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Mapping Stakeholders' Needs and Usage of Irregular Migration Data

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Summary

The field of irregular migration is characterised by the absence or scarcity of reliable, comparable, and high-quality data. Against this backdrop, this concept note sketches the various challenges connected to using data on irregular migration, assesses the complex and multifaceted context in which many actors rely on such data, and presents examples of how data have already been used.

Given the overall scarcity of adequate data, policymakers, service providers and other potential data users are frequently confronted with a comparably weak evidence base that has considerable impacts on their ability to develop or evaluate policies, allocate resources, and contribute to the political discourse. Yet even in the rare instances where data are available, there are obstacles for users. Concerns relate especially to a lack of agreement on what constitutes irregularity, comparability across countries and time, data quality, the selective availability of certain type of data but not others, and whether existing estimates – even when they are incomplete or biased – constitute a sufficient evidence base to work with.

How data on irregular migration is produced and collected plays an important role in shaping the potential and actual usage of the data. On the one hand, stakeholders' data needs and their concepts of irregular migration play an important role in shaping how irregular migration is defined and how the data is collected. On the other hand, the availability and quality of irregular migration data also shape how data can and cannot be used. Starting from the importance of recognising the two-way relationship between data production and data usage, the note further develops the role of data in decision-making, strategic and operational planning, identification of policy needs, good governance, promotion of dialogue and innovation, and research. Through use cases of stakeholders working on or with irregular migrant populations, it is shown how stakeholders use data, for example, to forecast future irregular migration flows to the EU, plan services for irregular migrant populations, estimate stocks of irregular migrants, measure policy effectiveness, and to hold governments accountable.

Finally, the production, usage, and sharing of data on irregular migrants is impacted by political priorities, competition for funding, ethical and legal considerations, and other interests. These can lead to inefficiencies in formulating adequate policies that address irregular migration, but often appear out of a gridlock that helps to maintain the *status quo*. Political authorities might be guided by electoral goals or intentions to avoid public or parliamentary scrutiny. In addition, ethical concerns exist around sharing information about a vulnerable population that oftentimes risks deportation if identified. Lastly, financial considerations, such as securing additional funding, also impact data usage.

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THE MIRREM PROJECT

MirreM examines estimates and statistical indicators on the irregular migrant population in Europe as well as related policies, including the regularisation of migrants in irregular situations.

MirreM analyses policies defining migrant irregularity, stakeholders' data needs and usage, and assesses existing estimates and statistical indicators on irregular migration in the countries under study and at the EU level. Using several coordinated pilots, the project develops new and innovative methods for measuring irregular migration and explores if and how these instruments can be applied in other socio-economic or institutional contexts. Based on a broad mapping of regularisation practices in the EU as well as detailed case studies, MirreM will develop 'regularisation scenarios' to better understand conditions under which regularisation should be considered as a policy option. Together with expert groups that will be set up on irregular migration data and regularisation, respectively, the project will synthesise findings into a handbook on data on irregular migration and a handbook on pathways out of irregularity. The project's research covers 20 countries, including 12 EU countries and the United Kingdom.

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1. Introduction

The evidence revolution that is sweeping through different policy areas, combined with the increasing availability of different data sources, sparks questions about stakeholders' data needs and usage. The question why and how data is used becomes especially interesting when considering a particularly sensitive issue that often lacks high-quality data such as irregular migration.

The usage of irregular migration data is shaped by a striking shortage or even absence of data, with considerable consequences for policymakers, service providers, and other stakeholders that would benefit from better access to evidence. Gaps in migration data and statistics are eminent even for regular migration measures, let alone for irregular migration (Bircan et al., 2020; Kraler & Reichel, 2011). The data that is available is, by default, collected and produced for different purposes and political goals (Heller & Pécout, 2020), often resulting in multiple, incomparable, and at times fuzzy definitions of irregular migration.

Even when adequate data are available, ethical considerations, electoral goals, legal reasons, and financial interests can shape *whether* and *how* authorities, service providers, and other stakeholders use data on irregular migration. For example, governments are keen to avoid the impression that they are unable to manage irregular migration flows, even when their capacity to achieve this is limited. This can lead to nebulous definitions of irregularity, underreporting, or selective usage of data and limited sharing, which can have significant implications for policy formulation, evaluation, and the creation of a rigorous evidence base on the topic, ultimately limiting policy effectiveness and slowing innovation.

Understanding current data urgency and usage is not only essential to unpack both how stakeholders' demands and usage of data shapes our perceptions and definitions of irregular migration but is also important to exploring how characteristics of existing data – including the availability and quality – shape how data are used, and how in turn they shape policies and policy outcomes. This concept note explores the data needs and use cases of stakeholders working on or with irregular migrant populations and reviews the interests and challenges associated with data production, usage, and sharing.

2. Challenges to using data on irregular migration

Given the clandestine nature of irregular migration and the overall lack or scarcity of relevant data, policymakers and other data users are confronted with a weak evidence base that hampers their ability to develop or evaluate policy proposals. Yet even in the rare instances where data are available, there are obstacles for data users. Concerns relate especially to a lack of agreement on what constitutes irregularity, concerns over comparability, data quality, and whether existing estimates – even when they are incomplete or biased – constitute a sufficient evidence base to work with.

First, challenges relate to the lack of a universally accepted definition for irregular migration, which is defined and measured differently by different actors. This concept note will not explore the many definitions of irregular migration but suffice it to say that they play an important role in both how data is collected and how data can be used, generating misperceptions and lack of clarity among data users. This is because 'irregularity' tends to be derived from three different and not necessarily overlapping categories: irregular entry, stay, or employment (Migration Data Portal, 2022). While entry is emphasised in some contexts (e.g. border management), others focus more on employment (e.g.

labour inspection data) or stay (e.g. police records). In addition, ‘irregularity’ is fundamentally fluctuating, with people moving in and out of irregularity as their status or national laws change, turning regular migrants into irregular migrants, and *vice versa*. The result is an ambiguity that has consequences on policy formulation, assessment, and public perceptions, as it remains oftentimes unclear what policy conclusions can be drawn from these numbers.

In some cases, difficulties around the definition of ‘irregularity’ introduce great uncertainty into estimates and create a disconnect between the understanding of the wider public and estimates of irregular migration. For instance, researchers have previously included persons with a deferred deportation order or asylum seekers with a pending decision among the irregular migrant population (Connor & Passel, 2019). This not only increases estimates significantly, but it also reduces ‘irregularity’ to the mode of entry and ignores the possibility for statuses to change over time. Yet, most importantly, it contributes to a lack of clarity around the meaning of data on irregular migration and their interpretation, which complicates the usage of such data.

The way data on irregularity are collected is also a major hurdle for policymakers. Specifically, European countries still rarely coordinate their data collection efforts, which limits comparability. For instance, both irregular border crossings and first-time asylum applications are counted separately by each EU Member State, meaning that one person can be double-counted in different countries.¹ This makes it very difficult to aggregate or compare data across Europe, and hinders a truly cross-European debate on the issue. It also blurs the evidence base on asylum applications and secondary movements, for example. Lastly, inconsistencies over time and across countries also make it much more difficult to evaluate or single out the effect of new policy measures. It is therefore unclear, which data can be used as a yardstick for success, and which data rigorous evaluation should rely on.

Moreover, available data suffer from a range of quality issues. Policymakers tend to prefer evidence from data that is collected by authorities through registers or statistical offices over less reliable quantifications derived from estimates, even when they are sometimes all that is available. In the context of the COVID-19 pandemic, policymakers moved away from this to some extent. Depending on the data source used to obtain estimates, certain population groups will be over-represented while others will remain mostly unnoticed. For example, women, children, and the elderly tend to be overrepresented in health care data, while young and working-aged men are overrepresented in police records (Triandafyllidou, 2009, p. 35). In addition, data collection methods might systematically overlook certain migrant groups. During the COVID-19 pandemic for example, cities like Amsterdam were surprised to discover a large group of Brazilian immigrants without legal status, just because they had never appeared in public records or sought help before (Slootjes, 2022, p. 13). Finally, data on irregular migration are oftentimes reflecting the activity of the respective data-collecting authority rather than being indicative of actual numbers. For example, more border controls may lead to more apprehensions, but this does not necessarily signify an increase in irregular flows.

The question of data adequacy is further complicated by the fact that most available data do not measure irregularity *per se*, but rather compliance with laws and policies and non-detection by authorities. For instance, irregular border crossings can only provide a snippet of overall inflows, since they do not capture all pathways into irregularity, like visa overstaying or loss of protection status. In addition, detection rates across different routes are likely to be influenced by a variety of factors, including geography, and the strategies of migrants and smugglers. For instance, it is likely that

¹ Note that this will change once the EU’s Entry-Exit System is operational, as it is planned to improve notably coordination on entries and departures of short-term visa holders. See: (Directorate-General for Migration and Home Affairs, European Commission, n.d.a).

apprehensions on the central Mediterranean route are closer to the unknown total number of irregular arrivals compared to land borders between Moldova and Romania.

In turn, absence of certain data also shapes policy responses and skews attention towards areas like border enforcement, whereas other areas remain overlooked. For instance, data on the well-being of irregular migrants and their access to services such as healthcare or education are still scarce. Yet, they are crucial to inform budgeting and resource decisions, and improve social cohesion, as the examples from Ghent in Belgium (above) has shown.

Overall, data on most aspects of irregularity are clearly incomplete, biased, incomparable, or missing altogether, and all data give just a small indication of the entire picture. Even when high-quality data are available, interpretation and inferences thereof may be contested. This raises significant challenges for any policymaker or data user dealing with the issue. Questions therefore should focus on what can be done in the absence of more adequate data. How can available data be effectively used to inform policy design and evaluation? How can data be triangulated to improve validity and uptake among policymakers? How can they be used to communicate sensibly and avoid misperceptions?

3. Irregular migration data needs and usage

A wide variety of stakeholders need and use data on irregular migration, including policymakers, service providers, civil society organisations and many others. Yet whether and how data on irregular migration is used depends primarily on the availability of adequate data, given its overall scarcity. Where it is available, data is used for a broad set of goals, from improving policies and service delivery to stakeholders' efforts to increase their slice of funding or achieving political gain.

How data on irregular migration is produced and collected plays an important role in shaping the potential and actual usage of the data. Data may be produced for different goals. First, it may be produced for the purpose of monitoring and gathering information to intentionally inform many of the use cases explained below, including decision making, policy evaluation, and strategic planning. Data may also be produced as a side product of administrative and service provision, such as data collected in case files or patient records that were not collected with the intention to inform a specific use case. Lastly, data may also be produced purely for the sake of knowledge and research. Even though in this last case data is only produced for the sake of knowledge production, policymakers' priorities and concepts may still shape the data production (Bakewell, 2008).

This last point illustrates that the relation between data production and availability and data usage is more complex than it may appear at first glance. Stakeholders' data needs and their concepts of irregular migration play an important role in shaping how irregular migration is defined and how the data is collected (Bakewell, 2008). On the other hand, the availability and quality of irregular migration data shape how data can and cannot be used. This two-way relation between data production and data usage and needs is important to understand and unpack when understanding how data on irregular migration is being used.

Data on irregular migration can be divided in roughly two categories. The first sub-category of data focuses on mobility and border crossings and has often been used by state authorities to improve border security. The second sub-category of data focuses instead on the irregular migrant populations present in a specific territory and their needs and demographic characteristics and has often been

used by a broader set of stakeholders, including health clinics and civil society organisations. Both categories of data can be used for different general purposes.

This section explores different stakeholders' data needs and use cases and illustrates the different ways in which data on irregular migration has, or has not, been used in practice with examples.

3.1 Decision making

Data ideally plays an important role in decision-making processes, serving as evidence and hence guiding stakeholders to optimise policies and programmes through weighing different trade-offs. Poor quality data may result in steering stakeholders such as policymakers and public opinion away from effective solutions. Yet, even when high-quality data exists, it may not be used due to political reasons.

Among the many uses, data on irregular migration are often consulted when policymakers are considering regularising irregular migrants and want to assess the scale and impact of potential policies, including the longer-term impact on demographic trends. The estimated number of persons that will be affected by the campaign therefore shapes the design of regularisation policies (Triandafyllidou & Vogel, 2010, p. 297). However, it is often unclear whether and how evidence was used to estimate the number of people eligible for regularisation programmes, and many estimates also remain internal due to their sensitive nature (Bodeux, 2021, pp. 11–12). Portugal, for example, temporarily regularised approximately 246,000 people with pending asylum, residence, or work permit applications between May 2020 and 31 March 2021 to include them in the COVID-19 public health response (Bodeux, 2021, p. 7). The state should have had access to data on the number of eligible people because of their existing application. However, it is not clear whether this has been done. In fact, European states often rely on application-based systems and only communicate about figures after regularisation (Bodeux, 2021, pp. 11–12).

3.2 Strategic and operational planning

High-quality data is a critical tool to inform the strategic and operational planning of practitioners and civil society organisations. It can help stakeholders anticipate the number of staff they need to hire, supplies to order, and budget to allocate. In Spain, municipalities collect demographic information regardless of migration status through the *Padrón* system, which enables municipalities to estimate the number of foreign migrants without a legal status (Bauder & Gonzalez, 2018, p. 126). This data enables municipalities to plan services that target irregular migrants. Such data, for instance, allowed Barcelona to proactively prepare services that cover irregular migrants, including arranging enough school places and availability of doctors to meet future demands (Spencer & Delvino, 2019, p. 37).

Data can also be used to forecast future irregular migration. In 2020, the DG Migration and Home Affairs from the European Commission requested a feasibility study on a forecasting and early warning tool, which would be “capable of forecasting and assessing the direction and intensity of irregular migratory flows to and within the EU and to provide early warnings and forecasts on this basis both in the short term (1 to 4 weeks) and in the medium term (1 to 3 months)” (Ecorys, 2020, p. 7). While such a forecasting system is still unavailable to date, great expectations lie in the European Entry/Exit system, which is set to become operational in 2023 and expected to provide EU-wide information on the in- and out-flows of third-country nationals traveling to the EU for short periods of time (e.g., it will not track persons with longer-term visas or residence permits). This system could also help now-cast the stock of irregular migrants in the EU by systematically identifying visa overstayers (Vespe et al., 2017, p. 13).²

² For more information: (Directorate-General for Migration and Home Affairs, European Commission, n.d.b)

3.3 Identifying needs and policy gaps

Data can serve as a compass for policymakers to guide their policy agenda, notably by mapping irregular migration flows and identifying needs of irregular migrants. For example, in Switzerland, data³ showed the disproportionate impact of the pandemic on irregular migrants and their needs (Delvino & Spliet, 2021, p. 4).⁴ This evidence shaped cantonal and national policies, such as free vaccines for all and a safety net for informal workers who lost their income because of the pandemic, that both covered irregular migrants (Delvino & Spliet, 2021, p. 4). Another example comes from the city of Ghent, which set up a municipal platform to develop policies specifically addressing irregular migrants (Delvino & Spliet, 2021, p. 3). In 2020, it established shelters for irregular migrants where they receive support for return or regularisation, thereby offering ways out of irregularity (Delvino & Spliet, 2021, p. 3). The initiative attracted attention from the Belgian national government and led it to include funding pilot projects that provide guidance on accessing the reception system, regularisation procedures, and voluntary return in its coalition agreement (Delvino & Spliet, 2021, p. 3).

3.4 Good governance and policy learning

Data plays an important role in fostering good governance through improving policy learning, accountability, legitimacy, and transparency (Organisation for Economic Cooperation and Development, 2020). High-quality data enables stakeholders to assess whether policies and programmes are effective in reaching the intended goals and target populations, but also to assess whether there are any unintended outcomes. Consequently, data is an important tool to improve policies.

Frontex, for example, regularly reports on irregular border crossings to the EU, comparing different periods and migration routes. This helps the agency, as well as member states, to assess and review their policies and practices for deterring and preventing irregular migration to the EU. Yet, policy effectiveness may be difficult. Yet, as will be discussed below, it may be difficult to measure a policy's effectiveness in the context of more border control, which aims to reduce the number of irregular border crossings, as this may result in more border apprehensions and therefore data indicating irregular border crossings are going up⁵. This data, in this example, may not be the right tool to assess policy effectiveness. Czaika and de Haas point at the more general challenges of assessing migration policy effectiveness (2013). To assess policy effectiveness, we usually look at whether policy outcomes match the stated objectives, but are these the objectives stated in political discourse, in policies on paper, or those of implemented policies?

Beyond governmental actors, data is also used by non-governmental actors to hold governments accountable for their policies and to raise public awareness. Whether using data produced by state actors or producing their own, CSOs, journalists and researchers can use them to verify, challenge, or criticise government policies. As the phenomenon of irregular migration tends to be more invisible, a media outlet can, for example, produce and use its own data to raise awareness around an issue for which the government may prefer not to produce data because it prefers to ignore the social problem. A case in point are CSOs that began counting border deaths in Europe in the early 1990s in order to

³ The data was collected by a community health clinic supported by the city of Geneva as well as other services operated by CSOs, such as food distribution services.

⁴ Infection rates among irregular migrants were significantly higher and this population relied more frequently on food donations, indicating a greater need for healthcare and social support during the pandemic.

⁵ A study by Cornelius and Salehyan from 2007 found that stronger border enforcement had surprisingly little effect on the decision to migrate illegally to the USA. See (Cornelius & Salehyan, 2007).

“make visible the human cost of ‘Fortress Europe,’ to demand accountability from European states, and to call for a reorientation of European politics.” (Heller & Pécoud, 2020, p. 2).

3.5 Policy outcomes

Data, or the lack thereof, indirectly shape peoples’ lives and well-being, not only of irregular migrants, but also of host society populations, through informing policies and programmes and playing a role in how budgets are allocated. For example, for individuals, regularisation can provide access to services, security, stability, and integration opportunities. At the societal level, it can lead to economic growth, increased social cohesion, and the reduction of the stock of migrants in an irregular situation. Spain, for instance, launched a large-scale regularisation campaign in 2005 and advertised this campaign as much as an economic policy tool (e.g. to ensure equal competition, increase contributions to the tax base, and limit worker exploitation) as an immigration policy tool (Arango & Jachimowicz, 2005). In fact, using data from the Spanish Department of Social Security, researchers showed how a regularised migrant is comparatively more likely to make a larger contribution to the social security system than his/her Spanish counterpart, thanks to a higher employment rate and a lower average age (Miguélez & Recio, 2008, p. 603). This example shows the potential of the data collected if it is exploited both from the point of view of better policy outcomes but also in the political debate around regularisations.

3.6 Fostering dialogue and innovation

Beyond shaping policies and policy outcomes, data also shape the discourse, political debate, and innovation more broadly. Not only can data *on* irregular migrants help in designing, implementing, or evaluating policies, but data *from* them can also be key. Irregular migrants can be important stakeholders to consult on a range of policies – not necessarily related to migration – and can provide useful information to policymakers in designing new programmes. For example, Amsterdam’s police launched a pilot project in cooperation with the Ministry of Justice, the city, and CSOs allowing irregular migrants to report crimes without fear of arrest (Delvino & Spliet, 2021, p. 2). This effort helped to facilitate dialogue and information-sharing and allowed the police to develop crime prevention and detection policies in a geographic area with a significant migrant population where the police had limited intelligence (Spencer & Delvino, 2019, p. 34). Following the success of the project, the policy innovation was subsequently applied at the national level in 2015 (Delvino & Spliet, 2021, p. 2).

3.7 Research

Beyond using data in practical settings, data production and use is also used in research where data often form the basis for analysis and insights. Researchers use data to test hypotheses and validate theories. The focus on policy relevant research has often led researchers on irregular migration to adopt the categories, concepts, and priorities of policymakers (Bakewell, 2008). This tendency shapes and constrains research and may cause large groups of (irregular) migrants to be overlooked or to erroneously be considered irregular migrants.

4. How interests influence data production, usage, and sharing

Political priorities, competition for funding, ethical, and legal considerations and other interests impact the production, use, and sharing of data on irregular migrants. These interests and constraints can lead to inefficiencies in formulating adequate policies that address irregular migration, but often appear out of a gridlock that helps to maintain the *status quo*.

Authorities may have interests connected to electoral goals and public or parliamentary scrutiny that explain why data are not being produced or shared, or why estimates may be minimised or maximised depending on the specific political goals. The topic is especially sensitive since governments want to avoid being seen as unable to control irregular migration and might fear that they lack the capacity to achieve their objectives (Bommes & Sciortino, 2011). For instance, the UK Home Office commissioned an independent research study in 2002 that provided an estimate of 500,000 persons residing without legal status in the country. The study was deemed too politically sensitive to be published but was later leaked to the media.⁶ Such omissions pose a significant risk to obtaining a more solid evidence base on both the scale of the irregular migrant population, as well as the needs and vulnerabilities of this group (Boswell & Badenhop, 2021, pp. 336, 349).

Moreover, there are ethical concerns regarding the use and sharing of data about a population that often lives in hiding and risks deportation if identified. For instance, health practitioners often obtain valuable information about irregular migrants, including not only their health status but also broader information about their living conditions. Yet due to their privileged relationship with patients and obligations around protecting their privacy, many health professionals choose not to use or share these data to avoid any risk of deportation.⁷ In other cases, service providers are not allowed legally to serve persons without status or may be pressured to prioritise legally residing residents, such as was seen during the COVID-19, and therefore decide to not share data (Vogel, 2016, p. 335). Some countries also go beyond by imposing a reporting duty on service providers, with more than a third of EU countries for instance requiring health authorities to report irregular migrants (Fox-Ruhs & Ruhs, 2022, pp. 28, 50). Nevertheless, these often face resistance from service providers and/or public authorities who do not implement, as the German case demonstrates well (Slaven et al., 2021, pp. 865–866).

Data usage is also impacted by financial considerations. Stakeholders may want to show off the success of their programmes by exaggerating estimates of the number of irregular migrants that they served or underestimating the number of irregular migrants present in a state. Some organisations are also drawing on funds that are not meant for irregular migrants, causing them to avoid reporting any irregular migrants using their services.

Lastly, data can be used to justify the existence of a service or agency that has an interest in raising funds. Frontex, for instance, recently stated that, together with the Belarusian border crisis and the influx of displaced persons from Ukraine, the “steadily increasing number of irregular crossings, demonstrate the need for strong and effective European Border and Coast Guard, with Frontex as strong supporter of Member States” (Frontex, 2023).

⁶ Such instances are sometimes described as examples of ‘state ignorance’ where authorities are not interested in knowing the exact number of irregular migrants or sharing this information. See (Boswell & Badenhop, 2021, pp. 336, 349).

⁷ In other contexts, service providers might be obliged to share information on irregular migrants who access their services, e.g., health care, with immigration authorities.

5. Moving Forward – Irregular Migration Data Needs and Usage in a Complex Context

Data plays an important role in policymaking, in how funding is allocated and managed, in how organisations and practitioners strategically allocate resources, in evaluating whether policies are effective, in shaping political discourses and public opinion, and in countless other areas. Yet, in the case of irregular migration data, stakeholders who would like to use the data face multiple obstacles, from poor data availability and quality to political and financial interests that result in potential over- and underreporting of irregular migration. Despite these limitations, multiple stakeholders, each with their own goals and each using different measurement definitions, are already using irregular migration data.

This concept note aimed to sketch the complicated and multifaceted context in which a variety of actors are using data on irregular migration and points the reader to the potential use cases and needs of data through exploring real life examples of how irregular migration data have been used until now.

6. Preliminary questions for workshop handout

- What kind of data on irregular migration would you consider most useful/informative in your field of work?
- In your current role, what type of data on irregular migration is available to you? Where do you get these from, and how are they prepared and presented? How do you deal with missing data? Who do you share these data with?
- What type of political considerations shape data needs and usage in your work?
- How should the adequacy of data be assessed in view of formulating policies relevant to irregular migration?
- What are the risks associated with using these imperfect data?
- What type of data should/should not be shared with policymakers and why?
- How can data be shared without risking the protection needs and privacy of irregular migrants?

7. REFERENCES

Arango, J., & Jachimowicz, M. (2005). Regularizing Immigrants in Spain: A New Approach. *Migration Information Source, Migration Policy Institute*. <https://www.migrationpolicy.org/article/regularizing-immigrants-spain-new-approach>

Bakewell, O. (2008). Research Beyond the Categories: The Importance of Policy Irrelevant Research into Forced Migration. *Journal of Refugee Studies, 21*(4), 432–453. <https://doi.org/10.1093/jrs/fen042>

Bauder, H., & Gonzalez, D. A. (2018). Municipal Responses to ‘Illegality’: Urban Sanctuary across National Contexts. *Social Inclusion, 6*(1), 124–134. <https://doi.org/10.17645/si.v6i1.1273>

Bircan, T., Purkayastha, D., Ahmad-Yar, A. W., Lotter, K., Dello Iakono, C., Göller, D., Stanek, M., Yilmaz, S., Solano, G., & Ünver, Ö. (2020). *Gaps in Migration Research. Review of migration theories and the quality and compatibility of migration data on the national and international level*. <https://doi.org/10.5281/ZENODO.4600644>

Bodeux, L. (2021). *Demystifying the regularisation of undocumented migrants* (pp. 1–25). Caritas Europa. https://www.caritas.eu/wordpress/wp-content/uploads/2021/03/210326-Regularisation-of-undocumented-migrants_policy-paper.pdf

Bommes, M., & Sciortino, G. (Eds.). (2011). *Foggy Social Structures: Irregular Migration, European Labour Markets and the Welfare State*. Amsterdam University Press. https://doi.org/10.26530/OAPEN_401761

Boswell, C., & Badenhoop, E. (2021). “What isn’t in the files, isn’t in the world”: Understanding state ignorance of irregular migration in Germany and the United Kingdom. *Governance, 34*(2), 335–352. <https://doi.org/10.1111/gove.12499>

Connor, P., & Passel, J. S. (2019, November 14). *5 facts about unauthorized immigration in Europe*. Pew Research Center. <https://www.pewresearch.org/fact-tank/2019/11/14/5-facts-about-unauthorized-immigration-in-europe/>

Cornelius, W. A., & Salehyan, I. (2007). Does border enforcement deter unauthorized immigration? The case of Mexican migration to the United States of America. *Regulation & Governance, 1*(2), 139–153. <https://doi.org/10.1111/j.1748-5991.2007.00007.x>

Czaika, M., & De Haas, H. (2013). The Effectiveness of Immigration Policies. *Population and Development Review, 39*(3), 487–508. <https://doi.org/10.1111/j.1728-4457.2013.00613.x>

Delvino, N., & Spliet, L. (2021). *C-MISE Amsterdam meeting: 17-18 March 2021* (pp. 1–6). <https://cmise.web.ox.ac.uk/files/c-miseamsterdamconferencebriefing1pdf>

Directorate-General for Migration and Home Affairs, European Commission. (n.d.a). *Entry/Exit System (EES)*. https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/smart-borders/entry-exit-system_en

Directorate-General for Migration and Home Affairs, European Commission. (n.d.b). *Entry/Exit System (EES)*. https://travel-europe.europa.eu/ees_en

Ecorys. (2020). *Feasibility study on a forecasting and early warning tool for migration based on Artificial Intelligence technology* (DR-02-21-127-EN-N; pp. 1–177). <https://www.statewatch.org/media/2250/eu-com-artificial-intelligence-migration-tool-15-2-21.pdf>

Fox-Ruhs, C., & Ruhs, M. (2022). *The Fundamental Rights of Irregular Migrant Workers in the EU: understanding and reducing protection gaps* (PE 702.670; pp. 1–93). European Parliament Committee on Civil Liberties, Justice and Home Affairs. <https://data.europa.eu/doi/10.2861/637975>

Frontex. (2023, January 13). *EU's external borders in 2022: Number of irregular border crossings highest since 2016*. <https://frontex.europa.eu/media-centre/news/news-release/eu-s-external-borders-in-2022-number-of-irregular-border-crossings-highest-since-2016-YsAZ29>

Heller, C., & Pécod, A. (2020). Counting Migrants' Deaths at the Border: From Civil Society Counterstatistics to (Inter)Governmental Recuperation. *American Behavioral Scientist*, 64(4), 480–500. <https://doi.org/10.1177/0002764219882996>

Kraler, A., & Reichel, D. (2011). Measuring Irregular Migration and Population Flows – What Available Data Can Tell. *International Migration*, 49(5), 97–128. <https://doi.org/10.1111/j.1468-2435.2011.00699.x>

Migration Data Portal. (2022, September 29). *Irregular migration*. <https://www.migrationdataportal.org/themes/irregular-migration>

Miguélez, F., & Recio, A. (2008). Spain: Large-scale regularisation and its impacts on labour market and social policy. *Transfer: European Review of Labour and Research*, 14(4), 589–606. <https://doi.org/10.1177/102425890801400406>

Organisation for Economic Cooperation and Development. (2020). *Building Capacity for Evidence-Informed Policy-Making: Lessons from Country Experiences*. OECD Publishing. <https://doi.org/10.1787/86331250-en>

Slaven, M., Casella Colombeau, S., & Badenhoop, E. (2021). What Drives the Immigration-Welfare Policy Link? Comparing Germany, France and the United Kingdom. *Comparative Political Studies*, 54(5), 855–888. <https://doi.org/10.1177/0010414020957674>

Slootjes, J. (2022). *The COVID-19 Catalyst: Learning from pandemic-driven innovations in immigrant integration policy* (pp. 1–24). Migration Policy Institute Europe. https://www.migrationpolicy.org/sites/default/files/publications/mpie-pandemic-innovation-integration-gov_final.pdf

Spencer, S., & Delvino, N. (2019). Municipal Activism on Irregular Migrants: The Framing of Inclusive Approaches at the Local Level. *Journal of Immigrant & Refugee Studies*, 17(1), 27–43. <https://doi.org/10.1080/15562948.2018.1519867>

Triandafyllidou, A. (2009). *Clandestino Final Report* (pp. 1–190). Hellenic Foundation for European and Foreign Policy. <https://emnbelgium.be/sites/default/files/publications/clandestino-final-report.pdf>

Triandafyllidou, A., & Vogel, D. (2010). Irregular Migration in the European Union: Evidence, Facts and Myths. In A. Triandafyllidou (Ed.), *Irregular Migration in Europe: Myths and Realities* (1st ed., pp. 311–320). Routledge. <https://doi.org/10.4324/9781315589848>

Vespe, M., Natale, F., & Pappalardo, L. (2017). Data sets on Irregular Migration and Irregular Migrants in the EU. *Migration Policy Practice*, 7(2), 26–33.

Vogel, D. (2016). The challenge of irregular migration. In A. Triandafyllidou (Ed.), *Routledge Handbook of Immigration and Refugee studies* (pp. 333–339). Routledge. <https://doi.org/10.4324/9781315759302>

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