



Inside The Machine: Street-Level Bureaucrats and the Implementation of Asylum Policies in France

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Abstract

The study of *Inside the Machine: Street-Level Bureaucrats and the Implementation of Asylum Policies in France* explores the often overlooked but crucial role of frontline protection officers at the French Office for the Protection of Refugees and Stateless Persons (OFPRA). These officers find themselves at the complex intersection of international, European, and national asylum laws, tasked with making life-changing decisions under pressure every day. By drawing on the theories of Street-Level Bureaucracy (SLB) and Multi-Level Governance (MLG), this research uncovers how broad governance structures interact with the individual discretion exercised by those who implement asylum policies on the ground.

Since the mid-1990s, scholarships on French public administration have increasingly recognized the important role of frontline workers, those responsible for receiving asylum seekers, processing their requests, and adjudicating cases, in shaping public policy outcomes. This study aligns with that insight, showing how OFPRA officers routinely adapt procedures, prioritize workloads, and sometimes bend rules to respond to individual circumstances, despite institutional constraints.

Drawing from a mix of sources, including a content analysis of OFPRA's official annual reports from 2015 to 2023, semi-structured interviews, ethnographic observations, and supplementary data from podcasts featuring former OFPRA agents, this study reveals the tensions, ambiguities, and moral dilemmas that shape how asylum rules are put into practice in France.

One major focus of this research is the Dublin III Regulation, which is a central part of the Common European Asylum System (CEAS) that determines which European Union (EU) member state is responsible for processing an asylum claim. While Dublin III aims to create order and predictability, its real-life application is more complex as OFPRA officers find themselves caught between the ideal of European solidarity and harmonization, and the practical difficulties of enforcing transfers between states. This study reveals a human-centered approach that departs from strict legal compliance, illustrating the gap between the law and what happens on the ground.

Beyond external regulations, OFPRA officers also struggle with internal challenges such as high caseloads, strict deadlines and organizational rules, lack of interpreters, and struggling with burnout and psychological toll that this job brings. These factors shape how decisions are made as well as fairness within the asylum system. Discussing these elements allow us to uncover a human dimension of asylum administration, which is often absent from public and academic debates.

By discussing these elements, this research challenges simplistic, top-down views of asylum governance and shows the lived reality of policy implementation which is shaped by the judgements and moral reasonings of frontline bureaucrats. Ultimately, this study highlights that the asylum policy in France is a negotiated, complex process shaped by the judgement, resilience, and ethical reasoning of SLBs. Recognizing their central role is essential for meaningful reform that bridges the gap between legislative intent and administrative realities, and for creating a more effective and just asylum system.

List of Abbreviations

ADA	Allocation pour Demandeur d’Asile (Allowance for Asylum Seekers)
BAEI	Bureau of European and International Affairs
CADA	Centres d’Accueil pour Demandeurs d’Asile (Reception Centers for Asylum Seekers)
CAES	Centres d’Accueil et d’Examen des Situations (Reception and Administrative Situation Examination Centres)
CEAS	Common European Asylum System
CESEDA	Code de l’Entrée et du Séjour des Étrangers et du Droit d’Asile (Code of Entry and Residence of Foreigners and of the Right to Asylum)
CNDA	Cour Nationale du Droit d’Asile (National Court of the Right to Asylum of France)
DACIM	Division in charge of the Introduction and Digitalization of Applications
DAJEI	Division of Legal, European, and International Affairs
DIDR	Division of Information, Documentation and Research
EPA	Établissement Public Administratif (Public Administrative Establishment)
EU	European Union
EUAA	European Union Agency for Asylum
GUDA	Guichet Unique pour Demandeurs d’Asile (Single Desk for Asylum Seekers)
IDS	Information and Documentation System
IR	International Relations
MLG	Multi-Level Governance
NGO	Non-Governmental Organization
OFII	Office Français de l’Immigration et de l’Intégration (French Office for Immigration and Integration)
OFPRA	Office Français de Protection des Réfugiés et Apatrides (French Office for the Protection of Refugees and Stateless Persons)
SLB	Street-Level Bureaucracy
SLBs	Street-Level Bureaucrats
SPADA	Structure de Premier Accueil des Demandeurs d’Asile (First Reception Structure for Asylum Seekers)
UNHCR	United Nations High Commissioner for Refugees

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Introduction

In various sectors of public administration, policy implementation involves interpretation and adaptation by frontline workers within real-world constraints. This is particularly visible in the asylum systems, where frontline actors make consequential decisions under conditions shaped by legal complexity, institutional norms, and limited resources. These workers operate at the intersection of legal obligations and administrative procedures, exercising some degrees of discretion in how policies are applied to individual cases.

Within public administration, these frontline workers are referred to as street-level bureaucrats (SLBs), a concept introduced by Michael Lipsky (1980; 2010), to describe public servants, such as case workers, teachers, or police officers to name a few, who interact directly with citizens and exercise discretion in the implementation of public policy. Lipsky emphasized that the daily decisions made by SLBs shape how policies function in practice, especially in environments shaped by high demands and limited resources.

The focus of this research is on the asylum system, which includes border officers, reception staff, and notably, asylum case workers. This paper specifically discusses the role of asylum case workers, who are employed by national asylum authorities to assess asylum cases and decide who is granted protection or returned to their country of origin. To do this, asylum case workers must conduct interviews with asylum seekers, evaluate their stories, analyze relevant evidence, and ultimately, by following international and national rules, make a decision that will decide the fate of the asylum seeker.

In France, *Officiers de Protection* (Protection Officers) at the Office Français de Protection des Réfugiés et Apatrides¹ (OFPRA) are responsible for first-instance asylum decisions. Their work is regulated by international standards, such as the 1951 Geneva Convention, EU directives, and French asylum regulations. However, their decision-making is also shaped by organizational constraints, legal ambiguities, and limited resources, such as time pressures, heavy caseloads, and insufficient support. These difficulties make discretion a central element of the asylum process and emphasize the complex interplay between national and international legal frameworks.

Scholars recognize that discretion can be both empowering and problematic (Lipsky, 1980; Brodtkin, 2012; Evans, 2016). It allows caseworkers to adapt abstract rules to individual

¹ French Office for the Protection of Refugees and Stateless Persons

circumstances but also risks bias and inconsistency. To manage this, many asylum agencies have developed coping mechanisms, such as informal practice rules or standardized procedures, to channel and contain discretion. Studies from various national contexts, including France (Probst, 2012; Aloka, 2020), Germany (Schittenhelm & Schneider, 2017), and Norway (Liødden, 2020), show how these tools attempt to reconcile flexibility with uniformity. This balance is important to ensure fair and consistent asylum decisions while allowing adaptation to individual circumstances.

Nonetheless, much of the existing literature often discusses institutional design rather than the lived experiences of the SLBs implementing these policies. While considerable scholarly attention has been paid to how SLBs are regulated and how their discretion is structured, far less is known about how they navigate legal challenges and the emotional, moral, and cognitive demands of their roles daily (Brodkin, 2011; Miaz, 2024).

Moreover, an underexplored but important aspect of SLB work is their bottom-up influence on policy. While much of the literature focuses on top-down governance, regulatory compliance, and formal asylum frameworks, fewer studies investigate how SLBs actively shape policy outcomes through discretionary decision-making. Rather than only following rules given from above, SLBs often reshape them in practice through informal negotiation, resistance, or creative interpretation. However, some scholars have begun exploring this dimension, addressing how SLBs engage in policy entrepreneurship, where frontline bureaucrats initiate changes in policy implementation rather than only enforcing directives (Frisch Aviram et al., 2021).

Research Question

This paper is guided by the following main research question:

How do French street-level bureaucrats mediate between national and international asylum obligations in their decision-making?

To address this question, attention is directed towards OFPRA officers, who navigate the requirements of legal systems, institutional standards, and the practical challenges they face in handling asylum applications. OFPRA offers a critical lens for examining these dynamics given France's central role in European asylum governance. Drawing on street-level bureaucracy (SLB) and multi-level governance (MLG) theories, this study explores how officers interpret and apply overlapping legal mandates. To approach this, I have divided the research question into two sub-

questions, each focusing on different aspects of OFPRA's decision-making process at the operational level.

Sub-Question 1: *How do OFPRA officers interpret and implement the Dublin III Regulation in their daily practice, and what does this indicate about France's adherence to EU asylum regulations?*

This sub-question examines the implementation of the Dublin III Regulation, a key element of the EU's Common European Asylum System (CEAS), within the operational framework of OFPRA. The daily execution of Dublin III poses ongoing challenges for OFPRA, as indicated in official activity reports from 2015-2023, which emphasize problems such as administrative complexity, low transfer rates, and collaboration issues with other authorities. To address this, I draw on the theories of SLB and MLG, viewing OFPRA officers as SLBs whose decision-making is influenced by intersecting international, European, national, and institutional directives. These two theoretical perspectives complement each other by providing both macro and micro views on decision-making. As MLG describes the structural and institutional framework of asylum governance, SLB helps us to see how individual actors practically react to these circumstances.

Sub-Question 2: *How do OFPRA's internal organizational constraints influence their discretionary practice and their ability to deliver fair and timely asylum decisions?*

This sub-question examines how internal organizational constraints at OFPRA include high caseloads, strict time limits, and limited access to interpreters, and the increasing use of digital procedures, influence protection officers' discretionary practices and their ability to deliver fair and timely asylum decisions (UNHCR, 2020a). These challenges are important because they directly affect how laws and procedures are applied in practice, sometimes leading officers to develop coping mechanisms or informal routines to manage their workload. To approach this, the theory of SLB will again be applied, exploring how resource limitations and institutional pressures shape discretionary decision-making, which in turn impacts the consistency and fairness of asylum adjudication. In doing so, I aim to demonstrate that internal organizational factors are a key part of understanding how asylum decisions are made in practice.

Societal Relevance

This research is relevant to society as it unravels how asylum decisions affect real people, as well as the institutions and systems that shape their lives. When refugee status is granted, it can

mean safety and a new beginning for someone escaping danger. However, when bureaucratic processes break down, the consequences are personal and profound, causing stress and uncertainty for applicants, reducing public trust, and calling into question the fairness of the system. By exploring what happens on the ground, this research aims to highlight the obstacles that SLBs face and to encourage changes that make the process more just and humane, ultimately helping to protect the rights and well-being of those seeking asylum.

By making asylum procedures fairer and more consistent, we can help reduce unpredictable decisions and ensure that France's practices match better with international standards, which call for systems that are just and of high quality (UNHCR, 2023). Transparent and accountable asylum processes are essential for building public trust in the institutions that decide people's futures. When people see that decisions are made carefully and fairly, confidence in the system grows.

The findings offer valuable guidance for policymakers. By understanding the daily realities faced by OFPRA officers, leaders can redesign procedures, clarify laws, and direct resources where they are most needed. This approach can lead to reforms that are not only humane for asylum seekers but also realistic for those who work within the system. When OFPRA officers have the tools and support they need, they are better able to make ethical and consistent decisions, balancing the demands of the law with the realities of their work.

Ultimately, this study aims to build an asylum system that puts justice, compassion, and accountability at its core. Such a system benefits vulnerable individuals seeking protection as well as strengthening the values and trust that are vital to a functioning democracy.

Academic Contribution to International Relations (IR)

This research fills a gap that is often overlooked in the study of asylum systems, specifically within the French context. While the role of SLBs in policy implementation has been the focus of growing academic interest, there is surprisingly little research specifically focused on the inner workings of OFPRA, especially in English-language scholarship. Some valuable studies exist in French, but even within French academic circles, the topic remains relatively underexplored given the scale and complexity of the institutions involved. Given France's role as one of the key members of the EU and one of the bloc's main destinations for asylum seekers, this lack of focused research represents a significant blind spot. By examining how SLBs within OFPRA interpret

asylum policy daily, this study brings much-needed attention to institutions that play an important yet ambiguous role in shaping migration outcomes in Europe.

From an IR perspective, this research speaks to broader debates about how international norms, such as those embedded in the 1951 Refugee Convention or EU directives under the CEAS, are translated into national practices. It moves beyond the assumption that laws and policies are simply handed down from above and implemented in a linear fashion. Rather than seeing asylum policy as something simply handed down from above, this study shows that putting policy into practice is a complex and constantly changing process. The ways rules are interpreted, the choices made by individual officers, and the specific challenges within institutions all play a significant part in shaping what happens. This approach helps us understand whether countries are following international rules, as well as raises important questions about fairness, trust, and responsibility in the system.

For policymakers, the findings of this paper are especially important. If the asylum process is influenced as much by the everyday challenges and decisions of frontline workers as it is by the law, then it is crucial to pay attention to how policies are really experienced and put into action. This study offers a window into the daily lives of asylum officials, showing how they deal with unclear laws, tight deadlines, emotional stress, and political pressure, all of which can affect how fair and consistent their decisions are.

Motivation of the Study

The motivation for this study comes from a deeply personal experience during my internship as a Parliamentary Team Intern working on matters related to international relations at the French Senate. This position offered me a rare window into the heart of policymaking, from legislative debates and internal strategy meetings to informal conversations with senators, civil servants, and representatives of civil society organizations. Beyond observing institutional mechanisms, I became aware of the disconnect between how laws are written and how they are lived.

As part of my internship, I also had the unique opportunity to visit OFPRA once and observe an asylum interview. This experience stayed with me. Sitting in the room, watching a case worker balance empathy, suspicion, legal criteria, and time constraints while listening to a deeply personal and painful story, made it clear that policy implementation is not a mechanical process,

rather, it is deeply emotional and human. These are moments that are not captured in statistics, but they define the outcome of laws. Moreover, this paper is more than official reports and numbers; it draws on firsthand interviews with a Senator, podcast episodes where civil servants recount their experiences, and observations.

Academically, France offers an interesting case for exploring the implementation of asylum policy as it has a central role in the European asylum system and a complex political landscape. In addition, the motivation lies in the growing recognition that public administration research must move beyond procedural and efficiency-focusing analyses to also count the emotional and ethical dimensions of bureaucratic work. These affective and ethical aspects remain largely unstudied in the French context.

The title of this thesis “*Inside the Machine: Street-Level Bureaucrats and the Implementation of Asylum Policies in France*,” was thus born from these motivations. It reflects not just a view of bureaucracy as a system, but the emotional, ethical, and discretionary labor that unfolds within it. The phrase “inside the machine” refers to not only my experience within the machinery of the state, but also my own experience engaging directly with those who operate it - from my conversations with a Senator as well as an official from the National Court of the Right to Asylum of France (CNDA), to drawing on first-hand accounts found in the relevant podcast episodes. This approach allowed me to access the lived realities of people who work in asylum, and to bring these perspectives to light. It also asks not only how bureaucrats must apply law, but how they feel about the work they do, how they cope, and how they navigate the moral weight of their decisions. The ultimate motivation is thus to humanize what is often described only in terms of regulation, compliance, and administrative logic.

Chapter I - Background

This chapter lays the foundation of this paper by offering relevant context that helps us better understand how the French asylum system functions and how it fits within the broader EU framework. It starts with necessary information on the EU's asylum framework, most importantly, the CEAS and its Dublin III Regulation. After setting the European context, the chapter turns to the French asylum system and procedure, outlining the country's main laws, key actors, and standard asylum procedure.

Moreover, this chapter discusses OFPRA, the main institution in France responsible for reviewing and deciding on asylum applications. By focusing on OFPRA, we delve into the institution's role and internal organization. Finally, the chapter concludes by providing some context on recent developments and reforms regarding asylum policy in France. By introducing the legal and institutional background, this chapter aims to clarify how discretion is practiced in the complex environment of asylum governance, especially in the hands of SLBs such as OFPRA officers. Altogether, the chapter aims to set the stage for the analysis to follow.

1.1 The EU's Asylum Framework

The Common European Asylum System (CEAS) began as a shared objective among the member states to guarantee a fair and just decision for people seeking protection in the EU (EUAA, 2024). This objective was set in motion at the 1999 Tampere European Council, where EU member states agreed to create minimum standards for asylum procedures, building on the principles of the 1951 Geneva Convention (EUAA, 2024). To support this goal, the EU introduced tools such as the Eurodac fingerprint database and adopted various measures, including the Qualification Directive, the Procedures Directive, and the original Dublin Regulation, which set the stage for a harmonized European approach to asylum (EUAA, 2024).

A central element of the CEAS is the Dublin Regulation, which was created to establish which single-member state is responsible for examining an asylum application. After several revisions, the current framework, Dublin III (Regulation 604/2013), remains the central mechanism used to determine responsibility by providing a set of criteria (European Commission, n.d.). These include family unity (Articles 8 to 11), visa issuance or residence permits (Article 12), irregular entry or stay (Article 13), and visa-free entry (Article 14), to decide where an asylum claim should be handled. If none of these criteria apply, responsibility goes to the first member

state where the application was lodged (Article 3(2)). The regulation also includes a discretionary humanitarian clause (Article 17) and provisions for safe-third-country determinations (Article 3(3)) (European Commission, n.d.). The goal is to ensure that every asylum claim in the EU is processed by a single, clearly identified member state, thus streamlining procedures and preventing multiple claims in different countries (Mouzourakis, 2014).

However, the Dublin system has been subject to repeated reforms, moving from Dublin I to Dublin II, and now to Dublin III, precisely because of persistent weaknesses and operational failures. This ongoing cycle of revision raises important questions about the functionality and fairness of the regulation as the cornerstone of EU asylum policy.

While originally created to bring harmony to Europe's asylum system, the Dublin III Regulation has faced criticism for its weaknesses (Galeone, 2023). One main issue is the burden placed on countries at the EU's external borders, such as Italy, Greece, and Bulgaria which serve as the first entry point of many asylum seekers. The weakness lies in the fact that it brings burden to these countries, since the Regulation requires asylum seekers to apply in the first EU country they enter, which means these countries must process more applications than others, leading to disproportionate responsibility and raising questions about the EU's principles of solidarity (Article 80 TFEU) (Fratzke, 2015). The fact that the Dublin Regulation has required multiple recasts and remains the subject of ongoing legislative debate demonstrates the difficulty of achieving a fair and effective system for allocating responsibility among member states.

While France is not a common first-entry country, it still receives a high volume of secondary movements, particularly from individuals initially registered in Southern European countries (Bassot, 2017). This also puts pressure on OFPRA officers, who must implement the Dublin rules in contexts where procedural priorities may clash with humanitarian concerns. In many cases, the regulation's emphasis on administrative efficiency risks overshadowing the specific needs and vulnerabilities of individual applicants.

Viewed through the lens of human rights, the Dublin III Regulation has led to family separation, forced returns (*refoulement*), and the transfer of asylum seekers to countries with inadequate reception centers. Such concerns have been evident in landmark decisions such as *M.S.S. v. Belgium and Greece* (2011), where the European Court of Human Rights (ECHR) ruled that returning an applicant to Greece under Dublin rules violated Article 3 of the European Convention, due to inhumane treatment and inadequate legal protection (Mouzourakis, 2014). This

reshaped member states' obligations, including France, by reinforcing the need for asylum authorities to assess the actual conditions in the designated receiving country. For OFPRA, discretion was now required in determining whether a transfer would be legally or ethically defensible under human rights law.

In response to these systemic flaws, the EU has taken the necessary steps to revise its asylum governance. The Dublin II Regulation (2003), which was replaced by Dublin III (2013), and most recently, the 2020-2024 Pact on Migration and Asylum introduced a new legislative package (European Commission, 2024). Adopted in 2024 and scheduled for implementation in 2026, the Pact includes updates such as a reformed Eurodac database, a new Screening Regulation, and the Asylum and Migration Management Regulation (AMMR), intended to replace Dublin III. The new EU Pact's objectives are to speed up the asylum procedures, strengthen safeguards for applicants, and create a permanent solidarity mechanism so that each country contributes either by accepting asylum seekers or through financial and operational support (Riehle, 2024; European Commission, 2024).

1.2 The French Asylum System

France is a signatory to the 1951 Geneva Convention and its 1967 Protocol, which define who qualifies as a refugee and set out the basic rights of those granted protection (UNHCR, 2020). These principles are incorporated into French law through a legal code known as *Code de l'entrée et du séjour des étrangers et du droit d'asile*² (CESEDA), which also incorporates the EU's rules and standards on asylum governance (Légifrance, 2025). CESEDA sets out the criteria for refugee and subsidiary protection status, the rights attached to each status, and the procedures for applying. For example, recognized refugees receive a 10-year residence permit, while those granted subsidiary protection receive a 4-year permit (UNHCR, 2020b). Moreover, while CESEDA defines the structure and formal process of asylum adjudication, the way these rules are interpreted and implemented depends on the level of discretion exercised by frontline officers.

France's asylum system is made up of several important institutions, each of which plays a different role. The Ministry of the Interior sets the overall asylum policy and oversees its implementation through regional prefects, who are responsible for the registration of asylum

² Code of Entry and Residence of Foreigners and of the Right to Asylum

applications, local immigration controls, and the management of detention centers (France Terre d’Asile, 2025). The OFPRA is the main institution responsible for examining asylum applications and making decisions on refugee and subsidiary protection status. OFPRA operates independently but is administratively supervised by the Ministry of the Interior (OFPRA, n.d.), with its headquarters near Paris and branches in French Guiana and Mayotte. If an applicant is rejected by OFPRA, they have the right to appeal to the Cour Nationale du Droit d’Asile³ (CNDA), which reviews OFPRA’s decisions (France terre d’asile, 2025).

The Office français de l’immigration et de l’intégration⁴ (OFII) is responsible for the reception and integration of asylum seekers and refugees (GISTI, 2024). OFII manages the allocation of places in various types of accommodation, such as reception centers for asylum seekers (CADA), emergency housing, and reception and administrative situation examination centers (CAES) (France Terre d’Asile, 2025). Asylum seekers in France are entitled to an allowance (ADA) to help meet their basic needs during the application process (France Terre d’Asile, 2025).

1.3 The French Asylum Procedure

The asylum procedure in France, as regulated by CESEDA, begins with initial registration through Structure de Premier Accueil des Demandeurs d’Asile⁵ (SPADA), which arranges an appointment at the Prefecture’s Guichet Unique pour Demandeurs d’Asile⁶ (GUDA). At GUDA, the claim is formally registered, and the applicant receives an *attestation de demande d’asile* (certificate of asylum application), a temporary residence permit valid for six months. This certificate allows the applicant to remain legally in France while completing the next steps of the process. If the applicant arrives at an airport or sea border without valid documentation, they must first apply for entry on asylum grounds.

Within 21 days of registration, the applicant must submit a written asylum claim to OFPRA. Since 2022, France has relied heavily on digitalization, using a secure online “e-office” platform for all communication between OFPRA and applicants, including summons, decisions,

³ The National Asylum Court

⁴ The French Office for Immigration and Integration

⁵ Initial Reception Establishment for Asylum Seekers

⁶ Dedicated Asylum Application Service Center

and document submissions. Applicants can review OFPRA’s requests and decisions electronically, with support provided in reception centers for those who lack internet access.

OFPRA then examines the claim under either the regular or accelerated procedure.⁷ The regular procedure (Article L.731-4 CESEDA) allows up to six months for a decision, although extensions are possible in complex cases. In practice, the average first-instance procedure lasted two to four months in 2023, despite a two-month target. The accelerated procedure is reserved for claims deemed unfounded or from “safe” countries of origin, with decisions often made within a few weeks. OFPRA typically conducts interviews with applicants, especially in the regular procedure, to hear their stories and assess their need for protection. Vulnerable applicants may receive longer handling times.

If OFPRA grants refugee or subsidiary protection status, the individual receives a corresponding residence permit and gains access to social rights. OFII then assists with integration, including housing, language training, and school enrollment for children. If the claim is rejected, the applicant can appeal to CNDA within one month of notification. As of 2024, appeals are handled by a single judge rather than a panel. The CNDA examines the case afresh, and its decision can be appealed to the Conseil d’État (State Council), but only on points of law. For Dublin cases, the prefectural transfer order can be challenged before the CNDA within seven days, and the judge must decide within 15 days.

1.4 Office Français de Protection des Réfugiés et Apatrides (OFPRA)

OFPRA is the main agency for France’s asylum determination. As an *établissement public administratif*⁸ (EPA) created in 1952, it operates under the oversight of the Ministry of the Interior but with functional independence (OFPRA, 2025). It is headed by a Director-General appointed by presidential decree (OFPRA, 2025). OFPRA’s organization is centralized, which means that all asylum divisions are based at its headquarters in Fontenay-sous-Bois near Paris, except for overseas officers in Cayenne (French Guiana) and Mayotte. The office is divided into geographic branches such as Africa, Asia, Europe, each led by a chief of unit, plus shared services such as country-of-origin research, and legal departments (OFPRA, 2025).

⁷ For a breakdown of procedures, including border, admissibility, and Dublin cases, see AIDA Country report: France 2024 (AIDA, 2024)

⁸ Public administrative institution

The main frontline staff are called *officiers de protection* (protection officers). These civil servants examine the files, interview the asylum seekers and determine the legal characterization of the facts, ultimately drafting OFPRA's decisions (OFPRA, n.d.). This process requires officers to constantly interpret and engage in ethical reasoning. Discretion thus plays an important role in evaluating credibility, assessing risk, and interpreting often-incomplete narratives, especially in the absence of clear legal criteria.

OFPRA officers are typically administrators with academic backgrounds in law, political science, languages, or international relations (OFPRA, n.d.). During recruitment, they receive specialized training in asylum law, interviewing techniques, and the reception of vulnerable applicants, including courses developed by the European Union Agency for Asylum (EUAA) (OFPRA, n.d.). Each officer is usually assigned to one or more nationalities or geographic regions, such as the Middle East, Sub-Saharan Africa, allowing them to develop expertise in specific caseloads (AIDA, 2024b). Officers may also participate in field missions to EU consulates or origin countries to gather updated information relevant to their cases (OFPRA, n.d.). In addition to protection officers, OFPRA employs legal advisors who review the legal form of draft decisions, research assistants who compile country-of-origin information, interpreters, and various clerical staff (OFPRA, n.d.). As of the end of 2023, OFPRA's total workforce exceeded 1,000 agents, with approximately 450 protection officers responsible for examining asylum applications (AIDA, 2024b).

OFPRA's missions go beyond the examination of asylum claims. The office is responsible for the legal and administrative protection of recognized refugees, stateless persons, and beneficiaries of subsidiary protection, including the issuance of civil status documents, family booklets, and administrative certificates (OFPRA, 2025). The Division of Protection manages these tasks, while the Division of Legal, European, and International Affairs (DAJEI) supports legal harmonizations, represents OFPRA in court, and monitors the evolution of asylum law at the national and EU levels (OFPRA, n.d.).

OFPRA protection officers exemplify what Lipsky describes as SLBs. As frontline workers, they are responsible for directly implementing asylum policy and interacting with asylum seekers. Their decisions often become de facto policy, as the consistency and manner in which they apply the law importantly shape outcomes for refugees. In Lipsky's terms, these officers

transform broad and sometimes ambiguous asylum legislation into concrete outcomes through their daily routines and judgements (Lipsky, 1980/2010).

1.5 Recent Developments and Reforms

Recent reforms such as the digitalization of the asylum process have made online submission and notification procedures easier and accessible. The 2024 Immigration Law introduced “Pôles France Asile,” pilot sites where the GUDA is restructured to include an OFPRA desk, eliminating the need for the preliminary written internal form (AIDA, 2024). This law also established a “contract of commitment” for asylum applicants, requiring them to respect the principles of the Republic. Under this contract, strict obligations are imposed, and renewal of the residence permit may be refused in cases of violation. Other changes in 2024 law include the extension of mandatory medical screenings and orientations, as well as the expansion of grounds for inadmissibility, for example when an applicant already benefits from effective protection in a third country.

The 2024 Immigration Law is currently being applied through government orders, which introduce new rules for asylum seekers’ obligations, update interview procedures, and impose tougher conditions on administrative detention (International Refugee Assistance Project, 2024). At the same time, the government is planning further legal changes for 2025 (Direction de l’information légale et administrative, 2024). One proposal under discussion in Parliament aims to increase the maximum period of administrative detention, with draft legislation suggesting an extension from 90 days to 210 days (seven months), or even up to 547 days (eighteen months) in certain cases. In March 2025, the Senate’s Law Committee supported a version that keeps the 210-day cap but expanding its application to situations involving prior expulsion orders, serious crimes, or threats to public order. If passed, this would impact the daily work of local officials and detention centers, reflecting a stronger focus on security in recent policies.

It is important to understand these recent and ongoing reforms, as they set more formal rules for procedure, but they do not remove the need for personal judgement. Instead, they change the limits of discretion and raise questions about how much freedom protection officers still must balance following the law with morality in shaping asylum seekers’ futures.

Chapter II- Theoretical Framework

To lay the foundation for an in-depth analysis of how street-level bureaucrats (SLBs) interpret and apply asylum law in France, this chapter introduces the thesis's theoretical framework, centered on the theory of street-level bureaucracy. Drawing on the seminal work of Michael Lipsky, this framework allows us to explore how discretion is exercised by SLBs operating within OFPRA. In addition, the chapter also discusses the theory of multi-level governance (MLG) to better capture the complex interplay between national and supranational legal structures, particularly relevant for addressing the legal entanglements posed by instruments such as the Dublin III Regulation. Together, these frameworks help explain how frontline officers navigate the tensions between legal mandates, organizational constraints, and the realities of asylum governance.

Three dimensions structure the theoretical framework of this paper. First, the role of the SLBs as both implementer and interpreter of policy; second, the organizational and institutional constraints within OFPRA that shape and, at times, limit discretionary practices; and third, the influence of multilevel legal frameworks on bureaucratic decision-making. These theoretical frameworks will guide the analysis of how OFPRA agents in France navigate the tensions between top-down policy directives and internal organizational challenges.

2.1 Street-Level Bureaucracy

The concept of street-level bureaucracy (SLB) was first coined by Lipsky (1980), who sought to understand how public policies are translated into concrete outcomes by frontline public service workers. He refers to these workers as street-level bureaucrats, which includes teachers, police officers, social workers, and other officials who directly interact with citizens in the implementation of public programs. Far from being passive transmitters of policy, these actors are the *de facto* policymakers, shaping outcomes through the way they interpret and apply rules on the ground (Lipsky, 1980, p.3).

SLB theory provides a strong explanation for understanding the practical dilemmas faced by OFPRA agents in their daily work. As Lipsky (2010, p. 11) describes, bureaucracy implies a set of rules and structures of authority, while “street-level” implies a distance from the center where authority presumably resides. This paradox is particularly visible in asylum administration, where agents must balance institutional rules with individual human needs under often ambiguous and

pressured conditions. To deal with this complexity, SLBs develop coping mechanisms, simplifications, and routines that allow them to manage workloads while preserving a sense of fairness and professionalism. In doing so, they often create a gap between “policy as written and policy as performed” (Lipsky, 2010, p. 11). Empirical studies in the asylum and migration field have shown how these coping strategies shape the everyday production of asylum decisions (Affolter, 2021; Alpes & Spire, 2014; Dahlvik, 2018). This paper joins this research by examining not only what happens on the “ground” with OFPRA agents, but also, what compels them to make the decisions they do.

2.1.1 Discretion

A central element of SLB theory is discretion. Lipsky (1980, p.13) highlights that discretion is not simply a byproduct of frontline work but is essential to it. Comprehensive rulemaking is nearly impossible due to the human-centered, unpredictable, and variable nature of many public services. Because of this, SLBs frequently have to use their discretion to close the gap that exists between basic policy recommendations and the unique, complicated circumstances they deal with on the ground.

In its broadest sense, discretion can be defined as the freedom given to public officials to make decisions within the bounds of institutional, legal, and normative constraints. As Davis (1969, p.4) articulates, “a public officer has discretion whenever the effective limits on his power leave him free to make a choice among possible courses of action or inaction.” Evans (2011) elaborates on this by framing discretion as the degree of autonomy or freedom an actor possesses to act within a specific decision-making context. These definitions show that discretion is not unlimited, but it is always exercised within structural and normative boundaries.

Importantly, discretion should not be viewed as a singular concept. As Carrington (2005) explains, discretion can be divided into two connected elements, where it has the ability to choose between different actions, and the authority to decide whether to act at all. This distinction shows that discretion involves more than just following the rules but also requires ethical reasoning and interpretive judgement. It reflects a form of moral agency that goes beyond procedural decision-making.

Moreover, the uncertainty in the situations where SLBs operate increases the need for judgement. Raaphorst (2018, p. 487) argues that this uncertainty might be epistemic - when

important information is incomplete or unavailable - or interpretive, where given information requires contextual judgement. In either scenario, frontline workers are responsible for interpreting ambiguous or contradictory policy demands in specific circumstances. This interpretive work turns the SLBs from passive rule followers to sense-makers (Dubois, 2014; Brodtkin, 2012).

Therefore, discretion is both structurally required and operationally desired. Several studies highlight the potential of discretion in improving policy responsiveness and client-centeredness. According to Palumbo et al. (1984), moderate degrees of discretion allow SLBs to modify standardized policies to meet the requirements of specific people, improving the legitimacy and efficacy of public services. Building on this, Tummers and Bekkers (2014) demonstrate how discretion can strengthen bureaucrats' commitment to policies, particularly when it is consistent with their moral principles and professional standards. Accordingly, intrinsic motivation, role ownership, and execution fidelity are associated with discretion (Hill & Hupe, 2019; Lipsky, 1980).

Nonetheless, using discretion also comes with serious risks, which Lipsky (1980; 2010) divides into two problematic tendencies. The first is the denial of discretion, where bureaucrats strictly follow rules or procedures even when they do not consider the complexity and humanitarian needs of cases. This may be done to avoid responsibility or ambiguity, but it frequently dehumanizes clients and reduces the purpose of the policy. The second problem is the over-assertion of discretion, whereby bureaucrats interpret or get around policy directives by invoking institutional preferences, moral judgements, or personal prejudices. This frequently results in inconsistent decision-making, potential discrimination, and a decline in public trust.

In the case of asylum governance, both have major consequences for the applicants' rights and the legitimacy of the system. When discretion is denied, asylum seekers face harsh application of rules that fail to consider their unique vulnerabilities or the difficulty of their situation. Conversely, overusing discretion results in inconsistent decisions that vary between officers, calling into question fair treatment and creating bias or discrimination. This makes it essential to create a careful balance, where the officers use discretion fairly and humanely, while ensuring their decisions stay transparent and aligned with legal and ethical considerations.

Moreover, to completely understand how discretion is exercised, we need to look beyond formal rules and consider how frontline workers feel about their own autonomy. The subjective sense of discretion, specifically how much freedom the officers believe they have, regardless of

what the law actually says, is essential in shaping their behavior. At OFPRA, this is especially important, as the organizational culture and style of management can influence how protection officers experience their roles. This idea draws on Lewin's (1936) insight that people's actions are shaped by their environment and how they interpret it. For example, an officer working in a strict, highly controlled setting may feel they have little room to make independent judgements, even if the policy allows some flexibility. As a result, they stick to the rules. In contrast, an officer in a more relaxed or loosely managed environment can interpret the same rules more openly, leading to very different outcomes. These perceptions are shaped by workplace norms, levels of suspicion, personal values, and professional identity, all of which influence how discretion is understood and applied in practice (Prottas, 1978; Brehm & Hamilton, 1996).

Carrington (2005) further points out that a major worry about discretion is its potential for misuse, particularly in uneven power dynamics between officials and clients. The perceived randomness or bias in decision-making can undermine procedural justice and diminish public trust. In response, both scholars and policymakers have aimed to create mechanisms, such as accountability frameworks, transparency initiatives, and codes of professional ethics, to regulate and influence the exercise of discretion. However, as Carrington also highlights, effective control of discretion cannot be accomplished only through external monitoring; it requires a comprehensive understanding of the social and institutional contexts that influence discretionary actions.

Given this context, Lipsky's (1980; 2010) suggested "Goldilocks Zone" of discretion is particularly relevant. This concept suggests a measured type of discretion which is neither too tightly bound by strict protocols nor so broad as to lead to capricious choices. In this area, careful judgment is applied with caution, awareness of context, and adherence to both professional guidelines and policy objectives. Reaching this equilibrium is an ongoing process that relies on the fluid interactions among policy formulation, organizational environment, professional standards, and the actual experiences of frontline workers.

2.1.2 Critical Reflection on Street-Level Bureaucracy

While Lipsky's theory of SLB has had a lasting influence on public administration and policy implementation studies, it has also received some criticisms. One line of criticism argues that Lipsky's original formulation can no longer capture the realities of street-level work in the

21st century. For example, Howe (1991) challenges the continuing relevance of SLB theory by pointing out that the locus of power in public service organizations has shifted dramatically since the 1970s. Today, he argues, SLBs work in an environment increasingly dominated by managerialism, where strict performance targets, auditing mechanisms, and top-down control reduce the autonomy and discretion of frontline workers (Howe, 1991, pp. 203-204). According to this view, SLBs are no longer the semi-autonomous decision-makers Lipsky described but are instead subject to tighter bureaucratic control, making the theory less applicable in contemporary settings. This critique reflects the broader shifts in public administration under neoliberal governance, where accountability, efficiency, and standardization have become dominant principles. As a result, some argue that SLBs are now more like agents of managerial directives than autonomous interpreters of policy. In this sense, Lipsky's focus on discretion may downplay the growing influence of organizational structures that constrain frontline decision-making.

However, not all scholars agree that SLB theory is outdated. Evans (2011), for instance, defends Lipsky's framework as still highly relevant, especially because it recognizes that SLBs operate within systems where both discretion and managerial oversight coexist. Rather than ignoring the role of management, Lipsky explicitly acknowledged that managers shape the conditions under which discretion is used, including through supervision, performance evaluations, and resource allocations (Evans, 2011, p. 370-371). Thus, while the managerial context may have evolved, the essential tension between discretion and control remains at the heart of SLB dynamics.

Furthermore, Lipsky's central insight, that policy is not truly implemented until interpreted and acted upon by frontline workers, still holds true. Even under tighter control, SLBs often retain some degree of interpretive authority, especially in complex, ambiguous, or emotionally charged areas such as asylum policy. As long as discretion exists, so too does the SLB dilemma of balancing personal judgment, organizational goals, and client needs.

One of the essential critiques of Lipsky's theory comes from scholars who argue that it underestimates the role of professionalism in shaping SLB behavior. Evans (2011, p.371) argues that Lipsky tends to portray SLBs mainly as implementers of organizational goals who use personal judgment to navigate resource constraints. This portrayal, however, fails to acknowledge that many SLBs, such as asylum officers, are trained professionals who bring specialized knowledge, ethical standards, and a sense of vocational identity to their roles. This professional

identity is more than a background detail; it actively shapes how SLBs understand fairness, legitimacy, and appropriate decision-making. At OFPRA, protection officers receive both initial and ongoing training in international refugee law, interviewing techniques, and the assessment of vulnerability, including how to handle cases involving unaccompanied minors, victims of torture, and survivors of trafficking, which provides technical expertise that guides the responsible and ethical use of discretion in complex cases (OFPRA, 2025).

Freidson (2001) argues that professionalism encourages commitment to client well-being and the use of evidence-based practices. This emphasis on help limit the role of personal bias or arbitrary decision-making. In this perspective, discretion is shaped by professional standards and specialized knowledge. As Kallio and Kouvo (2014, p.331) also note, trained professionals often interpret ideas like fairness and deserving differently from those without such training. This suggests that professional discretion follows consistent patterns and principles, rather than being entirely individual or unpredictable. Ignoring the role of professionalism leads to misunderstanding of how SLBs behave. What might seem like resistance to managerial authority may reflect efforts to protect professional ethics and autonomy. This is especially relevant in areas like asylum policy, where professionals must balance legal frameworks with humanitarian concerns, and whether their expertise is crucial for making sense of difficult and emotionally charged situations.

2.2 Multi-Level Governance (MLG)

While Lipsky's (1980) theory of SLB remains central to this paper, it was developed within a national framework, especially in the United States, where policy creation and implementation are usually handled at the same governance level. However, while analyzing the EU's asylum policy, specifically the implementation of Dublin III by OFPRA agents, this national perspective proves insufficient.

The European legal structure, especially the CEAS, adds a supranational dimension that significantly influences the interpretation and application of asylum law among member states (Ponzo et al., 2022). The EU sets legal standards that apply uniformly across member states, but it lacks a central administrative body to enforce them. Thus, the implementation falls to national and local actors, such as OFPRA agents in France. This results in a fragmented yet interdependent governance system, precisely the kind of complexity that MLG theory seeks to explain.

The MLG theory is especially relevant for addressing this paper's first sub-question: *How do OFPRA agents navigate the legal complexities of EU asylum law, particularly the Dublin III Regulation, and its implications for asylum seekers?* By considering the distribution of power and the interconnectedness of institutional tiers, MLG shows that the discretion of SLBs such as OFPRA agents is not simply a result of bureaucratic independence but a structural reaction to a governance landscape marked by overlapping jurisdictions and unclear norms (Marks & Hooghe, 2004). The SLBs are influenced by vertical connections (among EU, national, and subnational institutions) and horizontal relationships such as collaborations between regional entities or between OFPRA and civil society groups that characterize the MLG framework (Ponzo et al., 2022; Caponio & Ponzo, 2021).

MLG is especially valuable to explain how discretion at street-level reflects structural responses to the layered and contradictory pressures that rise from European, national, and local levels. For example, while OFPRA manages claims at the national level, its decisions are shaped by Dublin III's supranational rules on responsibility allocation, national legal frameworks, and coordination with local actors such as NGOs who support asylum seekers. This multilevel structure thus shapes the discretionary power of SLBs.

2.2.1 The Application of Multi-Level Governance

This is the point at which the concept of multi-level governance (MLG), developed by Gary Marks and Liesbet Hooghe in the early 1990s, becomes relevant. Originally developed through empirical research on the EU after the Maastricht Treaty (1992), MLG emerged from attempts to understand the newly formed institutional structures of European Integration. Marks (1993, p. 392) defines MLG as systems of continuous negotiation among nested governments at several territorial tiers, in which authority is dispersed vertically between supranational, national, regional, and local administrations, as well as horizontally across diverse policy domains and societal actors, including NGOs and civil society (Bache & Flinders, 2004).

MLG has since become a standard lens for studying migration governance, precisely because it captures the complexity of decision-making in this area (Caponio & Ponzo, 2021). Asylum law exemplifies this complexity, where the laws are defined at the supranational level, in our case, the CEAS, and rely on national and local authorities including frontline bureaucrats to interpret and implement them.

The importance of MLG is found in its ability to tackle governance complexity by recognizing that governance should function at various levels to account for differences in the spatial context of policy externalities (Marks & Hooghe, 2004; Daniell & Barreteau, 2014). This is especially relevant for the implementation of asylum policies, as it does not operate solely through a singular, top-down, or hierarchical framework alone. Rather, it involves a dynamic and multifaceted process in which decisions are made through negotiation and compromise across various actors. For instance, decisions regarding asylum seekers' rights and the implementation of asylum procedures in France are shaped by international treaties, EU regulations, national policies, and local actions. While OFPRA manages asylum claims at the national level, local authorities and NGOs also play a role in providing services and legal aid (Ponzo et al., 2022; OECD, 2022).

In the field of asylum policy, this theory is essential. Dublin III, a key element of the CEAS, applies directly in all EU member states, including France. However, the EU does not possess its own administrative system for executing this policy (Dörrenbächer, 2017, p. 1328), and thus depends on domestic entities, in our case, OFPRA agents, to implement its legal provisions. This creates a multi-layered governance environment, where SLBs such as OFPRA agents must reconcile EU legal standards with domestic institutional realities. In this context, OFPRA agents act as intermediaries, navigating the overlapping jurisdictions and normative frameworks within the MLG system. This scenario aligns with Treib's (2014, p. 6) notion of a "second frontline," where SLBs must balance supranational directives with national administrative processes.

Recent reforms in France have further exemplified the practical consequences of MLG. For example, the introduction of "France Asile" spaces in 2024 aims to streamline the registration of asylum applications by involving OFPRA more closely from the start, replacing the previous two-step process and potentially reducing administrative delays (EUAA, 2025). At the same time, the 2024 Immigration Law has restructured CNDA by creating five territorial chambers, decentralizing appeals and making the system more responsive to local contexts (EUAA, 2025). These changes exemplify how governance is negotiated and adapted at multiple levels, but they also introduce new administrative complexities and risks of inconsistent application across regions.

In practice, this complicated arrangement often leads to administrative burdens, procedural delays, and inconsistent application of rules. For instance, although fast-track procedures are supposed to be completed within 15 days, decisions often take much longer, and the distinction

between fast-track and regular procedures has become blurred, especially after recent legal reforms in France (ECRE, 2020; GISTI, 2024)

Moreover, the adaptability of MLG is essential for tackling the intricate policy issues in asylum law, particularly the Dublin III Regulation. The European perspective on MLG highlights the importance of governance frameworks adjusting to policy requirements. As noted by Marks and Hooghe (2004), the governance framework of the EU functions through Type I governance characterized by stable, distinct jurisdictions like those in a federal system, and Type II governance which includes more flexible and overlapping jurisdictions commonly seen in adaptive governance models. The CEAS and Dublin III offer a hybrid framework in which Type I governance establishes extensive regulatory directives, whereas Type II governance enables adaptable, decentralized execution by national bodies such as OFPRA. Empirical studies show that this hybrid structure brings both flexibility and fragmentation. While it enables adaptation to local realities, it also creates major challenges for OFPRA officers, who must manage these complexities in their daily work.

2.2.2 Critical Reflection on Multi-Level Governance

A central criticism on MLG is that it frequently presumes a collaborative, non-hierarchical relationship between governance levels and actors, minimizing the existence of political conflict, disputes, and power struggles. Scholars argue that MLG literature often overlooks the ways in which central authorities might reestablish hierarchical dominance, particularly during periods of crisis or political pushback, restricting the independence of local agents and SLBs. For instance, Ponzio et al. (2022) argue that the MLG framework often overlooks the political debates and conflicts inherent in asylum policy, leading to an excessively optimistic perspective on policy convergence and coordination. Similarly, Bassoli and Campomori (2024) demonstrate that despite the presence of formal multi-level arrangements, policy results can be compromised by delays, inadequate coordination, resource mismanagement due to deep-seated political disputes, and insufficient authentic cooperation.

MLG is also criticized for ignoring how top-down, centralized control still plays an important role, even in systems that seem multi-level. In asylum policy especially, national governments often retain or reclaim power over key decisions, limiting the influence of local authorities and NGOs. For example, during migration crises, countries like France moved away

from shared governance and returned to more centralized decision-making, which challenges the idea that MLG is a stable or lasting approach to governance. During the 2015-2016 migration crisis, for example, the French government responded to the influx of refugees by centralizing the management of reception and accommodation for asylum seekers. The Ministry of the Interior took direct control over the allocation of places in reception centers (CADA) and emergency accommodation, sidelining local authorities and NGOs to quickly respond to the high number of arrivals (AIDA France Report, 2017; OECD, 2017).

Another critique is that MLG can obscure just how different and fragmented things are at the local level. While the theory suggests that working across multiple levels of government helps create more consistent and coordinated policies, the application of asylum policy, for instance, often varies a lot from place to place. This is not a result of how the system is set up, but also due to each local area having its own politics, resources, and active community groups. As a result, MLG does not always lead to smoother or more consistent results, in fact, the outcomes can be quite mixed and unpredictable.

Some scholars argue that MLG is conceptually vague and may not offer much that is new. For instance, Faludi (2012) criticizes MLG for focusing on territorial or spatial aspects of governance, features that all governance systems already involve. Because MLG is defined so broadly and flexibly, it can be applied to almost any situation, making it hard to use clearly or effectively. This makes it harder to assess where power really lies, especially in asylum governance, and how much room individual OFPRA agents have to interpret or influence policy within a complex system.

2.3 Synthesis and Application of Theories

After presenting both SLB and MLG theories, this thesis will use SLB to analyze how OFPRA protection officers exercise discretion and navigate the daily challenges of implementing asylum policy, while MLG provides a lens for understanding how their work is shaped by overlapping national and supranational legal frameworks. Understanding these frameworks is important as they reveal the constraints and opportunities faced by frontline workers, as well as demonstrate how broader governance structures influence the practical delivery of asylum rights in France.

This theoretical framework will directly guide the empirical chapters by informing the analysis of OFPRA's organizational environment, the discretionary practices of its agents, and the impact of recent legislative and procedural reforms. For example, the framework will help interpret how officers respond to resource constraints, legal ambiguities, and multi-level policy pressures in their casework and decision-making.

While previous research has explored SLB discretion in areas such as welfare or policing (Lipsky, 1980; Evans, 2011; Maynard-Moody & Musheno, 2003), this thesis makes an original contribution by applying these insights to the unique context of French asylum administration (Dahlvik, 2018; Alpes & Spire, 2014; Affolter, 2021). By combining SLB and MLG perspectives (Caponio & Ponzio, 2021; Ponzio et al., 2021), this study offers a nuanced understanding of how policy is both shaped and performed at the intersection of law, bureaucracy, and lived experience - an approach that is essential for evaluating the effectiveness and fairness of contemporary asylum systems.

Chapter III - Methodology

This chapter presents the methodological strategies and philosophical stances used to effectively answer the central research question: *How do French street-level bureaucrats navigate the challenges and complexities of asylum law in their decision-making processes?* Research methodology describes the organized approach used to collect, analyze, and interpret information and data to guide research choices (Yin, 2009). Accordingly, the research approach has been carefully designed to align with this study's objectives and to facilitate a thorough analysis of how bureaucratic discretion engages with multi-level governance in the execution of French asylum policy.

The following sections of this chapter will clearly describe the research design, specifying the kind of research conducted, the methods for data collection, and the techniques for analysis utilized. Furthermore, this chapter will discuss the study's limitations, highlighting possible challenges faced and the measures taken to mitigate their effects on the results. The chapter concludes with a summary of the key methodological considerations and a discussion of how issues of credibility and validity were addressed to ensure the credibility of the study's findings.

3.1 Research Philosophy

The philosophical foundation of this research is grounded in an interpretivist epistemology. Epistemology, which examines knowledge and its acquisition, is an important element in social sciences since it influences the methods of data collection, analysis, and interpretation (Bryman, 2016). Interpretivism claims that social reality is shaped by human interactions and is most effectively understood by examining the meanings and interpretations that people assign to their experiences.

Considering the research question of how French SLBs manage conflicts between EU and national laws, as well as internal challenges in their decision-making, an interpretivist perspective is the most suitable. This method acknowledges that the behaviors and choices of SLBs are influenced by personal perceptions, institutional environments, and continuous interactions. Instead of pursuing a singular objective truth, this research seeks to understand the complex and nuanced realities faced by these individuals. In practical terms, interpretivism focuses on understanding the personal experiences and meanings that participants attach to their situations. It looks at things from the perspective of those who are directly involved. To gain some genuine

insight, researchers must grasp what situations mean to participants, rather than merely observing their behavior (Pascale, 2011). This approach prioritizes a deep understanding, rather than general conclusions, recognizing that the knowledge created is specific to particular people, times, and places, rather than being universally applicable.

Based on these philosophical ideas, this study does not aim to create generalizable laws or objective truths about how French SLBs apply asylum policy. Instead, it focuses on providing insight into how these individuals understand and handle the complex and sometimes conflicting demands while facing challenges. This philosophy thus supports the qualitative, case-based approach adopted in this study.

3.2 Qualitative Research Approach

This study adopts a qualitative approach, which is well-suited for exploring complex social issues where individuals' experiences, perspectives, and the context they are in matter most (Creswell & Poth, 2018; Denzin & Lincoln, 2018). Qualitative research is based on the idea that reality is shaped by social interactions and is best understood through the perspectives of those who experience it. This aligns well with the interpretivist epistemological stance of this study, which focuses on the importance of understanding the lived experiences and meaning-making processes of individuals within their specific social and institutional contexts.

A qualitative approach was chosen because it allows for a deep understanding of the reasons, processes, and meanings behind human behavior, rather than focusing on quantifying variables or evaluating set hypotheses (Mason, 2018). Asylum policy is complex and involves many different actors, overlapping legal frameworks, and situations that are often uncertain and ambiguous. Qualitative research gives us the flexibility to dig deeper into these complexities and adapt our questions as new themes or issues appear during the research process. This flexibility is particularly important in asylum governance, where laws and practices are continuously evolving.

3.3 Case Study

A case study approach was chosen for this research because it allows for an in-depth investigation of a specific phenomenon within its real-life context (Yin, 2003). This approach is effective as it explores complex and social institutional processes where boundaries between the phenomenon and its context are not always clear (Miles & Huberman, 1994). In this study, the

focus is on France's asylum system and the role of SLBs in navigating the challenges between EU and national asylum law. By choosing this approach, the research aims to answer the "how" and "why" questions regarding policy implementation and the decision-making processes of bureaucrats operating on the ground (Yin, 2003).

The unit of analysis in this case study is the OFPRA protection officers as SLBs within the French asylum system who are responsible for the examination of asylum applications, and the implementation of both national and EU asylum policies in France. This choice was a result of extensive review of academic literature, policy analyses, and, most importantly, OFPRA's annual reports from 2015 to 2023. This timeframe was chosen because it includes important developments in French and European asylum policy, including the reform and implementation of the Dublin III Regulation, the introduction of digitized procedures, and the impact of recent migration crises and legislative changes. These years also saw major shifts in asylum flows due to events such as the Syrian conflict, the war in Ukraine, and the COVID-19 pandemic, all of which put new pressures on the French asylum system and on OFPRA staff.

In addition, by constantly viewing and analyzing OFPRA's annual reports, I identified recurring themes and challenges, such as the challenges of implementing Dublin III, the lack of interpreters and resources, and the psychological effects of the high workload on OFPRA agents. This analysis is inspired by Lipsky's SLB theory, where he makes clear that the implementation of policies is not only a matter of legal compliance but also involve a "second layer" of reality shaped by these challenges.

3.4 Data Collection Methods

3.4.1 Content Analysis

The central method for investigation in this paper is content analysis, a well-established research method used to systematically examine written, verbal, and visual material (White & Marsh, 2006). This method allows us to identify, code, and interpret repeated patterns or themes within a set of documents. Originally rooted in mass communication studies, content analysis is now widely used in social sciences, particularly within studies that deal with contextual texts, policy documents, and media sources.

Particular attention was paid to the evolution and implementation of the Dublin Regulations (Dublin I, II, III, IV) between 2015 and 2023. To systematically track these developments, I downloaded and reviewed OFPRA annual reports for each year, focusing on sections that discussed changes in Dublin procedures, operational challenges, and departmental responses within OFPRA. This longitudinal review allowed me to identify and track recurring issues such as the determination of responsibility for asylum claims, coordination with EU member states, legal ambiguities, and the operational impact on different OFPRA departments.

The content analysis used in this paper is iterative and theory-informed, meaning that the analysis moves back and forth between established theoretical concepts, primarily SLB and MLG, and empirical observations from the data. Initial codes were shaped by theory, then refined through engagement with the data. Moreover, content analysis was applied to a range of data sources including OFPRA annual reports, a semi-structured interview, and a podcast episode to examine how asylum policy is implemented and experienced by SLBs in France.

This approach was chosen because it allows for a transparent and systematic examination of both formal documents and personal narratives, allowing us to better understand the interaction between laws, institutions, and the realities of those implementing these on the ground.

3.4.2 Semi-Structured Interview

To complement my observations, I conducted semi-structured interviews, a valuable qualitative method for exploring complex social phenomena through direct engagement with participants (Ruslin et al., 2022). Semi-structured interviews work as a midpoint between fully structured and unstructured interviews (Dunne et al., 2005). While questions are prepared in advance, the open-ended nature of this approach allows the interviewer to have an interactive dialogue and adapt to participants' responses.

I conducted an in-person semi-structured interview with Marianne Margaté, a French Senator who serves on the Economic Affairs Committee and a member of the Communist, Republican, Citizen, and Ecologist Group-Kanaky. She was chosen for this interview due to her unique role as a legislator and as a member of OFPRA's Board of Directors. The interview was carried out exclusively in her capacity as a board member of OFPRA, rather than a senator. This distinction is important because the focus of the interview was on her understanding of OFPRA's

internal functioning, institutional challenges, and the discretionary practices of its agents, which fall within the scope of the Board's oversight role.

While her role as a legislator provides broader insight into national political dynamics, the aim of this interview was not to discuss party politics or parliamentary processes. Instead, it aimed to gain an insider's perspective of OFPRA's operational realities. This allows us to have an interesting conversation on the tensions between implementing EU and national laws, as well as practical challenges faced by OFPRA in implementing these policies. The flexible format of the interview allowed us to cover all important themes such as legal constraints, institutional pressures, and political influences on asylum decisions, while leaving room for unexpected and critical insights. This flexibility was specifically relevant given the complexities of the asylum system.

In addition, I conducted a supplementary semi-structured interview with Guillaume Auber, Head of Reception, Parties, and Lawyers Unit and Communication Referent at the CNDA. This was conducted after directly contacting CNDA to gain an institutional perspective from another key body in the French asylum system. While this interview is not part of the main data corpus, it contributes valuable materials to the Discussion Chapter, particularly in terms of institutional logic and procedural contrasts with OFPRA. Mr. Auber responded on behalf of CNDA, offering insights into its judicial approach, structural challenges, and how EU and French asylum frameworks intersect. This institutional lens helps contextualize OFPRA's practices within the broader asylum adjudication system in France.

3.4.3 Podcast Episode

In addition to traditional qualitative methods such as document analysis and interviews, this paper also incorporates a podcast episode titled *Dans la tête des officières de protection de l'OFPRA*⁹, on the programme *Les Pieds Sur Terre*¹⁰ on 18 March 2025 (France Culture, 2025). The episode features two former protection officers at OFPRA, referred to as Aude and C., who share their lived experiences as SLBs responsible for adjudicating asylum claims in France.

This particular podcast episode was selected as it provides a rare insider perspective on the daily challenges faced by SLBs at OFPRA. Unlike more formal reports or interviews, it captures the emotional and ethical complexities of the role and the pressures of decision-making on the

⁹ Inside the Minds of OFPRA Protection Officers

¹⁰ Feet on the Ground

ground. This is valuable qualitative data to understand how individual emotions and institutional constraints shape asylum decision-making. The podcast thus complements other research methods by providing a personal and affective dimension to the study of asylum adjudication.

3.4.4 Ethnography

Ethnography is a qualitative approach that focuses on understanding social phenomena through direct observation and engagement with participants in their natural environment (Hammersley & Atkinson, 2019). Ethnography enables direct observation and deep understanding of SLB practices in their professional environment, and how they interpret national and EU laws, political pressures and institutional norms.

My interest in ethnography emerged during my internship at the French Senate, where I served as a Parliamentary Team Intern alongside a Senator who sits on the Board of Directors of OFPRA. This position offered a unique view into the policymaking process and operational oversight of asylum institutions. As part of this experience, I was invited once to accompany the Senator on an official visit to OFPRA on 31 October 2024. During this visit, I observed the daily functioning of OFPRA agents and attended an asylum interview between a protection officer and an applicant. The interview aimed to assess the applicant's eligibility for international protection under French and EU asylum law. Although time constraints limited my direct interaction with OFPRA personnel, this experience offered valuable insights into how discretion, institutional norms, and legal frameworks intersect at the implementation level.

To build upon and contrast this initial field exposure, I went on another ethnographic visit, this time to the CNDA on 21 March 2025. This visit was entirely voluntary and initiated through personal contact with the CNDA, motivated by my desire to gain a more comprehensive understanding of asylum adjudication in France, especially through its primary judicial body that reviews appeal of OFPRA's decisions. The visit included an observation of appeal hearings to understand how rejected OFPRA cases are re-evaluated in a judicial setting, as well as a semi-structured interview with Guillaume Auber.

The visit to CNDA was especially relevant as it allowed me to extend the ethnographic dimension of my fieldwork beyond the administrative setting of OFPRA to the judicial setting of CNDA. It offered me a valuable contrast to the discretionary practices performed at OFPRA. While the visits do not represent ethnography in a traditional sense of prolonged participant

observation, they are used here as grounded, complementary components within a broader qualitative methodology as they offer a “second layer” of reality.

To provide a clear overview of the data sources employed in this study, Figure 1 summarizes the four main data collection methods. This was created to enhance transparency and readability by presenting, at a glance, the types of data gathered, their specific sources, the analytical focus of each method, and any notable limitations. Given the complexity of researching SLBs in the French asylum system, a multi-method approach was essential to capture both institutional and individual experiences.

Figure 1. Overview of Data Collection Methods

Method	Source/ Participant	Objective	Analytical Contribution
Content Analysis	OFPRA annual reports (2015-2023), policy documents	Identify themes, challenges, and institutional practices in asylum policy documentation	Systematic, iterative, theory-informed
Semi-Structured Interview	Marianne Margaté (OFPRA Board), Guillaume Auber (CNDA)	Gain insider and institutional perspectives on OFPRA/CNDA operations, discretion, and challenges	Limited number of interviews, elite perspectives
Podcast Analysis	Dans la tête des officières de protection de l’OFPRA (France Culture, 2025)	Captured lived experiences, emotional and ethical dimensions of SLB work in asylum adjudication	Only two former officers, anonymized accounts
Ethnography	OFPRA site visit	Observe daily work, procedures, and interviews	Single visit, limited engagement with staff

3.5 Data Analysis Approach

Given the scope and time constraints of this research, a simplified yet precise thematic content analysis was adopted to examine how the French SLBs implement and experience the

asylum policy. The analysis focuses on three primary data sources: OFPRA's annual reports from 2015 to 2023, a semi-structured interview with a French Senator and a OFPRA board member, and a podcast episode featuring two former OFPRA agents. The analytical process was guided by the key research question of this paper and its sub-questions, and informed by theoretical frameworks, notably the theories of SLB and MLG. Instead of employing a line-by-line coding framework, I engaged in a process of repeated close reading and iterative reflection. This approach allowed me to identify recurring themes and patterns that appeared across the different data types, while also allowing me to be flexible and revisit and refine categories as new insights developed.

During the content analysis, special attention was paid to themes such as the legal tensions and practical experiences between EU directives, notably the Dublin III regulation and national asylum practices. Dublin III was specifically chosen to analyze as the central EU asylum framework since it plays an important role between EU member states in the case of responsibility for processing asylum applications. Moreover, repeated references to the challenges and limitations of implementing Dublin III appear across all OFPRA annual reports from 2015 to 2023, making it a consistent point of tension in the French asylum system.

Another area of focus while analyzing the data was on the degree of discretion and autonomy exercised by SLBs in their daily work. Both the podcast episode and OFPRA reports reflect these moments by discussing how the OFPRA agents often deviate from strict procedural guidelines when faced with emotionally difficult cases. Moreover, resource and time constraints were identified as structural conditions shaping the decisions of SLBs. In the annual reports, repeated references were made to operational challenges such as staff shortage, high caseloads, and limited interpreter availability. These insights were further supported by the podcast episode where the former agents describe this pressure to meet performance targets.

3.6 Use of Artificial Intelligence (AI) Tools

At the beginning of this research project, I made limited but purposeful use of AI tools to support the early stages of thesis development, specifically, to support the process of brainstorming and structuring my thesis ideas. AI was used to clarify the scope of the project and help organize the main themes and research questions. This process was especially helpful in the early phases of the project, as it allowed me to visualize connections between theoretical frameworks such as SLB and MLG.

Recognizing the limitations of AI-generated content, I was aware of the risks of factual inaccuracies, lack of source transparency, and the potential for generic suggestions. Every idea generated by AI was constantly verified and developed through engagement with peer-reviewed literature, official documents, and established academic methodologies. In addition, as digital tools become more integrated into academic work, acknowledging their role contributes to the integrity of this study.

3.7 Limitations

This study has several limitations that should be acknowledged. First, it focuses specifically on the French asylum system, with OFPRA as the first-instance authority, leaving out prefectural offices, the National Court of the Right to Asylum (CNDA), or reception centers, each of which also shape asylum outcomes. While this single-case approach allows to dive deep into one of France's unique administrative and institutional contexts, it limits the generalizability of the findings to other EU or non-EU countries. EU countries have different ways of interpreting and applying asylum policies, thus the discretionary practices observed in the French SLBs may differ from those in countries with different legal traditions or political climates.

A second limitation is the absence of direct engagement with asylum seekers. Although the study captures the perspectives of OFPRA officers and draws on observation on asylum interviews, it does not include direct engagement with the individuals most affected by the asylum process as a result of time constraints. Including such voices would have provided valuable insights into how the interpretation and application of law by SLBs shape the everyday realities of those seeking protection. Future research would benefit greatly from incorporating these perspectives to balance institutional narratives with lived experiences. Moreover, the time constraints also limit the ability to conduct longitudinal research or track policy developments and their effects over time. Asylum systems are highly affected by ongoing political shifts, legal reforms, and social pressures. A longer-term study could better capture the evolution of SLB practices and their consequences for both bureaucrats and asylum seekers.

Third, this study heavily relies on OFPRA annual reports, semi-structured data, and a podcast episode with two OFPRA agents telling their journey at OFPRA after resignation, therefore, lacking a limited number of policymakers' viewpoints on this matter. Moreover, as I was allowed to observe asylum interviews at OFPRA directly, I was not allowed to access internal

case files, thus, our picture of decision-making is based on available data and self-reports. This introduces biases, where officials may understate the extent of discretion or overstate adherence to procedures.

Fourth, our analysis reflects conditions from 2015 up to 2023. Asylum policy is rapidly evolving in the EU, for instance, the new Pact of Migration proposals, and in France such as the implementation of the 2023 immigration law. The dynamics we observed may change laws and workload shifts. Finally, while our theoretical framing has highlighted key forces, it simplifies reality. For instance, not all discretionary choices fit neatly into coping or moral categories, and MLG may overlook the power of informal networks.

Finally, it is also important to mention that these limitations do not decrease the value of the study, rather they suggest the need for further research that incorporates comparative, longitudinal, and multi-perspective approaches that can offer a more well-rounded understanding of the system and of those who navigate it.

3.8 Ethical Considerations

Ethical considerations have been at the heart of this research, guiding its design and implementation, with specific focus on ensuring consent, maintaining confidentiality, and following the principles of “do no harm” (Tracy, 2010; Silverman, 2017).

First, informed consent was obtained from the semi-structured interview participant, namely, the French Senator who also serves on the board of directors of OFPRA. The participant was informed about the purpose of the research, the voluntary nature of their participation, and their right to withdraw at any point. In addition, I made sure the participants knew about the ways their data would be used.

Second, I relied on publicly accessible materials including OFPRA’s annual reports and the podcast episode. Only publicly available information was used, and I made sure to accurately represent these materials in the context of the research.

Regarding my visit to OFPRA, I was mindful of the restrictions placed on sharing sensitive information. I was careful to include only information that I was authorized to share, respecting confidentiality agreements and the principles of doing no harm. I made sure to exclude any sensitive or classified information that might have been shared during the visit, making sure that

the research remains in compliance with ethical standards and institutional regulations. This approach helped to safeguard the integrity of this research, and the privacy of all parties involved.

Finally, throughout the research, I made sure to follow the ethical guidelines of Aalborg University, Department of Politics and Society, guaranteeing that my research was conducted with fairness, integrity, and respect for all participants.

Chapter IV - Analysis

This chapter critically examines how French SLBs working at OFPRA make decisions regarding asylum cases. The analysis is structured around two main themes: first, the challenges posed by the EU's asylum framework, particularly the Dublin III Regulation, and second, the internal institutional constraints within OFPRA that shape the discretionary practices of its officers. The main question guiding this analysis is thus: *How do French street-level bureaucrats navigate the challenges and complexities of asylum law in their decision-making processes?*

Drawing on the theoretical frameworks of SLB and MLG, as well as empirical materials such as interviews, podcasts, and observations, this chapter demonstrates how legal, institutional, and operational factors shape frontline decision-making in the French asylum system. This chapter is thus divided into two parts. The first part investigates how OFPRA agents interpret and apply the Dublin III Regulation, focusing on their navigation of conflicting obligations between European legal requirements and national administrative practices. The second part shifts inward, analyzing how OFPRA's internal constraints, such as high workload, lack of interpreters, and burnout impact agents' ability to make fair decisions.

4.1 Case 1: OFPRA and the Dublin III Regulation

This case addresses the paper's first sub-question: *How do OFPRA agents navigate the legal complexities of EU asylum law, particularly the Dublin III Regulation, and its implications for asylum seekers?* Dublin III is designed to decide which EU country is responsible for an asylum claim. However, OFPRA's annual reports show that Dublin III is often difficult to apply because of its complicated rules, changing numbers of asylum seekers, and important human rights issues.

To analyze how these challenges play out in practice, this case breaks down the key procedural steps of Dublin III as implemented by OFPRA (see Figure 2 for an overview of the process). The focus is not only on what the regulation prescribes, but on how OFPRA officers interpret, adapt, and sometimes contest these rules in their daily work. This approach considers the realities of decision-making within a multi-leveled governance structure, where national and supranational norms intersect, a dynamic further explored in the Discussion chapter through the lenses of MLG and SLB theory.

This case offers how OFPRA agents interpret and implement EU legal norms, followed by the challenges, dilemmas, and discretionary choices of officers that shape the asylum process in

France. Analyzing this case is important as it reveals the multiple layers of governance, including European, national, and local, that intersect in every asylum decision. Moreover, this case aims to demonstrate why the practical functioning of the system matters for the effectiveness and legitimacy of asylum policy as a whole.

4.1.1 Determining Responsibility

The Dublin Regulation (Regulation (EU) No. 604/2013) is the EU's main tool for deciding which country should handle a person's asylum application. The idea behind it is to make sure each claim is processed quickly, and only by one country, usually the one most connected to the person, whether through family ties, a visa, or where they first entered the EU (European Commission, 2024; see Figure 2 for an overview of the criteria and process). The regulation also incorporates discretionary clauses under Article 17, which allow Member States to assume responsibility for a case even when not obliged to. These clauses reflect an intentional balance between procedural efficiency and humanitarian flexibility.

In the French context, however, the division of roles between OFPRA and the Ministry of the Interior complicates the Regulation's implementation. While OFPRA is tasked with the substantive evaluation of asylum claims, it is the Préfectures, under the Ministry's authority, that typically manage the Dublin procedure. When an asylum seeker first applies through a "guichet unique," Préfectures staff check the Eurodac system for biometric matches and assess whether another EU Member State might be responsible. If so, a Dublin process certificate is issued which allows temporary legal stay in France but prohibits access to OFPRA's protection process unless and until the transfer is either unsuccessful or reconsidered, for example, due to the applicant's vulnerability or legal appeals (Asylum Information Database, 2024).

Under Dublin III, two main procedures structure the determination of responsibility. The take-charge procedure which refers to France asking a Member State to take responsibility for an applicant, based on family links, a visa, or the applicant's first entry point to the EU (Vavoula, 2024). On the contrary, the take-back procedure is applied when an applicant has already claimed asylum elsewhere, relies on accurate, time information exchange, which is not always guaranteed (OFPRA, 2019). For instance, in 2017, 64% of intra-European agreements and 71% of transfers involving France were based on take back requests, with other grounds for transfer including

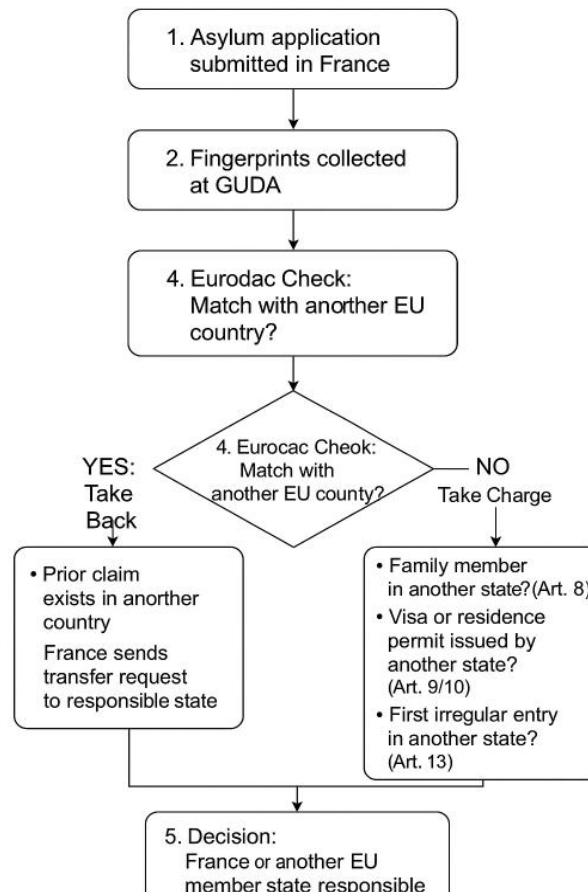
existing visas or residence permits (15%) and irregular border entry (12% EU average, 18% for France) (OFPRA 2017; OFPRA, 2018).

The gap between formal regulation and everyday practices creates what Lipsky terms “policy space” where the strict reliance on Eurodac matches reflects a rigid interpretation of responsibility (Lipsky, 1969). This operational reality necessitates creative compliance as OFPRA officers navigate conflicting pressures between efficiency demands and humanitarian obligations. OFPRA must then prepare to assess requalified cases under significant time pressure, frequently after prolonged administrative limbo for applicants (Guild et al., 2017). These requalifications, many based on vulnerability or appeal outcomes, highlight the discretionary nature of the system that illustrates Lipsky’s conception of SLBs who make policy in two important senses, by exercising wide discretion in decisions about individual citizens, and making judgments under conditions of relative autonomy from organizational authority. In 2022 alone, France invoked the sovereignty clause over 1,000 times (Asylum Information Database, 2023), illustrating how formal EU regulations become flexible through bureaucratic interpretation within Lipsky’s policy space where officers develop coping mechanisms (Lipsky, 1969).

This aligns closely with the SLB theory through the core principle that policy is ultimately made at the point of service delivery, as exemplified by Mr. Auber’s observations during a semi-structured interview that, “*the rules are clear on paper, but every case is different and sometimes you have to make a judgement call with limited information*” (Guillaume Auber, Semi-Structured Interview, 2025). This gap between formal regulation and everyday practice pushes officers to develop coping mechanisms, such as relying on standard criteria or prioritizing verifiable documentation (Fassin & Kobelinsky, 2012).

Simultaneously, the Dublin process illustrates the logic of MLG where EU-level directives are mediated by national and subnational actors. While OFPRA acts within a structured European legal framework, its discretion, workload, and decision-making are shaped by France’s domestic policies, EU partnerships, and the operational choices of other Member States.

Figure 2. Dublin III Responsibility Determination. *Source: author's own elaboration based on Dublin III Regulation and OFPRA annual reports (2015-2023)*



4.1.2 Information Exchange

Information exchange is an important aspect of the Dublin III Regulation's implementation to determine responsibility for asylum applications. At OFPRA, this process is coordinated by the Division of Legal, European, and International Affairs (DAJEI), with the Bureau of European and International Affairs (BAEI) playing a lead role in liaising with EU bodies and harmonizing national procedures with European standards (OFPRA, 2017). Platforms such as the Information and Documentation System (IDS) and European Union Agency for Asylum's (EUAA) "Portail Queries" support this process by facilitating the exchange of best practices, legal doctrines, and procedural information, thus advancing the EU's goals of harmonization and shared responsibility.

Other divisions, such as the Division of Information, Documentation and Research (DIDR) for country information, Missions Foraines for resettlement logistics, and The Division in charge

of the Introduction and Digitalization of Applications (DACIM), contribute to the information flow, reflecting the organizational complexity OFPRA must navigate.

This institutional complexity reflects the multi-layered structure of MLG, wherein policymaking and implementation in the EU are dispersed across multiple, overlapping tiers of authority, including supranational (EU), national, and subnational, as well as horizontally among a plurality of public and private actors (Marks & Hooghe, 2001; Caponio & Jones-Correa, 2018). In the context of CEAS, this means that OFPRA's information exchange practices are shaped by both vertical relations with the European Commission, EUAA, and national ministries, and horizontal relations with other domestic divisions, local authorities, and NGOs (Ponzo et al., 2022; OECD, 2022).

The volume of outgoing and incoming information requests has fluctuated dramatically in recent years, rising from 140 in 2015 to over 3,000 in 2021, before dropping to 702 in 2023, even as France recorded its highest-ever number of asylum claims (OFPRA, 2015-2023). These trends reflect both external shocks such as the pandemic, and internal adaptation to shifting EU priorities and resource constraints. For many officers, especially those early in their career and with limited training, this environment demands rapid adaptation and independent problem-solving, often under high pressure.

Such instabilities illustrate both opportunities and the frictions that exist in multi-level governance arrangements. While the EU's harmonization agenda and digital infrastructures allow more consistent and transparent information flows, the necessity for coordination across diverse institutional actors and administrative cultures can create restrictions and delays, particularly when supranational objectives collide with national or local constraints (Ponzo et al., 2022; Caponio & Jones-Correa, 2018).

4..1.3 Transfer

Once OFPRA, often in coordination with the Préfecture and through the exchange of information with other EU countries, establishes that another state is responsible, its role comes to an end (Asylum Information Database, 2024). At this point, the Préfecture assumes control, notifying the applicant in writing of the transfer decision and managing all subsequent steps, including the logistics of the transfer, any appeals, and the enforcement of measures such as house arrest or administrative detention if necessary.

OFPRA does not participate in the transfer itself. Its responsibility is limited to the preliminary phase of responsibility determination and information exchange under Dublin III. This handover between agencies and across national borders illustrates the inter-agency coordination typical of MLG, where responsibilities are distributed vertically across levels of governance, such as the EU, national, and local, and horizontally across administrative actors (Marks & Hooghe, 2001).

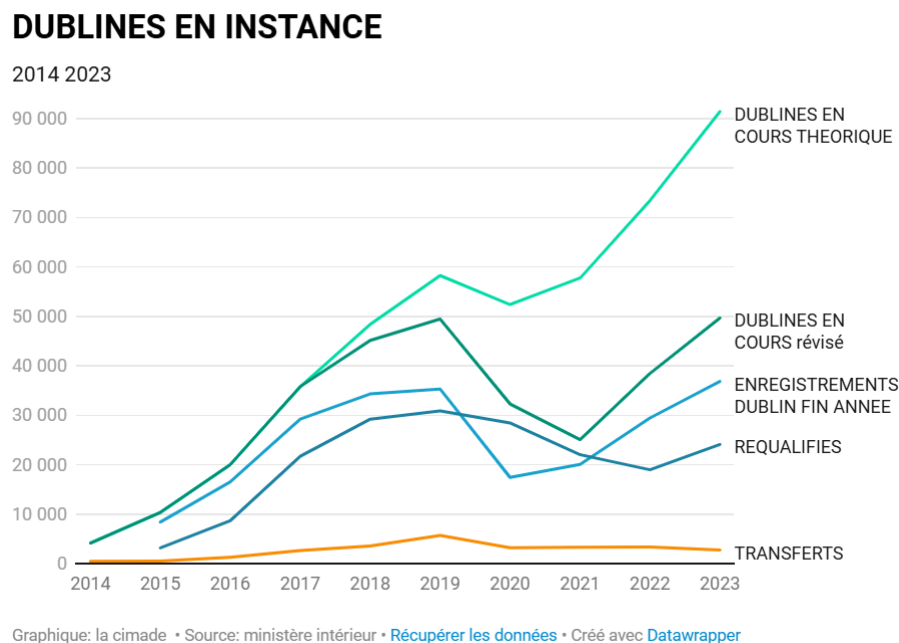
The transfer process also exposes a core tension within the MLG system where the EU sets common rules, but it is up to national and local actors to put them into practice, and their priorities and resources often differ. For example, delays in transfer, due to slow bureaucracy or lack of political will in other Member States, can leave asylum seekers stuck in legal limbo. A recent example is Italy's unilateral suspension of incoming Dublin transfers in December 2022, which led French courts to overturn many planned transfers to Italy, citing systemic deficiencies and the impossibility of guaranteeing applicants' rights (Asylum Information Database, 2023). These ongoing problems show how MLG can make already complex procedures even harder to manage, forcing SLBs to make tough choices in an uncertain environment.

If the Dublin procedure determines that France is the responsible state, the process changes completely, in a way that the Prefecture notifies the applicant that they are now admitted staying in France and are authorized to submit a formal asylum application to OFPRA. The applicant is then provided with the necessary information and documentation to complete and submit their asylum claim. At this stage, OFPRA resumes its main role of substantive examination of the asylum application, which includes reviewing the applicant's file, conducting interviews, and making decisions on whether to grant refugee status or subsidiary protection. This is where the connection between MLG and SLB becomes especially clear. EU laws, like the Asylum Procedures Directive, set overall rules, but in practice, OFPRA officers must make judgement when applying these rules to individual cases, a key idea of SLB (Lipsky, 1980). This includes deciding what to believe when evidence is unclear, evaluating someone's story quickly, and finding a balance between following strict procedures and showing compassion.

4.1.4 Trends in Dublin Procedures (2014-2023)

The figure below titled “*Dublinés en instance*¹¹” created by La Cimade, a French NGO working with undocumented immigrants in France, provides a visual summary of the evolution of Dublin cases in France between 2014 and 2023. While the exact numbers for each year and category can be found interactively on the given source, this figure offers a clear visual overview of key trends in the functioning of the Dublin system in France.

Figure 3. This figure shows the evolution of theoretical and revised ongoing Dublin cases, year-end registrations, requalified cases, and actual transfers in France between 2014 and 2023.



Source: La Cimade, <https://www.lacimade.org/les-chiffres-egares-des-dubline-e-s/>. Accessed on May 12, 2025.

The top line, “Dublinés en cours théorique” indicates the theoretical number of ongoing Dublin cases, rising dramatically to approximately 90,000 cases in 2023. This category includes all cases still theoretically under the Dublin process, indicating that more and more applications are remaining in limbo within the system. This means that more asylum seekers are struck in a procedural limbo, waiting months or even years for a resolution. The reasons for this increase

¹¹ Dubliners Pending

include a high number of applications, and the limited capacity of both French authorities and other EU member states to process and accept transfers.

Just below, “Dublinés en course révisé” shows the revised number of ongoing Dublin cases which also rises sharply reaching around 45,000 cases in 2023. This line shows that even after some cases are redirected or resolved, a large volume remains unresolved. This backlog points to the systemic delays and inefficiencies in the Dublin process, which can lead to prolonged uncertainty for asylum seekers and additional administrative burden for OFPRA and the Prefectures.

The line labeled “enregistrements Dublin fin année” shows the new Dublin cases registered each year, reaching close to 30,000 in 2023. This influx reflects the ongoing migration pressures and France’s continued use of the Dublin system to allocate responsibility for asylum seekers. Each registration represents a new case that must be processed, adding to the workload of all parties involved, including OFPRA, which must be ready to examine claims if France is ultimately found responsible.

The line “Requalifies” captures cases that were initially handled under the Dublin procedure but were later redirected back to the regular French asylum system, ending 2023 with about 20,000 cases. This happens when, for various reasons, such as the failure to complete a transfer within the legal deadline, lack of cooperation from the responsible member state, or successful appeals by the applicant, the Dublin procedure is discontinued, and the person is allowed to apply for asylum in France. For OFPRA, this means a sudden influx of cases that must be examined, often after long delays, which can complicate case management and increase pressure on the OFPRA agents.

Finally, the lowest line, “Transferts”, shows the actual number of asylum seekers transferred from France to another EU country under the Dublin Regulation. This number remains low, never exceeding about 3,000 per year, despite the high number of cases processed. The gap between the number of cases in the Dublin system and the number of successful transfers shows a major problem, where most people placed in the Dublin procedure are never actually transferred. This is due to a mix of legal challenges, humanitarian considerations, logistical barriers, and sometimes, the unwillingness of other member states to accept transfers.

4.1.5 Insights from the French Dublin Case

This case study of the Dublin III Regulation's implementation in France reveals a growing gap between the formal structure of EU asylum law and its practical application. The ongoing backlog of cases, the low number of successful transfers, and the frequent need to requalify cases all point to serious challenges in the system and show the limits of coordination under the Dublin III Regulation. These issues reflect how multi-level governance, while meant to share responsibility across countries, often creates delays and uncertainty for asylum seekers.

At the same time, the data shows how important SLBs are in this system. These frontline workers must deal with unclear rules, limited resources, and pressures from both EU and national authorities. Their daily decisions, often made with little guidance, have a major impact on how the policy is carried out. The French example makes it clear that we need to look closely at how European rules and national practices interact, and how the decisions of individual officers shape real outcomes for both people and institutions.

4.2 Case 2: OFPRA's Internal Challenges

This section aims to answer the second sub-question of this paper: Sub-Question 2: *How do OFPRA's internal challenges impact their ability to make fair and timely decisions?* Three key challenges were chosen for this case, namely, the high workload, lack of interpreters, and the psychological strain and burnout. While high workload is frequently cited in OFPRA's reports, the latter two are less explicitly framed as institutional challenges. However, after a close review of OFPRA's annual reports, a recurring emphasis on terms such as emotional fatigue, psychological risk, and the central role of interpreters emerged. These patterns show the structural issues that affect the daily performance of OFPRA but receive less formal recognition.

4.2.1 High Workload

One major driver behind OFPRA's high workload is the imposition of annual decision targets through a formal performance contract between OFPRA's leadership and its supervisory ministries, the Ministry of the Interior and the Ministry of Budget. This contract sets a target of 386 decisions per year per officer, creating a *politique du chiffre* (numbers policy) that frames performance in terms of output (Sud Ouest, 2024; Aoudia, 2024). OFPRA agents have shown

concerns over this model which pressures them to prioritize speed over careful, individual assessments, which undermines the fairness required in asylum adjudication.

To manage the rising caseloads, OFPRA expanded its workforce significantly, from 475 officers in 2015 to over 800 by 2023. The government also announced 200 new positions in 2019, though only a fraction was filled due to recruitment challenges and limited training capacity. Despite this growth, many officers, often young and recently educated, were hired, who report feeling underprepared for the complexity and emotional intensity of the job. Each officer is expected to handle approximately 30 cases per month, which includes long, emotionally charged interviews, through interpreters. The time and psychological load required for each case leaves little margin for thorough analysis or reflection on the asylum application.

Budget increases, rising from €67.5 million in 2019 to nearly €100 million in 2023, helped expand regional branches of OFPRA, such as in Mayotte, as well as upgrading infrastructure and launching a digital account system for asylum seekers (OFPRA, 2020). OFPRA also expanded its *hors les murs* (outside the wall) missions, allowing officers to process claims in overseas territories or near conflict zones, with 80 such missions conducted in 2023 compared to 40 in 2019 (OFPRA, 2024; OFPRA, 2020). While measurements such as IT, budget coordination, and support services like human resources have important impacts, they do not scale at the same pace as frontline recruitment.

This high workload is further discussed by the French Senator who serves at OFPRA's Board of Directors, who describes the institution as being in a state of “*permanent crisis management*”. According to the semi-structured interview with the French Senator, OFPRA faces “*substantial, growing, sometimes sharply, and unpredictable backlogs*”, largely shaped by external migration dynamics (Marianne Margaté, semi-structured interview, 2025). Despite these pressures, the Senator notes that “*average processing times are being maintained*,” but stresses that doing so without additional resources is “*a real skill*”. This means that “*pressure is certainly being placed on staff*,” and faster procedures are being introduced, “*hopefully not at the expense of quality*” (Marianne Margaté, semi-structured interview, 2025).

4.2.2 Lack of Interpreters

Interpretation is central to the asylum procedure, as every asylum seeker has the right to express the reasons for their application in a language they understand, and OFPRA agents depend

heavily on accurate interpretation for fair assessment. In practice, this means that interpretation is involved in the majority of interviews. In 2023 alone, OFPRA conducted over 90,400 interviews with interpretation support, covering more than 87% of all interviews conducted that year. This reliance shows a change from around 40,000 interpreted interviews in 2015.

Thus, to meet this demand, OFPRA assembles many interpreters daily, with about 127 per day recorded in 2023, covering over 119 different languages. While OFPRA covers many different languages, most of the interpretation work is focused on a much smaller number of them. In fact, just 35 languages make up 90% of all interpretation needs, and between 4 and 10 languages cover more than half of all cases. This creates an imbalance where people who speak fewer common languages often face longer waiting times, difficulty finding a qualified interpreter, or even having their interviews delayed because no interpreter is available.

This shortage is especially visible in the outside the walls mission, in provincial cities, overseas territories like Mayotte, and even abroad in places like Moldova or conflict-adjacent regions. These missions are important to reduce processing delays and reach populations who cannot travel, but they heavily rely on local interpreter availability. OFPRA's reports from 2017 onward have regularly noted that it is especially difficult to find professional interpreters in mission locations, especially for rare languages. In 2023, although 71 interpreters were mobilized specifically for missions, the majority were concentrated in just four languages, Pashto, Arabic, Bengali, and Turkish. For other languages, especially those spoken by smaller communities, services remain inconsistent. This uneven access creates structural and practical challenges, particularly in high-stakes interviews where precise communication is critical.

Moreover, when interpreters are unavailable, OFPRA agents are forced to delay interviews or rely on last-minute replacements with variable qualifications. In high-stake interviews, often involving trauma and persecution, such limitations lead to miscommunication, disregarding important facts, or leading to incorrect information. In addition, the lack of qualified interpreters poses another problem, where the interpreters disregard the important vulnerabilities of asylum seekers, such as their psychological trauma, past torture, or risk of gender-based violence.

According to the semi-structured interview with the French Senator serving on OFPRA's Board of Directors, this precarious situation of interpreters adds another layer of complexity to the asylum process. She argues that *“interpreters at OFPRA are in an extremely precarious situation. They have insecure employment, and they or their families may be directly affected by*

regularization requests in France. And yet, they are interpreting for their fellow nationals...” (Marianne Margaté, semi-structured interview, 2025). This comment reveals a deeply concerning dynamic within the asylum system, one where the very individuals tasked with enabling communication between asylum seekers and the state may themselves be vulnerable or directly involved in precarious immigration situations.

OFPPRA introduced interpreter training and sensitization programs to train new interpreters with the necessary skills to handle asylum interviews, including those involving gender-based violence, trauma, and psychological vulnerability. However, implementing and maintaining this level of training across such many interpreters is a big challenge. As a result, while this effort shows OFPPRA’s commitments to procedural fairness, the practical constraints of scale, turnover, and geographical dispersion limit their full effectiveness.

4.3.3 Staff Psychological Health and Burnout

The psychological health and risk of burnout among OFPPRA agents has been a regular concern, frequently raised in OFPPRA’s annual reports, as well as firsthand testimonies. These risks come from the emotionally draining nature of asylum adjudication, coupled up with rising caseloads, insufficient training, and the demands of a performance-driven administrative culture.

OFPPRA officers are regularly exposed to traumatic narratives involving torture, sexual violence, and the loss of family members. The agents are tasked with maintaining professional detachment while conducting long, emotionally intense interviews, and as I observed, often in cramped, windowless rooms with only a computer, the applicant, and an interpreter present. As one agent shared in a podcast interview (France Culture, 2025), the job’s emotional toll is increased by the anxiety of feeling unprepared, especially when confronted with complex cases from countries like Bangladesh, Georgia, and Afghanistan, for which she had received no substantive training. Initially promised two months of training, she instead received only basic technical instruction and had to self-educate using books and independent research. This lack of institutional support reflects Lipsky’s (1980) argument on frontline workers developing coping mechanisms and exercising discretion with limited guidance and structural constraints. In OFPPRA’s environment, this is exercised under high emotional strain where even minor mistakes can have life-altering consequences for applicants.

The pressure is further intensified by the targets set under OFPRA's performance contract of processing 386 cases annually, despite the fact that individual interviews can range from 40 minutes to six hours and sometimes require multiple sessions. The work rhythm thus, according to the podcast episode, has been described as *infernale* (infernal) and *effrénée* (frantic), leading to exhaustion, sick leave, and even resignation (France Culture, 2025). The average tenancy of an officer is now just two years, and the turnover rate stands at 20%. As experienced staff exit, the burden falls on the remaining staff who have to handle additional cases and train the newcomers, often with no additional pay or time allocation. This results in what has been called a chain of burnouts (OFPRA, 2017).

Organizational culture adds another layer to the emotional strain. Another officer in a podcast describes how, on her first day, she was instructed never to speak to journalists or discuss her work outside the office. Assigned to the Africa division without relevant regional expertise, she was expected to manage highly diverse and complex cases. Her training consisted mainly of observation of experienced agents, and the tone of interviews seemed like police interrogations rather than humanitarian assessment. Her experience of being pressured to reject cases, even being asked to reverse positive decisions, highlights a troubling fact of managerial oversight with rejection incentives, further undermining professional autonomy and morale. She ultimately left the position after seeking psychological support.

OFPRA has introduced several measures to address these challenges, including a *plan de prévention des risques psycho-sociaux* (psychological risk prevention plan), as well as an access to workplace psychologists (OFPRA, 2017). This plan was created to raise awareness about burnout and provide mental health support to the agents. Psychologists are also available to staff who seek help and need stress management. However, despite these efforts, the two former OFPRA officers in the podcast mention that psychological support is not well-known, not used enough, or does not have enough resources (France Culture, 2025). Also, because mental health is still a sensitive topic in public service, many staff are afraid to ask for help until things get really bad (France Culture, 2025). Moreover, these support programs do not fix the deeper problems causing stress and burnout. The biggest issue is the "policy of numbers" which pushes staff to focus on how many cases they complete, rather than how carefully they do it. The emotional strain continues as long as the staff are judged on their speed, and not quality.

The internal strain is further described by the French Senator, where she characterizes OFPRA as operating in “*a state of permanent crisis management*”, where chronic under-resourcing forces staff to process a high volume of cases under sustained pressure. The Senator acknowledges that “*the staff shortage is deteriorating working conditions, and turnover is high, and when working conditions worsen, the quality of service provided to applicants also suffers*” (Marianne Margaté, semi-structured interview, 2025).

Chapter V - Discussion

This chapter discusses the findings presented in the analysis by applying the theoretical frameworks of street-level bureaucracy (SLB) and multi-level governance (MLG). By applying these perspectives, the discussion aims to illuminate how OFPRA agents navigate legal complexities, institutional constraints, and operational ambiguities within the French asylum system. Throughout this discussion, we return to the core research question: *How do French street-level bureaucrats navigate the challenges and complexities of asylum law in their decision-making processes?*

5.1 Key Findings

A central empirical finding from the analysis concerns the application of Dublin III Regulation by OFPRA. As discussed in the analysis, the Dublin system determines which state is responsible for examining an asylum claim, as well as structuring the workload, timelines, and discretionary space of French SLBs. By the end of 2023 over 36,900 applicants in France were in a Dublin procedure, with nearly 16,200 having been “re-channeled” from Dublin cases into normal examination after failed transfers or legal appeals (OFPRA, 2024). Despite this, the number of actual transfers remains below 3,000 per year, and the backlog of unresolved cases continues to grow.

This disconnect is more than a technical failure; it reflects broader issues of multi-level governance and the persistent implementation gap (Blau, 1955; Dallara & Lacchei, 2021). The Dublin III framework assumes a level of inter-state cooperation and administrative efficiency that is rarely achieved in practice. Instead, what emerges is a space where national agencies like OFPRA must navigate institutional pressures while following regulations. This is what Bourdieu (1990) calls the bureaucratic field, in which agents develop practical norms to cope with system contradictions (Scott, 1998).

While the EU sets harmonized rules, implementation is shaped by national law, and the daily judgement of SLBs. The Dublin III system, created to ensure efficiency and clarity, often results in procedural limbo, uncertainty for applicants, and increased administrative burden. OFPRA officers must routinely reject or postpone claims assigned to other states, only to later process them when transfers fail or are overturned, adding another layer of pressure on staff and resources.

Another important finding from the analysis is the internal organizational pressures that shape decision-making. OFPRA agents report very high caseloads and strict time targets, combined with inadequate support. Notably, in October 2023, roughly 200 OFPRA staff out of a total of about 1,100 employees went on strike to protest the numbers policy that emphasized faster processing at the expense of careful review (Sud Ouest, 2025; Aoudia, 2024). The majority of these strikers were protection officers and case workers, namely, the SLBs whose discretion and judgement are central to the system's functioning.

This shows how managerial demands for speed conflict with case complexity. In addition, agents face chronic resource shortages. For instance, a lack of qualified interpreters complicates interviews. The Asylum Information Database notes that interpretation quality in France “can vary significantly,” with asylum-seekers reporting “approximate translations” or even instances of interpreters laughing or interjecting (Forum Réfugiés, 2024). When no interpreter is available, interviews can be invalidated by the courts (Forum Réfugiés, 2024). Finally, agents describe the emotional and cognitive toll of their work. Processing traumatic stories under time pressure leads to stress and risk of burnout. Although we lack direct survey data on burnout, this aligns with SLB theory that under heavy strain, SLBs are prone to exhaustion and develop coping strategies (Lipsky, 1969).

5.2 Revisiting Street-Level Bureaucracy in OFPRA

Seen through the lens of SLB concepts, our findings reveal how OFPRA officers exercise discretion, coping, and moral judgement in practice. The CEAS framework, including its procedural, reception, and qualification directives, is intentionally broad and somewhat aspirational (Dallara & Lacchei, 2021), leaving much to national discretion. In line with Lipsky's insight, agents fill in these gaps in concrete ways. For instance, when an asylum seeker's credibility is hard to assess due to lack of documents or language barriers, agents choose how strictly to apply the rules. This is especially visible in the Dublin context, where cases are often re-channeled after months or years in limbo, and documentation is inadequate or contradictory. Frontline bureaucrats then often reinterpret policy creatively to make their daily operations run more smoothly and resolve ethical dilemmas (Ekstedt, 2023).

This creative reinterpretation can be understood as playing with the rules (Bourdieu, 1990), a practice that is not unique to French administration but is particularly visible in contexts of high

ambiguity and weak oversight (Dupuy & Thoeing, 1985). Even in highly hierarchical systems, bureaucratic actors at the street-level develop arrangements and informal routines that allow them to exercise agency and adapt policy to local realities. These bureaucratic games are not simply acts of resistance, but are integral to the functioning of the state, especially when the “left hand” namely the SLBs must operationalize the often-contradictory goals set by the “right hand”, namely the central authorities (Blau, 1955; Bourdieu, 1993).

In the podcast episode, the two OFPRA agents mentioned that they routinely identify clear versus borderline cases, prioritizing limited resources and assigning different levels of scrutiny (France Culture, 2025). These are classic examples of coping strategies, namely, rules of thumb, routinized scripts, and informal shortcuts that manage high caseloads (Dallara and Lacchei, 2021). For example, agents might use standardized interview questions or expedite obviously groundless claims, effectively limiting demands on time. Dallara and Lacchei’s (2021) study of Italian asylum judges found that coping mechanisms take two main forms: (1) organizational routines and patterns that distribute workload, and (2) adjustments in how each worker views their own role, narrowing the scope of their tasks. Though I did not directly observe OFPRA’s full internal routines, our data suggests similar patterns where officers have to gather evidence and draft reports, and mentally delegate or delay difficult cases when under deadline pressure. These “routines and stereotypes” help agents “limit demands on time and resources” (Dallara and Lacchei, 2021), but also risk oversimplifying complex claims.

5.3 Discretion in Practice

Discretion is essentially connected with morality at the street level. As Lipsky and later scholars note, when agents decide someone’s fate, in our case, the right to protection, they inevitably draw on personal values and empathy. The podcast interviewees remarked on the tension between legal criteria and human considerations, where one former officer personally felt that an applicant “deserved” protection on humanitarian grounds, even if the law does not strictly compel it (France Culture, 2025). This resonates with the experience of Dublin cases, where officers must often make decisions after long procedural delays, with limited or ambiguous evidence. This goes well with broader findings in the literature that SLBs make judgements and assessments in part as moral agents (Ustek-Spilda, 2020).

For instance, Brodtkin argues that managerialism often pushes workers to weigh speed over need, favoring throughput over substantive justice (Breidahl and Brodtkin, 2024). In our case, some agents felt pressured to prioritize quotas, which sometimes clashed with the guideline to examine everyone thoroughly. The staff are caught between needing to hit numerical targets and wanting to do justice to each story. This moral struggle, whether to strictly follow the rules or to bend them slightly for a humane outcome, is an important characteristic of SLB practice (Maynard-Moody & Musheno, 2003).

Importantly, this struggle is not only a matter of personal ethics, but it is rooted in the very structure of the state. As Bourdieu (1993, p. 222) describes the “right hand” of the state which consists of central policymakers, set quotas and targets, while the “left hand” including the SLBs, must implement them in messy, real-life conditions. This division often leads to contradictions that agents must navigate. In response, they develop implementation tricks, which are informal practices that reconcile rigid policies with complex human situations (Bourdieu, 1993). These discretionary choices are not failures, but necessary options that show how SLBs not only apply the law but also reshape it.

Ultimately, as stated by Mr. Auber, a CNDA official during our semi-structured interview, *“it is not possible to know the pure truth. To know the truth is impossible because you often have in front of you someone with a life story that cannot be proven with something other than what he is saying to you. The OFPRA and CNDA’s role is to believe or not believe the asylum seekers, based on all their knowledge on the country situation, their training, the clarity of the story, and the answers to the questions they ask”*. This statement captures the epistemic and moral core of discretion in the French asylum system, especially under Dublin, where the “truth” is often inaccessible and the agent’s judgement is paramount.

5.4 Multi-Level Governance and Structural Tensions

The MLG perspective helps situate these dynamics in the broader policy environment. European asylum policy, namely the CEAS, sets general principles but gives member states considerable room to interpret these laws (Dallara & Lacchei, 2021). For instance, while Dublin III assigns responsibility, it relies on Member States’ cooperation and national procedures for actual transfers. The French case shows that the Dublin system, despite its harmonization goals, produces significant variability and procedural limbo.

Our findings show how EU rules are filtered through French institutions. At the legislative level, France may transpose directives differently than its neighbors, affecting OFPRA's mandate. At the judicial level, national courts interpret EU norms, thus a supranational rule does not determine outcomes without mediation, rather, national actors such as ministries, courts and bureaucrats fill in the gaps. The asylum reception is a "playing field" of competing frames across levels (Campomori & Ambrosini, 2020). This is evident in France, where NGOs, local authorities, and prefectures each have their own priorities which can conflict with OFPRA's official procedure. An external constraint like the Dublin rule can play out very differently on the ground depending on these interactions. In practice, OFPRA agents sometimes encountered cases where Dublin was technically applicable but practically unenforceable, such as Italy's suspension of transfers, requiring them to exercise discretion instead (OFPRA, 2019).

These findings show that asylum policy is not only a top-down process, instead, it is shaped by many different actors, especially the SLBs. Frontline workers often play a big role in shaping how policies work, and when the those who made these rules are far removed from those applying them, informal practices, bureaucratic games appear, especially in complex systems like EU asylum governance (Dupuy & Thoenig, 1985; Lipsky, 1980; Bourdieu, 1993).

This is especially visible at OFPRA where officers interpret the Dublin III Regulation, adjust it, and sometimes push back against it. For instance, they often shift cases from the Dublin procedure to the regular national process, even when official rules would say otherwise (OFPRA, 2020). These decisions reflect concerns about fairness, practicality, and human needs. This kind of decision-making relies on practical sense and judgement shaped by experience and social cues, not just rules (Bourdieu, 1990). Moreover, in multi-level systems like the EUs where laws are made at one level and applied at another, there is a lot of room for local interpretation.

Vertically, EU, national, and local players interact, where the EU defines Dublin, national law imposes deadlines and protection criteria, and local offices handle interviews. Horizontally, within France, multiple agencies such as OFPRA, courts, and NGOs coordinate, or sometimes clash, in implementation. For instance, agents reported relying on local associations for medical or psychological assistance when needed, even though that is outside OFPRA's remit. This exemplifies how asylum implementation is not a linear top-down process but a negotiated multi-actor process, exactly the kind of complexity discussed by MLG theory (Campomori & Ambrosini, 2020; Dallara & Lacchei, 2021).

5.5 Implications for Policy and Theory

The importance of our findings lies in how they reshape our understanding of asylum implementation. Rather than a purely top-down process, asylum policy in practice is co-constructed by SLBs on the ground. The SLB perspective helps explain why two asylum seekers with similar cases might receive different outcomes depending on which officer hears them. Discretion and coping mechanisms are the normal mode of administration when rules collide with reality (Ustek-Spilda, 2020; Dallara & Lacchei, 2021). For policymakers, this means that the design of asylum laws and targets must account for street-level conditions. For example, setting ambitious processing-time goals without increasing staff or interpreter capacity may provoke strikes and degrade protection quality (Forum réfugiés, 2024). Likewise, EU legislators should recognize that broad directives leave so much to national implementation. If Europe wants uniformity, it must either tighten the rules or invest in EU-level capacity, such as more support for agencies like Frontex or the future EU Asylum Agency.

Theoretically, these results confirm and extend SLB insights into the migration domain and show that playing with the rules and bureaucratic games are structural features of complex systems (Blau, 1955; Bourdieu, 1990). The contribution here is showing this in the French context, where national law and EU obligations intersect. It also nuances MLG theory by highlighting that asylum governance involves not only intergovernmental bargaining as in classic MLG, but also street-level adaptation. In other words, policy “battlegrounds” exist not only between cities and states, but also between abstract law and the realities on the ground (Ekstedt, 2020).

Briefly, this discussion shows that understanding asylum policy requires looking beyond statutes and agendas. The lived reality of implementation, shaped by OFPRA agents’ discretion, coping mechanisms and moral voices, is an essential part of the picture. Our findings underscore that the human element at the frontier of government profoundly shapes outcomes. As one interview in the podcast mentioned, asylum law “comes alive only when someone has to apply it every day”. Recognizing this can lead to more realistic policies such as adequate staffing, training and support for agents as well as interpreters, monitoring not just the number of cases but the decision quality, and channels for agent feedback. It also strengthens our theories by illustrating how SLB and MLG concepts intersect by showing that the asylum system is neither monolithically “EU” nor purely “bureaucratic,” but a complex, layered ecosystem where SLBs matter as much as high-level rules (Ekstedt, 2020; Ustek-Spilda, 2020). Ultimately, these insights remind us that

frontline experience must inform both policy design and scholarly models of migration governance.

5.6 Unexpected Findings

Some results went against initial expectations. For example, one might assume that the new 2023 French asylum law, which tightened criteria, would sharply lower grant rates. However, the data showed that OFPRA's recognition rate, about 31%.4 in 2023, remained like previous years (Delbos & Charre, 2024). This suggests that officers may already have been applying restrictive interpretations prior to the reform, or that they are compensated by being more tolerant in borderline cases. Likewise, although performance targets threaten to induce a speed over quality focus, the interviewees from the podcast insisted they were still given room to slow down on difficult files. In one case, an interview recounted allowing several appeals to proceed to ensure fairness, even though a faster closed-list approach might have been justified by the numbers. One possible explanation for this act is variation in individual discretion. Some agents feel morally compelled to prioritize protection, especially for vulnerable applicants, while others feel more pressured from management.

Another unexpected insight was that OFPRA staff often showed solidarity and support to their colleagues in coping with stress, something that I did not predict but which was discussed in the podcast interview. For instance, teams sometimes reorganize themselves informally to help a colleague catch up. Such collegial coping can mitigate the hardness of managerial pressure and may explain why outright rule-bending was less common than feared.

5.7 Comparing French Findings to Other EU Contexts

The use of discretion applied by OFPRA officers when, for instance, applying the Dublin III Regulation is common in other EU countries. Research from Italy (Dallara & Lacchei, 2021) and Germany (Böcker & Havinga, 1997), two of the largest asylums receiving countries, show that frontline workers in those countries also create informal routines to deal with confusing or conflicting policies. In Italy, for instance, the judges and asylum caseworkers often bend procedural rules to make room for humanitarian concerns, especially when vulnerable people are involved. This is partly because of Italy's legal tradition, which allows for a certain flexibility in administrative practice, and partly due to a response to chronic resource shortages and the high

volume of complex cases. In Germany, the application of asylum varies from one region (Bundesland) to another. This is due to the country's federal structure, which allows high autonomy to regional authorities in the administration of asylum procedures (Böcker & Havinga, 1997; Rosenberger et al., 2018).

However, the French context stands out in a way that France has a very centralized state, but also a strong tradition of informal arrangements inside the bureaucracy. This means that while the rules come from the top, there is a habit of bending them in practice. This is evident in OFPRA's strike in 2023, where officers pushed back against unrealistic workload expectations, something that is less commonly seen in countries with more decentralized systems. Another unique feature is the country's legal systems such as Conseil d'État¹² and the CNDA regularly reviewing asylum cases and setting legal precedents. These rulings influence how much room for interpretation OFPRA has and what counts as an acceptable amount of discretion. They are in constant conversation, shaping how the rules are interpreted and applied.

Ultimately, all EU countries face the same tension of trying to apply a common EU policy such as the Dublin III Regulation in very different national settings. But how this tension plays out depends on the local institutions, legal traditions, and the daily practices of the SLBs.

5.8 Risks of Discretion

One major risk of discretion is fairness. When different officers make different decisions in similar cases, it leads to inconsistent outcomes. Two asylum seekers with nearly identical asylum claims might get very different results depending on who handles their cases. This variation leads to unfairness to applicants and undermines their trust in the system.

Another issue is accountability. Discretion gives SLBs the ability to show compassion and good judgement, but it can also make it unclear who is responsible when things go wrong. If an applicant is denied asylum in a questionable way, it is hard to know whether to blame the individual officer, their manager, or the policy itself. In some cases, discretion is used to finish the heavy workload, rather than to serve justice. Over time, this can shift discretion from being a strength to being a coping strategy for a system under pressure.

¹² State Council

Finally, when everything depends on informal practices and personal interpretation, it reduces the public trust in the asylum system. If decisions seem random or overly influenced by individual beliefs rather than rules, both the public and asylum seeker can see the process as unfair and inconsistent. These bureaucratic games make the system more flexible, but they also risk making it look illegitimate (Blau, 1995; Bourdieu, 1990).

5.9 Future Research

Future research could take several directions to deepen and broaden our understanding of SLB and asylum governance in France and across the EU. First, comparative research across EU member states could identify which practices are specific to the French context and which reflect broader patterns in the implementation of CEAS. A cross-country ethnographic approach could highlight how national legal traditions, administrative cultures, and political pressures shape discretion and coping strategies among SLBs.

Second, quantitative studies could help assess the broader prevalence and impact of the practices described in this study. For example, connecting asylum outcomes to variables such as agent or judge demographics, training duration, or team composition could reveal systemic patterns in discretion and bias. Similarly, such data could illuminate whether agents adapt their practices in response to new legal frameworks. A key area could include investigating whether the 2023 French immigration law, which aims to fasten the asylum procedures, has changed daily practices, or whether bureaucrats maintain previous routines under new legal timelines.

Another important step would be to examine the role of interpreters, who are vital intermediaries in the asylum process. Interpreters are frequently exposed to the same emotionally intense stories as agents, yet they receive little formal training in handling trauma or in the high-stakes nuances of legal and cultural translation. Misinterpretations, sometimes due to a lack of preparation or contextual awareness, can lead to severe consequences for asylum seekers, affecting both the perceived credibility of testimonies and final decisions. Future research could investigate interpreters' training, work, conditions, and their awareness of the legal and emotional weight of their role, thus illustrating another under-discussed layer of this bureaucratic apparatus.

Finally, future studies could explore the influence of external actors, including civil society organizations, lawyers, and migrant communities, on OFPRA's decision-making and practices. This would allow us to better understand how advocacy networks, legal aid providers, and

community-based support systems interact with bureaucratic structures, which would improve our understanding of the multi-level governance, showing not just how power is exercised from above but also how it is negotiated from below.

Chapter VI- Conclusion

This thesis set out to understand how French SLBs, specifically OFPRA protection officers, navigate the complexities of asylum law in their daily work. The research shows that these frontline officials are not only executing policies but actively interpreting and mediating the law. Especially under the Dublin III Regulation, OFPRA officers exercise substantial discretion, making judgements about individual cases in a landscape where legal rules are often multiple, competing, and ambiguous.

In practice, this means that officers balance the strict requirements of the law with the realities and needs of the asylum seekers before them. They sometimes stretch or adapt guidelines to ensure that vulnerable individuals are not left behind, even as they face high workloads, resource shortages, and the emotional weight of their decisions. Challenges such as backlogs, understaffing, and interpreter shortages shape the very nature of decision-making and lead to moral strain as every decision can alter the course of someone's life.

The findings confirm that, as SLB theory suggests, frontline agents develop informal practices and coping mechanisms to manage these demands. They routinize cases, prioritize workloads, and at times, must make deeply personal moral choices. MLG theory further discusses how the interplay of EU and French policy laws creates both opportunities and gaps in implementation, leaving much of the system's real work in the hands of SLBs.

Taken together, these findings reveal that the everyday realities of asylum administration are more complex, negotiated, and human than formal texts of law might suggest. In exploring what it means to be "Inside the Machine" and the lived world of French asylum policy administration, this paper reveals that OFPRA officers are the living interface between policy and people, constantly navigating the tension between legal mandates and the unpredictable needs of those seeking protection.

This paper demonstrated that the effectiveness and fairness of asylum policy ultimately depend on the capacity of frontline workers to exercise judgement under pressure, adapt to shifting circumstances and uphold both procedural standards and humanitarian values. The gap between policy intent and practice is not only a sign of failure, but a reflection of the system's reliance on human agency and professional discretion.

Looking ahead, meaningful reform of asylum systems must begin by recognizing the central role of SLBs. policymakers should engage directly with those on the front lines, ensuring

that new rules are informed by practical realities and supported by enough resources and training. By bridging this distance between legislative ambition and administrative practice, we can hope to create an asylum system that is both effective and just. Ultimately, this research calls for a renewed focus on the human dimension of migration governance. By attending to the lived experiences, dilemmas, and professionalism of frontline bureaucrats, and by truly looking “inside the machine”, we gain fuller understanding of how policy is truly made, and how it might be improved for the future.

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