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► **To cite this version:**

Filip Savatic, H el ene Thiollet, Thibaut Jaulin, Alice Mesnard, Jean-No el Senne. Borders Start with Numbers. Measuring Migration in Times of Crisis. 2023. hal-04262930

HAL Id: hal-04262930

<https://universite-paris-saclay.hal.science/hal-04262930>

Preprint submitted on 27 Oct 2023

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MAGYC

Migration Governance and Asylum Crises

Borders Start with Numbers. Measuring Migration in Times of Crisis

Filip Savatic, H el ene Thiollet,
Thibaut Jaulin, Alice Mesnard, and
Jean-No el Senne
Sciences Po

MAGYC: The MAGYC (**Migr**Ation **G**overnance and **AsYlum C**risis) project seeks to assess how migration governance has responded to the recent “refugee crises” and has since been influenced by it, and how crises at large shape policy responses to migration. This four-year research project (2018–2022) brings together twelve international partners: the Hugo Observatory from the University of Liège (Coordinator), Sciences Po, the University of Economics in Bratislava, the GIGA institute of Global and Area Studies, Lund University, the IDMC, SOAS University of London, the University of Milan, the Lebanese American University, the University of Macedonia, Sabanci University, IfPO/CNRS.

Website: www.themagycproject.com



This project has received funding from the European Commission's Horizon 2020 Research and Innovation Programme under Grant agreement number 822806.

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Publication available on:
<https://www.magyc.uliege.be/deliverables/>

Suggested citation: Savatic F. Thiollet, H., Jaulin T., Mesnard A. and Senne J-N. (2021) Borders Start with Numbers. Measuring Migration in Times of Crisis. MAGYC Working Papers. URL: <https://www.magyc.uliege.be/deliverables/>

Version History:

Version No.	Date	Changes
1	Nov. 8 2021	Initial version submitted as deliverable to the European Commission

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MAGYC Working Paper

Abstract

Sudden rises in migration at the borders of the Global North have attracted substantial media and policy attention and generated public anxieties. During these crises, data on previously unauthorized border crossings have been used uncritically in public discourses, eschewing the politically constructed nature of migration categories, while scholars have struggled to develop accurate measures of migration flows. In this research note, we present a novel method to distinguish between border crossers who would likely be granted asylum in destination states (“likely refugees”) and those who would not (“likely irregular migrants”) given asylum acceptance rates. We apply our method to data on “irregular border crossings” (IBCs) into Europe between 2009-2020 and estimate that 75.5% of irregular crossings were likely refugees at the peak of arrivals in 2015, and that 54% were likely refugees across the period. We thus confirm the humanitarian nature of the 2015 crisis and show that likely refugees are present on all migration routes, albeit to varying extents. Additionally, we find that nationalities most likely to obtain asylum are typically concentrated on single primary routes while nationalities unlikely to obtain asylum can be present on multiple pathways to Europe. Altogether, our findings reveal how border policies start with the production and use of migration numbers as well as the importance of critically assessing migration categories in public statistics. This opens avenues for re-examining the relationship between border policies and migration flows.

Introduction

Since the turn of the 21st century, a number of sudden rises in human movements across the borders of the Global North have generated migration crises and drawn extensive media attention. From peaks of unregulated flows of persons across the United States (US)-Mexico border, to the arrival of “boat people” into Australia and Canada, to the influx of over a million individuals into Europe by sea and on foot in 2015, crises have inspired both humanitarianism as well as anti-migrant backlashes, playing a role in rising support for nativist and populist political movements. As such, although they represent just a small fraction of human migrations, they have had outsized social and political significance. It is therefore important to understand the nature of these migrations.

Who are the persons crossing the borders of the Global North without prior authorization during migration crises? Are these individuals fleeing violence and persecution or seeking economic opportunities abroad, or both? How do migration flows evolve in crisis contexts? Are policy responses to these movements appropriate and sensitive to their evolution? In this research note, we respond to these questions by establishing a straightforward yet novel method for categorizing migrations. In short, we use data on the acceptance rate of asylum requests by nationality to estimate the number of individuals crossing borders without prior authorization who would likely obtain asylum in a destination state (“likely refugees”) in contrast to those who would not (“likely irregular migrants”) across both time and space. In doing so, we assess the mixed nature of migration flows during crises while considering the politically constructed nature of migration categories and their temporal and geographical variation. Our method challenges common media and policy discourses on sudden migration inflows which use data on border crossings uncritically, and highlights the inadequacy of related policy responses that emphasize reinforced border controls. Theoretically, we bridge a gap between positivist and critical social science analyses, providing more robust grounds for future research on the impact of border policies on migration.

We apply our method to the specific case of the European crisis of 2015 and to data on “irregular border crossings” (IBCs) published by Frontex, the Border and Coast Guard Agency of the European Union (EU). Since 2009, this dataset has recorded the number of times an individual has crossed, without prior authorization, the external borders of the member states of the EU and Schengen Area.¹ This data has recently become a reference for international institutions such as the International Organisation for Migration (IOM), the World Bank (World Bank, 2019) and the International Centre for Migration Policy Development (ICMPD, 2021), as well as media (Yardley, 2015; Devecchio, 2020) and think tank policy researchers (Cummings et al., 2015; Morehouse &

¹ Henceforth, for simplicity we will only say EU even though the Schengen Area encompasses Liechtenstein, Iceland, Norway, and Switzerland, which are not EU member states.

Blomfield, 2011). In these cases, however, it has often been adopted uncritically as a count of “irregular” or “illegal” migration. As such, it has advanced a particular understanding of the 2015 crisis as a “surge in irregular migration”² and promoted discourses that emphasize the need for reinforced migration controls as opposed to humanitarian assistance. As we will show here, however, this represents an inaccurate characterization of what occurred in 2015 and across the past decade.

Overall, we estimate that roughly 54% of all IBCs identified between 2009 and 2020 by Frontex can be classified as likely refugees.³ As shown schematically by Figure 1, during the 2015 peak in crossings, our estimate rises to 75.5% of all IBCs. Our method thus reveals that the 2015 crisis was an overwhelmingly humanitarian one, involving, above all, asylum seekers from Syria and other war-torn states holding legitimate claims for protection. Although the number of likely irregular migrants also rose in 2015, it did so to a much lesser extent. In addition, examining IBCs throughout the entire period, we show that nationalities which represent higher shares of likely refugees tend to be concentrated on a single primary migratory pathway, while that is not necessarily the case for likely irregular migrants. This raises concerns about the effects of tightened border controls at certain locations on asylum seekers. Altogether, by considering the asylum policies applied by European governments, it is possible to obtain a clearer picture of the mixed nature of migration flows. We thus demonstrate that using Frontex data on IBCs as a measure of irregular migration is erroneous and problematic for both scholarly and policy analyses.

[INSERT FIGURE 1 HERE]

² On its website, the IOM (2021) describes the 2015 “migration crisis” in Europe as “a relative surge in irregular migration flows into the region in 2015, compared to previous years, with over 1 million people arriving to Europe by sea.”

³ If you exclude 2015 as an outlier year, then 42.6% are estimated to be likely refugees.

Our findings have two important implications for research on migration. First, they offer a quantitative answer to terminological debates around what categories of migrants cross borders during migration crises. On the one hand, journalists (New York Times, 2015; Trilling, 2018) and human rights activists (Human Rights Watch, 2015) have contested the portrayal of the 2015 crisis as a surge in irregular migration and pushed to label what was occurring as a refugee or asylum crisis (Malone, 2015). On the other hand, Frontex data has been used as supposedly solid numerical evidence of irregular migration to support EU policies that strengthen border controls and limit unauthorized crossings. Our analyses call into question whether public policies are equipped to respond to migration realities that vary temporally and geographically when relying upon misleading evidence. This concern has already been raised in the US context where Durand and Massey (2019) have shown that US policies have failed to address the evolving nature of previously unauthorized crossings at the US-Mexico border. They contrast the decrease in irregular Mexican migration flows to the US in the 2010s with the Trump Administration's treatment of "Central American arrivals as criminals rather than asylum seekers" (Durand & Massey, 2019: 6). This unreflective "Fact-Free Immigration Policy" not only leads to policy failure, but causes substantial harm to vulnerable individuals fleeing conflict and persecution. Our evaluations of migration flows reveal a similar policy mislabelling in the European context.

Second, to develop a better numerical evaluation of migration crises, we consider "the ambiguous and contested nature of the category of refugee and its related category of immigrant" (Castañeda et al., 2016). While social scientists have insisted on the constructed nature of statistical categories in migration and other domains, their input rarely translates to quantitative analyses of migration flows. Our method advances scholarship by factoring critical insights into a quantitative analysis, thus bridging an epistemological divide in research on migration flows. This constructivist stance contrasts with quantitative research which often opposes forced and economic migrations (Dustmann et al., 2017). It also contrasts with methods of identification that rely

upon conditions in countries of origin (war, violence, disasters, etc.) to establish a distinction between refugees and irregular migrants (Fasani & Frattini, 2021). We argue that this distinction and its variation across time and space are more accurately captured by asylum acceptance rates in countries of destination. Ultimately, our novel method is widely applicable; the same consideration of asylum acceptance rates can unpack border crossing data in any context and provide a more accurate assessment of who is seeking entry, when, and where. This highlights how policies shape the construction of irregular and asylum migration data, and reveals that, in this respect, borders start with numbers.

Counting and Labelling Irregular and Forced Migration

This research note stands at an intersection of multiple areas of scholarship that examine how borders shape irregular and forced migrations around the world. This scholarship stems from an interest in how public policies impact both migration stocks and flows (Helbling & Leblang, 2019; Joppke, 1998; Guiraudon & Lahav, 2000; Czaika & de Haas, 2013; Hollifield & Foley, 2022). Given its inherently clandestine nature, specifically quantifying both the number of irregular migrants present in a state (stocks) or entering a state (flows) is difficult to do with precision, (Jordan & Düvell, 2002; Koser, 2010), leading some to exclude irregular movements from their research (Helbling & Leblang, 2019). At the same time, violent conflicts around the world have led to a dramatic rise in forced migrations in the past two decades (UNHCR, 2021). While many studies have attempted to evaluate the effect of migration and asylum policies on irregular migration (Holland & Peters, 2020; Czaika & Hobolth, 2016; Casarico, Facchini, & Frattini, 2015; Massey, Durand, & Pren, 2016), they largely occult the fact that the distinction between irregular migration and forced migration is itself a product of those policies, bypassing an important endogeneity issue which hampers analyses of migration flows of all kinds. For example, in their estimates of the “unauthorized immigrant population” in Europe, Connor and Passel (2019: 3) “include asylum seekers waiting for a

decision on their case,” together with those who “overstayed a visa or did not leave after being ordered to do so.” When translated to the question of migration flows, this amalgamation advances representations of migration crises as mass inflows of irregular migrants, even when border crossers may claim asylum and obtain refugee status in compliance with the 1951 Refugee Convention.

Although a widely accepted definition of “irregular migration” does not exist, it is generally understood as migration that violates the procedures for entry or stay established by states for non-citizens.⁴ Irregular migration occurs following various forms of irregular entry, regular entry followed by a fall into irregularity (if individuals stay in a state after the expiration of a visa or a rejected request for asylum), or birth to parents who do not hold a regular status (Cummings et al., 2015). It is generally believed that regular entry followed by overstay after visa expiration or asylum claim rejection is the most common pathway into irregularity (Triandafyllidou, 2010; Warren & Kerwin, 2021). Nevertheless, sudden rises in human movements across borders - typically framed as migration “crises” - have drawn substantially more media attention and public focus. This has placed a spotlight on the inflows of migrants across borders as opposed to demographic (i.e. births) or status-related changes (i.e. falls into irregularity). We thus focus here on a politically salient form of migration understood as “crossing borders without proper authority, or violating conditions for entering another country” (Jordan & Düvell, 2002: 15).

In contrast, forced migrations are defined by the Convention relating to the status of Refugees of 1951 (Article 1A(2)) and its Protocol of 1967. While the legal definition of refugees emphasizes individual persecution in countries of origin or habitual residence, it is also applied to persons fleeing systematized violence against civilian populations. Most importantly, in state parties to the Refugee Convention, individuals are granted the right to enter a state without

⁴ “Irregular” migration is a term that encompasses what is often called “illegal,” “clandestine,” or “undocumented” migration in various discourses or contexts. It is the most normatively neutral, empirically precise, and commonly deployed term in scholarship and by international institutions, and is therefore the term we use here.

prior authorization and to subsequently apply for asylum; Article 31 of the Convention specifically indicates that asylum seekers should neither be counted nor treated as irregular migrants owing to previously unauthorized entry or presence in a state's territory.⁵ Thus, given that asylum seekers generally cannot obtain a visa prior to their flight, they cross borders without prior authorization before applying for protection. Since unauthorized migration flows by nature include both categories of individuals, in 2006, the UNHCR introduced the notion of "mixed migration" to characterise the enmeshing of irregular migration and forced migration (UNHCR, 2007). This concept reflects the fact that refugees fleeing persecution and violence travel with people seeking better economic opportunities or fleeing environmental catastrophes along the same routes. In these mixed flows, migrants are often helped by smugglers or fall victim to human trafficking. Mixed migration has posed challenges to policymakers and scholars alike (Van Hear, 2011) and created heated debates within polities (Singleton, Carassco-Heiermann, & Kierans, 2016), yet, to our knowledge, quantitative research has not fully considered the implications of mixed migrant flows for data collection and utilization.

On the one hand, scholars across disciplines have attempted to quantify all forms of migration in order to understand the drivers of human movements and to assess the impacts of public policies on them. A variety of statistical methods have thus been used to estimate the size of irregular migrant stocks and flows (Cummings et al., 2015; Triandafyllidou, 2010; Connor & Passel, 2019; Morehouse & Blomfield, 2011; Vespe, Natale, & Pappalardo, 2017; Kraler & Reichel, 2011). These include using data on regularizations of migrant statuses, apprehensions of irregular migrants within states, or the number of individuals

⁵ Article 31 states that "the Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence." See 189 UNTS 150 (Refugee Convention) and 606 UNTS 267 (Protocol).

identified at state borders, as well as public surveys. Apart from data on border identifications, most estimates evaluate stocks as opposed to flows.

On the other hand, critical researchers have examined the contours of irregularity and migration crises, challenging what these notions entail (Bommes & Sciortino, 2011; Boswell, 2014; Castles et al., 2012). In particular, they have raised two critiques regarding the distinction between refugees and irregular migrants as well as the use of data compiled by governments. First, they have demonstrated that the motivations of migrants are generally composed of a “continuum of experiences” between pure fear of persecution and search for economic opportunities which may vary across life-cycles (Erdal & Oeppen, 2018). Scholars have thus questioned the legal dichotomy between forced and voluntary migration (Crawley & Skleparis, 2018), while nevertheless acknowledging its “stickiness” (Erdal & Oeppen, 2018).

Second, scholarship has shown how data and discourses can portray migration as a threat to the societies of the Global North, thereby engendering its “securitization.” Securitization refers to shifting perspectives on an issue as a security threat and the subsequent deployment of coercive policies to minimize that supposed threat (Huysmans, 2000). This phenomenon is often focused on borders, leading to the erection of “walls around the west” and a persistent reinforcement of controls and surveillance (Andreas & Snyder, 2000). These “bordering practices” play a central role in the politicised fight against irregular migration (Andersson, 2014), and are evident across the frontiers of the Global North, from the construction of fences and barriers by Spain around its Moroccan enclaves of Ceuta and Melilla, by Hungary on its border with Serbia, by Israel on its border with Egypt, and by the US on its border with Mexico. In these cases, data on supposedly “irregular” or “illegal” migration has played a role in advancing these political and policy trends (Bigo, 2001). Ultimately, we acknowledge that the categories of forced and irregular migration are highly dependent upon state policies which label people on the move and we argue that this reality should be better integrated into quantitative assessments of migration flows. Importantly, while the UNHCR

grants refugee status to asylum seekers across the Global South, in the Global North distinguishing between forced and irregular migrants largely depends on the asylum policies implemented by destination countries. Thus, policies label people who cross borders irregularly (Zetter, 1991), producing politically and statistically constructed boundaries that are foundational for the triage operated at state borders (Council of the European Union, 2002). Triage operationalises legal distinctions, turning labels into actions, namely detention and deportation for those deemed “irregular” and protection for refugees. We therefore use this constructivist perspectives on legal and statistical categories to develop a better understanding of migration flows during crises marked by peaks in irregular border crossing, focusing specifically on Europe and the 2015 crisis.

The 2015 Crisis in Europe

The mass increase in migration across EU borders that occurred in 2015 provides a highly relevant case for critical examination. Despite estimates that irregular migration to Europe have broadly declined since 2000 (Kovacheva & Vogel, 2009) concerns remained high due to polemics fuelled by arrivals across the Mediterranean as well as terrorist attacks. Above all, the 2015 crisis put the issue at the forefront of popular attention and policy agendas. This particular instance of substantial inflows generated a policy and media frenzy across the EU that has been the subject of various analyses (Heidenreich et al., 2019; Tazreiter, 2019). While scholars have examined the impacts of this migration on the societies and economies of destination states (Fasani, Frattini, & Minale, 2021) as well as policy responses to the crisis (Kirkegaard, 2016), others have challenged the notion that peaks in human movements constitute “crises” of migration, arguing that this framing is a political artifact (Collyer & King, 2016; Lindley, 2016). This aligns with studies on the securitization of migration which initially emerged in Europe (Massey, 2018; Huysmans, 2000).

In this context, Frontex has played a central role in the securitization of migration as it both publishes data about migration and has been increasingly

engaged directly in border control. Since its establishment in 2005 as a cooperation tool between EU member states, its competences and scope have expanded dramatically; by 2021 its budget became the largest of any EU agency at €544 billion with uniformed border staff to expand to over 10,000 persons (Kuschminder, 2021). While the agency's growing capacity to count and apprehend IBCs poses a classic endogeneity problem for assessments of how border enforcement impacts migration flows (Fasani & Frattini, 2021), the fact that asylum policies affect the labelling of migrants poses another issue. While quantitative studies of migration flows can rely upon variations in levels of violence in contexts of origin to address this issue (consistent with the definition of refugee), they overlook the centrality of statistical labelling influenced by securitized policies. Thus, in order to estimate the proportion of forced migrants among IBCs, we argue that the distinction between refugees and irregular migrants does not depend on the cause of departure, but upon asylum acceptance rates in destination countries which make some migrants desirable/legitimate (i.e. refugees) and others undesirable/illegitimate (i.e. irregular migrants).

In the case of the EU, Frontex data on IBCs is widely viewed as a reliable source of information on irregular migration to Europe, but does not offer an accurate understanding of categories of people on the move. By labelling the 2015 crisis as an irregular migration crisis, public data and discourses skew the perception of migratory realities and hinder appropriate policy responses. Moreover, the ability of Frontex to effectively respect EU member state engagements to protect individuals fleeing persecution has been increasingly questioned; numerous reports have credibly linked the agency with push-backs of irregular border crossers and deaths of migrants at sea since 2019 (Kuschminder, 2021). Scholars have demonstrated how the mandate of Frontex over mixed flows and the fight against human smuggling and trafficking reinforces securitization (Jeandesboz & Pallister-Wilkins, 2016) with policies endangering migrant lives in the Mediterranean (Mainwaring, 2019). A critical engagement with Frontex's data on IBCs can therefore provide a re-evaluation of what occurred in 2015

while averting a blind acceptance of its data labels which may serve a securitized political agenda.

Data and Analyses

We ground our statistical contribution upon the idea that IBCs encompass both individuals who would likely obtain asylum in Europe (likely refugees) and those who would not (likely irregular migrants) and that, in order to accurately describe migration flows, we need to distinguish one from the other. Contrary to Frontex communications, we do not assume that all border crossers who do not possess travel documents or visas are irregular migrants. Instead, we contend that the construction of accurate and meaningful migration data requires critical engagement with the politics of labelling and triage.

To quantify and distinguish between forced and irregular migration, we use data collected by Frontex on IBCs, which represent individuals who have been identified crossing the external borders of the EU without prior authorization and then released or detained (Frontex, 2021) and data on asylum decisions across Europe (Eurostat, 2021). While Frontex data are provided monthly, we aggregate by year given that asylum data are only available annually. It is important to note that Frontex data refer to border *crossings* and not to individuals, meaning that one who attempts to cross into Europe multiple times will appear in the data each time. Moreover, the data itself is compiled by Frontex based on counts provided by national governments which partner with the agency. Although governments have been asked to compile data using a similar methodology, Frontex cannot confirm whether this request is systematically respected.⁶ Despite these concerns, however, the data constitute a useful proxy measure of attempts at irregular entry broken down by the nationalities of origin of individuals seeking to enter Europe.

⁶ This was confirmed by the agency following an inquiry by email.

In addition, Frontex data is divided into nine primary routes of entry, each representing part of the external sea and land borders of the EU. For part of our analyses, we aggregate data for several neighboring routes into four migration “channels.”⁷ In particular, the Western African and Western Mediterranean routes are closely linked, as are the Eastern Mediterranean and the Western Balkan routes, with similar trends observed within both pairs; our aggregation thus allows for greater clarity in a review of migration flows to Europe. Further details are provided in supplemental Appendix A.

To distinguish between likely refugees and likely irregular migrants among IBCs, we compute the weighted average acceptance/rejection⁸ rate of asylum applications across Europe for all nationalities identified as IBCs. Specifically, we rely on Eurostat data regarding first instance asylum decisions by nationality across 31 European destination states⁹ (Eurostat, 2021). We first calculate the percentage of all decisions pertaining to a particular nationality adjudicated in each destination state. We then multiply the percentage of *decisions* with the percentage of first instance asylum *acceptances* per nationality in each destination state and sum the results together to obtain the weighted average acceptance rate for each nationality across Europe. Our method thus accounts for differences in acceptance rates between destination countries and their evolution over time. Finally, we use this weighted rate to split the number of IBCs of each nationality into the number of likely refugees and likely irregular migrants. Given the divisions by nationality, we can aggregate up to obtain the overall number of IBCs who are likely refugees or likely irregular migrants on each migratory route or channel, or in total each year. Further details on the weighted average acceptance rates are provided in Appendix B.

We use data on first instance decisions as opposed to final instance decisions because the latter only pertain to a subset of applications that were

⁷ We name the four channels “Western,” “Central,” Eastern,” and “Other.”

⁸ Henceforth, for simplicity we will only say acceptance rate, the rejection rate being the inverse.

⁹ EU-27 plus Iceland, Norway, Switzerland, and the United Kingdom.

subject to an appeals procedure. Given that these procedures vary across European states, cross-national comparisons of appeals data are more problematic than for first instance decisions. Moreover, the final instance decisions do not provide an overall rate of acceptance of asylum applications by nationality, but only indicate acceptances following overturns of appealed first instance rejections. Thus, first instance decisions offer a conservative estimation of the likelihood that a national of a given country of origin will obtain asylum in a European state; considering final decisions would only increase the average acceptance rate as only first instance rejections are ever appealed and, in certain cases, overturned.

Our approach raises several concerns that we fully acknowledge. In particular, it assumes that IBCs are all potential asylum seekers even though many may have no intention of applying for asylum in Europe. In addition, our estimation of the weighted average acceptance rate is entirely based on the nationality of each IBC, setting aside the individual dimension of asylum procedures which primarily assess the risk of personal persecutions. Nevertheless, our method adopts a pragmatic standpoint which is not without legal grounds. Considering the likelihood of obtaining asylum based on one's nationality echoes the legal principle of *prima facie* or group determination of refugee status,¹⁰ notwithstanding individual variations within nationalities based on personal circumstances. In addition, irregular migrants who are unlikely to obtain asylum can - and often do - apply for protection. Altogether, despite the limitations of our technique, we argue that it provides a generally accurate depiction of the nature of mixed migration flows represented by data on IBCs; our analyses are certainly an improvement to uncritical uses of this data and, at the very least, generate a rough depiction of the categories represented by flows. Having established our estimations of likely refugees and

¹⁰ The UNHCR defines *prima facie* protection as "a practice by which all persons forming part of a large-scale influx are regarded as refugees on a *prima facie* basis. Group determination ensures that protection and assistance needs are met without prior individual status determination" (UNHCR, 2006).

likely irregular migrants, we present the outcome of our calculations in the following two sections and highlight the implications of our results.

Measuring Mixed Migration as Likely Refugees and Likely Irregular Migrants

We begin with the aggregate representations of our two categories on an annual basis across the period 2009-2020. Table 1 indicates the total number of IBCs identified by Frontex each year along with the estimates of likely refugees and likely irregular migrants. These estimations are represented visually by Figure 1 above. Most notably, Table 1 reveals that the 2015 crisis was first and foremost a refugee crisis. In that year, we estimate that approximately 75.5% of IBCs would have likely obtained asylum in Europe. This is unsurprising given the nationalities - Syrian, Afghan, and Iraqi - represented by most IBCs that year. Moreover, both before and after 2015, we estimate that between one-fifth and one-half of all IBCs are likely refugees. Migration flows represented by IBCs are thus persistently mixed flows with a substantial minority of persons likely to obtain asylum in Europe during “non-crisis” periods, while crises primarily constitute forced migrations.

[INSERT TABLE 1 HERE]

Table 2 delineates the specific number of individuals identified as IBCs holding the respective nationalities of the 25 most common countries of origin, representing over 20,000 individuals, as well as the share of IBCs estimated to be likely refugees and likely irregular migrants.¹¹ Thus, for example, of the 877,743 IBCs identified as Syrians between 2009-2020, 838,900 or 95.6%, are classified as likely refugees while 38,843 or 4.4% are classified as likely irregular

¹¹ The top 25 nationalities represent 96.1% of all IBCs across 2009-2020.

migrants. The table ranks nationalities by the total number of IBCs, which reveals that the largest number of IBCs across this period originated from countries facing generalized violent conflict such as Syria, Afghanistan, Iraq, Eritrea and Somalia. In contrast, while Albanians represent a stable contingent seeking protection, often on the grounds of blood feuds or homophobic persecutions, their likelihood of obtaining asylum is low.

[INSERT TABLE 2 HERE]

It is important to emphasize that Table 2 presents aggregated data between 2009 and 2020, which occults temporal variations. The underlying estimations, however, take into consideration changes in the annual weighted average asylum acceptance rates across the period. As detailed in Appendix B, the acceptance rate is highly consistent for several nationalities - including Albanians, Kosovars, Algerians, and Somalis - associated with persistently low or high rates. Most nationalities, however, experience some variation in acceptance rates throughout the period which reflect changing appreciations of critical situations in countries of origin by asylum granting institutions. They are also tied to policy developments between EU member states and the countries of origin of border crossers; as diplomatic ties strengthen, emigrants are less likely to obtain protection. For example, Afghans were less likely to obtain asylum after the Cooperation Agreement on Partnership and Development between the EU and Afghanistan in 2015 and the EU-Afghanistan Joint Way Forward on Migration Issues in 2016.

In turn, we examine the geographical characteristics of the mixed migration flows represented by IBCs; Figure 2 illustrates the total number of annual IBCs from 2009 to 2020 across the four aggregate migratory channels. This shows that the primary channels by which IBCs entered Europe - particularly around 2015 - were the Eastern and Central ones. Thus, while the 2015 migration crisis was often described as a “Mediterranean migration crisis” (van Reekum, 2016), data on IBCs reveal that the peak of arrivals was in fact highly concentrated in space (across the Aegean Sea, Greece, and the

Western Balkans) as well as in time. In contrast, there was greater diversity in the channels taken by migrants in 2009 and 2010 (with many identified on the Other channel) as well as after 2016 (with many identified on the Western channel). At the same time, both the beginning and the end of the time-period in question are characterized by lower levels of absolute IBC detections. In other words, spikes in migration to Europe are tied to a relative reduction in the pathways used by migrants.

[INSERT FIGURE 2 HERE]

Focusing on the geographical composition of mixed flows, Tables 3-6 delineate the number of IBCs identified on the Western, Central, Eastern, and Other channels, respectively, as well as our estimates of likely refugees and likely irregular migrants. As shown, on the Western channel, the total numbers of IBCs are modest, but it is worth noting that there were spikes in migration prior to 2009 not captured by Frontex data (Carling, 2007). That said, even though this channel is characterized by higher shares of likely irregular migrants, the relative share of likely refugees rose in 2014-2016. Substantially more IBCs are associated with the Central channel, with a peak of over 180,000 in 2016. The collapse of the Libyan state in 2011 and ongoing conflict in the country influenced the viability of this migration pathway over time, facilitating or incentivizing migration. Nevertheless, the Eastern channel was most acutely affected by the 2015 crisis, with a spike of over one million IBCs that year, followed by a collapse to slightly above pre-2015 levels in 2016 and beyond. From 2014-2016, we estimate that large majorities (roughly 62.1%, 79.7% and 69.2%, respectively) of IBCs on this channel were likely refugees. Lastly, the Other channel encompasses all other migration routes in Eastern and Northern Europe, but mostly concerns flows across the Albanian border with Greece prior to 2011 and the signing of a visa liberalisation agreement with the EU.¹²

¹² Although this channel encompasses land borders with Moldova, Ukraine, Belarus and Russia, it does not include inflows of Ukrainians in the context of the 2013 crisis. Most migrants exiting Ukraine travel to

Altogether, the data reveal substantial geographical variation in the categorical composition of migrant flows. The relative share of likely refugees is persistently smaller on the Western and Other channels while it varies significantly over time on the Central and Eastern channels. Importantly, higher relative shares of likely refugees are estimated in those years where there are peaks in flows. At the same time, across all channels, we estimate that there are substantial minorities of likely refugees in any given year. In other words, rises in likely refugees tend to be concentrated on single migratory pathways during periods of crisis. Otherwise, there is a steady minority of likely refugees across all routes, although the scale varies geographically. Of course, all of these fluctuations are tied to the underlying nationalities represented by IBCs on the different routes and their associated weighted average asylum acceptance rates. Details on these nationalities are provided in Appendix C.

[INSERT TABLES 3-6 HERE]

The Dynamics of Population Flows and Sensitivity to Status

Having established the nature of migration flows to Europe, we turn to describing the shifting presence of migrants across both space and time. Our goal is to identify when and to what extent nationalities (with their associated likelihood of obtaining asylum in Europe) are identified on multiple (or few) migration routes. For this analysis, we return to considering Frontex routes (as opposed to aggregated channels) as they offer a more granular assessment of migrants' geographical trajectories. Specifically, we calculate the concentration across all nine routes of IBCs associated with the top 25 nationalities identified from 2009-2020. Figure 3 then illustrates the relationship between geographical concentration and the average of the weighted average asylum acceptance rates initially calculated on an annual basis. The y-axis represents the share of IBCs concentrated on the primary route to Europe

Poland with work permits and have done so regularly following the granting of visa-free travel to the Schengen Area in 2017 (Jaroszewicz, 2018).

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for each nationality (typically the most direct path from an origin country to the nearest European border). A low percentage indicates a persistent dispersion of nationals across multiple routes, while a high percentage indicates a significant concentration of IBCs on a single primary route. For example, only 39% of IBCs identified as Moroccan nationals between 2009-2020 were found on the Western Mediterranean route, indicating that many Moroccans took alternative trajectories to Europe. In contrast, nearly 80% of Afghans were identified on the Eastern Mediterranean route. In turn, the x-axis represents the average of the weighted average asylum acceptance rate while the size of the circles represents the total number of IBCs identified with the indicated nationality. Lastly, the color of each circle represents the migration route where the indicated nationality is most commonly identified. All the underlying values represented by each data point are provided in Appendix D.

[INSERT FIGURE 3 HERE]

Our results suggest that few nationalities are persistently dispersed across many routes, while the majority are highly concentrated on a primary one. Only Moroccan and Cameroonian nationals are identified on their primary route to Europe less than 50% of the time; most nationalities are identified on their primary route over 60% of the time. With respect to our categories of likely refugees and likely irregular migrants - represented by the x-axis, with higher percentages indicating a greater likelihood of obtaining asylum - the former tend to be consistently concentrated on one migration route while the latter are, in certain cases, persistently identified on multiple routes. Thus, Syrian, Afghan, Iraqi, and other nationals who are primarily likely refugees tend to be highly concentrated while nationals who are less likely to obtain asylum can be either highly concentrated or highly dispersed. Importantly, these trends do not appear to be associated with specific routes; there are highly

concentrated and highly dispersed nationalities identified primarily on both the Central Mediterranean and Eastern Mediterranean routes.

It is important to note that Figure 3 represents aggregate concentration across 2009-2020, flattening temporal variations. Concentrations calculated on an annual basis are presented in Appendix D. Although there is variation in concentration over time for most nationalities, fluctuations tend to be contingent on the number of IBCs being detected; when there are fewer IBCs of a particular nationality in a given year, there tends to be greater dispersal across multiple routes. For this reason, we posit that aggregation across 2009-2020 offers the best evaluation of the relative concentration of nationals on their primary routes.

Our results open avenues to engage constructively with scholarship on the changing dynamics of population movements. Although we do not explore in detail at this stage why and how migrants shift routes, we formulate a number of hypotheses regarding changing migration trajectories during crises and the role of policies in shaping them. For instance, while the visa liberalization agreement between the EU and Albania preceded a drop in the number of Albanians identified as IBCs, migration control agreements with certain migrant transit countries - such as the EU-Turkey Declaration and readmission agreements with Libya in 2016 - may have impacted the ability of Syrians, Afghans and Iraqis to cross borders and seek asylum in Europe. This could explain drops in IBCs identified on the Central and Eastern migratory channels after 2016 and raises the concern that border control policies are hindering likely refugees from seeking protection; these policies may therefore constitute an affront to European commitments to *non-refoulement*.

More granularly, our data might allow us to assign differential migratory capabilities (de Haas, 2021) across our two constructed categories. Scholars have shown that migration is contingent upon a variety of push-pull factors related to both the capabilities and aspirations of people on the move (Carling & Schewel, 2018). Migration trajectories therefore likely depend upon changing constraints and opportunities in transit countries and on the

strengthening or easing of border controls in destination countries. These drive migrants to continuously adjust to spatial dynamics (detours, transit points, changeable networks, etc.) and frictions (borders, waiting, detention, etc.) (Schapendonk et al., 2018). Yet the actual trajectories and adaptability of migrants may be related to their status, understood as a set of politically constructed capabilities and translated into our categories of likely refugees and likely irregular migrants. Our results thus highlight a need to examine the potentially variable impacts of public policies on given migrant categories.

Conclusion

In this research note, we present a straightforward yet novel method for measuring mixed migrations. Specifically, our contribution helps identify the temporal and geographical evolution of forced and irregular migration over time. It offers a way to develop a clearer picture of the categories of people on the move both during crises and around them. It also provides critical insights on the constructed nature of statistical categories and their political meaning.

Looking forward, our findings point to the need for further examination of the relationship between policies and migration in two ways. First, our method not only foregrounds the politically constructed nature of migration data, but also unveils an endogeneity problem in quantitative research and offers a solution to it. It thus provides more robust grounds for future research on the impact of borders on migration. Additionally, it advocates for more accurate representations of data in public debates which could challenge and change discourses and policies. As migrant labelling is at the core of both crisis making and solution finding, better data could reshape border policies as a result. If crises are of a humanitarian nature, the development of heightened border controls in an attempt to halt migration entirely, above all during peaks in flows, could have a particularly detrimental impact on vulnerable individuals who are more likely to be immobilized than migrants who are eventually

denied protection. These insights and our method can be applied and tested with respect to borders and migration flows between the Global South and North beyond Europe

Second, our results confirm that spikes in human movements anywhere in the world could primarily represent forced migrations. While global assessments have found that migration rates have largely remained stable over the past 50 years, forced displacement is rising (Butler, 2017). Despite misleading representations about the magnitude of refugee flows into the Global North, forced migration is primarily happening in the Global South. Further research on how policies shape migration flows should take into consideration the nature of the movements that are being examined, both in the European context and beyond, while also examining the places across the Global South where the actual crises instigating mass refugee flows are happening.

Tables and Figures

Figure 1: IBCs as Likely Refugees or Likely Irregular Migrants

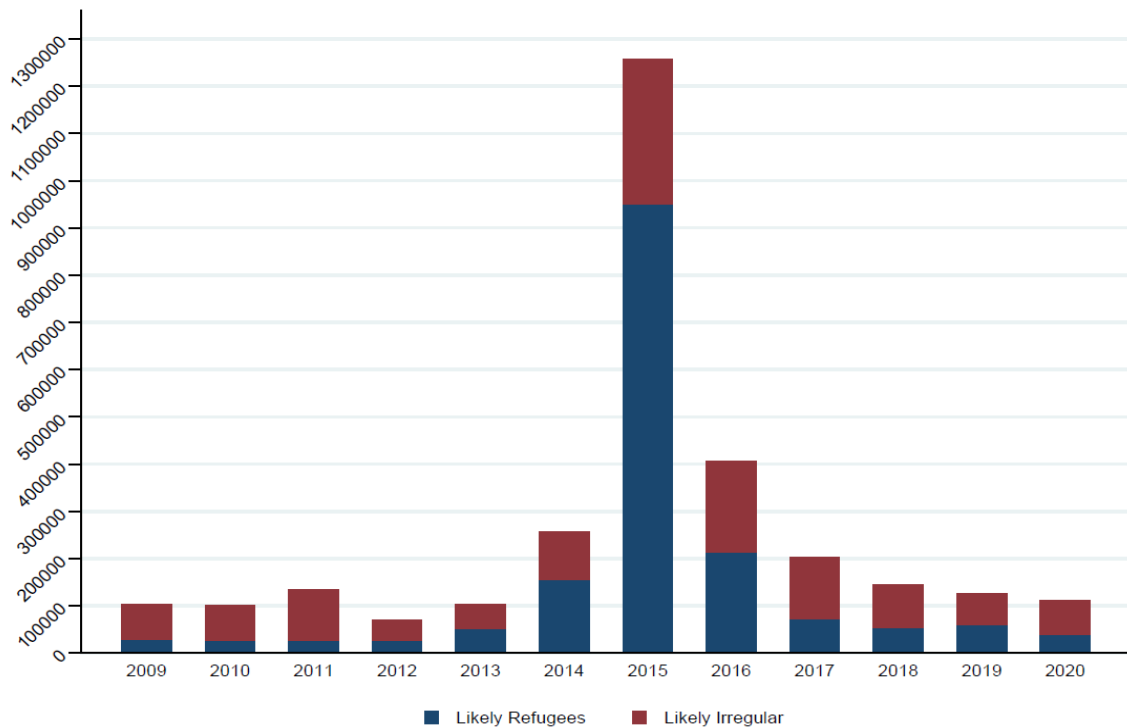


Table 1: IBCs as Likely Refugees and Likely Irregular Migrants

Year	Total IBCs	...of which	
		Likely Refugees	Likely Irregular Migrants
2009	103419	29278	74129
		28.3%	71.7%
2010	102399	25839	76559
		25.2%	74.8%
2011	133681	26789	106887
		20.0%	80.0%
2012	70296	25762	44512
		36.6%	63.3%
2013	103849	51650	52197
		49.7%	50.3%
2014	256223	155737	100480
		60.8%	39.2%
2015	1257147	949274	307861
		75.5%	24.5%
2016	407091	213118	193969
		52.4%	47.6%
2017	203144	72340	130800
		35.6%	64.4%
2018	145855	52820	93035
		36.2%	63.8%
2019	127105	60193	66909
		47.4%	52.6%
2020	112084	38110	73974
		34.0%	66.0%

Table 2: Categorizing the Top 25 Nationalities of IBCs (2009-2020)

Nationality	Total IBCs	...of which Likely Refugees		...of which Likely Irregular Migrants	
Syria	877743	838900	95.6%	38843	4.4%
Afghanistan	494577	295206	59.7%	199372	40.3%
Iraq	175148	126548	72.3%	48600	27.7%
Albania	131710	11163	8.5%	120547	91.5%
Eritrea	128293	112059	87.3%	16234	12.7%
Pakistan	117572	22205	18.9%	95367	81.1%
Nigeria	105290	22284	21.2%	83006	78.8%
Morocco	83813	8510	10.2%	75303	89.8%
Somalia	71238	45078	63.3%	26160	36.7%
Algeria	69734	3328	4.8%	66406	95.2%
Tunisia	67877	4194	6.2%	63683	93.8%
Bangladesh	59737	7745	13.0%	51992	87.0%
Kosovo	57462	2930	5.1%	54532	94.9%
Mali	55585	17760	32.0%	37825	68.0%
Guinea	54636	15861	29.0%	38775	71.0%
Côte d'Ivoire	47596	12449	26.2%	35147	73.8%
Gambia	46872	13225	28.2%	33647	71.8%
Palestine	44928	27557	61.3%	17371	38.7%
Iran	44033	24937	56.6%	19096	43.4%
Sudan	37221	20248	54.4%	16973	45.6%
Senegal	34374	8256	24.0%	26118	76.0%
Turkey	28123	12546	44.6%	15577	55.4%
Egypt	25304	6227	24.6%	19077	75.4%
Ghana	24021	5139	21.4%	18882	78.6%
Cameroon	21855	5716	26.2%	16139	73.8%

Figure 2: Number of IBCs by Migration Channel

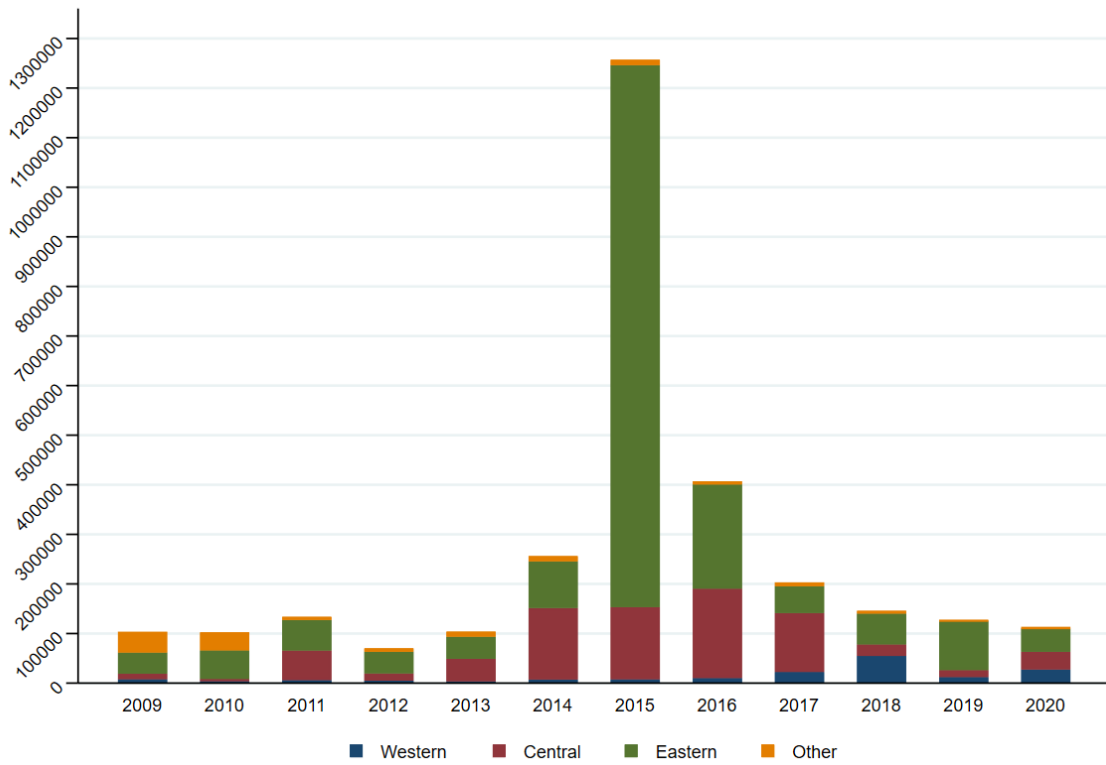


Table 3: IBCs on the Western Channel

Year	IBCs Total	...of which Likely Refugees		...of which Likely Irregular Migrants	
2009	8018	975	12.2%	7037	87.8%
2010	3998	391	9.8%	3607	90.2%
2011	6177	823	13.3%	5354	86.7%
2012	4799	940	19.6%	3859	80.4%
2013	3792	656	17.3%	3136	82.7%
2014	7341	2226	30.3%	5115	69.7%
2015	7866	2154	27.4%	5712	72.6%
2016	10286	2344	22.8%	7942	77.2%
2017	22574	4379	19.4%	18195	80.6%
2018	54776	11535	21.1%	43241	78.9%
2019	12341	1109	9.0%	11232	91.0%
2020	27629	2289	8.3%	25340	91.7%

Table 4: IBCs on the Central Channel

Year	IBCs Total	...of which Likely Refugees		...of which Likely Irregular Migrants	
2009	11027	3741	33.9%	7286	66.1%
2010	4450	1312	29.5%	3138	70.5%
2011	59714	8651	14.5%	51062	85.5%
2012	14943	6338	42.4%	8605	57.6%
2013	45297	27765	61.3%	17532	38.7%
2014	144323	93716	64.9%	50604	35.1%
2015	145425	75097	51.6%	70328	48.4%
2016	180250	64877	36.0%	115373	64.0%
2017	118791	37467	31.5%	81324	68.5%
2018	23378	7777	33.3%	15601	66.7%
2019	13995	3468	24.8%	10527	75.2%
2020	35614	6426	18.0%	29188	82.0%

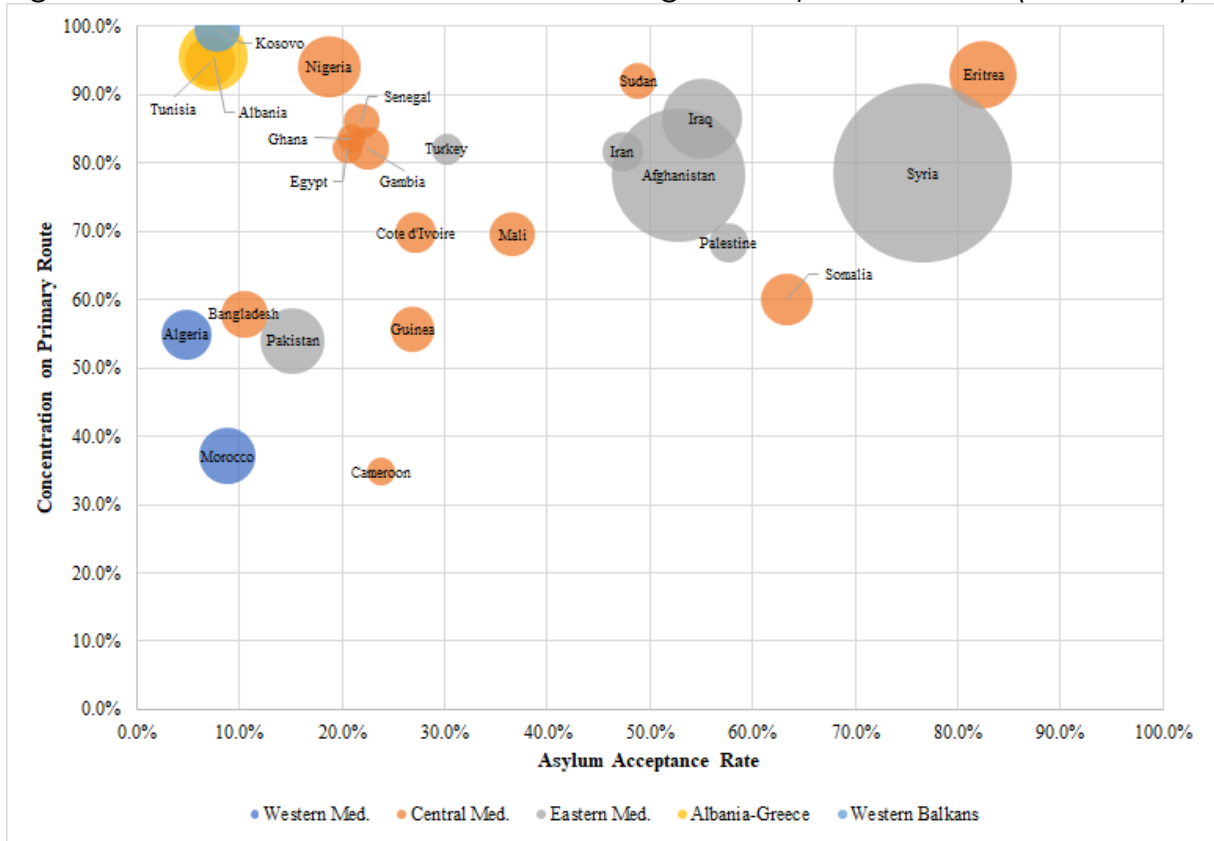
Table 5: IBCs on the Eastern Channel

Year	IBCs Total	...of which Likely Refugees		...of which Likely Irregular Migrants	
2009	42785	19491	45.6%	23289	54.4%
2010	57654	19824	34.4%	37829	65.6%
2011	61499	16526	26.9%	44970	73.1%
2012	43501	17497	40.2%	25982	59.7%
2013	44658	22114	49.5%	22542	50.5%
2014	94032	58381	62.1%	35649	37.9%
2015	1093018	870972	79.7%	222034	20.3%
2016	210092	145368	69.2%	64722	30.8%
2017	54079	29631	54.8%	24444	45.2%
2018	62125	32839	52.9%	29286	47.1%
2019	98179	55282	56.3%	42895	43.7%
2020	46863	29144	62.2%	17719	37.8%

Table 6: IBCs on the Other Channel

Year	IBCs Total	...of which Likely Refugees		...of which Likely Irregular Migrants	
2009	41589	5071	12.2%	36517	87.8%
2010	36297	4312	11.9%	31985	88.1%
2011	6291	789	12.5%	5501	87.4%
2012	7053	987	14.0%	6066	86.0%
2013	10102	1115	11.0%	8987	89.0%
2014	10527	1414	13.4%	9112	86.6%
2015	10838	1051	9.7%	9787	90.3%
2016	6463	529	8.2%	5932	91.8%
2017	7700	862	11.2%	6838	88.8%
2018	5576	669	12.0%	4907	88.0%
2019	2590	334	12.9%	2255	87.1%
2020	1978	251	12.7%	1727	87.3%

Figure 3: Concentration of IBCs and Average Acceptance Rates (2009-2020)



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