

Thesis

MSc Public Administration: Governance of Migration and Diversity

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**Knowledge Utilization in Contested Situations:
The Role of Expert Knowledge in Policy Responses to the Refugee Crisis in
Former Yugoslavia**

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List of Abbreviations

BCHR – Belgrade Center for Human Rights (*Beogradski centar za ljudska prava*)

CEDIM – Center for the Research of Ethnicity, Citizenship and Migration (*Centar za istraživanje etničnosti, državljanstva i migracija*)

CMS – Center for Peace Studies (*Centar za mirovne studije*)

FB – Faculty of Security Sciences Belgrade (*Fakultet bezbednosti Beograd*)

HDZ – Croatian Democratic Union (*Hrvatska demokratska zajednica*)

IDN – Institute for Social Studies (*Institut društvenih nauka*)

IMIN – Institute for the Research of Migration and Ethnicity (*Institut za istraživanje migracija i narodnosti*)

IOM – International Organization for Migration

KIRS – Commissariat for Refugees and Migration (*Komisarijat za izbeglice i migracije*)

MNZ – Ministry of Interior Affairs of the Republic of Slovenia (*Ministrstvo za notranje zadeve*)

MUP RH – Ministry of Interior Affairs of the Republic of Croatia (*Ministarstvo unutarnju poslova RH*).

MUP RS – Ministry of Interior Affairs of the Republic of Serbia (*Ministarstvo unutrašnjih poslova Republike Srbije*)

NGO – Nongovernmental Organization

SDP – Social Democratic Party of Croatia (*Socijaldemokratska stranka Hrvatske*)

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees

WBR – Western Balkan Route

ZRC SAZU – Research Center of the Slovenian Academy of Sciences and Arts (*Znanstvenoraziskovalni center Slovenske akademije znanosti in umetnosti*)

ZRSZ – Employment Office of the Republic of Slovenia (*Zavod Republike Slovenije za Zaposlovanje*)

1. Introduction

Modern societies are complex and are built around several highly specialized institutions, which require policy makers. Policy makers are struggling with an array of issues, some easier to solve than others, others complicated beyond measure. Their goal is to identify, elaborate the way how, and solve societal problems. They have to do this as effectively and efficiently as possible. A lot of time, preparing policy means weighing alternatives of problem definitions and problem solutions in order to come to viable solutions. How is it possible to perform appropriate and effective policy making? Many authors agree that, it is the role of expert knowledge which helps with developing the most informed decisions about policy action (Bulmer, 1993; Peters & Barker, 1993). “There is an obvious link between knowledge of and in policy: the more and better knowledge of policy, the easier it is to mobilize knowledge production for and application in policy” (Hoppe, 2005, p. 202).

For science it is important to identify factors that contribute to effective and efficient problem solving. When these factors have been identified, policy makers can look for instruments and actions that help to tackle the problem. Information and knowledge play an important role in trying to understand what the problem at hand is and what kind of action would probably work. Practically, the application of scientific information and rational methods of decision-making are considered as a means for effective and efficient policies, especially if we talk about evidence-based policy making (Sedlačko and Staroňová, 2015, p. 13).

Expert knowledge from social sciences contributes to policy and practice, “but the link is neither consensual, nor graceful or self-evident” (Rein, 1976). The influence of research on policy can help and overcome the “disenchantment with the usefulness of social research that has afflicted those who search for use only in problem solving context” (Weiss, 1979, p. 430). But the link between research and policy is, a lot of time not so clear, and there are doubts on whether knowledge can be utilized efficiently, or whether one can even talk about knowledge utilization in order to solve societal issues. What kind of knowledge—and respective research—is needed to adequately take into account complexity and uncertainty?

There have been studies around the idea of for what purpose knowledge is utilized inside policy (see Boswell, 2009). The role of every social scientist is to create knowledge. How is knowledge utilized in policy? How does the utilization of knowledge change in highly contested situation? It is extremely important to pose questions about the utilization of knowledge, since this carries with

it the importance of scientist and their ability to provide policymakers with evidence and solutions for societal problems.

This research is a study of what role knowledge utilization plays in the countries of former Yugoslavia, Slovenia, Croatia and Serbia, when it comes to policy responses to the refugee crisis of 2015/2016. Throughout this thesis, the research will focus on what types of knowledge utilization produce the type of policy responses to the refugee crisis. The results, although contrary to theory, point out that in times of contestation, such as was the refugee crisis, the knowledge utilization was not greatly impacted. The substantiating nature of knowledge utilization points to a deeper dysfunctionality in the relationship between research and policy, which hinders the instrumental evidence-based policy making inside the countries of former Yugoslavia. This is due to the nature in which policy is made. Usually the policy making is politicized, to an extent that is beyond the reach of adjusting with research, and it makes hard for the addition of quality knowledge in constructing practical solutions to problems, especially when it comes to migration and dealing with non-citizens. The research will show that this indeed is the case in former Yugoslavia.

1.1. Research Question

In this thesis, the main point of interest is the question on how knowledge is concentrated in the area of the management of the flow of refugees in the refugee crisis of 2015/2016 in the countries of former Yugoslavia – in Slovenia, Croatia and Serbia. The main goal is to see how knowledge in contested situations affects the policy. The main research question of this thesis is:

“What role did knowledge play in the policy responses to the refugee crisis of 2015/2016 in Slovenia, Croatia and Serbia and how can this be explained?”

To be able to thoroughly examine the link between knowledge and its use in times of crisis, and subsequent policy responses (or absence of policy responses), a few sub-questions are of importance:

- *Which type of policy responses are derived from the influence of research on the policy makers?*
- *What kind of knowledge is used?*

- *Why do certain patterns of knowledge utilization emerge?*

The goal of this study is to empirically evaluate the processes of knowledge use in policy in contested situations, and the way, how knowledge influences the policy responses in such times of crisis. It is supposed to provide recommendation for the policy makers and researchers themselves on how to find the best possible way to improve the delivery of much needed and best knowledge for the solution of contested policy problems. This involves making sure that the knowledge is utilized in a way, that is sensible, all-encompassing and instrumental in one way or the other in order to solve pressing policy issues. To do this, this thesis takes a comparative case study approach of three former Yugoslav countries – Slovenia, Croatia and Serbia, within a limited time-period, which is contested – the refugee crisis of 2015/2016, in which the policy makers in the countries had to react.

1.2. Outline of the Thesis

After this introductory chapter, the thesis will be spread out into parts, which logically follow one another in order to examine the role of knowledge in policy responses to the Refugee crisis of 2015/2016 in former Yugoslav republics of Slovenia, Croatia, and Serbia. Firstly, the theoretical framework will grasp the theories which link policy and knowledge. The relationship is somewhat complicated and needs clarification. This relationship is also the departure point for the thesis, as explaining the use of knowledge in policy responses needs, firstly, the definitions of main terms of this thesis and the way the solution to the research problem is approached.

In Chapter 2, it will be shown where the thesis draws upon the theoretical literature. The main theory is based in knowledge within policy, policy learning, policy change, which represent the responses, and follows with the idea of knowledge utilization, which is a departure point for the explanation on the relationship and interplay between knowledge and policy. Following the introduction to the theories, are the hypotheses, or expectations of the research. They present the culmination of the theoretical background in the form of predictions of outcomes, based in the research question and the sub-questions. Following the main theoretical part and hypotheses, is the operationalization of variables, which is done in an orderly fashion, going from the dependent

towards the independent and control variables in this research, trying to cover a wide range of terms used and described in this thesis.

Chapter 3 starts of the methodological chapter, presenting the way in which the empirical research is to be conducted in the thesis. It deals with the building parts of the analysis, starting off at document and policy analysis, followed by interview methodology, the choice of respondents and the choice of researched categories. The last part of the methodological chapter deals with the final analysis, comparison of results and the methods behind them.

Chapter 4 presents the policy responses and the dynamics in the time frame chosen, and the results of policy analysis. Chapter 5 deals with the main moments of change in the policy between the time of the crisis and the way knowledge and policy makers interacted when the Western Balkan Route was active, as well as how knowledge was utilized in the time. Chapter 6 drives the analytical evaluation of what different types of knowledge utilization mean for the policy responses and what the fact of the crisis brings to the dynamics between knowledge usage and the remaining policies. The conclusion summarizes the thesis and shows the take-home message of the whole research, and poses some suggestions on how to improve the role of knowledge within policy responses, especially when one talks about a crisis, and seemingly very contested and complicated issue such as migration.

2. Theoretical Framework

The theoretical chapter discusses the theoretical underpinnings of the relationship between research and policy. The framework of this research is based in several aspects of the relationship between the two. On a larger scale this theoretical chapter starts with the literature on research-policy dialogues, which is the main meta-theoretical approach of this paper. The role of knowledge in policy making starts with a general discussion of the relationship between the two, and then the phenomenon of knowledge utilization is discussed, this is the main explanatory mechanism of the relationship between knowledge and policy. Secondly, in order to understand how knowledge contributes to polity change, it is important to look at the literature about policy learning, and in the same sub-chapter, also policy change. Different theories will be discussed when it comes to policy learning, but the final underpinnings of policy change will be reduced in a way which fits

the development of a logical structure for the explanation of the research questions. Following the theoretical framework of policy learning and policy change, is politicization, or rather contestation, such as a crisis, to see how it can affect the patterns and functions of knowledge, as well as the way it influences policy change and learning in different ways. Lastly, the theoretical groundwork, laid out in this chapter will find its culmination in several expectations, or hypotheses, which present the expected relationships between different researched variables in this thesis.

2.1. Research-policy Dialogues

The main part of the research is embedded in the academic literature about research-policy dialogues. “Research-policy dialogues are defined broadly as all forms of interaction between researchers and policymakers in the domain of immigration and immigrant integration” (Scholten, Entzinger, Penninx, & Verbeek, 2015, p. 3). A dialogue refers to the reciprocal relationship between the two domains. It means that the focus is both on the influence that research has on the policy, as well as the influence of the policy on the research – how the policy context and the dialogues influence research – the production of knowledge.

The nature of the research-policy dialogue is influenced by the fact of whether there is quantitative or qualitative-conceptual research produced (ibid.). Research and knowledge can be in demand at different locations and at different levels of government (national, regional, local, supranational) for different purposes (policy development, implementation, evaluation or political debate). This has consequences for what is defined as relevant knowledge.

Scholten et al. (2015) distinguish three aspects of research-policy dialogues. (1) *Dialogue structures* are concrete structures of research-policy dialogues, formal and informal arrangements through which knowledge is exchanged, and through which decisions on knowledge production and the relevance of knowledge for policy are communicated. (2) The second aspect is the cultures and practices of knowledge utilization in policy processes – *knowledge utilization*. This is the perspective of policymakers which analyses the role assigned to research and the functions attributed to knowledge and research. Lastly, (3) *Knowledge production* takes a look from the perspective of the researchers and the cultures of knowledge production in the field of migration research itself.

2.2. Knowledge, Policy and Knowledge Utilization

Research can define how policy makers think about issues (or non-issues). “Knowledge is the modern currency of public policy. It is made up primarily of facts and ideas and values which, when assembled in particular ways, guide judgments about what to do” (Adams, 2004, p. 30). Knowledge and information are considered as the fundamentals for effective policy making (Wilensky, 1967; van Gunsteren, 1976). This becomes quite obvious in the stages of policy formulation and policy implementation. In the stage of policy formulation, knowledge and information serve two goals. First, it is required to process-trace the causal mechanisms that lead to the occurrence of a societal problem and to identify factors that may be receptive to policy interventions (Pawson, 2006). The more insight in these causal processes policy makers have, the better they will be able to intervene effectively in these processes. Second, knowledge is useful to predict adequately the impact of different interventions. Evidence-based knowledge ensures the selection of ‘proven practices’; policy instruments that have proven to be successful after thorough scientific analysis.

The main focus of this thesis research is the concept of “expert knowledge” and how it is used in policy. Therefore one must define expert knowledge. Expert knowledge differs from other types of knowledge in two ways (Boswell, 2009): a) institutional affiliation and qualifications of its producers, and b) characteristics of the knowledge itself. The producers of expert knowledge need to demonstrate their qualifications through academic training, position in a relevant institution, or list of publications. These are located in universities, policy analysis units of government departments or international organizations, and various research institutions. Expert knowledge is also subject to rigorous methodologies which make sure it is valid. This is different from the indigenous, practical and ordinary knowledge (Sedlačko and Staroňová, 2015, p. 17), which is produced in different arenas and has actors, without the certification of experts producing it.

It is important to understand patterns of knowledge utilization in order to be able to explain what role knowledge plays in policy responses. Knowledge utilization patterns present ideas on how and to what purpose knowledge is used in policy. Knowledge utilization is a process in which relevant “knowledge about policies, administrative arrangements, and institutions etc., in one time and/or place is used in the development of policies, administrative arrangements and institutions in another

time and/or place” (Dolowitz & Marsh, 1996, p. 344). This means, according to Rich (1995) that knowledge has been read, understood and applied in policy development.

There exist several patterns of knowledge utilization derived from the literature. They depend on the way how evidence and knowledge (expert knowledge) is thought to shape and inform policy. Weiss (1979), was the first to develop a set of models describing different patterns of research utilization. These in turn influenced the thinking about knowledge utilization and are the point of departure for the development of the models used in this thesis. Her first two models – (1) the *knowledge-driven model* and (2) the *policy-driven model* – describe the instrumental use of research findings by policy makers. In addition to instrumental or problem-solving functions, research often takes symbolic functions in policy making. In Weiss’s (1980) (3) *political model*, research is used (selectively) to legitimize a premeditated decision. Research findings are used strategically in the service of political interests and values. The (4) *tactical model*, describes how bureaucratic politics uses research, e.g., to build an image of responsiveness or to delay an undesirable decision. The (5) *enlightenment model*, describes an indirect relationship between science and policy. Much of the research never penetrate through to the decision makers, results take a long time to come to the policy makers, and by the time they reach them, they are obsolete, with conclusions modified, or contradicted (Weiss, 1979, p. 430). In the (6) *interactive model*, there is no position of influence and it is referred to a more complex and disorderly interaction and mutual collaboration between knowledge producers and knowledge users. Boswell then goes on to converge these models into a model, which seems better suited for the task at hand.

This subchapter has tried to paint a picture about the role of knowledge within policy contexts and served as a historical trace of the research done in the field. Knowledge is an important factor when deciding upon societal issues and can lead to a qualitatively better grasp of the problems surrounding the societies we live in. Knowledge has several ways of reaching policy, may it be through direct implication, trickling down, through bureaucratic practices, or in a dialogue between different structures, which science and policy, according to authors certainly are. The important thing to remember is that knowledge is most certainly here to influence how decision makers think about societal issues, how they devise their answers to these and how they comprehend the outcomes.

2.3. Knowledge Utilization

The instrumentalist theories of knowledge utilization are dominated by rationalist theories of organizational action. It assumes that organizations are fundamentally concerned with their output, and with meeting organizational goals (Boswell, 2009, p. 62). The idea is that “social knowledge can help adjust societal impacts.” (ibid.). Instrumental knowledge, as the main role in influencing the use of research to inform policy appears to be working when “policymakers are under pressure to deliver short – medium-term results” (Boswell, 2015, p. 37). When policy makers need policy to meet measurable targets, as in example of the refugee crisis, reduce the number of people claiming asylum, culture of knowledge use, which is strong, could mean that the policy makers draw on research instrumentally (Ibid.).

Although research is highly valued by policymakers, and it plays an important role in policymaking and political argumentation (Boswell, 2009, p. 7) the symbolic use of knowledge stresses the *legitimizing* function, related to the *political model*, which is drawing on expert knowledge, so that policymakers can “enhance legitimacy and potentially bolster its claims to resources or jurisdiction over particular policy areas” (Boswell, 2009, p. 7). “The basic assumption is that organizations are concerned to maximize their power *vis-à-vis* rival agencies” (ibid., p. 62). This gives the government the ‘epistemic authority’ (Geuss, 2011, pp. 18-19; Herbst, 2003, p. 484). The perception that they possess reliable, relevant and detailed knowledge, or at least that they have regular access to such knowledge, creates confidence that their decisions will be well founded (Boswell, 2009, p. 7). Knowledge, in the symbolic accounts of utilization, is not used to improve the outputs of an organization – the normal state is that of conflict. Conflicts are fought out in the form of organizational politics – the struggle ‘to acquire, develop, and use power and other resources to obtain one’s preferred outcome’ (Pfeffer, 1981, p. 7). Lastly, it is important for the actors to acquire authority, or legitimized power and this explains the quest for legitimacy in organizations (Pfeffer, 1981, p. 137). For these accounts, one must assume the “existence of a culture in which knowledge is valued as a source of legitimacy” (Boswell, 2009, p. 65). Knowledge is likely to be valued for the legitimizing function, and policy organizations derive legitimacy from adopting their norms and formal structures to the expectations of their environment, and they might be inclined to demonstrate the possession of expert knowledge, especially in an unstable organizational field, and where the broader public attaches value to expertise (Boswell, 2009, p.

61-62). The point is that the organization builds up credibility by being seen to possess expert knowledge

The *substantiating* function is giving authority to particular policy positions. It can help establish by proof, or competent evidence a government's policy preferences, and undermine rival interests. It is supposed to be relevant in highly contested policy areas (Boswell, 2009, p. 7). It is most likely to occur in highly contested areas, where the organization is looking for ways of injecting scientific authority into its policy proposals (Boswell, 2009, p. 62). Boswell, also found out, by looking at the German BAMF and the British Home Office, that if policy revolves around technocratic arguments, it is expected that the knowledge will be used to substantiate arguments. That means, that "the nature of political contestation over a given policy area at a given point of time may override more general characteristics of the organization, such as the value ascribed to expertise" (Boswell, 2015, p. 37). The technocratic modes of justification are invoked when the decision-making body needs to deploy knowledge as means of persuasion or arbitration, and can be seen as the form of justification where there is lack of democratic legitimacy (Boswell, 2009, p. 78). If there is democratic legitimacy, one cannot expect the need to substantiate preferences by knowledge, this is why they rely on expertise. The impact of expert knowledge derives from its potential to lend support to a particular policy preference or proposed course of action. In order to play a decisive role, knowledge must settle a dispute, while the issue has to have conflict involved over knowledge claims (Boswell, 2009, p. 79).

As Boswell notes at the end, is that "most areas of immigration and asylum policy are highly symbolic, with the implication that there is limited political interest in using knowledge to adjust policy" (Ibid.). In this regard, policymakers may care more about their legitimacy rather than policy delivery. This means, that regardless of the culture of knowledge utilization, instrumental knowledge use is likely to be limited in policy areas, such as the immigration policy. Different factors have more influence over shaping the use of knowledge for substantiating and instrumentality. "The character of political debate and the nature of the policy sector – appear to have more influence on the actual take-up of expert knowledge" (Boswell, 2015, p. 21). It seems important what kind of policy is envisioned, what is the nature of the political debate around the issue, and whether legitimation of the policy system is secured through rhetoric or delivery.

Scholten et al. (2015) suggest that there is a need to go beyond Boswell's conceptualization. The distinction between instrumental and symbolic use of knowledge suggests that these two exclude each other. "In reality, however, the same input of knowledge may have an instrumental and a symbolic function at the same time, or such input may have a symbolic function initially, and later become instrumental as well" (Scholten et al., 2015, p. 319). Secondly, this dichotomy also excludes "non-utilization" of knowledge, even if it is produced at the request of policymakers and funded by them (ibid.). Therefore, the non-utilization of knowledge is also part of this exploratory mechanism. Non-utilization is present when new policy or lack thereof was formulated without any reference to expertise or scientific knowledge (Caponio et al., 2015, p. 28).

To conclude, knowledge utilization is important to understand in its application in policy. Determining how knowledge is utilized, one can see the value which knowledge holds inside policy and to what end it is used. There are two main utilities of policy, according to the theoretical underpinnings of this chapter. These entail the instrumental, or direct use of knowledge, or the symbolic use of knowledge. Instrumental use of knowledge is the ideal type of using knowledge in adaptation of policy to improve outputs, while symbolic use of knowledge is used to consider two other logics. Substantiating use of knowledge which is partial and is used as political ammunition against the criticism from the opposition and to give weight to already decided courses of action. Legitimizing use of knowledge invokes the institution with the legitimacy and provides a picture of evidence-based policy making. All of the uses of knowledge paint a picture about the role of social science within the larger picture of applicability of knowledge in policy settings.

2.4. Policy Learning and Policy Change

To fully understand the reasons for the form of policy responses and the usage of knowledge inside of those, it is important to look at the theory on policy change and policy learning. The connection of knowledge and policy learning is of great importance. Policies can change with a big bang, because of a political situation or attention, or they can change gradually, encompassing new lessons and experiences, to refine policy, rather than adopt an entirely different approach. This policy dynamics can be driven by a variety of factors (Bekkers, Fenger, & Scholten, 2017, p. 241). Policies can change in response to new knowledge, information and experience, but change can also be politically induced, when there are shifts of power or for example framing of a problem.

Policy change, at the same time does not mean better policies, in terms of effectiveness, efficiency or legitimacy (Bekkers et al., 2017, p. 242). “Policy change should not be seen as a separate or final stage of the policy process; rather it refers to patterns of dynamics in all stages” (Bekkers et al., 2017, p. 243).

Policy dynamics refers to policy change and policy stability. It addresses the factors that make policies change or remain stable. There is a distinction between “*positive feedback*” which increases the ability for policies to change, and “*negative feedback*” which involves processes that promote the stability and help neutralize the challenges to the status quo (Baumgartner and Jones, 1993). The interplay between both determines whether policies change or not. When negative is dominant there is a stability in policy, and absence of change. The positive feedback, on the other hand, change can occur. It can be incremental or non-incremental change, the former holding that change is gradual. The non-incremental change assumes a rapid and a fundamental change (Bekkers et al., 2017, p. 244). Moreover, policy learning is considered as one of the most important factors of policy change (Bekkers et al., 2017, p. 246). It carries with itself the idea that policies are based on knowledge, ideas and experiences, especially in very fast changing societal contexts and complex situations. Learning also means responding to the changing context of issues.

Hogwood and Peters (1983) have devised four different types of policy dynamics, which can be helpful in addressing the role of knowledge and in determining incrementalism or some other dynamic. *Policy innovation* involves new policy, not just at the level of instruments and settings, but rather a change in fundamental policy ideas, sometimes in situations which have emerged and ask for immediate policy intervention. *Policy succession* involves a replacement of one policy by another policy, but with not entirely new policy ideas at stake, rather a re-thinking of operationalization and implementation of policy. *Policy maintenance* is a clear example of incrementalism. It involves secondary adjustments to an already established policy. These are rather marginal and are aimed at instruments of reaching pre-determined policy goals. *Policy termination* is deconstruction of a policy. It may become obsolete, or has succeeded in its goals, or failed and no longer fits the problem. It may be incremental or non-incremental. *Policy stability*, can be added as a fifth type (Bekkers et al., 2017, p. 245). Here the *status quo* manages to successfully defend and maintain policy. It can be put together with the idea that knowledge is utilized in order to substantiate already defined goals, but nothing has really changed.

Following Peter Hall (1993) one can look at the distinction between first-order information (settings of instruments), second-order information (instruments), and third-order information (the broad overall goals of a policy). First order learning thus, is used at improving the policy instruments, where neither the choice of instruments and policy targets are at stake, but rather only how these instruments are put to practice (Bekkers et al., 2017, p. 247). To connect this with knowledge utilization and change, it would mean that knowledge is utilized (or not utilized) in a way, which most likely leads to policy maintenance (or stability if you will), as it is an adjustment of the previously determined policy goals which is at stake. Knowledge can be used in a substantiating way. Second order learning involves the addressing and choice of policy instruments, while not discussing the fundamental policy aims and priorities (Bekkers et al., 2017, p. 248).

Here, one can think of utilizing knowledge in a way which is either symbolic or instrumental, since the change is evident, but not fundamental. Policy succession is most likely to be present. Change may be incremental as well as non-incremental. Third order learning is presents the case for a fundamental rethinking of policy. It involves learning at the level of policy paradigms (Bekkers et al., 2017, p. 248). It is a fundamental reconsideration of how a policy problem is defined, what policy theory should be employed and what role policy could and should be playing, as well as the actors who are involved (ibid.). Change like this is usually non-incremental policy change, either innovation or termination in policy. It is most likely, that knowledge utilization in this type of learning will be instrumental.

Depending on the relationship between types of knowledge utilization one can think of the way policy is developing and/or changing. The main idea behind this subchapter is the relationship between the types of knowledge utilization and the types of policy change of any kind. Different types of knowledge utilization are seen to interact different with policy dynamics, and depending on their relationship there is policy change or stability.

2.5. Politicization

Politicization refers to the increasing contentiousness of decision making in the process of policy. It means that there are not easily governed, managed, or directed policy controversies, which draw attention from a wide range of actors, in which there are differing opinions, contesting views and ideological perspectives involved (Hay, 2007; Zürn, 2013). This means “policy issues with a high level of contestation and often a high level of politicization, that are seemingly unresolvable by just looking at ‘the facts’ (Schön & Rein, 1994) are harder to tackle than issues that are not affected by politicization. Scholten and Verbeek (2015) take in consideration that politicization does not mean less knowledge utilization, but rather that the type of utilization shifts from instrumental to symbolic knowledge utilization (see also Boswell 2009), although Haas (1992) says that in times of crisis, it can be assumed that there is a greater willingness to base policies on expert knowledge, since the policy makers are willing to learn how to deal with an apparently urgent problem.

Politicization not only affects knowledge utilization but also knowledge production, recognizing the process of co-evolution or coproduction of knowledge and the context-dependency of knowledge (Gieryn, 1999). Politicization will contribute to the fragmentation of knowledge claims, contributing to varying discourse coalitions in which knowledge claims are aligned with political claims (Scholten & Verbeek, 2015, p. 189). In politicized settings, research and expertise are much less likely to be used as an authoritative source of policy-making, as this could be interpreted as a threat to political primacy (Hoppe, 2005).

Scholten and Verbeek (2015) found out that when policy is politicized, there exists a tendency to move away from an instrumental use of knowledge, towards a more symbolic one, particularly substantiating knowledge utilization, where research is used to support already-decided policy choices, as well as legitimizing use of knowledge, where research is used to boost the authority of specific policy actors. This draws on the discovery by Boswell from the previous chapter, in which extremely politicized domains such as migrant integration, see policy-makers keen to uphold ‘the myth of instrumental use’ (Boswell, 2009, p. 249).

Politicization, contributes to more symbolic forms of knowledge utilization, both substantiating established policies, and legitimizing policy institutions. Research is not to be seen as less important in these cases. Scholten and Verbeek show that such symbolic knowledge utilization has played an important role in the social construction of the migrant integration policy problem in

most cases (2015, p. 198). When knowledge is used in cases of strong political salience, it “rarely deployed in a politically neutral way” (Scholten & Verbeek, 2015), since political elites seek to use knowledge to substantiate their political preferences, while the mass media is keen to draw on knowledge in a way that exposes political transgressions (Boswell, 2009, p. 166).

In a situation like a crisis, especially one related to politics of migration, this politically salient area is prone to exposure of scandal, but also characterized by epistemic uncertainty and risk (Boswell, 2009, p. 166-167). Policymakers in late-modern societies mobilize support on the basis of rather abstract risks (Beck, 1992). These risks can also be associated with areas of foreign and defense policy, terrorism, crime and migration and economic policy (Douglas and Wildavsky, 1982, p. 2). Migration issues are seen as a typical subject for risk construction (Beck, 1992). When it comes to the use of knowledge, authority of technocratic, rather than democratic modes of justification are used. In more problematic and contentious policy areas technocratic deliberation becomes more problematic (Radaelli, 1999). Technocracy is likely to be more present in policy areas, which are not as politicized, most likely that of economy.

On the other hand, when it comes to the policy which is under scrutiny and contestation knowledge usually is not deployed in a neutral way, instead, participants will use expert knowledge to substantiate particular claims (Boswell, 2009, p. 170). Policy makers make use of research selectively, in order to substantiate their policy preferences, which they do on non-technocratic grounds. Politics is keen to draw on research, or to shift debates to technocratic grounds, where the evidence would support its claims (Boswell, 2009, p. 182). This can be the case, especially, for policies which relate to nationality, citizenship, legal statuses, as well as socio-cultural policies, which are prone to high volatility.

To conclude this sub-chapter, politicization affects the patterns of knowledge utilization. Depending on the issues at hand the utilization of knowledge is used accordingly. In highly politicized settings and policy knowledge is more used in a symbolic pattern, either substantiating or legitimizing, or a combination of those with instrumental. One cannot exclude the possibility of non-utilization of knowledge.

2.6. Hypotheses

On the basis of the theoretical framework one can build several expectations. These are derived from the implications of knowledge utilization literature, which, under politicized circumstances, such as the refugee crisis, alters its patterns. The patterns of knowledge utilization in turn effect the policy responses. If instrumental, the policy responses are expected to be done in areas which are not as prone to politicization, such as the economy, and are strongly dependent on the expert knowledge which social scientists produce. If the usage of knowledge is substantive or legitimizing, the types of policy responses are derived which exert stability or small incremental change, mostly in very salient issues.

1. In the highly contested issue such as the refugee crisis it is expected that the patterns of knowledge utilization will alter and move towards more symbolic knowledge utilization, or even non-utilization of knowledge. The policy responses are expected to be substantiated or legitimized by the knowledge used. From this, the types of responses can be derived.

2. If the patterns of knowledge utilization are symbolic, it is expected that the legitimizing or substantiating utilization of knowledge will influence policy responses which are already decided upon. Knowledge does not contribute to the policy change, but rather at demonstrating the capacity of the policy makers to make informed decisions, or to provide them with evidence to substantiate their decisions, or lack thereof. This influences policy responses which are lacking the will to adjust output, or lack output entirely, therefore policy stability is expected to be highly present, as the policy makers already substantiated or legitimized their previously decided choices. If there is change it is only incremental.

2a. Politico-legal policy responses are expected to emerge by substantiated and legitimized knowledge use. They are harder to change and are more prone to policy stability, because of political processes of making changes in law, as well as the rigidness of laws themselves.

2b. Socio-cultural policy responses are also expected to be substantiated and legitimized by the knowledge produced. They are the hardest to change, since they are deeply entrenched in cultural discourses about religion and belonging, and various historical narratives in former Yugoslavia about the "Ottoman invader". These policy responses have the highest probability of non-utilization of knowledge.

2c. Security responses are expected to emerge by substantiated and legitimized knowledge use. These responses are expected to be drawing on a limited amount of knowledge claims by experts, which are aimed at securitization of the nation-state. Substantiating knowledge use will draw almost exclusively from the securitization migration knowledge, from national security expertise and military experts.

3. If patterns of knowledge are instrumental, they are most likely to influence the socio-economic policy responses. The socio-economic policy responses are not as politicized. Knowledge has the best information on the capacity of the state, figures and facts, which are used to instrumentally solve pragmatic problems, such as housing, welfare, labor-market integration and health issues of the refugees. The change is expected to be both incremental (adjusting outputs) as well as non-incremental.

3. Methodology

In order to address the investigation, this research is based in a comparative case study. “Only through comparison [that] we can de-centre what is taken for granted in a particular time or place” (Bloemraad, 2013, p. 29). It represents a case of a cross-country comparison in a limited time frame of the refugee crisis from August 2015 when the Balkan route engulfed the three researched countries fully, and policy responses needed to be mustered up, until March 2016 when the EU-Turkey deal was struck, which effectively ended the flow of refugees over the Balkan route towards West Europe. It is also a most similar cases design between Slovenia, Serbia and Croatia. These countries have been chosen as case studies, because they have all been hit by the refugee crisis in 2015/2016, and had to devise immediate responses to the crisis. In this contested situation it is interesting to see, how knowledge is used to form policy (or not form policy). These countries also present a rarely touched upon area in migration studies, therefore the relevance is two-fold.

There exist no, empirical data on the different modes and forms of use of knowledge in the case of the researched countries. The task to gather primary data will be undertaken by the researcher self, by different methods of data gathering. After and already during gathering of data, the task is to thoroughly code and prepare the data for analysis, which will be undertaken through a process-tracing method.

3.1. Mapping out Research and Policy Analysis

The first part of the research will map out the recurring themes and investigate secondary literature on the development and the relationship of research with policymakers. This will be done through qualitative content analysis. Content analysis sees data as part of texts, images and expressions which are created to be seen, read and interpreted, and acted for their meanings (Krippendorf, 2004). Researchers regard content analysis as a flexible method for analyzing text data (Cavanagh, 1997). Research using qualitative content analysis focuses on the characteristics of language as communication with attention to the content or contextual meaning of the text (Tesch, 1990). “Qualitative content analysis is defined as a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns” (Hsieh & Shannon, 2005, p. 1278). The approach taken in this first part of the document analysis will take the approach of a *conventional content analysis* (ibid.). This approach is appropriate when researchers avoid preconceived categories (Kondracki, Wellman & Amundson, 2002) and allowing the researcher to draw categories and names of categories from the data itself. This is called also inductive category development (Mayring, 2000). Data analysis begins with reading the data repeatedly to achieve immersion and obtain a sense of the whole (Tesch, 1990). Secondly, data are read carefully to derive codes (Miles & Huberman, 1994), highlighting the exact words from the text that appear to capture the key concepts. As the process goes onward, labels for codes emerge that are reflective of more than one key thought (Hsieh & Shannon, 2005), these come from the text and become the initial coding scheme. “Codes then are sorted into categories based on how different codes are related and linked” (Hsieh & Shannon, 2005, p. 1279). The emergent categories are later linked and used to organize and group codes into meaningful clusters (Coffey & Atkinson, 1996). To summarize, when doing a conventional content analysis, categories are derived from data during data analysis, as the study starts with observation, and the researcher gains a better understanding of a phenomenon with this approach.

The analysis focuses on both secondary literature, which identifies policy responses as well as policy documents. Secondary literature will act as a guideway to investigate which policies are being undertaken by the countries. Secondly, from the secondary literature one can identify the policy responses and their tone. The keywords that one is looking for are: refugees, integration, human rights, multiculturalism, displacement, refugee care, asylum, asylum seekers, and other

related words, which may come up while the search is advancing. This will be coded alongside the policy documents to understand which policy responses emerge in the countries. The most important source of scientific articles will be the national scientific article data bases like COBISS¹ and DLib² in Slovenia, Hrčak³ in Croatia, and SCIndeks⁴ in Serbia, as well as internet search. These data bases hold most of the scientific articles produced in the researched countries. On the other hand, it is acknowledged that not all expert knowledge comes from the scientific community, in the strict sense of the word, but is also produced outside universities, in NGO's, by other individuals and can be sanctioned by the government itself. This is why a second source will be also reports from NGO's and round table discussions. The search will be conducted on the same basis, with keywords informing the choice of a particular text, report, brief or discussion, and further content analysis determining the topics occurring in them.

Additionally the content analysis of policy documents produced during the actual refugee crisis will be conducted in order to identify the scope of research used in the and to understand what kind of policy responses were in place. Here, again, one can find the main topics, or categories. The policy responses will be categorized into four main categories: politico-legal, socio-economic, socio-cultural and security, with the understanding that the former three can have both a securitative (restrictive) tone or a more humanitarian tone to them. The main topics are put together, or identified as missing. In the policy documents it is important to find the topics and try to identify how they are used, what the policy makers' position is and how they approach the solution of a problem (or if they actually do approach the solution to a problem).

The coding will be done in an open coding book in order to be able to improve it as the gathering of data proceeds and not limit the results of the analysis. Identifying which topics are present and which are missing and in what way they are used in the policy documents is of great importance, since one can see where and how these topics have been used, and establish patterns or divergences, which can be further examined later in the interviews. The initial utility of this kind of

¹ COBISS: Kooperativni online bibliografski sistem in servisi – Cooperative online bibliographic system and services.

² DLib: Digitalna knjižnica Slovenije – The Digital Library of Slovenia.

³ Hrčak: Portal znanstvenih časopisa Republike Hrvatske – Hamster: The portal of scientific articles of the Republic of Croatia.

⁴ Srpski citatni indeks – Serbian citation index.

document/content analysis gives a good basis for the construction of relevant interviews, and which will be thoroughly discussed in the following sub-chapter.

3.2. Interviews

The second phase of gathering data will be done with semi-structured interviews with experts. Expert interviews explore claimed expertise or an entitlement to represent, say an institutional position or reflections on that position, in addition to collecting information that written sources do not allow to easily obtain (Fedyuk & Zentai, 2018, p. 231). The interview embraces a conversation, in which the interviewee shares his/her experience, opinions, memories, knowledge, while “the interviewer is there to listen, to observe with sensitivity, and to encourage the person to respond” (Fedyuk & Zentai, 2018, p. 231).

The aim is to collect data about lived experiences, knowledge, opinions and perspectives, links between the individual and the collective that will help understand and draw conclusions about the usage of knowledge inside policy responses in a contested situation such as the refugee crisis. The idea is to start with entry interviews (gatekeepers) in each of the countries and use a snowballing method to gather respondents. The main respondents here are the knowledge producers (researchers), policy makers, as well as knowledge brokers (the link between the policy makers and the knowledge producers). The interviews will be conducted in native languages of the researchers and policymakers.

This way one can find divergences and points of interest for further inspection as to how and why certain knowledge is utilized in the contested situations. The transcription of the interviews will be done by the researcher, alongside with coding. For the second part of the coding, the thesis will be based in the *directed content analysis* (Hsieh & Shannon, 2005), in which the researcher uses existing theory or prior research to develop the initial coding scheme prior to beginning to analyse the data (Kyrngäs & Vanhanen, 1999). This is a deductive use of theory, based on distinction on the role of theory (Potter & Levine-Donnerstein, 1999). The goal is to validate or extend conceptually a theoretical framework or theory (Hsieh & Shannon, 2005), in this case the theory about knowledge utilization, and find responding categories within the respondents answers. The initial

departing point for the interviews will be the previously conducted document/policy analysis, in which the patterns of knowledge production and knowledge used/un-used are identified.

The directed approach of content analysis is guided by a more structured process than in a conventional approach (Hickey & Kipping, 1996). Because of the use of existing theory, the researchers begin by identifying key concepts or variables as initial coding categories, following with the operational definition of each category determined using the theory (Hsieh & Shannon, 2005). If data is collected primarily through interviews, open ended questions might be used, followed by targeted questions about predetermined categories (ibid.). After the open-ended question the researcher probes specifically to explore the respondents' experiences of the relationship between knowledge and policy. The lens for the categories and coding is found in the knowledge utilization theory, with main categories covering the 3 most important categories of knowledge utilization, and two sub-categories. The categories are based in the instrumental use of knowledge, symbolic (with the sub-categories which respond to legitimizing and substantiating functions of knowledge), and lastly, non-utilization of knowledge. The question revolving around the main organizing categories will be based, as previously mentioned, in the content analysis of documents and policy documents. While conducting interviews, the researcher will keep an interview diary in which peculiarities will be put in order to gain a broader picture while coding the transcribed interviews.

In each of the countries, the plan is to interview 4 people, with the possibility of additional interviews to follow after the first phase of interviews, when snowballing sets in and more people are reached. This will especially be the case with policy makers. Respondents are taken both from policy makers and the experts from academia, as well as the important NGO sector, which accounts for a large portion of knowledge production in the area.

3.3. Concepts and Operationalization

The following sub-chapter will elaborate on the main concepts and terminology used to answer research questions. The main relationship of study is the influence that knowledge has on policy responses to the refugee crisis in the countries of former Yugoslavia. The dependent variable presented here is the *policy responses*, which denotes either *policy change* or *policy stability*. *Policy*

responses are conceptualized as a dialogue between policy makers, who devise targets and programmes, and policy implementers, who respond by putting these plans into action (Ward et al., 2016). They can be subdivided into four categories: *politico-legal*, which denote the policy responses concerning legal matters, naturalization, asylum claims, statuses and rights and obligations; the *socio-cultural* responses are dealing with issues such as education, religion, culture, integration; *socio-economic* policy responses are dealing with things like labor market integration, healthcare and social welfare issues, education, housing and labor market integration, and *securitization* which are the responses which effectively “protect” the economy, culture and the national security from the risks of migration.

The independent variable is knowledge. It denotes the usage or non-usage of research findings of expert knowledge in policy. The patterns of knowledge utilization are threefold: *instrumental* use of knowledge, which is direct use of knowledge in solving societal problems, on a problem-solving basis, attributed to evidence-based policy making; *symbolic* use of knowledge is attributed to indirect use of knowledge in order to gain authority for one’s position and gather support for policies created, and can be further divided into *legitimizing* and *substantiating* use of knowledge, with the first being used in order to legitimize existing policies, while the latter being the one that establishes by proof or competent evidence a governments position or policy preference; *non-utilization* holds that there is readily available knowledge, which can be used, but for various reasons the policy makers ignore it in the policy responses.

Expert knowledge is knowledge that employs a scientific method to a problem and aims at its resolution. It is institutionally affiliated to scientific institutions, such as universities or lists of publications and must employ rigorous methodologies to prove its soundness. Linked to this is the type of knowledge which is produced – the evidence provided by the social sciences. It can be *qualitative or descriptive data*, like rich observational accounts of social conditions, or of program processes or *quantitative evidence*, with *soft* or *hard* indicators. These include i.e. for the soft indicators, public attitudes, while hard indicators are stiff numerical statistical data.

The *scope of research* is the broad organizing themes of the knowledge produced. It is divided into four categories: *politico-legal* issues, discuss law and legal issues within the area of immigration policies, such as asylum, naturalization or statuses; *socio-cultural* issues are connected with culture, religion, and language; *socio-economic* issues are connected to the knowledge production

about labor market integration, healthcare, education, housing or social welfare issues; *securitization* is concerned with the protection of the national security, the culture and the economy. Politicization or contestation, or intractability is a control variable. It intervenes with the independent variable. It is a situation with a high level of contestation around it, great deal of interest and a sense of urgency around it. It affects the knowledge utilization. The second control variable is the region, which has its own way of political structures, dialogue structures and policy creating culture.

The main actors in this research are the experts, researchers, both from the NGO sector and the academia, or independent researchers, all of which adhere to the scientific process and rigorous research designs in order to come to results. They are the producers of knowledge, also called knowledge producers. On the other side, we have policy makers, who produce policy in order to solve societal problems. They devise targets and programs. Their goal is to create policy, which is implemented by policy implementers, whose job is to respond by putting these plans into action. Refugees are the people, who according to international human rights, are fleeing war, persecution or threat of violence to a safe country. The refugee crisis is defined as the crisis in which a flow of refugees that crossed and came to the countries of former Yugoslavia, from August 2015, when the Balkan route opened until March 2016, when the EU and Turkey signed the EU-Turkey Agreement to stop the flow of refugees to Europe and effectively shut down the Balkan route.

3.4. Indicators of Knowledge Utilization

There are several ways of conceptualizing the research on knowledge utilization. For the purposes of this thesis, we shall adopt the conceptualization of Boswell (2009) which is based in three main categories of indicators that can be expected to signal the existence of these functions of knowledge. They are associated with: (1) institutional arrangements for knowledge production; (2) selection of the research agenda and research design; and (3) the level and type of dissemination of research results (Boswell, 2009, p. 83). They will be dealt with in more detail in the table below (see Table 2).

Institutional arrangements help indicate what sort of interest lies behind those of policy makers when it comes to research. Features of it include scientific credentials and other characteristics of

researchers, their proximity to or abstraction from policymaking, and the institutional structure and informal patterns of interaction between researchers and policy makers (Boswell, 2009, p. 83). The selection of research topics to study denotes the choice of themes and questions. This presents an opportunity of enlightening the motives for the use of knowledge. Lastly, publicizing the fact of knowledge utilization speaks volumes on the function of the research. “Patterns of dissemination provide a good indicator of what sorts of research activities or results the organization wants to make known, as well as the audience which is targeted” (Boswell, 2009, p. 85).

Figure 1: Policy Dynamics, Policy Change, Policy Stability and Types of Responses.

| Coding category | Subcategories and explanations | | Indicators | Evidence/ Empirical Data | |
|---|---------------------------------------|--|--|--|--|
| Policy Dynamics | Policy Change | Incremental change | Gradual and marginal policy adjustments. This involves both a relatively slow pace of change, as well as a relatively low degree of change (Bekkers et al., 2017, p. 244) | Fundamental difference and abrupt cut with former policy. | Policy analysis and secondary literature analysis. |
| | | Non-incremental change | Non-incremental change involves both rapid and fundamental change. It may lead to what is described as ‘paradigm shifts’, ‘policy breakthroughs’ or ‘policy punctuations.’ (Bekkers et al., 2017, p. 244). | Small adjustments to former policy, no radical change. | Policy analysis and secondary literature analysis. |
| | Policy Stability | Policy is stable. Status quo successfully manages to defend and maintain a policy (even without adjustments) or where there is simply a lack of agreement on the direction that change should take (a stalemate) (Bekkers, et al. 2017, p. 245). | | Stability. No change, just stagnation. | Policy analysis and secondary literature analysis. |
| Types of policy responses | Politico-Legal | Segments of law and politics which interact with each other. | | Policy referring to legal and political aspects of handling the refugee flows, such as questions about statuses, naturalization, asylum and citizenship law. | Policy analysis and secondary literature analysis. |
| | Socio-Economic | The interplay of social and economic factors in a community. Related to fields such as welfare, labor market, healthcare, housing and education. | | Policy which makes possible the access to the labor-market, education, welfare, healthcare and housing/shelter. | Policy analysis and secondary literature analysis. |
| | Socio-cultural | Relates to issues such as culture or religion. It tackles beliefs, customs, practices and behavior. | | Policy that captures the accommodation of new religious diversity, culture and habits. | Policy analysis and secondary literature analysis. |
| | Security | National security concerns. Securitization of migration and refugee flows. | | Policy that captures the primacy of security issues, such as detention, closure, defense, and military style answers, such as making of camps and razor wire walls. Security of economy and culture. | Policy analysis and secondary literature analysis. |
| Scope of Research (Broad organizing themes of knowledge production). | Politico-Legal | Knowledge on the political and legal aspects of migration and refugees. | | Referring to legal and political aspects of handling the refugee flows, such as questions about statuses, naturalization, asylum and citizenship law. | Secondary literature analysis. Interviews. |
| | Socio-Economic | Knowledge on social and economic factors in the integration and care for refugees. Related to fields such as welfare, labor market, healthcare, housing and education. | | Refers to labor-market integration, education, welfare, healthcare and housing/shelter. | Secondary literature analysis. Interviews. |
| | Socio-cultural | Knowledge on issues such as culture or religion. It tackles beliefs, customs, practices and behavior. | | Captures the accommodation of new religious diversity, culture and habits. | Secondary literature analysis. Interviews. |
| | Security | Knowledge from the field of securitization. | | Referring to repressive issues and aspects of migration which see it as an issue of national security | Secondary literature analysis. Interviews. |

Figure 2: Knowledge Utilization

| Coding category | Subcategories and explanations | | Indicators | Evidence/ Empirical Data | |
|------------------------------|--------------------------------|--|--|---|--|
| Knowledge Utilization | Instru-mental | Direct use of knowledge in order to solve societal problems. Attributed to evidence-based policy making. There are facts and figures present related to reports, used to pragmatically solve issues. The aim is to improve the quality of output or adjust societal impacts. | | <ul style="list-style-type: none"> - Intensive exchange between decision makers and research unit; - Close coupling of research with performance targets; - No obvious interest in publicizing knowledge utilization. | Analysis of policy documents; Interviews with experts, brokers and policy makers. |
| | Symbolic | Legitimizing | Knowledge is valued for its legitimizing function by policy makers. They derive legitimacy from adapting their norms and formal structures to the expectations of their environment. They feel especially motivated to demonstrate possession of expert knowledge where the policy community in their area of competence attaches value to expertise (Boswell, 2009, pp. 61-62). | <ul style="list-style-type: none"> - Looser ties between decision makers and research unit; - Looser fit between substance of research and performance targets; - Clear interest in publicizing knowledge utilization. | Analysis of policy documents; Interviews with experts, brokers and policy makers. |
| | | Substantiating | Substantiating is most likely to occur in highly contested areas, where the organization is looking for ways of injecting scientific authority into its policy proposals. Expert knowledge is a viable strategy for substantiating preferences where the debate revolves around technocratic issues rather than interests or values (Boswell, 2009, p. 62). | <ul style="list-style-type: none"> - Some exchange between decision makers and research unit; - Close coupling of research with issues of contention; - Interest in publicizing utilization where it underpins claims. | Analysis of policy documents; Interviews with experts, brokers and policy makers. |
| | Non-Utilization | There has been no knowledge utilization process at all. The new policy or lack thereof was formulated without any reference to expertise or scientific knowledge (Caponio et al., 2015, p. 28). | | - No references to expertise or scientific knowledge. | Analysis of policy documents; Interviews with experts, brokers and policy makers. |

3. 5. Validity, Triangulation and Comparison

The last part of the study is linked to the analysis of the empirical data gained through the methods described above. The causal relationships will be established in separate cases and in the end compared. This enables the researcher to make strong within-case inferences about the causal process whereby outcomes are produced, enabling us to update the degree of confidence we hold in the validity of a theorized causal mechanism. The comparison will present similarities or differences within the cases in which one can test the expectations.

Through triangulation of data, the validity of the outcomes can be increased. Policy analysis (content analysis) is somewhat subjective, therefore a second method of interviews will be used in order to get additional data, which might overcome the researcher's bias. One must also acknowledge, that each person interviewed also present his or her own account of the situation. Therefore interviews will be done with both researchers and policymakers, until we reach a saturation point, which is also partially decided by the researcher.

4. Policy Responses Along the Western Balkan Route in Former Yugoslavia

This chapter deals with the background and shortly presents the countries of Slovenia, Serbia and Croatia. It then presents the policy context and the embeddedness of policy making in the sphere of migration in these countries and proceeds with the policy responses and the larger context of the refugee crisis and the actions of the policy makers along the Western Balkan Route. The policy responses will firstly be presented in a timely order, intertwining the actions of the governments of Serbia, Croatia and Slovenia, and linking those to actors, nationally and internationally, to the actions of surrounding countries such as Bulgaria, Macedonia, Hungary and Austria, as well as embedding them in the overall European context, and the deals made within the EU. Secondly, this chapter will take apart those responses through the content analysis of the policy documents and the secondary literature, to map out the way the policy responses are entrenched in either of four categories (politico-legal, socio-economic, socio-cultural or security) and how they interact with each other, as well as to identify the underlying patterns of knowledge present in the policy responses. The last part of this chapter will act as a summary of the findings done with the combination of the study of secondary literature and the policy analysis.

4.1. Countries of Former Yugoslavia and Background

It has been less than thirty years since the former joint Socialist federative republic of Yugoslavia has ceased to exist. Slovenia seceded in 1991 and war broke out shortly thereafter. The countries have transitioned (not in their entirety) to democracy, and towards the new economic system, which has not been easy. Slovenia joined the European Union in 2004, and adopted the Euro in 2006, showing its clear ambition in becoming a leader in region, by leading the way for other countries of the Western Balkans. This has been possible through the fact that Slovenia has been one of the most advanced (economically and socially) of all the Yugoslav countries.

Croatia, on the other hand, has seen its fair share of troubles along the way. Engulfed in a full blown war after the break-off from Yugoslavia, it has had conflict on its soil up until 1995, when the Croatian military forces freed the Croatian territory from the occupying forces, the Croatian Serbs in the East and South of the country. Until 1997, Croatia has also been under semi-authoritarian rule by the late president dr. Franjo Tuđman, which hampered the progress and made economic devastation possible, since in the days of the first president the nationalistic elite went and raided the country of its resources, industry and ran into ground many successful enterprises. Croatia, has since the death of Tuđman, been trying to get closer to the EU, but there have been troubles, in the form of corrupt politicians, such was the former Prime minister of Croatia, Ivo Sanader, who was later convicted of collusion with Hungarian oligarchs in selling off Croatia's crown gas and oil company INA. Croatia has nonetheless joined the EU in 2013, and has since tried to stay on course.

Serbia, has in Yugoslavia, been the biggest country with the biggest population. After the break-up of Yugoslavia it has also been the longest to keep the "legacy". It has been ruled by Slobodan Milošević until 1999, when after the NATO bombing of Serbia, he was overthrown. Since then, a painful and slow transition has followed into democracy, and only now Serbia begins to turn towards the EU and has begun the accession talks. Serbia has been in conflict on and off until the early 2000's when finally the forces of KFOR have established a fragile peace in the region.

4.2. Migration and Policy in Former Yugoslavia

The birth of nationalisms in the wake of the break-up of Yugoslavia has very much influenced the way the region approaches migration related policy (Baričević, 2013). All three countries have in the 90's had experiences with refugees. Slovenia has, at the beginning of 2000's, proclaimed itself to be a multicultural country (Dedić, Jalušić & Zorn, 2003), but quickly rescinded, as one could see that Slovenia and the political elites are rather in favor of an ethnic Slovene state (Zorn, 2005), which is visible from the way the authorities act and the legal system in place.

Serbia has seen a lot of internal displacement, mostly Serbs from Kosovo, who were fleeing their homes in the wake of ethnic strife with the Albanians from Kosovo. On the other hand, after the operation "Oluja" in 1995 by the Croatian government, around 200.000 Serbs were forced out of their homes from East and South Croatia and had to find new homes in the Republic of Serbia (Koska, 2009). This means that all of these countries had to devise long lasting and all-encompassing policy responses to deal with the issues of internal displacement, refugee care and asylum procedures, as well as work migration related issues, but mostly within the confines of their own ethnic groups, or at least from former co-republics.

One can see that all of these countries have devised a somewhat ethno-centric approach to dealing with the issues of foreigners (Štiks, 2013). A lot of times this means that countries base their approach to migration issues in very restrictive and ethnically exclusive way (Zorn, 2005; Štiks, 2013; Stojić-Mitrović, 2016). This means that dealing with migration takes place within a sphere that puts national security and the safety of the co-ethnics at the center of policy making. All of the countries have had a very limited experience with dealing with migration from outside their Yugoslav confines and the refugee crisis of 2015/16 was a novel experience Europe-wide and even more so for young countries in the Balkans.

Traditionally, these countries had insular view of migration – migration was intra-regional for economic reasons and directed to third countries for both economic and political reasons. The wars in the 1990s produced hundreds of thousands of refugees and internally displaced persons who found shelter across the world, the majority, however, in neighboring countries (Šelo-Šabić, 2017). Therefore, all of these countries based their approach to new migration and refugee flows in the idea of a transition country, in which asylum seekers almost never, or only very rarely plan on staying.

This has produced an approach to policy which either adds to the transitional nature of the people, and most importantly hinders progress on the policy that has to do with the treatment of migrants and refugees, making integration and life in these countries hard. In addition, the ethnic character of the states, makes it hard to envision a more all-encompassing relationship towards non-citizens. The international human rights law and European Human Rights Charter are important, but the main line of reasoning is not to make the country too accessible, in order to not become a destination country, but to stay a transit country. This last bit has been obvious when the Balkan route opened and the countries did everything in their power to channel the flows of refugees and migrants towards their destination countries of Western Europe.

4.3. Policy Responses

This subchapter aims at positioning the policy responses by Serbia, Slovenia and Croatia, within the larger context, and will function as a background to the policy analysis conducted later in Chapter 4.4. It will follow a reconstructed timeline⁵, which starts in late spring/early summer in Serbia already, and developments in Europe, which led to the re-routing and *de facto* opening the Western Balkans route as we know it today. The policy responses on the ground, in the researched countries, can be roughly placed within the context and decisions of wider EU dynamics.

The crisis in Serbia started earlier than in the other two countries on the Western Balkan Route (WBR). Serbia started feeling the heavier flow of migrants and refugees already in the spring of 2015, when the Mediterranean sea route started being used more heavily (Lutovac, 2016). The refugees and migrants would come from the Greek islands, towards the mainland, and from there either through Bulgaria or Macedonia, started entering Serbia (Šelo-Šabić, 2016). At the time, the irregular entry of migrants and refugees was still considered a misdemeanor, meaning, the refugees and migrants were criminalized upon their irregular entry to Serbia (BCHR, 2016, p. 20). This fact points out to the idea that securitization of migration was an issue at the very beginning. The main part of the migrants, made their way across Serbia, towards Hungary and crossed the “Green border”, making their way further into the EU after crossing.

⁵ See Appendix.

Already in early June 2015, the Serbian authorities have identified the migration flows were getting heavier, and with Hungary threatening the closure of the border and erection of a barb-wire fence, the situation was getting complicated. Therefore in June, and although since the Law on Migration Management of 2012 the responsible body for the treatment and dealing with migration flows was the Commissariat for Refugees and Migration of the Republic of Serbia (KIRS), the Serbian Government established an emergency Work Group for Dealing with Mixed Migration Flows, which effectively took over the responsibilities from the KIRS and included them as one of the parties within the working group. In accordance with the Law on Migration Management, the KIRS proposes to the Government measures aimed at the provision of care of irregular migrants. This has also proven effective in the handling of the larger influx of migrants, and the crisis command center around the Work Group has been based in the militaristic handling of the crisis with building camps, and logistically supporting the main flow of migrants. From the beginning of a massive influx of migrants from Macedonia's direction in June 2015, 14 reception centers were opened in order to secure the acceptance and accommodation of migrants (Government of Serbia, 2017).

In July, also the National Strategy for the Resolution of the Question of Refugees and Internally Displaced Persons was adopted in Serbia, but in its core it deals with the remainders of the questions of refugees from the Wars of the Yugoslav Secession and IDP's from the province of Kosovo, in Serbia, although it takes in consideration also the chance that refugees from other countries might arrive, and has some policy proposals and action plans set, the core of the Strategy deals with the questions of the refugees and IDP's of Serb ethnic belonging and their return and reintegration to neighboring countries, such as Croatia and Bosnia and Herzegovina, or their final integration in Serbian society. This takes the ideas from the securitization of migration towards more socio-economic and socio-cultural responses, which identify needs of the population under threat.

The Work Group, led by the Ministry of Work, Employment, Fighters Affairs and Social Affairs (MRZBS), included other ministries, such as the Ministry of Interior Affairs, Ministry of Health, Ministry of Defense, as well as other members, such as different agencies, and the Red Cross organization. This response was in line with the critical situation at hand. Soon, camps have sprung up, which functioned as one stop transit centers and registration centers on the road to Hungary. At

the time, in the beginning of July 2015, Serbia also abandoned, albeit temporarily, the criminalization of irregular entry, and issued “Certificates of Transit”, with which, upon registration, especially in the registration centers near Macedonia, the migrants and refugees had 72 hours to cross transit out of the country (BCHR, 2016). This was a clear politico-legal response, which effectively admitted the irregular migrants and gave them some rights, albeit for 72 hours, on Serbian soil.

In July 2015, Slovenia adopted a Contingency Plan, which was supposed to deal with the massive influx of migrants and refugees, in accordance with Schengen rules and Dublin Regulation (Ladić & Vučko, 2016). This plan has distributed responsibilities across the ministries and agencies in Slovenia in order to tackle the possible crisis. The “Contingency Plan in the Case of the Rise of the Flow of Migrants” plan showcases the approach Slovenia would take in dealing with the influx of migrants and refugees. The position was that the Slovene Government would differentiate, on spot, between real refugees and irregular (so-called economic migrants). This points out to the direction of restrictions, and protection of the Slovene asylum system, making it harder for people to apply for statuses.

As part of the Plan there were measures asserted on the provisions for the “real asylum seekers” and the irregular migrants, for the former how to house them, provide humanitarian and psychosocial assistance but flat out rejecting an idea of the “humanitarian corridor” for transit, and for the latter, restricting entry and forceful return (Ladić & Vučko, 2016, p. 16). As summer was closing to an end, the authorities were observing the situation alongside the route, hoping for the route not to come too close to Slovenia. In Croatia the belief prevailed, that although there were signs that a large influx was possible, the route was not going to cross its territory.

In Serbia at the beginning of the period migrants and refugees have made arrangements to get to the Hungarian their own, with more “entrepreneurial” Serbs helping them, but in mid-August, the movement of people was strictly organized by the Serbian authorities (BCHR, 2016), and people were transported from the Macedonian border to the Hungarian border, through state organized transport, for which the migrants and refugees payed for themselves, but at a rate set by the Serbian Ministry of Transportation (ibid). This did isolate the already very visible population of migrants

(in parks in Belgrade along the main train and bus station) from the native population, which can be interpreted as a security measure. In August the rates of people entering Serbia from Macedonia have risen, and in the night on the 24th of August the biggest wave of migrants and refugees so far entered Serbia. 7.000 people entered that night, topping to 90.000 from the beginning of the year. As summer drew slowly to a close and Serbian authorities were battling the heavier and heavier transition of migrants, the first long lasting plans were laid down.

In the beginning of September, the Serbian Work Group adopted the Response Plan in The Case of Mass Influx of Migrants (Plan reagovanja), which laid down the capacities of the Republic of Serbia, their plan of conduct and responsible ministries and agencies for the implementation of such a plan. On September 8th, the EU delegation visited the country and gave € 400.000 for the accommodation of migrants. Ten days later, on the 17th September, Hungary finished erecting a barb-wire fence along its border with Serbia, effectively closing the “green border” with Serbia and rerouting the migration route towards Croatia (Šelo-Šabić, 2016). Until that moment, Croatia has been only minorly hit by the crisis itself. The Croatian Government (on the 14th September) called in experts and tried to prepare for the influx of migrants and refugees from Serbia. One of the few times in which Croatia explicitly asked knowledge producers to contribute.

At the same time, the Slovene Government already started negotiations with the local communities, which were expected to be hit by the route in Slovenia, and at the same time already started some the coordination between the humanitarian organizations and NGO’s (Pristavec-Đogić & Križaj, 2016). Slovenia also named the members of the Operative Group (OG), which was in charge of organizing the handling of the flow of migrants. In the beginning of September, the State Secretary at the Ministry of Interior Affairs of Slovenia (MNZ), Šefic, explained the policy towards the refugees at the borders, which would be taken by the border police. The refugees would be placed in three groups according to: (a) refugees who ask for international protection; (b) those who are, according to Dublin Regulations fit for return; (c) irregular migrants, which cannot be returned according to the principles of *non-refoulement* and will get a permit to stay in Slovenia.

On the night from the 16th to the 17th September, 11.000 migrants have crossed into Croatia from Serbia (Šelo-Šabić, 2017, p. 58). This has caused widespread panic for the Croatian Government,

and they unilaterally closed the borders with Serbia, delaying both passengers and transport vehicles at border crossings with Serbia. This was met with the response from Serbia. The issue was resolved in a matter of days and the Ministers of Interior Affairs of both countries started communication and coordination activities (Šelo-Šabić, 2017, p. 57). The migration route was still targeting Hungary, and onwards to Western European countries such as Austria and Germany, so on the 18th September, Hungary started erecting a barbed-wire wall on the border with Croatia. This turned the route also towards Slovenia, and further north, towards Austria and Germany. The first weeks of the crisis, the largest inflow in Croatia was detected at the area of Tovarnik, Ilok, Stoščinac and Bapska (Sisgoreo, 2016). Migrants and refugees were placed in a temporary shelter in Opatovac, from where they were transported to Hungary or Slovenia, and onwards to Western European Countries.

Croatia, after the initial chaos, adopted the “Open Border Policy” of Prime Minister Zoran Milanović of the SDP (Social Democratic Party), and Minister of Interior Affairs has welcomed the refugees on terrain, but at the same time the PM stressed the fact that Croatia will not become a “hot-spot” for refugees and migrants, from where they would be later deployed to other European countries (Sisgoreo, 2016). This points out to the fact, that even though Croatia was ready to help the refugees and migrants *en route*, they would not risk becoming a destination country, which is in line with their previous attempts. The initial Croatian policy was to let people in the country, let them replenish their powers, help the sick, and inform them and transport them to the borders with Hungary and Slovenia, so they are able to continue their way. Croatia suspended their criminalization of irregular entry for the time being.

At first Slovenia tried to implement the Schengen procedures with regard to processing each of the persons at the border, and it was agreed between Slovenia and Austria that the daily intake be below 2.500 persons (Joint Report, 2016). As Croatian authorities decided to pass on the migrants as fast as possible in order not to become a “hot spot” for migrants and refugees, the plan was quickly abandoned (Ladić & Vučko, 2016). In the beginning, although there was a Contingency Plan laid down already in July, in case of an increased influx of migrants and refugees, there was a lot of confusion among Slovene authorities and the incoming of such a number of people presented a challenge for the Slovenians, both logistically and as a security challenge (Joint Report, 2016). The Contingency plan did not envision the fact that the migrants and refugees would want to get to the

border of Austria as fast as possible, instead of asking for asylum in Slovenia (Torkar, 2016), and police forces were using extensive force at times to cope with the situation to secure the border (Zupančič, 2016, p. 112) and to prevent irregular entry.

Slovenia which initially tried to block the passage of the migrants, according to the Contingency Plan adopted in July, and in line with internationally asserted rules for the handling of refugees (Ladić & Vučko, 2016, p. 17-18) opened its border, only to guide the migrants and refugees towards Austria through a “corridor”, registering them at the entry and handing them over to the border patrol police in Austria. According to Maja Ladić a Slovene NGO worker from the Peace Institute in Ljubljana and coordinator of the project monitoring the authorities during the refugee crisis, at a conference in Belgrade, Serbia, stated that “the Slovene government accentuated the securitization aspect in the responses to the crisis” showing the refugees as a national security risk and always took the “security of their own citizens as a priority” (BFPE, 2016, p. 18). The thread of this statement can be traced throughout the Slovene responses, since Slovenia had a very restrictive immediate response, by taking over reigns from Hungary. The authorities in Slovenia quickly started erecting barbed-wire fences along its south border with Croatia, and took a very cautious, and security ridden approach to the migration flows, by building several, strong protected camps, for registration and transit, as well as replenishment for the refugees and migrants. It also organized transportation, so that Slovene citizens would not have to interact with the refugees and migrants, or at least take that contact to a minimum.

On September 20th Slovene authorities adopted the action plan *Support to reception capacities established to cope and manage mass arrival of third-country nationals at the Slovenian Schengen border* (Pristavec-Đogić & Križaj, 2016), which lasted until the end of March, 2016, and was financially injecting the capabilities of the police and the recruitment of additional and reserve police troops at the Slovene south border. The same day, another action was started, aimed at the reception of migrants and refugees: *Establishing of new and facilitation of existing accommodation capacities to cope and manage mass arrival of third country nationals at the Slovenian Schengen border*. It included financial support for the housing of migrants, as well as co-financed their transportation across Slovenia, towards transit centers near the Austrian border. Both of these responses can be placed within a larger national security response scheme devised by the Slovene authorities.

On 16th of October Hungary closed all “green borders” with neighboring countries and started enforcing Schengen rules in relation to border crossings from Croatia. It effectively closed off its border completely, and the movement was redirected solely towards Slovenia, at which point Slovenian authorities were later transporting people to the Austrian border (Ladić & Vučko, 2016). Slovenian authorities were initially overwhelmed, and announced a limit of 2.500 people per day limit, while the average that was coming in from Serbia to Croatia was around 5.000 people per day, which led to thousands of people having to wait in buses, or in the cold outside for hours (Sisgoreo, 2016). The refugees and migrants were thoroughly registered by the Croatian authorities throughout the period. The registration was first conducted in Tovarnik and Opatovac, for which the Minister of Interior Affairs of Croatia, Ranko Ostojić, said:

It took us 3 to 4 minutes to register a person, taking their fingerprints, determining their identity and taking their photo. We were doing everything very systematically and effectively. The train would drive into the camp, up to 900 people would disembark, and get registered. After the registration, they would get food and warm tea, and those in need could get medical attention. In a matter of hours we boarded them on a train again and they would be on their way to Slovenia or Hungary (Policy Maker from Croatia).

In October, as already mentioned, Slovenia opens the “corridor” for people to move from Croatia towards Austria. “The corridor—which is less a physical structure than a system whereby migrants arrive in Slovenia and the state helps usher them farther north—has no basis in law” (Open Society Foundations Website, February 2nd 2016⁶). The Slovene police first registered migrants and refugees and then, via organized transport sent them to reception centers near the Austrian border, where they have been cared for. Towards the end of October, political tensions in Slovenia increased. The Government of Miro Cerar was under criticism by the right-wing opposition, which was stressing the security aspect of the crisis and urged the establishment of a national guard (Joint Report, 2016), and as many EU countries established border controls, Slovenia feared not to become a “migrant pocket”. Slovenia decided to securitize the issue further and announced the introduction of “technical barriers” (razor-wire fences) at the border with Croatia, and by the time already around 80 percent of the population supported the fence (ibid). As Croatia was guiding

⁶<https://www.opensocietyfoundations.org/voices/slovenia-built-corridor-move-refugees-straight-through-country>

more people than agreed upon towards Slovenia and sending them over, Slovenia suspended the train connections between countries (Zupančič, 2016), which worsened the conditions at the border with Croatia, where people had to wait in cold and rain for several hours before being sent back to camps in Croatia or either allowed to proceed.

In early November train connections with Croatia were re-established. Migrants arrived at Dobova, where they were registered. People were now passing Slovenia in organized convoys, mostly during the night. Most of the Slovenes did not see refugees and migrants at all. Slovenia also started building a razor-wire fence at the border with Croatia in November. This short term measure was very pragmatic, since Slovenia cannot control the whole of the “green border” with Croatia. It was also a costly endeavour (Zupančič, 2016, p. 116). After the attacks in Paris, the popular opinion started to turn, and also Germany demanded a tighter control of the Schengen border, which meant that Slovenia was under real threat to become a “migrant pocket”. This consequently also lowered the tolerance threshold, and together with the agreed 17 Point Plan posed a basis for a tighter control on the borders, intake quotas and serious restrictions for people from “non-war” areas. If people could not show that they were from one of SIA countries, they were pushed back to the countries where they had been already registered before (Sisgoreo, 2016). At the same time, also the Croatian Minister of Interior Affairs started tightening the criteria for admitting people from countries “not affected by war”, and differentiated refugees from economic migrants. The Croatian police prevented them from boarding the trains to Croatia in Šid, Serbia, which points out to a larger restrictive approach to migration in the countries.

In Croatia from November 2nd, the people were transferred to a newly erected camp in Slavonski Brod, which was built in better conditions than the previous camp in Opatovac. This was the temporary winter reception camp, and could accommodate up to 5.000 people at a time. The camp was covered with video cameras, and there was a video wall with the most important information in Arabic, Farsi and English (Sisgoreo, 2016). The police was in charge of the running of the camp, and although there was staff there to help vulnerable groups, the police insisted on a rapid passage of people, so volunteers did not have time to provide help to vulnerable groups. The camp was built so that the Croatian population never saw any migrants. The train would leave from Šid in Serbia, arrive directly inside the camp at Slavonski Brod, where they were cared for and registered, and continued onwards towards Dobova, Slovenia. Croatia organized a free-of-charge train ride

from the Serbian towards the Slovene border (Šelo-Šabić, 2017). This was seen as a good move, since it presented the incumbent Government as though they are in control of the situation. It also points out, that just like Serbia and Slovenia, Croatia wanted to completely isolate and avert all contacts between the natives and the refugees and other migrants.

Alongside the route, for Croatia and Serbia, the most important thing was to take care of the refugees in a humanitarian way, alongside the registration, which was important for the countries in order to be, on the one hand, presentable to the EU officials, closely monitoring the capacities and the approach of the Serbian and Croatian authorities, but also on the other hand to show, in their home publics the capabilities of the authorities to deal with a crisis at hand with compassion and excellence (Šelo-Šabić, 2017). This was carried out by all the border police forces alongside the Western Balkan route. Aside from these transportation measures, housing and humanitarian aid help for transiting refugees and migrants, as well as always present national security measures, the governments also jointly worked on alleviating future arrivals.

On November 8th, following the Croatian parliamentary elections, a change of power was in place. In January, the new right-wing, led by the HDZ (Croatian Democratic Union) and MOST (Bridge) was established. The new right-wing government took over where the last social-democratic government have left off, but strengthened the security aspects of the crisis. Only SIA people were allowed to cross. In the pre-election debates parts of the HDZ and other right-wing parties were emphasizing the negative consequences of the large influx of migrants, in relation to the national security and nation/cultural identity issues (Sisgoreo, 2016). “The refugee crisis has been in the center of political debate in Croatia” (Šelo-Šabić, 2017), throughout the pre-election period, and although the debate was surrounded by the issues from the refugee crisis, the crisis itself did not have a major effect on the outcome of the elections (ibid). The strain on the economy has been put forward as an argument by the HDZ to deter the migration flows. The daily cost of the care for the refugee and migrants (food, transportation, manpower, services) has been established at 2 million HRK (Croatian Kuna), which is around 260.000 EUR, daily (Esterajher, 2015, p. 21).

December marked a turbulent time in Slovenia’s responses to the refugee crisis. Under scrutiny from the opposition and with support from the public, the Slovene National Assembly, on

December 10th, adopted amendments to the Law on the Defense, which expands the area in which the military can function and invades into the civil sphere in order to curb the flow of migrants and refugees towards Slovenia (Kozinc, 2015, p. 247). This proved as one of the most controversial moves of the Slovene government in order to protect the borders and the sovereignty of the small nation, further making access to Slovenia harder.

In February Slovenia, Croatia and Serbia agreed to coordinate their actions with other law enforcement alongside the WBR and this restricted the movement of individuals, particularly Afghan nationals, which were barred from entry to Macedonia and Serbia and spurred consequences of humanitarian nature. Slovenia also as of February 22nd allowed the military forces to join the police in policing tasks alongside the southern Border with Croatia (Amnesty International Public Statement, March 4th, 2016). This meant a turn in the border permeation in the region, and it became increasingly hard for people to get to their destination countries, and also presented questionable relationships of the countries along the way with human rights and international law.

On February 21st only Iraqi and Syrian nationals, who presented proof that they underwent registration in Serbia, were allowed to enter Croatia (Sisgreo, 2016). Persons who attempted to enter Croatia irregularly, were subjected to standard procedure – checked in compliance with entry conditions stated by the Law on Foreigners, and in case of irregular entry, they can be charged, and sent to the detention center in Ježevo, unless they seek asylum. The pushbacks from Slovenia were sent to the Slavonski Brod camp, and were placed in a secluded sector, to which only the Croatian Red Cross could access to provide food, water and hygienic supplies. People were detained, at times for more than three weeks, without any information, and after the route was closed on March 9th, the returnees could either ask for asylum or being ordered to leave the European Economic Area within 30 days. Until the closure of the transit route through Croatia, over 700.000 people transited through Croatia (Šelo-Šabić, 2017).

At the Austrian initiative, the countries along the route introduced a series of coordinative measures aimed to control the transit along the route, due to an agreement between police chiefs of countries (February 25th), *de facto* closed the borders (BFPE, 2016, p. 15), until the routes official closure on 8 March 2016. Since the beginning of the crisis, Croatia advocated a comprehensive and effective

European solution. Yet, everybody also understood that this was easier said than done. Croatia proved that it would be a team player, by accepting the quota within relocation schemes proposed by the Commission (Šelo-Šabić, 2017).

In March 2016, Slovenia instated amendments to the Law in International Protection. These amendments are aimed at the reduction of the arrival of asylum seekers and limiting their stay in the Republic of Slovenia. The Act provides admissibility procedures at the border and widens the scope of application of the “safe third country” principle to allow for the return of asylum seekers to transit countries (Global Detention Project, 2016b). Slovenia has seen a sharp increase in detention of non-citizens. From 425 persons in 2013 to 2.338 in 2015 (Global Detention Project, 2016b). The main piece of legislature that defines the treatment of non-citizens is the Aliens Act (*Zakon o tujcih*) from 2011. It transposed several EU directives including the Returns Directive, and regulates entry, stay, and departure of non-citizens (ibid). As of March, Slovenia started detaining people for irregular entry or unauthorized stay in the country, reinstating the detention rules in place before opening the “humanitarian corridor” (Amnesty International Public Statement, March 4th, 2016), bringing back the strict attitude in their handling of migration issues. After the effective closure of the WBR, Slovenia focused more on issues such as education and integration into the labor market, for the around 500 persons which would be relocated according to the EU Scheme.

Serbia has drafted a new Asylum Law, whose first draft was presented in March 2016, and was in part a product of Serbia’s negotiations and obligations within Chapter 24, of the EU candidacy talks (BCHR, 2017), but also a long standing objective of the KIRS, which worked extensively on it with other countries in twinning projects with Sweden, The Netherlands, and the Republic of Slovenia.

Slovenia is one of the countries, who has had the most restrictive approach to the Crisis, and it is visible from the policies and policy documents alike. In the migration crisis, Slovenian Government Policy “diligently followed ingerencies of the European Commission and German politics” (Zupančič, 2016, p. 112), and the Slovene authorities also coped with the situation at hand with *ad hoc* responses to what neighboring countries were doing.

The two main policy documents at the time of the refugee crisis, and as immediate responses to the crisis, very important and will be put under policy analysis. Firstly, already in December 2015, the National Assembly adopted amendments to the Law on Defense, which put at the disposal to the military policing abilities, in order to curb the migration. This is also, in a way, a direct consequence of earlier developments in Slovenia, as Slovenia was still recovering from the EU Financial Crisis. Slovenia's capabilities were underfunded, as police, the military, civil protection as well as the Red Cross were struggling just before the crisis as well as during the crisis (Gombač, 2016, p. 79). Secondly, on March 4th 2016, the National Assembly also adopted the proposed amendments to the Law on International Protection, making it harder and more complicated for persons to make asylum claims.

Before the actual opening of the “humanitarian corridor”, Slovenia criminalized irregular migration, and was detaining people who would irregularly cross the border. As a temporary measure, and in accordance with what the neighboring countries were doing, Slovenia abandoned this response, for the time being, and with *ad hoc* responses, and in order not to become a “pocket for migrants” has provided transportation and care to people in transit, and at the same time trying to lower the influx, by firstly starting construction of a razor-wire fence along the southern border with Croatia, impose daily caps on how many people may enter Slovenia, and in cooperation with other countries on the WBR slowly closed the borders for all the migrants except Syrians and Iraqis, whose countries were engulfed in war.

Croatia was subject to the increased flow on the migratory route for less than 8 months in total. The flow of refugees and migrants started on the night of the 16/17th of September, when Hungary closed the green border with Serbia and Serbia decided to re-direct the route towards Croatia, to not become a gathering spot for refugees and migrants (Šelo-Šabić, 2016; Sığoreo 2016). In the busiest period, in September and October, Croatia took in around 12.000 refugees a day (Sığoreo, 2016). Croatia “requested improved information sharing” with Serbia (Šelo-Šabić, 2017) in order to be prepared. At the same time Slovenia and Hungary were already erecting barbed wire fences on their border with Croatia (Ladić & Vučko, 2016). When it comes to 2015, the influx of migrants has been the largest, Croatia has seen since the Wars of the Yugoslav Secession. But although, more than half a million refugees and migrants transited on the route from Serbia, to Slovenia and onwards, only 140 persons have made asylum claims (Eurostat, 2016), which did not influence the

country to act upon immediate responses, beyond the standard procedures, already in place, as it was less than a half from the asylum claims in Croatia the previous year (ibid).

Although humanitarian in their care for the refugees in transit, all Croatia wanted to do, it seems, especially under the HDZ government is to deter the movement of people. The official response, firstly of SDP, and later of the HDZ led Government, was that of help and aid, and the remaining of the transitory nature of the country, and in no sense, to become the “buffer zone” between non-EU countries and the Schengen countries (Kriste, 2017, p. 62). The primary approach of both Governments has been one of humanitarian aid along the way, but one can see a clear rise in securitization, already by the end of the SDP Government, and a swift rise in the securitization of the issue, as soon as the HDZ led Government took over.

When it comes to criminalization, after the initial period of “open borders”, already in the end of 2015, and in the beginning of 2016, the Croatian authorities began to criminalize irregular entry. As the number of migrants has drastically fallen, and only SIA persons were let to transit, the criminalization has once again been reinstated, according to the Law on Foreigners. In the Law on Foreigners in Article 222(2), and the Act on Monitoring of State borders, article 42, people convicted of irregular entry, can be sentenced to 30-day imprisonment and a fine of up to 10.000 HRK (€ 1.330), and an undocumented non-citizen may be sentenced for up to 60 days. One can observe policy stability in this case, with a brief suspension under the influence of the conduct of neighboring countries and other EU states, such as Germany. This is in line with the main line of Croatian Migration Policy, thus far, with falling under the securitization of migration, and the protection of the economy, culture and national security, and has been especially visible under the new Croatian right-wing Government which started its work in January 2016. Even before the WBR had crossed Croatia, and Croatia temporarily suspended the criminalization of irregular entry, Croatian numbers of refusal of entry were one of the highest in the EU (Global Detention Project, 2016a).

5. Findings of the Policy Analysis and Secondary Literature

In this chapter the findings of the policy and the secondary literature analysis will be presented, with a focus on the types of knowledge used, the way it is used and what kind of policy responses the countries under scrutiny have had during the refugee crisis. There is a general lack of policy documents available to the wider public. Those who are available have been thoroughly coded, and the codes found in the different policy documents as well as secondary literature about the policy present the main categories of policy responses identified. At the end of each country findings, a short analysis of the patterns revolving in the policy responses will be presented. In the end of this subchapter, the summary will present the findings and try to position them logically within the theoretical framework laid down in previous chapters.

Figure 3: Policy Analysis Codebook – Policy Responses.

| Coding Category | Definition | Serbia – Examples | Slovenia - Examples | Croatia - Examples |
|---------------------------------|---|--|---|--|
| Politico-Legal Responses | Responses that make possible the accession to different legal statuses, such as asylum, subsidiary protection and legalization as well as rights and obligations stemming from those. | Accession to rights and statuses for all refugees and IDP's (National Strategy for the Resolution of the Question of Refugees and Internally Displaced Persons 2015-2021, 2015, p. 11); “Transit vouchers” – Temporary decriminalization of irregular entry (BCHR, 2016).; Improvements to the Law on Asylum, which is now better suited to work with categories of non-citizens under the principle of <i>non-refoulement</i> , expanding the access to social and health services, as well as the labor market for holders of permits (Draft on the Asylum Law, 2016). | Amendments to the Law on International Protection, effectively tightening the access to asylum and legal protection in Slovenia (Amendments to the Law on International Protection, 2016); Differentiation between asylum seekers, economic migrants, and persons under the category of <i>non-refoulement</i> (Contingency Plan in the Case of Mass Influx of Migrants, 2015); temporary decriminalization of irregular entry (Global Detention Project, 2016b). | Temporary decriminalization of irregular entry (Global Detention Project, 2016a); Expansion of the rights to access according to the amended Law on International and Temporary protection, mostly in the sphere of the <i>non-refoulement</i> principle and expansion of access to rights to social and health services, as well as access to labor market (Law on International and Temporary Protection, 2015). |
| Socio-Cultural Responses | Responses concerning language, culture, religion and multicultural co-existence. Cultural integration. | National, ethnic and religious equality as priority and goal (National Strategy in the Fight Against Terrorism, 2016, p. 3-4); Access to services in mother's language and the right to interpreters (Draft on the Law on Asylum, 2016); Intercultural communication practices (KIRS, 2016). | Program for Intercultural Communication between Refugees and Natives (AMIF Action Plan, 2015); Program of Help with Cultural Integration into Slovene Society (AMIF Action Plan, 2015). | Integration Guide for Asylum Seekers (CMS). |
| Socio-Economic Responses | Responses of the economic and social nature. Responses in the integration into the labor market, in education, social welfare system inclusion and health care. Humanitarian care. | Humanitarian help along the way by the Serbian Government (Government of Serbia, 2017); Housing and social integration attempts (KIRS, 2017); Education for children refugees (KIRS, | New labor-market integration programs for persons with permits (ZRSZ and Ministry of Social Affairs and Labor, 2016). Program for Education of Permit holders (AMIF Action Plan, 2015); Housing Program for | Labor market integration programs (HZZ) |

| | | | | | |
|---------------------------------|--|--|--|---|---|
| | | | 2017); Labor market integration policies (KIRS, 2018). | Permit Holders (AMIF Action Plan, 2015); Project for Psychosocial Support to Refugees (AMIF Action Plan, 2015). | |
| Securitization responses | | Policy responses, which see migration as a security risk, and restrict the accession of refugees and migrants to the territory, services, statuses. The protection of economy, culture and the national security are all part of these policy responses. These responses might be lodged within the other three responses, but are restrictive in their application. | Criminalization of irregular entry and detention (BCHR, 2016); Mixed military and police force at the border with Macedonia (UNHCR, 2016); the danger of infiltration of terrorists in the massive inflow of migrants and refugees in Republic of Serbia (National Strategy for the Fight Against Terrorism, 2016, p. 3); restriction of access to the country to nationals not from SIA (Šelo-Šabić, 2017); Detention for Asylum Seekers until determined status (Draft on Asylum Law, 2016); extensive registration. | “Humanitarian corridor” (Open Society Foundation, 2016); Registration at borders (MNZ, 2016); Categorization of entry (MNZ, 2016); building razor-wire fence along Croatia south border (Zupančič, 2016); Amendments to Law on International Protection, tightening entry requirements and return procedures (Law on International Protection, 2016); Military at the borders, helping with policing according amendments to the Law on Defense (Amendments to the Law on Defense, 2015); Isolation of refugees from native population (Ladić & Vučko, 2016); Restriction for nationals not from SIA (Šelo-Šabić, 2017); detention and criminalization (Global Detention Project, 2016b); Improved control and security facilities in the Asylum Center (AMIF Action Plan, 2015). | “Open-door” policy of transit (Šelo-Šabić, 2017); Detention and criminalization (Global Detention Project, 2016a); Restriction of movement (Sisigoreo, 2016); Isolation from native population (Sisigoreo, 2016); Registration in the camps (MUP, 2016); Tightening entry requirements for persons not SIA nationals (Sisigoreo, 2016). |

5.1. Serbia

Serbia's policy document linked to migration and under scrutiny in the text below are the Directive on the Formation of the Work Group for Mixed Migration Flows (June 2015), the establishment of key co-ordination of the competent bodies in the field of migration and refugees is achieved through the work of the Work Group for Solving the Problem of Mixed Migration Flows that was established by the Government in June 2015, and effectively took over the job from the KIRS and devised a Response Plan, which is in place until September 2016. The policy document National Strategy for the Question of Refugees and Internally Displaced Persons was out in July 2015, and last but not least the, National Strategy in the Fight Against Terrorism (April 2016) which has direct links to the Crisis.

The policy responses include all four types of responses anticipated in the theoretical part. Securitization of migration plays an important role, as security responses seem to prevail, as per the analysis of the policy and secondary literature, although there are a few positive developments in the politico-legal responses, as well as socio-economic and socio-cultural responses. There is a policy change visible, and it has to do a lot with the Serbian road towards the EU. These developments have been mostly visible in the Draft on the Asylum Law, which saw the light of day in March 2016. The positive developments are partially policy transfer, since the Draft is in part, a result of several twinning projects between Serbia and EU countries like Sweden, the Netherlands, and Slovenia. Knowledge and expertise informed, in quality a very solid Draft, which has been only marginally criticized by domestic experts, mostly in the domain of formulation and wording of some passages, which are referring to housing, or detention. It expands the access to protection by the Republic of Serbia, now also for persons under the provisions of the *non-refoulement* principle, as well as manages access to housing, social services, health and the labor market.

The policy makers in Serbia, use knowledge in their national strategies extensively. Depending on the strategy, they use a mix of qualitative and quantitative knowledge. Quantitative knowledge has been used in the National Strategy for the Question of Refugees and Internally Displaced Persons, very extensively, in order to bring to the fore the problems with which Serbia is faced, in 2015, almost 20 years after the Wars of the Yugoslav Secession have ended. The numbers seem to be present to emphasize the severity of the problem, and are grounded in studies conducted by

international organizations, such as the UNHCR or OSCE, but also by the studies conducted by the KIRS.

While being grounded in the research by these organizations, present in the strategy are also academic studies conducted by respected scholars, both from Serbia, as well as Croatia, as was in the case of the study conducted by Croatian scholars under the patronage of the UNHCR in 2011 – *Minority Return to Croatia – Study of and Open Process*, written by two very respected Croatian scholars prof. Milan Mesić and prof. Dragan Bagić, of the Faculty of Arts and Humanities at the University of Zagreb in Croatia. This latter part is important, since it seems that, when using the “knowledge of the perpetrator”, which Croatia was in the Wars of the Yugoslav Secession, when it expelled nearly 200.000 ethnic Serbs from its territory (Koska, 2009), makes stronger the argument of the national strategy, to demand reparations on behalf of the refugees and the Republic of Serbia for enduring this mass strain.

While this policy document, a strategy, is aimed mostly at co-ethnics, who still have not been able to normalize their living conditions 20 years after the Wars in Yugoslavia ended, and 15 years after Kosovo has been *de facto* not a part of Serbia, it lays down some concrete measures in the case of inclusion of refugees in society and economy. One must not think though, that these are responses to the refugee crisis, since the language of the strategy is a very standardized text and resembles the former strategy from 2011-2014 in almost its entirety. Undoubtedly the next National Strategy aimed at Refugees and IDP’s will be of a different format, which is aimed at the “new types” of refugees in the area.

On the other hand, the National Strategy in the Fight Against Terrorism, which has been presented on April 4th, 2016 already is responding to the situation on the ground. Several responses to terrorism acknowledge the “rise in mass migration of persons, and the porosity of borders” (National Strategy in the Fight Against Terrorism, 2016, p. 3) which makes Serbia more vulnerable to the movement of terrorists and can support the rise of extremism, both in the country itself and the countries of their destination. The knowledge is used purposefully, and is based in the area of security studies, whose main task is to secure the nation of Serbia, by proposing policy solutions and measures which exert more control on its outer borders, a closer monitoring and detainment of persons of interest and a coordination and cooperation of security organizations, and sharing of

intelligence gathered, both through registration at the points of entry and on the route (National Strategy in the Fight Against Terrorism, 2016, p. 6-7).

It is natural that the Strategy of this field is based in the field of security studies. Some of the proposals, such as the “prevention of radicalization”, also take more humanitarian approaches, such as the attainment of social rights by groups which are vulnerable to radicalization and extremism and alleviating the threat, which can be found in some sociological studies (Blattman & Ralston, 2015; Devarajan et al., 2016). The overall basis of the policy responses, upon policy analysis seems well lodged within the research done on the topic, which is of no surprise, since strategies tend to be a more thought out policy in general, making it very grounded in evidence gathered, both from academia, and expert organizations, such as a central intelligence and security agency, the Ministry of Interior Affairs, and the Ministry of Defense, at least in the case of the Anti-Terrorism Strategy.

5.2. Slovenia

In Slovenia, one can speak of a very tough policy stability. The Slovene Government has done everything to avert the turning of the country from a transit country into a destination country. As one can see from the policy analysis, the securitization of the refugee crisis prevailed. The only time Slovenia has turned away from this path is, when in accord with neighboring countries, it opened a “humanitarian corridor” for refugees and migrants to freely pass. The Slovene system felt the impact of the crisis only marginally, since it has barely taken in any refugees in 2015 (Lara Montero & Baltruks, 2016), therefore, no major developments have been present in the socio-economic or socio-cultural responses to the crisis. Marginal, incremental adjustments to the already existing policies for the employment of refugees and non-citizens have been undertaken, and programs, which are the basis for integration into society, such as education, housing and intercultural communication have continued to get funding.

The strongest developments were in the sphere of politico-legal responses and the security responses, which are the most visible examples of Slovene policy in the time of the crisis. These include amendments to the Law on International Protection, which restricted the access to protection and asylum, and makes easier push-backs for certain types of migrants, and is in cases against the principles of *non-refoulement*, which can be interpreted as securitization of migration.

The second part of amended legislature is in line with security is the amended Law on Defense, which makes possible for the military to do policing on the borders if so needed. Slovenia's security approach to the crisis, has been visible throughout the period, as it differentiated between categories of migrants, has criminalized irregular entry, opted for detention, built razor-wire fences alongside the southern border, isolated the refugees from the native population and sometimes extensively used force to deter migration.

The knowledge which is used in the policy documents has a basis in both qualitative and quantitative knowledge, which is important to clarify. The quantitative knowledge is used to stipulate the numbers and to emphasize the impeding threat to Slovene security. The majority of knowledge can be traced to the knowledge and expertise on securitization, and policy transfer in some cases, as in the case of barb wire and razor wire fences, taken from Hungary (and even bought from Hungary). On the other hand, the socio-economic responses and some socio-cultural responses have a solid foundation in knowledge and best practices from around Europe, as well as in-house research, which conducts research on the behalf, especially the Ministry of Social Affairs and Labor. Their policies concerning the integration in the labor market are based in policy transfer, from the ZRSZ, and successful employment programs, as well as best practices, mostly from Germany. Still, these programs and policies were rare, until almost the end of the Crisis, and many of them run the risk to be discontinued, since Slovenia is witnessing a decline in asylum applications, both because the WBR has been closed and the deterrents from the amendments on the Law on International Protection.

The overall impression is that Slovenia is using knowledge partially and to ends which apply to the pre-determined policy goals, such as staying a transit country and not having to take care of a larger amount of new migrants, which is in line with the exclusivity of the Slovene system in place for foreigners and the ethno-centric way of approaching migration and membership in the society.

5.3. Croatia

The Croatian policy responses are somewhat fragmented, but prevalence of security responses can be seen. In the beginning the Croatian authorities were detaining the irregular migrants, and until 17th of September, were in complete denial about the actual route being re-routed towards them.

After an initial security phase and chaos, when large numbers of refugees crossed the border with Serbia, the response was that of an “open borders and safe transit” which is a definite humanitarian response, along the way, and in line with what all of the countries along the WBR were doing. The temporary suspension of criminalization and organized transport are humanitarian responses, but lodged within a larger security response, alongside with registration, and the attempt to isolate migrants and refugees from the domestic population, to avert security risks. The new Law on International and Temporary Protection, from July 2015, pre-dating the Crisis on Croatian soil, expanded the rights, and is a clear example of the socio-economic, and politico-legal response, but cannot be taken as a response to the Crisis, rather a policy development, which came after a long time, since the last law regulating the statuses of refugees and non-citizens in need of protection was the Law on Asylum from 2008.

The Croatian responses were mostly *ad hoc*, and after the SDP government was ousted, the securitization of migration prevailed, as the right-wing government led by HDZ has taken the more restrictive approach, playing along with other countries in the region, and reinstated criminalization of irregular entry by February 2016. Croatia shows clear examples of policy based in a nationalistic security paradigm. This comes from the very mainstream nationalistic and ethno-centric view on migration and foreign culture in general. There is a clear policy stability in place, and Croatia, now already a member of the EU, since 2013, did not, as Serbia, have time for niceties when it comes to pleasing the EU. Even though, the SDP government made some great steps forward in expanding some of the rights under the Law on International and Temporary Protection, the wish to remain a transit country, is present, and not choosing to use knowledge outside the closely confined area of national security studies is a clear choice, and non-utilization of any knowledge is present in a lot of decisions, which have been made in the responses to the Crisis.

5.4. Conclusion - Moments of Change and Stability

What the previous subchapters suggested is that there is a great deal of policy responses which deal with the securitization of migration. In the beginning of the crisis, one can see that the security aspects of migration have been more common. This is due to the fact that the European responses were anticipated, and no “open door policy” was yet taken in consideration. In the ensuing chaos, the countries soon realized that criminalization of such a large amount of migrants was not feasible,

and turned more towards a “transit for all” approach, which saw the construction of transit and registration camps all along the WBR. The approach was, as mentioned, the one of registration, replenishment and transportation, without the migrants and refugees ever coming in touch with native civilians. At the time, no country hoped for the country to become a destination country, and even though care was accessible and doors were open, they would do anything in their power to remain transit countries.

This means, heightened border control, physical obstacles on the way, as well as turning away certain categories of migrants, especially the ones that have not been from the SIA countries, which was part of the larger strategy alongside the WBR. In the meantime, some positive developments ensued and there have been integration plans, both on the part of Serbian and Croatian policy makers, labor integration policy for permit holders in Slovenia, as well as policies for unaccompanied minors. With the year ending, the Slovenes took the most radical step and made amendments to the Law on International Protection, which saw a sharp turn towards securitization of migration. The Croatian government, also now drifted to the right, as SDP lost the elections to the right wing HDZ, and the policies became ever more restrictive, and securitization of migration is seen on their part as well. Serbia had a positive development, with the new draft on the Law on Asylum, which was made in cooperation with experts from home and abroad and presents a very rare occurrence of instrumental use of knowledge in the countries.

All in all, a policy stability has been detected, mostly in Slovenia and Croatia, which took the crisis as a chance to further restrict the chances of migrants accessing membership in the community. There is some policy change, as some new policies have been developed for the existing permit holders, to improve their chances in the labor market or integration, albeit incremental. Serbia has by far drifted furthest away from their initial position within the policy responses. The initial phase of securitization, quickly turned towards a more rights based approach, and although the wish to remain a transit country remained, and some of the policy responses have proved the existence of such a strategy, there have been policy changes, under the influence of their obligations towards the EU, have changed policy. In practical terms, this might still be a declaration, but definitely shows that, on the level of policy documents, they have improved the accessibility of the membership to the community in terms of different statuses and rights and obligations stemming from these, the migrants can acquire.

6. Knowledge and Knowledge Utilization: Interview Findings

The following chapter deals with the areas knowledge utilization within the moments of change and the policy responses to the crisis. It will, firstly, identify the moments of change, secondly, investigate and through the qualitative content analysis of interviews establish what kind of knowledge utilization exist in the researched countries, and what types of knowledge is utilized and to what ends. The last part of this chapter will try to reconstruct the institutional arrangements between actors in the area, as to find out, how policy makers formulate and devise policy and what are their connections with the knowledge producers while they do so.

It will present the findings according to indicators of different types of knowledge utilization. These are based in the institutional arrangements of the exchange between researchers and policy makers, the research agenda and the coupling or fit between performance targets and the research, and last but not least, of the dissemination of the use of knowledge to the wider public (Boswell, 2009, p. 86). According to these indicators, one can determine whether the knowledge is utilized instrumentally or symbolically, in a substantiating or legitimizing way, or not utilized at all. It is important to see how policy responses come to being, and how is knowledge utilized can account for these responses.

6.1. Serbia

Serbia has indeed been very forthcoming in the way it tackled the Crisis alongside the WBR. The fact that it has a separate Commissariat for Refugees and Migration which conducts constant research on the topic, and collects best practices, as well as improves the knowledge of their administration.

Locally the knowledge utilization seems to have taken even more ground, since the local communities, which felt the pressure of the refugee crisis the most, were more eager to approach experts in helping them create an atmosphere of mutual cooperation. As a fine example, one can see the municipality of Savski Venac in Belgrade, which has the main train station as well as the main bus station, as well as the asylum office in its territory. This prompted the officials to act upon the fact that a lot of refugees and migrants were camping and residing on the territory, with evidence-based policies, which could help with the better humanitarian care, housing, and

intercultural communication practices, as well as psycho-social help for the refugees, some of which remain in the municipality to this day.

Figure 4: Knowledge Utilization Patterns in Researched Countries

| Knowledge Utilization | Indicators | Serbia | Slovenia | Croatia |
|-----------------------|---|---|--|--|
| Instrumental | <ul style="list-style-type: none"> - Intensive exchange between decision makers and research unit; - Close coupling of research with performance targets; - No obvious interest in publicizing knowledge utilization. | <p>In-house research unites, in the KIRS, which make good connections with needs and policy output. The devising of policy is based in devising concrete policy targets, these help to be reached with producing knowledge. Parts of knowledge use are not publicized, especially when it comes from the in-house research units. Important developments such as the Integration Plan, or the Draft on the Law on Asylum are a result of the instrumental use of knowledge in this country,</p> | <p>In-house research in the Ministry of Social Affairs and Labor, closely linked policy goals with research and evidence from research, making developments in the labor integration market policies and policies or vulnerable groups of migrants. There is a general tendency to closely couple research and performance targets within this Ministry. There has been no obvious interest in publicizing the knowledge utilization on parts of these developments.</p> | <p>In-house research, also inside the Ministries which are dealing with the social and economic needs of migrants. The knowledge is commissioned, as can be seen with the link with NGO's, to improve living conditions of migrants in camps, and centers, but also to improve integration capabilities of migrants, with language learning policies and social care.</p> |
| Legitimizing | <ul style="list-style-type: none"> - Looser ties between decision makers and research unit; - Looser fit between substance of research and performance targets; - Clear interest in publicizing knowledge utilization. | <p>Knowledge produced by prestigious institutions such as UNHCR and IOM is widely publicized. This makes the KIRS appear a somewhat more experienced actor, also in combination with decisions the Serbian government had to take which were not as popular in Serbia.</p> | <p>Very low volume of legitimizing knowledge seen in Slovenia. Mostly when institutions need to be seen a bit more credible and uphold the myth of having access to expert knowledge.</p> | <p>Croatia has a low volume of legitimizing knowledge, in the interviews there was no legitimizing knowledge utilization identified.</p> |
| Substantiating | <ul style="list-style-type: none"> - Some exchange between decision makers and research unit; - Close coupling of research with issues of contention; - Interest in publicizing utilization where it underpins claims. | <p>There is little or no exchange between researchers and decision makers. They use securitization knowledge in order to promote the protection of their social system and national security. Security experts are consulted, and their knowledge is taken out of context and out partially in order to substantiate claims. Knowledge is originating inside the security sector, both academic and independent. The producers are</p> | <p>Slovenia draws very strongly on various sources of knowledge in securitization to substantiate preferred policy outcomes, which are to remain a transit country, to protect its own ethnic community from foreigners, to alleviate the strain on the economic system and effectively close of borders to some categories of migrants. The knowledge comes from credible experts, both inside and outside the institutionalized setting. It</p> | <p>Croatian policy makers, like the other two countries, have a goal to remain a transition country in the WBR. They have effectively used the knowledge from securitization experts, both academics, independent and institutional (Ministry of Defense, and Police Research), which have been used to substantiate decisions of closure, securitization, restrictions and detention, and the fact that Croatia, like the other two countries</p> |

| | | | | | | | |
|------------------------|---|--|--|--|--|--|---|
| | | | credible individuals or institutions which produce knowledge on security issues, criminology, military tactics and the like. | | comes from inside the sphere of military and police sciences, criminology and security studies. The results are orbanistic way of dealing with the crisis. | | needs to remain a transit country it, as much as possible low amount of migrants of all categories in its territory. |
| Non-utilization | - No references to expertise or scientific knowledge. | | / | | / | | Visible in the immediate responses to the refugee crisis, where the authorities drew from “experience of the wars in Yugoslavia”. Military experience is crucial. |

According to an NGO expert in Serbia, the responses are “normatively very advanced, as can be seen in the adaptations on the Law on Asylum, but in the practice they are not working correctly”. The system, although consulting the experts on ground, as in NGO’s, takes knowledge, but seems to only partially take it in consideration, which was also the case with the draft on the Law on Asylum, where some of the knowledge coming from the NGO sector has been used in adjusting the policies to work better, yet there are still discrepancies within the new Draft, which are most notably regarding terminology, which can interpret “housing of asylum seekers” as detention, and in fact does so on the terrain.

The policy makers take it that the analyses, made by researchers, take long and are not fitted to the needs of them, since they are retrospectively working on research. It is something completely different when it comes to ministries. The internal research, as per the testimony of respondents from Serbian public administration, has been tightly monitored and looked on to fit the policy targets set by the policy makers. The Ministry of Interior Affairs also uses the research on migration, conducted by the research units within KIRS in adapting and making policy responses. These are most notably in the sphere of integration, access to asylum and protection and labor market integration policies, which have been devised by both the KIRS and MUP RS together, and with the input of other ministries, such as the Ministry of Education and Ministry of Social Affairs and Labor.

Knowledge utilization is more likely to be shown when it comes to prestigious organizations such as the UNHCR, IOM, the EU, or other partners which provide knowledge, such as was the case with the Twinning Projects of the EU in the drafting of the new Asylum Law. “It is important for us to inform the public of our cooperation with these organizations. In a way, these give credibility to our own efforts to make a change within such a contested area as is migration and refugee integration and care” says one of the policy makers. Even the Constitutional Court of the Republic of Serbia, has accentuated the relevancy of the UN reports in making policy. This points out to the legitimizing function of knowledge in Serbia’s policy making, intertwined with instrumental policy making, when it comes to in-house research, whose use is rarely disseminated to a wider public, but only in order to make the credibility of the policy making bodies rise and to present a picture of having access to quality knowledge, which is produced at the level of a very influential and well-

respected international organization or partner. According to the expert from a Serbian NGO the media and the public give such reports and the usage of the same more legitimacy.

The NGO experts noted that the communication and transfer of knowledge to policy makers has been easier during the Crisis itself. Mostly for purposes of improving the reception capabilities in the reception and transit centers and to make asylum procedures more accessible, as well as improve the decision making process of the same. They were called to comment and make reports on the Draft of the Asylum Law, but still, the experts see that in-house production of knowledge is more relevant to the policy makers and is used as a basis to brush of some ideas with regards to changes, therefore, substantiation of predetermined goals can also be ascribed also to internal productions of knowledge, especially when it comes to the restrictive parts of the draft on Asylum Law, more in line with the securitization knowledge of securitizing economy, national security or culture.

The Serbian government did regularly post open calls for research, when capabilities of the in-house research units were topping a maximum, and has asked NGO's and academics to contribute. This has been especially the case in the preparation of the Plan of Integration. For this purpose there was a close cooperation between KIRS and the IDN as the policy makers pointed out. For the most part, the experts see the policy having basis in the region and the neighboring countries, by comparison and policy transfer. The experts see, that parts of their positive suggestions are being taken in consideration, the example being additions of the gendered dimension in the new Draft on the Law on Asylum.

There is a large amount of knowledge coming from the field of the securitization of migration, which is lodged inside different think-tanks, Faculties of Security Studies (FSB) and military institutes. These parts of knowledge production influence a great deal of policy, although at first glance it seems that Serbia is making steps forward, it still wants and hopes to remain a transition country, and because the situation is critical in economic terms, hopes not to become a destination country, as it fears the strain on the social system if so (Lutovac, 2016). In this sense, this knowledge supports the main line of policy, which is to effectively close off the influx of persons in need of international protection or asylum.

In a way, one could say that Serbia is torn between balancing the positive aspects coming from the EU accession talks and taking over the *acquis*, and their wish to remain a transit country and to

follow the official line of security for their own ethnic community. This crucially balances the knowledge utilization in making policies between the two poles of Boswell. Instrumental use of knowledge is clearly visible when it comes to positive developments, and knowledge is taken and instrumentally used from both experts from the NGO sector and academics from the field of asylum law, as well as knowledge transferred from other countries and partners in various projects. It does appear that at times, in order to legitimize the functioning of their institutions, the Serbian policy makers, use important international actors, and the knowledge produced by them as a form of legitimizing their decisions. Policy makers do stress the importance of gathering of best practices in their in-house research units, which help them construct better policy. In this sense, policy transfer seems to be the most common choice. It is also more probable that instrumental knowledge utilization in policy making is on the lower levels, as in the case of the municipalities, or towns and cities, especially in towns and cities, where the refugees and migrants were accumulating.

6.2. Croatia

In Croatia, the expertise is less optimistic about the cooperation and the actual usage of knowledge. As one of the expert pointed out, there has been a very good cooperation in the 60's and 70's, when knowledge was the basis for a lot of policy concerning both immigration and emigration. The break came after the beginning of the 90's and the independence, and was shortly put back to life in the problems Croatia faced in the 90's, with IDP's and refugees from Bosnia and Herzegovina. The making of policy and the link to knowledge is not systematic, and it lacks coherence and institutional arrangements. This has been even more visible throughout the Crisis, as one could see that policies were just *ad hoc* solutions, without a deeper policy value, based in the hopes of Croatia not to become a "migrant hot-spot", although respondents agree that there has been a qualitative move in the direction of evidence-based policy making in the 2012, when the SDP government was incumbent.

In the Croatian case, it is the experts and their personal engagement, which make an impact. Unless there is initiative from the experts themselves, the government rarely consults them. This is the case of some of the academics, as well as the NGO's, which proved an important factor in, at least marginally, influencing policy making, especially when it comes to the humane treatment of the refugees and migrants along the WBR. The MUP HR is the most important policy maker in terms

of responses to the refugee crisis, and migration in general. Their structures, unfortunately, are rigid, and as in the case of many of the bureaucratic structures of the post-Yugoslav are self-centered and rarely reach out for knowledge, which is not produced by their in-house capabilities. Therefore, one of the respondents from the academia has stressed the need, in order to utilize the knowledge more instrumentally, of academics and experts to actively engage with authorities and push them into making informed and evidence-based decisions. The biggest input at the time of the crisis, on the account of experts and academics is actually on the meeting called by the Minister of Interior Affairs, Ostojić, on the September 14th, where respected academics from all sides of the spectrum could contribute.

In Croatia, there is a big feeling that there exists a general non-utilization of knowledge, especially among experts from the academic background, but also on part of some experts from the NGO sector, which all seemed quite skeptical about the penetration of any knowledge to the ranks of the MUP HR, whose main task was to handle migration. In this sense, a general disregard for the approach of evidence-based policy making. The respondents do stress the importance of gathering good practices. These are important in the context of the EU, when Croatia has tried to improve some of its reception capabilities, both in temporary centers (psychosocial treatment and the care for vulnerable groups), as well as with the integration practices for the permit holders which got the permit before or during the crisis.

The most important piece of policy documents was the “Operative Plan”, but it lacked a bigger application of research, since it was a plan which effectively worked on alleviating the problems as they went along. It has been stressed, among the expertise, that the SDP government has preferred another way of making policy, which was turning towards research more, and therefore also towards evidence-based policy making. With the government after, the HDZ, this all collapsed, and the right-wing rhetoric of security first almost completely prevailed, although still caught in balance (at least initially) by the center-right Minister of Interior Affairs, Vlaho Orepić of the party MOST, which was in the time in the coalition with HDZ. Even while the crisis was still ongoing, MOST was more interested in working with experts, both from academia and the NGO sector, but the HDZ government was strictly going the way of their own perceived expertise and was rejecting any kind of knowledge which was expanding the rights of non-citizens, closing

off dialogue between the two, and strengthening work between the security scholars and the security sector in the country.

The respondents from the NGO sector in Croatia, stress the change in application of knowledge. Firstly, they acknowledge that the SDP government, has included expertise and knowledge more in making policy, albeit, they seem skeptical about the utilization of knowledge in the crisis. They do, still believe, that they have a say and that the knowledge they produce, enters policy, but they seemed disdainful about the HDZ government. Expert from the NGO sector and now also academia, believes that most of the policy makers (both left and right on the political spectrum) are self-proclaimed experts, whose xenophobia hinders any real progress within migration policy, even more so in the context of the “Fortress Europe”, which greatly plays in their advance when making policy. For this purpose, the respondent stresses, the militarization and securitization of responses to the refugee crisis are devised, and supported by the findings of security experts. These are part of the elite of experts, whose previous work on securitization of migration has played a key role for them to gain recognition with the policy making community. They are also regularly called to comment on national television and are seen as credible and fairly independent in what they do, which is important for the substantiating use of knowledge.

Still, all of the respondents do stress, that there is a lot of good cooperation and some instrumental knowledge use, especially, when it comes to long lasting solutions, for people already under the international protection or granted asylum. This has been the case in the integration plan, which is a later development, but also with the improving of living conditions in the centers across Croatia. Given that, the restrictive nature of the acquisition of the protection plays an important role, the fact that these developments have some instrumental use of knowledge, paints a somewhat optimistic picture for further developments, outside the crisis. Still, these moments are rare and lack a general institutionalized structure, in which the transfer of knowledge, with a close coupling of knowledge and research to the needs of policy makers would exist.

The senior policy maker in Croatia has said that the knowledge is outdated, and that it is done retroactively, therefore lacking analytical relevance for the policy problems. This points out to the inability of the policy makers to sufficiently cooperate with researchers on a level in which the mutual work they do, makes for better coupling of research questions and policy, have relevance in applicable knowledge produced and made available for adjusting output of policies. The

respondent stressed the ability of the authorities to “act in the state of emergency”, and prepare and make sure people are treated humanely, are given the proper care, registered (as per the demands of the EU), and for them to have been transported from border to border. This, the respondent notices, would not have been possible without the expertise coming from the military, and the military encounters of the 90’s, where many of the leading policy makers have been deployed in one position or another, as commanders, lieutenants and officers within the armed forces. The *modus operandi*, the respondent says, has been militarily efficient in taking care of the refugees, but also at protecting the native population from any harm, which seemed important – this was visible with the almost complete isolation of the refugees from the native population

6.3. Slovenia

Policy makers in Slovenia stress that it is the knowledge that researchers outside their in-house research teams conduct, lacks applicability and has a general time-lag, therefore it is not suited for real time solutions of policy problems. This is compensated with in-house research units, whose main task is to work around certain policies and to construct policies which can adjust outputs. The fact is, that this is done mostly in the Ministry of Social Affairs and Labor, which directly deals with migrants in terms of vulnerable groups, or groups of interest in the labor integration policies. What hinders deeper research and more research employed in policies, or even policies devised, is the fact that Slovenia clinches to its status of the transit country, and caters for a relatively small number of persons under the international protection or asylum. In this sense, the labor market integration programs are of a very low capacity and in the vein of twinning projects with the ZRSZ, whose policy is transferred from the Slovene population and repurposed for persons with statuses. There is also a cooperation for these programs with the Ministry of Education.

These programs are devised solely because of the refugee crisis. And recent developments have only now shown that there is a need for a special body to work on the care and integration of migrants. The Office for Care and Integration of Migrants (*Urad za oskrbo in integracijo migrantov*) has started working only in June 2017, which is a year after the refugee crisis. The ZRSZ also works closely with experts, albeit, not general experts in the field of migration studies, but rather with experts of economic background which work in labor market in general. In this instances, one can see a close coupling of research with policy preferences, which gives the

impression that in these instances, especially in these labor market integration policies, knowledge is utilized instrumentally. That does not seem to be the case outside these narrowly confined parts of migration policy, since there is a general lack of institutional arrangements, and even so, as by testimony of people from the MNZ, the in-house research units also are very dependent and prone to adjusting research in order to fit preferred policy outcomes. Best practices are gathered and used to inform policies. In the policy responses to the crisis, these have been mostly informed by the actions and policies of neighboring countries. Securitization played a big role in the policy responses, and respondents from NGO and academia see it being used more and more, from the beginning onwards, culminating in the Amendments to the Law on Defense as well as Amendments to the Law on International Protection.

The academia points out to the fact that the policy makers rarely listen to what they have to say. Mostly, communication is established when protests occur, and policy makers have certain problems brought to their attention, or at least they are not able to ignore them anymore. The care for migrants in the crisis, and before the crisis already, has been strictly centralized within the MNZ, and the main interest in Slovenia was in the sphere of labor migration from the former republics. There has been a slow enlightenment process going on since the beginning of the 2000's, although there is a time lag. The securitization aspect of the policy response of the "humanitarian corridor" has been the one of hopes of transit, instead of a welcome, more of a "well-pass" policy. The turn of the Slovene policy makers in the "urbanistic" way of dealing with the crisis, has been referenced to a state of emergency, and it seems like it is drastic, but as an expert from a Slovene research institute says, it is nothing new.

The experts stress that there is a lot of work done, there is a lot of knowledge, both theoretical and practical, and a lot of field work done. This is part of what this respondent calls "Politics of the Possible", which helps predict outcomes to the policy makers, if they would only listen. There is no other paradigm than that of the nationalizing state, which makes it possible for the policy makers to ignore the issues of migrants and the knowledge, and give in to their preferences with using the other type of knowledge, coming from the security studies. The local community is seen as more keen to utilize knowledge instrumentally, as the local setting is a motor of good practices, and with the fact that they have to deal with points directly, the cooperation was much closer, and is even

closer now. The respondents in academia stress the symbolic utilization of knowledge in Slovenian policy making, before and during the crisis. So no shift can be detected.

Policy makers show no interest in the knowledge whatsoever, as the public administration has no larger picture in mind than that of solving problems now and immediately, without long term goals. The academics see that the policy makers treat them as they would experts from the NGO sector, as having an agenda, which they are pushing, which is not the case, and use them only for the gathering of good practices. The policy responses in the crisis have been based in the emergency, suspension of human rights because of the state of emergency, and cemented the approach to non-citizens in the restrictive, securitization sphere. The security aspects are stressed all the time, before and during the crisis. As per testimony, there is a potential for evidence-based policy making, since there is knowledge and the will on parts of the experts to engage with devising better policies. Only if the institutions show a genuine interest (with some parts of the policy making sectors being more susceptible to knowledge from outside) there is a chance for making well informed policy. This was not the case in the refugee crisis.

6.4. Links Between Policy and Research: Institutional (Non)Arrangements

The policy makers, prefer, in all three countries, to rely on in-house research sections within their own respective departments. In Serbia, knowledge is used when it is coming from prestigious knowledge producers, such as the IOM, UNHCR. A Strong role is held by the Commissariat, the EU, and the best practices twinning and policy transfer projects, suggestions from the EC or the EMN, the latter being the case especially in Slovenia and Croatia. It is important to the policy makers, especially in Serbia, that they are seen as cooperating with supra-national authorities, such as the EU, IOM or the UN.

The policy makers are aware of the amount of knowledge produced by the academia, and hold it irrelevant to solving policy issues, which is accentuated during the Crisis. Research is rarely commissioned from the outside and quite often done in institutes financed by the state, such as ZRC SAZU in Slovenia, IMIN in Croatia, or the Institute for Social Studies (IDN - Institut Društvenih nauka) in Serbia. Scientists and researchers from these institutes are contacted, asked to give opinions, and write occasional reports, or gather best practices from other European

countries, but rarely do they see that the policy makers express a deeper interest in their work, or value their input in making decisions.

The NGO sector, and the experts and researchers coming from the ranks of the NGO sector, seem to have a better communication line established with the authorities. One cannot say that they are always heard, but Croatia has established a lasting communication with CMS. Consultations are held at times when policy makers need to make decisions in policies concerning migration issues – this was also the case in the crisis. The same goes for Slovenia, where the main NGO, whose experts and researchers are working on migration issues has been Mirovni inštitut. In Serbia, the Belgrade Center for Human Rights (BCHR) or Grupa 484 are seen as being in contact with the authorities. All of these NGO's are also active in the field, and put their observations into research and reports, funded by projects from the EU, or other humanitarian funds of international organizations.

6.5. Conclusion

To conclude this chapter, the academics seem to agree, that there is a big discrepancy between the research and policy makers, although they believe that the research and expertise they produce is applicable and of good quality. The part of academia that works on issues such as the “rights based approach” to migration, trying to make accessibility and humanitarian pleas for the migrant population were rarely listened to, while the academia, on the other side of the coin, the securitization experts, have been taken more seriously. Thus, one can talk about knowledge utilization from parts of academia, but this will be further explained and fortified with interview findings in the remains of this chapter.

The NGO sector is a bit more careful, especially in Serbia and Croatia, as in the interviews they have ascertained that when it came to cooperation between the two sides, their expertise, and research was listened to, partially acknowledged, and helped make minor improvements in policy, but on a global scale, they see their findings taken over partially, and frustratingly the parts of policy which really need an upscale, and they are pointing to, are ignored or brushed away as irrelevant.

The policy makers on the other hand believe they are doing evidence-based policy. In-house expertise is the basis for a lot of their policy development and responses. They too, believe there is a discrepancy between research and policy. The belief stems from the “inapplicability and general time-lag between research conducted and real-time needs of the policy makers for knowledge”. There have been attempts, mostly in Croatia, to involve academia more, but this was initiated by the academia, and there also seems to be a lack of interest from the part of the academia to do so, since they are, if they are part of the expert bodies, often overheard and their advice taken out of context.

7. How Knowledge Utilization Influences Policy

Chapter 6 starts off with a comparison of the knowledge utilization of the three countries and then goes on to explain why particular knowledge is seen in the responses of the three countries and what kind of knowledge utilization, according to the model of Boswell can be traced in the policy responses. The last part will deal, particularly with the explanation of the four knowledge utilization models within the policy responses, and propose explanations as to why these are the most visible ones, through the positioning of the responses and the types of knowledge utilization in a larger context, on a higher theoretical level.

7.1. Comparison

When comparing the countries knowledge utilization patterns and the from them based policy responses there are several points to take in consideration. Firstly, in all three countries there is a general turn towards securitization of migration. The fact that all three countries have worked on tightening the ring around their corroded borders, with employing stricter border crossing regimes, admitting only specific migrants, reinforcing the borders with military personnel (as in the case of Serbia and Slovenia) and building razor-wire fences (Slovenia), adjusting the admission criteria for asylum and international protection, as well as all of them criminalizing irregular entry, the verdict is that all of them have, for the most part wanted to stay only transit countries, and worked as hard as possible to not be left with a number of migrants stranded in their territories, for which they would have to take care of, after the crisis would be over. Croatia and Slovenia also diligently worked on separating the native population from the migrants, by organizing transport and setting

up locked down transit centers, which had restricted access for natives, and were run by the police and military, and to which only accredited personnel of international organizations, such as the Red Cross, or the UNHCR, as well as local humanitarian NGO's could have access.

Since this policy is the preferred policy, from before the crisis itself, this is nothing new, and in order to alleviate opposition and to keep intact their human rights responsibilities, these countries have resorted to substantiating knowledge utilization, with knowledge stemming from the area of security studies in these countries. Slovenia, Croatia and Serbia, have a strong national security community, which is in direct correlation with the fragile situation these countries have been in the 90's and relates back to the security concerns of the countries because of armed conflict, mass migration and internal displacement, as well as grounded fear of ethnically based terrorism.

Even though there are some bright examples, there is a general lack of institutional arrangements in which other types of knowledge utilization would be possible. All three countries, leave, for the most part, the migration policy up to "self-proclaimed experts", and the policy goal to remain a transit country, and therefore have no need for a closer coupling of policy with research, to make more informed policy. It is also a fact, that since the end of the 90's the numbers of asylum seekers are in decline, and that the policy makers have had the privilege to be able to ignore problems with which non-citizens are faced in their countries, which makes it logical that, while ignoring the policy problems, they saw no need to devise institutional arrangements in which policy can be coupled with research and made better in that regard.

What is worrying is that even though the fact that these countries have had to care for a large amount of IDP's and refugees already in the 90's does not seem to play any role, in the devising of such institutionalized dialogues, and according to testimony in the 90's these problems were dealt only in *ad hoc* solutions, and have only recently gained a more research based approach (Strategy for the Refugees and IDP's), and this of all places in Serbia. Serbia has seemed to make the biggest steps towards an institutionalized approach. Even though their financial capacities are limited, they seem to have taken a turn towards a broader approach to policy making, which involves greater cooperation between researchers and policy makers. It helps that the KIRS functions both as the research central for all instances related to migration, and at the same time being a policy maker.

They produce, conduct, and commission a lot of research, and working together with academia, as well as NGO expertise have planted a seed from which knowledge can contribute to policy making instrumentally.

In Slovenia and Croatia, this can also be found as the case, but it has to do with a limited amount of arrangements, and mostly is the case of Slovenia and the in-house research units within the Ministry of Social Affairs and Labor, which work with vulnerable groups. Here, there has been progress made already during the crisis, when the labor integration policies and programs have been devised, under the close cooperation with in-house research teams and the Slovene Employment Office (ZRSZ). Such cooperation has been visible also when it comes to catering to vulnerable groups, such as unaccompanied minors and families. Croatia has also made huge steps forward, and there has been an integration plan, devised together with the NGO sector and academia, but all of these arrangements, especially in Croatia, are temporary, and lacking interest, on part of policy makers, and at times also from the expertise, especially the one from the academic circles.

The local levels tend to be more prone to cooperation with research, and have shown greater interest in making viable solutions for the migrants. This has been pointed out by the respondents in all countries and shows that, when faced with immediate problems, policy makers at the local level tend to be interested in what research and expertise suggest. Instrumental knowledge utilization is therefore, in all of these countries bound to a minimum, at least on the national level. Policy responses from the instrumental knowledge utilization are mostly in the area of socio-economic responses, and are devised for the existing population of persons under international protection. These instrumentally devised policies have been able to deepen the accessibility to the labor market, social services and housing for the people in question, but also offer psychosocial help and make it easier for the people actually deciding to stay to live a more normal life in their new societies.

Non-utilization of knowledge has been most present in Croatia. The Croatian policy makers have acted upon experience from the Wars of the Yugoslav Secession, and without referring to any of the knowledge, just military experience from the wars in the 90's. This does not mean that most of

the policy response have been like that, but there are some instances, in which this experience helped, such as the establishment of camps, registering and handling the flow of migrants.

When taken together, what is seen as the most prevailing pattern of knowledge utilization is the substantiating knowledge utilization pattern. Most of the responses are based in the wish to remain a transit country, and to protect the economy, culture and the national security from newcomers. This preferred policy has been substantiated by security knowledge, which has a strong and credible position within the countries of Slovenia, Croatia and Serbia. Symbolic knowledge utilization may have its causes in the fact that there are no institutional arrangements in which knowledge could be used instrumental in adjusting policy outputs. This finding will be further elaborated in the next part of this chapter, where explanations are devised on why, even though there is a crisis, no shift in knowledge utilization could be detected. Further, when it comes to instrumental knowledge utilization, there are some bright examples, as in the case of the KIRS and the integration policies in Serbia, the labor integration policies in Slovenia, or the integration handbook in Croatia, which have effectively worked together with researchers to devise outputs which are good. Non-utilization is also a case, but it is a rather marginal occurrence, and has been only the case in Croatia, where in the state of initial chaos the policy makers acted upon experience from the military past.

7.2. Explaining Knowledge Utilization Patterns

In the main part one can see a prevalence of the substantiating use of knowledge and a firm hold on the securitization of migration issues in general. The predetermined, preferred policy responses of all three countries are lodged within a wider frame. Securitization of migration is very common in the newer European countries, especially in the small post-socialist nation-states (Malešič, 2017). These nation-states base their ideas about migration and the rights of non-citizens inside the facts that they are young ethno-nationalist states, which cater for the exclusive majority ethnic populations on their territory (Štiks, 2013). When placed in the contest of a threat, like the crisis, which has seen hundreds of thousands of non-citizens pass the territories of these countries, they acted in fear of people, from another culture, with low economic capabilities and substantiated security risks.

All of these fears are based in some aspects of the young and (relatively) small nation-states have been fearing, and this already being the case before the actual crisis: (1) the strain on their already strained economies, which is the case for all three researched countries. Arguably, the biggest threat to the economic system can be ascribed to Serbia, since it is to the largest extent struggling with fiscal stability, unemployment, an overstrained social security system and biggest percentage of unemployed. Both Croatia and Slovenia, at the same time, have just recovered from the Euro Crisis that lasted from 2008-2013, and has seen parts of economy devastated, which, in the same breath as large influx of migrants and refugees through their area has seen an even greater concern about having to take care of non-citizens, which might possibly ask for protection on their territories.

(2) There is something very exclusive in the ethnic nation-states in former Yugoslavia. The end of “Brotherhood and unity” in Yugoslavia, came with a great suspicion of everything standing out from the norm. In the Wars of Yugoslav Secession, it has been confined to religion and ethnicity. The all-encompassing skepticism of anything different, be it in terms of religion, political expression, lifestyle and more, is deeply embedded within these societies, and has been especially visible in the blood baths ensuing on the territories of these countries. From here, stems the need to remain a nation-state of the nominal nation, and to work hard to keep “foreign elements” out of citizenship and membership in the community. This translates into restrictive approaches to non-citizens in general, and in the context of being the big border of preservation of Christianity, the *antemurale christianitatis*, these countries have traditionally been wary of Muslims, which were now the biggest religious denomination in the coming wave of migrants and refugees. The image and the fear of the *Ottoman Invader* is still deeply engrained in the consciousness of Serbs, Croats and Slovenes (Cipek, 2007) and in that sense the fear of the “Other” has been the basis of the general restrictions for asylum seekers and people in need of international protection.

(3) The real national-security risks, have been an issue since the beginning, and have gotten stronger with the narrative of terrorism within the War on Terror, and a fair portion of refugees coming from territories under threat or the rule of the Islamic State. In the context of terrorist attacks in the wider European continent, especially after Madrid, London and Paris, the small countries along the route have tried everything to prevent anything similar to happen to them, both by extensively controlling the borders, apprehending, detention, and registering any irregular

migrants, as well as making it extremely hard to actually get asylum or international protection, as to not have to host. The isolation of the migrants from the native population is also a case and point on how security ridden the approach was.

This was visible in Slovenia in the way the Slovenes approached the crisis in general. Even a month after the bigger influx of migrants has already commenced in Croatia, Slovenia was not prepared. The time with its “unpreparedness” for the arrival of migrants and refugees has purposely created a position, which can later be governed only through the state of emergency, in the name of the protection of its sovereignty, and could thus solve some of the challenges which it faced (Gombač, 2016, p. 79). This has proven useful, since because of “emergency” it could look past through its international obligations and standards regarding refugees and the border regime (ibid). The “state of emergency” can justify the systematic violation of human rights, which are in direct accordance with the securitization principles.

In this sense, all three countries have tried anything in their power, already before, and especially during the crisis, to stay transit countries, not to become “hot-spots” or “migrant pockets” along the route to the EU. There is a strong line of policy stability in these countries, especially when it comes to Slovenia and Croatia, since they have already entered the EU and are in no need to “play good” in order to impress the EU anymore. A little less so, is the case in Serbia. The fact that Serbia has opened Chapter 24 of the EU accession, made it harder for Serbia to completely disregard the migrants, and effectively close off their system, which made them to work more thoroughly on the “welcoming culture”, at least when it is the case of the Crisis itself.

Serbia has worked extensively and qualitatively in improving its approach to refugees and asylum seekers. The integration plan as well as responses plan take in consideration a massive amount of knowledge from other countries, best practices, as well as expertise from the national expert community. This, coupled with the work KIRS is doing, as well as the work by international organizations, most notably, the UNHCR in Serbia has proved a great asset in Serbia’s responses. Serbia, not only managed to work extensively on inclusion and a humanitarian approach, it also managed to come up with integration practices and repositioned their goals when it comes to migration and refugee care, in a short amount of time. This process might not be entirely the result

of the Crisis itself, but Serbia has done a large amount of policy learning and managed to bring about, one could even say, non-incremental policy change, replacing old and outdated policies with new, updated EU inspired policies (under the strong influence of best practices from the Netherlands, Sweden, and the financial support from the EU, Norway and Switzerland), which resulted in the Draft of the new Asylum Law.

The fact that the crisis did not change the approach of the countries and the knowledge utilization can be ascribed to different roots. As per theory, contested issues are usually dealt with the symbolic uses of knowledge, especially substantiating. This has been the case in the countries, and was the case already before the big event of the Crisis. This means, that the extreme situation, which has seen half a million people travel across the three countries has not been influential to the knowledge utilization, which is to a larger extent symbolic, mostly substantiating in all three countries. The explanation could be that without an actual pre-existing situation in which knowledge contributes to policy, i.e. a dialogue, which make possible the instrumental use of knowledge, any other pattern of knowledge utilization, except symbolic, is less possible, even when it comes to the crisis which needs to be solved. Symbolic use of knowledge makes easier responses and a guarantee that the countries remain “transit countries” *en route* towards Western European countries.

Still, the strategic use of substantiating knowledge utilization points out also to the prevention the rise of populism by taking fear and political instrumentality of fear, hate and exclusive nationalism, and putting it to a more “scientifically centered” debate, in which the center left parties in Slovenia and Croatia could operate without being suspected of firstly, abandoning their human rights convictions, and secondly, “putting foreigners above their own people” in the eyes of the more conservative and right-wing echelons of society, effectively shutting up opposition (or at least deflecting their attacks) with “political ammunition” from securitization studies. The debate, centered around securitization issues seems to be close enough to the value systems of the right and the restrictive center, and are also an expression of the general will within the states (80 percent of Slovenes supported the erecting of the razor-wire fence, as an example).

The idea is that because the policy makers in the researched countries, in general, as by testimony of experts and knowledge producers, have a very complicated relationship, in which expertise is seen as a last resort, the utility of knowledge remains the same as before the crisis. The research is mainly used symbolically, in relation to substantiating pre-determined policy goals and preferred policy outcomes. The usage of knowledge is legitimizing in the sense that, when making policy, the policy makers need to be seen to have access to knowledge, which was also the case in the policy responses to the refugee crisis.

8. Conclusion

Throughout this thesis several things have been researched. The most important contribution to the literature on knowledge utilization has been the dynamics of knowledge utilization inside a contested situation, such as was the Refugee crisis alongside the Western Balkans Route in the countries of former Yugoslavia. The policy responses stemming from the knowledge utilization in these countries have ranged from humanitarian towards securitization.

The prevalent pattern of knowledge utilization, has by far, been the substantiating pattern of knowledge utilization, which very effectively keeps in place the preferred actions of the policy makers, especially when it works together with knowledge on securitization of migration. This refers directly to the hypothesis 2c., which says *the security responses are expected to emerge by substantiated and legitimized knowledge use. These responses are expected to be drawing on a limited amount of knowledge claims by experts, which are aimed at securitization of the nation-state. Substantiating knowledge use will draw almost exclusively from the securitization migration knowledge, from national security expertise and military experts.*

Other patterns of knowledge utilization have no significant role in the refugee crisis, but still it is important to mention that both the other symbolic pattern of knowledge utilization, legitimizing knowledge utilization has been identified and also relates more generally to the hypothesis 2 and., which claims that *If the patterns of knowledge utilization are symbolic, it is expected that the legitimizing or substantiating utilization of knowledge will influence policy responses which are already decided upon. Knowledge does not contribute to the policy change, but rather at demonstrating the capacity of the policy makers to make informed decisions, or to provide them*

with evidence to substantiate their decisions, or lack thereof. This influences policy responses which are lacking the will to adjust output, or lack output entirely, therefore policy stability is expected to be highly present, as the policy makers already substantiated or legitimized their previously decided choices. If there is change it is only incremental.

There is, as well as, and not to a lesser extent, instrumental knowledge utilization, which could be ascribed to pressure from other actors, such as the European Union, and not the actual need of countries, and it is also confirmed the hypothesis 3. Whose text says that *If patterns of knowledge are instrumental, they are most likely to influence the socio-economic policy responses. The socio-economic policy responses are not as politicized. Knowledge has the best information on the capacity of the state, figures and facts, which are used to instrumentally solve pragmatic problems, such as housing, welfare, labor-market integration and health issues of the refugees. The change is expected to be both incremental (adjusting outputs) as well as non-incremental.*

This research has taken the Refugee Crisis as a significant occurrence in the dynamics of knowledge utilization and the forthcoming policy responses in the former Yugoslav republics of Slovenia, Croatia, and Serbia. It has been shown that, even though a refugee crisis, and the sense of urgency, can be taken as factors of the change of the patterns of knowledge utilization and the responding policy responses in theory, this has not been the case in the three researched countries, which directly refutes the hypothesis 1, which says that *In the highly contested issue such as the refugee crisis it is expected that the patterns of knowledge utilization will alter and move towards more symbolic knowledge utilization, or even non-utilization of knowledge. The policy responses are expected to be substantiated or legitimized by the knowledge used. From this, the types of responses can be derived.*

On a larger theoretical level, this means, that there was no shift present, as the patterns of knowledge utilization remained, mainly, the same, meaning that they are already symbolic to begin with. The explanation for the usage of mostly symbolic patterns of knowledge utilization is based in intertwining occurrences. Firstly, there are few or no institutional arrangements that allow for knowledge to be utilized instrumentally, as the links between research and the policy makers are virtually non-existent, or in a very low capacity, with very limited scope and reach. This has both to do with the way these countries approach policy, as the fact that researchers, or experts, especially in academia, are reluctant to stress a more inclusive approach, in terms of problem

definitions, policy goals, and policy dynamics to reach these policy goals through a thorough understanding of the problem and conducted research.

This means that where there are institutional arrangements, such as in-house research sections, or where there is an established form of communication between the policy makers and researchers, and where the policy makers closely monitor and define the research parameters, there is a higher chance of using knowledge instrumentally, as has been on parts of the policy responses, mostly within the labor integration policies and policies for vulnerable groups of migrants, such as unaccompanied minors, in Slovenia, the close cooperation with experts in the camps on how to solve problems and shortcomings in the care for the refugees and migrants in the camps in Croatia, or the close cooperation of all experts, both academic, international, NGO's and in-house experts on the Draft on the Asylum Law in Serbia.

When these connections are completely absent, as is the case for most of the policy fields within the migration policies in the researched countries, a predetermined policy preference is stressed and supported by knowledge which fits, and gives the institutions which decide upon these the legitimacy, as well as the "political ammunition" to fight opponents and critics. Secondly, this is especially the case in the countries, whose migration policies, have always been restrictive, in the sense that all of these countries cater first and foremost for their own co-ethnics, and have a general skeptic approach to all non-ethnics, non-citizens, and especially non-Europeans. This results in the restrictive approach to migration, both regular and irregular, even at the expense of some universal human rights at moments, which has been most visible in Slovenia, with the amendments to the Law on International Protection.

Securitization knowledge plays a very important role in all of the countries. It can easily be adjusted to the needs of the policy makers to curb immigration and restrict access. The protection of the ethno-national community from economic pressure of migration, the protection of the nominal culture, as well as the protection of the national security, all stemming from knowledge on securitization of migration are all very easily translated into the exclusive post-Yugoslav communities and policy practices, and fit the needs of policy makers well, without adjusting outputs, but rather justify preferred outcomes of policies. In this sense, the fact that emergency has brought push to shove, the restrictive nature of policies has become even more evident, and the crisis has just acted as a underlying state of affairs to further cement the restrictive policies and in

extreme cases, disregard international humanitarian law, border regimes and obligations under the UN conventions, to retain the exclusivist nature of membership inside the small post-Yugoslav countries.

What is to be done? When one looks at the atmosphere in the countries of former Yugoslavia, one cannot but see that, in order for policy to be adjusted instrumentally, and improving output, rather than justifying the output, there needs to be a strong institutional shift, towards a dialogue between policy makers and researchers, in which evidence-based policy making can thrive. In this sense, both policy makers, as well as the experts, from both academia and the NGO sector, need to take a step closer to one another and redefine the mutual cooperation in terms, which are beneficial for both. This means that policy makers, need to define policy problems and policy goals in cooperation with researchers, invest time and money in the process of gathering quality results, which can improve the policy and make it stronger. There needs to be a culture which can thoroughly evaluate and incrementally adjust policies.

If there is an atmosphere, in which this kind of cooperation is possible, when there is no crisis, the institutional arrangements in place will work better in times of crisis as well, and the expertise might be used less symbolically and more in the way in which the scientific community in the social sciences would like to see the policy making work. On the other hand, it is important to tackle the public and the elite's views on migration and restrictions for non-citizens. All of these countries, are in the near future, potential destination countries, and ignoring the fact that there need to be systems and policies in place which will help for better functioning of the system at a later stage, when another crisis comes along, and people actually stay, would be extremely unwise. In that sense, there is a great need to prepare and improve, instrumentally, for days ahead. In the Balkans the dynamics are already showing the build-up of new routes and potential crisis might ensue quicker than authorities would like to acknowledge. Therefore, the time to start the adjustment is as fast as possible. This can be done through transferring ideas of cooperation in fields in which these types of arrangements have been fruitful, and adjusting them to topics which need to be solved.

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Appendix: Timeline of the Refugee Crisis on the WBR

| Early 2015 | | |
|------------|------------------------|--|
| Serbia | | Criminalization of irregular migration. Illegal entry is a misdemeanor by the Serbian Law and is basis for detention, push-back and fines. |
| April 2015 | | |
| At Sea | April 19th | 800 persons drown in the Mediterranean as boat sinks on the way from Libya to Italy. |
| EU | April 20 th | EU 10 Point Action Plan adopted. |

| May 2015 | | |
|-----------------------|---|--|
| EU | May 13 th | European Agenda on Migration adopted. |
| June 2015 | | |
| Hungary | June 17 th | Hungary announces plans to build fence along Serbian “green border”. |
| Croatia | June 17 th | The new Law on International and Temporary Protection is adopted and replaces the old Law on Asylum from 2007. |
| Serbia | June 18 th | Formation of the Work Group for Dealing with Increased Mixed Migration Flows. |
| EU | June 26 th | EU member states agree on relocation of refugees in Europe, but fail to agree on the quotas, The resettlement is for 20.000 refugees from outside of Europe. |
| July 2015 | | |
| Serbia | July 1 st | Serbia opens two temporary reception/registration centers near its borders with Macedonia and Hungary. |
| Serbia | July | National Strategy for the Question of Refugees and IDP’s. |
| Serbia | Beginning of July | Temporary abandonment of criminalization of irregular entry. In place now is a temporary voucher system for the migrants and refugees, which is given to them upon registration. It last for 72 hours. After the time migrants either claim asylum or leave the country. |
| Slovenia | July 16 th | Slovenia’s Government adopts a Contingency Plan for Handling a Mass Influx of Migrants and Refugees. |
| August 2015 | | |
| Macedonia | August 20 th -23 rd | Macedonia deploys riot police and calls a state of emergency, to tackle the inflow of migrants from Greece. The army eventually agrees to let migrants pass further to Serbia. |
| Germany | August 24 th | BAMF in Germany publicly announces not to return Syrian refugees under the Dublin Regulation. |
| Serbia | August 24 th | Around 7000 migrants and refugees cross the border to Serbia. 23.000 over the time of 2 weeks. |
| EU | August 27 th | Western Balkans Summit. |
| Hungary | August 30 th -31 st | Refugees protest at Budapest train station as they are not allowed to proceed to other EU countries without valid Schengen documents. The next day they are allowed to board trains towards Austria. |
| September 2015 | | |

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|---------------------|--|--|
| Austria | September 1 st -6 th | Around 20.000 refugees and migrants arrive in Vienna from Hungary. Police do not register or detain the arrivals and let them board trains towards Germany. |
| Turkey | September 2 nd | Photo of drowned Syrian boy, Alan Kurdi, circulates the headlines around the world. |
| Serbia | September 4 th | Response Plan in the Event of an Increased Influx of Migrants and Refugees adopted by the Work Group. |
| Middle East | September 5 th | World Food Programme announces it has to withdraw help for one-third of Syrian refugees from its food voucher program in Middle Eastern host countries. |
| Serbia | September 7 th | Serbia open the reception center in Preševo, the largest since the start of the Crisis. |
| Serbia | September 8 th | EU Delegation visits Serbia and provides € 400.000 for preparing temporary accommodation for refugees, tipping the € 2.5 million in funding to Serbia this year. |
| EU | September 9 th | Plan to relocate 120.000 refugees presented by Juncker from Greece, Italy and Hungary through a mandatory distribution quota. At the same time he presents a common list of Safe Countries of Origin, which includes Western Balkans and Turkey. |
| Germany and Austria | September 14 th | Introducing temporary border controls to tackle the influx of migrants. |
| Croatia | September 14 th | Minister of Interior Affairs, Ranko Ostojić, brings together to consultations civil society organizations, NGO's, experts and various ministries. The belief in Croatia is still that the migration route will not cross Croatia. |
| Hungary | September 15 th | Hungary completes the 175 km barbed wire fence alongside Serbia's border, and introduces a new asylum system which criminalizes irregular migration and imposes strict sanctions for illegal border crossing. |
| Croatia | September 16 th -17 th | The route is re-routed from Hungary over to Croatia. Croatia opens camps Tovarnik and Opatovac. Criminalization of irregular entry is temporarily suspended. |
| Slovenia | September 17 th | Slovenia closes the rail traffic between Croatia and Slovenia. |
| Hungary | September 18 th | Hungary starts constructing a fence on the border with Croatia. |
| Slovenia | September 19 th | Around 2.500 migrants and refugees cross to Slovenia. Slovenia tries to block their passage. This is the beginning of the route through Slovenia towards Austria. Slovenia tries to uphold the EU |

| | | |
|--------------------------------------|--|---|
| Slovenia | September 20 th | The Government orders the construction of temporary transit centers for migrants and refugees. These centers spring up in Brežice, Šentilj and Gornja Radgona. |
| Croatia | End of September | “Open border” policy and help with transition towards Western Europe. “We will not become the European “hot-spot” for migrants” (Zoran Milanović, PM of Croatia, September 20 th 2016) |
| October 2015 | | |
| EU | October 15 th | EU and Turkey agree on a joint action plan to stem migration flows to EU. |
| Hungary | October 16 th | Hungary closes all “green borders” with neighboring countries. The route now almost exclusively goes from Serbia, over Croatia and Slovenia, towards Austria. |
| Serbia | October | Stricter cooperation with EASO and Frontex. |
| Slovenia | October 18 th -21 st | In only 24 hours, 12.000 refugees enter Slovenia. Slovenia announces restrictions and vows to take 2.500 arrivals a day and calls on the army to help patrol the border with Croatia. |
| Western Balkans | October 25 th | The countries alongside the WBR agree on a 17 Point Plan, which effectively restricts the passage of borders. Only SIA documents are valid for the transit towards Western Europe. Others are either pushed back or restricted entry. |
| November 2015 | | |
| Austria | November 3 rd | Austria proposes stricter asylum laws. |
| Slovenia | November 4 th | Slovene Employment Office (ZRSZ) employs 15 previously unemployed people in the care for the refugees. |
| Croatia | November 4 th | Croatia opens a completely new and functional transit camp in Slavosnki Brod. The refugees come from Šid to the camp and proceed towards Dobova. |
| Croatia | November 8 th | Croatian Elections are won by the right-wing Patriotic Coalition led by the HDZ. |
| Slovenia | November 11 th | Slovenia starts building razor-wire fences along parts of the border with Croatia, to control the migration flows. |
| Slovenia, Croatia, Serbia, Macedonia | November 18 th | Macedonia, Serbia, Croatia and Slovenia officially announce they now allow only SIA persons to pass through their borders. |
| Slovenia and Croatia | November 24 th | Slovenia demands the return of “economic migrants “ back to Croatia. Croatia refuses. |
| Turkey | November 28 th | EU and Turkey finalize the agreement negotiated. € 3 billion in EU aid for 2,2 million Syrian refugees in Turkey. |

| December 2015 | | |
|---------------------------|---------------------------|--|
| Slovenia | December 16 th | Slovenia mobilizes the military reserves to help with curbing the flow of migrants. They are drafted for a period from 2-7 months. |
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| January 2016 | | |
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| | | |
| February 2016 | | |
| Slovenia | February 11 th | |
| Croatia | February | Croatia joins Slovenia in imposing strict daily limits on the number of refugees being able to enter the country. |
| Slovenia, Croatia, Serbia | February 18 th | Cooperation between law enforcement officers at the WBR and introduction of unified procedures for registration aiming to reduce the flow of refugees and asylum seekers in the region. Border closures and humanitarian consequences along the route. Further discriminatory border restrictions for Afghan nationals who are now not allowed entry (Amnesty International Public Statement, March 4 th , 2016). |
| Slovenia | February 22 nd | National Assembly approved the deployment of Slovenian Armed Forces personnel to assist in carrying out policing tasks. |
| March 2016 | | |
| Slovenia | March 25 th | Amendment of the Law on International Protection, which makes it harder to claim asylum and acts as deterrent. |
| | | |
| April 2016 | | |
| Serbia | April 4 th | National Strategy in the Fight Against Terrorism |
| | | |