12). MEP2 adds to the discussion as she states that: “[...] *We all willingly joined the EU. That means shared sovereignty. That means obviously solidarity [...]*” (2017: 12). She believes that shared sovereignty and solidarity comes with being a member of the EU, but is aware that not all MS share her opinion (MEP2 2017: 12). Some of the MS that do not agree with the statement of MEP2 are the Visegrád group, who has opposed the relocation mechanism from the very beginning (Hokovský 2016; Maurice 2015b). Ever since, the four countries have been working against the mechanism by refusing to participate in it, and some of the countries took it to court (Kostaki 2017; Official Journal of the European Union 2016). A reason for their resistance might be what MEP3 points out: “[...] *From an electoral viewpoint it was very important for those four countries to disobey*” (2017: 6). He thereby implies that for the Visegrád countries, it has been important for their governments to reject the relocation mechanism, to ensure re-election.

Moreover, the MEP from the Czech Republic mentions that former communist countries do not like to be told what to do: “*You know that post-communist countries do not like if somebody from Brussels say, you have, or you must*” (MEP4 2017: 4). The communist rule in the Visegrád countries might have impacted the countries’ resistance towards obeying orders, and their reluctance to transfer sovereignty to a supranational authority such as the EU. Interestingly, the Czech PM, at the time, stated that the Czech Republic would take the 1,500 relocations they were supposed to, but not through the relocation mechanism, as he believes it limits member states’ freedom (Bilek et. al. 2017). Similar arguments are put forward by then Slovak PM and the leader of the Polish PiS party, which currently holds power in Poland, as they both stressed that sovereignty is at stake when participating in the mechanism and therefore, they reject it (Bilek et al. 2017; Broomfield 2016). MEP4 thinks that the best way to solve the crisis is by voluntary quotas and suggests an alternative kind of solidarity, namely to help frontline countries by sending them personnel, money or equipment (2017: 6). As MEP4 is of Czech nationality, it is noteworthy that he suggests a way of helping the frontline countries, which does not involve transfer of sovereignty or accepting asylum seekers, as he at the same time is a member of the EPP – a party calling for a stronger EU. Nevertheless, he advocates for a solution that does not involve transfer of sovereignty, which could reflect his Czech nationality rather than his political standpoint. For the Visegrád countries, rejecting of the relocation mechanism could

therefore be a matter of preserving sovereignty, which also played a role in why Hungary rejected the mechanism. According to LI, pooling sovereignty will only take place, if and as long as it is in the national interest of the state (Kelstrup et. al. 2012: 197) and in the case of the Visegrád, transfer of sovereignty does not appear to be in their interests. Further, the Visegrád group may share the perceived security concern with Hungary, as the countries also labels refugees as posing a threat to their nations' security (Broomfield 2016; Reuters 2017b; Cunningham 2016). From this we infer that participation in the relocation does not correspond with the national interests of the Visegrád group, as it would mean welcoming asylum seekers, and letting a supranational institution decide who enters their countries.

Following the majority of the MEPs, the MS do not agree on how the refugee crisis should be handled (MEP1 2017; MEP2 2017; MEP3 2017; MEP4 2017). MEP2 thinks the EU should handle the crisis, but also acknowledge that not all MS agree with her on that since most politicians lack a state-vision: *"unfortunately I do not see many politicians around in our governments who really can claim to have a state vision, a vision of a man or a woman of state. They have short term visions to win the next elections"* (2017: 9). She believes that many politicians pursue their political interest, which is to be re-elected instead of long-term visions for their countries. This claim is consistent with the expectation of LI, which claims that politician's primary interest is to remain in office (Moravcsik 1993: 483). In the cases of Hungary and Germany the previous analyzes have shown that Merkel and Orbán pursue their political interest in re-election, but it is likely to apply to other MS too (Chu 2015).

MEP3 believes that the different preferences of the MS for how to handle the crisis is decisive as some favor an EU solution while other MS prefer to handle it at the national level (2017: 9). He continues and argues that some countries such as Bulgaria do not mind moving everything to Brussels, while other heads of states such as Orbán are very reluctant to centralize (MEP3 2017: 9- 10). He points out the disagreement between the MS on whether, or not to centralize issues and takes it further, by claiming that to get 28 countries to agree on even smaller matters is very difficult, if not impossible (MEP3 2017: 5), and thereby implies that it would be even more difficult to reach common ground on a topic as asylum. However, MEP3 is anti-EU and his political beliefs might be reflected in his negative view on EU cooperation. MEP4 likewise argues that Europe is divided on how to deal with asylum seekers:

“Europe is in this issue very, very divided. You have here Denmark and Ireland and Great Britain who are really solving each other's problems, and they are not interested in some global solution. Then you have some countries as Germany, Netherlands, Belgium, and Luxembourg who are together, and cooperating on how to solve it. [...] then you have the Middle of Europe; Austria, Slovenia and Croatia, and the Baltic states, and of course the Visegrád group, who are really very very against this solution to do it together.” (MEP4 2017: 5-6).

Based on the statement he points out that he believes the MS are divided in regards to the crisis. He mentions that three of the MS stands outside the EU cooperation on asylum due to opt outs. Further, he believes that four of the founding MS want to solve the crisis by cooperation, while Central and Eastern Europe are opposing a common solution, and underlines that especially the Visegrád group is against a common EU solution. MEP4 thereby touches upon the split between the MS, which have become evident with the refugee crisis (Chu 2015; Tisdall 2017; Traynor 2015a). As already pointed out in this section, there seems to be conflicting interest between the older MS, who values solidarity and common solutions, and the new MS, in Central and Eastern Europe, who are not interested in a common EU solution. While a country like Germany welcomed refugees and called for a common EU solution, the Visegrád group does not want to take part in a European relocation mechanism. Though it is not solely the Visegrád group that should be blamed for the failure of the mechanism, as MEP1 states that neither Spain nor France offered to help during the crisis, when Sweden and Germany had reached their limits of asylum seekers (2017: 6) but many other countries have not lived up to their commitments either (Riegert 2017). However, there is a great difference between not living up to the obligated quotas and to actively reject the mechanism.

In summary, the MEPs indicate that the MS holds various conflicting national interests, and two MEPs point out the economic gains their national governments (Portugal and Sweden) expect by accepting asylum seekers, and thus is much in line much with Germany. This section further reveals that there are signs that the Visegrád group has similar national interests as Hungary. The group is against a common EU solution, if it means they have to accept asylum seekers or transfer sovereignty to the EU. What might be more important is how the MS would like to handle the crisis, as most MEPs argued that there are different preferences for that among the MS. The difference is most visible between the old MS, who build the Union on peace and solidarity, and some of the new MS who may have been more motivated by the economic gains,

when entering the EU. Some of the older MS call for more solidarity and a common solution, while the newer MS, especially the Visegrád, refuse to transfer sovereignty to the EU in the area of asylum.

6.3.2 Member states hold the power

The European Commission proposed in 2015 when the crisis was unfolding an emergency relocation mechanism, which was agreed upon by the EP and the Council. It was, as mentioned earlier, suppose to lift the burden from the most affected frontline countries such as Greece and Italy. Besides the temporary relocation mechanism, the EC proposed the establishment of a permanent relocation mechanism between the EU states that were supposed to be activated in times of crisis and high inflows to balance out the burden between the MS (European Parliament 2018c). Yet, so far, it has not been possible to reach common ground on the issue among the MS. As a result, there has been no replacement after the temporary scheme expired. Though the EC stressed that the MS still have obligations to continue relocations of eligible candidates after October 2017 when the 2nd relocation mechanism ended (European Commission 2017e: 8). The EC with support from the EP has numerous times called on its MS to speed up the process, and later urged them to take responsibility by committing to a permanent scheme (European Commission 2016a: 2, 7; European Commission 2017m; European Parliament 2018a). However, these attempts have turned out to be rather unsuccessful. How come the EU's policies in regards to relocation of refugees have been unsuccessful and unpopular among some MS? The expectation by LI is that states are the central players in the international system, and that decisions are usually reached through international bargaining between the MS rather than through a central authority (Moravcsik 1993: 480; Moravcsik and Schimmelfennig 2009: 68). In this section, we will thus investigate whether the MEPs thinks that the MS are the primary reason why the EU have not been able to come up with a solution for how to share refugees and migrants in the future such as the permanent relocation mechanism.

Most MEPs agrees that the EU's handling of the refugee crisis could have been better and more coordinated. MEP4 thinks that: "*we were not prepared for the refugee crisis*" and therefore made a lot of mistakes (2017: 1) MEP1 argues that the emergency relocation mechanism has been unsuccessful because it came too late, it has been a pure panic policy, and that the policies have been reactive instead of proactive, which he sees as part of the problem. But he does not blame the EU for this (2017: 3, 4, 6). Instead he argues that:

"[...] there was a majority decision taken in the Council of Ministers to put the mechanism into place, so this is to me a perfectly legitimate and perfectly valid political decision. Therefore, I do not see what blame the EU should take, and it is obvious that a number of member states will have to ask themselves the question: why did we not participate in the scheme?"

(MEP1 2017: 7).

Through the statement, he implies that he thinks the unsuccessful implementation of the relocation mechanism is related to the MS who chose not to take part in it, despite having a legal obligation to do so. MEP2 believes that the EU has handled the crisis poorly, but argues that it is not so much the EU's fault as the MS: *"The EU has handled the refugee crisis badly but let me not blame the EU, let me blame our member states. Of course our member states make the EU – they are not the only thing making the EU, but they are very determining, and they were the ones who were determining in the way this crisis was handled, and therefore they (the EU) could not be very effective in responding [...]"* (2017: 1). Following the quote, it is evident that MEP2 thinks the MS have played a crucial role in the outcome of the relocation scheme. Hence, the EU has been ineffective due to the decisive role of its MS. This is important in respect to the theory, as it corresponds with LI's predictions of states as the most important actors in the system (Moravcsik and Schimmelfennig 2009: 68).

MEP2 continues by accusing the Council for hampering a common approach to share refugees (2017: 2). This corresponds with the blame she put on the MS, as the Council is made up of the 28 national ministers. Though the opinion may be related to her pro-European ideology, which is evident from the fact that she thinks we need *"more and a better Europe"* (MEP2 2017: 9). MEP6 from the Greens party agrees that the Council is the main source of the problem: *"The Parliament and the Commission go very much hand in hand, but the devil is the Council in some way because the different member states looks to their national interests. The Commission has looked to Europe's interest, and we as parliamentarians are the voice of the populations and of our parties [...]"* (2017: 6). She says that the EP and EC agree to most things, and that the trouble comes from the Council where the national ministers primarily looks to their national interests. MEP5 believes that if the EP decided how to manage the asylum seekers, then they would be able to find a solution:

"I think, if the Parliament decided how to manage this crisis we would find a solution, but you know in the European Union the member states play an important role, and we have to come to

a common conclusion. We have to achieve consent with each member of the European Union, and there is a big difficulty. It is difficult to reach consent especially in the Eastern European countries. Hungary, Poland and the others are not ready to take responsibility"

(MEP5 2017: 2-3).

He emphasizes that because unanimity is needed between all the MS it has been rather difficult to agree on a solution, as the Eastern countries are not ready to take responsibility. He further argues that if the EP was in charge of handling the crisis, they would have found a solution, which is backed by MEP6 who previously said that MEPs look less to their own countries national interests than the Council does. However, as being MEPs their statements might be biased in favor of the EP's role.

Returning to MEP2, who stresses that for the relocation mechanism to be effective, it would both need more time to prepare the scheme and political will from the MS to implement it (2017: 5). The EC supports the claim that the MS' political will are crucial for a functioning mechanism: *"The unsatisfactory level of implementation of both schemes is due to a variety of factors, including the lack of political will of member states to deliver in a full and timely manner on their legal obligations to relocate"* (European Commission 2016a: 2). The EC further explains that if the MS are committed then relocation can work (European Commission 2016a: 5). The disagreement between the MS in regards to a permanent relocation scheme is also reflected in the EU's institutions. The Council consider migration policies to be something ultimately decided by national governments while the EC and the EP expect to have an influence on the EU's asylum and migration plans (Herszenhorn et al. 2017). The EP approved a resolution for how to reform the asylum system based on mandatory quotas and a sharing of responsibility, however, as the MS disagrees in regards to quotas the issue has been stranded in the Council (Apelblat 2018; European Parliament 2018c). The main controversy between the EP and the Council is related to whether a permanent relocation scheme should include mandatory quotas or not. While the EP is in favor, the Council is against the proposal (Barker 2017; Herszenhorn et al. 2017). Interestingly, the President of the Council, Donald Tusk, called the relocation mechanism ineffective and uttered in a controversial statement that: *"Only member states are able to tackle the migration crisis effectively"* (Barigazzi and Herszenhorn 2017; Rankin 2017). Moreover, he said that the EU's role is to provide full support to help the MS handle the migration crisis (Barigazzi and Herszenhorn 2017; Rankin 2017). Several states were unsatisfied with the

declaration, as it would entail that the main responsibility continue to be on the frontline states such as Greece, Italy and Spain (Herszenhorn et al. 2017), and destination countries like Germany and Sweden. The Migration Commissioner, Dimitris Avramopoulos, called the plan proposed by Tusk for anti-European and said that it illustrates how divided the MS still are in regards to asylum and migration (Herszenhorn et al. 2017).

MEP3 argues that the EU is not equipped to deal with a crisis: *"The European Union in itself is not equipped to deal with crisis at all, and particularly not because it is unable to move swiftly. It is the whole structure, and I do not think I could come up with any mechanism that would be able to fight a sudden crisis on a European continent"* (2017: 2). The quote may be colored by his far-right and Eurosceptic political stance. He does not believe that the EU will find a common stance on the issue of asylum seekers, because he considers the MS to be completely different in terms of culture, and argues that they cannot agree on minor issues (MEP3 2017: 2, 5). MEP4 from the Czech Republic agrees that it will be difficult to find a solution to the relocation mechanism because after last year's elections in Europe where Merkel and the Greens in Austria were punished, by the voters for having a refugee friendly approach, he thinks, nobody wants the mechanism (2017: 9). He further argues that the best way would be to make the permanent relocation based on voluntary quotas because it is a sensitive area to many countries: *"We can destroy the European Union on this issue. It is so sensitive in many countries"* (MEP4 2017: 6). He claims that the area of asylum and migration is so important to some countries that it could destroy the Union. Coming from a MEP from the Czech Republic this may provide an important understanding into how far the Visegrád group is willing to go to avoid ceding competence within this field to the EU.

MEP1, on the other hand, is more optimistic about the prospects for a common EU solution and stresses that: *"Progress in European politics is always gradual. It takes time and it can be very gradual with so many countries"* (2017: 21). MEP1 and MEP4 belongs to the same political group in the EP namely the EPP. Nevertheless, their expectations and preferences for the future EU cooperation on refugees vary greatly, which indicates that not everything depends on the political stand. Following MEP6, it also depends on the country you come from, as she highlights that there are differences between being a right-wing politician in Sweden and Hungary (2017: 15).

It is impossible to predict whether the permanent relocation mechanism with mandatory quotas eventually will become a European policy. However, being put on hold, and with nothing indicating a change, does not speak in its favor. Though MEP1 claims that there is often progress under stress and in crisis, and that it may be so in this case (2017: 14). He further reminds us that it is relatively recent that the MS began to discuss common policies on asylum and migration:

"It is a relatively recent phenomenon that we are witnessing a discussion whereby we should have possible European policies. Two years ago that would not have been the case. Two years ago we expected Europe to close borders with no agency, and essentially no competence because we had completely forgotten that Europe could not do anything where it is not technically competent, and where it does not have a budget and no agencies [...] Then we started to create all of that; coast guards, more common border personal and so on. We suddenly realized, or seemed to realize at least most of us that it might be an intelligent idea to do this as a common policy"
(MEP1 2017: 13-14).

From the statement and others above we can infer that the EU needs backing from the MS to be able to implement an effective policy to share asylum seekers, and that the EU can only do what its MS allows it to do. MEP1 mentions that it was not until recently that the EU and its MS started to discuss a possible transfer of competence in this area to the EU. Traditionally, this has been one of the areas where the MS have been, and seemingly still are, unwilling to cede sovereignty, as migration is sensitive to many states (European Parliament 2011:6; Lavenex 2015: 367-368). Furthermore, MEP1 claims that most countries have realized that they would benefit from a common EU approach. His statement should be seen in the light that he is very pro EU, which is evident in the way he understands progress. Progress is to him EU policies. Other MS may not agree that a common asylum system equals progress, if they oppose it.

Based on the analysis, we have found a correspondence between the hypothesis and the empirical data. It seems that there both are indications of conflicting national interests between the MS and that the MS hold the power. Hence, it appears likely that the EC's attempt to establish a permanent relocation mechanism has been hampered due to a lack of preference convergence by the MS. The first part of the analysis showed that there are various conflicting interests in the European Union that has made it difficult to agree on a permanent solution to handle refugees. Also, following the MEPs we have seen a divide between the MS. While the Visegrád group

may have joined the Union to increase its economy the old MS are supposedly more in the Union for the values. On the one hand, we have Germany, Portugal, and Sweden who, following the MEPs, are open to refugees and a common solution to the crisis. On the other hand, Hungary, Poland, The Czech Republic and Slovakia are against solutions, which involves giving up sovereignty. Furthermore, there are indications that the MS hold the power within the area of asylum. Although the MEPs think, that the EU has handled the crisis poorly and that the mechanism has been implemented too late, most MEPs emphasize the role of the MS in hindering a common EU approach. It seems that the most important reason is related to the split between the MS who are in favor of a common asylum policy and those who are against it.

7. Discussion

In this section we will summarize and discuss the main findings from the analysis in order to answer how the MEPs explain the failed attempt by the EU to establish an effective mechanism to share asylum seekers.

The MEPs believe that the EU's failed attempt to create a common solution to deal with asylum seekers has been hampered by some MS who consistently opposed the mechanism. A recurring theme among the MEPs has thus been the reluctance by the Eastern MS especially Hungary to partake in a common relocation mechanism (MEP1 2017: 6; MEP2 2017: 2-3, MEP3 2017: 6, MEP4 2017: 6, MEP5 2017: 3, MEP6 2017: 9). As evident from the findings in the analysis Germany, Sweden and Portugal have been highlighted as friendly towards refugees, while Hungary and the Visegrád group in general have had a quite tough rhetoric in regards to refugees and migrants, and hence consistently opposed a mandatory mechanism to share asylum seekers. The analyses of Germany and Hungary illustrate two diverging poles present in the EU. A discussion on these diverging approaches to the refugee crisis along with other main findings in the analysis will be elaborated below.

Starting with Germany, there were signs supporting economic incentives and political gains as being drivers for Merkel's decision to open the border to the many Syrian refugees. Thus opening the border has been a way to show solidarity as it, following the MEPs, corresponded with the German government's interest related to economy such as enhancing its workforce and secure the country's future welfare. It also appears that the political act of welcoming refugees was in line with the population's will at the time though the sentiments have changed since. The

number of people who came to Germany following Merkel's open door policy increased dramatically, which likely have been the reason for why the attitudes of the German population shifted, and caused the popularity of Merkel and her CDU party to drop (Witte 2018). Further, Merkel's change in policy could possibly be related to the change in attitude among the population, as she needs to align herself with them, in order to stay in office, which corresponds with LI's expectations that to remain in power is a political interests of every government (Moravcsik 1993: 483).

Moving on to Hungary, security and political interests are likely related to the resistance towards the mechanism. Though the security interest in keeping Muslims out of the country seems to be more of a perceived threat rather than a sincere security threat. However, if the population is convinced that refugees and migrants are a threat, then there is a security interest among the population in not participating in the mechanism. This leads us to the topic of propaganda, which was brought up several times by the MEPs (MEP1 2017: 9; MEP2 2012: 2; MEP4 2017: 7). They pointed out how Orbán's negative rhetoric on refugees and migrants is a part of his extensive use of propaganda used in order to maximize his chances of electorate support. Hungary's history has also been mentioned as a reason why the country is sensitive towards obeying institutions, like the EU. The history has made preserving sovereignty central for Hungary, and thereby that participating in the emergency relocation mechanism conflicts with the government's interests.

Through the last hypothesis the MEPs mention conflicting interests between several MS. Germany, Sweden and Portugal have participated in the mechanism and welcomed asylum seekers, while Hungary together with the Visegrád group, are opposing a common solution, if it entails transfer of sovereignty. There thus seems to be a split between the old MS and the NMS. According to MEP6, the old MS created the Union based on values while the NMS are primary members due to economic reasons (2017: 11). It was further revealed that the MS hold the power in the area of asylum, which makes it more complicated to reach common solutions, when the MS have conflicting interests. The MEPs agree to the fact that the MS have played an important role in the failure of the emergency relocation mechanism, and in the failed attempt to establish a permanent mechanism to share future inflow (MEP1 2017: 7; MEP2 2017: 1; MEP5 2017: 2; MEP6 2017: 2). Nevertheless, the struggle to create a permanent quota system

is not over, as discussions on reforming CEAS have been ongoing since the Commission proposal in 2016 (European Commission 2016d; European Parliament 2018d; Nielsen 2018).

The emergency relocation mechanism was established by QMV with all but five countries voting in favor (BBC 2015), which indicates that to some extent a preference convergence has taken place, and as the bargaining process still goes on in relation to permanent quotas, further preference convergence could take place, and in the end lead to institutional choice. But, as MEP1 argues, there is a difference between most MS agreeing to create a temporary mechanism in time of crisis, and to get all MS to agree on mandatory quotas on a permanent basis (2017: 8-9). Moreover, the creation of a permanent mechanism demands unanimity in the Council, and thereby all MS, including the Visegrád four, must agree. Other MEPs also pointed out that the permanent mechanism has not been established because the MS did not reach a preference convergence on the topic due to various conflicting interests (MEP3 2017: 9; MEP6 2017: 6). This once again underlines that the MS are the most important players in the EU.

Moreover MEP6 mentions that: *"What France and Germany do that is what happens in the EU"* (2017: 13). In this case, France and Germany was, among others, the ones pushing for mandatory quotas to become a part of the emergency mechanism (Traynor 2015b; Willsher and Kirchgaessner 2015), which indicates that the two countries have strong bargaining powers. But when it comes to permanent quotas, the Visegrád group has so far been able to block such a solution. However, the Visegrád countries have suggested other ways to show solidarity which does not entail mandatory quotas of asylum seekers (Gotev 2016). At an EU summit, the group suggested so-called flexible solidarity entailing that the MS could help manage the crisis by other means than relocation of asylum seekers (Gotev 2016; Vmont 2016). This corresponds with the claim by Orbán that Hungary is showing solidarity by protection the external border of the EU (Diekmann 2016). Also, the Czech MEP (MEP4) argues that there are other ways to show solidarity in times of crises, e.g. by helping the MS financially, or to send equipment or people to the MS affected by the crisis (2017: 3). Accepting a solution of flexible solidarity would probably not change the unequal number of relocations between the MS, but it would make the Visegrád countries contribute more, and this may be the best opportunity at the moment, if the EU is aiming for a common solution including all the MS.

8. Conclusion

The European Union recently witnessed the largest refugee and migrant crisis since the Second World War. In 2015 when the crisis peaked, the EU established an emergency relocation mechanism, which was supposed to lift the burden off the most affected frontline countries and share it between the MS based on the principle of solidarity. Besides a mechanism to respond immediately to the crisis, the EU proposed a permanent relocation mechanism to handle future inflows of asylum seekers. However, only slightly more than 29,000 asylum seekers were relocated through the emergency mechanism, and today there still has been no agreement on a permanent EU solution.

This thesis has sought to explain the reasons behind the EU's failed attempt to establish an effective mechanism to share asylum seekers. This has been explored through six interviews with MEPs from the LIBE Committee as the primary data, and the theory of LI as the lenses we have used to perceive our data. Besides, the deductive approach entails that we have deduced three overall hypotheses that together provides explanations for why the EU has not succeeded with establishing an effective relocation mechanism.

The first two hypotheses have provided a better understanding of the deep divisions present in the EU through Germany and Hungary's stance on asylum. Starting with Germany, it seems that the German government with Merkel in front did not solely accept asylum seekers from a humanitarian perspective. We have found indications that the German government may have had national interests in welcoming refugees, at least in the beginning. Some of the MEPs have pointed out that there could have been economic interests in welcoming asylum seekers, as the German labor market lacks workers, and opening the borders and letting a large amount of people into the country could help fill the gap in its workforce, and secure the future of the German welfare system. Also, the fact that Germany has been hosting immigrants previously was mentioned as an explanation for why the country has been open to asylum seekers. Even though the MEPs were less clear on the political interests, it was suggested that Merkel's actions were related to the public sentiments in Germany, as the population initially in 2015 had a welcoming attitude. When the sentiments later changed, Merkel may also have altered her path due to an interest in being re-elected as LI predicts.

Moving on to Hungary, there are signs that the Hungarian leadership has opposed the relocation mechanism because it did not correspond with the government's national interests. The

MEPs argued that Hungary's history could explain, to some extent, why the country's opposition to the mechanism has been so strong. It was mentioned that being under various foreign rules such as the Ottoman Empire has created reluctance towards transferring sovereignty to the EU, and a negative attitude in regards to Muslims. Orbán has likely opposed any mechanism to share asylum seekers, as it would entail a transfer of sovereignty to the EU, but also because there appears to be a perceived security threat of Muslims and refugees as posing a danger to Hungary. Several MEPs believe that Orbán is using propaganda as a political tool to create an image of asylum seekers as invaders to increase electorate support. Once again, this corresponds with the theory of LI that considers staying in power the main interest of politicians.

These interests by Merkel and Orbán have thus shaped their attitudes towards a common EU solution to refugees, and demonstrated the divide in the EU. This divide between the two countries illustrates, as mentioned by one MEP, a split in the EU between the old MS and the NMS, which was investigated in the last hypothesis. Here the focus was more broadly on the MS, and the EU perspective. In this part of the analysis, the MEPs pointed out how Portugal and Sweden likely shared the economic interest of Germany in welcoming asylum seekers, while the Visegrád group seemingly shared the interest of the Hungarian government in staying outside the relocation mechanism. Furthermore, the MEPs believe that the MS hold different preferences and interests in relation to how the refugee crisis should be handled, as some MS prefer an EU solution, while others prefer not to institutionalize the area of asylum. The failure of the EU's attempt to establish an effective relocation system is thus related to a lack of preference convergence between the MS. Lastly, most of the MEPs blame the MS for why the EU has been unsuccessful in this regard because the MS have largely determined how the crisis was handled. This corresponds with LI's prediction as states being the most important actors in the EU.

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List of abbreviations

CEAS - Common European Asylum System

EC – European Commission

EP – European Parliament

IOM – International Organization for Migration

IR - International Relations

JHA - Justice and Home Affairs

LI – Liberal Intergovernmentalism

LIBE – Civil Liberties, Justice and Home Affairs

MS – Member States

MEP - Member of the European Parliament

NMS – New Member States

OLP - Ordinary Legislative Procedure

PM - Prime Minister

RQ - Research Question

TFEU - Treaty on the Functioning of the European Union

QMV - Qualified Majority Voting