

Knowledge and legitimacy in asylum decision-making: the politics of country of origin information

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Article published in: *Citizenship Studies*, vol. 24, nr 5, doi: 10.1080/13621025.2020.1784645
Published online: 24 Jun 2020

van der Kist, Jasper and Damian Rosset (2020). Knowledge and legitimacy in asylum decision-making: the politics of country of origin information, *Citizenship Studies* 24 (5), <https://doi.org/10.1080/13621025.2020.1784645>

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ABSTRACT

State institutions engage in the production of knowledge and representations about the countries of origin of asylum seekers. Building on science and technology studies (STS), critical migration studies and critical citizenship studies, this article analyzes the alignment of government Country of Origin Information (COI) with the public. We examine the different processes through which public legitimacy of asylum knowledge is fostered in three bureaucratic settings. The case studies highlight the variable legitimacy-constructing technologies and practices of *publication* (Norway), *evaluation* (United Kingdom) and *consultation* (European Union) vis-à-vis asylum-relevant information. We demonstrate how this shifting style in the knowledge-based governance of asylum does not consistently enhance legitimacy and stabilization of asylum-relevant information, and can provoke new forms of contestation in this environment of high-stakes policymaking. Finally, we highlight the lack of political subjectivity of asylum seekers to intervene in the production and possibly contest the legitimacy of this information about themselves and their country of origin.

KEYWORDS: Knowledge production, legitimacy, political subjectivity, refugee status determination procedures, science and technology studies

The production and circulation of various types of data and information permeate international migration management (Geiger and Pécoud 2010; Scheel, Ruppert, and Ustek-Spilda 2019). In refugee status determination (RSD), administrative and judicial decision-making is increasingly being informed by various forms of expert knowledge (Lawrance and Ruffer 2015). This includes not only medical (Fassin and d'Halluin. 2005) and linguistic knowledge (Gibb and Good 2014), but also geopolitical knowledge about the asylum seeker's country of origin – what is aptly called 'Country of Origin Information' (COI) (van der Kist, Dijstelbloem, and de Goede. 2019). COI is often extremely relevant for those involved in these procedures – particularly for caseworkers and policy-makers who need to justify their decisions in favor or against the asylum application and not in the least for asylum seekers, for whom this information can have dramatic consequences.

'Asylum seekers inhabit an ambivalent space vis-à-vis citizenship', argues Lucy Mayblin (2016: 194–5), as they are 'neither fully included nor fully excluded from the community of citizens and the rights to which they have access'. This article argues that the same is true for the right of asylum seekers to intervene and contest in how information is being made about themselves and their country of origin. In the past three decades, the production of COI has become a profession and field of expertise in its own right. All over Europe, governments have set up specialized research units to provide this RSD-relevant information. COI units have an important 'legitimizing function' in asylum administrations (Boswell 2009). Endowed with the analytical skill and knowledge to research countries of origin, the COI expertise creates, to use Christina Boswell's (2009, 7) words, 'confidence that [asylum] decisions will be well founded.' But questions concerning the quality of country knowledge, and which expert bodies are best placed to produce it, are regular topics of political disagreement (Thomas 2007, 61). COI units share a field with a myriad of publics and stakeholders that compete and struggle over the authority to produce legitimate facts about asylum and migration. When public trust in the capabilities of national COI units is lacking or undermined, it becomes much harder for governments to claim authority to settle these disputes.

This article asks how the legitimacy of country knowledge production is enacted in the field of asylum. The international development and widespread appeal to quality standards for the relevance, reliability, accuracy and timeliness of COI can be seen as an important achievement in the legitimation of information concerning conditions in countries of origin (Engelmann 2015). But other ways to make country research findings more legitimate in the eyes of publics have also been explored and implemented by governments. We provide an analysis of the technologies and practices of legitimizing RSD-relevant information: the performance of epistemic authority in the production of COI through publication strategies (Norway); review processes by qualified experts in sessions that facilitate deliberation on certified COI reports (United Kingdom); and the organization of consultations to generate public engagement with COI-related issues (European Union [EU]).

Working at the intersection between science and technology studies (STS), migration studies and critical citizenship studies, we will foreground the different modes of fostering legitimacy in the production of certified COI. We argue that the stability of government-produced information is inextricably bound to particular practices and technologies of legitimacy (Jasanoff 1990). By focusing on three bureaucratic sites, we foreground how the problem of the legitimacy of RSD-relevant research is confronted differently. Moreover, we show how these cases do not unflinchingly function as an instrument of public legitimation, but also open up new space for the public to intervene in the production of RSD-relevant information. Lastly, we highlight how these processes *displace* rather than enhance the possibility of asylum seekers to intervene and contest how information about themselves is made – a political subjectivity which Ruppert (2018) conceptualizes as the 'data citizen'.

The arguments in this paper draw on the results of two research projects on COI and the governance of asylum in Europe.¹ The empirical case studies are based on the analysis of a variety of documents and online materials produced by the three administrations under scrutiny (the British and Norwegian COI units and EASO, the European Asylum Support Office), but also several non-state actors involved in the processes we describe. These written materials include COI reports, methodological and procedural guidelines, promotional documents, as well as protocols of meetings. Moreover, we draw from twelve interviews conducted between 2016 and 2019 with relevant actors from public administrations and civil society organizations active in the Norwegian, British and European asylum contexts. Finally, the analysis is informed by field observations, in particular at two consultative forums of the EASO.

Our argument is presented in four parts: The next section establishes a conceptual understanding of the knowledge politics and legitimacy of country knowledge production in the field of asylum. We then offer a three-part discussion of different types of practices and technologies of legitimacy in the production of COI research: *publication*, *evaluation*, and *consultation*. In the conclusion, we summarize our findings and draw some important implications for the study of the relationship between knowledge, governance, and citizenship.

1. Asylum knowledge politics and legitimacy

The production of information about asylum seekers' countries of origin is considered a core competency of asylum administrations as it allegedly justifies a 'fairer' and more 'efficient' asylum system (Gibb and Good 2013). In a high-stakes policy field marked by complexity, uncertainty, and mistrust, COI is deployed to bring elements of quality and objectivity in legal and administrative processes of asylum. By collecting, analyzing, and disseminating information on country conditions, COI analysts perform an expert support function to caseworkers and policymakers who use it to assess claims to international protection and contribute to what has often been denominated as 'evidence-based policy.'

The starting point of this article is to expand and contribute to analyses of the 'knowledge-related material dimension of migration management' (Pelizza 2020, 264). We argue that STS is particularly helpful to approach the performative effects of RSD-relevant information (Scheel, Ruppert, and Ustek-Spilda 2019). It is through the deployment of experts, governmental resources, information infrastructures, intergovernmental partnerships, and standard methods that states control the epistemic and material means to make asylum seekers' countries of origin both visible and actionable. COI units occupy a strategic position as a knowledge broker, whose fidelity lies with the decision-makers they support with relevant and timely information. As one of us described elsewhere (van der Kist, Dijkstra, and de Goede. 2019), these research offices are reminiscent of Latourian 'centers of calculation,' from where expeditions and data collection take place, and where various inscriptions are

¹ Jasper van der Kist. 'Knowing Asylum Seekers: The Chain of Country of Origin Information,' (PhD diss., University of Manchester, 2018–21); Damian Rosset. 'Producing Knowledge and Legitimacy: Country of Origin Information in Asylum Procedures' (PhD diss., University of Neuchâtel, 2014–19). The authors' contributions to this article have been as follows: JVDK contributed most substantially to the article's successive versions, including its overall theoretical framework, and provided the empirical materials for both the British and EU case studies. DR has participated in commenting and revising the article, and contributed empirical materials for the Norwegian and EU cases.

being combined to build authoritative visions of the world of conflict and persecution that can be called upon to make decisions on asylum matters (Latour 1987).

Critics often point to how decision-makers tend to uncritically adopt these certified reports, thus displacing or ignoring the individual voice of asylum seekers in the RSD process (Chimni 2004, 61; Lawrance and Ruffer 2015, 11). The information asymmetries constituted by these knowledge practices, not to mention the ‘national order of things’ that underpins their methodology (Malkki 1995), draws troubling links between today’s knowledge-based practices of asylum governance and those during colonial times (cf. Mitchell 2002). Yet, the inscription of distant territories into COI reports offers no systematic view; for one thing, the production of COI takes place ‘in highly-situated ways, structured by the temporality of unfolding crises, moving in fits and starts which shadow the shifting geography of migration control strategies’ (Walters 2010, 152).

COI units offer no innocent knowledge; to them is delegated substantial authority to define country conditions in asylum administrations. By bracketing off some of the heterogeneity and complexity of the world in (more-or-less) standardized products, COI units facilitate bureaucratic management and control in the highly contested field of asylum and migration. But while these governmental information infrastructures have traditionally been placed outside the purview of public audience, exerting power through authoritative knowledge-making from their confined offices, our respective studies have also noted the work to foster the public legitimacy of country knowledge production. Since the policy-relevant knowledge that COI units produce is highly selective and uneven – all the while migrant lives hang in the balance – civil society demands proliferate to make RSD-relevant information production more transparent, accountable and open to wider participation.

Country research competencies are shared with a myriad of (inter)national stakeholders. Non-governmental organizations, universities, legal representatives, and journalists have the competence and/or resources to test or contest official claims and produce alternative forms of knowledge. The result is a contested regulatory environment where what is considered relevant and accurate country information, or what it means to be a country expert, is routinely challenged. In response to the potential disturbance that these concerns may have on the smooth functioning of RSD, COI units across Europe have been experimenting with new ways to foster the legitimacy of how official country information is generated and used for asylum decision-making.

In the context of contemporary ‘migration management,’ which is entangled in all kinds of complex, conflicting and troubling relations (Eule et al. 2018; Walters 2015), how does this rather expedient knowledge-practice acquire a degree of legitimacy and stability in the public sphere? Through their foundational interest in the ‘public’ dimension of knowledge production, STS offers a productive approach to thinking about how governments foster the legitimacy of official COI (Jasanoff 1990). Steven Shapin’s (1984) historical account of Robert Boyle’s seventeenth-century experiments in pneumatics offers a productive point of departure. Shapin argues that the establishment of experimental matters of fact relied on the *multiplication of witnessing*, which was achieved through practices and technologies of demonstration that could be repeated and travel beyond the confines of a laboratory.

Though we should be careful not to push the analogy too far, we argue that something of the added work of persuasion to project credibility to public audiences has persisted in RSD-relevant knowledge-making. Following work in STS, we argue that the epistemic authority of COI units relies on concrete social-technical practices of legitimation, which should be studied in their own right (Jasanoff 2011). As we will argue below, the reason for this is that they not only alter the conditions of possibility for asylum governance but also perform new kinds of political relations (Lascoumes and Le Galès. 2007).

The production of the legitimacy of RSD-relevant knowledge takes multiple forms and may generate different effects (Jasanoff 2011). Rather than studying its formal procedures or general methods, we mobilize insights from STS to understand the performance of legitimacy ‘through its relation to a range of practices and technologies of government oriented towards the conduct of research’ (Barry and Born 2013). In the sections that follow, we will focus on three different modes in the knowledge-based governance of asylum – *publication* (Norway), *evaluation* (UK), *consultation* (EASO) – and how they differently channel, constrain, define, and enable the production and legitimation of country of origin information (Marres and Lezaun 2011, 490).

The case studies also highlight the limits faced by governments to stabilize country knowledge production by focusing on its multiple and unanticipated effects (Lezaun and Soneryd 2007, 280–2). In contrast to the ‘gentleman’ witnesses called forth by Boyle’s technologies, the public witnesses called forth in each of the case studies in this article are much more unreliable and uncertain (cf. Harvey, Reeves, and Ruppert 2012, 296). While the objectives of public legitimacy may well be functional and strategic – for example, as a conscious attempt to create choreographed forms of engagement to channel public distrust – our case studies show how they can be productive in unforeseen ways as well – for example, by opening up new spaces for citizens to contest asylum-relevant information (Barry 2002).

Finally, while each of the case studies shows specific aspirations or normative commitments (such as transparency, accountability, engagement or participation) in the production of the legitimacy of RSD-relevant information, they also exclude alternative subjectivities. Indeed, the creation of a ‘scientific public’ in Boyle’s time was fraught with inequalities; as Donna Haraway (1997) made clear, it reaffirmed the deeply gendered historical character of modern science. Applied to the field of immigration in dark times (Fassin 2011), our analysis speaks to citizenship studies by attending to the question of how these arrangements oriented towards legitimacy differently constitute, inform and constrain participation in the politics of knowledge.

In an effort to reimagine expert knowledge and the epistemic authority of states in the digital age, Evelyn Ruppert (2018, 21) introduces the figure of the ‘data citizen’ who can claim ‘the right to shape how data is made about them and the populations of which they are being constituted as a part.’ As country knowledge production has become imperative to governing and the allocation of rights and forms of protection, our case studies highlight how asylum seekers are precisely denied avenues for such acts of citizenship (Isin 2008). In fact, the practices and technologies that legitimize RSD-relevant knowledge constitute those directly affected by this knowledge as ‘non-publics’ (Dijstelbloem and Broeders 2015): both *present* as subjects of country research and *absent* by not being able to intervene in how information is being made about them.

2. Norway: publication

The Norwegian COI unit, called Landinfo, is one of the biggest and most reputable in Europe. With almost 30 employees, it routinely produces detailed reports providing information on the situation in a country, as well as more ad-hoc query responses to country-specific questions from caseworkers (Rosset 2019).

In order to preserve the legitimacy of their knowledge claims, Landinfo has engaged in various forms of what Gieryn (1999) calls ‘boundary work’. Though enmeshed in the Norwegian Immigration Directorate, this COI unit is granted autonomy in the production of RSD-relevant knowledge. Its office

is located in a separate building in the center of Oslo, where the experts are independently responsible for the content of the reports. Moreover, Landinfo's official mandate is to provide 'purely factual' information, leaving the RSD-relevant interpretation of its products to the decision-maker. These practices contribute as strategies that *distance* country knowledge claims from the 'vested interests' of the asylum administration (Rosset 2019).

Despite this apparent distance, however, COI units cannot so readily remove its knowledge claims from its context of production. In a politicized process, such as that of asylum, Landinfo will still be seen by the outside world as a part of, rather than apart from, the Norwegian asylum procedure. Add to this the fact that Landinfo experts have the delicate task of assembling complex and uncertain country conditions – a messy practice in which information about distant events is often ambiguous or in short supply, and findings continuously need adjustment as new evidence becomes available. The contestability of country information, by the press or in court, is therefore no exception. And it is in these politicized, uncertain conditions that the Norwegian asylum administrations have an interest in maintaining a stable basis for refugee RSD (Liodden 2019, 257).

It is also in this contested landscape of asylum that Landinfo legitimizes its knowledge claims through practices and technologies of *publication*. By carefully managing its information output, Landinfo makes its research work visible to external audiences and available for public review. Such normative commitments to transparency and accountability are not unique to the Norwegian COI unit, but the institution has been a pioneer and leader in allowing public access to the information that informs asylum decisions, making its reports available online since 2006 (Pettersen 2006). These practices follow the 'equality of arms' principle, according to which appellants against administrative decisions should have access to all relevant information on which decisions regarding their case were based.

Landinfo and the experts that work here are very proficient in 'the presentation of the self' (Goffmann 1959; cf. Rosset and Achermann 2019). For one, the website *landinfo.no* is an important technology that produces 'steady and reliable information and communication between decision-makers and stakeholders' (Held and Koenig-Archibugi 2005, 3). Available in both Norwegian and English, the website contains a database which, at the time of writing, grants access to more than 950 Landinfo reports on 89 countries. Among the publications are thematic reports and query responses, which can be downloaded in PDF format. The Landinfo website also includes a section on 'COI practices' that promotes forms of ethical conduct to the outside world. Besides listing international methodologies and guidelines, the webpage outlines Landinfo's own best practices of source and information analysis, research and processing COI, and communicating in a transparent way. For instance, it states that:

Source and information analysis is an important tool in our work, and we have developed guidelines on how we process sources and the information they provide. The guidelines draw on, among others, relevant literature originating from the fields of history and journalism, the Common EU Guidelines for processing Country of Origin Information and ACCORD Training Manual for Researching Country of Origin Information.

The systematic communication on methodology and adherence to internationally established guidelines and training shows how the legitimacy of Landinfo's practices is performed in its institutional practices of transparency. Furthermore, the website includes a list of all the country analysts' names and biographies – elaborating on their expert credentials to produce this type of knowledge. Finally, the digital platform publishes detailed annual reports, numbers of COI generated, a list of (training) events, conducted fact-finding missions, as well as a description of methodological developments. All these

elements participate in the performance of competence, authority and objectivity in the production of COI.

The COI reports themselves, which are available on the website, carry the cultural authority of science. Appropriating rhetorical devices from science, Landinfo persuades audiences through the mobilization of support from other texts (Latour 1987). It draws credibility from establishing links with authoritative experts or well-known human rights organizations, mutually reinforcing a network of reassurances about the credibility of elements in the report. Moreover, reports convey a striking impartial tone. It works in the linguistic register of what Gilbert and Mulkay (1984) have termed as ‘empiricist repertoire,’ which ‘conveys the impression of simply allowing the evidence to speak for itself’ (Hilgartner 2000, 51; cf. Gibb and Good 2013, 322). Reports also contain a disclaimer that recalls the autonomy of the COI unit as well as its adherence to existing quality criteria and the absence of legal interpretation within the published information.

In brief, Landinfo has developed elaborate literary technologies for dealing with the problem of *self-presentation*. It presents its findings through ‘carefully orchestrated performances, in which certainty and reliability command the action on the *frontstage*, while doubt and uncertainty, even if privately acknowledged, are relegated to the relative obscurity of the *backstage*’ (Jasanoff 2011, 311; Hilgartner 2000, 7). As Marilyn Strathern (2000) noted, transparency inevitably draws boundaries between what is explicit and what remains implicit; the added work of publication inevitably raises concerns about what is *not* made public. For example, the Norwegian COI unit rarely allows external actors in the production and evaluation of the content of reports. Moreover, informal communications – such as phone and e-mail with the caseworker – are not made public. Moreover, we cannot discern from these reports how (and if) they inform judgments in RSD procedures.

More importantly, it is through publication that Landinfo opens up their work to public inspection. Publication does not necessarily lead to the alleviation of uncertainty and distrust towards certified asylum knowledge. Audiences react to these reports, and sometimes quite unpredictably. We see in the Norwegian case that this opening up of their work to the public has created the conditions for new contestation. For instance, in response to a Landinfo report that played a key role in the designation of Iran as safe for converted Christians, the *Norwegian Organisation for Asylum Seekers* (NOAS) organized its own fact-finding mission and publication strategies to directly challenge the official narrative (NOAS 2017).² COI therefore nurtures a more vigilant public, always on the lookout for the hidden motives of asylum administrations.

While the legitimacy of Landinfo and its knowledge claims can, in theory, be reviewed and attested to by everyone in society (cf. Shapin 1984), in practice, we can see how it is actually restricted to non-governmental organizations with specialized knowledge and the material means to conduct research for themselves. For instance, NOAS, as a non-governmental organization, had the resources to find particular facts in Iran to test certified claims. But we hardly hear from the *disempowered groups* themselves – that is, the asylum seekers – ‘who lack the economic and political power to capture government or media agendas’ (Harding 2008, 92).

² Interview NOAS staff member March 2019.

3. IAGCI: evaluation

The *Country Policy and Information Team* (CPIT) is the British country research unit. Like Landinfo, this COI unit directly serves the information needs of actors in the asylum administration. What distinguishes CPIT from its European counterparts, however, is that it is also a policy unit. CPINs consist of a combination of both ‘country information’ and ‘policy guidance.’³ Where the former section offers ‘raw’ country information, the latter provides a summary of the Home Office’s RSD-relevant interpretation of the country, topic, or theme under consideration.

By collating research and policy functions, CPIT provides the British asylum administration and law with an authoritative point of contact with the world of conflict and persecution. CPIT’s research results are directly translated into asylum policy, and caseworkers tend to rely significantly on these reports in their preparation of cases and when making decisions (ICIBI 2017, 46–50). But like Landinfo, the quality of the information (and guidance), and the way that it is being used in decision-making procedures, are the subjects of ongoing concern (Gibb and Good 2013, 299). To enhance the legitimacy and robustness of RSD-relevant information, the British government has established a post-publication review procedure led by the *Independent Advisory Group on Country Information* (IAGCI).

Although independent peer review of policy-relevant knowledge production is quite common in other regulatory environments, it is worth noting that the IAGCI presents the only one of its kind in relation to COI. For one, the IAGCI assists the *Independent Chief Inspector of Borders and Immigration*, an eminent official appointed by the Home Secretary to make independent assessments of the UK’s border and immigration functions (including its country information provisions). The Advisory Group consists of a number of individual experts who are deemed to have knowledge and experience in the field of country research and use. Among the current members, there are seven academics from UK universities, and one representative each from the UNCHR, the Immigration Law Practitioners’ Association (ILPA), and an Upper Tribunal Judge.

Together with the Chief Inspector, the Advisory Group deliberates and decides with CPIT which reports will be reviewed for the next review session – taking into account the top 20 list of ‘asylum intake countries,’ as well as CPIT’s plans to update existing reports. Once this has been decided, the IAGCI puts out a public tender to appoint a qualified expert to produce a review report on selected CPINs and COIRs. These knowledgeable others are usually academic social scientists with expertise in the countries, topics or themes under consideration, and they incorporate some additional scientific accountability to these policy environments.

During the review meeting, attendees go through a review document and consider if there are any points of disagreement (ICIBI [Independent Chief Inspector of Borders and Immigration] 2017, 40). This review document is an important technology of evaluation that, as Stark (2012) notes, ‘puts all relevant readers and relationships on the same page, both literally and figuratively.’ This is underlined by the fact that the IAGCI has been providing a template to structure these review documents so that the issues are clearly highlighted, and the most important points do not go unanswered during the review meeting. Moreover, it makes it easier for the external expert to translate their technical facts into a format that matters to the regulatory setting.⁴ The CPIT researchers have a chance to respond to every

³ Information and policy functions used to be separated before 2014. The merger in CPIT has been disputed (ICIBI 2017, 35).

⁴ Interview IAGCI member 28 January 2018.

recommendation or every point of complaint that has been made. These reviews and the reactions will also be circulated before the actual review meeting starts so that the recommendations are read and further responses can be prepared.

The face-to-face session between CPIT staff, the permanent IAGCI members and the selected reviewer(s) is central to the review procedure. While the CPIT experts are challenged during the review meeting, there is much importance placed on constructive debate and upholding good relations.⁵ This practice is striking, considering that participants often note a clash of cultures between different types of knowledge. For instance, there can be disciplinary disagreement on the reliability of the information, because, for the academic reviewers in particular, country conditions are always complex and uncertain, whereas for the CPIT researchers, the information can be ‘good enough’ for the decision-making procedures it serves.⁶ The review procedure is not the place to resolve these tensions. Rather than ‘disciplining’ certified research practices, the IAGCI is more concerned with creating the conditions of possibility for improving the quality of country research.

The material outcome of the review procedure is the ‘inspection report’, providing a summary of the points and recommendations, as well as the full review document, the CPIT response, and meeting minutes.⁷ These documents are made available on the Chief Inspector’s website only after the Home Secretary officially responds to it and lays it in British Parliament (ICIBI 2017, 40). The evaluations and recommendations of the reviewers are non-binding. Based on comments from the knowledgeable expert, the hope is that the review results would encourage CPIT staff to implement changes in their subsequent research. The publication of completed reviews can also be seen as another token of transparency and accountability (Strathern 2000). But the fact that their release is carefully controlled to fit into parliamentary agendas also suggests that, to use Andrew Barry’s words (2002, 280), ‘external scrutiny must be managed in a way that does not provoke an excessive politicization.’⁸

External review of COI reports by qualified experts is the distinctly British answer to concerns about the legitimacy of RSD-relevant information. Insofar as an external review on RSD-relevant information occurs, it has to be channeled through the IAGCI’s formalized procedure. For those not able to participate in the institutionalized routine, the review procedure may appear to focus on the wrong issues or could be accused of serving as a smokescreen for the continuation of migration control (see, for example, Hatton 2018). From this perspective, the review may be considered instrumental on the part of the UK Home Office, which can defend its restrictive asylum policies and practices on the basis of externally validated expertise. While this may be the case, we can also observe how the review practice generates unpredictable effects ‘that spill over the models of interaction that organizers bring to bear’ (Lezaun and Soneryd 2007, 295).

This latter point can be illustrated by pointing to the dynamic effect of a particular IAGCI review. In 2015, CPIT published two country guidance reports on Eritrea (UKHO 2015a, UKHO 2015b) that were particularly controversial. The reports were accused by stakeholders and civil society of steering asylum policy based on unbalanced and unreliable information (ICIBI 2017, 60–63). As one IAGCI member noted, even though the disputed evidence from the report was not removed after a rather critical review from an anthropologist, ‘there was an agreement that this evidence was not as robust [as] they [CPIT]

⁵ Interview with IAGCI member 27 November 2018.

⁶ A good example of this is the IAGCI’s repeated recommendation for a greater variety of evidence, as CPIT relies more exclusively on materials that are in English (ICIBI 2017, 41–2).

⁷ Interview Chief Inspector May 2019.

⁸ Interview Chief Inspector May 2019.

initially presented it as.⁹ But as review reports and information were put into circulation, the CPINs came under renewed public inspection. It was picked up by the media and interest groups to contest asylum policy and was treated as a document for counter-evidence in asylum appeal cases against government decisions. In other words, while the review procedure had no direct bearing on Home Office policy on Eritrean nationals, the review documents opened up space for contestation, serving those who could translate it in accordance with their own interests.

4. EASO: consultation

COI research is also a concern for European institutions. The *European Asylum Support Office* (EASO), founded in 2011 and located in Malta, is one of the newer European agencies tasked with the implementation of the Common European Asylum System (CEAS). EASO is defined in its founding regulation as ‘a European centre of expertise on asylum, responsible for facilitating, coordinating and strengthening practical cooperation among Member States on the many aspects of asylum’ (EU 439/2010). The collection, coordination and sharing of COI have been identified as EASO’s core responsibilities. The reasoning behind this is that, if national asylum administrations would draw on the same pool of information, asylum determinations will become more consistent (Guild 2016, 596).

A key issue for EASO is how to organize knowledge production, not only under the aforementioned conditions of epistemic uncertainty, but also across different political cultures and priorities (Boswell 2008). Over the years, the agency has been drawing up common guidelines and training programs, producing joint COI reports, setting up specialized COI networks, organizing country-specific workshops, developing an online COI portal, and has even experimented with the collection of country information itself.¹⁰ Many of these practices and technologies have been devised to serve the *harmonization* (if not standardization) of COI practices across Europe. And some would argue that these projects are in line with unification ideals, pushing towards a single European COI unit. All roads lead to Malta. However, with EASO staff, we identify a more *exploratory vision* of what is possible, or indeed desirable, in the disputed and ever-changing European system of asylum. For one, some (northern) Member States have well-developed COI units and are less willing to undo them in favor of an EASO centralized system (Guild 2016, 596). Furthermore, the fact that country information in Europe can be uneven and inconsistent impedes the prospects of having a unified view on country conditions and, consequently, comparable acceptance rates across Europe (cf. Barry 2001, 169–170).¹¹

It is in these circumstances that EASO has been experimenting with the knowledge networks involved in country knowledge production. In contrast to its predecessors, where governments controlled the flow of information,¹² EASO has embraced the idea that the public should be engaged better to foster the legitimacy of their projects. Officially controlled channels like the *COI Specialist Networks*¹³ have invited civil society organizations to give input during these meetings based on what EASO regards as qualified expertise. In March 2018, for example, EASO held a two-day network meeting to exchange information regarding country conditions in Somalia. Three ‘external experts’ – two from universities

⁹ Interview IAGCI member December 2018.

¹⁰ <https://www.easo.europa.eu/information-analysis/country-origin-information>. Accessed on 8 January 2020.

¹¹ Interview EASO spokesperson December 2019.

¹² Eurasil (2003–2010) and CIREA (1992–2002), which also pursued the goal of harmonizing COI.

¹³ Currently, EASO operates networks on Afghanistan, Eritrea, Iraq, Iran, Pakistan, Russia, Somalia, Syria, Ukraine and West Africa.

in Norway and Kenya, and a security analyst from the UN – were invited to ‘[give] presentations on specific topics that had been identified as the most pressing COI needs and challenges with respect to the country.’¹⁴ EASO has also engaged civil society in the review of their joint COI reports.¹⁵ For example, in a public EASO report on recruitment by armed groups in Afghanistan, the acknowledgments tell us that a member of the ‘independent non-profit policy research organization’ Afghanistan Analysts Network, a former BBC journalist, carried out a quality review (EASO 2019, 3).

With these efforts, we find a clear sense among that civil society actors are vital to the public legitimacy of the agency and EASO’s mandate to facilitate more effective implementation of CEAS goals (Goodwin-Gill 2015, 8–9). As one EASO spokesperson put it:

*COI should remain a debate ... a public debate I believe. ... We [EASO] should facilitate and stimulate the exchange and debate between different products, between different findings. One country may have a report, EASO may have a report with different findings. I don’t see that as a problem. This is part of the public debate on facts, and it contributes to the objectivity I believe.*¹⁶

In this quote, we can see a marked shift in government thinking about asylum-relevant knowledge, which is not only limited to the input and evaluation of concrete information products, but also more fundamentally in the negotiation of COI methodology and best practices.

The engagement of civil society actors in the workings of EASO is rather experimental and ad hoc, however, despite early efforts from the agency to formalize arrangements for obtaining outside expert advice. The *Consultative Forum Operational Plan*, published in EASO’s formative years, can be seen as principal expression of this by stating that civil society actors ‘play a key role in the debate on and implementation of asylum policy’ (EASO 2012). The instrument of choice for the consultation of civil society is the annual *Consultancy Forum* in which EASO members convey their projects and open the floor for feedback and suggestions on asylum-related topics ranging from the ‘provision of information’ (EASO 2014b) to ‘gender-related persecution’ (2019).

In the early years of EASO, COI-specific topics were discussed during the so-called ‘breakout sessions’ of these forums. These are smaller, thematic meetings where stakeholders are deemed to have a better chance to meet and interact. For example, during the fourth Consultative Forum of 2014 in Brussels, EASO organized a breakout session on ‘producing and sharing of EU-level COI.’ The meeting was facilitated by members from both EASO and the UK-based *Asylum Research Centre* (ARC) and supported by a member from the *Dutch Council for Refugees* (DCR). According to the public reports that remain from these meetings, the aims of the sitting are described as not only to share methodological developments in the production of COI by EASO, but also to ‘identify and discuss possible input from different stakeholders’ (EASO 2014b).

In addition to these break-out sessions, EASO has attempted to further strengthen consultation with civil society through COI-focused conferences. For example, in 2014, EASO also hosted a meeting on ‘online research methods.’ The aim of this conference was described as to deliberate on ‘efficient online research tools, security and privacy of online research, information management and monitoring,

¹⁴ <https://www.easo.europa.eu/article-4>. Accessed 8 January 2020.

¹⁵ The 2019 EASO COI Report Methodology foresees the possibility to involve ‘external experts’ (EASO 2019, 23). However, this practice remains rather inconsistent, which has been criticized (cf. ARC and DCR 2019).

¹⁶ Interview EASO spokesperson February 2019.

potential and limits of social media, as well as an assessment of user-generated content platforms' (EASO 2014a). The good practices and methods presented during the conference were consolidated in an EASO publication named 'Tools and Tips for Online COI Research' (EASO 2014a).

While these consultancy forums are rather 'transient and experimental settings' (Lezaun and Soneryd 2007) in which governmental analysts and civil society actors can engage in open deliberation on COI-related topics, one can discern a trend where consultations are increasingly narrowed down to include only a 'core group' of civil society organizations.¹⁷ The consultations in preparation for the new COI Report Methodology, for example, received input from what EASO has started to call 'specialized civil society organizations' (EASO [European Asylum Support Office] 2019). Besides asking for comments in the drafting process of the new methodology, the agency hosted an exclusive conference to receive feedback on quality standards and principles for COI methodology (EASO 2019, 6).

In brief, EASO has recognized early on the importance of public legitimacy in the production of RSD-relevant information. Civil society organizations that specialize in country research and have traditionally been fairly critical of the state's treatment of refugees are becoming 'ambivalent functionaries' (Walters 2015, 6) in EASO's extended knowledge networks. Of course, such co-options are unlikely to be frictionless. For example, in several joint commentaries on EASO COI reports, the ARC and the DCR have recently criticized what they see as a lack of systematic external peer review and pushed for the inclusion of civil society organizations in the definition of reports' terms of reference (cf. ARC and DCR 2019).

But EASO's modalities of consultation are still very much in flux. To appropriate the words of Waterton and Wynne (2004, 98) in relation to another EU agency, EASO has been 'operating in a wholly contingent, fragile, in-effect experimental and exploratory way, in trying to reconcile ... conflicting visions, commitments and pressures.' Only time will tell how it will look in the future. At the moment, EASO seems to be moving towards a 'stakeholder' model, including only those individuals and organizations with *proven* expertise. While the CEAS project started with a general argument for greater inclusion and sophisticated treatment of the public, with COI, we are thus seeing a return to more traditional notions of 'best expertise.' In other words, while EASO may have been solving a *legitimacy* problem, it has started doing so at the expense of *extension* (Collins and Evans 2002).

5. Conclusion

This article has analyzed how the legitimacy of COI as a resource for knowledge-based decisions on asylum seekers is fostered in different administrative sites through an array of technologies and practices. We discussed three different cases in Europe. Firstly, the Norwegian case demonstrates how legitimacy is fostered through strategies of publication. Through elaborate documentary technologies, Landinfo communicates its country research, as well as its competence and autonomy, to the outside world. Secondly, the IAGCI review panel illustrates how legitimacy is produced within the institutional context of the British asylum administration. The evaluation of certified country information and guidance is materialized through expertly drafted review reports and consensus-oriented face-to-face sessions. Finally, we demonstrated

¹⁷ These include the DCR, NOAS, ACCORD, ARC, Danish Refugee Council, and Asylos.

how EASO explores public engagement in COI-related matters by hosting consultations in different shapes or forms. For instance, special sessions and workshops promote civil society participation in the methodological development of COI research.

We have also argued that these legitimacy-enhancing practices and technologies change the conditions of possibility for asylum governance. For one, they have opened up new spaces for publics to challenge the way COI is produced. Our analysis has opposed the reductionism that the social-technical practices in our case studies consistently function as instruments of legitimation. Rather than alleviating mistrust, the publication efforts of Landinfo has stimulated a more vigilant public that monitors and interrogates governmental self-presentations. The IAGCI promotes a ritual form of evaluation, but we have also noted how its review reports are enrolled in subsequent public and legal disputes. And while EASO is largely concerned with the harmonization of European asylum procedures, the agency struggles to reconcile these government efforts with the demands of civil society.

Lastly, our case studies demonstrate that the procedural work by which the production of country information is legitimized is not without exclusions. We think it is important to recognize how these procedures do not simply ‘democratize’ complex and uncertain policy knowledge that directly affect people’s lives. Instead, they reproduce established asymmetries in asylum administrations where lived experience is disdained in favour of certified expertise. Indeed, asylum seekers may seek to empower themselves and resist identifications with the aid of lawyers and NGOs in the legal and public arenas that enable them. But these acts of citizenship are always situated downstream, that is, after the research is done and results are fixed in authoritative reports. To this end, our research hopes to spur further work in critical citizenship studies that highlights, and perhaps re-imagines, subject positions in relation to the practices and technologies that legitimize knowledge about migrants.

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Acknowledgments

Thank you to the special issue editors and the anonymous reviewers for their careful and detailed engagement. This paper benefited from feedback and discussions at the *Performing the Knowledge and Governance Relationship* panel organized by Falk Daviter at the 2019 ECPR general conference. Thank you to Maja Zehfuss, Jenny Edkinds, Andreja Zevnik and Elena Barabantseva and other attendees during the ‘Research Away Day’ of the Critical Global Politics cluster at the University of Manchester for their feedback on an earlier iteration of this paper. Thank you also to Aoileann Ní Mhurchú for supporting this project. We owe special thanks to Martin Coward for his encouragement throughout this project and for comments on earlier versions of the paper. Jasper van der Kist’s research benefitted from grant and support from the School of Social Sciences at the University of Manchester. Damian Rosset’s research was supported by the nccr – on the move funded by the Swiss National Science Foundation. It has also benefited from a grant from the University of Neuchâtel’s ‘Fonds des donations’.