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Update report Germany:
Estimate of irregular foreign residents in Germany (2010)

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Database on Irregular Migration (<http://irregular-migration.net>)

This website aims at increasing transparency in the field of irregular migration. The database provides an inventory and a critical appraisal of data and estimates in the European Union. Quantitative information is accompanied by substantial background materials, both on issues of general concern and on the situation in individual countries.

Quality assurance for this paper

Vesela Kovacheva

Acknowledgement

In 2011, the Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge) commissioned a study on size, development and structure of the irregular population in Germany which was conducted by Dita Vogel and Manuel Aßner (both members of Network Migration in Europe). The results of the study delivered input for the German report for the European Migration Network (EMN) on Practical Measures for Reducing Irregular Migration.

1 Introduction

The following estimate on irregular migration in Germany in 2010 builds on earlier estimates and was improved and updated in the a study for the Federal Office for Migration and Refugees with the aim of assessing the size, development and structure of the irregular resident population in Germany (Vogel and Aßner 2011). The results of this study were used as input into a study for the European Migration Network (Schneider 2012).

2 Estimate

The presented estimate uses a multiplier method and data from the Police Criminal Statistic (*Polizeiliche Kriminalitätsstatistik – PKS*) of the Federal Criminal Office. It was estimated that there were at least 100 000 and at most 400 000 (clandestine) irregular migrants in Germany in 2010.

Group	Defini- tion	Year	Estimate		Main data source	Short explanation
			Minimum	Maximum		
Total stock	Irregular foreign residents	2010	100 000	400 000	enforcement data	Academic expert estimate with multiplier method based on police apprehension data

Source: Own calculations, see below (figures rounded)

3 Definition of irregular migrant population

Irregular migrants are defined as foreign nationals who are present on the territory of the Federal Republic of Germany without having the necessary authorization for their stay. In the study for the European Migration Network, three groups of persons were summarized under irregular migrants:

1. persons who are living clandestinely in the country;
2. persons whose seemingly legal residence depends on false papers or identities;
3. persons under the obligation to leave who are known to the authorities.

This estimate – as earlier estimates in this series – refers *only* to the first group which is called ‘irregular foreign residents’ in the CLANDESTINO study or undocumented migrants or sans papiers in public discourse. It excludes regularly registered persons whose false papers or identities have not been discovered (group 2. in the EMN-study), officially tolerated persons (main proportion of group 3 in the EMN-study) and also asylum seekers and EU citizens.

4 Explanation of estimates

Data from Police Criminal Statistic is biased. It is assumed that irregular foreign residents are underrepresented in German criminal police statistics in relation to regular foreign residents and overrepresented in relation to German nationals, provided that only criminal acts which can also be committed by regular residents (everybody-crimes) are included in the analysis.

This assumption is based on the following theoretical considerations. Theoretically, a rational choice perspective supports the view that irregular residents should avoid criminal activities more than regular foreign residents and Germans. Irregular migrants face systematically higher sanctions compared to regulars which is particularly obvious when minor offences like shop theft or fare dodging are concerned. Regular residents have to expect only a minor fine

for first time offences while irregular residents are likely to face deportation and charging of the deportation costs. Thus behavioural arguments indicate that irregular foreign residents are less likely to be found in police criminal statistics of everybody-crimes compared to regular foreign residents (Vogel 2009). Empirical evidence of qualitative nature confirms the crime-avoiding behaviour of irregular migrants.

Additionally, structural factors influence whether a group in the population is more or less likely to be included in the police criminal statistics. First, compared to the German population on average, irregular foreign residents are younger, more likely to be male and to earn lower incomes. The higher the share of youth and young adults compared to small children and older people in a population group, and the higher the share of males compared to females, the higher the probability to commit crimes and to be suspected of crimes (Bundeskriminalamt 2010: 105). As to the second factor, reporting and police detection react to deviations from stereotypes of the majority population: When a person is perceived as „foreign“, for example as a black person or because of speaking a foreign language, he or she is more likely to be reported to the police and to come into the focus of police controls. Irregular resident populations include high shares of persons not corresponding to the stereotype of the German majority (white, native speakers of German). Thus structural arguments indicate that irregular residents are more likely to be included in police criminal statistics than Germans (Jandl 2009).

Based on these considerations, we conclude that irregular migrants are underrepresented among suspects of everybody-crimes in comparison to the structurally similar regular foreign national population, but overrepresented in comparison to the structurally different German population.

Table 1 presents the calculation and results of the minimum and maximum estimate. For the minimum estimate, a multiplier is calculated as the share of the number of illegally present persons suspected of „everybody-crimes“ to the registered foreign residents suspected of everybody-crimes. The multiplier is applied to the regular foreign national population, leading to the minimum estimate. For the maximum estimate, a multiplier is calculated as the share of the number of illegally present persons to the registered German citizens suspected of everybody-crimes. The multiplier is applied to the German population, leading to the maximum estimate.

Table 1 Estimate of irregular foreign residents

Minimum estimate					
Year ^{a)}	Illegally present persons suspected of everybody-crimes	Registered foreign residents ^{b)} suspected of everybody-crimes ^{c)}	Multiplier	Foreign national population ^{d)}	Estimated minimum irregular foreign residents
2007 ^{e)}	10 905	375 567	2.90%	6 744 879	195 845
2008 ^{e)}	10 052	369 507	2.72%	6 727 618	183 017
2009	7 623	368 522	2.07%	6 694 776	138 484
2010	7 591	375 593	2.02%	6 753 621	136 495
Maximum estimate					
Year ^{a)}	Illegally present persons suspected of everybody-crimes	Registered German citizens ^{b)} suspected of everybody-crimes ^{c)}	Multiplier	German citizen population ^{e)}	Estimated minimum irregular foreign residents
2007	10 905	1 801 851	0.61%	74 962 442	453 681
2008	10 052	1 782 381	0.56%	74 816 435	421 938
2009	7 623	1 723 185	0.44%	74 671 338	330 330
2010	7 591	1 679 369	0.45%	74 572 151	337 077

Sources: Population: Federal Statistical Office (<http://www.destatis.de>); Criminal Police Data: Bundeskriminalamt several years, Annex Tab61; own calculations

a) The population figures are given as of 31 December in German statistics, but as of 1 January in European statistics. Therefore, Germany's 2008 data appears as 2009 data in European databases.

b) Calculated as total suspects minus tourists, foreign armed forces and illegally present foreign nationals

c) Key 890000 (suspects of all crimes except those only suspected for residence-related crimes (key 725000)).

d) Based on the Central Register of Foreigners (*Ausländerzentralregister*).

e) German population according to Eurostat figures of the following year

Note: Numbers of suspects before 2009 include a small number of double counts due to persons who have been registered by several state police forces. From 2009, double counting is eliminated ("*Echt-Tatverdächtigenzählung*"). This leads to slightly lower estimates.

For the EMN-study, detailed data allowed for checking the validity of the estimate more thoroughly than before. It turned out that among everybody-crimes, there is a considerable amount of persons who are suspected of document forgery by the federal police. While in principle everybody may forge all sorts of documents, a certain type of document forgery is mainly relevant for irregular migrants, namely the forgery of visa, residence titles and identity documents. A number of alternative calculations – following basically the same logic but selecting suspects on different types of crimes – were made to assess how this affects the estimate. The following alternative calculations delivered the broadest deviations from the original estimate: A minimum estimate based on the comparison of suspects of everybody-

crimes without document forgery (99 105), a maximum estimate using data on suspects of fare-dodging (385 249). Therefore a slightly broadened range and a rounded statement are recommended.

5 Discussion

During the last decade, indicators for the presence of irregular migrants have continuously declined in Germany, mainly due to the regularisation effects of the EU accession of new member states. In 2010, this development has come to a halt. The above presented estimate is consistent with other data showing that the presence of irregular migrants has slightly decreased without changing substantially from 2009 to 2010 (Vogel and Aßner 2011).

It is estimated that (clandestine) irregular migrants account for only a small share of the total population of Germany. Even the maximum estimates constitute less than a half percent of the total population and less than 5 percent of the foreign national population. However, a large variation according to nationalities and regions can be expected.

This expert estimate based on transparent multiplier calculations should be considered as medium quality in the categorisation developed in the CLANDESTINO project (Vogel and Kovacheva 2008). Main reservations refer to the high leverage effect and the very low representation of some subgroups in everybody-crime (e.g. Chinese, old women). However, no information that would challenge the wide-ranged estimate has been found yet.

In addition to the estimated number of clandestinely living irregular migrants, the Central Register of Foreigners indicates the presence of around 87 000 officially tolerated persons (*'Duldung'*) and 31 000 persons who are obliged to leave but do not have a formal toleration as of 31.12.2010. The latter include persons in deportation proceedings or with a deadline for voluntary return.

6 References

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