

# *The Role of Deconcentrated State Administration in Migration and Integration Affairs: A Way Forward*

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In terms of academic research, the vast majority of papers on migration have focused on state-level, and more recently on European-level policies, while migration and integration policies have rarely been examined from the perspective of state administration in the territory. This paper attempts to take a step towards filling that gap by analysing the contemporary development, roles, and organisation of deconcentrated state administration and investigating the role of deconcentrated state administration in migration

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and integration policies in selected European countries. Our research shows that deconcentrated state administrations are becoming increasingly important actors in migration and integration affairs. It is argued that there are administrative–technical and interest–political reasons for the broader inclusion of deconcentrated state administration in migration and integration policies.

*Keywords:* migration, integration, deconcentrated state administration, territorial organs

## 1. Introduction

Migration, as a continuous process of movement of persons, is at the centre of political interest throughout the world. It constitutes a global phenomenon that affects nearly all countries, regardless of whether they are countries of origin, transit, or destination for migrants.

International migration may be divided into a range of different policy categories: high-skilled labour migration, low-skilled labour migration, irregular migration, international travel, lifestyle migration, environmental migration, human trafficking and smuggling, asylum and refugee protection, internally displaced people, diaspora, remittances, and root causes (Betts, 2011, p. 1). The movement of people between sovereign states entitles the state to decide who among these people shall be allowed to enter and remain in the country and who shall be refused. However, these sovereign powers must be exercised within and according to both international and national law. When migrants and refugees have settled, the state and its local units have to develop and implement different measures which will help the newcomers integrate into the new society. Therefore, migration and integration policies are closely interconnected.

States and their administration in the modern world have been allotted an increasingly higher number of tasks, including those in the field of international migration. Regulation of international migration has traditionally been a competency of the nation state (Scholten & Penninx, 2016), and migration policy is usually “under the central-state control and governed by the state’s citizenship rules and requirements” (Hepburn & Zapata-Barrero, 2014, p. 4). According to Massey (1999, pp. 307, 315), the state is primarily an organisational actor that affects the size and composition of migration flows through policy, based on several factors: strength

of bureaucracy, demand for entry, strength of constitutional protections, independence of the judiciary, and immigration tradition. The interplay of these factors influences the state capacity to restrict immigration.<sup>1</sup> However, migration is not only an important issue at the state level, as certain aspects have devolved to the sub-state level, such as integration policies (Hepburn & Zapata-Barrero, 2014). In terms of academic research, the vast majority of research on migration has focused on state-level, and more recently on European-level policies, while research on migration policies and policymaking at the local level has only started to evolve rather recently (Caponio, 2010). In addition, data are often only available at the national level; for example, data on the economic impact of migration. Although there is a still predominance of research into state-level migration and integration policies, their implementation has rarely been examined from the perspective of state administration in the territory.

State administration in the territory comprises parts of state administration whose competence is territorially limited. There is a varied terminology used to denote state administration in the territory: the Francophone group of countries use the term *deconcentrated* or *peripheral state administration*, Anglophone countries use the term *field* or *local administration*, while post-socialist countries call it *local state*, *local state power*, or *local state administration*. In this paper, the authors use the term *deconcentrated state administration*.

Traditionally, deconcentrated state administration is considered to comprise *territorial state administrative organs* (organs of state administration whose competence is territorially limited, and which are regularly determined as the first instance organs of state administration competent for general administrative affairs), *territorial administrative units* (internal organisational units of central administrative organs that in the territory perform affairs in the domain of the competences of the central organ to which they belong) and *territorial state representatives* (e.g. prefects, governors, king's commissioners, etc.). In a more recent view, it also comprises territorial organisations that possess a certain degree of autonomy within

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<sup>1</sup> Within the nation state, the structure of governance in the field of migration with regard to various levels of government will also be influenced by its political system. In the case of unitary states, the central government will formulate policies that need to be implemented at the regional and local level. On the contrary, in federal states the central government mostly just "provide[s] a generic policy framework or promote[s] the exchange of best practices at the local level" (Scholten, 2014, p. 154).

the system of state administration (e.g. territorial units of government agencies or *quangos*) (Ebinger, Grohs & Reiter, 2011).

As a rule, deconcentrated state administration pursues exclusively state administration tasks or, more precisely, those local elements of central (state) affairs which require immediate action on the territory, within local communities (Pusić et al., 1998, p. 197). In addition to local elements of state affairs, it also performs those state administration tasks which are not required to be performed on the territory, but it is in the interest of the state authorities to organise their performance through their territorial administrative bodies and units. Deconcentrated state administration can also perform tasks within the scope of local self-government units. This will be the case in countries whose local self-government units are unable to carry out their own work independently and will have to be replaced by the state to ensure that citizens may continue to use public services.

Over time, the role of deconcentrated state administration has changed from implementing state legislation and direct service provision to safeguarding the cohesion of territorial public policies, strategic planning, and coordinating different territorial actors in the performance of public affairs. The researchers suggest that the coordinative role of deconcentrated state administration has expanded even in the area of classical state administration affairs, especially in the area of security, police, and civil protection. Deconcentrated state administration should ensure that state policies are implemented uniformly and efficiently throughout state territory. This role is very important in the field of migration and integration, as those policies are usually developed at the level of the central government, but implemented at different levels of public administration, including local self-government.

Given the above, this paper centres on the following question: what is the role of deconcentrated state administration in migration and integration policies in selected EU member states? As there appears to be insufficient knowledge on that issue, this paper intends to provide a ground for future researches, as well as organisational and policy innovations in the preparation and implementation of migration and integration policies.

The paper is divided into four sections. The introduction is followed by a brief overview of the development, roles, and organisation of deconcentrated state administration. The third part provides comparative analyses of deconcentrated state administration roles in the field of migration in six EU member states. It is followed by concluding remarks.

## 2. Deconcentrated State Administration – Development, Roles, and Organisation in Modern Society

The beginning of the development of modern deconcentrated state administration can be traced to the end of the 17<sup>th</sup> and beginning of the 18<sup>th</sup> century: the period when modern states with professional administrations started to emerge. Moreover, it seems that deconcentrated state administration played a key role in state formation: the concentration of political power in a single centre required the organisation of a centralised administrative apparatus that was able to ensure the internal integration of the state (Pusić, 2006), and the most effective centralising strategy was to establish state administration throughout the territory (Hutchcroft, 2001). Furthermore, state agencies in charge of implementing state legislation and collecting taxes in the field were deemed necessary for the central state to function effectively (Fesler, 1959). Specific national features of state formation (s. Krbek, 1950; Koprić, 1998) generated different European organisational models of deconcentrated state administration and the predominant role deconcentrated state administration was given within the state system.<sup>2</sup>

The subsequent development of deconcentrated state administration is a result of different factors. Firstly, it is the result of the vertical differentiation of central state administration. The main cause of vertical differentiation (besides the widening of territorial state boundaries) is the expansion of administrative activity: “deconcentrated state organs will be more necessary if more is to be administered; if more activities are to be carried out by administrative organizations” (Pusić, 2006, p. 59). This view is supported by the historical experience of intensive state presence in the territory after the Second World War, when state engagement in the provision of public services and the redistribution of national wealth

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<sup>2</sup> Continental European countries were more preoccupied with ensuring internal integration than Great Britain and other Anglophone countries. That is why they sent forth into the territory their representatives working on behalf of the Ministry of the Interior and gave them broad powers in relation to non-state actors in the territory, emphasizing their role in integrating local self-government in the united system of state power. On the other hand, local self-government in Great Britain developed relatively independently of the central state. There was no state representative in the territory representing the whole of central administration influencing the local self-government system; instead, there was only a network of territorial administrative units executing administrative tasks on behalf of their parent ministry (Fesler, 1962).

was most prominent (Smith, 1967). The value that guided the organising of deconcentrated state administration, especially in providing services such as education, health, social security, pensions, and the like was equity: unlike local self-government, deconcentrated state administration ensures a uniform implementation of national norms and guarantees that citizens will have the same quality of public services no matter which part of the state they live in (Sauvé, 2010). Secondly, the rise of deconcentrated state administration reflected the need to render the state administrative activity more efficient. The transfer of state activity to territorial organs enabled the central administration to concentrate on policymaking while simultaneously locating executive activities at those territorial levels where their performance was most efficient. It also led to cost reduction, greater flexibility, and better decision-making due to a familiarity with local circumstances (Cross, 1970).

These are the two roles of deconcentrated state administration: the *integrative role*, aimed at ensuring the integrity of the territorial system of administration and the *implementing role*, aimed at ensuring the execution, preparation, and implementation of state regulations within the territory. However, contemporary development of society and public administration has changed the position of deconcentrated administration in territorial governance. The democratisation of society has led to a reduction of state intervention in the local self-government system. The various forms of influence deconcentrated state administration used to have in relation to local units are nowadays considered to be unacceptable, which has consequently led to a diminished integrative role of deconcentrated state administration in modern democratic countries (Marcou, 2000). Furthermore, the processes of decentralisation and regionalisation have shifted responsibility for public affairs from state administration to local and regional self-government units. Deconcentrated state administration has thus been redirected from implementing state legislation and direct service provision to ensuring the cohesion of territorial public policies (Bjørnæ & Jenssen, 2006) and the coordination of local self-government units, as well as other territorial actors (the civil and private sector) in the performance of public affairs and strategic planning in order to achieve more highly integrated territorial governance (Marcou, 2000). The implementing role of deconcentrated state administration has begun to diminish and the new, *coordinative–strategic role* of deconcentrated state administration has started to develop.

While the integrative role rests on political values and the implementing role on legal values, the coordinative–strategic role of deconcentrated state administration rests on social, economic, and ecological values,

and is aimed at stimulating social development through the integration of different actors in the performance of public affairs in the territory. The roots of the coordinative–strategic role stem from the different powers territorial state representatives were given in relation to the territorial administrative units of other ministries at the very beginning of the development of territorial state administration (Fesler, 1962). As state activity in the territory grew throughout its historical development, the territorial state representatives' coordinative powers broadened (Ridley, 1974) and some ministries started to organise territorial administrative units solely in charge of coordinating their services at lower territorial levels (Cross, 1970). The distinctive characteristics of the three roles of deconcentrated state administration are shown in Table 1.

Table 1: *Roles of deconcentrated state administration within the political-administrative system*

Char-acteris-tics	Role of deconcentrated state administration		
	Integrative	Implementing	Coordinative–Strategic
<i>Goals</i>	Ensuring the integrity of the territorial system of administration	Ensuring the execution, preparation and implementation of state regulations in the territory	Stimulating social development
<i>Tasks</i>	<ul style="list-style-type: none"> <li>– Representation tasks of the state representative in the territory</li> <li>– Communication and mediation between state and local government</li> <li>– Performing political functions in local self-governing units</li> <li>– Performing administrative tutelage over local self-government units</li> <li>– Assistance/ substitution of local self-management units in local affairs</li> </ul>	<ul style="list-style-type: none"> <li>– Implementation of state regulations in the territory</li> <li>– Performing administrative and inspectional oversight</li> <li>– Monitoring the situation and reporting to the central government on the situation in the territory</li> </ul>	<ul style="list-style-type: none"> <li>– Coordination of regional administrative units in the territory</li> <li>– Coordination of territorial state administration with non-state actors in the territory</li> <li>– Strategic planning</li> </ul>
<i>Values</i>	Political	Legal	Economical, ecological, social

Source: authors

Even though this trend is more clearly visible in other administrative areas, it seems that the coordinative–strategic role of deconcentrated state administration is growing stronger even in the area of classical state administration affairs, which represent the greatest part of deconcentrated state administration activity,<sup>3</sup> especially in the area of security. Namely, academic research suggests that the emphasis on deconcentrated state administration activities in this area now lies in the design of security plans and the coordination of various actors in managing crisis situations, and less so in the ad hoc actions of executive character (CoE, 2015). This conclusion will be tested in the field of migration and integration in the third part of this paper.

## 2.1. Organisation and Roles of Deconcentrated State Administration in EU Member States

In EU member states there are four institutional variants of organising the performance of state affairs in the territory: the delegated affairs model, the functionally fragmented model, the personally integrated model, and the organisational integration model. In the *delegated affairs model* there are no state administrative bodies in the territory and state administration tasks are carried out by local self-government units. In the other models, state administrative tasks are carried out by state administrative organisations: in the *functionally fragmented model* by the territorial administrative units of central state bodies that operate separately in the territory; in the *functionally fragmented model* by the territorial state representative and territorial administrative units in relation to which the territorial state representative has certain powers (whether organisational, financial, functional, supervisory, or coordinative), while in the *organisational integration model* all state administrative tasks are performed by a single territorial

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<sup>3</sup> The questionnaire taken by the European Association of State Territorial Representatives (EASTR) on the self-perception of the territorial state administrative organ that performs the majority of state affairs in the territory regarding its role in certain administrative areas has shown that deconcentrated state administration in European countries is still predominantly preoccupied with classical affairs of state administration. Within this group of tasks, civil protection and keeping state registers are recognised as affairs in which deconcentrated state administration plays the greatest role (EASTR, 2015). Also, recent research conducted by CoE suggests that the core functions of modern deconcentrated state administration are those related to ensuring internal security (in case of natural or industrial disasters or any other event that may endanger state security and the security of citizens) (CoE, 2015).

state organ (s. more in Lopižić, 2017). The majority of EU member states (12 including Croatia) have adopted the model of organisational integration, mostly as a result of recent territorial reforms aimed at modernisation, simplification, and better coordination within deconcentrated state administration, more efficient and effective territorial administration, the improvement of deconcentrated state administration relations towards the citizens and the private sector, and a clearer division of responsibilities between deconcentrated state administration and local self-government (OECD, 2015).

It may thus be assumed that the model of organisational integration is the organisational variant that best suits the realisation of the coordinative–strategic role of deconcentrated state administration. Not only does this model ensure the integrated action of state administration within the territorial unit, it also facilitates communication and cooperation of deconcentrated state administration with local self-government and other actors in the territory (the civil and the private sector) when performing public affairs (OECD, 2015). Furthermore, it is to be expected that the territorial state organ has greater organisational capacity; it employs public servants with different backgrounds who can offer innovative solutions to wicked public problems and has greater financial resources at its disposal. In the end, the territorial state organ has a broader perspective to consider and decide upon problems that may arise in the territory; its approach is holistic as opposed to the approach of administrative units that are preoccupied only with individual tasks (Spencer & Mawson, 2000).

### 3. Comparative Analysis of Deconcentrated State Administration Roles in the Field of Migration and Integration

#### 3.1. Institutional Framework of Migration and Integration Policies in EU Member States

Migration and integration policies are dispersed over various levels of government: the national, regional, and local level, and in the case of EU member states and candidate countries the EU level as well. Traditionally, migration policies and the regulation of international migration, as well as integration policies, have been a competency of the nation state, as these *national policies* are often strongly correlated with ideas about

national identity (Scholten & Penninx, 2016, p. 92). Rather recently, *EU policies* in this field have started to evolve: migration policies emerged as a European field of policymaking only with the 1992 Treaty of Maastricht and today several EU-wide policies are in place in a wide range of migration-related areas, including the admission of family and labour migrants, the reception of refugees, border control, the return of irregular migrants, and the integration of third-country nationals. With regard to *regional and local levels*, their policy competencies in the field of migration are usually limited, but they do have policy interests in this area and are becoming important actors in policy implementation. In terms of integration policy, however, a sharp “local turn” in policymaking has been noted in many EU member states (Scholten & Penninx, 2016; Hepburn & Zapata-Barrero, 2014).

At the national level, the key institutions in EU member states involved in migration policy formulation usually include three main types of ministries: the Ministry of the Interior (and related variants), the Ministry of Labour (and Social Affairs), and the Ministry of Foreign Affairs. In the vast majority of member states, the Ministry of the Interior is usually the “leading” institution for migration policy development. In some member states (e.g. Austria, Belgium, Germany, Portugal, and Sweden), the responsibility of policy formulation is allocated to the whole of the government to the extent that the cabinet adopts draft legislation or policies developed by a specific “leading” ministry. Some member states have a lower degree of policy centralisation and some aspects of policy formulation have been decentralised to regional or, in the case of federal states, to state levels. Member states with a federal structure (Austria, Belgium, and Germany) are more likely to have a certain degree of political or policy formulation infrastructure at the regional level. Integration policy is either an integral part of the responsibility of the relevant ministries or is handled by a separate ministry, while the implementation of integration measures tends to be managed in a more decentralised way, within the competence of local and regional authorities/institutions (EMN, 2010; EIPA & ECR, 2012).

### 3.2. Deconcentrated State Administration Roles in the Field of Migration and Integration

The selection of the countries to be analysed was based on the 2010 EAS-TR questionnaire which included the self-estimation of deconcentrated

state bodies regarding their role in the area of immigration. For the purpose of this paper, the selected countries are considered to be representative cases.<sup>4</sup>

*Denmark.* In Denmark, territorial reforms aimed at strengthening local self-government were accompanied by significant reductions of deconcentrated state administration. In 2007, together with the amalgamation of communes and regionalisation, a great structural change of deconcentrated state administration was carried out: the state affairs formerly performed by the prefect (Statsamt) and territorial administrative units were transferred to five newly-established regional state offices. By the time of the latest reform, implemented in 2013, the regional state offices had been merged into a single state administrative office (Statsforvaltningen) whose competence covers the whole national territory and which has eight administrative units operating in the territory. The newest reform programs are aimed at the specialisation of these administrative units by concentrating the related state activity within a single administrative unit. This means that Denmark is on the road to reducing state activity in the territory only with regard to those affairs that require direct contact with citizens (Statsrevisorernes, 2014, p. 2). However, the administrative units of the state administrative office conduct certain affairs in the name of the Immigration and Integration Ministry as the central state body that has overall responsibility for integration and immigration in Denmark. They issue residence letters to EU/EEA citizens, are in charge of family reunification affairs under EU law, issue residence permits for foreign adoptive children, and deal with citizenship affairs.<sup>5</sup> Moreover, the state administrative office has its own representatives in the International Citizen Service, an agency operating in four major Danish cities and dealing with affairs related to helping foreigners with residence permits and registration certificates, tax forms, and social security numbers, as well as with personal guidance on job seeking, Danish courses, the Danish tax system, and more. Still, a trend towards the concentration of affairs related to immigrants and asylum-seekers may be observed because the vast majority of these affairs are performed by the Danish Immigration Service (asylum, short-term visas, permanent residence permits) and the Danish

<sup>4</sup> The outlines of the countries are based on the data available via online resources (EU Immigration Portal, European Migration Network, and web portals of national competent bodies). The limitation of this paper is that the materials and data used were only those available in the English and Croatian language.

<sup>5</sup> [www.statsforvaltningen.dk](http://www.statsforvaltningen.dk)

Agency for International Recruitment and Integration (work, green cards, au pair jobs, internships, working holidays), working under the Ministry of Immigration and Integration which has nationwide competence and uses territorial administrative units (generally police stations) only as a contact point for immigrants and asylum-seekers.

*France.* French deconcentrated state administration was reformed in 2009 as part of a broader modernisation reform of the French state administration system (RGPP). Today, it is divided into two territorial levels: the regional (with a regional prefect, his office (prefecture), and eight territorial administrative units of central ministries) and the departmental level (with a departmental prefect, his office, and two – or three in departments with more than 400,000 inhabitants – inter-ministerial territorial administrative units). Additionally, at the level of the *arrondissement* there are sub-prefects helping departmental prefects perform their tasks. As territorial units of the Ministry of the Interior, whose Office for Integration, Reception and citizenship (DAIC) is the key French national institution in migration policies, prefects and prefectures perform a great variety of tasks in the area of migrations and asylum. They are responsible for the issuance of identity papers, as well as for the implementation of rules and regulations regarding the entry and residence of non-EU citizens, supervision of traffic and road safety, and various state authorisation procedures and public investigations. Since 2009, 34 Offices for Immigration and Assimilation (Office français de l'immigration et de l'intégration; OFII) have been organised within the prefectures. The OFIIs coordinate the French asylum system and constitute the main point of contact between asylum-seekers and the government. Their main tasks are the following: management of administrative procedures in association with or on behalf of the prefecture and the representative authorities (embassies or consulates), reception and integration of migrants who are authorised to reside durably in France, reception of asylum-seekers, and return and reintegration assistance for foreign nationals. Furthermore, prefects implement tasks on behalf of the Agency for Social Cohesion and Equal Opportunity (Acsé), which operates under the guidance of the City Ministry and is in charge of the immigrant population concentrated in disadvantaged areas. In 2013 the total budget of Acsé was 319 million euros, of which 90% was spent at the local level through bureaus of regional or departmental prefects (Escarfé-Dublet, 2014, pp. 4–5). Besides prefects and their offices, some tasks related to migrants are performed by the territorial administrative units of other central state bodies that have certain authorities in migration pol-

icies. Departmental Directorates for Social Cohesion (DDSC)/ Departmental Directorates for Social Cohesion and Protection of Populations (DDSCPP), the territorial administrative units of the Ministry of Social Affairs and Health, are responsible for social cohesion: they may assist in the family reunification procedure and the reception of immigrants and asylum-seekers. Regional Directorates for Enterprises, Competition Policy, Consumer Affairs, Labour and Employment (DIRECCTE), the joint territorial administrative unit of the Ministry of Economy, Finances and Industry and the Ministry of Work, Employment and Health, issue temporary work permits and approve work and au pair contracts with foreigners.<sup>6</sup>

*Greece.* Since the reorganisation of local government structures in 2010 (the Kallikratis Programme), Greece has been divided into 325 municipalities (dimos), 13 regions (periferia) as self-governing units, and seven decentralised administrative units (apokendromeni diikisi) as state territorial administrative organs. The reform included changes to the implementation of the migration and integration policy that has now been transferred to the newly-formed decentralised administrative units. Since 2013 Directorates of Foreigners and Immigration have been established within decentralised administrative units, as one-stop-shops performing tasks on behalf of the Ministry of the Interior (responsible for asylum, migration policy, and social integration of third-country nationals, the legislative framework and procedures for acquiring Greek citizenship, and the issuance of certain types of residence permits) and the Ministry of Public Order and Citizen Protection (responsible for tackling illegal migration and border control). The Directorates provide services to migrants in relation to residence permits, citizenship, and social integration issues: they issue more than 50 categories of residence permits (e.g. employment, independent economic activity, family reunification, and the like), inform third-country nationals on issues related to immigration law, accept and respond to their applications, check the authenticity of documents, archive documents, collaborate with national courts and the police, and address similar issues. Today there are 55 one-stop-shops of this kind in Greece.<sup>7</sup> However, affairs related to asylum are isolated from their competence and assigned to 11 regional asylum offices, specialised administrative units of the Ministry of the Interior, which started to operate in 2013. Regional asylum offices are in charge of registering and finger-

<sup>6</sup> <http://direccte.gouv.fr/>

<sup>7</sup> [www.loc.gov/law/help/refugee-law/greece.php](http://www.loc.gov/law/help/refugee-law/greece.php)

printing asylum applicants, as well as accommodating the ever-increasing number of refugees.

*Italy.* The present organisation of deconcentrated state administration in Italy is a result of the reform conducted in 2012, when the territorial administrative units of Italian ministries (with the exception of finance, education, and culture) were merged with prefects' offices (prefectures) into 109 territorial state offices (gli uffici territoriali dello Stato), headed by prefects and organised at the territorial level of provinces. Since 1998 Territorial Councils for Immigration (Consigli territoriali per l'immigrazione; TCIs) have been organised within prefectures/territorial state offices in order to implement national migration policies decided upon by the Ministry of the Interior (responsible for policies related to public security and order and for guaranteeing the regular exercise of rights) and the Ministry of Integration (responsible for policies related to integration) as the key national institutions in the field of migration. The TCIs are consultative bodies chaired by the prefect, which include representatives of deconcentrated state administration, regions, local bodies, and organisations and associations involved in assisting migrants. They monitor the needs of immigrants in order to facilitate their social inclusion and coordinate initiatives for immigrants that are carried out within the provinces. They also represent a link between the centre and the periphery, which improves the knowledge system and promotes the most appropriate decisions related to economic, social, and cultural integration of immigrants (EC, 2014, p. 6). However, the lack of a separate budget and the fact that the TCIs cannot establish objectives to promote the integration of migrants makes them less influential and their success will often depend on the capacity of the local prefect to mobilise and involve partners (OECD, 2014, p. 51). Apart from the TCIs, the Single Desks (Sportello unico per l'immigrazione) within the territorial state offices deal with procedures concerning non-EU citizens, such as permission to enter for work reasons, residence permits, and family reunification. In addition, the Bureau for Non-EU Citizens at the local police headquarters deals with the issuance and renewal of residence permits and tackles irregular migration.

*Poland.* The Polish system of deconcentrated state administration is organised in terms of two territorial levels. At the regional level (voivodeships) there are state representatives (voivodes), who coordinate territorial administrative units at voivodeship level (administracja zespolona) and other territorial administrative units working outside the voivode's

competence (niezespólna administracja), while at the meso-regional level (poviats) there are territorial administrative units working within meso-regional self-governing institutions. As government representatives in the voivodeship, voivodes and their administrative offices are the key institutions in the implementation of migration policies on behalf of the Ministry of the Interior and Administration (responsible for integration policies and coordination of activities related to migration policy) and the Ministry of Labour and Social Policy (responsible for integration). The voivodes process residence permit applications submitted by non-EU citizens, work permits (in the first instance), and issue decisions on expulsion. Additionally, voivodes may process the recognition of a foreigner as a Polish citizen, if this has not been reserved for other organs (e.g. the president). Voivodes also issue decisions on the expulsion of foreigners from the territory and decisions on imposing a penalty on the carrier who has brought foreigners who do not comply with entry conditions into Polish territory. They also supervise and coordinate local family support centres in charge of implementation and orientation courses for newcomers, and cooperate with Polish local units that voluntarily develop their own integration strategies, usually by establishing joint bodies or developing joint projects (Stefańska, 2015, pp. 17–21). Voivodes also assess the conditions and efficiency of social assistance and supervise territorial administrative units in charge of social assistance. Namely, the Ministry of Labour and Social Policy has its own territorial units: social assistance centres, powiat centres for family support, and regional social policy centres that perform certain tasks related to the integration of foreigners. While regional labour offices are tasked with creating regional labour market policy, local labour offices provide various forms of support to unemployed persons, including certain categories of foreigners, and play an important role in the early stages of the procedure for employing a foreigner.

*Croatia.* Since 2001 the Croatian system of deconcentrated administration has consisted of state administrative offices and territorial units of central administrative bodies. In Croatia, the organisational model of deconcentrated state administration has been adopted: according to the Law on the System of State Administration, state administrative offices are first instance state administrative bodies that perform state affairs on behalf of different central state administrative bodies. There are 20 state administrative offices operating within counties, which constitute Croatian units of regional self-government. Even though state administrative offices should play a central role in performing state affairs in the

territory, they do not play any role in migration policies. The majority of their work is related to internal administrative affairs and, to a somewhat lesser extent, to affairs related to the economy, property rights of citizens, free legal aid, and supervision of local self-government. The affairs in their scope of competence are predominantly of an implementing nature (deciding on citizens' rights, keeping records, supervision) so it may be concluded that they have an implementing role in the Croatian system of public administration (Ministry of the Interior, 2016). It was only in 2007 and 2008 that state administrative offices issued work permits for foreigners. Since 2009 these tasks have been transferred to the Croatian Chamber of Commerce.

According to the Law on Internal Affairs, Law on Police, and Law on Police Affairs and Powers, affairs related to the supervision of the state border and affairs related to foreigners are assigned to the Ministry of the Interior. The territorial units of the Ministry of the Interior are deconcentrated state administrative units that perform affairs related to migrations in the territory. Since the 1990s the Ministry of the Interior has had its own organisational units called police departments in each county. Certain affairs of police departments are further deconcentrated in organisational units called police stations. In 2013 there were 20 police departments and 184 police stations throughout the territory. Specific affairs related to migrations are assigned to police departments and police stations by the Law on State Border Supervision, Law on Foreigners, and Law on International and Temporary Protection. Based on the Law on State Border Supervision, police officers supervise the state border, propose border areas, carry out border control, prevent and detect illegal entrance and stay of persons, and conduct registers of persons who are forbidden to enter the country. The Law on Foreigners assigns the following affairs to police departments and police stations: issuing passports and travel documents; issuing visas (in certain circumstances) and extending visas; visa annulment; granting entrance permits, temporary stay and temporary stay extension to third-country citizens; granting seasonal work permits and long-term mobility to third-country citizens; granting permanent stay permits; enforcing deportation; deciding on accommodation in detention centres or the adoption of lighter measures; deciding upon temporary postponement of deportation; deciding upon temporary residence permits for citizens of EGP countries and their families; issuing permanent stay documents to EGP citizens and their family members; deciding upon expulsion of EGP citizens; and deciding upon the rights of third-country citizens who are EU blue card holders. The affairs assigned

to police departments by the Law on International and Temporary Protection are somewhat narrower. Police departments identify special individual circumstances of asylum-seekers, receive the intent to seek asylum, decide upon detention of asylum-seekers, and issue residence permits and travel documents to recognised refugees.

With regard to the integration policy, the main coordination body is the Government Office for Human Rights and Rights of National Minorities. The Ministry of the Interior is the central point for first integration measures aimed at refugees, while the Ministry for Demography, Family, Youth and Social Policy is in charge of social assistance to refugees. The role of deconcentrated state administration has not been envisaged in the integration policy.

### 3.3. The Prevailing Role of Deconcentrated State Administration in Analysed Countries

The analysed countries have adopted different models of deconcentrated state administration and deconcentrated state administration plays different roles in their overall state systems: on the one end of the continuum there is Denmark with a highly reduced state administration in the territory, while on the other end there is France with a highly present state administration in the territory.<sup>8</sup>

The prevailing role of deconcentrated state administration in migration and integration affairs differs in the analysed countries (s. Table 2).

Table 2: *Prevailing role of deconcentrated state administration in migration and integration affairs*

Role of deconcentrated state administration	Denmark	France	Greece	Italy	Poland	Croatia
<i>Integrative</i>						
<i>Implementing</i>	x		x			x
<i>Coordinative– strategic</i>		x		x	x	

Source: authors

<sup>8</sup> In Denmark there are only 480 servants working for the state administrative office, while in France the number of public servants working in deconcentrated state administration is almost equal to the number of working in local self-government (DFAGP, 2012).

In Denmark the implementing role prevails, as deconcentrated state administration is most concerned with ensuring the implementation of legislation in the territory on behalf of the central state body in charge of migration and integration affairs. This implementing role in migration and integration affairs is in line with the general approach to deconcentrated state administration in Denmark, limiting its activities to those which require direct contact with citizens and foreigners. A similar situation has been observed in Croatia, where state administrative offices do not play any role in migration and integration affairs. The territorial units of the competent central state body do perform affairs related to migrations in the territory, but these affairs are predominantly of an implementing nature. Deconcentrated state administration does not play a role in the integration policy at all. In Greece, the prevailing role of deconcentrated state administration in migration and integration affairs is also the implementing one, with decentralised administrative units of the central state body (one-stop-shops), which provide direct services to migrants throughout the territory.

The implementing role of deconcentrated state administration includes the execution of regulations related to migration and integration formulated at the central level, with a limited level of discretionary decision-making. The actions and decisions of territorial bodies and units are subject to the hierarchical oversight of higher instances, in this case state-level ministries or agencies in charge of migration and integration (usually ministries of the interior or social affairs). Within this role the influence and the position of deconcentrated state administration in migration and integration policies is considered to be less important than it is when realising a coordinative–strategic role.

The coordinative–strategic role of deconcentrated state administration prevails in France, Italy, and Poland. In France prefects and prefectures play an important role in migration and integration affairs. Many of these affairs are related to the provision of services to foreigners. However, because some tasks are performed by the territorial administrative units of other central state bodies in charge of different aspects of migration and integration policies, prefects as representatives of the Interior Ministry and officials in charge of good administration have developed a coordinative and strategic role in order to ensure the integrity of all territorial actors that execute migration and integration policies. In Italy special territorial bodies organised within prefectures/territorial state offices perform coordination activities of migration and integration policies and thus represent a link between the centre and the provinces in realising migration policies. Similarly, in Poland voivodes and their administrative

offices constitute the key institutions in the implementation of migration policies. Even though a significant part of their work is related to direct contact with migrants and asylum-seekers, they have started to work closely with local self-government units and to develop a coordinative role in migration policies.

The coordinative–strategic role of deconcentrated state administration in migration and integration affairs is characterised by somewhat greater autonomy. As planning and coordination of different actors and cooperation with local self-government units requires greater flexibility in practice, deconcentrated state administration has greater functional, personal, and financial autonomy over the central state government. This role secures the state's unique action in the implementation of policies, but with somewhat greater flexibility in order to cope with increasingly complex public issues that transcend the boundaries of individual local units and require a coordinated response, such as in the case of migration and integration affairs. This is particularly the case at times like the migration/refugee crises of 2015 and 2016.<sup>9</sup>

In none of the analysed countries does deconcentrated state administration play an integrative role in migration and integration policies. This was the expected outcome as the integrative role is characteristic of systems where the central state government assigns territorial administrative units tasks aimed at ensuring the unity of the territorial system of governance. This role has proven to be key to the formation of national states, to safeguarding the stability of state authorities in developing countries and countries with fragile institutional structures, and to ensuring a centralist model of governance. This role is nowadays characteristic of authoritarian regimes and is considered incompatible with modern local self-government.

## 4. Conclusion

As the introductory part of this paper has demonstrated, there is substantial literature on migration and integration policies, but very little on the role of deconcentrated state administration within the field. This pa-

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<sup>9</sup> Apart from the countries analysed in this paper, such as Italy and France, the extended role of deconcentrated state administration has also been observed, for example, in Turkey (s. Beduk, 2016) and Germany (s. Hillenbrand, 2016).

per has attempted to take a step towards filling this gap. This has been achieved in the first place by presenting the contemporary development, roles, and organisation of deconcentrated state administration, and secondly by presenting research into the role of deconcentrated state administration in migration and integration policies in selected European countries. While these policies are growing increasingly challenging and have recently come to be considered the largest security challenge in Europe, it also appears that the bodies and units of deconcentrated state administration have taken on increasing importance as actors in these affairs. In the six analysed countries, deconcentrated state administration has acquired a substantial role in migration policies, which is either more implementing or coordinative–strategic in nature, independently of their different institutional characteristics (administrative tradition, degree of regionalisation, role of local self-government, and the like).

There is a correlation between the adopted organisational model of deconcentrated state administration and the role deconcentrated state administration plays in the field of migration and integration. As was expected, this role is more important in countries with stronger and more present state administration in the territory, such as France and Poland. Furthermore, it seems that countries where the personally integrated model of deconcentrated state administration has been adopted are more likely to develop the coordinative–strategic role of deconcentrated state administration in the implementation of migration and integration policies differently than was assumed in the paper. It may be supposed that deconcentrated state administration in Denmark has an implementing role because their state administrative offices are institutionally weak and do not have sufficient capacity to engage in the coordination and integration of other actors dealing with migration issues. A similar conclusion may be drawn regarding Croatian and Greek deconcentrated state administration, which is highly present throughout the territory but has a low degree of actual discretionary power and capacity to coordinate and cooperate with other actors.

Based on the arguments presented, there are several reasons for a broader inclusion of deconcentrated state administration in migration and integration policies, which will be elaborated further.

Factors that require organising public affairs in the territory may be administrative–technical and interest–political (Pusić, 1981, p. 60). While administrative–technical factors point to the need for carrying out certain public affairs in the territory, interest–political factors arise from the in-

terests that the central government would have in assigning public affairs to bodies in the territory. When Pusić's conceptualisation is applied to migration and integration policies, there are several factors, both administrative–technical and interest–political, which point to the need for a broader inclusion of deconcentrated state administration in the preparation and implementation of these policies, particularly regarding the integration of migrants and affairs of foreigners legally residing in the country. *First*, migrants are not uniformly distributed throughout the territory but tend to settle in big cities and urban areas; therefore, migration and integration policies will be implemented at the territory as opposed to state level. *Second*, integration policies, such as health, education, and employment, require contact with users of public services that provide these services to migrants and refugees. *Third*, the protection of the state border or combating irregular migrations is, due to the nature of such measures and activities, restricted to particular places, such as national borders. *Fourth*, by assigning the implementation of migration and integration policy measures to deconcentrated state administration, these policies will be implemented more effectively in the territory and will legitimise state power in the eyes of the local population. *Fifth*, the inclusion of deconcentrated state administration in migration and integration policies might ensure the uniform application of these policies and legislation throughout the state territory so that all citizens, including migrants, regardless of which part of the state territory they live in, have equally accessible public services and of the same quality. *Sixth*, it may help less developed local units to implement more effective local integration policies. *Seventh*, it may serve as a form of technical correction of the inflexibility and overburdening of central state administration bodies. *Eighth*, by handing over policy implementation, central state administration may focus on policy formulation and supervision and thus achieve better insight into the situation in the territory, which on the one hand expands the information base of central administrative bodies regarding planning and decision-making, while on the other it increases flexibility in the implementation of administrative programs and allows national regulations to be adapted to local conditions. *Finally*, deconcentrated state administration may serve as a point of coordination and integration of different local self-government and other territorial actors' initiatives, programmes, and agendas regarding migrants and foreigners, providing a certain degree of flexibility while ensuring and protecting uniformity and equity, which are principles of high importance in the implementation of migration and integration policies.

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## THE ROLE OF DECONCENTRATED STATE ADMINISTRATION IN MIGRATION AND INTEGRATION AFFAIRS: A WAY FORWARD

### Summary

*In terms of academic research, the vast majority of papers on migration have focused on state-level and more recently on European-level policies, while migration and integration policies have rarely been examined from the perspective of state administration in the territory. This paper attempts to take a step towards filling this gap by analysing the contemporary development, roles, and organisation of deconcentrated state administration, and investigating the role of deconcentrated state administration in migration and integration policies in selected European countries. Over time, the role of deconcentrated state administration has changed from implementing state legislation and direct service provision to safeguarding the cohesion of territorial public policies, strategic planning, and coordination of different territorial actors in the performance of public affairs. Deconcentrated state administration should ensure that state policies are implemented uniformly and efficiently throughout the state territory. This role is very important in the field of migration and integration, as these policies are usually developed at the level of the central government but implemented at different levels of public administration, including local self-government. Our research has shown that deconcentrated state administration is becoming increasingly important in migration and integration affairs. In the six analysed countries deconcentrated state administration has acquired a substantial role in migration policies. It is either more implementing or coordinative–strategic in nature, independently of its different institutional characteristics. Based on the arguments presented in the paper, it is argued that there are administrative–technical and interest–political reasons for the broader inclusion of deconcentrated state administration in migration and integration policies.*

**Keywords:** migration, integration, deconcentrated state administration, territorial organs

## ULOGA DEKONCENTRIRANE DRŽAVNE UPRAVE U PODRUČJU MIGRACIJE I INTEGRACIJE: PUT NAPRIJED

### Sažetak

Većina se znanstvenih istraživanja u području migracije bavi politikama na državnoj, te odnedavno i europskoj razini; stoga se migracijskim i integracijskim politikama rijetko bavimo iz perspektive državne uprave na teritoriju. Cilj je ovog rada pokušati nadoknaditi taj zaostatak analizom suvremenoga razvoja, uloga i organizacije dekoncentrirane državne uprave, kao i istraživanjem uloge dekoncentrirane državne uprave u migracijskim i integracijskim politikama u nekoliko europskih zemalja. S vremenom se uloga dekoncentrirane državne uprave promijenila, te se ona više ne bavi implementacijom državnih zakona i izravnim pružanjem usluga, već očuvanjem cjelovitosti teritorijalnih javnih politika, strateškim planiranjem i koordinacijom različitih teritorijalnih aktera u izvedbi javnih poslova. Zadaća je dekoncentrirane državne uprave osigurati učinkovitu i ujednačenu implementaciju državnih politika na cijelom državnom teritoriju. Ta je uloga iznimno važna u području migracije i integracije jer su pripadajuće politike obično osmišljene na razini središnje vlasti, no provode ih različite razine javne uprave pa tako i lokalna samouprava. Istraživanje je pokazalo sve veću važnost dekoncentrirane državne uprave u području migracije i integracije. U šest analiziranih država dekoncentrirana je državna uprava preuzela znatnu ulogu u migracijskim politikama, a ta se uloga pokazala implementacijskom ili koordinacijski-strateškom bez obzira na različite institucionalne značajke dekoncentrirane državne uprave. U radu se donose argumenti administrativno-tehničke i interesno-političke prirode za šire uvođenje dekoncentrirane državne uprave u migracijske i integracijske politike. Ključne riječi: migracija, integracija, dekoncentrirana državna uprava, teritorijalni organi