International Organization for Migration

Recent Trends in Irregular Migration in Europe

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Bratislava, August 24th, 2012

Outline

- **<u>Definitions</u>: Who is a "migrant in an irregular situation"? Why not use term "illegal" migrant?**

- **<u>Data Limitations:</u> How reliable are the existing indicators?**

- **<u>Key Trends</u>: How many irregular migrants in Europe? Where do they come from?**

- **<u>Policy Responses</u>: What new measures are being taken to reduce irregular migration?**

Definitions

- **There is no universally accepted international definition of irregular migration.**

- IOM uses the term *irregular migration* to refer to the "**movement that takes place outside the regulatory norms of the sending, transit and receiving country**" (IOM 2005). Irregular migration can involve a combination of legal or illegal entry.

- *Illegal migration* suggests that both stay and entry are illegal; but MOST migrants in an irregular situation in Europe enter legally.

- An individual person cannot be "irregular" or "illegal", but migrants can have an "irregular status".

- *Trafficking* is defined as "**the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion… to achieve the consent of a person having control over another person, for the purpose of exploitation**" (UN TIP Protocol).

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Irregular migration: definition

- A migrant in an irregular situation is someone who:
  - **Enters the country illegally,** for example:
    - With false documents
    - Without the necessary entry visa
    - Without crossing at an official border crossing;
  - **Resides in the country illegally**, for example :
    - Overstayed the entry (e.g. tourist) visa
    - Overstayed residence permit
    - Did not leave after losing the right to reside (e.g. asylum seekers with rejected claims)
  - **Works in the country illegally**, for example :
    - People with the right to reside but not the right to work
    - Students and trainees (when not supposed to take up paid employment)

Irregular migration indicators

- Irregular migration data relies mainly on statistics based on:

  - **Border apprehensions**

  - **Regularization**

  - **Refusal of entry and returns**

- Indicators may also include statistics on **smuggling** and **trafficking,** employer sanctions.

- **Each of these statistical variables indicates a particular aspect of the irregular migration process**: border apprehensions deal specifically with illegal entry; regularization and returns widen the measurement by including those with an irregular status, such as visa over-stayers or failed asylum seekers who may have entered legally.

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Data challenges

- Difficult to interpret trends in irregular migration in Europe based on existing sources of data, even though there have been some significant improvements in data collection (Frontex quarterly reports).

- Study funded by the European Commission noted that the CIREFI database, the main EU-wide source of data on illegal migration, **"is wholly inadequate to capture levels and trends in illegal migration processes"** (Poulain, et.al. 2006, p.285).

- **Migration policies continue to vary widely between countries in the EU, accordingly 'irregular' is not a uniform category; national statistical agencies do not use consistent methodologies to count irregular migrants.**
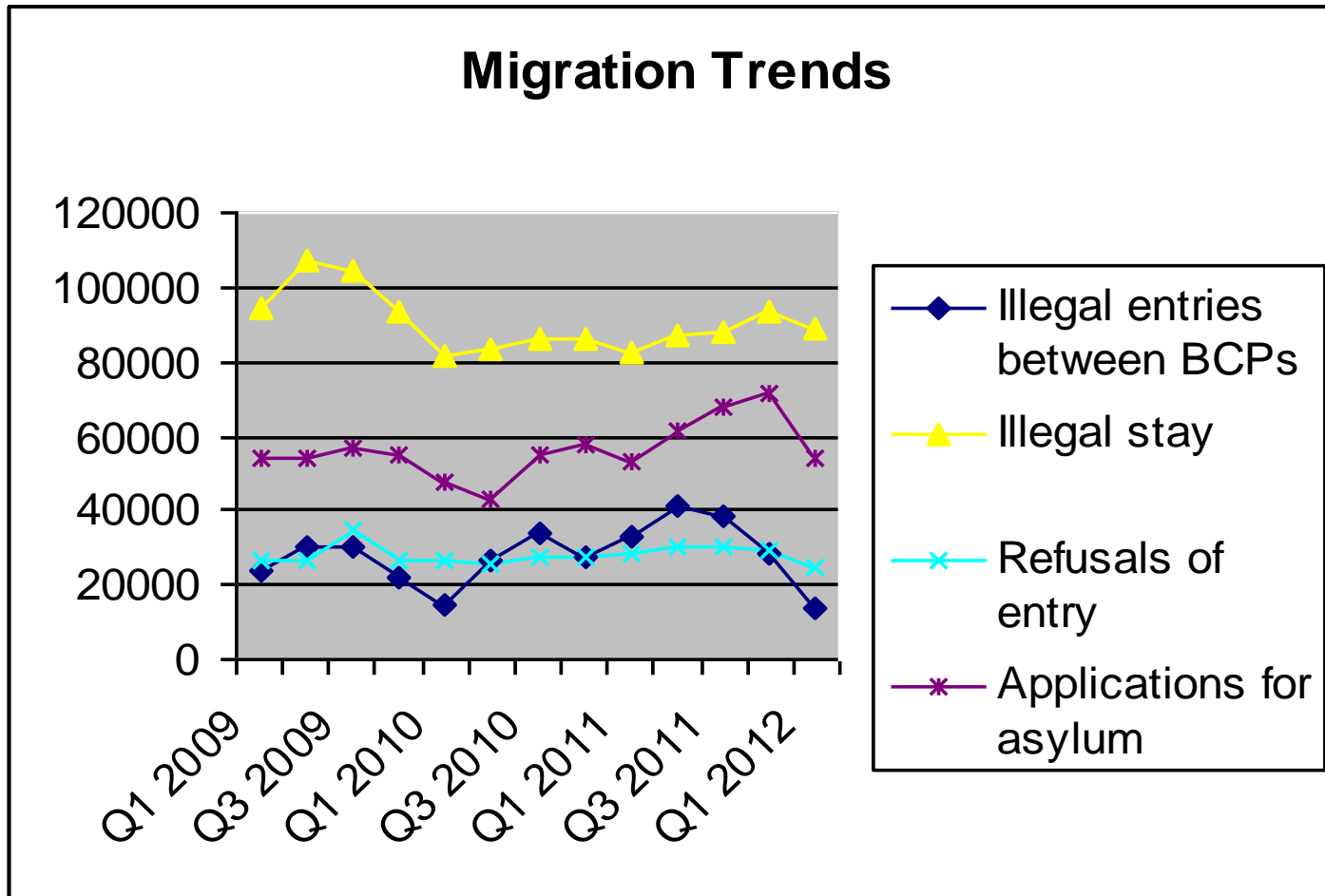
Improving data

- The establishment of **Frontex** in 2005 has increased data collection and analysis of irregular migration flows (published in a quarterly journal, FRAN).

- EC has funded more studies on irregular migration. The best and most recent estimate of migrant stock comes from the Clandestino Project in 2008.

- In 2008, an estimated stock of **1.9 million to 3.8 million** unauthorized migrants resided in the EU-27 (Clandestino).

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Key trends in irregular migration

- **Most migrants who become 'irregular' enter the EU <u>legally</u> and overstay their visas.**

- *General trend:* 2002-2008, the number of irregular migrants in Europe decreased by an estimated **32%** (EU-15 only) (Clandestino).

- *Explanation:* In part, this is because a large number of migrants were 'regularized' when EU borders expanded by 12 countries.

- Other factors contributing to the decline include further regularizations for non-EU citizens, increased border enforcement, and **poor economic conditions. Global economic crisis.**

- The detected flow of migrants at border crossings and applications for asylum spiked during the Arab Spring; however, **illegal stay has generally decreased since 2008** (Frontex).

Trends in Border Apprehensions, Apprehensions in country, Refusals of entry, and Asylum applications in the EU-27 2009-2012

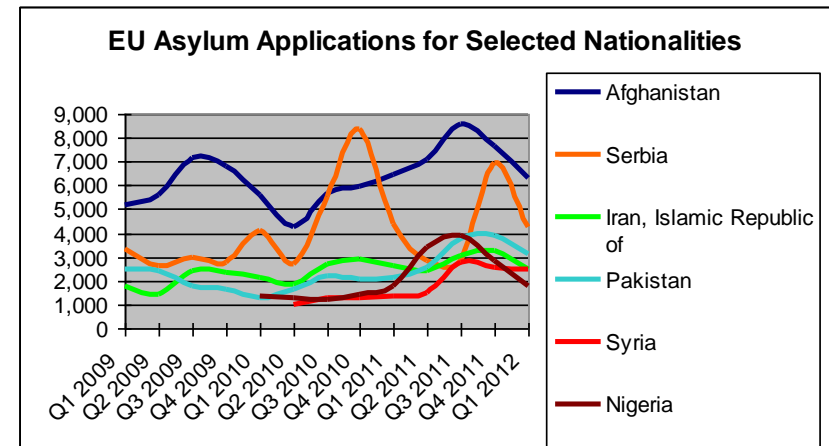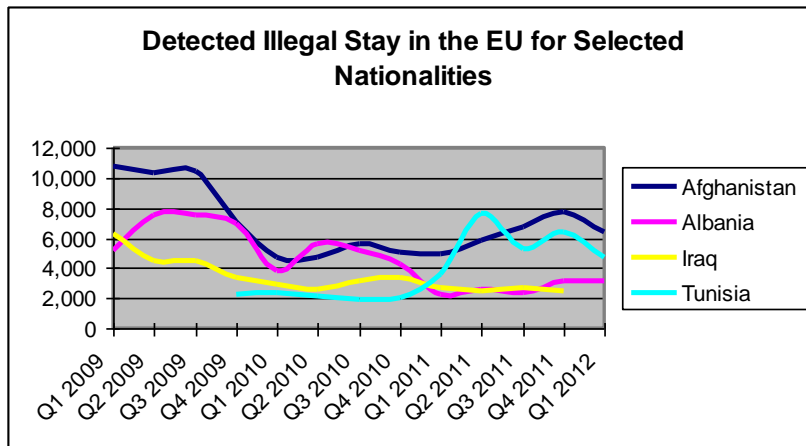
Migration Trends

Legend:
- Illegal entries between BCPs
- Illegal stay
- Refusals of entry
- Applications for asylum

X-axis: Q1 2009, Q3 2009, Q1 2010, Q3 2010, Q1 2011, Q3 2011, Q1 2012

Y-axis: 0, 20000, 40000, 60000, 80000, 100000, 120000

The Arab Spring

- Outflows from most Arab countries were temporary following political upheaval and have returned to earlier levels.

- The new Libyan government continues to enforce borders based on previous government's agreements.

- Migrant flows from Syria are increasing, but the number of detected illegal entries by Syrian nationals remains small (676 for Q1 2012, less than Pakistan) (Frontex).

- **Somalia and Afghanistan generate some of the largest migrant/asylum-seeker outflows to Europe**, due to ongoing conflict and political instability.
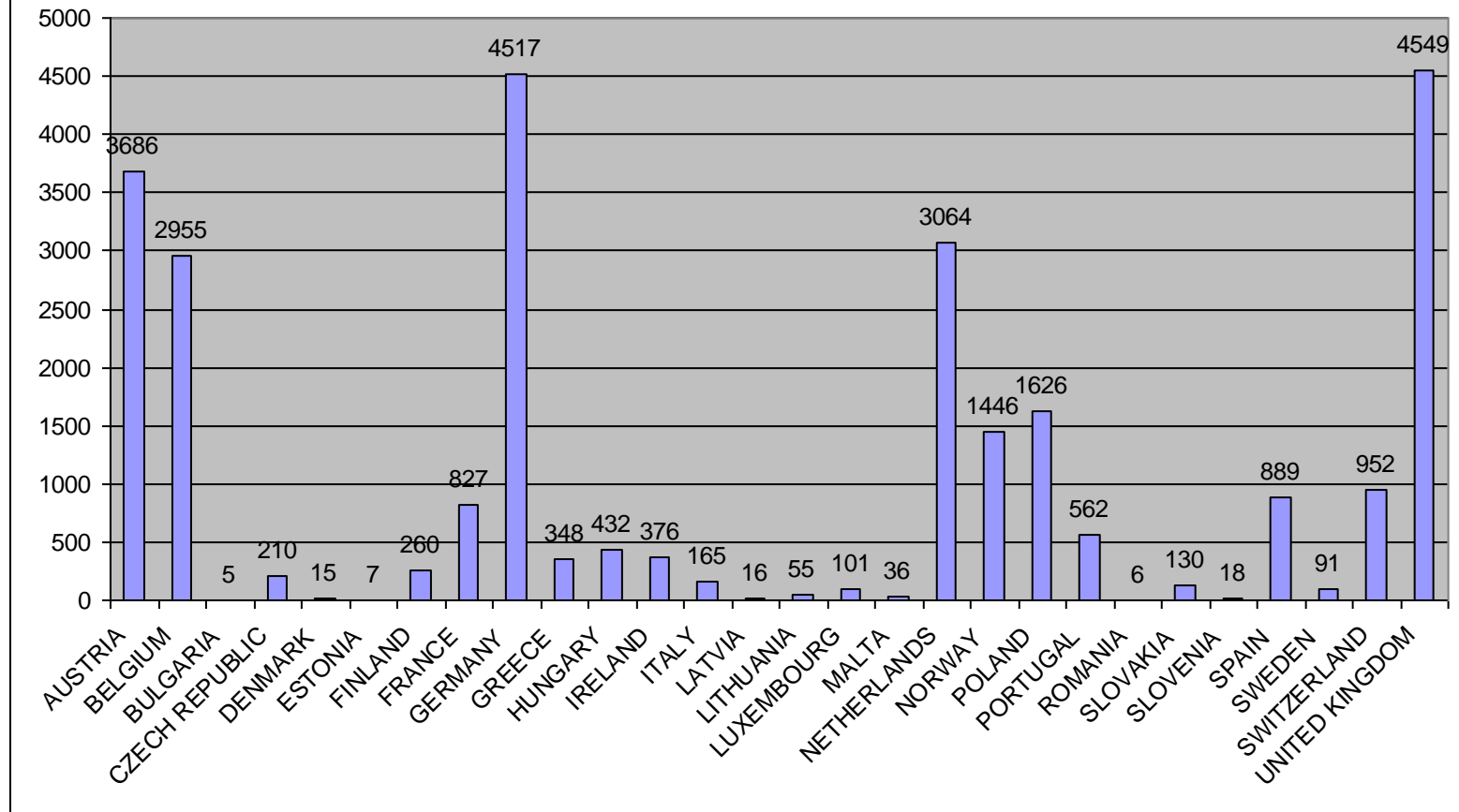
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Detected illegal stay and asylum applications in the EU

Detected Illegal Stay in the EU for Selected Nationalities

Legend: Afghanistan, Albania, Iraq, Tunisia

EU Asylum Applications for Selected Nationalities

Legend: Afghanistan, Serbia, Iran, Islamic Republic of, Pakistan, Syria, Nigeria

Note: top 10 nationalities of detected irregular migrants 2009-2012 (descending order): **Afghanistan**, **Morocco**, **Albania**, **Algeria**, **Brazil**, **Serbia**, **Iraq**, **Tunisia**, **Pakistan**, and **Ukraine**. For nationalities not on the chart, the number of detected migrants has remained relatively stable.

Note: top 10 nationalities of asylum seekers 2009-2012 (descending order): **Afghanistan**, **Serbia**, **Somalia**, **Iraq**, **Russia**, **Iran**, **Pakistan**, **Eritrea**, **Nigeria,** and **Syria**. For nationalities not on the chart, the number of asylum seekers has remained relatively stable.

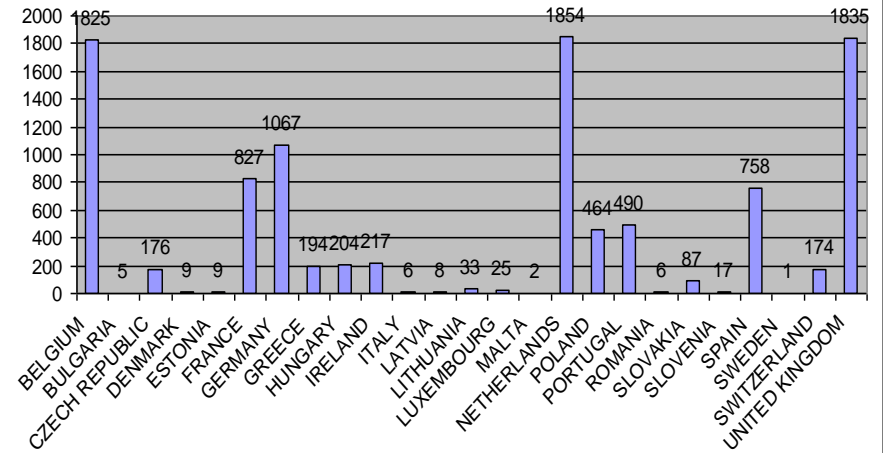**IOM Assisted Voluntary Return and Reintegration (AVRR) in 2010**
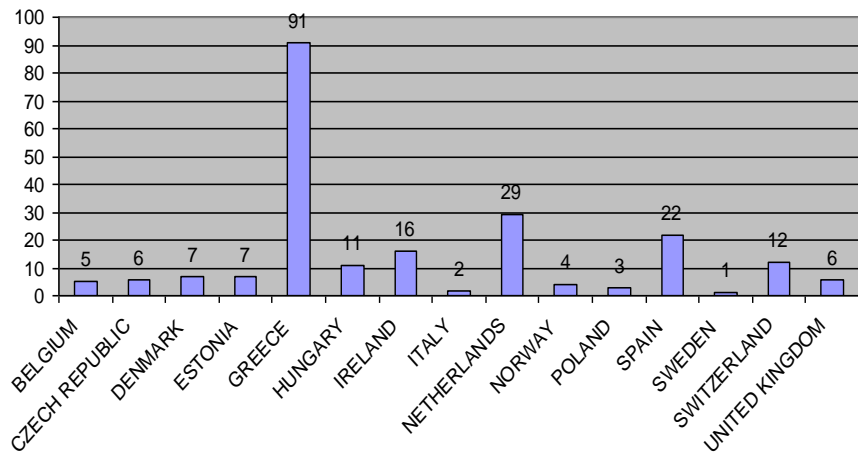
Source: IOM AVRR EU Year Report 2010
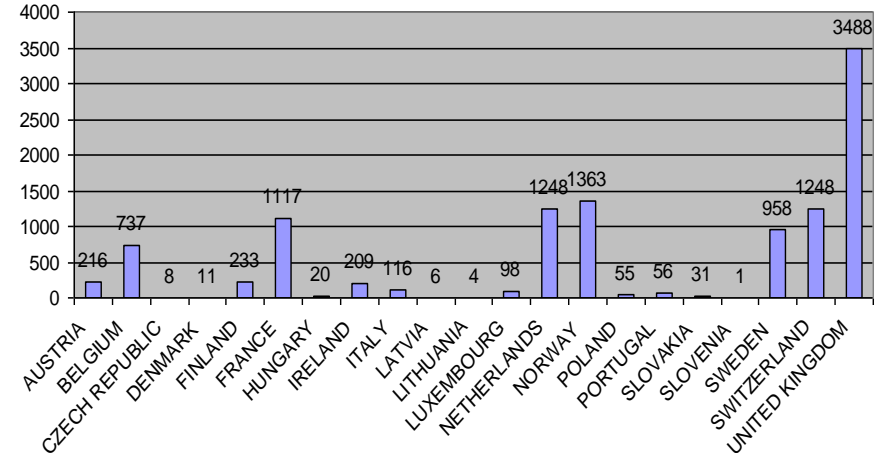
AVRR for Unsuccessful Asylum Seekers

Country	Value
BELGIUM	1131
CZECH REPUBLIC	26
DENMARK	7
FINLAND	260
GERMANY	3450
GREECE	143
IRELAND	159
ITALY	14
LATVIA	8
LITHUANIA	22
LUXEMBOURG	76
MALTA	34
NETHERLANDS	1220
NORWAY	434
POLAND	1162
ROMANIA	2
SLOVAKIA	43
SWEDEN	90
SWITZERLAND	778
UNITED KINGDOM	2714
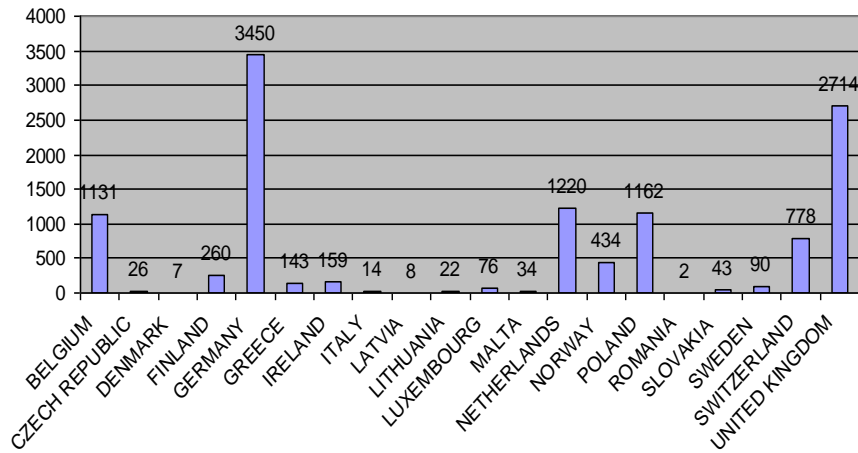
AVRR for Migrants in Irregular Situations

Country	Value
BELGIUM	1825
BULGARIA	5
CZECH REPUBLIC	176
DENMARK	9
ESTONIA	9
FRANCE	827
GERMANY	1067
GREECE	194
HUNGARY	204
IRELAND	217
ITALY	6
LATVIA	8
LITHUANIA	33
LUXEMBOURG	25
MALTA	2
NETHERLANDS	1854
POLAND	464
PORTUGAL	490
ROMANIA	6
SLOVAKIA	87
SLOVENIA	17
SPAIN	758
SWEDEN	1
SWITZERLAND	174
UNITED KINGDOM	1835

AVRR for Victims of Trafficking

Country	Value
BELGIUM	5
CZECH REPUBLIC	6
DENMARK	7
ESTONIA	7
GREECE	91
HUNGARY	11
IRELAND	16
ITALY	2
NETHERLANDS	29
NORWAY	4
POLAND	3
SPAIN	22
SWEDEN	1
SWITZERLAND	12
UNITED KINGDOM	6

Reintegration Assistance for AVRR

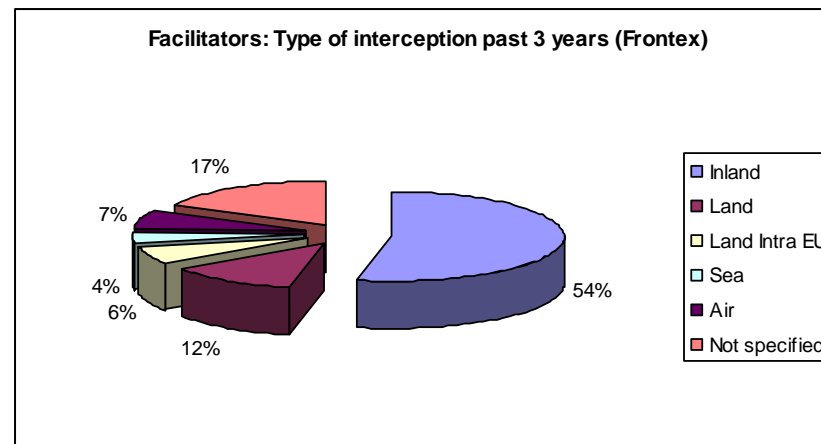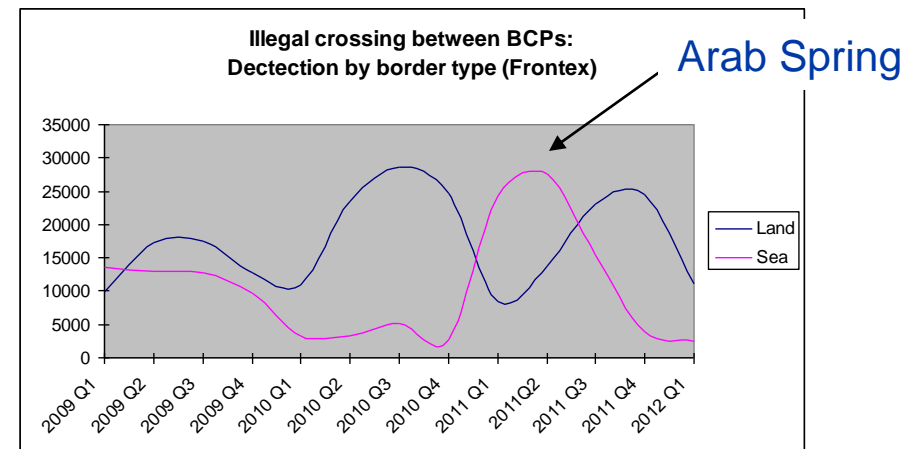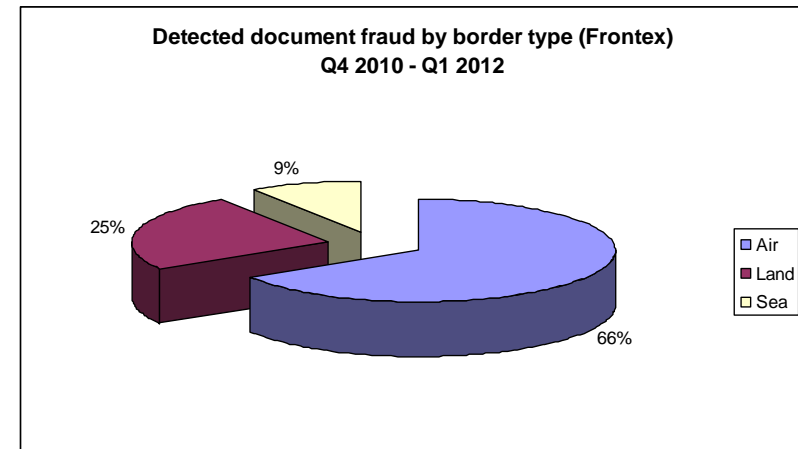| Country	Value
AUSTRIA	216
BELGIUM	737
CZECH REPUBLIC	8
DENMARK	11
FINLAND	233
FRANCE	1117
HUNGARY	20
IRELAND	209
ITALY	116
LATVIA	6
LITHUANIA	4
LUXEMBOURG	98
NETHERLANDS	1248
NORWAY	1363
POLAND	55
PORTUGAL	56
SLOVAKIA	31
SLOVENIA	1
SWEDEN	958
SWITZERLAND	1248
UNITED KINGDOM	3488

Human smuggling

- It is assumed that an overwhelming number of irregular migrants use the services of smuggling networks at some stage in their journey.
- The majority of facilitators are detected in just a few EU Member States, namely **Italy, France, Greece and Spain,** which account for more than **85% of the EU total**.
- In these countries, it is mainly EU **nationals** that provide facilitation.
- Over the past three years, detection of facilitators in the EU has steadily decreased from a high of 9,171 in 2009 to 6,957 in 2011 (Frontex).

Facilitators: Type of interception past 3 years (Frontex)

17%
7%
4%
6%
12%
54%

- Inland
- Land
- Land Intra EU
- Sea
- Air
- Not specified

Human smuggling (cont.)

- Despite an increase in irregular entry by sea in the first half of 2011, due to the Arab Spring, the greatest proportion of irregular entries overall come by land and air

Detected document fraud by border type (Frontex)
Q4 2010 - Q1 2012

- Air
- Land
- Sea

9%
25%
66%

Illegal crossing between BCPs:
Detection by border type (Frontex)

Arab Spring

- Land
- Sea

2009 Q1, 2009 Q2, 2009 Q3, 2009 Q4, 2010 Q1, 2010 Q2, 2010 Q3, 2010 Q4, 2011 Q1, 2011Q2, 2011 Q3, 2011 Q4, 2012 Q1

Human trafficking

- The general estimate for the number of trafficked persons in Europe is 250,000 a year according to IOM and ILO statistics (UN.GIFT Trafficking in Persons report).

- The US Dept. of State 2012 Trafficking in Persons report indicates 10,185 victims were identified in Europe 2011.

- IOM assisted 1,606 trafficked persons in Europe 2011, 29% of total IOM trafficking assistance worldwide. **More than half of IOM assistance in Europe went to trafficked persons located in Ukraine** (814 cases).

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EU legislation on human trafficking

- In April 2011, the EU passed a new comprehensive anti-trafficking Directive defining human trafficking and setting standards for Member States' responses to trafficking.

- The standards set forth in the EU Directive require Member States to criminalize all forms of trafficking and to assign significant penalties for trafficking offences.

- Member states must investigate and prosecute trafficking cases without depending on victim testimony and may continue their investigations and prosecutions even when victims have withdrawn their statements .

Overview of policy responses

- Emphasis on tougher border enforcement and control of illegal flows, and returns (OECD, 2012).
- Introduction of better information systems, policing and border infrastructure.
- Era of large-scale regularisations has gone.
- The last few years have seen sanctions aimed at the employers of irregular migrants increase.
- This is response to 2009 EU directive on "minimum standards on sanctions and measures against employers illegally staying third-country nationals".
- Trafficking and smuggling; main efforts focused on prevention and less on protection of victims.

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Thank you.

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