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Update report Germany:
Estimated number of irregular foreign residents in Germany (2014)

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1 Introduction¹

The presented estimate belongs to a group of estimates which have been coined multiplier methods (Jandl, 2011, p. 55). This specific approach has been developed a study on Hamburg (Vogel & Aßner, 2009) in which the multiplier was systematically compared to other indicators from highly different data sources and expert interviews (logicom method). It was first applied to Germany in the framework of a European study (Cyrus, 2008), where the Austrian partner had developed a similar approach (Jandl, 2009).

2 Most recent estimate

The presented estimate uses data from the Police Criminal Statistic (*Polizeiliche Kriminalitätsstatistik – PKS*) of the Federal Criminal Office. For the year 2014, it is estimated that there were at least 180 000 and at most 520 000 (clandestine) irregular migrants staying in Germany in 2014.

Groups	Defini- tion	Year	Estimate		Main data source	Short explanation
			Minimum	Maximum		
Total stock	Irregular foreign residents	2014	180 000	520 000	enforcement data	Academic expert estimate with multiplier method based on police apprehension data

Own calculations, see below (figures rounded)

3 Definition of irregular foreign resident population

In a recent definition of the European migration network, irregular migration is defined as “movement that takes place outside the regulatory norms of the sending, transit and receiving countries” (European Migration Network, 2013, p. 82). The term irregular migrant is applied to persons “who infringe a country’s admission rules and any other person not authorized to remain in the host country”. The definition of irregular migration is broad and refers to irregular flows, while the definition of irregular migrant seems to refer to the corresponding stock. It should be noted that unauthorized residence may follow a regular entrance and stay, and conversely an authorized stay may be granted after an irregular entry, for example to asylum seekers. Three different situations of unauthorized residence can be distinguished (Vogel & Aßner, 2011):

1. persons who are living without any knowledge of immigration authorities in a 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 and calls them ‘irregular foreign residents’ or synonymously undocumented migrants. This restriction makes sense – particularly for Germany – as rights and social situations are different for the other two groups who are not authorized to remain in the country. This is also the approach taken in the yearly report of the Federal Agency for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, 2015, p. 184).

¹ I am grateful to Norbert Cyrus for helpful comments.

The definition excludes regularly registered persons whose false papers or identities have not been discovered because their social and labour market situation is similar to legal citizens, with the exception of the fear that they could be detected, expelled or deported. It also excludes persons who are officially tolerated due to barriers to removal, which means that they are under the obligation to leave the country but have social rights similar to asylum seekers. EU citizens hold rights of mobility and non-discrimination and are thus also not considered in the estimates, although their right to reside may also be terminated, for instance, due to lack of job or sufficient means. When they are expected to leave, this may make their situation similar to that of irregular residents from Third countries.

4 Explanation of estimate

Data from Police Criminal Statistic is biased, but biases can be used in estimations when there are good reasons to assume that a particular category of persons is over- or underrepresented compared to another category in the data. For this estimate, 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 additional sanctions compared to regular residents. This is particularly obvious when minor offences like shoplifting or fare dodging are concerned. Regular residents have to expect a minor fine for first time offences whereas irregular residents are likely to face deportation and charging of deportation costs. Thus behavioural arguments suggest 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 residents.

Additionally, structural factors influence whether a group in the population is more or less likely to be captured in the police criminal statistics. First, compared to the German population, irregular foreign residents are on average 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, p. 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“ looking, 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 captured in police criminal statistics than Germans (Jandl 2009).

Based on these considerations, we conclude that irregular residents 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 relation of the number of illegally present persons suspected of „everybody-crimes“ by the number of registered foreign residents

suspected of everybody-crimes during one year. The multiplier is applied to the regular foreign national population registered at December 31 of the same year², leading to the minimum estimate. For the maximum estimate, a multiplier is calculated as the relation of the number of illegally present persons by the number of the registered German citizens suspected of everybody-crimes. The multiplier is applied to the German population, leading to the maximum estimate.

5 Discussion

This estimation technique provides an estimate with a large range: At least 180 000 and at most 520 000 irregular foreign nationals have resided in Germany in 2014. The consistency of the estimate with alternative indicator has been tested in earlier studies (Vogel & Aßner, 2009, 2011). If there are no major changes in the underlying assumptions – and I am not aware of any change -, the estimate is relatively robust and of medium quality in the categorisation developed in the EU project CLANDESTINO (Vogel & Kovacheva, 2008).

Main reservations refer to the high leverage effect and the low representation of some subgroups in everybody-crime (e.g. Chinese, old women). Earlier estimates of more than a million irregular foreign residents are sometimes still quoted in the public, but they were made at a time when Germany's Eastern neighbours like Poland and Romania were not yet members of the European Union and contributed a large part of the irregular resident population in Germany.

The estimated irregular foreign residents 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, it can be expected that shares may vary largely according to nationalities and regions.

Looking at a range of indicators for the development of the size of irregular resident populations, a declining trend has been observed from 1998 to 2009, with a considerable increase thereafter. The number of persons who have been registered as suspects for crimes unrelated to residence law has grown by 42% from 2009 to 2014. The total number of apprehended persons with unauthorised presence has increased by 144% from 46 132 to 112 724 in the same time period, but this increase is highly influenced by persons apprehended when trying to cross the borders, thus including many persons who later apply for asylum, and by persons who are leaving the country after an unauthorized stay or transit, for example on their way to Sweden. The statistics provided by the Federal Police (Bundespolizei) support this consideration. In 2014, about 41 percent of all persons registered by the Federal Police because of illegal entry came from Syria, Eritrea or Afghanistan and more than a quarter of all those apprehended for illegal residence, usually on transit or exit, are also from these three countries.³ These three nationalities also account for 35% of first asylum seekers in 2014 (BAMF, 2015, p. 18).

In 2015, changes in the residence law are debated in Parliament, which aim at facilitating detention and deportation of rejected asylum seekers and other irregular residents. Whereas successful deportation may lead to a decrease in irregular residence, the deterrence effect of this legal change may rather increase irregular residence in the future. Particularly citizens

² Note that EU statistics use population data of January 1. Therefore, German population data of 2014 becomes EU population data of 2015.

³ Unpublished data by the Federal Police. I am grateful to the Federal Police for supplying data to update Vogel and Aßner (2011, pp. table 7, p.37).

from the Western Balkan states like Serbia and Kosovo could be staying illegally instead of launching an asylum application with little chance of acceptance.

Table 1 Estimate of irregular foreign residents

Minimum estimate					
Year^{a)}	Suspects of everybody-crimes^{c)} (illegally present)	Suspects of everybody-crimes (registered foreign residents^{b)})	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
2011	8 370	427 259	2.19%	6 338 853	138 780
2012	8 905	435 559	2.28%	6 640 290	151 496
2013	9 332	453 015	2.29%	7 011 811	160 320
2014	10 796	481 814	2.47%	7 401 500	182 476
Maximum estimate					
Year^{a)}	Suspects of everybody-crimes^{c)} (illegally present)	Suspects of everybody-crimes (registered German citizens^{b)})	Multiplier	German citizen population^{e)}	Estimated maximum 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
2011	8 370	1 626 973	0.51%	73 989 047	380 638
2012	8 905	1 590 393	0.56%	73 883 456	413 692
2013	9 332	1 554 313	0.60%	73 755 652	442 824
2014	10 796	1 541 809	0.70%	73 682 100	515 934

Source: population data and federal police data; 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; Criminal Police Data: Bundeskriminalamt, Annex Tab61

c) Key 890000 (suspects of all crimes except those only suspected for residence-related crimes (key 725000); Criminal Police Data: Bundeskriminalamt, Annex Tab61

d) Based on the Central Register of Foreigners (*Ausländerzentralregister*) until 2010; 2011 and later population according to official population estimates (Bevölkerungsfortschreibung).

e) German population according to Eurostat figures of the following year until 2010, total population minus foreign population according to (Bundesamt für Migration und Flüchtlinge, 2015) afterwards

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.

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