



SOCIAL
PROTECTION FOR
NON-STATUS
MIGRANTS

HOW CAN LOCAL
INCLUSION EXIST WITH A
NATIONAL FRAMEWORK?

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Abstract

National migration policies targeting non-status migrants are used as deterrents while local level policies seek to pragmatically address local issues. This can result in differing policy priorities at the local and national levels. Amidst this intractable policy problem, some local governments have found ways to provide non-status migrants with social protection such as housing and income security. This study looks at the local level policy process of providing access to social protection for non-status migrants and asks how cities create inclusive policies on housing and income security for non-status migrants. This is done through a multi country, multi city comparative case study of the Netherlands (Amsterdam and Utrecht) and Finland (Helsinki and Espoo) grounded in theories of social protection, governance structures, and the local turn. This study identified factors that influence the local level policy process and in turn lead to either inclusive or restrictive policies and either vertical policy convergence or divergence. It found that while many factors influencing local level policy are embedded in the national and local contexts and are seemingly unchangeable such as demographics, resources, governance structure, political parties and compliance mechanisms. However, local officials use some factors as tools available to them including city networks, frames, the expertise and experience of strong public servants, and the power of strategic communication in the media to create inclusive policies. This study also found that inclusive local level policies do not inherently lead to vertical policy divergence within the national framework.

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1 Introduction

In recent years, Europe has seen a significant increase in immigration which inevitably has led to increased political attention on immigrants and policies governing them. A growing proportion of this immigrant population are non-status migrants (Connor & Passel, 2019). The term non-status migrant is an alternative to terms such as undocumented, unauthorized, irregular, and illegal. Non-status is selected rather than the others because it is the most neutral and can adequately refer to this large and complex population that includes persons living within a state that presently lack an administrative status granted through citizenship, permits, or visas. This lack of administrative status makes a person unable to claim state derived rights including the right to enter, stay, be employed, and access social protection. The population of non-status migrants in Europe recently peaked in 2016 to an estimate of 3 million to 4.2 million¹ (Ibid.). This increase is largely as a result of rejected asylum applications. In 2016, of the 1.1 million asylum applicants, the average rejection rate of EU countries was 39%, but varied greatly between countries (Eurostat, 2021). Upon receiving a rejection, non-status migrants sometimes continue to live in Europe rather than returning to their origin country. This results in a constant increase in the non-status population.

This precarious status is subject to various economic, social, and cultural vulnerabilities. Additionally, basic mechanisms to address vulnerabilities such as access to housing and income security are restricted to the non-status population. Housing “has a major influence on immigrants’ employment options, educational opportunities, social interactions, residence situation, family reunification and citizenship rights” (Mikaba, 2016). Ultimately, it can have an impact on the overall integration of a migrant and their families (Bosswick et al., 2007). Additionally, adequate housing is the right to every person under the jurisdiction of a state, regardless of status, according to the International Covenant on Economic, Social and Cultural Rights (ICESCR) (UN General Assembly, 1966). Income security is scarce among non-status migrants due to their precarious employment situations that allow for exploitation. These employment situations can include unsafe working conditions, low pay, long hours, job insecurity, and lack of sick leave (PICUM, 2020).

¹ This statistic includes any person residing in a country without a valid residency permit. It excludes persons awaiting an asylum decision.

In the context of the ongoing COVID-19 pandemic, non-status migrants' vulnerabilities have been heightened. The economic downturn that accompanied COVID-19 and decrease in informal labor market opportunities lead to many non-status migrants seeking social protection for the first time (Delvino & Mallet-Garcia, 2020). Not only are non-status migrants at a higher risk of being infected by COVID-19, they also face related socioeconomic effects at an increased rate (OECD, 2020a). This is due to their position in society including higher rates of poverty, inadequate housing, unstable working conditions, and discrimination (Ibid.). This increased need during the COVID-19 crisis only amplifies the relevance of local level policies of inclusion. This situation has also reopened the policy dialogue on who should have access to certain services on the grounds of the public health risks, but also due to a growing understanding of migrant contributions to society especially in times of crisis such as the pandemic (Delvino & Mallet-Garcia, 2020). This provides a unique and informative temporal context for a comparative case study of access to social protection for non-status migrants at different levels of government.

In order to understand how local governments have created and implemented policies giving access to social protection for non-status migrants, this thesis compares the policy process in Dutch (Amsterdam and Utrecht) and Finnish (Helsinki and Espoo) cities. These two countries have been chosen based on their differing migration histories, migration population size and government structure. Despite these differences they both have policies that make social protection accessible to non-status migrants. The cities were chosen due to having a relatively large migrant population and have created and implemented local social protection policies accessible to non-status migrants. Comparison of two national and four local cases allows analyses of different national policies and ways of local governance within the same national context. To conduct this research, the following research question was formulated:

How do Dutch and Finnish cities create inclusive policies on housing and income security for non-status migrants prior to and during the COVID-19 pandemic?

To answer this question, I will also ask four sub questions.

- (1) *What access to social protection exists at the local and national level?*
- (2) *What factors influence local level policy making and implementation?*
- (3) *How do these factors relate to divergence or convergence between local and national policies?*

(4) *How has the COVID-19 pandemic influenced local level policy making and implementation?*

1.1 Social protection in the context of non-status migrants

Social protection aims to address poverty, impacts on livelihood, and vulnerabilities through various forms whether they be financial or in kind. Implementation and sufficient access to such measures would ensure the human right to social security outlined in the Universal Declaration of Human Rights and ICESCR. For these reasons, access to social protection systems and measures for all are included in UN Sustainable Development Goal 1.3. Despite progress in providing access, many people remain without access or are inadequately protected (ILO, 2019). In Europe, populations that are excluded from access to social protection, include non-status migrants. States categorize people for the purpose of governance. Categories such as citizen, permanent resident, refugee, asylum seeker or non-status migrant determine a person's rights whether that be to formally enhance or restrict rights (Morris, 2002). Non-status migrants are at the bottom of this categorical hierarchy without entitlements to rights (Sainsbury, 2006). This is due to the conceptualization of rights being tied to citizenship (Joppke, 2007). An indirect consequence of welfare expansion is that non-status migrants are seen as a threat to the welfare state. It is assumed that they would utilize services without significant contribution, resulting in negative economic effects. Therefore, the liberalization of welfare justified restrictive immigration control (Düvell & Jordan 2002). This then created the role of the "immigration authority as the 'watchdog of the welfare state'" (Baldwin, 1997, cited in Joppke, 2010: 90).

Social protection for non-status migrants is "indirectly restricted through immigration laws" (Joppke 2007, 42). When it comes to migration policy the national level of government is primarily concerned with immigration policy with the objective of preserving national foundations such as sovereignty and borders which international mobility and globalization are inherently calling into question (Caponio & Bokert, 2010). This can result in restrictive migration policies, by which I mean a policy that limits, rather than grants, rights and freedoms (Helbling et al., 2016; De Haas et al., 2016). However, several studies have shown that non-status migration has only increased amidst extensive border control, restrictive entry requirements, and border externalization policies. Koser (2010) found that non-status migrants began travel after receiving a rejected asylum application from that country. In another study, Czaika & Hobolth (2016) found that restrictive asylum and visa policies lead to a 4-7 percent

increase in entry of non-status persons. This lack of efficacy is being mitigated by internal migration management mechanisms. Restricting non-status migrants from formal social protection is just one of such mechanisms (Massey, 1999). This restriction is based in the assumption that access to social protection can be wielded as a tool to deter migrants and therefore act as extended, internal immigration control (Bommes and Geddes 2000).

While this may be the understanding at the national level due to their responsibility for immigration control, service provision is the shared responsibility of the local and national levels (Spencer, 2018). The local level is the first point of contact and often becomes the home of many non-status migrants. Therefore, the local level experiences the consequences of vulnerable and at-risk populations being excluded from social protection (Caponio & Bokert 2010). This may lead actors at the local level to consider ways to pragmatically address these policy problems (Spencer & Delvino, 2019). For this reason, there has been a noticeable ‘local turn’ where cities are becoming creators of innovative local integration and migration policies (Caponio & Bokert, 2010; Glick-Schiller & Caglar, 2009; Scholten, 2013). Nevertheless, cities are embedded in the context of the nation state and cannot act completely independently. Therefore, cities must find innovative ways to deviate from a nationally framed policy pathway (de Graauw & Vermeulen 2016). Within this multi-level setting, differing policy responsibilities, objectives, and frames at different levels can lead to policy divergence (Scholten, 2013). Overall, policy convergence or divergence is dependent on many local and national factors including governance structure, political party affiliations of politicians, framing of the policy problem, compliance mechanisms of the national government, size and demographics of a city, a city’s resources, and the existence of local networks (Spencer, 2018; Jørgenson, 2012, Emilson, 2015). The factors not only influence divergence but can also influence the creation of inclusive policies at the local and national levels.

1.2 Societal and Scientific Relevance

This thesis will contribute to the public administration and migration studies literature on local level policy making in the multi-level setting. Previous research on local level migration policy making has predominantly focused on local level integration policies and the way that cities provide for migrants (Caponio & Bokert, 2010, Scholten & Pennix, 2016, Alexander, 2007). This literature overall focuses on *why* policies are divergent and *why* the local level is

increasingly implementing inclusive approaches. However, this leaves the question of *how* these local level policy makers create and implement inclusive policies while they remain embedded in a national framework. It is important to know how local level officials are influencing policy and advocating for social protection for non-status migrants where inclusive policies have been implemented. This thesis will specifically focus on *how* local governments navigate the policy process in a multi-level setting. Additionally, with a focus on integration policies that inherently target status migrants, local turn literature does not account for the growing non-status migrant population. While non-status migrants face increased vulnerabilities, their experiences in relation to social protection is understudied. However, this policy area is important to study because policy conflicts at different levels that may remain hidden in integration research become visible within the theme of social protection for non-status migrants. This can be seen as the national policy does not include non-status migrants in legislation while local policy acknowledges the population. This thesis will contribute to the lack of literature on non-status migrants and their access to social protection. Additionally, it will focus on factors influencing divergence or convergence of national and local policies and how this relates to inclusion.

There have been few studies that focus on access to services for non-status migrants and even less that look closely at how the national framework and the local level's embeddedness influences local policy. Recent large comparative studies focused on ways that local level governments respond to the needs of the non-status population and tensions that this creates between government levels (Spencer & Delvino, 2019; Spencer 2018). While comparing many cities allows for general understanding, it does not give significant attention to the way that the national context may shape local level responses. Therefore, the multi-level governance of the topic is not well understood. The focus of this thesis on the comparison of different levels of government allows for a better understanding the multi-level relationship. It also contributes to the literature on policy divergence by comparing national and local policies on a highly contested theme. Finally, while Spencer's (2018) research identifies factors influencing local level policy making on this topic it does not look at the ways in which these factors interact with each other and the policy process itself. For example, Spencer (2018) identified factors such as local level pragmatism, political factors, and frames, but in the case study the analysis focuses on one factor at a time and lacks analysis on influence of the factors parallel to each other. Therefore, this

thesis will contribute by analyzing what factors influence the creation of inclusive local level policies and how these factors influence policy in parallel.

The societal relevance of this paper is rooted in addressing vulnerabilities of the non-status population. Some local governments have begun to create innovative ways to address vulnerabilities of their entire population irrespective of their status. However, providing for certain populations is often met with additional legal and political barriers. Therefore, this thesis seeks to highlight factors that influence the creation and implementation of inclusive policies to inform local level officials working towards providing social protection to vulnerable groups within their local context. It also aims to inform advocacy and lobbying strategies of civil society organizations as they work alongside different government levels to ensure social protection is accessible for all.

This thesis first outlines relevant theoretical frameworks that serve as a basis for the analysis. Complex theories outlined within this section include: social protection, intractable policy problems, governance structures and the local turn. Next, my methodology will outline aspects of the research design, case study, methods and operationalization. This is followed by contextual information for each country. The results section provides empirical data and answers to each sub question. The comparative analysis more thoroughly discusses the empirical findings of the cases. Finally, the discussion and conclusion will draw conclusions as well as offer recommendations for this unique policy situation.

2 Theoretical Framework

2.1 Social protection

Social protection remains a convoluted concept because it has been defined in many ways depending on the research purposes or objectives of different organizations (Sabates–Wheeler & Waite, 2003; Norton et al., 2002). Many EU organizations have their own definition for social protection that informs their work and progress. For example, the ILO’s definition of social protection has an emphasis on employment and formal labor markets while the UNICEF definition states the objective is to eliminate social vulnerabilities as well as economic ones (Jorgensen & Siegel, 2019). There are also more abstract definitions that can apply to different forms of social protection. One example of this is the definition by Devereux and colleagues as follows: “social protection describes all public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks, and enhance the social status and rights of the marginalized; with the overall objective of reducing the economic and social vulnerability of poor, vulnerable and marginalized groups” (Devereux, et al., 2002, p. 4). Despite these differing definitions and lack of consensus among scholars as well as organizations, the existing conceptualizations and frameworks created are seen as complementary rather than contradictory (Devereux et al., 2018). This can be seen in the progress that has been made to agree on the key elements of social protection. These include proactive protection against poverty, focus on the poor and vulnerable, equity through investment in human capital, and a focus on inclusive access (Jorgensen and Siegel, 2019). Access to adequate housing and income security are significant aspects of social protection as they can help to alleviate destabilizing vulnerabilities such as homelessness and poverty (ILO, 2019). Additionally, for migrants, housing is an indicator and facilitator of social cohesion (Ager & Strang, 2008). Lastly, income security and employment facilitate social cohesion and equity, both minimizing perceived differences between the foreign born and native populations (Fermin et al., 2005). Social cohesion is of interest to all governments, specifically those with a migrant population.

For this thesis research, social protection is conceptualized as “the public actions taken in response to levels of vulnerability, risk and deprivation which are deemed socially unacceptable within a given polity or society.” (Norton et al. 2002, p.7). This definition is purposefully chosen as it includes each of the previously mentioned key elements to social protection. It also specifies

public actions or formal forms of social protection that are provided by the government that will be the focus of my research. This does not include actions taken by NGOs or IGOs that are not funded or directed by the state. It also does not include individual actions taken, or a blind eye turned, by street level bureaucrats such as teachers or healthcare workers that may result in access to social protection for non-status migrants. This is for the sake of accurate analysis of the research question given that it focuses on the policy process and formal actions taken by government officials rather than humanitarian actions of external actors.

2.2 Social Protection Policy for Non-status Migrants as an Intractable Policy Problem

“Public policies rest on the beliefs and perceptions of those who help make them, whether or not those cognitions are accurate” (Edelman 1988, p.9). Therefore, policies are informed by socially constructed problem definitions. Frames themselves can be seen as a way for policy makers to understand, present, or interpret a policy issue (Dekker, 2017). These policy frames consist of a problem definition, causal interpretation, moral evaluation and treatment recommendation (Entman, 1993). It is assumed that there is one dominant frame for one policy problem and that this frame would be coherent in problem definitions and in reactionary strategies (Hajer and Laws, 2006). However, when there is little to no agreement on the main components of a policy frame, competing policy frames exist. These are conceptualized as intractable policy problems due to the contested nature of the problem and its solution (Rein & Schön, 1994). In this case, different actors believe that their own frame should become the dominant one. This is especially problematic in the multi-level setting. “When the framing of policies differs between levels, it can be expected that interaction and the coordination of policy efforts between levels will be complicated. Governments at different levels will not only prefer very different policy measures, but also very different ideas about what the problem is in the first place” (Scholten, 2013, p.3). Access to social protection for non-status migrants can become an intractable policy problem in the event that the local and national level have not agreed on the problem nor the solution. This difference cannot be easily remedied through discussion due to the lack of a common foundation and critical understanding of the problem. Instead, there should be a reconciliation of differing policy frames that ultimately results in one dominant frame (Spencer 2017).

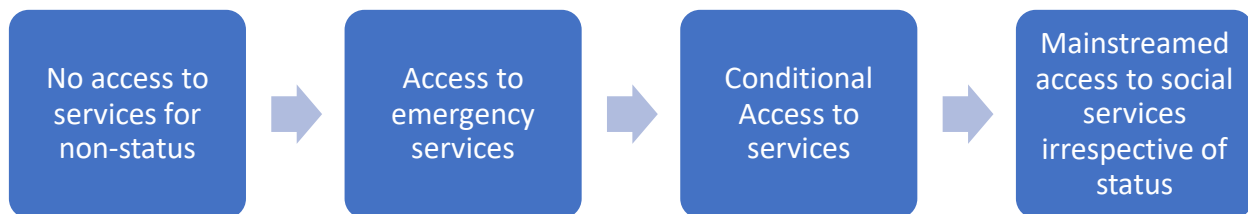
The shared responsibility of the national and local levels in the context of social protection for non-status migrants produces a multi-level setting. As previously mentioned, immigration control is the primary responsibility of the state while service provision is shared, but implementation takes place at the local level (Spencer, 2017). In this way, the local level is expected to provide integration services, including varying levels of social protection, for status migrants. However, this is not expected and is often discouraged in the case of non-status migrants due to the national objective of return (Spencer & Delvino, 2019). Therefore, when studying non-status migrants as a target population, integration policy does not apply.

The differences in interests of these two levels are made clear when looking at the definition and objectives of the immigration policies and social protection policies. Simply defined, immigration policy consists of “laws, regulations, and measures to select, administrate, control and deport foreign citizens” (Ataç & Rosenberger, 2019, p.5). On the other hand, social protection policies “pursue the idea of equality of individuals and are designed to facilitate social inclusion and well-being” (Ataç & Rosenberger, 2019, p.5). The national level focus on immigration control informs the national framework on social protection policies. This can then result in restricted access to services with the objective of deterring migration or transforming access to services into immigration control mechanisms at the local level (Ataç & Rosenberger, 2019). These definitions and delegation of responsibilities help to show that policy making at different levels regarding immigration and access to social protection are created under different contexts informed by policy, problem definitions, and political context (Scholten, 2013).

As a result of these differing perspectives, literature on local level migration policy making have come to refer to national level policies as restrictive and local level policies as being more inclusive. This very difference in policy is what attracts the interest of many scholars. However, these scholars do not often define what constitutes a restrictive or inclusive policy. Several comparative immigration policy studies have sought to define restrictive and inclusive for the purpose of large quantitative database studies (Helbling et al., 2016; De Haas et al., 2016). Helbling and colleagues’ (2016) “Measuring immigration policies: the IMPIC database” aims to summarize the ways that immigration policies have been conceptualized and offer their own conceptualization. Their conceptualization focuses on the policy or regulation itself and not the implementation or effects of a policy. Additionally, they do not conceptualize or measure policies as relative to historical norms of immigration policy. Therefore, Helbling

and colleagues (2016) refer to restrictiveness as being “to what extent a regulation limits or liberalizes the rights and freedoms of immigrants” (pp.88). With this understanding, a restrictive policy would be one that limits rights and freedoms while an inclusive policy would be one that liberalizes them. This scale does not apply any sense of morality or correctness to a policy but finds objectivity in the fact that it measures normatively based on the restriction of rights and freedoms. Visual 1 exemplifies restriction within this policy theme with a restrictive policy on the left and a gradual increase of inclusivity moving towards the right. Excluding migrants from social protection restricts their right to access such services and is therefore restrictive. Allowing access to emergency services is inclusive in that it offers the right to services in the case of an emergency. Conditional access to additional services is inclusive and restrictive as it gives the right to some persons, but restricts others based on eligibility. Mainstreamed access to social services would be the most inclusive policy on social protection because it gives all available rights.

Visual 1: Policies - Restriction to Inclusion



2.3 Governance Structure

Governance can be best explained as a process involving different, but interdependent, actors to solve an identified problem (van Kersbergen and van Waarden 2004). Originally, multi-level governance was utilized to describe vertical governance relations between the European Union and its member states. However, over the years it has expanded and been adopted to describe and analyze relations between many governments and institutions. It is also utilized to refer to the complex relationships between the national, regional, and local levels within the state, but this wide range of application has also led to critique on account of its ambiguity (Caponio & Jones-

Correa, 2017). Hooghe and Marks (2001) describe multi-level governance as shared decision making by actors at different levels. Over the years the theory has become more complex as different scholars add to the conceptualization. Caponio & Jones- Correa (2017) summarize these conceptualizations by identifying three key components present in the majority of these definitions: “(1) the involvement of different levels of government, i.e. the multilevel aspect; (2) the involvement of nongovernmental actors at different governmental levels and (3) the emergence of complex, heterogeneous, and nonhierarchical networks among autonomous and yet interdependent actors” (p. 5). The definition of Hooghe and Marks and key components outlined by Caponio & Jones Correa can be used to describe any cooperative system disregarding the outcome of such a system. Conceptualizations such as this have led several scholars to study relations and interdependencies of different governing levels under the term multi-level governance when a better way to classify this would be intergovernmental relations (Ibid.). Other scholars have aimed to specify the definition of multi-level governance giving it a more concrete meaning.

Scholten (2013) argues that multi-level governance is one form of governing within the multi-level setting. In this conceptualization, multi-level governance is “coordinated interaction between various government levels” therefore developing a “joint approach towards a commonly felt policy problem” (Ibid., pp.220). This understanding puts an emphasis on a common approach to a commonly defined problem that is likely to result in convergence. However, specification based in cooperation has also been critiqued. Spencer (2017) argues that multi-level governance is helpful to explain a relationship regardless of if it is effectiveness. Another way of conceptualizing multi-level governance was done by Leo and August (2009) when they described multi-level governance as “ensure[ing] that national government policies are formulated and implemented with sufficient flexibility to ensure their appropriateness to the very different conditions in different communities.” This understanding leaves room for cities to adapt national policy to best serve their own community. While this definition is most appealing it has not proven to be the intention of the national level policies.

Under Scholten’s understanding of multi-level governance, there are three other governance structures that may be employed (Scholten 2013; Scholten & Pennix 2016). Centralist governance is distinguished by its top-down nature, clear hierarchy, and delegation of roles from the national level to the local level. It also consists of control or evaluation mechanisms that aim

to promote policy coherence through maintaining the national level policy frame and implementation. This type of governance is present when the policy problem at hand has been politicized at the national level which is true for migration policies. Localist governance implies a more bottom-up process that allows for local or regional governments to co-create policies (Ibid.). This form of governance may also include a horizontal layer where local governments exchange ideas and information about policies. Horizontal governance is supported by transnational city networks that support cities in creating local policies out of experience and best practices. In these networks cities share experiences, reports, research that facilitate policy learning for cities within the networks (Zapata-Barrero et al., 2017). Another form of horizontal governance is that between government and non-governmental organizations that may work together to implement certain policy goals. In this relationship local level governments may fund an organization to provide a certain service. Localist governance can result in policy divergence between government levels and is further studied as the ‘local turn.’ This form appears when policy problems are seen as local and in need of a hands on, pragmatic solutions (Scholten, 2013; Scholten & Pennix, 2016). Governance decoupling is the lack of any intergovernmental coordination between levels. This can go as far as implementation of contradictory policies and can therefore result in policy conflict, tensions between the national and local levels, and render policies ineffective. This is most likely to occur when the multi-level setting contains an intractable policy problem. Ultimately, depending on the mode of governance taken up in multi-level settings, cities have differing tools to develop pathways to access for non-status migrants which if employed can result in ‘municipal activism’ (Spencer & Delvino, 2019).

2.4 Factors Influencing Local Policy Making

Historically the study of migration policy has implicitly assumed the nation state as the empirical unit of analysis due to an idea of communal identities and nation building. This assumption is referred to as ‘methodological nationalism’ coined by Wimmer and Glick Schiller (2002). They note that this assumption is harmful to migration studies because it greatly limits the scope of analysis and therefore our understanding. While immigration governance has shifted to be increasingly supranational, social protection has become more local (Glick Schiller and Caglar, 2009). Cities have now been acknowledged as a valued unit of analysis for migration policy research because it allows for comparison that acknowledges specificity and structure as

an addition to national or supranational factors (Favell 2001). Proponents of local policy making point out that due to the specificity and distinction of cities, the city and their residents benefit from individualized local level policies that can address unique situations (Ray, 2003).

This local level of migration policy is significant because it affects many residents, but also because it can influence other government levels. Cities and regions are becoming ‘entrepreneurial’ in creating their own policy frames and strategies for services for migrants (Scholten & Pennix, 2016). These policies and strategies, or lack thereof, at the local level may later be adopted at the national level or can open up a national discourse depending on their success and in these cases, cities are on the front end of policy innovation (Alexander 2007). It can also be the case that local level policies are formed as a reaction to national policies that are not effective or have not adequately addressed a problem (Ibid.).

The local turn can be attributed to various aspects of policy creation in the multi-level setting. For one, as the levels face different challenges this may incite local level policy creation to address what national policies have not. Another reason is due to the local level, namely the city, being the place where non-status migrants work, live, raise families and are more likely to identify with over the nation. This means that it is also where effects of policies concerning non-status migrants can most significantly be felt. In this way, local level policy making can be seen as pragmatic local solutions to local problems. It is also commonly associated with responses to untamed intractable policy problems within the multi-level setting (Scholten 2013).

There is significant research surrounding the differing interests of the local and national levels in migration policy making that seek to understand what factors influence local level migration policy making (Caponio & Bokert 2010; Spencer & Delvino 2019; de Graauw & Vermeulen, 2016). Spencer (2018) identifies several factors influencing local level policy including: pragmatism & ethics, political and institutional factors, and conflicting frames. (1) Pragmatism and ethics factors are often present at the local level. These factors are associated with preserving the local level ability to carry out its roles and meeting the needs of migrants. The city is tasked with many duties including but not limited to maintaining public health, public safety, and facilitating cohesion. These are just a few of the duties that national migration policy can interfere with, therefore creating a need for local level action. (2) Political and institutional factors such as relationship between levels of government can also play into the creation of local level policies for non-status migrants. It can also be quite impactful when approval of politicians

is needed for policy implementation. For example, Koopmans and colleagues (2012) found that countries with a lack of right-wing politics are more likely to have inclusive policies. They also found that even in a restrictive national environment, large cities develop inclusive policies because they have more diverse voting populations and are led by left leaning politicians (Ibid.). (3) Conflicting frames is the third factor influencing local level policy. Differing frames can lead to confusion in the policy formulation, decision-making, and implementation processes. It can also fuel public debate and skew public opinions one way or the other influencing the probability of realization (Spencer, 2018). According to Spencer & Delvino (2019) framing was also used as a tool by local level policy makers who framed policy in a way that justifies their choice of policies and gain public support for policies. In addition to these factors governance structure has also been found to impact the local policy process (Scholten, 2013). Each of these factors influence the local policy process as a whole, but this thesis will look at how they relate to the existence of inclusive policies and policy divergence.

Additional studies on the local level of governance of migration have shown that policy divergence can take place (Borkert & Caponio, 2010; Scholten, 2013; Scholten & Pennix, 2016; Jørgensen, 2012). “Divergence can be explained as a gap between discourse and practice or as unsuccessful transposition of nationally formulated policies to the local level, or as an outcome of divergence in political rationalities.” (Jørgensen, 2012, 245). Adam & Caponio (2019) identified two divergence hypotheses within the multi-level governance literature. First is the localist thesis which understands local policies as being informed by the local context and local issues such as demographics, labor market, crime, and poverty. It also recognizes political power dynamics and formal horizontal relationships with civil society organizations as having a significant influence. The second is the relational thesis which sees all of the aforementioned factors as playing a role, but also names governance relationships between the different government levels as an additional factor. In this case a vertical governance structure or lack thereof can dictate policy convergence or divergence.

Divergence often takes form of local policies offering additional services that are not required, permitted, or supported by national governments. Jørgensen (2012) studied local level policy making of four cities in Denmark and found that two cities developed more inclusive policies that resulted in policy divergence. However, the other two cities remained within national policy guidelines, and were still able to respond pragmatically to local policy problems.

Several factors were listed as having potential to influence local policy and therefore also influencing policy divergence. This first factor is size. Large and dynamic cities often attract non-status migrants because they have many employment opportunities, have diverse populations, and large international migrant networks. With large, diverse populations cities are confronted with the effects of increased vulnerabilities and may see the need to react with a local solution. The second is the economy or available resources. Providing additional services at the local level that are not within the national framework must be financed by a local government's own budget and resources. Therefore, the resources available at the local level can influence policy making and implementation. Third is the governance structure which has been described in detail above. Different structures are expected to influence vertical policy divergence or convergence differently. For example, multi-level governance is expected to result in convergence because it is based in policy co creation while a localist structure is expected to result in policy divergence due to policy being based in unique local contexts. Fourth is venues and networks which is the horizontal governance relationships between other cities, civil society organization and academics. Networks offer a support system and a space to share best practices and innovative ideas. With knowledge of policy options and local level problem solving of other cities, local governments may be more likely to create inclusive policies. Additionally, with evidence of policies working well in other cities it is more likely to be supported by a city council. Lastly, the political environment such as political parties that are in power at each level, politicization of the policy problem, and power relations.

In the case of the cities whose policies remained convergent, both the national and local policies aligned and offered the same services. Convergence can also occur if the national and local levels lack a policy on a given issue, or if both of the levels have restrictive policies. Although most local level research has focused on cities creating more inclusive policies, scholars have also found that some local level governments employ restrictive policies at the local level with little or no intention of differing from national policies (Ambrosini, 2013). Additionally, national governments have also been found to seek to ensure convergence through compliance mechanisms such as providing national funding for a specific purpose, involving itself in local implementation, or evaluating of policy implementation (Emmilsson, 2015). Finally, it is important to come back to the fact that despite this local turn, access to social protection for non-status migrants remains embedded in the national welfare and immigration

policy framework and therefore policy convergence may be more common. Local level policy making may address local level issues while remaining within this framework, but it can also result in policy divergence.

2.5 Expectations

Based on the theoretical framework outlined within this section, several expectations can be formulated. First, due to the intractable nature of access to social protection for non-status migrants, it is expected that the local level policies and implementation will differ from national government (Scholten, 2013). Additionally, it is expected that local level provision will differ horizontally, between cities, based on the uniqueness of the local context (Ray, 2003). Second, according to the relational thesis (Adam & Caponio, 2019), the factors in *Table 1* are expected to have an influence on whether local policy is inclusive or restrictive as well as whether local policy is convergent or divergent. Thirdly, the table also shows the expected relationship between local level inclusivity and vertical policy divergence or convergence. It is expected that inclusive local level policies will result in divergence from the national framework. Lastly, COVID-19 is expected to facilitate inclusivity in local policies due to an increase in exposed vulnerabilities and visibility of the non-status population.

Table 1

Category	Factors	Indicators	Local Level Policy Expectation	Multi-level Policy Expectation
<i>Local Context</i>	Size	-Large city, diverse population	Inclusion	Divergence
		-Small city, small local population	Restriction	Convergence
	Resources	- Strong economy, many resources	Inclusion	Divergence
		- Small economy, minimal resources	Restriction	Convergence
	Networks	- Strong city networks	Inclusion	Divergence
		-Migrant advocacy groups -Civil society orgs -Experts	Inclusion Inclusion	Divergence Divergence
<i>Local and National Political power dynamics</i>	Political Party	-Different political parties in leadership at different levels	Either	Divergence
		-Left leaning local government	Inclusion	Either
		-Right leaning local government	Restriction	Either
	Frames	-Framing as a national problem	Restriction	Convergence
		-Framing as a local problem	Inclusion	Divergence
	Compliance mechanisms	-National funding -Implementation evaluations	Restriction Restriction	Convergence Convergence
<i>Governance Structure</i>	Localist	-Bottom up, local policy, horizontal networks	Inclusion	Divergence
	MLG	-Shared responsibility, coordination, co creation	Inclusion	Convergence

3 Methodology

3.1 Research Design

This research consists of a qualitative, comparative case study of governance in the multi-level setting in two different countries and two cities within each. This design facilitates the study of vertical and horizontal relationships between governments in two different national contexts, but also the ways in which governance may differ within the same national context between the two cities. This comparison of multiple levels of government allows for the measurement of divergence or convergence as well as inclusion or restriction. A comparative case study lends well to the research question due to its explanatory ability within contemporary, real life contexts. It also has the ability to focus on factors involved in organizational processes, and account for complexity such as governance in a multi-level setting (Kohlbacher, 2006). Several large comparative studies have offered a look at local level policy making in regard to non-status migrants (See Spencer & Delvino, 2020). Studies that analyze many cities offer a wide range of information that show differing reasoning for municipal activism across Europe. However, the current comparison of two countries will offer a deeper look into the contextual factors of each case and will offer explanatory power towards understanding differences between nations and cities. The data sources for the research have also been carefully selected to offer in depth analysis. To best understand how the local level navigates the policy process within the multi-level setting this thesis relies on policy documents and interviews. This research is done with the help of the Platform for International Cooperation on Undocumented Migrants (PICUM) who provided assistance with contacting relevant informants.

3.2 Case Selection

The case selection process involved surveying PICUM members on non-status migrants' access to social protection in their respective countries. Eighteen survey responses were received from members in thirteen countries. These initial responses prompted six follow up interviews with members in six countries on the traditional access to social protection as well as any changes as a result of COVID-19. Based on these interviews, a purposive case selection was made.

My purposive case selection includes countries: Finland and The Netherlands and cities: Helsinki and Espoo, Amsterdam, and Utrecht. This country selection is based on the differing

context of the two countries and their varying levels of success on local level policy innovation. Finnish national policies and initiatives claim to provide services irrespective of nationality to all persons within the country, but this has not always been the reality for non-status migrants. Within the Dutch context, specific legislation blocks access to services for non-status migrants. Both Finland and The Netherlands are decentralized unitary states, meaning that they are governed by one entity that then passes on responsibilities to other levels of government. Therefore, cities can differ in policy creation and implementation. Both Dutch and Finnish governments have three levels of government including the national, provincial and municipal levels. The national and municipal levels hold the most power. The national levels are responsible for legislation, monitoring implementation and controlling funding. Municipalities are responsible for service provision including housing and income security of vulnerable populations (OECD 2018a). Both Dutch and Finnish municipalities have been creative in policy implementation and service provision development, however this varies greatly based on the city.

Most recent estimates show that the Netherlands has 100,000 (Selm, 2019) non-status migrants living there, but Finland has significantly less, between 500-3000, due to its geographic location, shorter immigration history, and lack of migrant networks (Jauhiainen et al. 2018). However, these numbers are expected to have increased in both national contexts. The Netherlands has a long migration history and therefore experience with migration policy while Finland does not have such experience and has had to address this policy problem more recently. Finland is the second biggest spender on social protection of the OECD countries while the Netherlands is in the bottom half (OECD, 2020). Finally, they both have been economically hit by the COVID-19 pandemic increasing the need for social services provided by the government. The differences and similarities of these cases as well as the preliminary surveys and interviews offer the opportunity to generalize.

The cities were selected due to having a large population with a significant percentage having a migrant background in their respective countries. Therefore, the consequences of exclusive policies and following local level response were at a larger scale and easier to analyze. In addition, large cities have been found to have power in municipal solidarity and are able to have larger influence in policy (Spencer & Delvino 2019). The chosen cities also have policies that create access (to differing extents) to housing and income security for undocumented

migrants. Additionally, these cities had the capacity and economic resources to provide government services. Lastly, each of these cities had a majority left leaning local government that often adopted a pragmatic and humanitarian frame in policies for service provision.

3.3 Methods

3.3.1 Policy documents

Analysis of policy documents will facilitate understanding of what access to social protection non-status migrants have and how this is addressed at the local and national level. First, desk research was conducted to map current access to housing and income security for non-status migrants at the national and local level of each country. This included content analysis of national and local policy documents, PICUM member responses to inquiry, and follow up interviews when relevant. The national and local level policy documents were accessed through government websites. In the Dutch case, national documents were accessed through online parliamentary archives offering many forms of documentation including letters, decisions, motions, reports, parliamentary questions and additional papers. Legislation was often available in English. Local level policy documents were accessed through Rotterdam and Amsterdam online databases. Documents collected from the local level database were in Dutch and consisted of motions, council meetings, written questions, and messages. In the Finnish case, national documents were accessed through the Finlex Data Bank, an online database of legislative and judicial information of Finland owned by the Ministry of Justice. National legislation was often available in English. Local level policy documents were not easily accessible. A Helsinki informant provided some documentation about their local service provision. Espoo City Council does not publish data on this subject therefore additional interviews were conducted. This will be discussed in the findings. Selected documents in Finnish or Dutch were translated in DeepL pro translation software.

In each database Boolean string searches were used to narrow the result to the most relevant documents. The terms included in the search were: rejected asylum seeker, illegal, undocumented, housing, and income security. Keeping in mind that it is uncommon for non-status migrants to be explicitly named in policy documents, categorical and thematical search tools were also utilized. This included searching based on the following categories: illegal migration, social services, housing, income security, offices of immigration affairs. Lastly, in

each case specific policies were collected based on information collected in the preliminary case selection interviews and in some cases policy documents were provided directly by informants.

Other sources of contextual data included PICUM documents as well as the interviews with PICUM member and their contacts. Additional data sources also include secondary data (national statistics and OECD) and literature to analyze the political context, multi-level relationship and governance structure of the two countries. Lastly, working papers documenting local level social protection provisions produced by the City Initiative on Migrants with Irregular Status in Europe (C-MISE), were also used. These were accessed through the EUR library access and additional online platforms.

3.3.2 Interviews

As Spencer (2017) found, local level policy makers often prefer to keep policies and implementation of intractable policy problems at low visibility. Additionally, steps in the policy process such as policy formulation and decision making are often not documented or are working documents not available to the public. Therefore, it can be quite difficult or impossible to study the policy process of social protection for non-status migrants relying purely on policy documents. With this in mind, semi-structured interviews with local level officials were conducted to elaborate on desk research and offer information on the policy process that is often left undocumented.

PICUM members, civil society organizations working in the Netherlands and Finland, also served as respondents. Due to their involvement in local level and national level service provision, they offer an additional perspective to the policy process as well as the horizontal relationship between local service providers and governments. Additionally, many of these organizations are involved in the policy making process as stakeholders and/or experts on migrants in their region. PICUM members and government officials were contacted through PICUM member contacts and contact information provided online. Local government officials were contacted through email, personal connections, and PICUM member contacts. After initial interviews with local level officials snowball sampling was employed to acquire additional relevant informants that may have previously been involved in policy making and implementation in this context. This mode of sampling can create biases, but due to the political sensitivity of the research scope and limited contacts as a student it is necessary to use civil society and government networks to access relevant respondents. Local government official

respondents were chosen based on their professional involvement in service provision for non-status migrants specifically and having been working within this topic prior to the COVID-19 pandemic.

Both the content analysis of documents and interview transcriptions were analyzed through qualitative coding. Transcriptions were done using f4 software to allow for the most accurate and efficient process. All of the data was coded and analyzed using the same code book and sub codes. Codes were created through a mix of deductive and inductive process. First, expected relevant codes based on the theoretical framework, research question, and operationalization were created. Second, throughout the coding process additional, relevant codes were created to open the possibility of finding additional explanatory factors or other themes. Atlas.ti coding software was used throughout the coding process from code creation to analysis. During deductive code creation a definition was given to each code. As inductive codes were added a definition was also created. First, each document/interview was coded analytically meaning that the codes given reflected the meaning behind the text or quotation. Memos were created upon the creation of an inductive code and when a relationship was discovered. Next, these codes were separated into four general themes: conditional (politics, demographics, resources), interactions (relationships vertical/horizontal, networks, tensions), strategies (advocacy, policy making, implementation), consequences (access, etc). Later, new themes were created based on relationship, similarities and conceptual links (Cope, 2005). Lastly, themes and codes were analyzed through Atlas.ti's analysis tools and visualization capabilities.

3.4 Operationalization

To analyze how policy makers navigate the policy formulation, decision making, and implementation of access for non-status migrants all of the variables influencing this process should be considered. The following table brings together explanatory variables that have been outlined in the theoretical framework. It also shows the expected relationship that these factors have on inclusive or restrictive policy as well as to multi-level policy divergence or convergence. This operationalization is based on the relational thesis that understands local level policies to be informed by many factors including local context, political power dynamics, and governance structures (Adam & Caponio, 2019). In this thesis, each of these factors are seen as having the potential to influence local level policy. Therefore, the factors are expected to influence whether

local policy is inclusive or restrictive and whether national and local level policies are convergent or divergent.

Table 1

<i>Category</i>	Factors	Indicators	Local Level Policy Expectation	Multi-level Policy Expectation
<i>Local Context</i>	Size	-large city, diverse population	Inclusion	Divergence
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	Networks	- strong city networks	Inclusion	Divergence
		-migrant advocacy groups -civil society orgs -experts	Inclusion Inclusion	Divergence Divergence
<i>Local and National Political power dynamics</i>	Political Party	-different political parties in leadership at different levels	Either	Divergence
		-Left leaning local government	Inclusion	Either
		-Right leaning local government	Restriction	Either
	Frames	-framing as a national problem	Restriction	Convergence
		-framing as a local problem	Inclusion	Divergence
	Compliance mechanisms	-national funding -implementation evaluations	Restriction Restriction	Convergence Convergence
<i>Governance Structure</i>	Localist	-bottom up, local policy, horizontal networks	Inclusion	Divergence
	MLG	-Shared responsibility, coordination, co creation	Inclusion	Convergence

4 National Context

4.1 Netherlands

The national immigration authorities fall under the jurisdiction of The Ministry of Justice and Security. The Ministry of Social Affairs and Employment is responsible for legislation on social protection while responsibility of provision lies at the local level. Municipalities draw their authority to offer accommodation from the Municipalities Act which tasks municipalities with maintaining public order which also implies homeless prevention. It also states that municipalities are responsible for providing care to anyone within it (Article 172 of the Municipalities Act). Based in these principles' municipalities have the ability to invoke autonomous duty of care for the non-status migrant population (Article 124 of the constitution; Article 108 of the Municipalities Act). Any care provided in this circumstance is provided by the municipality alone and is independent from any and all financial support from the national government.

Municipalities in the Netherlands have a long history of working together to improve national and local governance practices. The Dutch system allows for dialogue between different levels of government (OECD 2018a) through organizations such as the Vereniging van Nederlandse Gemeenten – Association of Netherlands Municipalities (VNG) of which all Dutch municipalities are members. This association serves as the main negotiation mechanism to the national government with the aim of reaching policy convergence in the multi-level setting. The Netherlands has a long migration history and has been a creator and innovator of migration policies. For example, they were one of the first countries in the EU to enact integration policies in the 1980s. Migrants at that time were called guest workers and it was assumed that they would return to their origin country upon completion of their work. However, when this did not happen migrant's vulnerable position was concerning. Municipalities were the first to offer services like healthcare, housing, and other forms of social security and the national level was encouraged to follow suit. Beginning in the early 1990s the Dutch government sought to reduce unauthorized migration and by this point migration policies were politicized because of a dominant narrative that "Dutch society" was at risk (Bruquetas-Callejo et al., 2007). During this time the Linkage Act (1998) was formed and implemented. This policy "links" a person's right to social services to their migratory status and effectively denies non-status migrants access to housing and income

security as well as healthcare, higher education, and rent subsidies. The Linkage Act falls specifically in the intersection of immigration policies and social protection policies as it aims to act as a deterrent to non-status migrants. This law immediately faced backlash from public and private service providers as well as local level governments. Although several alterations were made the core of the act has stood the test of time, including continued national restriction of housing and income security (Ibid.). This national restriction resulted in private and public support being provided at the local level including the creation of policies in Utrecht and Amsterdam to address non-status migrant vulnerabilities.

In 2007 a new policy was launched as a result of local level initiatives to provide services such as housing to non-status migrants. The act specifically put a process in place for rejected asylum seekers providing them with a place to stay for a limited time while they undergo the return procedure (Kamerstukken II 29 344 nr. 67, 2007/2008). This policy aimed to diminish the need for emergency municipal shelters and allow for national and local coherence on immigration policy. In 2013, the Conference of European Churches filed a complaint to the European Committee of Social Rights (ECSR) that the Netherlands was not fulfilling their obligations under the European Social Charter². Specifically, they cited that the Netherlands did not provide adequate social assistance in violation of Article 13 § 4 and did not provide adequate housing in violation of Article 31 § 2 to non-status migrants within their jurisdiction. The following investigation found that non-status migrants were not able to access social support or “community shelter services” under the Social Support Act due to eligibility requirements based on “lawful residency.”³ In 2014 The ECSR decided that there had been a violation of both articles.

Although the decision was non-binding, municipalities then used this ruling for justification of shelters known as the Bed Bath Bread (BBB), consequently diverging from national policy. In 2015, in the interest of the municipalities, the VNG advocated for national funding of the ongoing shelters and service provision being provided by the municipalities. The Minister of Safety and Justice agreed to provide compensation for up to two months under the condition that return was the objective of the shelters. However, funding was also determined by the “success” rate of voluntary returns (Kamerstukken II 19 637 nr. 1994, 2014/2015). In this

² Decision on the merits: Conference of European Churches (CEC) v. the Netherlands, Complaint No. 90/2013

³ Para 22, Ibid.

way the objective of return was incentivized, and the program was used to stop municipalities from providing other services. Through these measures they also aspire to be able to account for a previously hidden population (Ibid.). In 2017, the national coalition agreement 2017-2021 “Confidence in the Future” discussed temporary reception that would be offered through the National Immigration Facilities (LVV) organized in collaboration with national and local governments.

4.2 Finland

The Ministry of the Interior is the national body responsible for the development and administration of migration legislation. The Finnish Immigration Service, police, and Finnish Border Guard fall within this ministry. The Ministry of Social Affairs and Health is responsible for legislation on social welfare including income security and housing. Municipal responsibilities are mandated by the national government through the Finnish Local Government Act (410/2015). These services include arranging and providing basic public services including housing and income security and are funded by local taxes, national compensation or funding, or service charges. There are also discretionary functions that can be arranged if the municipality chooses. In this case, the municipality may receive financial support from the national government. In addition to the mandated and discretionary services, municipalities may offer other services including those for the migrant population as long as the service is not considered a function of the national government (Association of Finnish Municipalities, 2017). Both the Social Welfare Act and the Income Support Act state that the services provided in the text are the responsibility of the municipality. At the municipal level, social services are provided through the Social and Health Services departments.

There is no direct definition of a non-status migrant, or similar terms, in the national legislation, and it is not used. National legislation only refers to non-status migrants in terms of being a rejected asylum seeker which does not cover all non-status situations. Additionally, statistics of non-status migrants living in Finland are done specifically on rejected asylum seekers rather than all non-status migrants. Most recent estimates of rejected asylum seekers are 700-1100 with the majority residing in Helsinki and Espoo (Association of Finnish Municipalities, 2020). As mentioned earlier, Finland has a short migration history and has been a country of emigration rather than immigration and therefore it has a low foreign-born population.

However, in recent years Finland has been among the countries with the fastest growth rate of their migrant population (OECD, 2018). Service provision for this foreign population was being discussed more seriously at this time. According to guidance offered by the Ministry of Social Affairs and Health, non-status migrants may only be granted income support if assistance cannot be received from any other source, and it is the last resort (Guide for Applicants of the income Support Act 2013). In 2014, the Equality Ombudsman asked for this right to receive benefits be analyzed to see if they were coherent with the constitution. In 2015, Deputy Ombudsman Maija Sakslin decided that a person's application for income security cannot be rejected solely due to their lack of status. This decision is non-binding but is advice on the way to interpret national legislation in a human rights perspective⁴. Therefore, municipalities are advised to offer services based on an individual assessment of need rather than on the basis of status.

Like other EU countries, Finland experienced a sharp increase in asylum seekers in 2015. As a result, the Finnish government created more restrictive immigration policies to limit access to residence. For example, in 2016 the Finnish government removed the possibility to receive a residence permit on Humanitarian grounds and tightened family reunification criteria (Immigration Department, 2017). However, it is important to note that at this time they also created new permits for highly skilled migrants following the findings of De Haas and colleagues (2016). Most significantly, in 2016, of the asylum decisions made, 83% were rejections (OECD, 2018). During this time the national assumption was that without access to services, rejected asylum seekers turned non-status migrants would return. However, in 2016-2017 the non-status migrant population grew due to large numbers of rejected asylum claims and lack of return upon such a decision (Jauhiainen et al., 2018).

⁴ Dnro 4096/4/14. Retrieved from: <https://www.oikeusasiamies.fi/r/fi/ratkaisut/-/eoar/4096/2014>

5. Findings

5.1 What access to social protection exists at the local and national level?

5.1.1 National policies providing access

Netherlands

In 2018 the national government and municipalities, represented by the VNG, came to an agreement on service provision that resulted in the LVV. This agreement was decided based on input from the Ministry of Justice and Security, the VNG, the municipalities of Amsterdam, Rotterdam, Utrecht, Eindhoven and Groningen, the Immigration and Naturalisation Service (IND), The Repatriation and Departure Service (DT&V), the Aliens Police Department, and Identification and Human Trafficking Department of the National Policy (AIVM). The LVV Cooperation Agreement lays out the partnership between the national government and municipalities including that the local government is still responsible for implementation of the program. The pilot phase, beginning in 2019, would cover 5 locations over three years and would rely on local expertise to implement the shelters.

The LVV is a national program, however each individual LVV had the opportunity to implement the LVV in line with local expertise from the municipality and NGOs. The differing aspects of the municipal pilots also serve to test the best method during this pilot phase. The ability to implement the LVV differently is limited to the municipal program remaining coherent with national immigration policies and aliens legislation. Due to the impact of COVID-19 on results, the pilot was extended until 2022. At the end of the pilot, negotiations will commence regarding whether the LVV will have a permanent place in national framework and what general procedure would be agreed upon. The LVV's are funded together by the national government and the municipalities (Cooperation Agreement LVV, 2018).

The specific differences of the LVVs will be discussed below within the context of each city. The general concept of the LVV is as follows. The overall objective of the LVV is to provide temporary accommodation to non-status migrants that will facilitate finding a sustainable solution to their situation. The Dutch government considers sustainable solutions to be: return to an origin country, onward migration, or regularization within the Dutch system. It is the explicit interest of the agreement to provide a structural solution that mitigates the need for

service provision by the municipalities (Cooperation Agreement, 2018). While living in the LVV, non-status migrants have access to a bed, case management, income for food and other necessities, and daytime activities. This daily service provision is provided by local civil society organizations. The LVV is a conditional shelter that requires participants to have previously applied for refugee status or a residence permit, currently be non-status, have a “meaningful connection” to the region, and in need of shelter. Additionally, a person is excluded if they are from a safe country of origin (as defined by the Dutch government), a family, or have an entry ban. Similar to the compensation granted in 2015, access to the shelter is also governed by a commitment to work on a sustainable and permanent solution. Based on the person’s situation, the LVV partners determine a sustainable course of action within a local case consultation meeting (LSO). Active participation in this course of action determines a person’s continued access to shelter. Additionally, if it becomes clear that a permanent solution cannot be reached, they may have to give up their place to another non-status migrant willing to participate.

The process of finding sustainable solutions is deeply ingrained within the LVV because purely providing shelter has not proven to result in the betterment of the non-status migrants. Additionally, many non-status migrants “get stuck” in the legal system and need assistance in finding a possible solution to their vulnerability. Therefore, accommodation serves as a stabilizing mechanism that will allow for a non-status migrant to work on a lasting solution. (Implementation Plan, 2018). The LSO was established with this in mind, during these meetings the various actors involved with the LVV can discuss individual participants’ cases to find a solution within the legal framework. Civil society organizations bring forward difficult cases that may require creative problem solving. The IND representative is tasked with thinking along to find a solution, problem solve within individual cases, and provide explanation for the (im)possibility of attaining a residence permit. The DT&V is tasked with thinking along to find a solution as well as creating individual solutions and removing barrier to return.

Although the LVVs host many non-status migrants that would otherwise remain without shelter or income security, it does not allow for accommodation for all non-status migrants. Eligibility requirements listed above excluded those from a safe third country of origin, those unwilling or unable to participate in voluntary return, those that have not previously applied for residence or asylum, Dublin claimants, those with a criminal history, or with an entry ban. With this being the case, LVVs cannot be expected to eradicate the need for BBB or other services for

non-status migrants that do not fit the requirements or have not been able to find a permanent solution through the LVV.

Finland

In 2016 and 2017 many journalists covered the vulnerabilities of the non-status migrant population and placed the blame on the multitude of rejected asylum claims of 2016 and put additional pressure on the government to provide for non-status migrants (Immigration Department, 2017). It became clear that it was against the legislation to deny non-status migrants access to social protection. Section 19 of the Constitution of Finland states that “The public authorities shall guarantee for everyone... adequate social, health and medical services and promote the health of the population.” In Section 12 of the Social Welfare Act (1301/2014) it states that “Every person residing in a municipality has the right to receive social services based on his or her individual needs in an emergency, so that his or her right to necessary care and livelihood is not compromised.” However, the rights laid out in the Social Welfare Act follow the principle of residence in all cases except for an emergency. This means that to access the services laid out in the act a person must have residence within the municipality that they request assistance from. Residence of the municipality cannot be taken away, therefore there are some cases in which a non-status migrant is a resident of the municipality. For example, if a person was staying within Finland conditional to their relationship with a Finnish person, they would also gain residence of a municipality. However, if their relationship situation changed, they would then be a non-status migrant, but would remain a resident of the municipality and have the right to all social services. This is one of the areas in which legislation and policy become very difficult to disentangle for local officials (R4).

At the end of 2016 the national government stated that it was the responsibility of municipalities to provide emergency services, including temporary housing and income assistance, to rejected asylum seekers. It was also reinforced that municipalities have the ability to extend service provision beyond the national requirements at their own discretion, but that this would not receive state compensation or resources (Ministry of the Interior, 2016). In 2018, a change to the Social Welfare act entered into force, Section 12a outlines that the state compensates municipalities that provide emergency food, medicine, or temporary housing (Immigration Department, 2017). It is important to note that this new section explicitly states that

compensation for emergency services is available for rejected asylum seekers. It does not mandate that the state will provide compensation for services provided to any other category of non-status migrant such as those that have an expired residence permit or have entered without a permit. Apart from this formal recognition of rejected asylum seekers having access to services there was little guidance on how this was to be implemented at the municipal level. This has resulted in differing service provision by municipalities, but it also resulted in municipal decision-making being reactive to non-status migrants rather than proactive (Jauhiainen et al., 2018).

5.1.2 Local policies providing access

Amsterdam and Utrecht

Both Amsterdam and Utrecht are current pilot cities for the LVV. However, their history of service provision of non-status migrants predates the pilot. The Utrecht City Council made its first steps toward providing shelter in 2001. Since then, the Municipality of Utrecht has also provided shelter and support run by civil society organizations (R7). Since 2013, Amsterdam has provided some form of housing or income security through partnerships with local civil society organizations including funding. These organizations had expertise and practical experience in service provision for non-status migrants (R6). Also prior to the LVV, the Amsterdam City Council created a coalition agreement which called for 24-hour shelter for 500 non-status migrants (Coalition Agreement Amsterdam, 2018).

In November 2018, both Amsterdam and Utrecht officially agreed to become pilot cities of the National LVV program. Both cities then officially opened LVV shelters in 2019. In both pilot programs, many civil society organizations are involved and each one is responsible for different aspects of the LVV in line with their expertise. For example, several organizations are responsible for housing while separate organizations are responsible for providing guidance (R6;R7). The organization of the LVV also consists of monthly LSO meetings to discuss counseling of the non-status migrants.

Each city provides shelter, an allowance for necessities, daytime activities and guidance. Non-status migrants are encouraged to be independent and self-sufficient through the handling of their own money, participating in activities and playing an active role in the realization of their solution. The Amsterdam LVV officially has 360 places available, and participants may stay in

the LVV for a maximum of one and a half years with possibility of extension depending on circumstances (R6). The Utrecht LVV has space for 235 participants. Typically, a non-status migrant must allow for their information to be shared with the AIVM, IND, and DT&V upon intake. However, in Utrecht a non-status migrant chooses when this information will be shared with these actors. The Utrecht LVV has no time limit for how long a person can stay within the shelter (R7).

Actions taken for non-status migrants are not limited to the LVV policy. The city of Amsterdam has 140 additional spaces that are used for additional LVV participants, emergency situations, and exceptional persons such as those with medical needs, or Dublin claimants. When shelter is due to a medical situation their services are provided through health officials. This accommodation also provides social and health care services but is only provided for a short period of time (R6). Shelter in Utrecht is separated into 1st line and 2nd line shelter. This means that 1st line shelter, has less conditions but is temporary, can serve as emergency shelter for people that do not meet 2nd line requirements for a limited time (R7).

Helsinki and Espoo

In 2017, the City of Helsinki adopted a new policy that would allow non-status migrants to access necessary social and health care in addition to emergency care that was required by the state. This can be interpreted widely by health care professionals and city officials (R4). In the same year, Helsinki centralized their social and health care services at the Kalasataman Health and Welfare Center. Within the Social and Health Services Department for the city there is an Immigration unit that offers integration and social services to persons that have received international protection or residence permits. Within this unit there is a small, specialized team that offers emergency and necessary social services to non-status migrants residing in Helsinki. This team also serves as experts on the non-status migrant population for local policy making and the team lead works to co-develop local policy for non-status migrants. This unit began with one social worker but has now grown to three social workers, three social counselors and two advisors (R4).

Espoo has often followed Helsinki when adopting policies that provide service for non-status migrants. The most relevant being in 2018 when they decided to offer necessary as well as emergency care to all non-status migrants. Following this policy change and many consultations

with Helsinki, Espoo officials created a social care unit for non-status migrants. This unit is housed within the emergency care unit. This seems to have come about due to non-status migrants mostly having access to emergency services. This unit is a bit smaller than the Helsinki unit and the officials serve as emergency social workers as well as social workers for the non-status migrant population (R2).

In both Helsinki and Espoo non-status migrants, referred to as clients, must go through a needs assessment with a social worker to discern what services are appropriate for the client. Non-status migrants have access to housing, an allowance and vouchers for food and other necessities, a transportation card and social guidance to find a solution for their vulnerable situation. There are no conditions or time limit placed on access to these services (R2;R4). Implementation of the above services is handled similarly in the two cities, except for housing. In Helsinki, housing services available include night shelters to single, adult clients in need and apartments for families or persons in need of medical attention. This service is provided through local civil society organizations, but it is funded by the municipality of Helsinki. In Espoo, if housing is needed, a single person is housed within a 24-hour shelter owned and operated by the municipality, families and those in need of medical care are provided with an apartment.

5.2 What factors influence local level policy making and implementation?

The following section focuses on the factors that influence policy making in each city. The section will cover the factors in Table 1, as well as two new factors were identified: Strong public servants and public information. Each factor plays an important role in understanding the local level policy process in each context.

5.2.1 Governance structure

At the Dutch national level, The Ministry of Security and Justice oversees the LVV. In Amsterdam, the LVV and other social affairs matters are overseen by the Deputy Mayor for Social Affairs, Democratization, and Diversity. In Utrecht, service provision for non-status migrants falls under the jurisdiction of the Deputy Mayor of Care, Well Being, and Sport, Marten van Ooijen. This shows that while the ministry looks at migration from a security perspective the municipality is seeking to address the issue of public order and human rights, and this does result in tensions between the different levels. The Netherlands has a *multi-level* governance structure on this political theme as conceptualized by Scholten (2013). Within the LVV, responsibility is shared between local and national government, there is a lessened hierarchy, and coordination is evident in LSO meetings where all actors are come together to work towards sustainable solutions for non-status migrants. The LVV was created in collaboration with the Ministry, immigration authorities, and municipalities to reach the common goal of sustainable solutions. Ultimately the LVV has led to greater understanding between the national and local governments.

In Finland, the Ministry of Social Affairs and Health is the primary national entity that oversees service provision for all, including non-status migrants. In both Helsinki and Espoo, the Deputy Mayor of social and Health Care govern access to social services. With this organization, the main focus at both levels is on services for persons in the municipality irrespective of immigration status. Finland has a *localist* governance structure on this political theme as conceptualized by Scholten (2013). Municipalities are responsible for service provision within their territory, they are able to provide additional services locally, and there is strong horizontal policy exchange between other finish and international municipalities. Often, policy change

follows innovative policy implementation and advocacy of Social and Health officials and is therefore more bottom up.

Governance structure influences multiple areas of the policy process. Policy formulation is influenced by governance structure in that multi-level structures cooperate vertically to formulate policy while localist structures are more individual at the local level. These different ways of formulating policy in turn affect decision making. Policies supported by multiple levels of government are more likely to be approved by the national government while local policies may face more tension from their community and the national government. However, implementation is easier to manage within a localist government because of the freedom that municipalities have at the local level. In the multi-level setting implementation may be supported by many institutions but is also under observance of these different institutions.

5.2.2 Local context

The first factors within local context influencing the policy process are *demographics* and *economics*. Amsterdam is the largest Dutch city and has the largest population with a migrant background (OECD 2018a). Utrecht is the 4th largest city in the Netherlands with a third of this population having a migration background (CBS, 2019). Both cities are economically sound and use city funds to support the LVV program alongside national funds (R5). Both cities struggle to find space and structures for housing but have ultimately managed to do so. Helsinki and Espoo are the first and second largest cities in Finland respectively. They also have the largest proportions of people with a migrant background (Helsinki Municipality, 2021). Both are in a good position economically compared to the rest of the country, but they lack significant open space and housing facilities that could be used for housing services (R1; R2; R4). However, Espoo is now able to utilize their recently built municipal shelter (R2). Both Cities use municipal funds to provide services alongside compensations by the national government (R2; R4).

Demographics have a significant influence on the voting population and the perceived need for social protection services. This influences whether a government sees the need to create such a policy and whether their constituents will respect their decision. Therefore, policy formulation and decision making are both influenced by demographics. Economics and resources however have a greater influence on decision making and implementation. The economic situation determines whether the city has funds and resources to put toward social protection policies. When resources are available, local level officials may be able to find ways to

implement policies or provide additional services through resources such as the municipal shelter in Espoo.

The third local context factor is *networks*, which has been conceptualized as: migrant advocacy groups, civil society organizations, experts, and city networks (Table 1). One or multiple of these forms of networks were present in each city and were consistently cited as being helpful for policy formulation and implementation. Helsinki, Amsterdam, and Utrecht are all involved in the C-MISE network, along with ~30 other cities, where they discuss local level best practices and often learn valuable advocacy tools and innovative ideas. These cities are facing similar struggles and are best able to address these problems by understanding how other cities are able to provide services and negotiate with their national government.

Dutch cities more or less have alliances with each other when it comes to negotiating with the national government in the context of service provision for non-status migrants. This is due to the long history of local level service provision for non-status migrants such as early shelters and BBBs and shared best practices. There is an unspoken rule that if one municipality does not agree to certain condition then they will all be averse to it. Therefore, strong municipal ties give more negotiating power. An Utrecht official went as far as to express that their colleagues are those in other municipalities that work on the same topic while others within the municipality are competitors for political attention and funds (R7). Additionally, in both Utrecht and Amsterdam there are many organizations that advocate on behalf of non-status migrants. Civil society organizations don't only provide services but also serve as experts in the field, political lobbyists, and advocates. Several local policy changes in Amsterdam are direct results of advocacy group protests or demonstrations, including the establishment of shelter in 2013 (R6).

Helsinki and Espoo have a history of working together on policy formulation and implementation of services for non-status migrants. Helsinki, being the first city to offer additional services to non-status migrants, now works with many other cities to offer guidance on ways to create additional access to services through local policy. They also offer advice on the best ways to implement the services that are mandated by the national government. When advocating for local policy changes, other cities are able to use Helsinki as an example of a successful policy and implementation system. After successfully following in Helsinki's footsteps, Espoo also consults with other Finnish cities and advises them on policy creation and

service implementation (R2). The social workers in both cities that are in direct contact with non-status migrants also work with local civil society organizations to expand their expertise and advise non-status migrants on extra governmental opportunities. Lastly, Helsinki and Espoo are home to several migrant advocacy groups who have influenced access to services through protests in 2016 and 2017 following increased numbers of non-status migrants (immigration Department, 2017). Ultimately, networks influence each part of the policy process. Policy formulation, decision making, and implementation are all made easier by through sharing advice and best practices across local governments. Additionally, advocacy groups and protests can often influence political decision making.

5.2.3 Political power dynamics

Political parties have shown to have a large influence in politicized topics. Each of the four cities are currently governed by a left leaning city council and this is also the historical norm for these cities. The Deputy Mayors at the local level are all members of left leaning parties: Amsterdam - Groen Links, Utrecht - Christian Union, Helsinki – Green League, Espoo – unclear. A left leaning local government, and Deputy Mayors was cited as being an important factor by officials in each municipality. Overall policies regarding non-status migrants are highly politicized and therefore the political party affiliation of Deputy Mayors and national leaders are a key determining factor. In the Netherlands, there are parties for and against the LVV, that have advocated on either side since the first service provision (R7). During this time cities negotiated with the conservative national government, but were never able to come to an agreement amidst political opposition from right parties (R6;R7). In 2017, the coalition agreed upon the LVV program and acknowledged the need for access to services. Policy makers in Amsterdam said that creating 24-hour shelter for non-status migrants was what the Deputy Mayor wanted and therefore they had to carry it out (R6). More conservative cities have not contributed municipal money to the LVV (R6). Dutch municipalities are now worried about the formation of the new coalition and say that this will decide the continuation of the LVV (R6;R7). Ultimately, the decision to make the LVV a part of the national framework will be a political negotiation, and this creates uncertainty (R7). The topic is said to be more heavily politicized at the national level while the local level must focus on solving problems. For example, in Utrecht right politicians have voted in favor of services for non-status migrants. However, once reaching the national level the same politicians are very vocal opponents of the LVV programs (R7).

In Finland a right-wing conservative government increased restriction of immigration policies (R1). The direct result was a large increase in rejected asylum seekers and non-status migrants. This increase in vulnerable populations demanded government aid and social services (R4). Later, the national government began offering compensation for rejected asylum seekers specifically. This was not seen as an action taken for the rights of migrants, but instead to account for a problem the new legislation created (R1;R4). In this way, politics was the reason for restriction and for very exclusive compensation, and overall national politicians have left municipalities to address the situation (R1). However, the current government does not include members from the far-right party. Additionally, the Minister of the Interior is a left leaning politician and there has been a stop to policies that increase restriction (R1). Both Helsinki and Espoo have strong left leaning parties that have supported increased access to services for many years. However, this has not been without opposition and intense questioning from right parties. Right politicians often take interest in policies regarding access and instead advocate for return (R4; R2). Political parties most strongly influence decision making at the local and national levels. Decision making then influences whether a policy will make it to implementation.

Frames were a clear factor in each local context. In Finland, services for non-status migrants were framed as a local problem and local responsibility. The national government does not strictly monitor local services for non-status migrants and does not involve itself with local level implementation (R1). National policies do not define non-status migrant, but the city of Helsinki defines a non-status migrant as anyone who has been denied asylum, remained in the country after expiration of a permit or visa, third country national without a Finnish residence permit, an EU citizen who is not covered by social security in their own country or a person with a residence permit whose private health insurance has expired or is not comprehensive. (Social and Health Care Services for Irregular Migrants, 2021). This definition was created by officials within the Department of Social and Health care. Due to the fact that the policy process, including policy formulation, decision making and implementation, are done within the social and health care department at the local and national levels there is a clear humanitarian frame. In both Helsinki and Espoo the non-status migrant team implementation officials and policy developers are trained in social work (R2;R4). Social workers and other officials within the social and health care department come from the perspective of wanting to better a person's life.

This involves taking a person's circumstance into account, but not allowing status to determine their right to services (R1).

Additionally, a legal frame is used by officials at the local and national levels. Local officials in both cities cited national laws that not only place the responsibility of service provision on municipalities but also legislation such as the constitution that bestow rights upon all people. Finnish officials use mainstreamed policy and legislation to their advantage when advocating for non-status migrant access to services. They often argue that the ambiguity and mainstreamed nature of legislation up until this point does not exclude non-status migrants and should allow them to have similar rights under the constitution (R3). An Espoo city official went as far as to say that all officials have the tools to implement emergency and even additional services it is just a matter of using them (R3). Ministry of social and healthcare officials use similar reasoning when working with the Ministry of the interior, immigration, and police and remind them of the rights given to everyone in Finland under the constitution. National and local level officials also point towards international treaties and responsibilities especially in the case of non-status children and their families (R1).

Due to the LVV program there has been a shift in framing from a local problem to a national problem now addressed by multiple levels. The multi-level LVV program has led to creation of a common frame of seeking sustainable solutions at all levels. Dutch cities tend to rely on the pragmatist frame. They often focus on results of their of their programs and pilots such as the percentages of sustainable solutions achieved and better understanding as a result of cooperation (R6;R7). An Utrecht official specified that they always lead with results but then may frame the issue differently when looking to advocate to different political parties. If they were to target a right wing political party they would focus on the public order argument such as the homelessness reduction or decrease in drug use, when targeting a left wing party they would use humanitarian arguments such as trafficking of young women, and when targeting a religious party they focus on doing something for others and providing services to those in need. In Utrecht this form of advocacy has led to all political parties being in favor of the LVV (R7). Dutch cities also use legal framing within their argumentation. Similar to Finnish officials, they use national legislation regarding the autonomy of the municipality and responsibility to provide services. They also use international treaties and responsibility in the case of rights of children. More uniquely, they often frame their argumentation utilizing international decisions and case

law such as the decision by the European Social Charter and cases of offering services to families (R7). These examples show the ways that frames can be used to influence the perspective of politicians who have decision making power as they are used by local officials and advocacy groups.

At first glance *compliance mechanisms* did not seem to be a significant factor. However, it is important to realize that the LVV program itself is a compliance mechanism. Within this program, Dutch cities receive funding from the national government, are evaluated by an independent institution on behalf of the national government, and the national government has included itself in several implementation procedures such as the LSO. Each of these characteristics are consistent with those conceptualized by Emmillson (2015). Additionally, the continuation of the program is dependent on the success of the national government's goals for the program. Local level informants did not express that evaluations were a form of compliance and instead saw the evaluations as important to assess what can be better about the program (R7). In Finland, compensation is provided for a specific group, rejected asylum seekers, not to ensure compliance but more to incentivize service provision in emergency situations. However, this attempt to incentivize local governments is not successful in all Finnish municipalities (R1). Compliance mechanisms influence the implementation of social protection policies through funding and oversight. The results of evaluations can also influence decision making when they are used to determine the continuation of a program.

5.2.4 Newly Identified Factors

As mentioned, in addition to the factors that were expected from literature review and completion of the theoretical framework, this research revealed two further factors that influence the policy process. Despite the significance of politics, officials in both Finland and the Netherlands pointed to the importance of *strong public servants* in the formulation and implementation of services for non-status migrants. In Finland, social workers, policy developers, and political officials in the Social and Health Care Department have been consistent and strong willed when advocating for services for non-status migrants (R2;R4). An Espoo official explained that there have been several social service officials within the municipality that see the issue as very important and have worked hard to create policies and organize services well so that they are accessible (R2). Additionally, social workers in the teams that serve non-

status migrants are seen as experts. Therefore, they are able to use the information and experience available to them to inform policy advice and in turn policy itself (R3;R4).

In the Netherlands strong public servants were described as greatly helping increase access to services. Strong public servants were described as being able to play into political decision making through the use of frames for example (R7). The data and contextual information that they provide and advice that they give to a Deputy Mayor and in turn the City Council can help shape the way that decision makers see the policy. In both Utrecht and Amsterdam there are public servants that have been working on and advocating for this political theme for many years (R6;R7). This is also important because there are many political themes within a municipality that are all vying for attention. With a strong public servant advocating for a cause it is more likely to get the necessary political attention that results in action (R6;R7). Public servants can also play a significant role in lobbying and advocacy on the community level if given the opportunity. An Utrecht official relayed a story of a right-wing national politician visited Utrecht with an objective of opposing services provided to non-status migrants. During her visit she planned to walk through one of the main streets of Utrecht. Local officials organized that along her walk non-status migrants would approach her with their legal files and complex situations so that she may see the reality that this vulnerable population is facing (R7). This is one example of innovative actions taken by public servants that can result in real change over the years when working to advance a policy in the political arena. Strong public servants influence two important steps in the policy process. They are the main actors formulating policy and work to inform political officials who will be making decisions.

As mentioned earlier, due to the politically sensitive nature of this policy theme researchers that have previously studied the topic often find that there is very little documentation and *public information* on local level service provision for non-status migrants. There was little use of media by Finnish officials and advocacy organization to promote access to services. However, the presence of the topic of non-status migrants in the media in 2016 and 2017 did result in politicians in Helsinki being more open to creating access to social protection for non-status migrants. Helsinki's municipal website has a page dedicated to the immigration unit and services available to non-status migrants. On the Helsinki website the Kalasatama Health and Welfare Center and emergency accommodation center are named and ways to access these services in emergency as well as traditional circumstances are explained. Helsinki officials

were open to sharing documentation and relevant municipal decisions and discussions were accessible through an online database though there was a lack of documented information. Information on services for non-status migrants is much more difficult to locate for Espoo. On a web page entitled integration services for refugees there is a section on emergency social services. Within this specific section there is one sentence that mentions emergency services also handle non-status migrant cases and a helpline is listed. Municipal documents on the topic were inaccessible and Espoo officials were unable to provide me with additional materials. Reasoning for lack of public information and lack of media coverage was that it is in the best interest of service providers and clients not to call attention to their work for fear that it may have political repercussions and make service provision more difficult (R3). Municipalities are also more likely to partner with civil society organizations that have good relationships with non-status migrants to inform them about services offered by the municipality rather than publishing the information (R4).

Dutch cities make policy documents and information available via their websites. Amsterdam has multiple web pages dedicated to services available for non-status migrants and how to access them. These web pages also contain downloadable policy documents such as implementation plans and there is significant amounts of documentation available on their online archive. Amsterdam also has a history of getting significant media attention on their political decisions and the implementation of services for non-status migrants. An Amsterdam official cited the political nature of the topic as being the reason that they receive many questions and requests for information from the media (R6). The city of Utrecht posts news updates regarding the LVV and has a small section about the LVV on several web pages regarding asylum and integration. An Utrecht official was adamant about the impact that using the media can have on this policy theme. First, it can serve as a barrier if it receives coverage from right wing publications and is framed poorly. This can quickly turn public and political opinion against the theme. This was the case upon the creation of the first shelters for non-status migrants in the Netherlands. For this reason, Utrecht focused on media exposure when they created their first policies in this theme. It was also done because they felt that the only way to make a significant sustainable change in policy was to be open, change the narrative and eventually public and political opinion about these policies. 20 years after the first instances of media exposure the city of Utrecht is majority in favor of the LVV and similar services. In fact, the city council,

including right leaning party representatives, votes unanimously for the LVV and similar projects in Utrecht (R7). Overall public information has influenced policy formulation and decision making most significantly.

5.3 How do these factors relate to policy divergence and creating inclusive policies?

Based on the conceptualization of convergence, divergence, inclusion and restriction within the theoretical framework the findings can be analyzed to determine the relationships between policies in the Netherlands and Finland. The Dutch policies on services for non-status migrants are vertically convergent, but horizontally divergent. The LVV policy provides conditional access to services, granting freedoms to some which is measured as inclusive. Finnish policies are vertically divergent and horizontally divergent. Their local policies grant access to housing and income security solely based on need and are therefore inclusive. *Table 2* represents the influence of each factor on the multi-level relationship and inclusive policy creation. This table is discussed below.

Table 2: Comparative Analysis of Factors

	Factors:	Governance Structure	Local Context			Political Power Dynamics			New	
		MLG/ Localist	Size/ Demographic	Resource	Network	Political Party	Frames	Compliance	Strong Public Servant	Media
Dutch policies	Vertical Convergence	✓			✓		✓	✓	✓	✓
	Horizontal Divergence		✓	✓					✓	
	inclusive	✓	✓	✓	✓	✓	✓	✓	✓	✓
Finnish policies	Vertical Divergence	✓	✓	✓	✓	✓	✓		✓	
	Horizontal Divergence	✓	✓	✓					✓	
	inclusive	✓	✓	✓	✓	✓	✓	✓	✓	

The first column of Table 2 addresses the relationship between governance structures, inclusive policies and divergence. Aligning with findings by Scholten (2015), the multi-level governance structure in the Netherlands has influenced vertical policy convergence as the local and national governments have co-created a single policy. However, divergence can be seen horizontally in the varying provision between cities such as different maximum length of stay. This is the result of municipalities being able to make certain decisions within the pilot phase to test the best form of service provision and not necessarily due to the governance structure. The involvement of the national government within the LVV due to the multi-level structure greatly influenced the inclusivity of the policy. Their involvement can be seen as a compliance mechanism as outlined by Emilson (2015). The national LVV program was created to find sustainable solutions, but also to mitigate the need for local level services such as the BBB that provided unconditional services. With the national level's involvement in the LVV, including providing funding and national level official participation in LSO meetings, they have the power to determine the general procedure of the LVV. One example of this is the conditional access to the program. Conditional policies grant rights and freedoms to a specific target group while limiting others. Therefore, this policy is either inclusive or restrictive based on a person's eligibility. Overall, the LVV, national policy, is more restrictive than the BBB, local level policy.

The local Dutch context is represented in column 2 of Table 2. Dutch cities size and resources have not influenced vertical convergence, but they have played into horizontal divergence and creation of inclusive policies. The size and demographics of municipalities determines the perceived need for services for non-status migrants in that city. This can be seen in the placement of LVV pilots in the 5 largest Dutch cities, but leaves other Dutch cities without local policies on the theme. Additionally, both Amsterdam and Utrecht had resources to provide additional funding for their own cities LVV program leading to small divergences in local policies and increased inclusivity. Dutch city networks contribute to vertical convergence and the inclusivity of policies. The city networks give local governments more negotiating power when creating policy within multi-level governance structure therefore contributing to vertical convergence and inclusive policies. City networks aim to share best practices which would intuitively lead to similar local level responses. However, the individuality of each city often

requires unique policies and implementation. Additionally, advocacy from civil society groups and experts contributes to creation of inclusive policies.

Additional factors are represented in the 4th column of Table 2. The use of media and publications was unique to the Dutch case. However, in the Dutch case it had a significant influence. The use of the media for many years had a slow but lasting impact on public opinion in the Netherlands. Eventually this has led to national government involvement in service provision for non-status migrants. Historically it also had an influence on who was elected at the city level and therefore the inclusivity of policies that were offered at the local level. More recently, influence of the use of media can be seen in an overall positive public opinion of the LVV (R7).

Finland's localist structure has contributed to vertical and horizontal policy divergence. Helsinki and Espoo are both vertically divergent in that they have provided additional services for non-status migrants. However, this has resulted in few tensions since local governments have the autonomy to do so. Compliance mechanisms are not to be expected in this governance structure, instead the national government offers compensation for local level governments that provide emergency services this has had some influence on inclusivity because municipalities do not have to pay out of pocket. Helsinki and Espoo are divergent from other cities in Finland that have not created or implemented local policies on service provision. This divergence is influenced by size, resources and networks.

Large Finnish municipalities have implemented access to social services for non-status migrants while smaller municipalities may not have created a local policy and instead provide a bus ticket to Helsinki as an emergency service (R4). Economic stability and resources such as housing facilities can result in divergent and inclusive policies. For example, Espoo's new municipal shelter allows for 24-hour shelter that is less expensive than purchasing a bed in a civil society while Helsinki does not have a municipal shelter and is only able to offer night shelter. City networks in Finland are contributing to vertical divergence by teaching other cities how to utilize the tools that they have at hand. This leads to more cities diverging from national policies and instead creating more inclusive access such as providing migrants with necessary services. It can also influence horizontal convergence in that more cities are adopting similar policies, but this has not yet resulted in widespread convergence. This is partly due to the short history of working with these policies and because of the differing local situations in each Finnish city.

Advocacy groups and local experts greatly influence the creation of inclusive policies through their lobbying at the local level.

Political parties and frames, represented in column 3, influenced policy similarly in each case. Political parties played an influential role in the creation of more inclusive policies in each case. Majority left leaning city councils and left leaning deputy mayors lead to inclusivity due to their party and the voter's focus. In Finland, left leaning governments also allowed for vertical divergence from the policy of only offering emergency services. Left leaning politicians supported and voted for initiatives presented by local officials, advocacy groups, and experts to support more inclusive policies in both Helsinki and Espoo. Frames were carefully used by local level officials to create more inclusive policies in each case. Frames used included humanitarian, public order, and legal frames. In Finland, the framing of services for non-status migrants as a local problem and local responsibility facilitates vertical divergence. Local responsibility translates into local solutions and in the case of Helsinki and Espoo they were able to adopt divergent, more inclusive policies as a result of the local problem frame. Through the LVV program, the issue is framed as a nationally created problem that multiple levels now have the responsibility for. As a multi-level program differing levels have adopted the same frame, especially in official policy documentation. This has facilitated vertical convergence in the Netherlands.

Column 4 shows that strong public servants played a large role in each case. Interestingly it facilitated different results in each country. In the Netherlands strong public servants facilitated vertical convergence through their lobbying and advocacy at the national level. This influenced the current LVV policy and brought all parties to agreement. Strong public servants in each Dutch city were also able to advocate for the best implementation of the policy within their city. This led to horizontal divergence and helped the policy to account for individual situations of each case. In Finland, strong public servants facilitated vertical divergence as they advocated for more inclusive policies at the local level. Additionally, strong public servants influenced horizontal divergence by pushing for inclusivity within their own municipality while other cities may not take the same strides to inclusivity. In both countries strong public servants facilitated inclusivity as strong public servants on this topic had experience and passion for providing services to vulnerable populations.

5.4 How has the COVID-19 pandemic influenced local and national policies?

The COVID-19 pandemic created new challenges for government service provision especially in the sectors of housing and income security. Homeless shelters were forced to adapt to an increase in the population that they should serve as well as needing to follow social distancing rules and other sanitary guidelines (Delvino & Mallet-Garcia 2020). In a similar way, with more people out of work, formally and informally, income security was needed by more people. COVID-19 has made more undocumented migrants visible to countries and in turn to social services because they were unable to work at their informal jobs and unable to travel across borders to join networks (R1). The crisis situation created by the pandemic has opened new doors for advocacy of legal and financial allowance for services for non-status migrants. These conversations and resulting policy changes force a national government to recognize non-status migrants as a vulnerable population with rights to housing and income security.

Within this case study several additional services were offered to non-status migrants as a result of the COVID-19 pandemic. In Espoo the municipal shelter that non-status migrants stay in was meant to open as a night shelter. However, because it opened during COVID-19 it was opened as a 24-hour shelter for public health reasons. Continuation of this service is currently under negotiation, but they are heavily advocating for it (R2; R3). Helsinki had a plan to transform their night shelters into 24-hour shelters if they were to be put under curfew. However, a curfew was never put in place, so the service remained a night shelter (R4). Income security available to non-status migrants did not change except for the fact that clients were given several weeks of income allowance at a time to cut down on contact (R3). The Dutch Ministry of Health Welfare and Sport established guidelines for municipalities to provide additional shelters during COVID-19. These guidelines included changes to the requirements of shelters traditionally available to status holders. The national level cited humanitarianism as reasoning for allowing non status migrants to access shelters (Guidance on Sheltering Homeless People, 2020). In response to the guidelines, Dutch cities allowed non-status migrants access to the shelters. These shelters are not being continued and ended in June 2021 (R7). They also had to open additional shelters to ensure that health department guidelines such as social distancing were followed. In addition to this, the city of Amsterdam funded red cross initiatives to provide food to all persons in need. These measures were taken under pragmatic argumentation and crisis management (R6). Additionally, Utrecht first offered night shelter in their LVV facility, but as a result of COVID-

19 they had to transition to 24-hour shelters in the interest of public health. This was discussed and is now being continued because they saw better results and more motivation to work on a solution when LVV participants were housed constantly (R7). Therefore, based on their evidence-based argumentation continuation of the 24-hour shelter was confirmed.

6 Comparative analysis

The analysis of factors that influence local level policy making provides an explanation for the ways in which cities create inclusive policies for non-status migrants. In the case studies each expected, and newly identified factor facilitated inclusive policies, but some were more significant than others. Conversely, the factors influenced convergence and divergence in different ways according to the local context. My findings show that the relationship between divergence and inclusivity is complex and dependent on the interaction of the intertwined factors.

Both countries created inclusive policies within different local contexts and with factors influencing them in different ways. The Dutch and Finnish cities were similarly influenced by size, resources, networks, political parties and strong public servants. In line with Jørgenson's (2012) study, the large diverse populations, availability of resources, and networks in each city facilitated inclusive policy creation and implementation. The demographics of the city and resources provided reasoning and means for providing social protection. Horizontal city networks facilitated inclusion through the sharing of best practices and providing better understanding of what tools are available to local level officials. As identified by Koopmans et al. (2012), this thesis also found political parties to have a significant influence on local policy making. In each city the left leaning city council and Deputy Mayors were at the forefront of political decision making and this allowed for inclusive policies to become a reality. The results of this thesis go beyond previous literature with the identification of a new factor, strong public servants. This factor was a driver of the local agenda on social protection policy for non-status migrants. Strong public servants local level expertise and passion for local level responsibility paved the way for inclusive policy formulation and eventual decision making in each city.

The varying inclusivity of the cases can be explained by the differences between the two countries. Significant unique factors to the Dutch case are the multi-level governance structure and the use of media. The multi-level governance structure (Scholten, 2013) has made local social protection policies more dependent on the politics at the national level. The local level focus on pragmatism and service provision can easily be drowned out by conservatives coming into power. Therefore, politicization of the policy theme is much more of a concern in the Netherlands than it is in Finland. In a similar way, the inclusion of the Ministry of Security and Justice in the organizational structure of service provision for non-status migrants can be a

barrier to inclusive policies due to their security perspective on immigration policy. Ultimately the reconciliation of the policy frame within the multi-level setting also created a limit to inclusive policy responses (Spencer, 2017; Emilsson, 2015). However, Amsterdam and Utrecht have successfully procured positive public opinion over the years that has resulted in wide range public support for social protection policies targeted at non-status migrants. This public support and lobbying of strong public servants is what has made multi-level cooperation that results in inclusion a reality.

Factors specific to Finland are the localist governance structure and the national framework. The localist governance structure (Scholten, 2013) in Finland has allowed for Helsinki and Espoo to provide additional services to non-status migrants and therefore being more inclusive. It also allows them to adapt policy to their local context. This structure also influences the effect that national political changes have on local level policy. For example, national conservative policies in Finland have increased the number of asylum seekers as a result of restrictions but has not managed to limit migrants' access to services at the local level. The political organizational structure of the policies also has an impact. Legislation and policies for social protection of non-status migrants are under the Social and Healthcare departments at the local and national level which results in a human rights perspective on the policy rather than a securitization perspective influencing the policies. The Ministry of the Interior plays a role, but it is much less significant. Lastly, the Finnish constitution lays out rights to social services for all persons, mainstreaming access. Without legislation such as the Linkage Act in the Netherlands that links a migrant's status to their eligibility of service there is more freedom in the legislative framework for lobbying and 'municipal activism' (Spencer & Delvino, 2019). In this way vertical divergent policies facilitate a more inclusive policy response at the local level.

7 Discussion and Conclusion

This thesis took the concepts of intractable policy problems, governance, and local turns to analyze the ways that local level governments create inclusive policies for non-status migrants. It has analyzed this question through a comparative case study of local level policy process of social protection for non-status migrants in the Netherlands and Finland. This also included the local cases of Amsterdam, Utrecht, Helsinki, and Espoo to allow for vertical and horizontal comparisons. Based on previous literature and the theoretical framework expectations were made that are discussed below.

- 1) The intractable nature of access to social protection for non-status migrants was expected to result in differing access vertically and horizontally (Scholten, 2013; Ray, 2003).

The findings support this expectation and build upon this as the political arena determined much of the policy process of a politicized intractable policy. Not only is the policy handled differently at varying government levels due to problem definitions (Scholten, 2013; Spencer, 2017), but it is also handled differently among political parties. Therefore, local officials are just as concerned with the political ideals of active local political parties as they are with politics at the national level.

- 2) According to the relational thesis (Adam & Caponio, 2019), the following factors were expected to have an influence on whether local policy is inclusive or restrictive as well as whether local policy is convergent or divergent:
 - a. Local context: size, economy, and networks (Jørgensen, 2012).
 - b. Local and National Political power dynamics: political party (Spencer, 2018; Jørgensen, 2012; Koopmans et al., 2012), frames (Spencer & Delvino, 2020), and compliance mechanisms (Emilsson, 2015).
 - c. Governance Structure: multi-level governance and localist (Scholten 2013).

Each of these factors influenced policy inclusion, but they did not all contribute to the overall multi-level policy relationship. Within these expected factors new aspects were found including the organization within the governance structure. For example, the involvement of the Ministry of Security and Justice brought additional tensions and complexities to the policy process in the Netherlands. Additionally, new influencing factors were identified, namely strong public servants and the use of the media. Despite the majority of the decision-making power lying with politicians, strong public servants have found ways to lobby for inclusive access. While Spencer

and Delvino (2019) found that frames were used to shift public opinion and gain support for inclusive policies, this research found that media coverage and strategic communication were the means by which this can happen. Koopmans and colleagues (2012) found that diverse voting populations in large cities lead to electing left leaning local politicians. While this research has found this to be true, it also calls attention to the ways that narratives can influence voting populations regardless of their demographic.

- 3) It was expected that inclusive local level policies will result in divergence from the national framework.

This thesis found that inclusive local level policies are not inherently divergent from the national framework and that this is heavily dependent on the governance structure as well as legislation. Inclusive policies in Helsinki and Espoo were divergent from the national framework in that they differed. However, in the Netherlands the LVV policies were convergent while also providing inclusive access to social protection. This is in line with findings by Scholten (2015) that multi-level governance can result in policy convergence while localist governance can result in divergence.

- 4) COVID-19 was expected to facilitate inclusivity in local policies due to an increase in exposed vulnerabilities and visibility of the non-status population.

While COVID-19 did facilitate inclusivity in local policies, this is not expected to have a lasting effect on policy making for non-status migrants. In the Netherlands the national COVID-19 emergency responses were offered for a limited amount of time and have already been terminated. However, 24 hours shelter provided in Utrecht will continue. This passed by arguing that this made the LVV program more effective, rather than a humanitarian argument for need. In Finland it is uncertain if 24-hour shelter will continue, but informants express that it will be negotiated using legal frames. They also said that their arguments will be mainstreamed rather than focusing on non-status migrants to avoid unnecessary attention to services. COVID-19 did allow for increased visibility of the non-status population and required governments to acknowledge that non-status migrants are humans and therefore worthy of human rights which sets the groundwork for future discussions about vulnerable populations.

Inclusive policy creation in the multi-level setting

This comparative case study contributes to literature on the local turn of migration studies in the multi-level setting. More specifically it seeks to fill a gap in this literature by focusing on *how* local level policies regarding social protection for non-status migrants are created. This research has shown that there are many factors influencing the local level policy process that contribute to divergence and inclusivity in various ways. Local government levels are influenced by outside factors including the national context, local context, governance structure, political affiliations and compliance mechanisms. However, local officials use tools available to them including city networks, frames, the expertise and experience of strong public servants, and the power of strategic communication in the media to create inclusive policies. Each cities interaction with these tools was unique which is to be expected within individual local contexts.

The Netherlands and Finland both had inclusive policies, but different vertical relationships. In the Dutch municipalities studied, the long history of service provision and strategic communication has resulted in a supportive public and a multi-level governance structure that allows for vertical convergence. The Finnish legal framework, mainstreaming, and localist governance structure allows for vertical divergence without the expected vertical tensions. Influential factors that each of these differing cases had in common include their demographics, resources, city networks, left leaning local politicians, and strong public servants. Other factors either influenced the cases in different ways, or the local levels had different approaches to the factors.

Limitations

This thesis aims to understand the ways that cities create inclusive local policies within the multi-level setting. This involves an in-depth analysis of two national contexts and four local contexts. This has allowed for understanding of the local level's embeddedness in the national framework. This research can be used to further understand policy process and factors that have influence in countries with localist and multi-level governance structures. It also covers countries with different migration histories and provides understanding based on different local and national contexts. However, the factors may influence local level policy differently when a country has another governance structure. Therefore, further research can be done in countries that have centralist or decoupled governance structures on this policy theme as these structures

were not present in this case study. Secondly, research can be done on the influence of strong public servants and the use of media to change narratives on this topic. This could be interesting to study from a historical perspective.

The findings should be considered critically as they are predominantly based on interviews with local officials that shared their personal experience. This is due to the previously mentioned lack in documentation and politicized nature of the topic. Informants' experiences and background have greatly shaped their responses. For example, Finnish respondents having a background in social work. This can result in biased findings. To mitigate this potential bias, interview questions were formulated carefully.

Recommendations

The following recommendations aim to lay out concrete actions that governments can take to provide inclusive access to social protection for non-status migrants.

Horizontal divergence was present in each city. This was expected and is pragmatic given unique local contexts. Allowing differences in local policies creates the opportunity to gain expertise in a local demographic and results in a better served population. This expertise can be shared with other levels of government or other cities to bring better governance. It is recommended that national governments promote horizontal divergence that allows for unique and innovative local action. This opportunity to develop policy locally is closer to Leo and August's (2009) understanding of multilevel governance. As this thesis has shown, horizontal divergence and local level innovation does not inherently result in vertical divergence and therefore could co-exist within the national framework.

The local level is able to better govern their community when learning from other municipalities. National and international city networks are an invaluable resource for local level governments on this topic. The sharing of best practices, tools used by strong public servants, and practical expertise can facilitate inclusive policy making in diverse contexts. However, inclusive social protection policies can be limited by a lack of resources and funding. Therefore, the local level, and local networks, must look to different sources for funding. Local level governments lacking funds and support from the national government should apply directly to funding opportunities such as the European Social Fund. The topic of providing social protection

to non-status migrants fall into several of the fund's focuses: betterment of social policies, combating exclusion and poverty, and integrating marginalized communities.

Thirdly, it is recommended that local officials be aware of international and national protections of human rights. Legal framing and lobbying can be used to protect migrants, protect existing policies, or advocate for additional services. Additionally, non-status migrants should not be treated by governments as if they have no rights. International human rights treaties account for all person's rights, under these laws social policy should account for the vulnerabilities of any person irrespective of status.

Overall, public opinion and dominant public narratives are underrated in social protection research. As can be seen in the case of the Netherlands, strategic communication and the use of media by local officials can result in long term public and political support. It is recommended that local officials use media coverage to share argumentation for inclusive policies with the public. This not only gains public support but eventually determines the political values of democratically elected local officials who have the most decision-making power on the topic.

Lastly, when advocating on behalf of non-status migrants in a temporal crisis such as COVID-19, the crisis should not be the only bases for advocacy. When this is the case, there is little potential for policy continuation because it was advocated for on the basis of the temporal context. Instead, humanitarian arguments and human rights arguments should form the basis of argumentation.

Final remarks

The need for housing and income services for all vulnerable populations is undeniable. It is important, visible especially in times of increased need, to address the needs of the vulnerable irrespective of their status. While status may complicate the political process of service provision for governments, they still have the responsibility to provide for those within their jurisdiction. If national governments do not create legislation that addresses this need local governments, when possible, take this on themselves.

This thesis concludes with the words of a local level official in Espoo, Finland who said "We all have the tools; it is up to the [local officials] to use them." (R4)

8 References

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Policy Documents

	Type	Document and Year	Source	Language
Netherlands	Immigration legislation	Linkage Act 1998	http://cmr.jur.ru.nl/cmr/tbv/tbv94/98/Vc94 . TBV1998.17.pdf	English
	Agreement	Cooperation Agreement(LVV) 2018	https://vngnl.eur.idm.oclc.org/sites/default/files/brieven/2018/attachments/20181130_getekende-samenwerkingsafpraak-lvv.pdf	Dutch
	COVID Regulation	Guidance on Sheltering	https://www.rijksoverheid.nl/actueel/nieuws/2020/03/27/	Dutch

	Homeless people 2020	richtlijn-voor-opvang-van-dak--en-thuislozen-tijdens-coronacrisis-vastgesteld	
Coalition Agreement	Confidence in the future 10/2017	https://www.government.nl/documents/publications/2017/10/10/coalition-agreement-confidence-in-the-future	English
Chamber piece	Kamerstukken II 2007/08, 29 344, nr. 67	https://zoek.officielebekendmakingen.nl/kst-29344-67.html	Dutch
Chamber piece	Kamerstukken II 2014/2015 19 637 nr. 1994	https://zoek.officielebekendmakingen.nl/kst-19637-1994.html	Dutch
Immigration Legislation	Aliens act 2000	http://hrlibrary.umn.edu/research/Netherlands/Alien%20Act%202000.pdf	English
Legislation	Municipalities Act 1992	https://www.government.nl/binaries/government/documents/regulations/2014/09/25/municipalities-act/gemeentewet.pdf	English
Covenant	Covenant Pilot LVV Amsterdam 2019	https://www.rijksoverheid.nl/documenten/rapporten/2019/07/01/bijlage-convenant-amsterdam	Dutch
Implementation plan	Implementation plan 24 hour shelter for undocumented migrants	https://www.amsterdam.nl/en/policy/policy-health-care/policy-refugees/	Dutch
Coalition Agreement	Coalition agreement Amsterdam 2018	https://www.amsterdam.nl/en/policy/ambitions/coalition-agreement/	English
Covenant	Covenant Pilot LVV Utrecht 2019	https://www.rijksoverheid.nl/documenten/rapporten/2019/07/01/bijlage-convenant-utrecht	Dutch
Council brief	Participation of the municipality of Utrecht in LVV	https://ris2.ibabs.eu/Reports/ViewListEntry/Utrecht/c0a2e586-c83e-4cc2-bce8-63eec7ef3fa0	Dutch
Constitution	Dutch Constitution	https://www.government.nl/documents/regulations/2012/10/18/the-constitution-of-the-kingdom-of-the-netherlands-2008	English

Finland	Immigration legislation	Aliens Act 2004	https://www.finlex.fi/en/laki/kaannokset/2004/en20040301.pdf	English
	Social legislation	Social welfare act 2014	https://www.finlex.fi/fi/laki/ajantasa/2014/20141301	Finnish
	Social protection legislation	Social assistance act 1997	https://www.finlex.fi/fi/laki/kaannokset/1997/19971412	Finnish
	Constitution	Finnish Constitution	https://www.finlex.fi/en/laki/kaannokset/1999/en19990731	English
	Helsinki Local policy	Social and health care services for irregular migrants	Provided by informant	English

9 Appendices

List of informants

R1 – Ministry of Social Affairs and Healthcare Advisor (previously Espoo official)

R2 – Espoo Official

R3 – Espoo Official and policy co-developer

R4 – Helsinki Official and policy Co-developer

R5- Stichting LOS Official

R6 – Amsterdam Policy Advisor

R7 – Utrecht Policy Advisor

Topic List for Interview Questions

Questions in black were asked to informants in both countries. Questions in blue were asked only when speaking to Finnish informants. Questions in Red were asked only when speaking with Dutch informants.

Introduction and role

1. What is your position and how is it related to social protection for undocumented migrants⁵?
2. How long have you worked within this position and on this policy theme?
3. What is the organizational structure of your municipality on this theme?

Access to social protection

1. What national legislation gives access to social protection for undocumented migrants?
 - a. Housing and/or income security?
 - b. Are there conditions to access?
 - c. Do national policies mitigate the need for local action?
 - d. National legislation mandates emergency services be accessible to all persons, but that municipalities may offer additional services at their own discretion. Can you make a distinction between nationally mandated emergency services and additional municipal services offered?
 - e. According to the social welfare act, compensation is provided for emergency services for rejected asylum seekers. Are emergency services for other undocumented migrants compensated by the national government?
 - f. Briefly describe the LVV program and the policy process leading to its creation.
2. What local policies give access to social protection for undocumented migrants?
 - a. Do municipalities provide additional social protection services?
 - b. What are unique aspects of your local LVV program?
 - i. Time limit, eligibility requirements, living situation

⁵ The term 'undocumented migrant' was used within interviews because it is the commonly used term among informants.

Factors

1. How has the local government been able to provide social protection to undocumented migrants?
2. What has facilitated social protection policy?
3. What has served as a barrier to social protection policy?

Networks

1. Do municipalities work with each other to find best practices and new ideas for service provision for undocumented migrants?
2. Are there active advocacy groups working on this topic in your city?

Multi level relationship

1. Are there tensions between the national and local levels of government when it comes to social protection for undocumented migrants?
2. Do you feel that national and local governments have the same policy goals on social protection for undocumented migrants?
3. Have LSO meetings bettered the relationship between Local governments, national governments, and Civil society organizations?
4. At the end of the LVV pilot phase is the goal to adopt one national framework or to continue allowing leniency because of local context?
 - a. What will continuation negotiations entail?

COVID-19

1. Have you noticed a change in access to services as a result of COVID-19?
 - a. What went into these policy changes?