

CLANDESTINO PROJECT OVERVIEW*The project aims*

The CLANDESTINO research project was designed to support policy makers in developing and implementing appropriate policies regarding undocumented migration. **The project aims** were to (a) provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) analyse these data comparatively, (c) discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU.

The countries studied

The project covered twelve EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Poland, Hungary, Slovakia and the Czech Republic in Central Eastern Europe) **and three non EU transit migration countries** (Turkey, Ukraine and Morocco) have been under study in this project.

Methods, Data and Period of Reference

Country reports. Individual country reports review all relevant data sources on irregular migration, assess the validity of the different estimates given and where appropriate produce a new estimate for the year 2008 for the country studied. The country reports cover the period between 2000 and 2007 and the database offers estimates for each country for years 2001, 2004, 2007 and (to be published in November 2009) for 2008. Reports cover the last year for which data or estimates were available when the study was finalised in 2009, notably in some countries 2007 and in other countries 2008. This quantitative analysis is complemented by a critical review of qualitative studies and by interviews with key informants with a view to exploring the pathways into and out of undocumented status in each country. It is noted that the non-registered nature of irregular migration makes any quantification difficult and always produces estimates rather than hard data.

Classification of data & estimates

The main output of the project is a **database** (<http://irregular-migration.hwvi.net/>) which presents and classifies (as low, medium or high quality) estimates and data on irregular migration in the 12 EU countries studied.

Terminology

The terms irregular (with no regular/legal status), undocumented (without the appropriate papers) and unauthorized (without legal permission for entry, stay or work) migration denote different facets of the wider phenomenon of irregular migration. These terms are accepted and used by the Clandestino consortium as synonyms. The term illegal is accepted by the consortium when referring to a condition (e.g. illegal work or illegal entry) but not in relation to a person (illegal migrant).

Definitions

For this project, **irregular or undocumented residents** are defined as residents without any legal resident status in the country they are residing in, and those whose presence in the territory – if detected – may be subject to termination through an order to leave and/or an expulsion order because of their status. **Irregular entrants** are persons who cross an international border without the required valid documents, either un-inspected over land or sea, or over ports of entry. For more information see: <http://clandestino.eliamep.gr/category/irregular-migration-ethics-in-research/>

Trafficking & Asylum Seeking

The Clandestino project is not concerned with Trafficking in Human Beings because it considers this as a separate even if related phenomenon. But in some countries it touches upon asylum seeking and asylum processing issues as they are related to irregular migration issues.



ETHICAL ISSUES IN INVESTIGATING IRREGULAR MIGRATION

Key Points

Research approach and its implications

- The research of irregular migration raises important ethical concerns. Researchers must always discuss all ethical implications of their research design, fieldwork, analysis and dissemination and justify their choices.

Transparency of political discourses at stake

- Studies in irregular migration almost inevitably have a political dimension. Notably in the European Union and many member states irregular migration has been set out as a top priority. Researchers should acknowledge this and make it transparent where they stand.

Data and its potential abuse

- In particular new quantitative data on irregular migrants are often placed at the heart of discourses advocating the repression of irregular migration.
- Not researching irregular migration is no option as ignorance could add even more to the discrimination of irregular migrants.. Instead, research aims to address superstition, misconceptions and misperceptions.

Adapting research aims to vulnerability concerns

- Researchers must apply ethical codes to safeguard their subjects' well being (psychological, physical and social) and their own integrity whilst balancing these with their research priorities and the interests of their funding organisations.

Study of implications prior to dissemination

- Before publishing research findings the consequences of such dissemination for international, national or regional discourses on irregular migration should be considered.

Simple language tailored to the capacities of a diverse audience

- Two rules of thumb are suggested to avoid abuse of data or intentional misinterpretation of the findings: they should be presented in a simple albeit precise way; the methods used in the study should be explained in simple terms so that non-experts may also understand them.

Tailoring a research with particular concern over its use by enforcement agencies

- Research in irregular migration is separate from investigation or intelligence gathering and must be conducted and disseminated in a way that prevents enforcement agencies from identifying the whereabouts of individual or collectives of irregular immigrants.

Background

The research of irregular migration raises important ethical concerns. These are (1) which research and interview questions to raise, (2) which funders or institutes to conduct research for, (3) sensitivity of the question, (4) vulnerability of the research subjects, (5) susceptibility of the researchers, (6) matters related to methods, strategies and fieldwork, (7) questions of data storage, processing and analysis, and (8) issues of timing, terminology and dissemination.

Ethical Issues Arising During Field-work

- In studying irregular migration through fieldwork, researchers must win trust, first, of a group member that may act as gate opener to the researched group (if applicable) and second, of their interviewees.
- Ideally, potential interviewees should be provided with information about the purpose of the research, its procedures, potential risks, benefits and alternatives. They should understand the terms of the interview in advance so that they can make an informed decision about whether or not to participate in the study.
- Obtaining informed consent is required for any research. Though in case of irregular migrants any request of written consent will normally be met with suspicion by the interviewee because it potentially undermines anonymity and safety and could deter them from participation.
- The researcher will explain that for the purpose of an academic study no personal data is relevant, thus names, addresses, or specific locations and exact dates shall be omitted. Generally they should be cautious as to the type of information asked and should not gather data irrelevant for scientific purposes.
- All data must be stored safely, password protected where appropriate and kept separate from any personal data, such as meeting points or mobile numbers.
- A dilemma arises from the fact that researchers aim to bring to light aspects that the research subjects try to hide from becoming known. The question is how researchers will obtain consent from the research subjects. One approach is not to promise anything but anonymity and confidentiality. Another is to promise that research aims at a fair and balanced discourse. The third is to argue that research gives them an opportunity to make their voices heard. And the fourth is to demonstrate that research is clarifying, misconceptions, stereotypes and will not add to but rather improve their vulnerable situation.
- Some researchers will refrain from getting too close to the research subjects' private lives and will, for instance, avoid meeting at people's homes because their relationship of trust with the interviewees is usually recent and delicate in nature. Other researchers will instead share the research subjects' lives and in some cases the interviewees will show a high level of trust towards the researcher. This raises important issues of responsibility for him or her including issues of data storage and which data to keep or to omit.
- Researching disempowered and disadvantaged populations, such as irregular immigrants, is power, gender and culturally sensitive and appropriate precautions must be taken so as to avoid adding to the discrimination of these groups.
- Researchers might obtain information that is emotionally disturbing; they could be prepared for such an event by setting up supervision arrangements.
- Researchers may also find that the research subject has certain expectations of the researcher. This may be based on beliefs of mutual obligation between the researcher and the researched. Sometimes, the research will help to improve the situation of the studied social group and thereby the contribution of the research subject will be returned. But the research subject may hold more personal ideas of reciprocity. Therefore, researchers might find it inevitable or indeed adequate to respond to this within limits. They should consider in advance

as to what kind of reciprocity is ethical in their relationship with informants, and which requests would be unduly, amoral, illegal or disproportionate. For instance, they could refer to an NGO or a lawyer, provide emergency help, report cases of serious human rights violations to the appropriate body but not facilitate finding employment.

- Under certain circumstances help might be requested that cannot be denied as this could represent ‘denial of assistance’. Thus researchers may switch role and become engaged in social/welfare work.
- Finally, the safety of the researchers must be considered and precautions taken to ensure that risks (e.g. sexual harassment or threats from criminals) are kept to a minimum. It is important that measures are taken, including delaying the research, change of staff or location or even termination of the project if this is in the best interest of the researcher.

Main Recommendations Regarding Ethical Issues Arising in Analysis and Dissemination

- Selecting an appropriate research method on the basis of informed professional expertise is not only a scientific or methodological but also an ethical question. Research must be accountable and of the highest quality. In other words, all applied methods and data presented ought to be doubled-checked and triangulated in order to ensure their accuracy and unbiased nature.
- Irregular migration research presents here a special challenge as it is often very difficult to check the accuracy and validity of quantitative data. The reason is that in the EU there is little data of this kind referring to ‘irregular migrants’ as such. The potential for misuse or misinterpretation of data or estimates in irregular migration is an ethical issue. For that reason, researchers must handle quantitative data with great care and responsibility.
- If certain findings could harm the research subjects a balance has to be struck between the harm and the benefit that these findings will bring.
- Research must also avoid disclosing information that facilitates enforcement agencies’ planning and operations. A useful practice is to cross check findings by involving both irregular immigrants and enforcement agencies in research and establish what is known already. Information which is already known to enforcement agencies can often be disclosed without violating research ethics but the release of new findings must go through ethical review assessing the potential to harm.
- In publications a language/terminology should be chosen that avoids reinforcing exclusion or contributing to stigmatisation or criminalisation. For similar reasons, victimisation should be avoided and a balanced presentation developed.
- It is the researcher’s responsibility to judge the ethics of the content and timing of any dissemination. S/he will have to address a number of questions: is all or only some of the results to be published; how will the results be received, discussed and utilised; whether and how to influence the use of data; what is the best timing for publication; what will be the benefits, who benefits and what could be the risks and who would bear these?
- Quantitative data in particular are sometimes considered hard and simple facts which the media and politicians may use to support powerful arguments. Abuse or misuse of data refers to unawareness or carelessness in using quantitative data or the intentional misinterpretation of numbers with a view to supporting an argument or policy or spin-doctoring scientific results. Using quantitative data in a careless or neglected fashion might occur when references to quantitative findings fail to reveal methodological pitfalls or ideology bias that might be inherited in the quantitative study. Misinterpretation may refer to the labeling of quantitative data: i.e. numbers that are estimates to be presented as data; or the

quality of the estimate given to be overstated, or it may refer to dubious links, for instance, between unemployment and irregular migration.

- Therefore, statisticians should consider the likely consequences of collecting and disseminating various types of data and should guard against foreseeable misinterpretations or misuse. For example, it should be explained how numbers were produced, by whom, for what purpose and what they actually represent.
- Another delicate balance to strike is that which falls between the interests of the irregular immigrants, lobby groups, society at large and statutory agencies. Notably irregular migrants may wish either to maintain their irregular status or they may wish to be regularised; society instead may wish to put an end to irregular immigration by introducing effective enforcement measures. This is not a question with a clear answer as different groups within society have not only differing views but also differing interests. We believe that a critical position towards power and a careful ethical consideration of the implications of her/his study can help emancipate the researcher from such 'false' dilemmas about conflicting group interests.

Summary

- The bottom line is that research in irregular migration must be conducted and disseminated in a way that prevents enforcement agencies from identifying the whereabouts of individual or collectives of irregular immigrants. Research must also avoid disclosing information that facilitates enforcement agencies' planning and operations.
- Research ethics is not free of political bias. Research has always a political dimension and researchers touching sensitive issues such as irregular migration should openly acknowledge this. They should be as aware and as explicit as possible of their own views, preferences and the bias that will creep into their research and openly discuss it.
- Also researchers need to always discuss the ethical implications of their research methods, strategies, questions and findings and properly justify their choices.
- That which should guide any dissemination is to act in a morally responsible way, to abstain from ideological statements, and to present results in a balanced and careful manner as to prevent harming the subjects of research.
- Finally, there is no blanket ethical standard. Instead, researchers must use (or develop) ethical codes to assess the ethical questions arising from their work and take informed decisions safeguarding the position primarily of their subjects' and secondly all other stakeholders..

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The full report on Ethical Issues in Irregular Migration Research, by Franck Düvell, Anna Triandafyllidou & Bastian Vollmer, is available at <http://clandestino.eliamep.gr/>. For more clarifications contact: Franck Düvell, Bastian Vollmer, Centre on Migration, Policy and Society (COMPAS), University of Oxford, email: franck.duvell@compas.ox.ac.uk, bastian.vollmer@compas.ox.ac.uk, Anna Triandafyllidou, Hellenic Foundation for European & Foreign Policy (ELIAMEP) Email: anna@eliamep.gr.



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