International Organization for Migration (IOM)

Irregular Migration in the Global Context and Current Challenges

Outline

- **Irregular migration: terminology and numbers**

- **Types of irregular migration and its roots**

- **Mixed migration flows**

- **Responses and best practices**

Definition (1): Migration

IOM:

In the global context, it is the movement of a person or a group of person, either **across** an international border or **within** a State. It is a population movement, encompassing **any kind** of movement of people, **whatever its length**, **composition and causes**; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification

Definition (2): Migrant
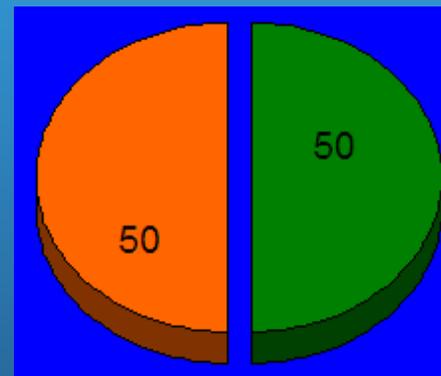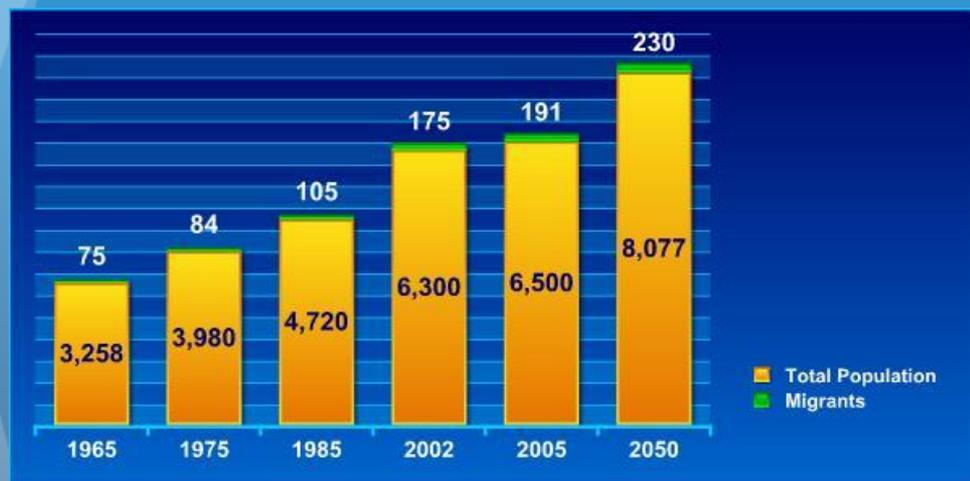
No universally accepted definition exists.

Usually understood to cover all cases where the **decision to migrate was taken freely** by the individual concerned for reasons of 'personal convenience' and without intervention of an external compelling factor (e.g. persons moving to another country to improve their material or social conditions)

The UN defines migrant as an individual who has **resided in a foreign country for more than one year irrespective of the causes** (voluntary or involuntary) and the means (regular or irregular) used to migrate.

Migration: myth and reality

Myth #1: Overall numbers are increasing but the percentage of migrants of the total population has remained stable over the last 40 years (3%). In 2013, there were 232 million migrants globally.

Myth #2: The number of migrants from developing countries in other developing countries (South-South migration) is roughly the same as the number of migrants from developing countries in developed countries (South-North migration)

Definition (3): Irregular migration

No universally accepted definition exists.

Denotes movement that takes place **outside the regulatory norms** of the sending, transit and receiving countries.

From the perspective of the **sending country** it is, for example, crossing an international boundary without a valid travel document. From the perspective of the **destination country** it is entry, stay or work in the country without the necessary authorization or documents required under immigration regulations.

Definition (4): Irregular migrant

A person who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, **lacks legal status in a transit or host country**. It includes *inter alia* those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorized or have taken up unauthorized employment.

Definition (5): Undocumented migrant

A non-national who enters or stays in a country without the appropriate documentation (e.g. entered clandestinely without the legal documents; who entered using fraudulent documents; who entered using legal documents but overstayed or otherwise violated the terms of entry)

Terminology: Illegal or irregular migrant…Why NOT illegal?

- **Legally incorrect:**
    - an act can be illegal, but a person cannot
    - being undocumented is not a criminal offence

- **Harmful:**
    - denies the migrants' dignity and human rights, turning them into targets of contempt
    - Encourages suspicion, mistrust and social divisions

- **Against (Europe's) values:**
    - Discriminatory and offensive
    - Oppressive: historically used to define disadvantaged groups
    - Outdated: language evolves!

Categories of irregular migration

- Overstaying a visa

- Non-registering at the police

- Employment without proper documentation

- Abusing asylum system for the purpose of securing residence status at the initial stage

- Inability to present identity documents

- Document and/or identity fraud

- (Facilitating) illegal crossing of a border (smuggling)

- Trafficking in human beings

Note: migrants often end up in irregular situation through no fault on their own

How many irregular migrants?

- Varying estimates: 10 – 20 % of the total migration stock worldwide
  (Europe: 1.9 – 3.8 million irregular migrants in 2008)

- **Problems with data:**

    - Inconsistent terminology
    - Incomplete, inaccurate and incomparable statistics
    - Do not collect disaggregated data (gender, age)

Roots of irregular migration

'Push' factors: Confluence of mega trends

- Conflict, instability (recent, protracted)
- Poor governance and endemic poverty
- Impact of climate change

'Pull' factors:

- Vision of a secure, better life

→ **Push** factors are generally **stronger** than pull factors
→ Mobility is magnified by **unprecedented levels of connectivity**

Who are the irregular migrants?

Mixed Migration Flows

- Key feature of migratory movements today

- Complex population movements: refugees, economic migrants, victims of trafficking, smuggled migrants, unaccompanied minors, stranded migrants, migrants moving for environmental reasons

- **Key issue:**
  - Different migrants, different needs (pre-departure, upon arrival, long term)

Responding to irregular migration: 'control' approach

- **Pre-frontier**
    - Information campaigns
    - Visa requirements
    - Pre-boarding documentation checks (country of origin / transit)
    - Advance passenger information systems, alert lists
    - Re-entry bans
    - Carrier sanctions
    - Liaison officers
    - Punitive measures against human smugglers
    - Continuous risk analysis, intelligence gathering, information exchange
- **Border management**
    - Strengthening borders (fences, electronic surveillance)
    - Strengthened border patrols, controls, inspections
    - Documents with enhanced security / biometric features
    - Training for border guards

Responding to irregular migration: 'control' approach

- **Post-arrival measures**
    - Detention
    - Workplace inspections
    - Employer sanctions
    - Restrictions on the right to work, access to housing, social welfare benefits
    - Forced return (trough a readmission agreement or without it)

'Control' approach is legitimate and necessary but is largely ineffective if it is the only method applied !

Responding to irregular migration: 'facilitation' approach

- Adequate and comprehensive policies and laws

- Opening more regular channels for migration

- Amnesty / regularization for irregular workers

- Assisted voluntary return and reintegration

- Regional mobility schemes

- Regional cooperation and cooperation with countries of transit and origin

Population prognosis: Europe will need migrants

- Fertility in all European countries is now below the level required for full replacement of the population in the long run (now 2.1 children per woman, expected 1.8 in 2045)

- Global median age is 29 years; in Europe, it is 42 year, and will grow to 46 years by 2050

- Almost quarter (24%) of Europe's population is now 60 or over; it will be 34% in 2050

- In 2015, there are 4 people aged 20-64 for every person 65 and older; by 2015, it will be 2

Key messages

1. Terminology related to migration in general and irregular migration in particular is complex. But at least we should promote the right vocabulary.

2. There are too many 'myths' about migration – we need to focus on data and evidence and separate myths from reality

3. Roots of irregular migration vary – it is not just about conflicts and not just about search for jobs

4. Migration flows are a mixed flows – migrants' needs vary

5. 'Control' measures only will not suffice to regulate irregular migration

6. Given the population prognosis, migration discourse will change – Europe needs migrants in order to grow

Thank you for your attention!

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