

## >EXPLAINING THE FAILURE TO CREATE A COMMON EUROPEAN IMMIGRATION AND ASYLUM POLICY

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**Abstract:** Common European immigration and asylum policy became completely “supra-nationalized” since the Lisbon Treaty entered into force, although “substantive” asylum policy still remains firmly in member states hands. This paper questions on the main reasons leading to the failure of complete integration of immigration and asylum policy, and why supra-nationalization of “substantive” asylum policy-making is not preferred by member states. The empirical part of the paper uses the framework of political economy of institutional integration in the field of immigration and asylum policy, where the trade-off between economies of scale and heterogeneity costs is investigated. Thus, it is of relevance to investigate the level of homogeneity or heterogeneity in preferences over this policy, the potential existence of scale economies when delivering this policy, and the rival and non-rival nature of this policy from the perspective of public goods theory. Assumptions are: (a) immigration and asylum policy is experiencing rather large heterogeneity of preferences among EU member states; (b) integration of this policy would deliver significant scale economies in the implementation; and (c) this policy is characterized with some amount of rivalry and excludability in certain circumstances. The results suggest that common asylum and migration policy faces heterogeneous preferences among member states, and there is a lack of evidence on the existence of scale economies. These findings explain the failure of common immigration and asylum policy, since the area of irregular migrations exhibits pressures for policy-making at the lower levels of governance, as we are dealing with a club good. Furthermore, these factors also explain the existence of various regional or national approaches taken by (some) member states concerning the immigration and asylum policy, as this area of migration needs different type of cooperation, where more regional type of cooperation is envisaged. This is further supported by the emergence of some “cluster-based” and “regional” initiatives of some member states. These states are often combining voice and exit on the existing policies and policy-making, and thus signaling the potential emergence of some limited form of “contested multilateralism”. This helps explaining the current existence of the afore-mentioned incomplete institutional setting and asymmetrically integrated immigration and asylum policy.