Dita Vogel, Stephanie Gelbrich

Update report Germany:
Estimate on irregular migration for Germany in 2009

Dr. Dita Vogel is head of the research area Irregular Migration at the Hamburg Institute of International Economics
Contact: vogel@hwwi.org

Stephanie Gelbrich studies Political Science at the University of Bremen and completed an internship at the HWWI from October to December 2010.

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

Despite the political relevance of irregular migration, assessments of the size of the irregular migrant population are often vague and of unclear origin. This website aims at increasing transparency in this sensitive field. The database provides an inventory and a critical appraisal of data and estimates in the European Union and in selected member states. It contains estimates on the size of irregular migrant populations and indicators of their composition with regard to gender, age, nationality and sector of economic activity. The summarizing tables are designed to give users the best possible overview of quantitative data in the countries, in a simplified form. The researchers involved in the creation of this database are aware that irregular migration is a complex issue. Therefore, quantitative information is accompanied by substantial background materials, both on issues of general concern and on the situation in individual countries.
The database was created in the context of "CLANDESTINO: Counting the uncountable – data and trends across Europe", a project funded by the European Commission, DG Research, Sixth Framework Programme (2007-2009) (http://clandestino.eliamep.gr/).

Update reports

The update reports aim at publishing new estimates on irregular migration which are based on previous estimates and are not suitable for journal publication or a working paper.
If you want to propose an update of existing estimates, please go to
http://www.irregular-migration.hwwi.net/Contact.2559.0.html.

All Update reports are available at
http://irregular-migration.hwwi.net/Country_reports.6114.0.html.

1   Introduction

The following estimate on irregular migration in Germany in 2009 was produced for the database on irregular migration. It is based on earlier methodical discussions during the EU funded research project CLANDESTINO (Vogel and Kraler 2008) and estimates by Vogel (2009).

2   Estimate

The presented estimate used data from the Police Criminal Statistic (*Polizeiliche Kriminalitätsstatistik* – PKS)[1] of the Federal Criminal Office for rough minimum and maximum estimates with a multiplier method. It was estimated that there were at least 140 000 and at most 330 000 irregular migrants in Germany in 2009. See detailed explanation of minimum and maximum estimate below.

3   Definition of irregular migrant population

The estimate refers to irregular residents which 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. This term excludes asylum seekers, officially tolerated persons 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).

But other factors also influence whether a group in the population is more or less likely to be included in the police criminal statistics, particularly the person's willingness to take risks and the likelihood to be reported as suspect of a crime or come into the focus of police detection strategies. Irregular foreign residents are compared to the German population 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, 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

---

[1] Police Criminal Statistics are case-counts for the indicated year.

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 theoretical 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.

5   Calculation of the minimum estimate

Table1 presents the calculation and results of 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 which produces the minimum estimate.

Table 1: Minimum estimate of irregular foreign residents

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	10 905	375 567	2.90%	6 744 879	195 845
2008	10 052	369 507	2,72%	6 727 618	183 017
2009	7 623	368 522	2,07%	6 694 776	138 484

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 foreigners register (Ausländerzentralregister)

Under the assumption that irregular residents are underrepresented in police criminal data compared to the registered foreign national population, it can be concluded that there are at least 138 000 irregular foreign residents in Germany in 2009. The number declined from about 280 000 in 2005.

6   Calculation of the maximum estimate

Table 3 presents the calculation and results of 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 which produces the maximum estimate.

Table 2: Maximum estimate of irregular foreign residents

Year[a]	Illegally present persons suspected of everybody-crimes	Registered German citizens[b] suspected of everybody-crimes[c]	multiplier	German citizen population[d]	Estimated maximum irregular foreign residents
2007	10 905	1 801 851	0.61%	74 962 442	453 681
2008	10 052	1 782 381	0,564%	74 816 435	421 938
2009	7 623	1 723 185	0,442%	74 671 338	330 330

Sources: Population: Eurostat Database; 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 appear as 2009 data in Eurostat databases.
b) Calculated as total minus foreign nationals
c) Key 890000 (suspects of all crimes except those only suspected for residence-related crimes (key 725000).
d) German population according to Eurostat figures of the following year.

Under the assumption that irregular residents are overrepresented in police criminal data compared to the German population, it can be concluded that there are at most 330 000 irregular foreign residents in Germany in 2009. The number declined from about 675 000 in 2005.

7   Discussion

Estimates show a continuing decline of the number of irregular residents in Germany from 280 000 to 675 000 in 2005 to 138 000 to 330 000 in 2009 (see table 3).

Table 3: Estimate of the size of irregular residents

Year	Minimum Estimate	Maximum Estimate
2005	279 526	675 204
2006	238 798	558 599
2007	195 845	453 681
2008	183 017	421 938
2009	138 484	330 330

Source: 2005-2007 see Vogel (2009); 2008 see Vogel & Aßner (2010); 2009 see own calculations based on Police Criminal Statistic above

These estimates are very rough with large ranges of error, and the method does not indicate whether the true unknown number is closer to the minimum or the maximum estimate. The estimate reflects the declining number of registered cases of illegal residence in the Police Criminal Statistic, not only in absolute terms but also in relative terms compared to the data of foreigners and German population.

Theoretically, this decline could be a result from increasing competences of irregular migrants to avoid contact with the police or more lenient police control practices with regard to irregular migrants. There is no indication in qualitative studies that would justify this assumption. Therefore, it seems reasonable to conclude that the decline in police criminal statistics reflects a decline in the population.

A part of the decline (from 2006 to 2007) may be due to the accession of Bulgaria and Romania to the European Union with the effect that Bulgarian and Romanian citizens cannot be illegally staying any more.[2] However, this one time effect cannot be the only explanation. Seemingly, new inflows into irregular stay after illegal entry[3], overstaying or because of withdrawal of status are lower than exits from irregular stay, particularly through return or gaining a tolerated status.

8   References

Bundeskriminalamt (several years): Polizeiliche Kriminalstatistik Bundesrepublik Deutschland, Wiesbaden, Bundeskriminalamt, http://www.bka.de/pks/.

Jandl, Michael (2009): A multiplier estimate of the illegally resident third-country national population in Austria based on crime suspect data, Working paper No.2, Database on Irregular Migration, Hamburg Institute of International Economics (HWWI).

Vogel, Dita & Kraler, Albert. eds. (2008): Report on methodological issues. Report prepared for the research project CLANDESTINO Undocumented Migration: Counting the Uncountable. Data and Trends across Europe funded under the 6th Framework Programme of the European Union, Database on Irregular Migration, Hamburg Institute of International Economics (HWWI), http://clandestino.eliamep.gr/.

Vogel, Dita (2009): How many irregular residents are there in Germany? Estimates on the basis of police criminal statistics, Database on Irregular Migration, Working Paper No.3, Database on Irregular Migration, Hamburg Institute of International Economics (HWWI).

Vogel, Dita & Assner, Manuel (2010): Kinder ohne Aufenthaltsstatus - illegal im Land, legal in der Schule, Studie für den Sachverständigenrat deutscher Stiftungen für Integration und Migration (SVR), http://www.svr-migration.de/wp-content/uploads/2010/04/svr_schulzugang_irregulaere_vogel_asner.pdf.

---

[2] Although statistical practices may not have changed immediately and some new member state citizens may still be counted as illegally staying when not being registered.

[3] Registered illegal entrys have been relatively stable. They amounted to 19 376 in 2005 and 21 454 in 2009 with a peak of 23 871 in 2007 (BKA several years, Annex Tab.61).