Dimensions and Dynamics of Irregular Migration

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ABSTRACT

This contribution critically reviews existing data and other recent sources to provide an overview of the dimensions and dynamics of contemporary irregular migration. First it considers the utility and uses of irregular migrant statistics, considering their inherent inaccuracy, their inability to distinguish different types of irregular migrant, the way that data is collected, and the purposes to which it is put. The second section reviews the conceptual and practical challenges associated with counting irregular migrants. Conceptual challenges include: differentiating stocks from flows, addressing the variety of routes into irregularity, distinguishing migrant smuggling from human trafficking, separating asylum from aggregate statistics, and acknowledging that migrants’ legal status can change quickly. Practical challenges associated with a series of direct and indirect methods for collecting statistics (including national censuses) are reviewed, and the difficulty for researchers to access official statistics highlighted. The third section presents estimates of the scale and scope of irregular migration, and data from regularisation programmes in various high-income countries. The fourth section reviews explanations for irregular migration, distinguishing macro-level explanations that focus on structural causes from meso-level explanations concerned with the role of policies and intermediaries, and also notes the shortage of micro-level explanations concerned with individual and family decision-making. The final section considers the consequences of irregular migration, with a particular focus on security. The review suggests that while irregular migration can undermine state sovereignty, the implications of irregular migration for the ‘human security’ of those involved should not be underestimated. The conclusion considers some implications for future research.

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THE UTILITY AND USES OF IRREGULAR MIGRATION STATISTICS

Before presenting recent estimates of the scale of irregular migration, it is important to be aware of the ongoing debate about the utility and uses of statistics on irregular migration. Indeed some commentators question the whole notion of enumerating irregular migrants. One reason is that, by definition, it is impossible to collect verifiably accurate statistics on irregular migration. As explained below, data on irregular migrants often underestimates its degree and volume, and there is no reliable way to know the degree of under-enumeration. Given the impossibility of getting it right, it has been suggested that an unjustifiably large proportion of government and institutional resources is expended on trying to count irregular migrants. The same type of argument has been levelled against the preoccupation with counting refugees, which it has been suggested, distracts from...
more directly relevant assistance programmes (Telford, 1997).

Another set of arguments relates less to the collection of statistics on irregular migration per se, and more to the types of data collected, how they are collected, and the purposes to which they are put. A focus on aggregate numbers tends to disguise the complexity of the category of irregular migration, which includes migrants who are in an irregular situation for a range of different reasons, and for whom irregularity has different outcomes. For example, so-called ‘mixed flows’ of irregular migrants consist both of migrants largely seeking work and those fleeing persecution. The latter category has the right to asylum and protection under international law while the former does not (Crisp, 2008). Arguably, there is only limited value in collecting quantitative data that is not fine-tuned enough to distinguish the different needs and rights of individual migrants in an irregular situation.

Concerns have also been expressed about the manner in which statistics on irregular migration and employment are collected (JCWI, 2006). For example, where information is collected on irregular migrants during apprehension at border crossings, during workplace raids, or as part of criminal investigations into migrant smuggling or human trafficking, sensitivity to the human rights of irregular migrants is required (especially the right to non-disclosure) (Council of Europe, 2007b).

A final reason for scepticism about data collection on irregular migration is the purposes to which data is put. For example, there is a tendency in the media in many countries to focus attention on the highest available estimates, even when these are no more robust than the lowest available estimates. In this way statistics on irregular migration can be used more to alarm than to inform (Clarke et al., 2003). This is one reason why governments are often reluctant to publish estimates of irregular migration; no EU member state, for example regularly publishes official estimates of the size of its irregular population. At the same time governments can also use estimates to justify particular policy responses – more often than not to increase restrictions on migration. There are echoes here of the ongoing debate regarding projections of the migration implications of the effects of climate change and proposed policy responses (Castles, 2002).

However, there is also a strong argument for continuing to collect data on irregular migration, however inaccurate such data may ultimately be. States need statistics to justify the allocation of resources, to try to anticipate the economic and social impacts of irregular migration, and to plan local, regional, and national responses. Responsibly handled, statistics can be used by the media to inform the public. International and non-governmental organisations, including trade unions, involved with managing irregular migration flows, or assisting irregular migrants, need statistics to allocate resources, procure assistance, establish logistical systems, raise money, and account for the organisation’s expenditure (Crisp, 1999). Enumerating irregular migrants can also help serve their own interests, e.g. in identifying and targeting protection and assistance for those in vulnerable situations (IDOS-EMN, 2005).

There is less debate about the utility of trying to understand the causes and consequences of irregular migration, including their impact on state sovereignty and security (which is itself the subject of the latter part of this paper). In this context, the collection of data forms part of the need for wider research on irregular migration. Indeed, policy-makers regularly identify the need for further research on understanding irregular migration and its impacts.

CONCEPTUAL AND PRACTICAL CHALLENGES ASSOCIATED WITH COUNTING IRREGULAR MIGRANTS

There are both conceptual and more practical challenges associated with measuring, collecting, and interpreting data on irregular migration. Irregular migration is a complex and diverse concept that requires careful clarification. Firstly, data normally distinguish flows from stocks, and each of these is itself problematic. Data on flows is almost exclusively on entries, with no information about how many people leave countries in an irregular manner, or on return flows. Data on stocks also commonly assume a permanence that belies reality: as well as leaving, some irregular migrants can change their status and others die. One implication is that it is impossible to combine data on flows with data on stocks to try to ascertain a total estimate of irregular migration.

Secondly, it is important to recognise that there is a wide variety of routes into irregularity.
Irregular migration includes: people who enter a country without proper authority (e.g. through clandestine entry and entry with fraudulent documents); people who enter with authorisation but remain in a country in contravention of their authority (e.g. by staying after the expiry of a visa or work permit, through sham marriages or fake adoptions, as bogus students or fraudulently self-employed); people moved by migrant smugglers or human trafficking; and those who deliberately abuse the asylum system (GCIM, 2005). For some people irregularity is a deliberate choice or decision, but many others find themselves in an irregular situation because of a lack of information or due to administrative obstacles.

A particular source of confusion in this respect is the distinction between migrant smuggling and human trafficking. Up until around 2000, these terms were used more or less interchangeably (IOM, 2000). Two United Nations (UN) protocols distinguished the two processes (UN, 2000a,b), although there still remains a lack of clarity as the distinct definitions contained in the protocols hinge on concepts such as ‘exploitation’, ‘vulnerable’, and ‘force’, terms which are open to considerable interpretation (O’Connell Davidson, forthcoming). In most cases there is a difference between migrant smuggling and human trafficking. In contrast to human trafficking, migrant smuggling is largely voluntary. It involves potential migrants (or more often their family) paying a smuggler to move them illegally to a destination country. After they have arrived, their association with the smuggler normally ends, so that they are not subsequently open to exploitation in the way that victims of trafficking are. At times, however, there can be a blurring of the distinction between human trafficking and migrant smuggling, and a clear separation between the two phenomena cannot be made in every case. This occurs in particular where migrants do not pay a smuggler in full before migrating, which means they arrive in the destination country in debt to the smuggler (Koser, 2008a). This in turn opens up the possibility of exploitation. The definitional issue is further complicated by the fact that some victims of trafficking and smuggled migrants may seek asylum and qualify for refugee status.

Thirdly, it is important to separate out asylum from aggregate statistics on irregular migration. Asylum seekers and refugees may resort to migrant smugglers, and they may undertake ‘irregular secondary moves’. At the same time, people not in need of international protection may resort to asylum channels in the hope of gaining temporary or permanent stay abroad. As a result of these sorts of convergences, the line between irregular migrants and asylum seekers and refugees has become increasingly blurred in the media and amongst the public, as has the distinction between migration control and refugee protection. It is important to emphasise, however, that asylum seekers and refugees do not lose their protection needs and entitlements just because they are part of a mixed flow; it is the context in which protection and solutions have to be realised that changes (Crisp, 2008).

Fourthly, another conceptual complexity arises because migrants’ status can change – often rapidly. For example, a migrant can enter a country in an irregular fashion, but then regularise his/her status, by applying for asylum or entering a regularisation programme. Conversely, a migrant can enter regularly then become irregular when beginning to work without a work permit or overstaying a visa. As Ruhs and Anderson have demonstrated, illegality in the migrant labour market involves various combinations of illegal residence and illegal employment (Ruhs and Anderson, 2009). Asylum seekers can also become irregular migrants when their application is rejected and they stay in the country of application without authority.

The analysis of irregular migration is further hampered by a serious lack of verifiably accurate data, making it difficult to identify trends or compare the scale of the phenomenon in different parts of the world (Clarke, 2000). This is in part a problem of definition: as has been explained, the term covers a range of people who can be in an irregular situation for different reasons, and people can switch from a regular to irregular status, or vice versa.

Another problem is methodological. Counting irregular migrants is an imprecise science, to say the least. This is primarily because people without regular status are likely to avoid speaking to the authorities for fear of detection and exposure to the risk of apprehension and deportation, and thus often go unrecorded.

Various methods have been used to try to estimate numbers of irregular migrants, and each of
them has drawbacks. In high-income countries, the most widely available and commonly used source of data on immigrants is the population census, which is administered in most countries on a regular decennial cycle. There are a number of reasons, however, why censuses are imperfect sources for estimating irregular migration (Massey and Capoferro, 2007). Firstly, de jure census systems enumerate people at their place of legal residence, and as irregular migrants by definition have no legal residence they are likely to be excluded. A de facto census in contrast enumerates people wherever they are on the census day.

Secondly, however, censuses do not include questions on the legal status of respondents; thus although many irregular migrants may be enumerated, it is not possible to know which respondents are in the country legally and which are not. Another problem arises from the fact that most censuses take place so infrequently, meaning that data on immigration from these sources are perpetually out of date. Inter-censal surveys may overcome this problem, but still have the same limitations as other censuses.

There are three more direct methods that have been used to try to enumerate the scale of irregular migration. Firstly, files from government administrative bodies (including information on refusals for entry visas, work and residence visas and rejected asylum seekers) can be used as data sources to indicate potential irregular migrants. Data from police checks and apprehensions or labour inspections can also be useful (Pinkerton et al., 2004). Secondly, on occasion special surveys have also been conducted, e.g. on illegal employment in host countries, or amongst migrant sending families in origin countries (Massey and Capoferro, 2007; Koser, 2008b). These are, however, usually based only on small and not necessarily representative samples.

A third direct source of numbers is regularisation programmes, which are periodically declared in certain high-income economies in order to permit foreign nationals residing or working without legal authority to regularise their status (applications for a number of regularisation programmes are presented in the following section). As an indicator of numbers, however, regularisation programmes have several limitations: no programme attempts to cover the entire range of irregular migration, targeting instead certain sectors or nationalities or people who entered before a particular cut-off date; they usually occur infrequently and it is not always clear whether or not the number of applicants includes family members. There can also be administrative problems, e.g. where applicants apply to local and national authorities simultaneously (Clarke et al., 2003). The status granted to successful applicants also varies – e.g. in some cases they are legalised for only 1 year, meaning that their status afterwards becomes irregular again. Finally, there is a tendency that once a regularisation process is complete, new irregular migrants simply replace the previously irregular migrants (Garson, 1999).

Massey and Capoferro (2007) have proposed that ‘ethno-surveys’ may be a practical alternative for enumerating irregular migrants. These are multi-method data-gathering techniques that simultaneously apply ethnographic and survey methods within a single study and have been used by the authors with some success in the context of irregular migration between Mexico and the US.

There is also a series of indirect methods for measuring the size of the irregular migrant population (Delaunay and Tapinos, 1998). Such methods aim to infer the size of the population by comparing different population censuses and registers, including data on births and deaths, and have the advantage that they do not rely on actually counting irregular migrants (IPPR, 2006), thus overcoming some of the ethical problems referred to earlier. They include the residual method, which makes use of census and immigration data, and the sex-ratio method in origin countries that compares expected populations with contemporary observed populations to estimate the irregular migrant component (Clarke et al., 2003).

Another indirect method is to conduct surveys of employers. Estimates compare population registers and residence permit data to reveal those persons who are employed but have an expired residence permit, no permit, or a permit issued for reasons other than work. There are, however, problems inferring the size of the irregular migrant population from estimates of the scale of illegal employment, in part because a proportion of irregular migrants do not work.

It is also not possible to count accurately the number of irregular migrants that return home,
with the exception of those who are deported. Research has indicated that it is a mistake to assume that all irregular migrants stay permanently. Many appear to come to destination countries with a specific – usually financial – target in mind, e.g. to earn enough money to build a house or educate children or pay off a debt (Black et al., 2004).

Another problem is that of access to the data collected, however limited the data may be. In many states such data is collected by enforcement agencies and is not made publicly available. Alternatively, information and data that may establish a person’s irregular status are frequently dispersed between different agencies such as government departments, the police, and employment offices. International cooperation on data collection is even more problematic. There is no authoritative source on global trends and numbers in irregular migration, and the available sources are not comprehensive.

The conceptual and practical problems described here can be best illustrated with reference to two short case studies showing how data on irregular migration is generated. A recent report by the US Government Accountability Office (GAO) cast serious doubt on estimates of global trafficking flows published both by the US government and international organizations. In the case of the US government estimates, the following limitations were identified: the estimate was not entirely replicable, both because the methodology adopted was opaque and inaccessible, and because the analysis was not properly documented; the estimate was based on unreliable estimates from other sources such as non-governmental organizations (NGOs), governments, and international organizations, which were then adjusted through a complex statistical process; internal trafficking data were not included; and the fact that the estimate was not suitable for analysis over time (GAO, 2006).

A second case study is provided by a report published by the UK Home Office entitled ‘Sizing the irregular resident population in the UK’, by Pinkerton et al. (2004). This report reviews in detail the main methods used to estimate the number of irregular migrants residing in various countries around the world, and then considers the extent to which these methods might also apply to the UK. It concludes that most of the methods used elsewhere would not be applicable in the UK or would produce results too inaccurate to be of real value. For example, several methods were found to rely on a comprehensive population register that includes detailed demographic data on foreign populations, and such registers do not exist in the UK. In other cases surveys were conducted in particular geographical areas or economic sectors where there were known to be significant concentrations of irregular migrants, but these are less obviously identifiable in the UK. Finally, in several other cases the authors of the report were simply unaware whether the appropriate data were available in the UK – including police statistics on apprehensions and data on the school population.

THE SCOPE AND SCALE OF IRREGULAR MIGRATION AND EMPLOYMENT

As will become clear in this section, yet another problem that applies to the measurement of irregular migration is the lack of comparable data both over time and between locations. In the absence of an authoritative single source on irregular migrant numbers, analysis inevitably depends on widely fragmented sources of which some are significantly out of date. With the exception of data from repeat regularisation programmes in a single country, there have been no serious efforts to produce a time-series showing trends in irregular migrant numbers in any given location. Similarly, the data presented below...
ranges from small samples in particular urban areas, to national, regional, and even global estimates. In addition, some estimates focus on particular ethnic groups or industrial sectors, others on particular migrant categories (e.g. asylum seekers); some distinguish irregular migrant workers from overall irregular migrant numbers; while others purport to total estimates. Furthermore, some estimates are for stocks and others for flows, although at times it is hard to discern from the original sources precisely those that are being enumerated.

Significant in-depth research has been conducted by urban researchers on the scale of irregular migration in Dutch cities. It has been estimated by van der Leun et al. that there were approximately 40,000 illegal immigrants in the four Dutch cities of Amsterdam, Rotterdam, the Hague and Utrecht, comprising about 7% of the total legal immigrant population in those cities (van der Leun et al., 1998).

An alternative example of a targeted subnational study comes from Belgium, where the Ministry of Employment and Ministry of Social Affairs conducted surveys of cleaning companies, restaurants, clothes workshops, agricultural, and horticultural workplaces and found in 2002 that 416 of 1436 of the surveyed workers did not have a residence permit and/or a work permit (cited in Pinkerton et al., 2004).

National surveys have also targeted particular nationalities. A survey by the Instituto Universitario de Estudios sobre Migraciones (2001) in Spain concluded that 18% of Moroccan workers and 12% of Peruvian workers were illegally resident in Spain. In the same country, Arango et al. (2000) surveyed Moroccan and Senegalese immigrants over the period 1996–1999 and found that more than 50% of the two groups had at some point during their stay been in an irregular status. These findings were extrapolated by Pinkerton et al. (2004) to suggest that there were approximately 160,000 persons illegally present in Spain at the time. More recently, but equally limited to particular nationalities, in 2008 the IOM reported that since 2000, 25,000 irregular migrants from West Africa have entered Spain each year (IOM, 2008).

Finally, another way that national surveys narrow their lens of enquiry is to enumerate particular categories of irregular migrant, and in particular the victims of trafficking. For example, it was estimated by the US government that between 14,500 and 17,500 people were trafficked into the United States in 2007 (US State Department, 2007). Other estimates put the number trafficked into the United States at as high as 50,000 per year (Momsen, 2004). During a recent House of Commons debate in the UK, e.g. the government estimated that 4,000 women had been trafficked into the UK during the previous year (HC Deb, 2008).

Moving up the scale to national-level total estimates, perhaps the most common debate concerns the number of irregular migrants in the United States. Estimates range from 10 million to 20 million (Terrazas et al., 2007). Even using the lower estimate, this means that irregular migrants account for nearly one third of the foreign-born population there. Despite increased efforts at border control, about 500,000 additional migrants are estimated to enter the United States without authorisation each year. At the same time, these numbers are offset by an estimated 200,000–300,000 irregular migrants who leave the United States, die, or become legal immigrants each year (van Hook et al., 2005). Over half of irregular migrants in the United States are estimated to be Mexican. Furthermore, according to some estimates half the Mexican-born population in the United States are irregular migrants. An additional 25% of irregular migrants in the United States are estimated to come from other Latin American countries.

It is also estimated that there are between 1.5 and 10 million irregular migrants in the Russian Federation, originating mainly in countries of the Commonwealth of Independent States and South-East Asia (Vitkovskaia, 2004). The breadth of the range of these estimate for Russia is striking, and in contrast with most European countries where there seems to be a degree of consensus over enumerations. In 2005 the UK Home Office published its first estimate of the ‘illegal’ migrant stock (Clarke et al., 2003). The estimates ranged from 310,000 at the lower end to 570,000 at the higher end, with a median estimate of 430,000. A more recent estimate puts the total number of long-term resident irregular migrants in the UK at 750,000 (Gordon, 2009). In 2007 the Council of Europe published its estimate that there were ‘upwards of 400,000’ irregular migrants in the UK (Council of Europe, 2007a). In 1991 it was estimated by the Istituto Nazionale
di Statistica (ISTAT) that there were 580,000 ‘illegal’ workers in Italy (ISTAT, 1991). An IDOS-EMN study in 2005 published estimates the number of irregular migrants in the same country ranging from 200,000 to 800,000 (IDOS-EMN, 2005). In Portugal there were an estimated 185,000 irregular migrants in 2005 (OECD, 2006).

The data in Table 1 show applications for regularisation across a selection of advanced economies (Clarke et al., 2003). These figures will only represent a proportion of the total number of irregular migrants in the countries listed not only because of the types of explanation provided above, but also because regularisation programmes normally only apply to irregular migrants who satisfy certain criteria, often time-based, or related to current work status. Indeed for every regularisation programme listed in Table 1, there were higher numbers of applications than migrants actually regularised. In Greece in 2001, e.g., 228,000 of 368,000 applicants were regularised; in Italy in 1998 193,200 of 308,323 applicants; and in Spain in 2001 221,083 of 350,000 applicants were regularised (Levinson, 2005).

Other estimates are provided on a regional or even global scale. In 2002 the Council of Europe estimated that there were between 400,000 and 500,000 irregular migrants in the 15 countries that then comprised the European Union. In 2003 the IOM published an estimate for the same region of 500,000, and a year later the International Centre on Migration Policy Development (ICMPD) increased the estimate to 830,000 (ICMPD, 2004). More recently in 2007, the Council of Europe reported an estimate of 4.5 million irregular migrants in the European Union that by then encompassed 27 states (Council of Europe, 2007b).

Turning finally to global estimates, the ILO estimated in 2004 that between 10 and 15% of the world’s immigrant stock were in an irregular situation (ILO, 2004). Today this would amount to some 20–30 million irregular migrants.

Moving from stocks to flows into the EU, Cholewinski (2006) cites a series of estimates from governmental and intergovernmental sources ranging from 500,000 entries each year to ‘a six figure number’ annually. Also, the ICMPD estimated in 2004 that between 2 and 4.5 million migrants cross international borders without authorisation each year (ICMPD, 2004).

The global scale of human trafficking across international borders has been estimated as involving between 700,000 and 4 million people per year (Momsen, 2004). It is also worth noting that in the specific cases of migrant smuggling and especially human trafficking, an alternative measure to enumerating the migrants involved, is to estimate the profit made by these ‘industries’. Human trafficking has been described as the third largest and fastest growing global criminal activity, estimated to victimise millions and net billions (Munck, 2005). It has been estimated that migrant smuggling and human trafficking together are businesses with a turnover of over US$10 billion per year (IOM, 2003).

Even if we accept their unreliability, there can be no doubt that these figures are significant, although it is easy to see how they might generate concern. Several commentators have also argued that it is important to place irregular migration in its proper context: in most countries, the political significance of irregular migration appears to outweigh its numerical significance (Koser, 2005).

Table 1. Number of regularisations in major regularisation programmes in selected high-income economies.

<table>
<thead>
<tr>
<th>Country</th>
<th>Year</th>
<th>Number regularised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>2000</td>
<td>60,000</td>
</tr>
<tr>
<td>France</td>
<td>1981–1982</td>
<td>130,000</td>
</tr>
<tr>
<td></td>
<td>1997–1998</td>
<td>87,000</td>
</tr>
<tr>
<td>Greece</td>
<td>1997–1998</td>
<td>397,000</td>
</tr>
<tr>
<td></td>
<td>2001</td>
<td>228,000</td>
</tr>
<tr>
<td></td>
<td>2005–2006</td>
<td>170,000</td>
</tr>
<tr>
<td>Italy</td>
<td>1987–1988</td>
<td>119,000</td>
</tr>
<tr>
<td></td>
<td>1990</td>
<td>235,000</td>
</tr>
<tr>
<td></td>
<td>1995–1996</td>
<td>238,000</td>
</tr>
<tr>
<td></td>
<td>1998</td>
<td>193,200</td>
</tr>
<tr>
<td></td>
<td>2003</td>
<td>634,728</td>
</tr>
<tr>
<td>Portugal</td>
<td>1992–1993</td>
<td>39,000</td>
</tr>
<tr>
<td></td>
<td>1996</td>
<td>22,000</td>
</tr>
<tr>
<td></td>
<td>2001</td>
<td>170,000</td>
</tr>
<tr>
<td>Spain</td>
<td>1985–1986</td>
<td>23,000</td>
</tr>
<tr>
<td></td>
<td>1991</td>
<td>109,125</td>
</tr>
<tr>
<td></td>
<td>1996</td>
<td>21,300</td>
</tr>
<tr>
<td></td>
<td>2000</td>
<td>153,463</td>
</tr>
<tr>
<td></td>
<td>2001</td>
<td>221,083</td>
</tr>
<tr>
<td></td>
<td>2005</td>
<td>570,000</td>
</tr>
<tr>
<td>USA</td>
<td>1986</td>
<td>2,685,000</td>
</tr>
</tbody>
</table>

Sources: Clarke et al. (2003), Council of Europe (2007a), and Levinson (2005).
CAUSES OF IRREGULAR MIGRATION

A number of frameworks for explaining irregular migration have emerged in recent years. One focuses on structural causes (Castles and Miller, 2003; Koser, 2007). It has been argued that growing developmental, demographic, and democratic disparities provide powerful reasons to move (GCIM, 2005). These are compounded by a ‘global jobs crisis’ of unemployment and under-employment affecting large parts of the less developed world, and especially the agricultural sector (ILO, 2004). Conflict and persecution can also be important underlying causes for people to move.

The segmentation of labour markets in high-income economies is also creating an increasing demand for migrant workers there. This occurs where sectors of the labour market are eschewed by native workers because they are low paying, have little security, and are low status, and thus instead become dominated by migrant workers. These are often described as ‘3D jobs’ – entailing work that is dirty, dangerous, or difficult, or even a combination of all three. They are concentrated in sectors such as agriculture, timber, plantations, heavy industry, construction, and domestic services. Often the migrants who work in these sectors are undocumented or have irregular status, for they are more willing than native workers to work in insecure conditions for very low wages.

At the same time, a ‘revolution’ in communications has facilitated growing awareness of disparities and opportunities for would-be migrants, while rapid developments in transportation have made mobility cheaper and more readily accessible (Koser, 2007). Migration networks have expanded rapidly to facilitate migration, and the growth of a migration industry adds further momentum.

It is argued that it is because of reasons such as these that more people than ever before want to move, but because of restrictive asylum and immigration policies, there are proportionately fewer legal opportunities for them to do so. The demand for irregular migration has increased as a result, and migrant smugglers have come to dominate the emerging market. According to this approach, therefore, people who move in an irregular fashion leave their countries for exactly the same reasons as other migrants, and the reason that so many move in an irregular (rather than legal) way is because of increasing restrictions on legal movements.

By 2009 there were growing concerns that the global financial crisis would exacerbate the movement of irregular migrants. On the one hand the impacts of the crisis were already being felt in poorer countries: The ILO estimated that it would result in 20 million job losses worldwide, with the majority of them being in poor countries. The effects of the crisis were manifold: it was beginning to compound rising food and fuel prices; commodity prices were volatile; there were strong signals that humanitarian assistance and overseas investment would reduce; and certain banks were beginning to put pressure on debt repayments. On the other hand, certain advanced economies – e.g. Australia – were planning to reduce quotas for migration in response to the economic downturn.

A separate, but related, explanation focuses specifically on the role of policies, and views the growth of irregular migration as an unintended consequence of restrictive asylum and immigration policies (Koser, 2000; Castles, 2004). Research in this vein has not been able to establish a causal link between restrictive policies and the growth of migrant smuggling. But it has shown how one of the principal functions served by migrant smugglers is to overcome obstacles that have resulted directly from these policies, especially in the form of visa restrictions and border controls. It is argued that were these obstacles to be removed – e.g. by increasing opportunities for legal migration – the services of smugglers would no longer be required, or at least demand for them would be reduced. In other cases there are migrants who find themselves in an irregular situation not because of a deliberate decision like paying a smuggler, but because they do not understand administrative procedures, and thus apply too late for visa extensions or submit incomplete documentation for visa extensions.

A third explanation expands on the migration industry concept contained within the first. It draws on the ‘business model’ of migration published by geographers John Salt and Jeremy Stein in 1997, who conceived of migration as a business comprising ‘a system of institutionalised networks with complex profit and loss accounts, including a set of institutions, agents and individuals each of which stands to make a
commercial gain’ (Salt and Stein, 1997: 467). Migrant smuggling (and human trafficking) comprises the illegitimate side of this business. Thus, according to this model, the profit motive creates an almost irrepressible momentum within the migration business, and migrant smugglers actively recruit clients to turn a profit (Bilger et al. 2006).

The first of these explanations might be characterised as macro-level (it concerns underlying structural features) and the second and third as meso-level (respectively, the role of policy and intermediaries). It is striking that explanations for irregular migration have not yet followed the conceptual funnel down to the micro-level of individual or family decision-making, even though there is a significant body of migration literature at this level upon which to draw (e.g. De Jong and Gardner, 1981; Boyd, 1989; Stark 1991). Each of the above explanations shows why individuals decide to migrate in an irregular manner: because they are desperate to escape poverty and repression, because policy changes leave them with little option, or because they are actively recruited by the migration industry. But none of them really explains the decision.

Beyond the explanation that research on irregular migration has not yet matured enough for the development of a comprehensive explanatory framework, there are two other plausible reasons why most research to date seems to have ignored the migrants’ decision-making in the process. One reason might be that there is effectively no decision to be made – that people are forced into irregular migration. While this is true for human trafficking, it is not necessarily true for most other forms of irregular migration, including migrant smuggling. The limited research so far suggests that a decision is in fact made by migrants who pay smugglers, and indeed that it can be a complex one including the negotiation of an acceptable cost, selection between competing services, and choosing a route and final destination (Herman, 2006; van Liempt and Doomernik, 2006; Koser, 2008b). A second possible reason why little attention has been paid to the decision to migrate in an irregular manner might be the perception that there is little or no risk involved. As explained in the next section, this is incorrect as most forms of irregular migration – especially migrant smuggling and human trafficking – have potentially serious negative consequences for the individuals involved.

Indeed, it is the combination of its voluntary nature and the risks it entails that make the decision by migrants to move in an irregular manner so interesting and apparently different from other migration decision-making. Unless they are fleeing persecution, most migrants who pay smugglers are exercising a positive choice between staying and going. This choice characterises voluntary migrants and differentiates them from forced migrants who often have little option but to flee. At the same time, the choice to move in an irregular manner entails significant risks. This differs from the case of most voluntary migrants, for whom there is often no great risk at stake between staying or leaving, and actually has more in common with the case of forced migrants, for whom opting to stay at home is a high-risk strategy. In their decision-making, it appears that irregular migrants lie somewhere between voluntary and forced migrants as usually conceived. The fact that smuggled migrants are paying for the privilege of exercising a voluntary choice that entails significant risk makes their decision even more unusual.

CONSEQUENCES OF IRREGULAR MIGRATION

Given the focus of this Special Issue – and hence this paper – on irregular migration in high-income countries, this section will not be concerned with the current debate about the implications of irregular migration for development in origin countries. The focus here will be on one particular aspect of the consequences of irregular migration, namely its implications for state sovereignty and security (including ‘human security’), rather than labour market and other impacts.

Irregular migration is often described as constituting a threat to state sovereignty (Waever et al., 1993). Simply stated, it is argued that states have a sovereign right to control who crosses their borders, and that irregular migrants threaten sovereignty by undermining this control. It thus follows that a fundamental way to reassert full sovereignty is to stop irregular migration. In certain (more extreme) discourses, irregular migration has also been perceived as a threat to state security. Specifically, it has been suggested
that irregular migration and asylum may provide channels for potential terrorists to enter countries (Huysmans, 2005). Given the sensitivity of this current topic, extremely careful analysis of such potentially incendiary conclusions has been called for (Koser, 2008a).

It is important, first of all, to consider the numbers involved (Koser, 2005). Inherent in the argument that irregular migration threatens state sovereignty is the perception that states are (or risk being) ‘flooded’ or overwhelmed by enormous numbers of irregular migrants. In reality, as demonstrated earlier, although irregular migration does occur in significant numbers, in most countries it represents a fairly small proportion of total migration.

Secondly, it has been argued that ‘suspect motives’ are often attributed to irregular migrant without there being any substantiation for this (Uehling, 2004). Two particularly frequent assumptions are that irregular migrants participate in illegal activities, and that they are associated with the spread of infectious diseases (especially HIV/AIDS). In reality, both these assumptions appear to be generalisations. Some irregular migrants (and asylum seekers) are indeed criminals and some do carry infectious diseases – often resulting from long periods spent in transit – but these accusations do not apply to most migrants and so misrepresenting the evidence criminalises and demonises all irregular migrants. Indeed, it can encourage them to remain underground and also diverts attention away from those irregular migrants who actually are criminals and deserve to be prosecuted, and those who are ill and should be treated (GCIM, 2005).

Focusing exclusively on terrorism has also meant that other equally pressing challenges associated with irregular migration – for states, societies, and for migrants themselves – have often been overlooked (Dannreuther, 2007). It is true that irregular migration can threaten state security, but this is usually in ways other than by its association with terrorism or violence. When it involves corruption and organised crime, irregular migration can become a threat to public security. This is particularly the case where illegal entry is facilitated by migrant smugglers and human traffickers, or where criminal gangs compete for control of the labour of migrants after they have arrived.

When irregular migration results in competition for scarce jobs, it can generate xenophobic sentiments within host populations. Significantly, these sentiments are often directed not only at migrants with irregular status, but also at established migrants, refugees and ethnic minorities (GCIM, 2005). When such sentiments receive a great deal of media attention, irregular migration can also undermine public confidence in the integrity and effectiveness of a state’s migration and asylum policies. Irregular migration can thus impact on a government’s ability to expand regular migration channels. It cannot be underestimated how important it is for a government to be perceived by its citizens to be in control. If irregular migration exists, it is not unreasonable for voters to ask why even more migration is required.

It is clear that irregular migration can threaten state security, although the relationship between the two is complex. Irregular migration can, however, also undermine the ‘human security’ of the migrants themselves. Human security is a concept that focuses not on security as states normally understand it, but on security from the perspective of human beings. It can be thought of as the difference between a top-down and bottom-up approach to security. Human security addresses a far wider human condition than conventional security, and the human security debate is designed to elevate these matters to a higher priority in the international system (CHS, 2003).

While it is important to emphasise the fact that there is a range of experiences for irregular migrants (and that by no means are all irregular migrants necessarily exploited or vulnerable), the negative consequences of irregular migration for migrants are often still underestimated. Indeed, irregular migration can in fact endanger their lives. A large number of people die each year trying to cross land and sea borders without being detected by the authorities. It has been estimated, e.g. that as many as 2,000 migrants die each year trying to cross the Mediterranean from Africa to Europe, and that about 400 Mexicans die trying to cross the border into the US each year (GCIM, 2005). One of the great unknowns of international migration is the number of people who have left their homes but not yet reached their intended destinations. It is consequently impossible to know what their lives are like in transit countries.
Women constitute a substantial proportion of the many migrants with irregular status. Because they are confronted with gender-based discrimination, female migrants with irregular status are often obliged to accept the most menial informal sector jobs. Such can be the level of abuse of their human rights that some commentators have compared contemporary human trafficking with the slave trade. Women in particular also face specific health-related risks, including exposure to HIV/AIDS. More generally, people who enter or remain in a country without authorisation are often at risk of exploitation by employers and landlords. And because of their irregularity, migrants are usually unable to make full use of their skills and experience once they have arrived in a destination country.

Migrants with irregular status are often unwilling to seek redress from authorities because they fear arrest and deportation. As a result, they do not always make use of the public services to which they are entitled such as emergency health care. In most countries, they are also barred from using the full range of services available to citizens and migrants with regular status. In such situations, already hard-pressed NGOs, religious bodies, and other civil society institutions are obliged to provide assistance to migrants with irregular status, at times compromising their own legality.

Irregular migration is a particularly emotive issue, and one that tends to polarise opinion. Those who are concerned about border control and national security are often opposed by those whose main concern is the human rights of the migrants concerned. Another challenge is to encourage an objective debate on the consequences of irregular migration and the ways in which it might be addressed most effectively (Koser, 2007).

CONCLUSIONS

This paper has clearly demonstrated how researchers of irregular migration are severely hampered by a lack of accurate, verifiable, up to date, and comparable data. In most cases this is simply a reflection of the difficulties of collecting statistics, but it is also worth repeating that at times although statistics do exist, it is often the case that they are not readily available to researchers outside government.

Given the weaknesses inherent in the main direct and indirect methods for enumerating irregular migration, a case can be made for researchers to ‘road-test’ new and more innovative methods for data collection. As alluded to above, ‘ethno-surveys’ may offer much potential in this respect (Massey and Capoferro, 2007), as may surveys in origin countries and amongst families and social networks that fund and support irregular migration, and returning migrants. In these settings there appears to be less political sensitivity, personal risk, and shame or embarrassment in talking about irregular migration (Koser, 2008b).

Preliminary discussion about the way that individuals make decisions about undertaking irregular migration has also indicated that this may be new and useful area for conceptual research. On the face of it the fact that some irregular migrants are making an active choice to undertake a serious risk suggests that their decision-making lies somewhere between that of forced and voluntary migrants as usually conceived.

It is equally true that researchers have responsibilities. They need to be aware of ethical sensitivities in collecting information from and about irregular migrants. Researchers should be consistent in their use of terminology and concepts. They also need to be transparent about the type of information being collected and for what purpose. And wherever possible their responsibility is to counter some of the hysteria that surrounds irregular migration by providing an objective analysis of what is a very emotive topic.

REFERENCES


