

CITIES, FORCED MIGRATION, AND MULTI-LEVEL GOVERNANCE:
ASSESSING BERLIN'S POLICY TOWARDS UNACCOMPANIED MINORS

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I certify that this thesis satisfies all the requirements as a thesis for the degree of Master of Arts.

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ABSTRACT

CITIES, FORCED MIGRATION, AND MULTI-LEVEL GOVERNANCE: ASSESSING BERLIN'S POLICY TOWARDS UNACCOMPANIED MINORS

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Master of Arts, Migration Studies

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This thesis aims to investigate the relationship between cities and forced migration and explores the increasing role of cities in the Multi-Level Governance of migration. It focuses on the intersection of the local turn in migration and vulnerable refugee groups, mainly unaccompanied minors. Focusing on Berlin through process tracing and single case method, the thesis assesses Berlin's policy toward the unaccompanied minors on the Greek islands in a time frame of the European Refugee Crisis in 2015 until March 2022. It discusses the multilevel nature of local policymaking in migration and its multifaceted drivers as it demonstrates Berlin's interaction with actors at the vertical and horizontal levels and the defining (institutional and structural) and transformative (local discourses and actors) drivers that feature in Berlin's migration policymaking. While this study proves that there is a local turn in migration and cities are no longer solely responsible for the implementation of policies, since they formulate them, particularly for unaccompanied minors, it also reveals that cities are still constrained by the institutional factors that shape their capabilities and limitations against national and supranational actors.

Keywords: Cities, Forced Migration, Multi-Level Governance, Unaccompanied Minors, Berlin

ÖZ

KENTLER, ZORUNLU GÖÇ VE ÇOK DÜZEYLİ YÖNETİŞİM: BERLİN'İN REFAKATSİZ ÇOCUKLARA YÖNELİK POLİTİKASININ DEĞERLENDİRİLMESİ

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Bu tez, kentler ve zorunlu göç arasındaki ilişkiyi araştırmayı amaçlamakta ve göçün çok düzeyli yönetiminde kentlerin artan rolünü incelemektedir. Göçte yerele dönüş ile başta refakatsiz çocuklar olmak üzere hassas mülteci gruplarının kesişimine odaklanmaktadır. Süreç izleme ve tek vaka yöntemi ile Berlin'e odaklanan tez, 2015 Avrupa Mülteci Krizi'nden Mart 2022'ye kadar olan zaman diliminde Berlin'in Yunan adalarındaki refakatsiz çocuklara yönelik politikasını değerlendirmektedir. Berlin'in dikey ve yatay düzeydeki aktörlerle etkileşimini ve Berlin'in göç politikası yapımında öne çıkan belirleyici (kurumsal ve yapısal) ve dönüştürücü (yerel söylemler ve aktörler) itici güçleri ortaya koyarken, göç alanında yerel politika yapımının çok düzeyli doğasını ve çok yönlü itici güçlerini tartışmaktadır. Bu çalışma, göçte yerele bir dönüş olduğunu ve kentlerin artık sadece politikaların uygulanmasından sorumlu olmadığını, özellikle refakatsiz çocuklar için politikaları kendilerinin formüle ettiğini kanıtlarken, kentlerin ulusal ve uluslararası aktörlere karşı kapasitelerini ve sınırlılıklarını şekillendiren kurumsal faktörler tarafından kısıtlanmaya devam ettiğini de ortaya koymaktadır.

Anahtar Kelimeler: Şehirler, Zorunlu Göç, Çok Düzeyli Yönetişim, Refakatsiz Çocuklar, Berlin



To all unaccompanied minors...

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LIST OF ABBREVIATIONS

BNS	: Berlin Network for Refugees
BAMF	: Federal Office for Migration and Refugees
BuMF	: Federal Association of Unaccompanied Minor Refugees
CEAS	: Common European Asylum System
CEMR	: Council of European Municipalities and Regions
CDU	: Christian Democratic Union
CFR	: Charter of Fundamental Rights of the European Union
CoE	: Council of Europe
EC	: European Commission
ECHR	: European Convention on Human Rights
ECtHR	: European Court of Human Rights
EP	: European Parliament
EU	: European Union
EUAA	: European Union Agency for Asylum
GCR	: Global Compact on Refugees
HAP	: Humanitarian Admission Program
IDC	: International Detention Coalition
INGO	: International Organization
IOM	: International Organization for Migration
MLG	: Multi-Level Governance
NGO	: Non-Governmental Organization
RLC	: Refugee Law Clinic
SDG	: Sustainable Development Goal
SSC	: Special Counseling Centers
UAM	: Unaccompanied Minor
UN	: United Nations
UNCRC	: United Nations Convention on the Rights of the Child
UNGA	: United Nations General Assembly
UNHCR	: United Nations High Commissioner for Refugees

UNICEF : United Nations International Children's Emergency Fund
VAF : Vulnerability Assessment Framework
WB : World Bank
WWI : World War I
WWII : World War II



CHAPTER I

INTRODUCTION

Even though the involvement of cities in global migration and broader global affairs seems novel, cities always played an essential role in world history. With the changes brought about by globalization, urbanization, and decentralization, cities have become more prominent in global affairs, particularly in migration. The role of cities in managing migration has continuously increased and become more visible in the 21st century. Although cities mainly respond to forced migration by *implementing* integration policies at the local level, they now also appear as actors in *policymaking* in global migration governance.

In the wake of the European Refugee Crisis in the summer of 2015, the exodus of people fleeing the civil war reached its highest point and spread to the European continent, as a large number of refugees attempted to cross the border to arrive in Europe irregularly. Children made up a significant proportion of this high number of refugees. Among these children, there was one whose lifeless body hit the Aegean shores as a result of the sinking of the boat carrying asylum seekers. Three years old toddler Alan Kurdi lost his life, when his family attempted to cross the Turkish-Greek border in search of better living conditions in September 2015 (Aljazeera 2015). His images symbolized the tragedy at that time, which created an expectation that Europe's migration policy would change, especially concerning children.

After the death of Alan Kurdi, it is not easy to say that things have changed, especially for children, over time. For those who were able to reach Greece, including thousands of unaccompanied minors (UAM) who were depicted as “most worthy victims” among asylum seekers in 2015 summer (Lemsa, Oysterband, and Strasser 2020, 325), almost nothing has changed, except that they have left their countries of origin, where their vulnerability began.

Forcibly displaced people are vulnerable; they are more exposed to risks because they have experienced a difficult situation or have a reduced capacity (Mackenzie, Rogers, and Dodds 2014). Among these people, children are seen as more vulnerable because childhood is more likely to be the most susceptible period because of immaturity and age. The vulnerability of children may be categorized under inherent and situational. In inherent vulnerability, children may be incapable of developing physical and cognitive skills. Situational vulnerability refers to the social practices and social norms where children grow up. In some cases, inherent and situational vulnerability are not constant, and they may mutually affect each other, which may increase the children’s exposure and harm their well-being (Schweiger 2019). In forced migration, children’s vulnerability may arise from situational factors resulting before, during, and after migration or inherent characteristics (IOM 2019). Generally, the fact that children fled from their country of origin because of war and persecution constitutes the reason for forced migration of children. In some situations, while boys are forced to join the military service and commit violence, girls are forced to marry someone in return for dowry. However, these are not the only reasons. The incorporation of lack of fairness and equality with the poor socio-economic conditions paves the way for migrating to another place

(Menjívar and Perreira 2019). Additionally, forcibly migrating to the destination country through dangerous irregular ways enhances the vulnerability of the children. Human traffickers may select the children as a target, thus, their life and safety may be at stake, and this situation may continue even if they cross the international border (O'Connell Davidson and Farrow 2007).

Given the statistics by UNHCR, more than 89 million people were forced to flee from their country of origin in 2021, almost 36 millions of whom (equal to 41%) are children (UNHCR 2022). Even though children account for less than one-third of the world's population, they make up half of all refugees (UNHCR 2017). Regarding the children in forced migration, children may start their migration journey with their family members and relatives or alone without having an accompanied person. In some cases, children may be separated from their families and become unaccompanied (Miloshevska 2018). While leaving the country of origin involuntarily due to the well-founded fear of persecution is challenging, leaving the country without parents, or separating from the parents or caregivers on the road to the destination makes the children the most vulnerable.

UNHCR (1997, 1) defines a child,

as a person who is under the age of eighteen, unless, under the law applicable to the child, the majority is attained earlier” and the unaccompanied minor as a child who is “separated from both parents and is not being cared for by an adult who by law or custom has the responsibility to do so.

According to the definition of the EU Reception Directive (Official Journal of the European Union 2011, 5), unaccompanied minor is,

a minor who arrives on the territory of the Member States unaccompanied by an adult responsible for him or her whether by law or by the practice of the Member State concerned, and for as long as he or she is not effectively taken into the care of such a person. It includes a minor who is left unaccompanied after entering the territory of the Member States.

Given the conditions of the unaccompanied minors, they are the most vulnerable among the vulnerable groups because they lack the care of their parents when they need it in their immature period, which would enhance their susceptibility to being hurt or harmed and would also make them shoulder more responsibility in their childhood period (IOM 2017, 5). More specifically, they may face dangers and experience severe violence, exploitation, human trafficking, and sexual abuse before or after arriving in the EU (European Asylum Support Office 2018). Brantl et al. (2021) argue that even if unaccompanied children cross the border and safely arrive in Europe, they may have difficulties accessing basic needs such as food, water, shelter, and services; they may even be at risk of being exploited by human traffickers and marginalized or criminalized, which does not mean accompanying children who use the irregular migration channels can enjoy their fundamental human rights. Nevertheless, due to the extreme vulnerability of unaccompanied and separated children, they need to benefit from special protection care and services in the destination country (Davidson and Farrow 2007, 11).

Even though the forced migration of unaccompanied children through irregular ways to Europe has not recently emerged, there has been a significant increase since the 2000s, and it reached its largest number in 2015. The arrival of unaccompanied children in the EU member states started in the 1990s, the first cases of which were recognized in Belgium and Spain (Kanics and Hernandez 2010). From

the mid-1990s to 2008, the total number of unaccompanied children applying for international protection was around 12,000. Only in 2015, the number of asylum applications was almost seven times higher than the previous years' statistics (Parusel 2017). Considering the last two decades, the number of asylum seekers arriving in Europe has increased by 200 %, and academic research on unaccompanied minors has also gained momentum accordingly (Olmos-Gómez et al. 2022).

The literature regarding unaccompanied minors has mostly built on psychological studies, including their needs for social relationships and care in their childhood, their needs in the host country, and their integration process. For instance, Kauhanen, Kaukko, and Lanas (2022) conducted an ethnographic study by interviewing thirteen unaccompanied minors living in Finland for the data collection and focused on the institutional practices of these children in terms of having relationships. The study revealed that institutional care provides them with a place to stay but prevents them from establishing a social relationship, and it stressed the importance of their need for constant love.

Furthermore, Bamford, Fletcher, and Leavey (2021) carried out a study on the mental health of unaccompanied minors by focusing on their experiences arising from their pre, during, and post-migration process and emphasized that post-migration factors such as receiving adequate social support, learning the language of the host country, being exposed to violence and prejudice, especially being kept in the detention center, play a more decisive role in their mental health. They underlined the need to follow their psychological well-being in future studies.

Moreover, Sanfelici, Wellman, and Mordegia (2021) did a study as to the needs of unaccompanied minors arriving in Italy and to what extent Italy provided

them with services by arguing that their well-being is closely associated with their access to services and care. They concluded that unaccompanied minors suffer from unmet basic needs, and the authors suggested an intervention plan for these children to guarantee their inclusion into the host society.

There are also studies in the literature as to the factors affecting the education needs of unaccompanied minors in Europe. Aleghfeli and Hunt (2022) focused on the resilience of unaccompanied minors regarding the issue of education to understand the risk and resilience factors and argued that while the factors that are based on the existence of biological parents, possession of care, and social environment, enrollment to a school with good education and teaching staff had the most influential roles in the educational resilience, the pending status, detention experience of unaccompanied minors appeared as risky factors and made a negative impact on their education.

The Political Science literature also provides studies on the policies for unaccompanied minors at the national level and the challenges of integrating them. For instance, Garvik and Valenta (2021) conducted a study about the policies of Scandinavian countries towards Afghan unaccompanied minors and argued that the mass influx in 2015 resulted in a general trend of implementing more restrictive policies by refraining from issuing permanent residence permits than before 2015 in Norway, Sweden (the least restrictive) and Denmark (the most restrictive) and also led to the tightening of the border controls.

Moreover, Marina Pérez Ortega (2022) addressed the integration process of unaccompanied minors in Spain and its main difficulties, arguing that unaccompanied minors were not able to integrate into society due to being exposed

to discrimination by the local people, the lack of comprehensive education and training programs including language courses, and due to being left irregular after turning to 18 years old.

Hosseini and Punz (2021) conducted a study regarding how unaccompanied minors in Sweden understood the integration by interviewing them to make it clear that the newly arrived people, in this case, the unaccompanied minors, actively took part in the integration process, emphasized the significant elements of integration from their understandings such as social networks, support for their legal and long stay in Sweden, joyful activities. They stressed that these thematic points should be given more importance to help the unaccompanied minors struggle with the difficulties they have experienced.

Considering the vulnerable refugees, mainly unaccompanied minors, few studies are addressing the city and vulnerable groups, especially unaccompanied minors, in the literature. As seen in the mentioned studies, studies generally focus on the psychological and educational needs of unaccompanied minors, the state policies concerning the children, or the integration issue. Therefore, this study will examine the intersection of the city and vulnerability by filling the gap in the literature with linkages between primary documents and news, particularly in the context of the process that occurred when cities announced their willingness to take in unaccompanied minors from the Greek islands. To understand the process, where cities have developed policies on unaccompanied minors, it is necessary to look at the refugee crisis in 2015 and what happened afterward regarding these children. To begin with, according to the official statistics, the majority of the unaccompanied minors who arrived in Greece experienced conflict and witnessed the violation of

human rights in their country of origin, mainly Afghanistan and Syria (Fili and Xythali 2017). Therefore, it can be said that their reasons for leaving their country are closely linked to another vulnerability. With the continuous increase of refugees reaching Europe in 2015, the Moria Camp became the first hotspot refugee camp on the Lesbos Island (European Council on Refugees and Exiles 2016). Even though the Moria camp on Lesbos was set up in 2013 to host as many as 3,000 people, more than 20,000 people lived there and lacked essential services like hygiene, clean water, sufficient food, and sanitation (InfoMigrants 2020).

On the other hand, the refugee camp on Samos was planned to accommodate six hundred people, but more than six thousand people had to live on the island (International Catholic Migration Commission 2020). Given the conditions of children migrating alone to reach Europe, these children were entitled to receive special protection, and following the completion of the registration process, they had to be relocated to appropriate places to access their fundamental rights and the necessary services, including health and education (Elias Marcou 2019). These children in the camps on the Greek islands were hence waiting for their asylum process to be completed because unless fully registered, they would not be transferred to the appropriate places, and family reunification procedures wouldn't be initiated (Defence for Children International Greece 2019). This situation enhanced their vulnerability because they are children, they are foreigners, have no family members, and suffer from the lack of services they have to benefit from (UNICEF 2017).

Based on the statistics given by UNICEF (2017), there were almost 3,000 unaccompanied children on the Greek islands in 2017, whereas the total number of asylum seekers was 5,700, which has seen an increase of 1,600 over the previous

year, resulting in much poorer living conditions and overcrowding. UNICEF also stressed the need to evacuate children from islands to the mainland for shelter, protection, and care (UNICEF 2017). In April 2017, Harvard University published a report named “Emergency within Emergency” about the conditions of unaccompanied minors in Greece and analyzed the risk factors exacerbating the vulnerability of these children. Apart from the lack of capacities and prolonged asylum process, they were also at risk of being exposed to physical, sexual, and psychological violence by adults, witnessing violent acts to others, forced marriage, and being exploited for sexual and commercial purposes (Digidiki and Bhabha 2017).

Between 2018 and 2019, the number of unaccompanied minors in Greece unexpectedly increased and reached 5,301 by the end of 2019, the highest number recorded (European Parliament 2022). The unaccompanied minors crossing the Greek border have been transferred to the main hotspots on the Greek islands for temporary accommodation (Mentzelopoulou 2022). According to the information provided by the Greece National Center for Social Solidarity, thousands of unaccompanied minors lived on the Greek islands, some of whom were placed in hotspots of Lesbos and Samos islands (Bigg 2020).

On the other hand, according to the migration deal between Turkey-EU in 2016 that aims to prevent irregular migrants from reaching Europe, the centers on the Greek islands have become detention centers (Digidiki and Bhabha 2017). Since the Dublin Regulation requires the first country of entry to accept the asylum claim, and the first countries of entry are usually Italy and Greece (Tsourdi 2020), this has led

to a large number of asylum claims in Greece, including those by unaccompanied minors. This has become a challenge for the EU and the member states.

Because of the large number of unaccompanied minors who lacked special protection and care, the Greek Government in September 2019 asked the European countries to take in 2,500 unaccompanied minors by sending a letter to European actors which stated that the Greek authorities were no longer able to take on the burden of unaccompanied minors themselves. Nevertheless, most of the EU Member States rejected this request. Later, Greece prepared a quota list for the EU member states according to their population and the number of asylum applications in 2019 but could not draw their attention (Eliassen et al. 2020). In November 2019, the Greek Prime Minister evaluated this situation and stated that “we attempted to reach an agreement with all EU states, saying “for God’s sake, we are talking about 3,000 children... can they not be shared out among 27 countries so that Europe can show solidarity?” (RTL Today 2019). Indeed, as noted by an NGO working on minority rights, although states hesitated to accept these children, their evacuation from the islands was not that difficult. Accordingly, if every 27 EU member states accepted 70 children, these children would be evacuated from the Greek islands and have access to a better life (Minority Rights Group International 2020).

With the outbreak of the Covid-19 pandemic by the end of 2019, the vulnerability of unaccompanied minors dramatically increased due to the lack of access to hygiene and essential services. In April 2020, refugee camps in Greece’s islands were kept under quarantine after 20 refugees got infected with Covid-19 (Al Jazeera 2020). The worsening conditions brought by the global pandemic have revealed the challenging situation of unaccompanied minors once again. In March

2020, with the emergence of Covid-19 and the deterioration of the situation, the Greek Government put the *Article 78* of the EU Treaty, which stipulates that “if a member state is under emergency due to the large foreign inflows, other EU member states can help that state” into effect (Eliassen et al. 2020). The inaction of the EU Member States towards the calls coming from the Greek government prompted the EU Commission's call for the departure of the unaccompanied minors from the refugee camps on the Greek islands. The Commission initiated Relocation Program, mainly for unaccompanied minors in Greece, to provide them with protection and care and help children with severe medical conditions and their nuclear family members in Greece (European Commission 2020). European countries (Belgium, Bulgaria, France, Croatia, Finland, Germany, Ireland, Portugal, Luxembourg, Lithuania, and Slovenia) agreed to take the unaccompanied children in March 2020 under the EU Action Plan for immediate measures to support Greece based on the voluntary exercise (European Commission 2020).

On the other hand, cities are no longer in a silent position, as they are now devising policy responses to developments and needs. Cities and unaccompanied minors intersected at this point, as the European cities launched a commitment series under the CitiesMustAct initiative to promote solidarity and accelerate the evacuation of children from the islands. More than 40 cities and towns voluntarily agreed to participate in this initiative to persuade their respective governments and the EU to take action on this matter. The initiator of this process was Berlin, which said in March 2020 that it was willing to host 1,500 unaccompanied minors (NIEM n.d.). Furthermore, the worsening conditions on the Greek islands prompted 10 European cities that are members of the Eurocities to act for the most vulnerable groups. These

cities comprise Amersfoort, Amsterdam, Arnhem, Barcelona, Bruges, Ghent, Groningen, Leipzig, Munich, Nuremberg, Tilburg, and Utrecht. Their joint letter to the European Commission of 22 April 2020 stated that they had reached a deal on resettling and providing necessary services such as healthcare, shelter and education for an estimated 5,500 unaccompanied children who live in Greek islands (Eurocities 2020). They also declared that they are willing to work closely with the EU and national governments to find a solution for the relocation of these children (Eurocities 2020). In this respect, before the CitiesMustAct initiative and the letter of the ten European cities to the European Commission to take the unaccompanied minors on Greek islands as a result of the worsening conditions on the island, and before the breakout of the Covid-19 pandemic, it was Berlin's Mayor Michael Müller who notified in December 2019 that “they would like to host unaccompanied minors and young children present on the islands and indicated that Berlin is a safe harbor for the people seeking protection” (Wallis 2019). Berlin maintained its interest in receiving these children and filed a lawsuit against the Federal Government at the end of 2020 (Baumgärtel and Pett 2022).

In September 2020, a devastating fire hit the Moria Camp, the largest camp on the Greek islands, and resulted in more than 12,000 people being affected while their already inappropriate accommodation places were heavily damaged by fire. Since the vulnerability of unaccompanied minors was exacerbated, cities that are part of Eurocities initiative renewed their interest in receiving these children immediately after the fire (Eurocities 2020). The devastating fire in Moria Camp received reactions from the member states. Following the fire, the Netherlands, and Italy and three associated countries, Norway, Switzerland, and Iceland accepted to take part in

relocation scheme (European Commission 2020). This relocation scheme aimed to relocate 5,200 vulnerable people seeking asylum and applying for international protection, 1,600 of whom are unaccompanied minors, and the rest are accompanied minors with health problems in a period starting from 2020 to 2023 through the collaboration with IOM, UNICEF, UNHCR, and EASO (IOM n.d.). This relocation scheme which the EU member states accepted, officially ended in March 2023, leaving many questions behind, as the situation of the remaining 4,000 unaccompanied minors on the islands is unknown. At this time, the number of unaccompanied minors in Greece continued to increase due to the Taliban takeover of Afghanistan, reportedly reaching more than 2,000 (InfoMigrants 2023). The Greek Deputy Migration Minister said, “Greece alone cannot cope with the responsibility for all unaccompanied minors” (APNews 2023).

The primary purpose of this thesis is to analyze the relationship between cities and forced migration and probe the rising role of cities in multi-level governance of migration. To this aim, the thesis will focus on the policy response of Berlin towards one of the most vulnerable groups: unaccompanied minors. By utilizing the conceptual frameworks on the multi-level governance and the multifaceted drivers of local policymaking in migration and using process-tracing and single case study methodology, the thesis will seek to answer the following research questions:

- What is Berlin’s policy towards Unaccompanied Minors in the Multi-Level Governance (MLG) of Migration?
- How does Berlin act in Multi-Level Governance (MLG) of Migration in the face of crisis on the Greek islands?

As subsections to these research questions, the thesis aspires to find out:

- How does Berlin interact with other actors at the vertical and horizontal levels in the context of Multi-Level Governance of Migration, particularly in devising policies for unaccompanied minors?

- Which factors determine the migration policymaking of Berlin?

- How do (a) defining factors and (b) transformative factors shape Berlin's policy response?

- Which of these factors prevail in different periods or phases of Berlin's decision-making process?

This study is territorially limited to Europe and attends to the process of the European cities whilst producing policies for the vulnerable refugees. Given its single case study on Berlin, the main goal is to particularly analyze Berlin's policymaking toward the UAM. The thesis does not aim to compare cities with other actors, such as the EU and nation-states, or offer a comparative analysis of different cities.

This thesis consists of four chapters. Following the Introduction, Chapter II offers a review of the literature, conceptual framework and methodology of the thesis. The literature review highlights the growing importance of cities, and the factors that have increased their impact and prominence. It underlines that there has been a local turn in both migration studies and migration governance. In migration governance, cities play a major role in implementing and designing migration policies, which contradicts perception that the nation-states are the only actors in decision making. This part of chapter also stresses the prominence of cities was recognized as a result of the refugee crisis, and the need for cities was emphasized in global meetings. In the conceptual framework, this thesis inspired by the original version of the Multi-Level Governance (MLG) (Hooghe and Marks 2001) and used Zapata-Barrero,

Caponio and Scholten (2017)'s MLG framework in local turn in migration. Following this, cities engage vertically with nation-states and the EU for their political preferences and horizontally with other local actors, ranging from civil society organizations such as NGOs and grassroots for knowledge exchange and experience sharing. As the MLG framework built on local turn does not elaborate the factors behind local migration policymaking, this thesis uses a new and eclectic conceptual framework offered by Schammann et al. (2021) that discusses the Institutional Framework, Structural Conditions, Local Discourse and Local Actors (abbreviated as ISDA). By using the ISDA framework, the chapter discusses how cities respond to migration management by producing policies, which complements the previous Multi-Level Governance framework by introducing the drivers of the policymaking. The last part of this chapter also specifies the methodology and justification for case selection by presenting the reasons for choosing Berlin as a single case study. To unveil the causal process between the dependent and independent variables, this thesis will employ the process tracing method to uncover the causal process that links the dependent variable (Berlin's policymaking towards unaccompanied minors) and the independent variables (defining and transformative factors in MLG) between a time from 2015 when the "Refugee Crisis" hit the Europe until March 2022 when the final decision of Berlin's lawsuit against the Federal Government was announced.

Chapter III will focus on the case study and will analyze the multilevel context and drivers of Berlin's policymaking toward the UAM. In this part of the thesis, Zapata-Barrero, Caponio, and Scholten's MLG framework (2017) and Schammann et al.'s ISDA framework (2021) will be applied to Berlin to investigate how Berlin developed policies for the admission of unaccompanied minors. To thoroughly

understand which factors influence Berlin's policymaking process, this chapter first identifies and examines the defining factors (institutional framework and structural conditions) and transformative factors (local discourse and local actors) of the ISDA framework and later explores how the Local Actors as one of the transformative factors of the framework, act horizontally and vertically in the Multi-Level Governance (MLG) of migration policymaking. Even though the primary purpose of the thesis is to grasp the local policymaking process, this chapter briefly focuses on the policy implementation of Berlin, especially for vulnerable groups. The chapter finally analyzes the implications of Berlin's policies towards the UAM and offers a conceptual assessment and conclusion of how MLG and ISDA frameworks inform my analysis of Berlin.

This conceptual assessment shows that Berlin pursued a humanitarian response in its vertical relation to the EU via the Berlin-based NGOs in Greece and conflicted with its Federal Government regarding the extension of the humanitarian admission program, whereas Berlin has shown strong presence in its horizontal interaction with other municipalities, NGOs, migrants and grassroots actors which has yielded more concrete outcomes for policymaking. However, although Local Actors in Berlin's case developed consistent and proactive discourse towards the admission of unaccompanied minors, these efforts adopted by the federal state could not evolve into a policy at the end of the day because of the restraining impact of the Institutional Framework.

With Chapter IV, the thesis concludes by underlining the active and vital role cities play in managing global migration and their varying agency in developing policies for unaccompanied minors. In this respect, it is crucial to note that cities are

no longer just responsible for implementing policies, because their relationship with other actors at different levels and the key factors in local migration policy has enabled cities to develop policies as well despite setbacks and shortcomings. As such, this study is another evidence of the local turn in migration with a focus on the growing role of cities in migration governance, particularly in terms of their response vis-a-vis the vulnerable UAM groups in the context of Berlin. Yet, it also reveals the limitations of cities' agency as Berlin still must get approval from its Federal Government to formulate and implement its own policies.





CHAPTER II

LITERATURE REVIEW, CONCEPTUAL FRAMEWORK, AND METHODOLOGY

“The 19th century was the century of empires, the 20th was the century of nation-states, and the 21st is the century of cities and mayors” (Lynskey 2022).

This chapter provides the extant literature regarding the local turn in migration and elaborates on the two-partite conceptual frameworks of the thesis that are the local turn in MLG framework (Zapata-Barrero, Caponio, and Scholten 2017), and ISDA framework (Institutional Framework, Structural Conditions, Discourse and Actors) (Schammann et al. 2021). The literature review focuses on how and why cities matter in global affairs and migration, which has become one of the most discussed aspects of global affairs in the 21st century. Cities are no longer responsible for implementing migration policies; they have also started developing migration policies, referred to as the “local turn” in migration. Even though cities have always mattered in world history, they have acquired new roles in global affairs, particularly in global migration, due to the changes brought about by globalization, decentralization, and urbanization. However, recently, it’s the outbreak of the civil war in Syria and long-running conflicts in other countries, such as Iraq and Afghanistan, that have led the cities to become more visible in migration because a large number of asylum seekers arrived in cities as the final destination and the local

authorities sought to find alternative solutions to the challenges arising from the crisis.

This chapter continues with the conceptual frameworks which will help account for how cities, in our case, Berlin, became actors in migration governance. The thesis will explore the city-migration nexus through the Multi-Level Governance (MLG) framework structured on local turn by Zapata-Barrero, Caponio, and Scholten (2017). Even though these authors provide a framework that locates cities as a part of migration governance, it falls short of explaining how cities produce migration policies. At that point, this thesis will benefit from the Schammann et al.'s (2021) conceptual framework to understand the factors behind the cities' policymaking which comprise the multicausal analysis of institutional framework, local discourse, local key actors, and structural conditions respectively (Schammann et al. 2021). This chapter will also focus on the methodology of thesis that will utilize process-tracing and case study method as a qualitative approach, that will be applied to the city of Berlin in the following chapter.

2.1. Why and How Do Cities Matter?

In world history, nobody can disclaim the genuine contribution of cities to social, economic, and political developments. Since the beginning of the 2000s, significant changes brought by globalization into politics, economics, and demographics have made cities acquire new roles and responsibilities (Curtis and Acuto 2018). Cities came into existence due to agricultural activities, and over time, they developed through the exchange of commodities which helped cities grow enormously in size and population as they attracted merchants outside of their borders

and migrants (Portes 2023). Socially, the shift from farmland to industrial activities, especially in Western societies, resulted in many people moving from rural to urban areas (Sahay 2013). Since the 18th century, there has been a rapid increase in the number of people living in urban areas, and it is estimated that in 2030, more than five billion people will be sustaining their lives in cities (United Nations Population Fund 2016).

As a significant proportion of the world's population lives in urban areas, cities profoundly contribute to the world economy, turning cities into active financial actors (Amen et al. 2011, 12). Due to their rising population, cities have generated high productivity and GDP per capita (The World Bank 2020). In addition to that, cities across the globe have been closely engaged in various issues of world politics, ranging from global climate change, the Covid-19 pandemic to migration, and they attempted to find a solution to these challenges, which are generally seen as problems under the jurisdiction area of nation-states (Gordon and Ljungkvist 2022). Although the cities only account for 2 % of the total land, they consume more than 50 % of the energy and generate around 70 % of the green gas emissions. Therefore, cities are at the forefront of environmental issues and constitute the places to resolve these firsthand.

Considering migration, a significant proportion of migrants reside in urban areas (Guasti 2020), and cities have always been the main destinations for newly arrived people, including immigrants. Therefore, the link between migration and the cities can be traced back to the beginning of the cities (Tshitshi Ndouba 2020). In short, cities are essential places where social relations are established, economic

developments occur, and agreements and contracts are made, turning cities into the critical focal points of politics, economy, and migration (Beall and Adam 2017).

Even though the significance and influence of cities have become more visible in the last few decades, cities have always been actors in world history, acting as foreign representatives, establishing diplomatic relations with other cities to address the problems encountered, and recommending possible solutions and political issues. Some of these cities, such as Athens, Rome, Sparta, and Bangkok, actively established dominance over other regions as a representative of holding the whip's hand in commercial and political issues (Balbim 2021, 9). Especially Sparta and Athens developed defense-based city networks and alliances to defeat each other in the war (Domingos and Reis 2017). Politically, the Greek city-states in ancient times closely executed relations with others by appointing ambassadors to maintain diplomatic strategies with the receiving city (Pluijm 2007, 7). However, with the Treaty of Westphalia, where modern diplomacy started, cities lost their effectiveness, and they gave their places and functions to the nation-states with their defined boundaries and political institutions (Goodarzi and Nayyeri 2016, 475).

Centuries later, from the Treaty of Westphalia, cities took part in a political stage in a modern way in the 20th century (Grandi 2020, 39). Regardless of their size, they attempted to find local solutions to global problems (United Nations 2019), leaving a mark on world politics through their social relations with other cities and actors. Before the outbreak of WWI, a set of mayors worldwide came together at the International Congress of the Art of Building Cities and Organizing Community Life in 1913, generally accepted as the beginning of modern city diplomacy (Grandi 2020, 39). The primary purpose of this meeting was to strengthen their collaboration in a

more organized manner in the city of Belgium, Ghent (United Cities and Local Governments n.d.). This was followed by the first global city network – the International Union of Cities or the International Union of Local Authorities within the same year (Grandi 2020, 39). The rapprochement between the municipalities of German and Britain following the end of WWII to diminish the impacts of massive destruction and to find alternative ways to promote peace and dignity (Joenniemi and Sergunin 2017, 446), can be given as another prominent example of city diplomacy.

Similarly, The Sister Cities International Program, which US President Dwight D. Eisenhower initiated, followed the city's twinning intending to enhance the cooperation and relationship among people from various backgrounds across the world and lessen the possible contradictions in the Cold War era (Sister Cities International n.d.). In addition to that, many mayors worldwide participated in the “World Conference of Mayors for Peace” in 1982, later changed to “Mayors for Peace” in 2001, to request the withdrawal of nuclear weapons and advance peace and harmony instead (Hiroshima Peace Culture Foundation n.d.). In the 1980s, particular cities in Europe established the Eurocities to network, campaign, and lobby among themselves through the exchange of knowledge and experiences, and over time, they have increased their functionality (Gebhardta and Güntner 2022) under the six main subjects: inclusiveness, prosperity, health environment, open and dynamic enclosed areas, global challenges, and innovativeness (Eurocities n.d.). The Eurocities initiative has enlarged its role after its foundation by forming other initiatives, such as the Integrating Cities and Solidarity Cities, focusing on a particular subject: migration which is at the heart of this thesis and will be referred to again later in the following sections (Integrating Cities n.d.; Solidarity Cities n.d.).

Since the beginning of the 1970s, the involvement of cities in establishing external relations and their turn into actors in global issues has remarkably increased (Calder 2021). At that point, international organizations such as World Bank and the UN (its UN-Habitat initiative) pushed the cities to participate in international meetings (Porras 2009) because it was realized that nation-states could not cope with the global issues alone. Thus, the UN and member states included local governments to take part in international contracts on the environment, social development issues, and human rights. The conference that was held by the United Nations in 1976 in Vancouver, Canada, on the issue of Human Settlement represents an example of this quest, as it explicitly pointed out the need for closely collaborating with the local authorities as to all kinds of human settlement policies including the well-being of displaced people fleeing from both natural and human-made disasters and the prominence of the integration of women, children, and young adults (United Nations 1976). This conference carried a signature feature that ended the sheer dominance of nation-states over world politics. It heralded the beginning of a new era, especially for social and human rights issues (Balbim 2018, 143). Similarly, the UN organized a meeting in Rio in 1992, and the Rio Declaration on Environment and Development resulted in an action plan, Agenda 21, for sustainable development. Agenda 21 aims to include all global, national, and local actors to take part in the sustainable development process (United Nations Sustainable Development 1992). In tandem with the rising role of the local in global affairs, UN General Secretary Kofi Annan stated in 2001 that “local government should be given more authority to deal with problems that come with explosive growth as the world enters the “urban millennium” (United Nations 2001).

By the end of the 1990s, cities had been included in global affairs as the frontline actor. The integration of cities into global affairs has also been stimulated by globalization, urbanization, and decentralization (Gutierrez 2013, 52), which represent the three key drivers behind the rising role of the cities. Regarding the first driver, globalization is defined as the spread of the flow of products, goods, services, thoughts, and ideas across the world but within countries' national boundaries. Though the term globalization dates to the 1950s, globalization is not something novel, but the full growth of globalization lies in the last quarter of the 2000s (Sahay 2013). Cities are being called upon to take responsibility for global problems such as climate change, global health crises, and immigration because globalization cannot be confined to borders. More people have migrated from one place to the other because of an increase in interconnection as a result of globalization (Pries 2022).

Compared to the evolution of globalization, urbanization lately emerged following the Industrial Revolution in the 18th century (Sahay 2013). According to the European Environment Agency (n.d.), urbanization means an increase in the number of people migrating from rural to urban areas (cities). With the shift from land cultivation to industry, especially in Western societies, a significant proportion of social and economic activities started in urban areas. Since the 18th century, there has been a rapid increase in the number of people living in urban areas, and it is estimated that in 2030, more than five billion people will be sustaining their lives in cities (United Nations Population Fund 2016).

Given the definition of decentralization as a third driver, it traditionally involves transferring central government functions and resources to local authorities, but it can be viewed more broadly as a political process aimed at empowering the

local authorities (European Commission 2016). From the 1980s onwards, a large number of countries around the world have been decentralized by increasing the responsibility areas of local governments to appropriately respond to the requests and needs of their local population. With this purpose, mayors had to enhance their capacity to manage local government and build supportive relationships with the local communities (Nishimura 2022). The function mechanism of local government gathers all local bodies, to some extent autonomous from the central government, under a single roof. They come to power due to the preference of local communities (Panara and Varney 2013). With the end of the Cold War era, a decline in centralization made cities more autonomous in their responses to global challenges (Calder 2021). As a result of the transfer of responsibilities to the lower levels, municipalities have developed their approaches and agendas and even acted differently from their governments (Spencer and Triandafyllidou 2020).

Remarkably, migration is one of the strongest examples of globalization as it crosses the international boundaries of nation-states (Pries 2022). Even though migration is a global phenomenon, cities have become important actors in handling migration locally. It is also crucial to highlight that this locality in migration is not independent of global migration; instead, they affect each other. In this respect, migration is both global and local. It is global because different demographic, political, economic, and cultural factors cross the international frontiers and affect the country of emigration, immigration, and transit country in one way or another. It is local because this movement ends in cities, where the newly arrived people rent an apartment, find a job, and join social activities. Considering these “global” and “local” notions together, glocalization has become a keyword as a refined concept of

globalization. In social sciences, the relationship between the local and global is widely discussed in practical settings. Robertson criticizes the tendency based on the idea that globalization gets ahead of the locality by addressing that what is called a local is a product of the global, it comes from the above, and the connection to spatiality is needed to understand the weakness of universalism (Robertson 1994). Local is directly influenced by the interaction between the actors at different levels; “one way to understand the global and the local is to comprehend the former as a totality and the latter as a part of it” (Guy 2009, 1). For instance, the refugee crisis that hit Europe in 2015 summer, when a large number of people trying to cross the border to reach Europe, reveals why migration has become a global phenomenon more than ever (Bazurli 2019). While the crisis has shown that migration is global, it has also shown how localized its effects are (Doomernik and Ardon 2018). Therefore, cities play a “glocal role” in migration (Siovitz 2022).

2.2. Local Turn in Migration

There has been a local turn in migration in two ways: There has been an increase in the number of studies focusing on migration at the local level, and also, and I saw an increasing role of cities in response to migration governance, especially after the refugee crisis in 2015. Therefore, I divide the local turn in migration into two, the local turn in Migration Studies and the local turn in migration governance, to point out the impact of local turn on two dimensions.

2.2.a. Local Turn in Migration Studies

In the local turn of Migration Studies, both cities and municipalities are regarded as political and administrative units. However, municipalities refer to both a wider conception including cities, and also smaller localities such as towns, and districts (Stürmer-Siovit 2021, 5). As Breugel (2020) states the local turn in Migration Studies is centered especially on the cities, which is also demonstrated in the conceptual and practical discussions of this thesis. The studies related to the municipalities mainly emphasize the services they provide and their importance in the integration of migrants (Emilsson 2015; Spencer 2020; Kreichauf 2020; Kettunen 2021). These studies rather focus on the practical level, and they are largely undertheorized. Given their practical relevance, I will briefly mention municipalities in the section of migration governance.

Migration is one of the global affairs that the cities have been closely engaged in. In this respect, the global perspective rejects focusing only on the nation-states and accepts the significance of non-state actors such as local authorities (Schiller 2009), in contrast to the view of methodological nationalism. Methodological nationalism, coined by Andreas Wimmer and Nina Glick Schiller, sees the nation-state as the “natural social and political form of the modern world” (2002, 302). It is a view in which social and historical phenomena are considered to have been confined only to the borders of nation-states. Methodological nationalism assumes (1) nation-states as a unit of analysis determines the social study and its analysis; (2) equates the nation-state to the society, and (3) takes the national interests as the primary focus of social sciences (Wimmer and Schiller 2002, 2). Correspondingly, it rests on the idea that people within the nation-states have common values, leading to the idea that

people from other countries have cultural and social differences only because they are foreigners (Schiller, Çağlar, and Guldbrandsen 2006). In this respect, it would not be wrong to say that methodological nationalism is restricted to the frontiers of the nation-states and fails to consider the changes brought about by globalization.

However, the view that the states are no longer the only political actors with the decentralization of politics has become more prominent by the end of the Cold War (Calder 2021), and the dominance of methodological nationalism over Migration Studies has diminished (Wimmer and Schiller 2002). Although a particular focus on the nation-state still characterizes Migration Studies, there have been many studies looking at migration from the local perspective (Zapata-Barrero, Caponio, and Scholten 2017), and recent studies have increased 28-fold in the last few decades (Pisarevskaya and Scholten 2022).

The Chicago School of Urban Sociology defines a city where social changes are observed and studied. The fact that the newly arrived people bring cultural diversity has caused the cities and regions to increasingly acquire a migration experience over the centuries (Zapata-Barrero, Caponio, and Scholten 2017). Because of that reason, scholars in this field put a specific emphasis on migration and city relationships and formulate theories by using methods to catch all the changes in the area (Tshitshi Ndouba 2020). For instance, European scholars started seriously considering the particular cities' size and political structure in their studies of migration in the 1990s when the Cold War ended and globalization accelerated (Schiller, Çağlar, and Guldbrandsen 2006). Saskia Sassen introduced the term *Global City* primarily based on an economy and argued that a new kind of city was born from information flows and capital brought about by globalization. She put a specific

emphasis on the cities like New York, Tokyo, and London, which have technological and economic advances in the modern world and emphasized that the actions of cities at both local and global levels have changed the dynamics of the city (Sassen 1991). Considering the main characteristics of these three cities, migration of people is closely associated with the pull factors arising from the destination countries' economically and politically superior position. In addition, Doug Saunders (2011) demonstrates in his influential book *Arrival City* that an increasing number of cities have become globally important for migration, like Warsaw, Istanbul, Toronto, Nairobi, and Shenzhen. They are more likely to attract the attention of migrants, but they are also where social inequalities and segregation occur (Saunders 2011). However, not only the “global city” or “arrival city” but all cities are shaped by migration in one way or another. Migration has a role to play in shaping every city because newcomers tend to settle in urban areas first and bring their cultures and identities into their new societies, so the city and newcomers are in a mutual interaction (Muggah and Abdenur 2018).

In line with the relationship between the cities and migration, Çağlar and Schiller (2009) introduced the term “comparative theory of locality”, defining the city as a place where social connections and networks occur. They point out that cities are important units of analysis to have a deeper understanding and knowledge of migrant incorporation. Focusing on the city-scale concept by looking at the cities hierarchically in terms of economic and political way, top-scale, up-scale, low-scale, and down-scale, respectively, they compare the scale of cities and argue that outcomes of the redesigning of the cities and migration patterns are related to each other (Çağlar and Schiller 2009). Furthermore, Katz and Nowak (2018) focus on the

“new localism”, saying that cities have the ability to resolve global problems at the local level (Katz and Nowak 2018). They claim that new localism “embraces diversity rather than ethnocentrism and is curious rather than closed” and is “guided by pragmatism rather than by ideological fervor” (Katz and Nowak 2018, 5,6).

2.2.b. Local Turn in Migration Governance

The local turn in migration governance refers to the local authorities, particularly the larger cities, that are increasingly developing integration and migration policies (Scholten and Penninx 2016, 91). Acuto and Rayner (2016, 1150) accept cities as local actors in migration management regardless of whether it's a large city or a municipality. Even though cities and municipalities are together urban entities in migration governance, they are the cities that are mostly characterized as urban centers (Stürner-Siovitiz 2021). The former regional commissioner of the European Union, Johannes Hahn (La Porte 2013, 85), asserted that

Cities, not nations, have been the main players during most of our civilization's existence, and cities may again overtake nations as the primary building blocks of Europe. Cities have to be at the heart of our plans to create a Europe that is prosperous, sustainable, and where no citizen is marginalized.

Indeed, this statement confirms the trend of cities that become frontal actors in dealing with migration as a global challenge. As mentioned above, the rising role of local actors in migration issues led to the emergence of a “local turn” in the late 2000s, which extensively focused on the local authorities in implementing and shaping migration policies. This approach mainly investigated the impact of local authorities in practical settings (Zapata-Barrero, Caponio, and Scholten 2017). There

has been a shift from national level to the local level in formulating migration policies and implementing integration policies (Emilsson 2015). Although cities are at the forefront of migration management and this study focuses on cities in the local turn, municipalities including small towns, also have an increasing role in migration management through integration policies. Municipalities have increasingly become more progressive in pursuing their own approaches. Many municipalities in Europe are keen to follow different paths apart from their nation states without any hesitation as to their evaluation of the provision of services (Spencer 2020). Especially after the Refugee Crisis in Europe, irrespective of their size, many municipalities experienced the challenges arising from the needs of unprecedented number of newly arrived people. In Europe, municipalities are the first places where refugees are generally relocated to; thus, the first thing they are responsible for upon arrival is the arrangement of migrants' accommodation and then the provision of other social and health services (Kreichauf 2020). They are both in charge of arranging the distribution of services to the local people in their area and ensuring the integration activities in the long term (Kettunen 2021). In the context of integration, for instance, Sweden municipalities are liable for providing the inhabitants with the education and health services (Emilsson 2015). Additionally, Dutch municipalities seek to find ways to make a positive contribution to the integration of refugees in terms of acquiring knowledge as to their background and their needs, ensuring positive communication, and creating a dialogue between the municipal officials and refugees (Ewjik and Baud 2009). Furthermore, they play an important role in providing the refugees with access to job opportunities by building a communication with the employers (Doomernik and Ardon 2018). Even though social service provision

objectives of municipalities depend on their autonomy, they attempt to efficiently carry out the public administration of the services. Therefore, some municipalities closely cooperate with other local actors such as NGOs and even sign an agreement to ease their coordination (Delvino and Spencer 2019).

The involvement of cities as an actor, who set their agendas and make their decisions, in migration governance has gained greater prominence in the last decade (Zapata-Barrero 2022). The mass influx of people to Europe as a result of the refugee crisis in 2015 and the restrictive policies of the EU and member states towards the refugees have led the local authorities to deal with the crisis pragmatically. Furthermore, incorporating the refugee crisis and some degree of municipal autonomy enabled the local authorities to respond to the challenges first (Søholtand and Aasland 2021). As they were the final destinations where refugees arrived, they were directly affected by the crisis. They have responded to the refugee crisis through various means; they provided the asylum seekers with access to services in a coordinated way, supported them in different areas such as social and cultural, and took actions to uphold fundamental human rights and protect the vulnerable groups (OECD 2020). Even in some cases, the responses of national and local authorities to the challenges arising from the unexpected inflow of refugees have differed (Søholtand and Aasland 2021). For instance, super-diverse cities in Europe such as Berlin, Rotterdam, London, and Barcelona took an active role in leading and shaping the local migration policy by taking different decisions from their national government with an understanding that they embrace diversity (Scholten and Rinus 2016, 92).

The refugee crisis demonstrated that the role of cities in migration is undeniable because their close affiliation to the local people, including newly arrived people, provides vital information about what is happening in reality, and cities also act as a platform where pragmatic responses are produced. Additionally, as a result of this particular knowledge and experience, cities are aware of which migrants or refugee groups are at risk of being exposed to violence and abuse, which mainly concern women and children (UNESCO 2016). Due to their experience in the field “as first responders to forced migration and integration challenges,” cities increasingly insist on being included more systematically in global migration policy development (Siovit 2022, 20). Their request also lies behind their involvement in various roles, as the cities now engage in the resettlement of refugees to another country, return of refugees to their country of origin, etc.; therefore, their activities have gone beyond their borders and have reached the boundaries of the countries of origin of the new target countries (Thouez 2020, 652). Such developments are embedded within the wider context of the debate on “city diplomacy”. Cities employ city diplomacy to establish a soft law mechanism and pursue this mechanism to remind their respective government and the EU institutions their responsibilities to act in accordance with their principles and values, whilst seeking a seat at the EU’s migration discussions (Heimann et al. 2019). Cities arguably moved through forced migration because it is an area they can smoothly navigate.

On the other hand, even though cities are now regarded as important actors in migration governance, their impact on migration has been neglected until the 2010s. Indeed, the rising role of the cities in migration governance is closely associated with their inclusion in the global meeting held by the UN. The changes related to their role

began in 2013, as a small group of mayors gathered at the UN for the first time and announced the initiation of the Mayoral Forum, which enables city leaders to gather in a host city to make an impact on the migration and refugee policies (Thouez 2019). Starting with the global refugee crisis in 2015, actors at different levels accepted the role of cities as a partner regarding the refugee issue (Thouez 2020). The prominent role of cities in the refugee crisis has also been recognized in Sustainable Development Goals (SDGs), finalized with its 17 Sustainable Development Goals (SDG) following the large-scale displacement of asylum seekers in September 2015. These developments are important for the local authorities because they make direct references to the significance of cities to realize these goals. As cities have more than half of the world's population and two-thirds of the world's economy and since cities are the places where both global and local challenges take place, for instance, SDG 11 directly targets the cities, as it is about making cities a hub that does not exclude any person or group (ICLEI n.d.).

Furthermore, UN General Assembly facilitated the New York Declaration for Refugees and Migrants on 19 September 2016 to address the need for building a more robust global migration governance to share responsibility and protect the rights of displaced people irrespective of their legal status (UN n.d.). After two years, one of the most critical manifestations of global migration governance, the Global Compact on Refugees (GCR), was adopted in December 2018 which was structured on key themes such as alleviation of pressures on receiving country and empowerment of refugees (UNHCR n.d.). City leaders from across the world came together in Marrakech and participated in the 5th Mayoral Forum on Human Mobility, Migration, and Development, where they acknowledged that cities act in accordance

with the Global Compact on Refugees (GCR) by addressing their priorities ranging from protecting the most vulnerable refugees to advancing the governance regarding the refugees. In other words, local authorities have committed to localizing the global refugee crisis (MayorsMechanism 2018).

Apart from the local authorities, there are also other stakeholders in the GCR such as NGOs and refugees in the key thematic areas ranging from child protection to health (Sibiloni n.d.). The GCR clearly paid attention to the importance of local authorities and local actors asserting that they are frequently the first to have a significant impact among those that respond to large-scale displacement. The GCR also called upon the interaction between cities and municipalities to share their good experiences and responses to the refugees' needs (UNHCR n.d.). In this context, several studies focused on the relationship between the GCR and local actors such as Kale and Erdoğan (2019)'s article on the example of Istanbul Metropolitan Municipality as a case study which discusses the role of stakeholders in providing refugees with services in both emergency response and integration. This study contends that the local stakeholders have also a role to play in policymaking beyond providing services.

The following section continues with the local turn in the Multi-Level Governance (MLG) of migration to understand how cities interact with actors at different levels in migration policymaking.

2.3. Multi-Level Governance (MLG) and Cities in Migration

The 2015 European Refugee Crisis reminded that migration is a global issue. Besides being a global phenomenon, migration is also a complex phenomenon and

involves multiple actors at different levels. The crisis revealed that cities have played a crucial role both in governing global migration and making policies as non-state actors. To understand the complex relationship between the multiple actors in global migration, this thesis will focus on the Multi-Level Governance (MLG) framework. By referring to the need for examining the complex process of migration, Gary Marks (1993) initially proposed the Multi-Level Governance (MLG) framework, which is closely related to the emergence of supra-national actors such as the EU and the involvement of non-state actors, including local actors and civil society organizations, in the decision-making process (Saito-Jensen 2015). Before diving into Multi-Level Governance, it is important to emphasize the difference between the government and governance as well as the main characteristics of the governance. While government refers to the capability of doing and enforcing something, governance implies a new process in governing style where the barriers among and within public and private have become fragmented. Therefore, the governance mechanism does not rely on what the state authority follows; instead, it is an interaction between the actors (Stoker 1998). Besides, governance is characterized by the structural institutions that take part in policy process (Zürn, Wälti, and Enderlein 2010).

Even though the MLG is first employed to understand the dynamics at the EU level, it can be used as a framework to understand the relationship between the supranational, national and local actors in the context of migration in the decision-making process (Caponio and Correa 2018). Each tier is responsible for territorially separated areas, hold some degree of autonomy and have mutual interacts with each other (Zürn 2010). The MLG framework does not refuse the importance of the nation-

states in decision-making, but it also accepts that the nation-states are no longer the only actors at the points where different levels interact. In other words, this perspective argues that the “decision-making competencies are shared by actors at different levels rather than monopolized by the national government” (Hooghe and Marks 2001, 3). Instead “subnational actors operate in both national and supranational arenas, creating transnational associations in the process” (Hooghe and Marks 2001, 4). Therefore, the MLG denies the independence of political domains of each other and rejects that sub-national actors are placed within themselves, because they engage in transnational activities at both national and supranational level (Hooghe and Marks 2001). Marks (1993, 392) defines the MLG

as a system of continuous negotiation among nested governments at several territorial tiers [...] as a result of a broad process of institutional creation and decision reallocation that has pulled some previously centralized functions of the state up to the supranational level and some down to the regional and local level.

The studies in the literature agree upon the diversification of governance among the actors in multi-level setting, since instead of overwhelming authority of nation-state, different jurisdictions perform more effectively. Therefore, Marks and Hooghe (2004, 16) argue that “governance must operate at multiple scales in order to capture variations in the territorial reach of policy externalities, to internalize externalities, governance must be multi-level”.

Hooghe and Marks (2003) assert that there is no one type of multi-level governance which perfectly fits into the foundation, hence they offer two types of MLG: Type I (nested) and Type-II (polycentric). In other words, the MLG is placed in different areas of governance. Type I level multi-level governance represents the

limited number of official powers at different levels (international, national, local) that do not lie across each other. It means that there is no intersection between the lower and higher levels of the jurisdictions, which constitutes the main characteristic of Type I. Therefore, it is nested. Furthermore, Type I governance is characterized with the general-purpose that is “decision-making powers are dispersed across jurisdictions but bundled in a small number of packages” (Hooghe and Marks 2003, 236,237). Type I of the MLG is more likely to be firmly established with the organizational goals, hence jurisdictions stably interact with each other (Hassel 2011).

As opposed to the Type I (nested), the Type II (polycentric) governance is quite different, since its realm of authority is not as limited as Type I, nor is it restricted to a small number, therefore it represents an alternative way of governance. The Type II of MLG gives the actors an opportunity to function as task-based rather than as general-purpose. As the jurisdictions of Type II are not sticky as in Type I, the Type II form of governance is more likely to work adjustable; jurisdictions can easily adapt to changing dynamics within the governance and can bring practical solutions to particular problems. The Type II of the MLG “borrows some of the legitimacy, consensus and accountability from Type I governance structures but also attempts to create mechanisms of their own and must rely on the force of interpersonal relations for their continuing existence” (Piattoni 2010, 25). Based on these distinctive features, the Type II, polycentric governance, is more prevalent at the local level because it involves more flexible interaction (Hooghe and Marks 2003).

Inspired by Hooghe and Marks (2001) who originally proposed the MLG framework, Zapata-Barrero, Caponio, and Scholten (2017) adapted the MLG to the local turn in migration. In this version, the authors focus directly on the local turn in migration, whereas the original version is not about migration *per se* but understanding the multi-level governance within the EU framework. Thus, I turn my gaze to grasping how the MLG works in migration studies and how local actors become a part of it. Zapata-Barrero, Caponio, and Scholten (2017) centered the MLG into two vertical and horizontal dimensions by looking at the intersection of actors at different levels: upwards that is from local authorities to the nation state, and supranational actors (such as the EU) and downwards that is into non-state organizations (NGOs, associations and social movements), which together constitute the two pillars of local turn in the multi-level governance (MLG) of migration (Zapata-Barrero, Caponio and Scholten 2017).

Building on the MLG and the local turn in migration, the following sections will elaborate on the horizontal and vertical interactions of cities as a local actor in migration governance with actors at the different levels. Central to this thesis is to locate cities in the migration governance and policymaking. In this regard, this study will underline that cities play an important role migration governance by horizontally establishing networks and cooperative relations with other cities and non-state organizations and vertically interacting with their nation-states and supranational actors like the EU in migration policymaking (Filomeno 2017).

2.3.a. In the Footsteps of the MLG: Local Actors at the Vertical Level

As offered by Zapata-Barrero, Caponio, and Scholten (2017), vertical interaction refers to the upwards to the national and supranational level. In other words, interaction occurs between the actors at different tiers of government (Campomori and Caponio 2017). In the context of local turn, cities engage in their government at the national level and EU at the supranational level in vertical manner. However, it is important to note that this interaction is usually bottom-up, but sometimes it can also be top-down, which will be addressed in the following parts.

Even though the local authorities are dependent on the policies and decisions of their respective governments, they have started strategically influencing their nation-states and EU institutions through their purposes and interests (Mayer 2018). The vertical interaction of cities with the supranational actors (EU) and national actors (respective government) in the governance of migration also factors in local-migration policies. They have also closely engaged with the EU institutions for searching funds, influencing policymaking, acquiring authority, and for policy advocacy in multi-level migration governance. Cities either directly interact with the EU or via the city-networks like Eurocities and Solidarity Cities (Stürner-Siovit et al. 2020). Considering the interaction of cities with the EU institutions for the advocacy, cities express their opinions for the promotion of fundamental human rights. For instance, following the aftermath of European Refugee Crisis in 2015, on 20 June 2016, the World Refugee Day, the mayors of cities who are members of Eurocities, sent a letter to EU institutions including the EU Commission, the Council of EU, the European Parliament, and EU Member States, regarding the reception of refugees, especially for the refugee children and women who are more likely to be at

risk due to their vulnerability and expressed their request for more inclusive EU migration policy (Solidarity Cities 2016). Also, they offered an alternative way to the EU for close collaboration on policy for solidarity in relation to the crisis.

Furthermore, local and supranational coordination has emerged for the joint action through the Urban Agenda Partnership on Inclusion of Migrants and Refugees, which was initiated by the Dutch Presidency of the Council of EU in 2016 to enlarge the role of cities in shaping migration management (Urban Agenda for the EU n.d.). It demonstrates that cities vertically interacted with higher tier authorities at the national and supranational level regarding the global migration issue. As an output of this Agenda, the Pact of Amsterdam was finalized by the EU with the aim of supporting the direct and indirect access of EU cities to funding, EU legislation, and knowledge. In that sense, the Urban Agenda aimed to create a new type of multi-level governance with the more powerful cities within the EU (European Commission 2016). The Urban Agenda for the EU plays an important role in understanding the direct vertical interaction between the local and the EU, both upwards (from local to the EU) and downwards (from the EU to local) by bypassing the national-level. At the bottom-up interaction from the local to the EU, the local authorities (Amsterdam, Barcelona and Berlin) took part in this Partnership and they directly interacted with the EU institutions on the issues such as insufficient funding coming from the government. Upon the request of local authorities, the European Investment Bank Group, working with cities throughout and outside of the partnership, has developed concepts for new financing blending instruments, which indicates the strong downward interaction from the EU to local (Stürner-Siovitx and Heimann 2022). As a result of their interaction via Urban Agenda for the EU, the European Commission

has decided to reduce the funding to states through the Asylum Fund to 60%, and to keep the remaining 40% under its control, targeting cities (European Commission 2018). It is an important example of vertical dimension; because, the EU Commission should set out its jurisdictions by bringing this matter to the attention of the European Council and the European Parliament, within the structured political system of the EU.

Moreover, in the vertical relationship of cities with the EU Institutions, the EU funding instrumentally allows the cities to jump over the national governments at the practical level. Integrating Cities of Europe is the concrete example of it, because since the beginning of 2000s, in this way, local actors are supported through EU funds, while the European Commission and the representatives of the cities meet periodically (Eurocities n.d.), creating a vertical interaction among these actors. In some cases, apart from the purpose of agenda-setting and advocacy as well as funding, cities may benefit from different strategies to achieve their goals, and the MLG's vertical dimension enables the cities to create openings for policymaking. Therefore, the vertical interaction of the Multi-Level Governance (MLG) framework allows the local actors to develop policymaking to pursue their targets and decisions (Sapotichne and Smith 2012). This is especially the case under circumstances whereby the local governments cannot reach their political goals; then they advance strategies by acting vertically (Scholten et al. 2011).

One of the strategies that the local governments use lobbying for policy measure at the national and supranational level is “vertical venue shopping”, which was developed by Guiraudon (2000). It implies that if local governments are unable to pursue certain policy choices at their own level, they interact with different tiers of

government. This interaction can proceed through the official channels that bring the actors at different tiers of government together as well as through the unofficial lobbying (Ostaijen and Scholten 2018). In other words, vertical venue shopping refers to the understanding that if the actors encounter the obstacles, they look for new venues in policymaking (Kaunert, Léonard, and Hoffmann 2013). In order for vertical venue shopping to be considered successful, there must be a shift in the policy with new political decisions (Sapotichne and Smith 2012).

Barcelona can be granted as an example. Amid the refugee crisis, even though this crisis has become a contentious issue for Spain, Barcelona's government created an asylum program that paved the way for Barcelona to be defined as a "City of Refugee" under the leadership of its former Mayor, Ada Colau (Mascareñas and Gebhardt 2020), which received the attention of other Spanish cities' municipalities. "City of Refugee" aimed to change the refugee policies of the national government and the EU. With this purpose, Ada Colau horizontally interacted with the other cities and prepared a written document with the support of the Mayors of Paris and Lesbos, then vertically interacted with the EU through this document and alerted the EU institutions to listen to the call of the cities. Additionally, Barcelona also launched a campaign with the civil society in 2017 to welcome the refugees and criticized its respective government and the EU. Ultimately, the Spanish government has decided to review its asylum reception system, based on both intense contacts with Barcelona and Barcelona's venue shopping strategy through its campaigns (Bazurli and Kaufmann 2023). Consequently, the example of Barcelona indicates both vertical and horizontal dimension of local authorities with actors at different levels. Because Barcelona city government first horizontally interacted with the civil society

organizations for initiating campaigns and with other cities for establishing networks. Then its enlarging influence resulted in a shift in the policy of the national government at the vertical manner through the unofficial lobbying. This also shows that while cities interact vertically with different tiers of government to achieve their political goals, they also interact horizontally with other actors simultaneously.

On the other hand, vertical interaction between the cities and the actors from other tiers of government may not always result from a conflict between them. For instance, in 2003, the city of Rotterdam developed a policy as to the prohibition of admission of individuals with low socio-economic conditions by referring to the migrants, due to the right-wing party taking power in Rotterdam and the perception of migrants as prone to crime. Thus, Rotterdam interacted with the respective government through the lobbying strategy for the law to come into force, leading to the adoption of the law, which only applies to Rotterdam (Scholten 2013). Following the vertical interaction, the change in Rotterdam has led to a desire to implement more restrictive local government policies and Rotterdam has sought a vertical venue to interact with the nation-state through the official channels (Scholten and Rinus 2016).

Apart from the vertical dimension of the MLG in local turn, cities also horizontally interact with the local actors for policy measures. The following section underlines how cities engage with other local actors and for which purposes.

2.3.b. In the Footsteps of the MLG: Local Actors at the Horizontal Level

Local government's horizontal interactions in migration governance are related to the admission, reception and integration issues (Zapata-Barrero, Caponio, and Scholten 2017). Cities and municipalities have also attempted to find solutions

by horizontally interacting with local actors (Caponio 2019). The horizontal relationship between the cities and non-state actors play an important role in producing knowledge and formulating policies (Ndouba 2020). Regarding the horizontal interaction of cities, interaction and collaboration with the NGOs is critical, even though interaction among them cannot be regarded as definitive, they are the important partners of local authorities (Campomori and Caponio 2017). For instance, as mentioned in the above section on Integrating Cities, one of the projects named “Values” that was implemented between 2019 and 2021 aimed to gather the local actors with the volunteers working with NGOs to construct a partnership on integration policies through good practice exchanges (Caponio 2022). Cities and civil society organizations can horizontally interact with each other at the point of information sharing of civil society organizations. Additionally, civil society actors provide the cities with a variety of sources and information acquired in the field (Mayer 2018). As civil society organizations are directly in touch with the migrant groups (Escobar, Nilsson, and Ahl 2021), cities need the NGOs to understand the challenges refugees go through and organize the needs of refugees in an effective way (Scholten et al. 2011). They can engage with each other in a horizontal manner and they can easily adapt to changing dynamics arising from the Refugee Crisis to bring practical solutions (Zapata-Barrero, Caponio, and Scholten 2017). Additionally, civil society actors provide the cities with a variety of sources and information acquired in the field.

Although the political system of the country in which the city is located still matters, city councils in their horizontal relation with the grassroots are more likely to cooperate with the activists in terms of the local practices such as the provision of

services to refugees. The notion of “Solidarity City” also represents the common grassroots perspective on refugee reception and they have of great importance in local governance (Bauder 2021), because capability of the cities to develop policies is strengthened through the policy dialogues with the grassroots. For instance, as a consequence of the negotiation of Berlin and grassroots Medibüro, irregular migrants have been provided with the card to access the health services (Özdemir 2022), which represents the strong example of horizontal interaction of Berlin and Medibüro in order to bring a quick solution to requirements of migrants without legal status fits perfectly.

In their horizontal interaction of the cities, they do not only interact with the civil society actors such as NGOs and grassroots organizations, but also, they are engaged with other cities via “city-networking” as a primary form of horizontal relationship (Heiden 2010). Acuto and Rayner (2016, 1149) define city networks as “formalized organizations with cities as their main members and characterized by reciprocal and established patterns of communication, policymaking and exchange”, which allow cities to come together voluntarily to take collective action in a particular issue. At that point, the network Eurocities is important because the Eurocities initiative created a platform for its members where they can exchange knowledge and share experiences and seek influencing the EU institutions (Eurocities n.d.). Therefore, even though its main activity resulted from the horizontal interaction among the cities, they also seek ways to affect the EU in a vertical manner and they make their voices heard through this collaborative relationship (Caponio 2019). The main activities of the Eurocities network can be classified into three main categories of lobbying, networking, and campaigning (Eurocities n.d.). The Mayors are

responsible for enlarging the network, and the vice-mayors are responsible for administering the thematic forums ranging from economy to social affairs. Working groups are set up within these forums in the higher administrative bodies of local governments with a view to sharing practical knowledge and lobbying activities (Payre 2010). Therefore, this type of horizontal interaction demonstrates the engagement of two public authorities at the local level. Additionally, as part of the Eurocities, Integrating Cities was formed by the Eurocities for making a contribution to the “Good Governance”. Similar to the Eurocities initiative, the main outcome of this horizontal interaction is based on mutual learning and sharing experiences but the Integrating Cities differs from the Eurocities in a way that Integrating Cities have been financially funded by the European Commission through the projects which focused on objectives including the joint effort among the cities, enhancing the knowledge of host society about migration, facilitating the inter-group interaction, embracing the diversity in the administration (Integrating Cities n.d.). Therefore, there is also vertical interaction between the local and supranational via the “funding” instrument. At that point, the EU has demonstrated its superiority vertically through its funding role, by financing projects that will enable cities to cooperate with each other.

In addition to that, Solidarity Cities Initiative was founded in 2015 as a result of the pioneering role of European Cities by Athens, Barcelona, and Berlin under the Eurocities Initiative with reference to the city cooperation for solidarity (Dirk and Güntner 2022). Solidarity Cities in May 2015 announced that there was a growing need for systematic efforts to provide asylum seekers with public services. The initiative recommended some changes for the successful integration of asylum

seekers in the cities, expressed their willingness to discuss with other cities how they managed the reception of asylum seekers and integration issues and how they approached the current problems to resolve at the local level (Solidarity Cities 2015). The horizontal relationship between the Solidarity Cities indicates that cities who have been already closely engaged in migration issues through the Eurocities, tend to demonstrate their credibility of policies and practices to other cities and NGOs through collaboration. Based on their practices at the local level, cities justify their desire that the European Union should engage with them on the reception and integration policies.

In the footsteps of the MLG, these two dimensions help to clarify how and with which actors cities horizontally and vertically interact for which purposes. In vertical dimension, while cities move upward by vertically interacting with the nation-states and the EU to look for an alternative way for policy measures through the vertical venue shopping, EU funding as well as advocacy; in the horizontal dimension, cities move downward by horizontally interacting with the NGOs, grassroots and other cities through city networks, exchange of experiences and knowledge, as well as mutual learning from each other.

Even though Zapata-Barrero, Caponio, and Scholten (2017) clearly articulate the interaction of actors in the local turn of migration through the MLG framework, they do not elaborate on the drivers of local migration policymaking and how cities respond to the migration management and set out policies in the governance of global migration. Therefore, their framework falls short of offering insights into which factors shape migration policymaking. Additionally, the local turn in MLG does not mention the inter-governmental organizations such as UN Agencies, it only addresses

the complex interaction among actors at the local, national, and subnational levels, not the international level. As discussed in the literature review, UN agencies play a major role in the 21st century in making cities stand out in migration governance. Therefore, the local turn from Multi-Level Governance (MLG) framework suffers from two deficits: the lack of international (intergovernmental) actors and drivers of policymaking. The next section of this thesis adds the ISDA framework offered by Schammann et al. (2021) to overcome the deficit of addressing the drivers of policymaking.

2.4. Local Migration Policymaking

Although cities are dependent on the policies and decisions of their respective governments, the influx of refugees to Europe also provided the cities with the opportunity to develop their own policies in the multi-level setting of migration governance (Mayer 2018). As a consequence of the spread of globally shared norms and more powerful local authorities, local actors have become more active in bringing local responses to global challenges (Mihir 2022). Cities are now accepted as significant actors in tackling migration, instead of solely remaining with an administrative status at the local level (Demiroğlu 2021). Local authorities have actively set out their own policies and approaches to varying degrees. They even hold positions that object to their governments' decisions (Bendel et al. 2019). With the purpose of understanding how cities develop migration policies in response to the global migration issue, this thesis will use Schammann et al. (2021)'s new conceptual framework on local migration policymaking, which is indeed an eclectic framework

that brings together the old literature in a new way and assesses the drivers of local migration policy making.

Schammann et al. (2021) emphasized first in their study that local authorities are more confident in policy development and less inhibited to express their opinions to their governments. The authors classified the factors mentioned in the literature into 4 categories: Institutional Framework, Structural Conditions, Local Discourse and Local Actors (abbreviated as ISDA) in the policy process, which also constitute the very factors of local migration policymaking. While the institutional framework and structural conditions represent the *defining* factors; local discourse and local actors represent the *transformative* factors.

Returning to the old literature to create a new framework, Schammann et al. (2021) utilize *Understanding Institutional Diversity* written by Elinor Ostrom (2005), which aims to understand the impact of institutions on the decision-making of individuals through the Institutional Analysis and Development (IAD) framework and analyze how institutions have become critical in politics. Schammann et al. (2021) integrate the instructive findings of Ostrom as a first factor of the ISDA in policymaking: Institutional Framework. The authors define this first factor as the degree of decentralization and the freedom to decide in a particular situation. The degree of decentralization is more likely to allow the local authorities to engage with the actors at different levels but it is still debatable among the scholars since there are other factors such as “political discretion”. Therefore, discretion can be seen as complementary to decentralization and the degree of political discretion shows how the implementers experience decentralization (Dörrenbächer 2018). In the context of local migration policymaking, the fact that local actors have the discretion in a

decentralized political structure is more likely to shape the migration policies. Besides the de(centralization) and discretion, Schammann et al. (2021) also add the institutional rules that are principles to regulate the actions, as part of the institutional framework.

Apart from the Institutional Framework, the second factor of the ISDA framework is Structural Conditions, which comprises the level of urbanization, socio-economic conditions, the number and composition of local and migrant population, as well as migration background of the city that directly affect the policymaking at the local level. Among these factors, the number of migrants is the one that can change most rapidly. Studies show that the rate of increase in the migrant population is more decisive in local migration policymaking. Additionally, the size of a municipality is closely related to playing an active role in policymaking. When cities and rural municipalities are compared, cities have more migration experience than rural areas but not all of cities follow active migration policies, nor all rural municipalities are inactive. For instance, the districts of Berlin, Neukölln can be given as an example for active policy of the rural; because, despite being a small district, Neukölln pursues successful integration policies (Council of Europe 2015).

Local Discourse constitutes the third factor of the ISDA. Schammann et al. (2021) place a specific emphasis on the local discourse, because discourses can influence how migration and migrants are perceived in the society. For instance, the development of discourses that migrants pose a threat to society may influence the distribution of local services to the migrants. Especially after the Brexit referendum in Britain, the threat perception towards the migrants in towns has dramatically

increased, which resulted in the restrictions in migrants' rights and growing control over them (Stansfield and Stone 2018).

The fourth factor of local migration policymaking offered by (Schammann et al. 2021) is Local Actors. Even though institutions draw the boundaries of actions, it is the actors that determine which actions will be developed through which discourses. In other words, despite regulations, local key actors take their steps according to their interests after evaluating the process. The ISDA framework divides the local key actors into two as local elites and street-level bureaucrats such as civil society organizations. While mayors represent the local elites, NGOs as part of civil society organizations are under the street-level bureaucrats. The former's action is regarded as individual action whereas the latter's is seen as collective. Additionally, migrants become important actors in policymaking even though their impact on policy formulation was ignored for a long time (Glyniadaki 2021).

Another dimension is the issue of autonomy. Baalen (2021, 932) argues that local elites can exercise autonomy over the local people and Schammann et al.'s framework also attends to the issue of autonomy of the local actors in assessing migration policymaking. Lastly, related with the previous discussion of Local Discourses, since the Local Actors also represent a particular institution, they also manifest themselves through their discourses on behalf of their affiliated institutions. These discourses thus reflect the discourse of their institutions as well as personal values of these actors. Discourses can also shape the effect of the institutional framework, they can also bring about institutional change (Schammann et al. 2021).

Schammann et al. (2021, 2902,2903) develop a few hypotheses to assess these four factors in local migration policymaking. In this respect, if the municipalities and

cities have the autonomy (Institutional Framework); high immigrant population (Structural Condition); discourses (Local Discourse) on fundamental rights, and the mayor (Local Actors) who cares about the migration, they are more likely to develop local policies. They tested these hypotheses by conducting interviews with more than hundred municipalities and cities with different sizes and concluded that a high level of autonomy increases the likelihood of policy development, which corresponds to the Institutional Framework: Factor I of the ISDA. This factor plays a decisive role because it restricts the abilities of municipalities. When it comes to the Structural Condition, the second factor of ISDA, its impact is unclear because of the overlap of institutional and structural characteristics. For instance, a municipality lacks autonomy, it has a low level of urbanity and hosts a small number of migrants. However, in some cases, a small local population encourages more local policy development. Additionally, the financial budget of the municipality is not capable of explaining the local activities of municipalities on its own. When it comes to the discourse as a third factor, it is expected that when the local authorities emphasize their freedom to act, they are more likely to have migration policies. Combined with a welcoming attitude towards migration and an optimistic perception, rhetoric can be a powerful transformative factor. They can reduce the impact of *defining factors* pointing at a particular direction. Lastly, when local actors are compared, the influence of civil society organizations is not as effective as the mayor. Schammann et al. (2021) concluded that institutional framework and structural condition of ISDA are in the role of a defining factor, which defines the abilities and limitations of municipalities. In coming up with a policy and praxis (Schammann et al. 2021, 2909), discourses and actors play a transformative role. If transformative factors do not bring

about a change at the end of the day, this is either because they are not strong enough because of the impact of the defining factors.

2.5. Methodology

As discussed earlier, especially for the last few decades, cities have been actors addressing migration as a global challenge and they came together with other local actors to take joint action, established networks through city councils at the horizontal level, and interacted with their national governments and supranational actors like the EU institutions to influence these policies in line with their interest and vision.

In accordance with the conceptual frameworks introduced above which lays out the dimensions of multi-level governance of migration management and the role of cities in this complex interaction as well as the factors that shape migration policymaking at the local level, this study aims to understand how the city of Berlin takes an active role and produce policies in the admission of vulnerable groups, particularly unaccompanied children. Through these objectives, the thesis will utilize the process-tracing and single case study approach as a qualitative methodology apply the Zapata-Barrero, Caponio, and Scholten (2017)'s and Schammann et al. (2021)'s conceptual frameworks to the Berlin case.

2.5.a. Process-Tracing

Process tracing is one of the main qualitative methods that is used in social sciences, especially in Political Science and International Relations, because it is helpful to identify particular social and political phenomena and assess the causal

mechanism (Collier 2011). It was initially developed to look at the decision-making process and later reformulated in a broader context. According to George and Bennett (2005, 206), process-tracing method primarily refers to “attempts to identify the intervening causal process – the causal chain and causal mechanism between an independent variable (or variables) and the outcome of the dependent variable. Of particular relevance to this thesis is that process tracing helps to determine the multiple elements accounting for the outcome of the dependent variable in a particular study at a particular time (George and Bennett 2005, 176). Furthermore, Waldner (2012, 68) emphasized that “process tracing uses a longitudinal research design whose data consist of a sequence of events (individual and collective acts or changes of a state) represented by non-standardized observations drawn from a single unit of analysis.”

In this thesis, the explanandum (dependent variable) is Berlin’s migration policies, particularly its policy toward unaccompanied minors, whereas the explanans (independent variables) are the key factors (institutional framework, local key actors, local discourses, and structural conditions) and the city’s interaction with different tiers of government affecting immigration policy-making. As to the use of process-tracing, this thesis will focus on a particular time frame from 2015 which is the start of the so-called “Refugee Crisis” in Europe until March 2022 which is the time the decision of the Federal Court of Germany was finalized regarding Berlin’s objection to the Federal Government. In this extended time frame, the major focus will be on the process since the first announcement of Berlin regarding the admission of unaccompanied minors on the Greek islands. The thesis will trace and elaborate on the drivers and levels of Berlin’s policymaking process. This study does not aim to

develop a generalizable theory, it rather seeks to understand the patterns of Berlin's policymaking and its limitations through applying the MLG and ISDA frameworks.

2.5.b. Case Selection

This thesis will explore the migration policy response of Berlin in multi-level governance of migration management to the global refugee crisis, particularly toward the most vulnerable groups, the unaccompanied minors on Greek islands of Lesbos, Chios, Samos, Kos, and Leros. In this respect, I will try to investigate the key factors of local migration policymaking of cities in governing global migration outside of their area of responsibility. The thesis picks Berlin as its case study, for Berlin is the first city that brought the vulnerability of unaccompanied children into question and expressed its willingness to provide these children with safe harbor (I) before the EU Commission's immediate call to the EU Member States for the relocation of unaccompanied minors from the Greek islands in March 2020, (II) before the letter of 10 European cities that are part of the Eurocities to the European Commission for the admission of these children, (III) before the tragedies that enhanced susceptibility of vulnerable unaccompanied minors to the further risks such as Covid-19 pandemic, and the fire and (IV) remains the only city that took action individually as well without only relying on collective efforts such as Eurocities. Berlin is also an example that launched a commitment sequence and paved the way for other cities to deliver their message on the evacuation of the children (Meyer 2020).

2.5.c. Resources

As to resources, the thesis will utilize the EU Directives of the Common European Asylum System (CEAS) under the EU's legislative framework, universal declarations, and the UN's legally binding and non-binding human rights conventions as primary sources. In addition, it will also use discourses of the local politicians and migrants through official publications, press releases, and local (German) newspapers. In terms of secondary sources, the thesis builds on the extant literature on global migration, migration management, vulnerable refugee groups, and the growing literature on the migration-city nexus.

CHAPTER III

BERLIN'S UAM POLICY: AN ASSESSMENT OF DRIVERS AND MULTI-LEVEL INTERACTIONS

This chapter will focus on Berlin as a single case study and apply Zapata-Barrero, Caponio, and Scholten (2017)'s MLG and Schammann et al. (2021)'s ISDA (Institutional framework, Structural Conditions, Discourses, and Actors) framework. Within the ISDA framework, the Institutional Framework and Structural Conditions are part of the *defining factors* and the Local Discourses and Local Actors are part of the *transformative factors*. By blending these two frameworks, MLG and ISDA, the chapter seeks to understand and account for how Berlin acts in the structural and coordinated multi-level setting and produces its migration policies towards the vulnerable unaccompanied minors on the Greek islands. In this context, in line with the research objectives of the thesis, the chapter aspires to analyze the factors that have led Berlin to develop policies for vulnerable refugees, mainly unaccompanied minors. As will be recalled, it was Berlin's Governing Mayor Michael Müller who requested to receive the unaccompanied minors on the Greek islands in December 2019 and continued to deliver the message to the Federal Government for admission. The main aim of this chapter is to analyze Berlin's policymaking processes and assess the drivers of Berlin's policy response towards the unaccompanied minors in Greek refugee camps on the island. The chapter will also elaborate the policy-implementation with regard to the vulnerable groups at the end of its analysis, but

will only briefly do so, as the thesis is mainly concerned with the policymaking process.

As the Multi-Level Governance (MLG) framework placed on local turn in migration falls short of explaining how policymaking happens, this part will look at the ISDA framework before the MLG to bring the insights of the framework for discussing the drivers of local migration policymaking. Built on the ISDA framework, I will comprehensively examine the *defining factors* (Institutional Framework and Structural Conditions) and the *transformative factors* (Local Actors and Local Discourse) to understand what factors influence Berlin's policymaking. After applying the ISDA framework to Berlin's case, I will seek to investigate how the local actors, as a transformative factor, horizontally and vertically act in the Multi-Level Governance (MLG) of migration policymaking. The chapter will lastly offer a practical and conceptual assessment of Berlin's policy towards unaccompanied minors.

3.1. The Defining Factors of the ISDA Framework and Berlin

As offered by Schammann et al. (2021), the defining factors involve the institutional framework and structural conditions in migration policymaking. In the process of policymaking, identifying the defining factors provides an opportunity to understand the abilities, opportunities and limitations of Berlin.

3.1.a. The Institutional Framework in Berlin

As provided by Schammann et al. (2021), institutional framework in policymaking encompasses the degree of (de) centralization, political structure, and

institutional rules, which impacts Berlin in governing migration in multi-level settings. The institutional framework plays enabling and limiting roles in the political structure of Berlin. The political structure of the Federal Republic of Germany is built on a decentralized system with its Länders, administrative bodies, and municipalities (GIZ n.d.). Berlin's city-state political structure is decentralized because Germany's federal structure is decentralized. While the Federal Government is in charge of producing the policies, the Länders are generally responsible for implementing these policies. In Germany, the Federal Ministry of the Interior, Building and Community is the key player in migration policy making and works closely with the Federal Office for Migration and Refugees (BAMF). They are both in charge of carrying out functional assignments at federal level. Other administrative organs executing the asylum procedures are responsible Ministries and the Senate of the Länders (European Commission 2020). However, the Länders may become a part of formulating policy at the federal level through the Bundesrat (second chamber of the parliament), which represents the governments of 16 Länders. Among these 16 Länders, Berlin has a high level of autonomy, but its legislative jurisdiction is limited (GIZ 2018). Therefore, the institutional framework's political structure enables Berlin to formulate policies on the one hand and restricts Berlin from implementing these policies on the other hand.

As to its main characteristics, Berlin carries the features of both being a city and a Land (federal state); therefore, it is a city-state distinguished from other German cities with different administrative structures. The primary responsibilities of the city-state Berlin closely work with institutions of the Federal Government and the other Länders through diplomatic activities (Berlin.de Startseite n.d.). The executive body

of the Berlin government, named the Senate, consists of ten senators and one governing mayor (Gluns, Wilhelms, and Münster 2018). The governing Mayor is both the head of the federal Berlin state and the city (Berlin.de Startseite n.d.), who determines which standards and procedures will be applied in the policies that need approval from the House of Representatives. Mayor is responsible for working in coordination with the other federal states and the Federal Government, representing Berlin across the world, maintaining its relationship with the partner cities (Berlin.de Startseite n.d.). Senators are responsible for all matters in Berlin, ranging from education and economy, such as making decisions in policies, supervising city-planning, and controlling the district administrations (Berlin.de Startseite n.d.).

The administrative structure of the city-state Berlin is divided into two: central and borough (district, in German Bezirke). There are twelve boroughs in Berlin, and borough administration consists of the district assembly (Berlin.de Startseite n.d.). In tandem with the structure of the House of Representatives, districts elect their district assemblies that include district officials, district counselors, and the Mayor (Gluns, Wilhelms, and Münster 2018). Therefore, each borough is also a municipality. They are accountable for implementing the activities and do not have a legal instrument. They are generally responsible for district-level issues such as schools and green areas (Berlin.de Startseite n.d.).

As to the institutional rules of Berlin, one of the categorizations of the institutional framework, Berlin acts in accordance with the standards and principles in its Constitution, which was adopted in 1995 and ratified within the same year. *Section I* – Fundamental Rights of the Constitution explicitly stresses that Berlin is also a part of the EU and Berlin strongly embraces the values and principles

and guarantees the involvement of cities and regions in the decision-making process of the EU (Berlin.de Startseite n.d.). Additionally, Berlin accepts the Basic Law for the Federal Government of Germany in its Constitution, which starts with the protection of human dignity (Federal Ministry of Justice n.d.)

The institutional rule of Berlin complies with the pre-determined principles and policies in the Berlin Strategy 2030. The Berlin Strategy 2030 is the Berlin Senate's planning framework for the city's integrated development. It sets out policies for how Berlin will develop and coordinate the actions of the municipal authorities. A vital issue is Citizen Participation in urban planning (Senate Department for Urban Development and Environment n.d.). The second principle enshrined in the Integration Strategy of Berlin emphasizes the importance of diversity in public administration. This strategy is part of the legislation of the region and is binding (OECD 2020). In line with these policies, Berlin aims to incorporate the municipalities to take joint action for the same purpose. Regarding the vision of Berlin, being more creative in the area of sport and art constitutes the main frame of the city. Besides, the city aspires to provide an environment where diverse people reside. More specifically, the city defines itself as inclusive by embracing different cultures and regions, which is also highly associated with the city's previous experiences.

3.1.b. The Structural Conditions in Berlin

In the framework offered by Schammann et al. (2021), structural conditions are argued to have a significant influence on migration policymaking. Accordingly, these conditions encompass the city's urbanization level, socio-economic conditions,

the number of local populations, and newly arrived people. Additionally, the migration experience of the city is essential in the structural condition of the city because cities with migration backgrounds tend to develop local policies (Schammann et al. 2021).

As an initial point, Berlin is the largest municipality in Germany (Thöne and Bullerjahn 2020). Following the pandemic, the population of Berlin, the capital city of Germany, reached 3,7 million people, with almost 700,000 foreigners from 170 nations. The newborn population with the Turkish, Polish, and Syrian nationalities constitutes the first three nationalities among the foreign population (Berlin Partner Business Location Center 2021). As to the financial wealth of Berlin in 2021, its gross domestic product is more than 160 billion euros (Berlin Partner Business Location Center n.d.). For 2022 and 2023, the city's budget is around 38,7 billion euros and 37,9 billion euros, respectively. Approximately 650 million euros each year is allocated for the integration of refugees into the society (Berlin.de 2022).

As the capital of Germany, Berlin remains a city that has been a destination for migrants throughout its history (be.Berlin n.d.). In the 17th and 18th centuries, Berlin hosted the French Huguenots fleeing from France and the immigrants from East Prussia. In the 20th century, after the end of World War II and the division of the city into East and West Berlin, two types of immigration policies were implemented. While the policy of the East was based on the control of immigration, the West initiated programs named 'guest-workers' as a response to the decreasing labor force (OECD 2018).

In the context of migration, Berlin did not have a specific immigration program for the needs of particular groups until the 2000s, when they started to

receive more attention. It would not be wrong to divide the stages of Berlin's immigration policies in the 20th century into two parts before 1981 and after 1981, a year of elections whereby the Social Democrats lost, and the Christian Democratic Union (CDU) came to power. In the 1970s, immigration was already an issue for Berlin because many immigrants and asylum seekers arrived in the city to reunite with their family members, which led to socio-economic problems like housing, unemployment, and inter-group conflicts like racism and segregation (Vermeulen and Stotijn 2010). Following the 1981 election, the CDU, which would rule the city until the 2000s, brought a new understanding to Berlin by establishing the Commissioner for Foreigners (Ausländerbeauftragte), in order to enhance the absorption of other cultures into the host society (Lanz 2013). In other words, the need for developing policies for immigrants in Berlin has become a representative act of the Senate. Starting with the foundation of the new Commissioner for Foreigners, there has been a shift in focus from restrictive to integrative approaches through the initiatives of Barbara John, who was the founder of the Ausländerbeauftragte. In particular, this new institution in Berlin has highlighted that the campaigns and direct financial support to immigrants from the funding organizations have led to the rise of naturalization (Vermeulen and Stotijn 2010). At the beginning of the 1980s, the Federal Government introduced a program that was mainly about providing financial support to immigrants' countries of origin so that they return to their countries, but it could not reach its expected results. By the end of the 1980s, there had been significant changes in Berlin's population with the fall of the Berlin Wall. With the reunification of the West and East Germany on 3 October 1990, Berlin has become a unified city again after almost four decades (Merkel 2016). Consequently, a large

number of migrants from Eastern Europe and former Yugoslavia arrived in Berlin. In 1992, the number of people seeking asylum in Germany was more than 400,000 people, which was the highest volume of applications until that time (Borkert and Bosswick 2007). Although there was a large influx to Berlin, there were not dramatic changes in Berlin's policy towards immigrants. Even before the end of the Cold War, when Berlin was in a difficult situation due to high inflation and unemployment rate, the Mayor of West Berlin, Eberhard Diepgen, described Berlin “as a cultural metropolis resulting from diversity, and immigrants, and a city that could compete with developed cities such as Paris and London” (Lanz 2013, 213).

Compared to the 1980s, with the 1990s, migration became a highly discussed topic that the country dealt with even before the issue of unemployment (Koopmans 1999). The Federal Government changed the law “Act on Foreigners” of 1965 in 1990, which represents a crucial point in Germany’s immigration policies regarding bringing new procedures on family reunion and marital issues to clarify the legal status of foreigners (Gesley 2017). It was addressed that Germany would no longer follow the liberal policies and be an immigration country that issues residence permits for each foreigner (Deutscher Bundestag 1990). The changes in the law offered foreigners a legal basis to be admitted to the country. In this respect, foreigners aged between 16-23 years with at least eight years of residence permit and those above 23 years with a minimum of 15 years can apply for citizenship (Anil 2005). In 1993, further regulations came into force to regulate asylum applications. In line with them, the number of requests for asylum applications declined due to the legal reforms stipulating that the asylum applications of people from other EU countries and countries of origin seen as safe are no longer accepted. The previous provisions

provided the foreign people with a wide range of services, including financial support; therefore, people's intense tendency to go to Germany sharply decreased with the new reforms (Stritzky 2009).

Since the 1990s, Berlin has been interacting with the EU due to the signature of the Maastricht Treaty of 1992, which also constitutes the basis of the regulations of Germany's 1992 Asylum Compromise. *Article 8* of the Treaty brings the term 'Europeanisation', and the concept of European Citizenship, which offers the citizens of the member states the right to work, live and move within the Union freely (Official Journal of the European Communities 1992). In 2000, some changes were made to the Citizenship Act of Germany, with the shift to the *ius soli* principle stating that children born in Germany will be granted German citizenship regardless of their parent's citizenship if one of the parents legally resides in Germany for at least eight years. Furthermore, the absence of eligible laborers in Germany brought a new immigration debate to Germany (Gesley 2017). To regulate immigration and enhance economic growth, Germany introduced the Green Card in the summer of 2000, based on the qualification criteria, especially for recruiting people with computer professionalism. Shortly after the initiation of the Green Card, an independent commission that the German government established for the development of immigration policies suggested a points-based system for the acceptance of foreigners following Germany's socio-economic condition each year (Ratzmann and Bauer 2020). On the other hand, the 9/11 attacks against the United States of America led to a decrease in the positive perception towards immigrants due to the security concerns and the depiction of immigrants as a threat to national identity (Teçmen 2020). Later, in 2005, Germany introduced its first act regarding immigration to

prevent the large influx of foreigners. It specifically emphasized skilled labor and international students who may receive residence permits. The Immigration Act of 2005 brings the conditions based upon the learning level of the German language and culture for the successful completion of the integration (Stritzky 2009). It also includes a critical assessment of why refugees flee their country. Accordingly, Germany declared that it would accept the international protection request of people who are exposed to violence by actors except for the state and who are exposed to gender-based violence (Teloecken and Colville 2004). Nevertheless, it is essential to note that Germany's legal reforms and regulations that came into force in the 1990s can be highly seen as restrictive measures to control immigration and it attempts to attract mainly technically skilled foreigners. However, following the changes in national legislation in the 2000s, Germany's shift to more liberal policies has led the municipalities to gain more autonomy to develop their policies (Graauw and Vermeulen 2016). At that point, Berlin differed from the other Lands, because it utilized these liberal policy changes and officially prepared migration policies to enhance the involvement of immigrants in the local government (Graauw and Vermeulen 2016). In the first decade of the 2000s, Berlin's Senate introduced two integration policies in 2005 and 2010. The first is 'Integrationskonzept,' which is about diversity and cohesion and is based on a multicultural approach. It focused on specific socio-economic, cultural, and legal areas for integration. In 2010, the Senate approached the issue from a legal-political perspective. It enforced the law entitled "Participation- und Integrationsgesetz", which is mainly about the regulations of integration policies, prevention of organizational discrimination, and promotion of equality. Given these two policies, Berlin has provided migrants an opportunity to

express themselves freely and thus contributed to the integration process (Dekker et al. 2015).

In August 2015, the Chancellor of Germany, Angela Merkel, announced they would open their borders to those fleeing their country of origin. In 2015, the number of people who applied for asylum in Germany was around 1 million, at the time nearly 80,000 of whom were transferred to the capital city of Berlin (Rentsch 2016). Procedurally, these asylum seekers had been transferred to sixteen states in Germany, in line with the so-called “Königsteiner Schlüssel” allocation system based on the Land's taxation revenue and population (Soederberg 2018). During the refugee crisis, the Federal Government played an important role in tackling the crisis and acted together with the federal states by setting a commission to deal with the large-scale displacement (Global Compact on Refugees n.d.). Additionally, there was also a wide range of actors who took part in managing the crisis such as NGOs, volunteers, and private organizations.

Once the refugees enter the country, they are referred to the reception center of the federal state predetermined by the allocation system (Federal Ministry of the Interior and Community n.d.). Even though the Federal Government of Germany decides in which ways refugees are relocated, the services provided to them are determined by the Land (Soederberg 2018). The activities of the federal states were to ensure the arrival of refugees and coordinate their needs, and the above-mentioned local actors supported this process (Global Compact on Refugees n.d.).

Berlin is a federal state with the largest total population and the largest number of immigrants among the 16 states. Based on the allocation system, Berlin has received disproportionately more refugees per square kilometer because it is more

intensively populated. Consequently, Berlin received the highest number of refugees per square kilometers in 2015 (Katz, Noring, and Garrelts 2016). Additionally, despite the allocation system, asylum seekers sometimes also change their registered cities and come to Berlin, which increases the challenges of migration (Council of Europe n.d.). Nevertheless, the number of people applying for asylum also sharply declined after the peak of the crisis. It was around 16,000 in 2016 and dropped to almost 8,000 in 2017. In 2018, nearly 600 people arrived in the city per month (be.Berlin n.d.). In 2019, Berlin changed the name of its foreigners' office to a "welcome office", which is a first throughout Germany and represents Berlin's perception towards the migrants (Kreichauf and Mayer 2021). During 2015 and 2016, Berlin took in more than 5,000 refugee children, which also gave the city a considerable amount of confidence and experience (InfoMigrants 2020).

Regarding the defining factors of local migration policymaking, they identify the capabilities and limitations of cities, but they are not sufficient for policy formulation; therefore, transformative factors, local discourse, and local actors are needed to complement the policymaking process.

3.2. The Transformative Factors of the ISDA Framework and Berlin

As discussed by Schammann et al. (2021), local discourses and local actors as part of transformative factors play an important role in devising policymaking. Even though transforming factors of ISDA starts with the local discourses at first, this thesis will modify the framework and first introduce the actors, then discourse, which play an important role in devising migration policies. Additionally, to provide a clearer understanding in the thesis, I will look at the local actors and local discourse

together. In local migration policymaking, the ISDA framework divides the local actors into two: local elites and street-level bureaucrats. While the governing mayor and the administrative staff constitute the local elite, civil society actors and migrants constitute the street-level bureaucrats. Even though civil society actors are generally regarded as NGOs, activists, volunteers, individual persons are also part of the civil society (UNODC n.d.). The local actors in Berlin will also be depicted in Glyniadaki's figure (2021) in the following part. Besides, local discourse is closely associated with narratives. Discourses can affect how migration and migrants are perceived in the society, and both individual and collective actions can use specific narratives such as humanitarianism (Schammann et al. 2021).

To understand the transformative factors of the ISDA, this part will focus on the local actors by starting from the local elites (mayors and senators), it will look at "street-level bureaucrats" (NGO's, associations; volunteers, activists and migrants as part of grassroots), and their discourse on the admission of unaccompanied minors in refugee camps on the Greek islands. In Berlin's case, volunteers, activists and migrants proactively took part in social movements as grassroots groups, therefore I will look at all three together under the heading of social movements.

3.2.a. Local Elites and Discourses towards UAM in Berlin

Among the local actors in migration policymaking, Schammann et al. (2021) put a special emphasis on local elites, mainly the Mayor as a key actor, saying that if the city has a migration background, mayors are more likely to develop migration policies, therefore they have a great importance. They pursue their goals first through the discourses. Regarding the vulnerable conditions of unaccompanied minors and

their admission from Greece, even before the conditions worsened in the Greek refugee camps due to the pandemic, Berlin's then-Mayor Michael Müller expressed his interest in taking these children in December 2019 and notified what "they would like to host unaccompanied minors and young children on the Greek islands stating that Berlin is a "safe harbor for the people seeking protection" (Wallis 2019). In March 2020, Müller addressed the situations of Greek islands one more time, and stated that "a humanitarian situation happened in Greece within the borders of EU was not acceptable for the human rights of EU, the time is time to act to take the vulnerable children and unaccompanied minors without considering the political concerns" (Marcus 2020). He added within the same speech that; "the Federal Government must allow the cities to take part in this process for the quick response to this situation" (Koegel 2020). In April 2020, then-Governing Mayor Müller, stressed that "Berlin can and wants to help children and young people with youth welfare" hereupon the 10 out of 50 children were about to arrive in Berlin (Koegel 2020). Within this process, Berlin Mayor kept his interest alive on this issue, and questioned the Member States' debate on how many children to take in hereupon the relocation scheme initiated by the EU Commission; He addressed in July 2020 that "it was necessary to evacuate children and unaccompanied minors from the Greek island and the time was not the time to calculate how refugees will be distributed" (Deutsche Welle 2020). Following the devastating fire that hit the Moria Refugee Camp on Lesbos Island, he again emphasized his concern in September 2020, saying that "the news from the refugee camp in Moria, Greece, shocks me deeply. This is a humanitarian catastrophe that no one can turn a blind eye to" and "incomprehensible

why the Federal Government does not make it possible for the cities that have agreed to provide fast and solidarity-based help” (WAZ 2020).

In policymaking, there are also local elites other than the Mayor; administrative staff. In Berlin, in addition to the mayor, senators as the actors of the administrative staff, have also been part of the process by developing a discourse on this issue. In December 2019, when Müller made his first statement, Sandra Scheeres, who was in charge of Senator for Education, Youth, and Family, clearly stated that “the situation of refugee camp is dramatic, the unaccompanied minors are vulnerable to the problems there” (Wallis 2019). In March 2020, she reiterated her express, saying that “Berlin is delighted to offer evacuation of unaccompanied minors from the camps that witnessed very touching scenes” (Koegel 2020). She also emphasized Berlin increased its capacity for provision of services and told “Berlin accumulated a vast amount of know-how in the accommodation and care of the unaccompanied minors, this provides us a very strong grounding” (InfoMigrants 2020). Her counterpart, Senator for Social Affairs, Gender Equality, Integration, Diversity and Anti-Discrimination, underlined that “Berlin is looking forward to taking the people who are in need, Berlin has the adequate place to receive them, human rights are inseparable” (Koegel 2020). Likewise, Berlin Senator for Justice, Dirk Behrendt underlined the situation on the Greek islands in June 2020, with his interview with the Tagesspiegel that, “Berlin is willing to take 1,500 refugees from the island, it is humanitarian responsibility” (Meisner 2020). Within the same month, Berlin Senator for Interior, Andreas Geisel stressed that “inhumane conditions in Moria Camp and agreement with the Federal Government for the humanitarian admission program is urgent” (Meisner 2020). Immediately after the fire in Moria Camp in September

2020, Berlin's Interior Senator Andreas Geisel, visited the Athens to clearly understand what happened in Moria and what can be done, he stated "cities and municipalities would like to help more" while criticizing the respective governments' statement to receive a maximum of 150 refugees from the island, these numbers were "disgraceful". Following the fire in Moria, Integration Senator, Elke Breitenbach stated that Berlin has currently more than 1,600 places, "so there are enough places in Berlin for the people from Moria" (Morgenpost 2020).

At the discourses developed by the mayor and senators, some words are particularly emphasized, when politicians expressed the situation of children on the island, they used the particular narratives such as humanitarian, vulnerable, human rights, inhumane, catastrophe. However, when they criticized the actions of both the Federal Government and other EU Member States, more sarcastic words they used such as disgraceful and blindness.

The Mayor and the Senate of Berlin have also supported the social movements through their reactions and discourse. Berlin has been a supporter of SeeBrücke social movement based on the Italy boat tragedy in 2018, and a pioneer in the Alliance to make cities and municipalities Safe Harbours. In September 2018, as a response to Italy's rejection of refugees in June 2018 and the ensuing tragedy of entrapment of women and children on board (The New York Times 2018), a movement named SeeBrücke was established (Sea Bridge) (SeeBruecke n.d.), which proposed cities to become safe harbors for the refugees as a reaction to the states' reluctance towards accepting refugees. As a matter of fact, the SeeBrücke was a movement by grassroots activists, and with this movement, the goals of the pro-refugee mobilization turned into a more formal framework and adopted by cities. At first, the city-states, Berlin,

Hamburg and Bremen, acted together and announced their joint letter saying that “City-states must be safe harbors”. Although not as strong as in Berlin, the Hamburg Senate also issued a statement, saying that “it became imperative to take action, we do not want people to lose their lives at sea, but there are situations that we cannot change as cities” (TAZ n.d.). In this joint declaration, Berlin was the first to signed it in September 2018. Hereupon, a significant number of German municipalities exhibited their eagerness to receive unaccompanied minors and set out the “Sichere Häfen” (Safe Harbors) (InfoMigrants 2020). Acting independently from the Federal Government, they declared that they would like to receive more vulnerable refugees than they are expected to. Once willing, each city and municipality can quickly join the Safe Harbors through their city councils by meeting one of the eight requirements under the six main subjects which comprise emphasizing solidarity, receiving people seeking protection, promoting sea rescue, guaranteeing people's arrival and stay, creating a network, and sharing all the actions officially (Seebruecke n.d.). In June 2018, Berlin’s Mayor, Michael Müller, made an explanation regarding the rescue ship that stuck on the Mediterranean that “Berlin is ready to help these people who require protection and safety, and the Federal Government must end this crisis” (Peter 2018). In December 2018, Berlin's Senator for the Interior, Andreas Geisel, stated that “rescuing the people at sea is our humanitarian responsibility, therefore Federal Minister of Interior must quickly find a solution for the people who are in need of help” (Senatsverwaltung für Inneres und Sport 2019).

In June 2019, the “Cities of Safe Harbors Alliance” was established by 13 cities, Detmold, Freiburg, Flensburg, Greifswald, Heidelberg, Hildesheim, Kiel, Krefeld, Marburg, Potsdam, Rostock and Rottenburg, under the leadership of the

Governing Mayor of Berlin. There are also smaller municipalities that took part in this Alliance such as Brilon in Sauerland or the district of North Friesland (Dernbach 2019). The main purpose of this Alliance was to bring cities and municipalities together who expressed their commitment to the SeeBrücke (Party of European Socialist Group 2021). In the opening speech, Berlin's Governing Mayor, Michael Müller clearly stated that "something needs to be changed, because it doesn't work anymore" (Dernbach 2019). This declaration clearly emphasized that there has been a growing need to offer help to people who require protection and it criticized the work of the Federal Government and its Federal Interior Minister for abstaining from taking action in this matter. They requested a change of attitude, demanding an additional quota for the rescued people (Die Städte Sicherer Häfen 2019). This alliance aimed to gather up the municipalities and communities to make themselves heard for the admission of the people who have been rescued and presented at the overcrowded refugee camps. Currently, members of the alliance have reached up to 123 (Potsdam n.d.). The Alliance's cities regularly meet to share knowledge and work on how to implement the migration policies based on solidarity with the enforcement coming from "below" (Seebruecke n.d.). The SeeBrücke and the Cities of Safe Harbors Alliance have great importance because their principles play a decisive role in Berlin's policymaking, which will be addressed in the following sections.

3.2.b. Street-Level Bureaucrats and Discourses towards UAM in Berlin

As offered by Schammann et al. (2021), street-level bureaucrats include civil society actors and migrants. Among the civil society actors, this thesis will look at

the NGOs, associations and social movements, activists, volunteers, and migrants as part of the grassroots in Berlin and then and their discourse.

In Berlin, the Berlin Network for Refugees (BNS), which was founded by seven non-governmental organizations named AWO Kreisverband Berlin-Mitte e.V, BZSL, KommMit-BBZ, KuB, Schwulenberatung Berlin, Xenion, Zentrum ÜBERLEBEN in 2008, play an important role in identifying the vulnerable refugees and providing them with the protection and services (Berliner Netzwerk für Besonders Schutzbeduerftige Gefluechtete Menschen n.d.). Among these aforementioned NGOs, AWO specializes in counseling refugees, and the BZSL closely works with refugees with medical conditions and disability. While minors and unaccompanied minors establish the target group of KommMit-BBZ, KUB's target is single women and single-mother parents. Schwulenberatung Berlin is involved in the specific needs of LGBTI+ people. Berlin Xenion and Zentrum ÜBERLEBEN provide counseling to people exposed to trauma and severe violence (Berliner Netzwerk für Besonders Schutzbeduerftige Gefluechtete Menschen n.d.). Among these NGOs, Dietrich F. Koch from the Xenion, stated that “we are ready to help the unaccompanied minors with many guardians, we learned many lessons from the 2015 crisis, refugees taught us solidarity and humanity” (RAV 2020).

Furthermore, there is also an NGO, named Equal Rights Beyond Borders, that has been functioning in two main offices in Athens and Berlin, and two field offices in Kos and Chios islands (Equal Rights Beyond Borders n.d.). Their team consists of a group of people from different occupational backgrounds, mainly lawyers and interpreters (Equal Rights Beyond Border n.d.). The main purpose of the organization is to enforce the rights of asylum seekers and legally counsel them according to their

risks including detention and struggle against the inhumane conditions of Greek islands (Equal Rights Beyond Borders n.d.). Regarding the vulnerable situation of the unaccompanied minors and the need for their transfer to appropriate places, Robert Nestler, Director of Equal Rights Beyond Borders, told in January 2019 that “there are more than 2,000 unaccompanied minors in Greek hotspots, and more than 5,000 throughout Greece, some of whom have relatives in Germany, therefore Federal Government has to fulfill responsibility!”. He, in response to the Federal Government’ rejection, added that “unfortunately, it becomes a matter of political will whether minors can be rescued from these disastrous conditions” (Flüchtlingsrat 2019). The policy-response of the Equal Rights Beyond Border to the vulnerable conditions of unaccompanied minors on Samos Island will be addressed in the next part of the thesis which locates Berlin’s policymaking in the MLG framework.

Moreover, associations are part of the civil society organizations. One of the most important and largest organizations working for unaccompanied minors is the Association for Unaccompanied Minors Refugees (BumF) in nearly every federal state. It has been working to provide the necessary support to unaccompanied minors for more than two decades since 1998 (BumF n.d.). As to the vulnerable conditions of unaccompanied minors on Greek islands, BumF played an important role in underlining the situation of these children in this process. Nerea Gonzalez, from BumF addressed the urgency of the plight of the situation in July 2019 saying that “large number of unaccompanied minors are seeking ways to avoid the crisis in Greece by themselves, and they are under the risk of being exposed to violence” (InfoMigrants 2019).

In Berlin, Republican Lawyers Association (RAV) is an association which was founded in 1979 by the lawyers and defines itself as a part of civil rights movements and it particularly focuses on the equal rights and immigration law (RAV n.d.). Regarding the vulnerable conditions of refugees in Greek refugee camps, Peer Stolle, who is one of the directors of RAV, told that “solidarity has of great importance in crisis time, and as lawyers, requesting and defending access to human rights is necessary” (RAV 2020).

Furthermore, the Berlin-based association, Refugee Law Clinic (RLC), which is a voluntarily established association by the law students from the Humboldt University, also played a significant role in revealing the process related to the conditions of the children by taking legal actions. This association aims to provide legal counseling without any charge for refugees both in Berlin and Samos island in Greece. Through the support of Berlin, they both had a chance of working on the Samos Island and advocated the legal rights of vulnerable refugee groups (Refugee Law Clinic Berlin n.d.). Philipp Schönberger and Franziska Schmidt, who are the coordinators of RLC Berlin on Samos, said that “local government is the starting point for the refugee policies, because cities and municipalities fill the gap in refugee protection, there is an emergency situation in the Mediterranean” (Dernbach 2019). These remarks show the multilevel interaction of local actors which will be elaborated further as the thesis applies the MLG framework to Berlin.

Additionally, welfare associations have become a part of this process. One of the welfare associations is The Paritätische Wohlfahrtsverband, Parity Welfare Association, which gathers independent, and non-profit organizations together and works for promotion of human rights with its thousands of employees by respecting

to diversity (Der Paritätische Berlin n.d.). The general manager of the Parity Welfare Association, Ulrich Schneider stated that “what is happening in Greece is a human rights violation committed by EU and Germany and we do not accept this violation, Germany's announcement that it will only take 50 children months later is not a human courtesy” (RAV 2020).

In migration policymaking, activists, volunteers and migrants as part of grassroots groups within social movements are local actors. Although these actors may not have a direct impact on policymaking, they are still important for creating public pressure and raising awareness and alerting the authorities to act through discourses and narratives. When the refugee crisis hit Europe, thousands of people joined in pro-refugee rallies to express their solidarity on the World Refugee Day in June 2015, and chanted “refugees are welcomed” (France24 2015). After the death of three years old Alan Kurdi as a result of the boat tragedy (Smith 2015), protestors gathered in Berlin streets with their banners saying “Save Syrian Children” and “Berlin Sees Syria” (The Times of Israel 2015).

In 2018, a grassroots organization “AlarmPhone”, which consists of volunteers actively involved in three regions: the Aegean Sea, the Central Mediterranean Sea, and the West Mediterranean Sea, argued that “nobody has to travel at risk, so safe and open harbors are necessary” (AlarmPhone 2018). This organization was initiated in 2014 by activists, and they created a call line in their first project for the refugees who are in need of at sea. Activists work in Tunis, Palermo, Tangier, Cadiz, Marseille, Strasbourg, London, Vienna, Zurich, Berlin, Geneva and Izmir (AlarmPhone n.d.). Another related movement mentioned before is SeeBrück, which is a grassroots movement, established in 2018 in response to Europe’s isolation

policies (SeeBruecke n.d.). They mobilized across Germany (Bauder 2021). In July 2019, thousands of people gathered in Berlin streets for the SeeBrücke demonstrations, after a refugee boat overturned off the coast of Tunisia and more than 70 people lost their lives. One of the protestors said that “still more than 60 people are waiting to be taken on the rescue ship named “Alan Kurdi” and we request Germany to receive all these people” (BerlinerZeitung 2019).

Similar to those periods, two weeks after the fire that hit the Moria Camp, thousands of local people spilled out into the Berlin streets and protested the Federal Government’s unwillingness to accept more refugee children, saying that “there’s enough place for everyone”. They argued that the Federal Government should not prevent the states’ and municipalities’ action to receive these children (InfoMigrants 2020). During the protests in Berlin, the large number of people joined the protestors as to the admission of unaccompanied minors on the Greek islands. One of the protestors who is also an activist in the Safe Harbor, stated that “we have space” to take the refugees from the Greek camps (France24 2020). Similarly, Alina Lyapina who is an activist and campaigner, from the Safe Harbor Initiative, stressed the inaction of the German government and demanded the Federal Government to allow German cities to receive the people who are in need from the Greek island (EuropeMustAct 2020).

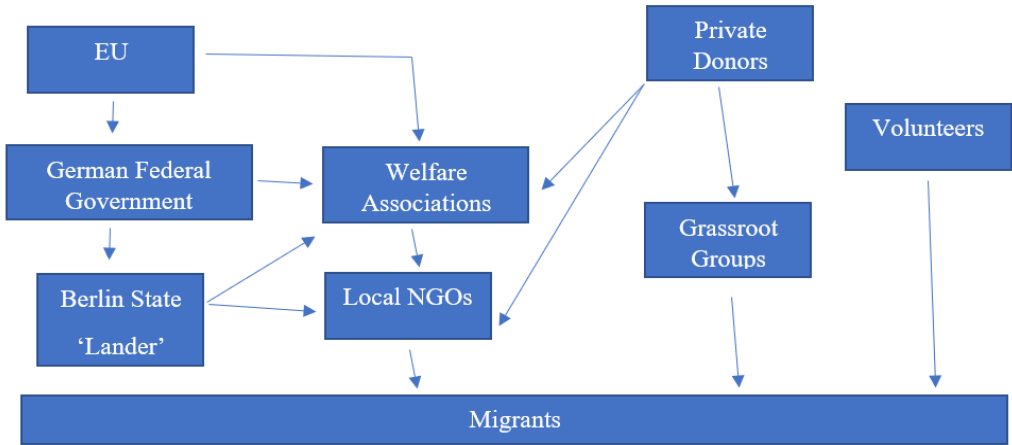
In terms of local actors, it is also crucial to underline the roles of migrants themselves, even though most of the time these roles go unnoticed or underestimated (Glyniadaki 2021). For instance, one of the demonstrators joining the rallies in Berlin was Tima Kurdi, the aunt of Alan Kurdi, who was a little boy and lost his life as a

result of the boat tragedy in September 2015, when he and his family attempted to cross the border to arrive in Europe (Smith 2015). Tima Kurdi told that

I decided to speak up and speak for those who can't speak for themselves... If I can't save my own family, then let's save the others. We can't close our eyes and turn our backs and walk away from them. People are people, no matter where we come from (TrtWorld 2020).

At that point, it might be important to consider that discourses of local elites can also appear as a factor to push the discourses of street-level bureaucrats including migrants. In other words, discourses from above may affect the actions of the local. All in all, the ISDA framework offered by Schammann et al. (2021), helps setting the scene and introducing the factors that have various influences on local migration policymaking. How these factors translate into policy towards unaccompanied minors and how actors and discourses respond to the vulnerable conditions of children will be explored in the MLG framework.

Figure 3.1. Stream of Migration Governance in Berlin (Glyniadaki 2021)¹



3.3. Exploring the MLG: Berlin’s Policymaking Towards UAM

The purpose of this part of the thesis is to locate Berlin in the MLG and assess how ISDA factors impact on Berlin’s policymaking. With regard to Berlin’s policies, the thesis uses the MLG framework to address the local turn in migration, which structured on vertical and horizontal dimension. This section first elaborates the vertical interaction of Berlin with the EU and the Federal Government of Germany and then examines the horizontal interaction of Berlin with other municipalities, NGOs, associations and the grassroots actors. Additionally, this section briefly looks at the interaction of Berlin with the IOs such as UNHCR, which is not addressed within the framework of the MLG.

¹ This thesis uses this Figure demonstrating the local actors in migration management in Berlin in relation to the Multi-Level Governance (MLG). Although the figure mentions the private donors, this thesis will not include it.

3.3.a. Exploring the MLG: Vertical Interaction of Berlin in Policymaking

Taking the figure above as a basis, the EU and Federal German Government are the actors that Berlin has vertically engaged. MLG also gives the similar interaction for the local authorities in a vertical manner; upward to the national and supranational level. By referring to the both MLG and the figure, this part of the thesis will look at the vertical interaction of Berlin with EU legal norms to understand how Berlin's policies are in line with EU norms, and then look at the vertical interaction of Berlin with its Federal Government regarding the Berlin's policy towards admission of unaccompanied minors and briefly mention the interaction with the UN.

3.3.a.i. Berlin and The Legal Norms and Instruments of the EU

Applying to the European Court of Human Rights (ECtHR) and using the legal norms represent the examples of the vertical interaction of Berlin with the EU. In this case, Berlin turned its face to the broadly defined human rights instruments, mainly European Convention on Human Rights (ECHR) and United Nations Convention on the Rights of the Children (UNCRC), and the EU Reception Directive.

As introduced in 3.2.a., the Governing Mayor plays a key role in policymaking, and Michael Müller firstly announced his interest in receiving the unaccompanied minors from the Greek islands. On 6 December 2019, the Governing Mayor of Berlin announced via Twitter that “they are willing to take the unaccompanied minors from the Greek islands, as they are particularly vulnerable and in need of urgent support”. It was the aid organizations that revealed the inhumane conditions of the camps on islands and called for action (Berliner Zeitung 2019). At the end of December 2019, the European Court of Human Rights (ECtHR)

took measures for the five unaccompanied minors on the Samos island in Greece, who waited for the completion of their asylum procedures for a long time. The Court stressed that *Article 3* of the Convention was violated, therefore immediate action was necessary. Accordingly, this article explicitly states that “no one shall be subjected to torture or to inhuman or degrading treatment or punishment” (ECHR n.d., 7). Moreover, *Article 37* of the UN Convention on the Rights of the Child (UNCRC) which is about the inhuman treatment and detention stresses that children should not be exposed to mistreatment and detention of the child must be the last option (United Nations General Assembly 1989). This court judgement is in line with Berlin's earlier statement.

The degrading conditions of the unaccompanied minors on the Greek islands such as not accessing health services, education and even hygiene in the Covid-19 completely contradicts the fundamental rights of children. As a matter of fact, there is no EU member state which is not a signatory of the UNCRC. Indeed, it was the principles of the UNCRC that have inspired the legal basis of the EU's actions to guarantee children's rights in the context of migration (European Migration Network 2010). UNCRC is the first to focus exclusively on children without a companion. This Convention with its 54 articles addresses what actors need to do to make sure children's rights are guaranteed (UNICEF n.d.). It starts with the definition of the child and asserts that a child is a person under 18 years of age. The Convention continues with the essential principles which also pave the way for other rights of the children (Child Rights International Framework n.d.) These principles are non-discrimination, child's best interest, the right to life, survival, development, and the right to be heard. *Article 2*, *Article 3*, *Article 6* and *Article 12* respectively lay down

these principles. Accordingly, *Article 2* is about the state's role and responsibility to ensure every child's rights, irrespective of age, gender, and race. *Article 3* embraces the principle of best interest, which obliges the signatories to take appropriate protective actions in the child's best interest. *Article 6* of the convention is about the child's right to life and right to development and points out that each signatory is bound to take these rights into serious consideration. *Article 12* is about freedom of expression; in this respect, signatory states are obliged to create an environment where the child voices his/her opinion without any fear. Furthermore, this Convention makes a direct reference to the refugee children who have been separated from their parents in *Article 22* by saying that these children require special protection and care (United Nations General Assembly 1989). Additionally, the EU's Charter of Fundamental Rights mainly focuses on six issues: "dignity, freedom, equality, solidarity, citizen's rights, and justice" (European Commission n.d.). Among the 54 articles of the Charter, two of them, *Article 24* and *Article 18*, are directly based on the right to asylum of children. *Article 24* of the Charter accepts the inherent vulnerability of the children that comes from his/her immaturity and embraces the principle of the child's best interest, therefore obliging the states to provide children with the necessary protection (Official Journal of the European Union 2012).

Moreover, *Article 21* of the EU Reception Directive clearly states who are the vulnerable refugees; children with a companion and without a companion, pregnant women, elder persons... and expects EU Member States to comply with, and particular attention is necessary for unaccompanied minors as a vulnerable group (Official Journal of the European Union 2013). The city-state Berlin accepts both accompanied and unaccompanied children, older people, disabled people, people

with a medical condition, and the victims of human trafficking as vulnerable which is also indicated in the 2013/33/EU Directive in its Comprehensive Program (be.Berlin n.d.). Given the principles of UNCRC and the articles of EU Reception Directive, Berlin has been more progressive than the Federal Government in obeying the legal instruments as to the vulnerable conditions of unaccompanied minors.

Regarding the detention of unaccompanied minors, *Article 11 (3)* of the Reception Directive of CEAS, explicitly states that the unaccompanied minor cannot be imprisoned except under extraordinary circumstances (Official Journal of the European Union 2013). While Germany exceptionally applies this to some cases if it deems it necessary regardless of the age of the children, Berlin has the specific provisions and does not allow unaccompanied minors below 16 years old to be detained regardless of any circumstances (Müller 2014). Taking all these into account, it can be said that despite the legally-binding instruments such as UNCRC, ECHR and EU's legal instruments that EU Members shall all obey, regulation and its practice are different. In this respect, Berlin's policy-response to the tragedy in Greek islands was compliant with the principles of the EU norms, but challenged the policies of the EU and the Member States.

On the other hand, even though Berlin did not directly apply to the ECtHR for vulnerable refugees, the Governing Mayor and the Senators of the Berlin Senate set the stage for the application of voluntary associations such as the RLC Berlin to ECtHR for appropriate measures (Disruption Network Lab 2020). As provided by Schammann et al. (2021), the legal team of RLC represented the "volunteers" in local actors. This team had a chance of working on Samos Island and advocated the legal rights of vulnerable refugee groups. As to its specific policies, the RLC Berlin applied

to ECtHR for measures to be taken on behalf of a pregnant woman suffering from inhumane treatment on the island and the ECtHR granted the interim measure in November 2019 (I Have Rights 2019). In April 2020, ECtHR for the first time issued a decision for the transfer of the pregnant woman from the island to an appropriate place (Refugee Law Clinic Berlin 2020). Since 2018 when they started the project, they provided the refugees with legal counseling and submitted sixty requests to the European Court of Human Rights for immediate action (Decarli 2021). The legal team of RLC Berlin expressed their gratitude to Berlin in a panel for providing them with an opportunity (Disruption Network Lab 2020).

Similar to the RLC Berlin, Equal Rights Beyond Borders works through projects and looks for legal remedies and submits the requests to ECtHR in cases where there is a violation of rights, on behalf of the people with specific needs (Equal Rights Beyond Borders n.d.). For instance, the ECtHR finalized the decision saying that the Greek authorities must register the applicant as an unaccompanied child and then place him in an appropriate place (Equal Rights Beyond Borders 2019). The legal actions of both RLC Berlin and Equal Rights Beyond Borders demonstrate that in some cases, local actors, volunteer team association and the NGOs in this case, directly interacted with ECtHR by bypassing the other local actors, which is a strong example of the vertical interaction from subnational to the supranational level.

3.3.a.ii. Berlin and the Federal Government

Regarding the vulnerable unaccompanied minors in the camp and Berlin's demand for receiving these children in December 2019, which represents the first discourse of Berlin as to the admission of children. Berlin vertically interacted with

the German Federal Government and even objected to the government's decision which prevented Berlin from taking the children. The German government rejected the demand of the Greek authorities for the transfer of unaccompanied children, stating that further solution is needed is needed at the EU level (Merkur.de 2019). After the outbreak of the global pandemic and some sort of EU pressure through the EU Commission Relocation Scheme for the transfer of children to the EU Member States (European Commission 2020), Germany accepted only 47 children from the camps in April 2020 and 8 of whom arrived in Berlin in May (InfoMigrants 2020). In April 2020, Berlin Interior Minister, as a local actor, sent a letter saying that receiving 50 unaccompanied minors will not ease the situation in Greece, and requesting the evacuation of more vulnerable refugees through the enlargement of admission and resettlement programs under the approval of the Federal Government, with the emphasis and hope that Germany can do more. Geisel also stressed in his letter that initiation of the emergency program will also be a clear signal to Europe for solidarity (Berlin.de 2020). Senator for Interior through his letter, gave a message to both the EU and the Federal Government. Regarding the discourses of local elites; Governing Mayor and Senators, this letter is a written version of previously established discourses on this subject.

In fact, the request of Berlin for the evacuation of the children from the camp was closely associated with the Federal Government's Humanitarian Admission Program (HAP) used this program to bring Syrian refugees between 2013 and 2015 to generate a solution for the rapid admission of refugees with vulnerabilities in crises (Caritas n.d.). In addition to the Federal Government, all German Länders became a part of HAP, which enabled additional humanitarian pathways for receiving

vulnerable refugees with reference to the 23(I) of the Residence Act. Even though all the Länders were part of this program at the beginning, now only Berlin and Brandenburg are left (Cousins 2018). As understood from Berlin's position, Berlin is willing to remain in the HAP in accordance with its goals.

However, Berlin's letter to the Federal Government received no response from the Government. Then, Berlin vertically interacted with the Federal Government but it was ignored. Therefore, Berlin exerted its own agency and prepared its own admission program to receive 300 vulnerable refugees by addressing the legal ways to make this transfer from Greek islands and submitted it to the Federal Minister in May 2020 (Matthias and Starzmann 2020). However, the Interior Minister did not accept it and added that the decisions of the Länder should conform with the plans of the Federal Government. Because of this rejection, Berlin appealed to justice in order to make it clear that the response of the Federal Ministry was contrary to law at the end of 2020 (Kluth, Heuser and Junghans 2021) with reference to Germany's Residence Act of *Section 22* and *Section 23 (I)* (Baumgärtel and Pett 2022).

Section 22 is mainly about the acceptance of foreigners out of the country and stipulates that under urgent situations, foreigners can be provided with a residence permit in accordance with international law if the Interior Minister of the Federal Government or its assigned body agrees upon it. *Section 23 (I)* of the Land, on the other hand, is about the jurisdiction of Länders for the admission of people fleeing from their country. It underlines that the Land authority may issue a residence permit for foreigners or a specific group of foreigners for humanitarian reasons but it is necessary to take the interests of the Federal Government into consideration and get acceptance from the Federal Ministry of Interior (Federal Ministry of Justice 2008).

It can be inferred that the admission of unaccompanied minors from the Greek islands turned into tension between Berlin and the Federal Interior Minister, and the lawsuit of Berlin against its Federal Government demonstrates its legal commitment and concern for the vulnerable unaccompanied minors. While Berlin put its effort by referring to the Residence Act, the federal German government retained its authority over Berlin. Although Berlin initially tried to resolve the situation on an executive basis, the matter was eventually referred to the judiciary. The reason behind the reference of Berlin to the Residence Act through the HAP may be a strategy to press the Federal Government for further and immediate action. From a different perspective, Berlin strategy can be argued to be striving for more autonomy by benefiting from the crisis on the Greek islands.

At the interaction of Berlin with the EU and Federal Government in a vertical manner, the vertical relationship with the EU emerges through legal norms and institutions and its interaction with the Federal Government emerges through the HAP. Berlin is less conflictual in its vertical interaction with the EU than with its Federal Government. The conflict with the Federal Government, which is a part of the institutional framework of Berlin, as a defining factor of the ISDA framework appeared as both enabling and limiting factors. Berlin tried to act autonomously as a city state and part of Germany's federal structure which can be inferred from the Mayor's and Senator's discourses underlining Berlin's willingness to receive these children and preparing its own admission program. But Berlin is also stuck in the limits of its institutional framework, as the Federal Government prevailed over Berlin's authority.

3.3.a.iii. Berlin and the UN Agency

Although not mentioned in the MLG, local authorities, mainly cities, are also engaged with the UN Agency in their local policymaking. Berlin's Interior Senate Andreas Geisel visited Athens in September 2020, immediately after the fire and held a meeting with the UNHCR to understand the recent developments clearly and look for the ways for the admission of refugees (Morgenpost 2020). Within the same period, an official from UNHCR appreciated Berlin's request to receive additional refugees from Greek islands but interrogated why Germany had chosen to accept only those already granted protection status in Greece (NewsGhana 2020).

3.3.b. Exploring the MLG: Horizontal Interaction of Berlin in Policymaking

Berlin's interaction was not merely confined to vertical actors. In devising its policy response, it also relied on horizontal interaction simultaneously. By referring to the MLG in migration governance, Berlin is horizontally engaged with Municipalities under the Safe Harbor Initiative and with the local NGOs, associations and grassroots actors such as volunteers, which also represents the subtitles of this section about the horizontal interaction of Berlin.

3.3.b.i. Berlin and the Cities and Municipalities across Germany under SeeBrücke

As discussed in Part 3.2.a., since 2018 Berlin and other cities and municipalities have closely interacted with each other regarding the targets of Safe Harbors such as reception of people seeking protection, emphasizing solidarity and supporting their arrival and stay (SeeBrücke n.d.). Although Berlin's willingness to take unaccompanied minors and other vulnerable refugee groups came about at the

end of 2019, the principles of Safe Harbors initiated by SeeBrücke movement form the basis for this. A number of German municipalities came together and demonstrated their intentions to receive unaccompanied minors and set out the ‘Safe Harbors’ initiative consisting of 140 German towns and cities (Witting 2020). Berlin continued to interact with the SeeBrücke movement in the following periods. As Berlin did not receive the acceptance from the Federal Interior Minister as to the admission of unaccompanied minors, it horizontally interacted with the SeeBrücke to assess whether filing a lawsuit would be appropriate or not and received an affirmative answer both due to the approaching winter and pandemic conditions (May 2020). The SeeBrücke Movement and Equal Rights Beyond Borders welcomed the decision made by the Berlin Senate. “It is reasonable for Berlin to apply to court for the humanitarian admission of refugees who are in need of protection, 200 municipalities and other Lands wanted to take up this issue” said SeeBrücke federal spokesman Johannes Gaevert (Zeit Online 2020). Berlin's initiation of this chain has also started a volunteer movement in municipalities within Safe Harbors, which demonstrates both strong horizontal interaction and cooperation in decision-making.

3.3.b.ii. Berlin and the NGOs

As mentioned by previous Governing Mayor of Berlin, Michael Müller, it was the aid organizations working on Greek islands that have drawn attention to the importance of the situation in the refugee camps (Berliner Zeitung 2019). However, among these organizations, some are based in Berlin. These Berlin-based associations and organizations also played an important role in revealing the process related to the conditions of the children.

Before the announcement of Berlin regarding the admission of unaccompanied minors, one of the Berlin-based NGOs, Equal Rights Beyond Borders prepared a report in July 2019 on the conditions of unaccompanied minors (Nestler, Pertsch, and Vogt 2019). Three months later, when the Interior Minister of the Federal Government, Horst Seehofer, visited Greece. Equal Rights Beyond Borders and the Federal Association of Unaccompanied Minor Refugees (BumF) attempted to alert Horst Seehofer, Interior Minister of the Federal Government, regarding the admission of unaccompanied minors. Together with the 19 NGOs working in Greece and Berlin including themselves, they sent an open letter to the Federal Government for a rapid action by attaching the report and expressed that additional humanitarian programs are needed. They addressed that the vulnerable situation of the unaccompanied minors on the island contradicted the UNCRC's best interest principle and Charter of Fundamental Rights of the EU (BumF 2019). However, they could not receive an answer from the Federal Government. Hereupon, apart from these 19 NGOs, the Berlin-based 19 NGOs this time sent an open letter to Berlin and requested Berlin "to accept the admission of unaccompanied minors of at least hundred young refugees" (ILMR 2019) and it was Berlin who heeded their call. This was Berlin's horizontal interaction with the NGOs operating in Berlin.

The period when the conditions on the Greek islands worsened due to the Covid-19 pandemic which consequently deepened the vulnerability of the children, more than 40 NGOs in Berlin came together and signed a joint action letter on the 21st April 2020 about the admission of these children, urging that fast state reception program should be implemented in the shortest time, as they also stated their readiness to assist this process through collaboration with the Greek organizations

(Bbzberlin 2020). The letter was addressed to the Governing Mayor, Interior Senator and parliamentary groups in the House of Representative (Schleiermacher 2020). Berlin and NGOs functioning in Berlin, horizontally interacted with each other. The NGOs strongly supported the political decisions of Berlin regarding the admission of unaccompanied minors. Both Berlin and the NGOs demanded from the Federal Government the extension of the scope of humanitarian assistance programs. Therefore, it would not be wrong to say that Berlin received the support from NGOs that it could not get from the Federal Government and used this support to influence the decisions of the Federal Government.

Berlin's horizontal interaction with Berlin-based NGOs vis-a-vis vulnerable refugees in Berlin, specifically pushed for identifying vulnerability with the inclusion of all administrative bodies such as Berlin Integration and Migration Senate Commissioner, and Senate Department for Labour, Social Affairs, Gender Equality, Integration, Diversity and Anti-Discrimination (Zentrum Überleben n.d.). They received the reports of what has been done practically, submitted by the Berlin Network for Refugees (BNS) (Kluth, Heuser, and Junghans 2021). In other words, Berlin has worked to incorporate the NGO efforts into its administrative policies, acted like a bridge between the NGOs and the Senators for the vulnerability assessment, and follow-up the identification process. Even though the German Federal Government and Federal Office for Migration and Refugees (BAMF) attempted to initiate a concept for identifying vulnerability in 2015, it was not operationalized (Mouzourakis, Pollet, and Fierens 2020). It was Berlin who succeeded in doing so. Some federal states like Berlin have their own special regulations and only Berlin can be said to be making legal reparation (Kluth, Heuser,

and Junghans 2021). The cooperation between the NGOs in BNS and the Berlin Senate is quite important because the protection of vulnerable refugee groups can only be ensured through the cooperation of political figures and service providers, therefore Berlin and UNHCR has funded the BNS through different projects (Zentrum Überleben n.d.). With regard to this, Berlin appears more progressive than its Federal Government in identifying vulnerability and caring for vulnerable refugee groups as a result of its horizontal interaction with BNS. This demonstrates that Berlin strongly interacts with the NGOs in a horizontal manner.

3.3.b.iii. Berlin and the Associations

Berlin also horizontally interacted with Associations but it is not to the same extent of its interactions with the Municipalities and the NGOs. In this context, Berlin's interaction with the Republican Lawyers Association (RAV) can be cited. In 2020, the RAV wrote an Info Letter, which focused on the vulnerable situations of refugees in Greece by signaling the violation of human rights and severe impacts on the Covid-19 pandemic in the refugee camps. Therefore, they emphasized the growing need for urgently taking the vulnerable refugees from Greece, saying that humanitarian admission programs needed to be supported more, rather than blocked. They criticized the Federal Government for taking 50 unaccompanied minors, "a small drop in the ocean", and called the Berlin Senate and other European States to promptly evacuate the refugees (Lehnert and Nestler 2020).

3.3.b.iv. Berlin and Social Movements (Grassroots Actors)

Even though “SeeBrücke” and its main idea of “path to the Safe Harbors” has become an alliance among the German municipalities, cities and Lands, this movement was initiated by the individuals at first. Therefore, it’s a movement from “below”. As mentioned in 3.2.b., SeeBrücke was born as a result of the efforts of grassroots. In October 2019, SeeBrücke movement recommended the municipalities to advocate the arrival of refugees and follow more components of the Safe Harbor, including the expansion of humanitarian admission programs and being active at the national and EU level for these components (SeeBrücke 2019). At the local level, SeeBrücke horizontally interacted with municipalities and larger cities like Berlin by collaborating with them to counter the policies of the Federal Government (Bauder 2021). As a result of these efforts, Berlin has also been involved in “Safe Harbors” initiative and signed the joint declaration in September 2018 (Witting 2020), as the first signatory among other local actors, and as the first federal state to declare it (Baumgärtel and Pett 2022). Even though the thesis searched for examples of an interaction between the migrants and the Berlin Senate, it was not available at the time of the writing, thus not exemplified.

3.4. The Practical Assessment of the Current Status of Vulnerable Refugees and Berlin’s Policies towards UAM

Looking at the numbers, there were more than 5,500 unaccompanied minors in Greece, in 3 years only 1,600 children came to Europe, 204 of whom came to Germany (IOM n.d.). However, it is not clear how many of these 204 unaccompanied minors came to Berlin, which is a limitation of this thesis due to a lack of data. This

relocation scheme accepted by the EU member states officially ended in March 2023, leaving many questions behind, the situation of the remaining 4,000 unaccompanied minors on the islands is unknown. In these three years, the unaccompanied minors on the island have grown up and turned 18, and they are no longer unaccompanied and no longer children; thus, one day they are seen as vulnerable children, the next day they can become a threat to the society. As the unaccompanied minors are mostly boys, their new “young refugee men” status is publicly regarded as a threat due to a number of issues including terrorism and the conflicts in their countries of origin in relation to their masculinity (Herz 2019).

When it comes to Berlin, Berlin could not take as many children from the island as it wanted. Nevertheless, it would be beneficial to understand what Berlin provides for vulnerable refugees, mainly the unaccompanied children in Berlin. As far as the conditions of unaccompanied minors in Berlin are concerned, the KommMit-BBZ is responsible for providing these children with legal rights ranging from asylum procedures to age determination and access to services, including accommodation and education (BBZ n.d.). Regarding their access to compulsory education, Berlin acts differently from other Lands for it allows children’s enrollment in school immediately after their application for asylum, as Berlin does not follow up the time limitation observed in other Lands such as Bavaria, Thuringia, and Baden-Württemberg. Additionally, Berlin also differs from other examples in terms of the vital vocational training benefits for job opportunities in the future. Berlin’s age limitation to be enrolled in vocational school is 21, whereas in general, the maximum age is 18 and 19 in German Länders (Tangermann and Hoffmeyer-Zlotnik 2018).

Regarding Berlin's policy implementation towards vulnerable refugees, since June 2021, the request for asylum applications in Berlin has been approximately 2,000 and the reception centers of the city have reached their maximum capacity (European Union Agency for Fundamental Rights 2022). According to *Section 47* of the Asylum Act, asylum seekers have to stay at the reception center until the decision of the asylum application. However, *Section 49* of the Act stipulates that this residential obligation may end for reasons based on public order, and asylum seekers may be released depending on it (Federal Ministry of Justice 2016). As a response to the capacity problem in the reception center, only the city of Berlin allows the asylum-seekers whose asylum applications have not been completed to rent a private apartment as of January 2023, by referring to *Section 49* of the Asylum Act (Berlin.de 2023).

Furthermore, due to overcrowdedness in the reception center, Berlin initiated a project for the accommodation needs of the former unaccompanied minors who turned 18 years old in 2021. The Senator for Education, Youth, and Family named, Katharina Günther-Wünsch told that they put a special emphasis on the reception and care services for unaccompanied minors, so they plan to establish new places as an indicator of Berlin's welcoming culture where these children feel comfortable and reach services after the experiences in their country of origin (Berlin.de 2023). In this respect, it would not be wrong to underline that Berlin's policy implementation regarding unaccompanied minors differs from the other Lands in Germany, since it can be considered as a child-friendly and right-based approach. In terms of providing services, including education and accommodation, and acting under the principles enshrined in the EU Directives, Berlin is a city that obeys the rules and takes

necessary actions so that the vulnerable groups, unaccompanied minors in particular, enjoy their rights in their destination place.

It would be important to note that Berlin implements effective policies not only for the unaccompanied minors but also for the LGBTI+ refugees. In 2016, the Berlin Senate established an accommodation place only for LGBTI+ people, which carries the feature of being a first in Germany, because the Senate accepts them as a vulnerable group with specific protection needs (be.Berlin 2015). This action of Berlin can be closely associated with the “Berlin Model”, that is, a reception and integration strategy that aims to focus on the vulnerabilities of the people seeking asylum in Berlin by taking their migration experiences and psychological situations arising from these experiences into account (Eurocities 2022). According to the factsheet of the Berlin State Office for Equal Treatment and against Discrimination, refugees who have same-sex relationships are exposed to discrimination and violence, despite society’s welcoming attitude in general. Therefore, Berlin initiated the plan named “Acceptance of Sexual and Gender Diversity”, so LGBTI+ refugees can easily access counseling regarding their accommodation needs, psychological and medical needs, and group activities focusing on empowerment (Senate Department for Labour, Integration 2016).

On the other hand, the situation on the Greek islands has not changed for the better. In this time, the number of unaccompanied minors in Greece continued to increase as a result of the Taliban takeover of Afghanistan and there have been more than 2,000 unaccompanied minors (InfoMigrants 2023). The Greek Deputy Migration Minister addressed that “Greece alone cannot cope with the responsibility for all unaccompanied minors” (APNews 2023). Thus, a new and similar challenge

has emerged without managing the “older crisis”. It turns out that this issue is likely to remain on Europe's agenda in the future with different crises.

3.5. The Conceptual Assessment of Berlin’s Policies Towards the UAM from the MLG and ISDA Framework

This chapter analyzed how the MLG and ISDA frameworks interact in Berlin’s policy response toward the vulnerable refugee groups, particularly the UAM. There are a number of conclusions and patterns resulting from the horizontal and vertical interactions of Berlin. As to the horizontal interaction, I observe that Berlin exerted strong agency and its horizontal interaction with other municipalities, NGOs, and grassroot actors produced more tangible outcomes in terms of addressing the specific needs of vulnerable groups, establishing viable discourse and narratives, receiving the reports of the NGOs and establishing widespread networking with other NGOs, and providing funding to the NGOs for monitoring, identification and the care of vulnerable refugee groups. Berlin’s horizontal interaction with the SeeBrücke is especially important because Berlin has been the first to sign the “Cities of Safe Harbors Alliance”, which targets to receive people, mainly the unaccompanied minors, from overcrowded refugee camps. There has been a strong connection between Berlin’s diverging pro-UAM policy from the Federal Government to take these children and the SeeBrücke movement (Baumgärtel and Pett 2022).

As to the vertical interaction of Berlin, Berlin sought a humanitarian response within the framework of EU's legal norms and instruments, EU Directives as well as the German Constitution, and it conducted successful advocacy through the NGOs’ application to ECtHR. However, Berlin had conflict with the Federal Government in

relation to the enlargement of HAP for the admission of unaccompanied minors. It took the matter from executive to judiciary within the Federal framework of Germany. Rarely, Berlin succeeded in affecting the view of the Federal Government officials such as the case of the Federal Minister of Economic Cooperation and Development, Gerd Müller following the fire in Moria. Müller stated that “Germany should take this fire as a humanity signal” and added that Germany should accept the offer of states for the admission of refugees” (WAZ 2020). Although Berlin was able to affect the Federal Government after the fire at the Moria camp, this was more at the discursive level, since it was still not authorized to take the children through the admission programs at the end of the day. The limitation of the Institutional Framework as offered by ISDA, revealed itself in the latest case of the Federal Administrative Court’s decision in March 2022. The Court decided that the state admission programs were under the approval of the Federal Government, and found the Federal Ministry of Interior’s rejection of Berlin's request for an extension of the state admission program legitimate (Rath 2022). Thus, Berlin’s attempts to take UAM were rejected by both the Federal Government and the Federal Court supporting the Federal Government’s decision. This exemplifies that one of the defining parameters of ISDA Framework (the Institutional Framework) posed a constraint to Berlin’s agency. Although Berlin tried to exercise power derived from its decentralized political structure and autonomy, the Federal Government prevailed over Berlin at the end of the day. Consequently, Berlin both horizontally and vertically interacted with actors at different levels while policymaking but it didn't always achieve its goals despite the relative success of the transformative factors, proposed by the ISDA framework.

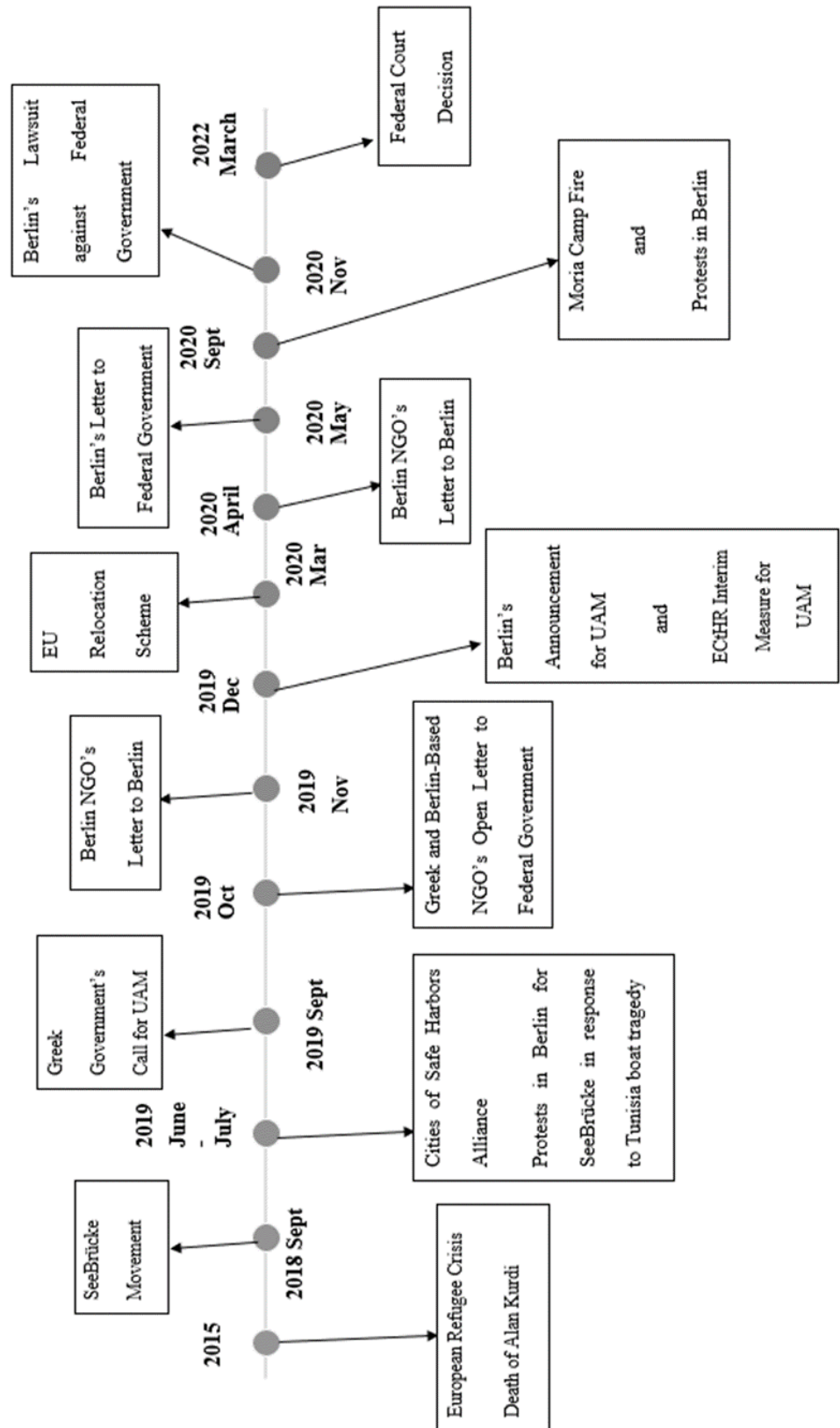
As a matter of fact, the Federal Government's previous position contradicted its stance towards Berlin's request over UAM; as in 2019, the Federal Ministry of Interior approved the state admission program for persecuted Iraqi Yazidis to Brandenburg and Baden-Württemberg (Bathke 2019). Furthermore, Berlin also learned a lesson from the rejection of the Federal Administrative Court, as suggested by the Berlin Court which argued that if all German states wanted to be responsible for their own admission programs, this might have resulted in making a change in the Federal Government's position (Rath 2022). This suggestion was recently put into practice as all 16 German States requested the Federal Ministry of Interior to initiate the Afghan refugee program to allow the individual states for the evacuation of Afghans who are in need of help (InfoMigrants 2021).

Back to the ISDA framework to draw conclusions from the case study of Berlin, it is seen that although local discourse and local actors are coherent and proactive, they are not sufficiently transformative. This is due to the fact that these discourses developed by local elites are mostly based on values. For discourses to be transformative, they also need to be interest-based despite the limitations imposed by institutional framework. As a matter of fact, the local discourse of Berlin's local elites towards the relocation of unaccompanied minors can be much more acceptable compared to the discourse toward the adult people, especially men. Because of the inherent vulnerability of the children resulting from immaturity, age, and being more open to risks and dangers, developing a welcoming discourse towards the children can be easier to justify the request for relocation. Additionally, it is understood that the intensity of the discourse gradually increased following the Covid-19 global pandemic and the Moria Camp fire, which obviously worsened the vulnerability of

the unaccompanied minors on the island and strengthened the humanitarian reaction to the crisis. However, after Berlin sued the Federal Government in November 2020, the discourse on this issue has started to diminish because this matter has been brought to the judiciary and the 2021 German federal elections were approaching. At the time, the discourse and attention were partly replaced by what was being done about the children that were already in Berlin or arriving in Berlin as a result of the Relocation Scheme distributing the unaccompanied minors among the Länders. In this context, in total 16 unaccompanied minors arrived in Berlin between April and October 2020. Berlin Senator for Education, Youth and Family, Sandra Scheeres, stated that “They are now receiving socio-pedagogical care in a youth welfare center and Berlin puts its best efforts to help them, and I am assuming that we will soon be able to help other children and young people” (Berlin.de Startseite 2020).

The Institutional Framework, which is one of the defining factors of the ISDA initially seemed to be an advantage because it gives autonomy to Berlin, however, as discussed in the vertical interaction and the limits of actors and discourse above, it turned into a disadvantage, since Berlin was stuck on the issue of state sovereignty vis-a-vis the Federal Government even if it is a city state. Considering the local turn in migration, Berlin still has to coexist with mainstream actors in IR such as state authority be it national or federal; borders still matter. But this study has also proved that the role of cities has increased and cities are important actors in shaping and devising migration policies.

Figure 3.2. Key Events Affecting Berlin's Policy towards UAM





CHAPTER IV

CONCLUSION

The primary purpose of this thesis was to investigate how cities become an actor in migration governance and develop policies for vulnerable refugee groups, especially unaccompanied minors. The starting point of the thesis was the 2015 European Refugee Crisis and the death of Alan Kurdi. Even though Europe witnessed this tragedy since September 2015, the situation of vulnerable children trying to cross to Europe did not fare any better and those who reached Europe were abandoned to their fate on the Greek islands, who were mainly the unaccompanied minors. The vulnerability of unaccompanied minors was exacerbated in 2019 and onwards due to the Covid-19 pandemic. At that point, apart from the EU and Member states, Berlin appeared as an outstanding city that developed a policy for relocating these children from the islands for protection and care. Thus, this thesis focused on Berlin's policymaking towards unaccompanied minors and sought to investigate how Berlin has developed a policy toward unaccompanied minors in the refugee camps in Greece.

In parallel with the rise of many displaced people, the term “vulnerability” has become a buzzword in the context of forced migration due to the significant increase in the risks they face as well as their needs. At that point, the notion of vulnerability was examined by addressing the different forms of vulnerability and factors that make unaccompanied minors vulnerable and why unaccompanied minors

are particularly vulnerable in the migration process. Even though there have been many studies on cities in migration and unaccompanied minors, few studies focused on the city and unaccompanied minors. While the studies on the city-migration nexus focus on the *policy implementation* of the cities, the studies regarding unaccompanied minors mostly pay attention to these children's mental health, education and integration process. Therefore, this thesis combined the local turn in migration and unaccompanied minors as vulnerable groups. As there is almost no study that looks at the *policy development* of cities in the cases of unaccompanied minors, this study aims to fill in the gap in the extant literature and offer a contribution.

This thesis aimed to point out that cities reemerged as significant actors in global affairs ranging from global climate change, the Covid-19 pandemic to migration. The rising role of cities in global affairs is closely associated with globalization, urbanization, and decentralization, which enabled cities to take a stronger position at both local and global levels. Especially after the refugee crisis that hit Europe in 2015, the importance of the role of cities has become more visible because global migration is not an issue that nation-states can deal with alone and it requires the involvement of different actors.

The research question of this thesis arises at the intersection of these two issues: how do cities develop policies toward vulnerable refugee groups, mainly unaccompanied minors. In response to that, this thesis uses Zapata-Barrero, Caponio, and Scholten (2017)'s MLG framework in the context of local turn in migration, which provides a useful conceptual framework to understand the interactions of cities in policymaking. The MLG clarifies how and with which actors cities engage horizontally and vertically and for what objectives. Cities (in the European context)

interact with the nation-states and the EU at the vertical level and with civil society actors and other cities at the horizontal level. Although the MLG framework helps to understand the cities' interaction with different actors in the scope of the local turn in migration, it does not explain how cities formulate migration policy. In this respect, this thesis utilizes the ISDA framework offered by Schammann et al. (2021) to understand the key factors affecting local policymaking, which are categorized under two headings. While the *defining factors* correspond to the Institutional Framework and Structural Condition, *transformative factors* refer to the Local Discourse and Local Actors in this framework. Looking at the defining factors, the Institutional Framework is related to the political structure and the degree of autonomy as well as institutional rules. Structural Condition is concerned with the urbanity level, socio-economic conditions, size and population of the city as well as immigration background. Considering transformative factors, local actors, local elites, and street-level bureaucrats such as civil society organizations and even migrants, play an essential role in local migration policymaking through their policy discourses and narratives on a particular topic.

This study utilized the process-tracing method to uncover the causal mechanism between Berlin's policy towards unaccompanied minors and key factors enabling the development of local migration policy in the MLG in a time frame from 2015 which represents the starting point of the European Refugee Crisis to March 2022 which indicates the final decision of internal crisis between Berlin and Federal Government arising from the fact that Berlin wanted to take the unaccompanied minors on the Greek islands and Federal Government rejected to approve it. While tracking this process for the Berlin case, this thesis benefited from the legal

instruments of the EU, press-release, and official publications as primary sources, and existing literature on vulnerable refugee groups and migration governance as secondary sources. The thesis also utilized the local (German) newspapers to grasp the discourse and stances of the local actors.

As to the analysis of Berlin as a case study, Berlin appeared as an outstanding city for policy development on the unaccompanied Greek islands. When the ISDA and MLG frameworks are blended and applied to Berlin, I investigated the key factors affecting local migration policymaking at the first stage. Then I analyzed the impacts of transformative factors (Local Actors and Local Discourse) on Berlin's interaction in the MLG framework. Similar to the argument of Schammann et al. (2021), the institutional framework played a restrictive role in Berlin's policymaking towards UAM, but it also enabled Berlin to develop a local migration policy even if Berlin did not reach its political goals at the end of the day. Since the beginning of the process, Berlin vertically interacted with its Federal Government and requested that cities should also be able to bring in vulnerable refugees through humanitarian admission programs (HAP) by referring to the related articles of the German Residence Act. As a result of the refusal, Berlin vertically challenged the Federal Government and filed a lawsuit, which indicates Berlin's legal commitment. Therefore, the thesis found out that the Institutional Framework for Berlin worked in two ways throughout the process: both enabling and restricting.

As opposed to the argument of Schammann et al. (2021) that NGOs are not as influential as local elite actors, the analysis showed that the NGOs in Berlin had a significant impact on Berlin's policy, because both before and after Berlin's first announcement in December 2019, they addressed the urgency of the vulnerable

conditions of the unaccompanied minors on the Greek islands and brought the situation to the attention of Berlin. Berlin received open letters from the NGOs several times for the admission of unaccompanied minors between November 2019 and April 2020. More specifically, Berlin horizontally interacted with the actors such as human rights organizations (Equal Rights Beyond Berlin) and association (Refugee Law Clinic Berlin) based in Greece, which themselves vertically engaged with the ECtHR to take appropriate measures for the vulnerable refugee groups in the refugee camps. In this way, Berlin challenged the EU and EU Member States for not complying with the legally binding conventions such as UNCRC and EU legal instruments, including the Charter of Fundamental Rights of the EU and EU Directives.

In this process, Berlin's horizontal interaction with the SeeBrücke also played an important role in understanding Berlin's policy towards unaccompanied minors. In accordance with the “guaranteeing people's arrival and stay”, “emphasizing solidarity” and “receiving vulnerable people, especially unaccompanied minors from the overcrowded refugee camps”, which constitute the principles of “SeeBrücke”, Berlin as a first signatory of SeeBrücke movements' Sicherer Hafen (Safe Harbors) Initiative, arguably wanted to prove what a “Safe Harbor” is and how committed Berlin was to these principles (Baumgärtel and Pett 2022) through its interactions and discourses.

Additionally, even though Schammann et al. (2021) argue in their study that the impact of Structural Condition on local migration policymaking is not clear, in the migration experience of Berlin, its Structural Condition stands out more clearly. Because during 2015 and 2016, Berlin received thousands of refugee children which granted Berlin a considerable amount of self-confidence, as mentioned by Berlin's

Senator and the NGOs. In parallel with Schammann et al. (2021)'s argument as to the positive relationship between particular narratives and local migration policymaking, both local elites and street-level bureaucrats as part of Local Actors addressed the urgency of the situation used particular narratives which centered around the key terms of "humanitarian", "catastrophe", "inhumane", and "the need for doing more". Although there have been strong discourses on values, the transformative impact of these moves remained rather limited because they have not been sufficiently based on interests. Local elites have mostly developed a discourse on values and highlighted humanitarian concerns while pursuing their interests, and this is one of the reasons why the transformative factors Schammann et al. (2021) mentioned have not brought change. These transformative factors rarely affected the Federal Government's officials and the process shows us that Local Discourses of the Local Actors were not transformative enough to bring about the desired change that is Berlin's call for taking in more unaccompanied minors from the islands.

At the last stage of process tracing, the Federal Court of Germany rejected Berlin's efforts to take unaccompanied minors from the refugee camps in the Greek islands. Even though Berlin attempted to exercise its power stemming from its autonomy in the political structure for the admission of children through legal ways, the Federal Government outweighed Berlin. However, this judgement did not lead to Berlin changing its position on this issue, on the contrary, it enabled Berlin to draw a new road map by learning a lesson from the rejection of the Court that if all the Länder had acted together, the outcome might have been different.

All in all, this process ended with the resettlement of 1,600 children to the EU Member States in three years. In these three years, some children turned 18 and fell

out of the definition of unaccompanied minors and even began to be perceived as a “threat” to the society as an adult male. While there have been more than 5,500 unaccompanied minors on the Greek islands, it is unclear what the situation is for the thousands of children who remain. Additionally, with the Taliban taking over Afghanistan and unaccompanied minors fleeing the country and crossing the Greece border, a new challenge has emerged while the old one has not yet been fully managed. It seems that this issue will continue to be on Europe's agenda with different crises in the future.

This study through its analysis of Berlin proved that there has been a local turn in migration, mainly in formulating policies rather than mere implementation of these policies. If we are to assess the success of the process and outcomes, at the end of the day, even though Berlin ran a successful process in its policies to take children, it has not been successful in terms of the outcome. Despite Berlin’s status as a city-state with well-defined organizational rules and procedures, high GDP, and immigration background as well as the hard-to-resist moral appeal of receiving vulnerable and unaccompanied minors, Berlin did not succeed in taking these children without the approval of the Federal Government. Even though Berlin vertically and horizontally engaged with actors at different levels, Berlin was eventually restricted by the MLG through its vertical interaction with the Federal Government institutions. However, Berlin’s policies towards unaccompanied minors can still be regarded as a steppingstone for a longer process, in which cities can be more successful in producing and implementing future policies for vulnerable groups.

The thesis aimed to contribute to the literature by focusing on the intersection of forced migration, cities, and vulnerability, especially the vulnerability of

unaccompanied minors. Even though it only focused on Berlin, future studies can apply the conceptual framework of this study to different cases and may see similar or different patterns for comparison or they can also approach the issue from the EU's or nation-states' perspectives. Further studies may also discuss the power-maximization dynamics of cities vis-a-vis state or supra-state levels besides the humanitarian concerns of their migration policy. In other words, future research may focus on "why" cities get engaged with migration and devise policies, and discuss how they instrumentalize this issue area for further political power and leverage. This study rather focused on "how" they act in the MLG framework while engaging with the challenges of forced migration.

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APPENDIX

2015: European Refugee Crisis

2015 September: Death of Alan Kurdi

2018 September: Starting of SeeBrücke Movement

2018 September: Berlin's Declaration for Safe Harbor

2019 January: Discourse of Equal Rights Beyond Borders (NGO) as to the
Conditions of Greek Islands

2019 June: Foundation of Cities of Safe Harbors Alliance

2019 July: Discourse of BumF (Association) for the conditions of UAM on
Greek islands

2019 July: Protests in Berlin for SeeBrücke after sinking of the boat off the
Coast of Tunisia

2019 September: Greek Government's Call for UAM the Relocation of
Unaccompanied Minors

2019 October: Greek and Berlin-Based NGO's Open Letter to Federal Government of Germany

2019 November: Berlin NGO's Open Letter to Berlin

2019 December: First Discourse of Berlin's then Mayor and Senator for Education, Youth, and Family for UAM

2019 December: ECtHR Interim Measure for the Unaccompanied Minors

2020 March: EU Commission Relocation Scheme among Member States

2020 April: NGO's Open Letter to Berlin following Covid-19 Pandemic

2020 April: Discourse of Berlin Network for Refugees (NGO) for the UAM on Greek islands

2020 April: Discourses of Associations (Republican Lawyers Association and Parity Welfare Association) for the UAM on Greek islands

2020 April: Eurocities Open Letter's EU Commission

2020 May: Berlin's Letter to Federal Government for Humanitarian Admission Program

2020 June: Discourse of Berlin Senator for Justice and Senator for Interior as to Berlin's willingness to take UAM

2020 July: Discourse of Berlin's then-Mayor that it is necessary to take UAM from Greece

2020 September: Moria Camp Fire

2020 September: Discourses of Berlin's then-Mayor that Federal Government should agree to admission programs

2020 September: Discourses from Grassroots Actors at Protests in Berlin after Moria Fire for the need for receiving UAM on Greek Islands

2020 September: Berlin Interior Minister's Visit to Athens after Moria Fire and Discourse

2020 November: Berlin's Lawsuit against Federal Government

2022 March: Decision of Federal Administrative Court

2023 March: End of EU Relocation Scheme