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## Introduction

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In modern Western history, for the most part, the prevailing governance of international migration has generally served many nations reasonably well, including Australia. Orderly movement has been largely the norm and has contributed to growth in economies, increased human development, the capacity to protect large numbers of people facing persecution, and the ability of hundreds of millions of people to forge meaningful lives abroad. Concomitantly, there is a perception that other countries and regions, particularly some non-industrialised nations and peoples, have perhaps not fared as well and the benefits of international migration could perhaps be described as uneven.

Against this backdrop, there is growing concern that the less desirable aspects of international migration are increasing in significance and magnitude: the growth in irregular migration (including people smuggling and human trafficking); the increasing restrictiveness of migration-receiving countries' entry policies; a sense that national identities are being threatened (not just that they are changing); rising exploitation of migrants all the way along the migration pathway; and increasing harm to migrants, including substantial numbers of deaths during journeys (Brian & Laczko, 2014), all threaten the overall dividends of international migration.

Of particular importance to states is the need to manage irregular migration. Irregular migration has in recent decades become a significant public policy issue and the focus of considerable human, financial, diplomatic, physical/capital, technological, intelligence, operational and other resources. In part, many of the negative issues associated with irregular migration, and the pressing need to respond to it, perhaps revolve around its scale as well as its potential scale. From the little we know about actual international irregular migration flows, the combination of increasing international movements and a perception that there is growing desire for international migration has the capacity to influence policy responses. There has at times been a focus within some destination countries on deterring irregular migrants, perhaps without appreciating fully why or how migration occurs. In this sense, there is good reason to develop a better understanding of irregular migration flows—their scale, pace, diversity, demography and extent, as well as the mixed motivations and multiple factors underpinning them.

To do so effectively, it is important to analyse irregular migration flows within a broader context of other transnational phenomena and global forces that are acting to shape, fundamentally alter and even enhance flows in dynamic ways. By better understanding irregular migration processes and the factors underpinning them we are better able to anticipate the consequences of policy, and to formulate effective multidimensional responses that can enhance migrant wellbeing, manage borders, assist states hosting large numbers of people in need of protection and provide opportunities to increase human development in key locations. This book is about people, often far from Australia, making difficult migration decisions, embarking on dangerous and sometimes high-risk journeys to Australia, and about how we might better understand the constraints they face, the factors that influence them and the migration journeys they undertake.

## **Irregular migration as an enduring and complex public policy issue**

The multiple complex forces of globalisation interact with migration dynamics to influence international migration patterns and trends. Increasing urbanisation, fluctuating economic circumstances, geopolitical insecurity and conflict, development disparities, environmental

impacts, population growth and demographic change all influence the movement of people, along with factors such as increasing access to transportation, telecommunications, social networks and proximity to viable migration pathways and agents. Within this context, irregular migration is a contested topic with significant national, regional and global implications, particularly in Europe but also in other parts of the world. This form of migration presents ongoing challenges and continues to raise compelling humanitarian, political, social, economic and security concerns. It can be daunting for policymakers to try to balance these concerns while developing effective and sustainable strategies to manage irregular migration and borders.

The need for policy-relevant research on irregular migration cannot be overstated. Examination of the many factors underpinning irregular movement is important to the development of a better understanding of multicausality and its interconnected dimensions. Scholars have recognised that research that is not explicitly policy oriented is also crucial, particularly forced migration research that looks beyond the policy frames of reference to explore less visible aspects of this form of migration (Bakewell, 2008).

As an immigration nation surrounded by sea, Australia's border-related operational capacities, both offshore and onshore, have evolved over decades to become among the more advanced in the world. Regular migration is planned and regulated in an orderly and predictable manner. Further, the dimensions, characteristics and history of international managed migration in the Australian context are comprehensively researched, and a strong evidence-base exists to inform policy. In contrast, irregular migration tends to be disorderly, unpredictable and unregulated. Irregular migration thus raises central concerns for governments that want to maintain public confidence in the state's capacity to protect sovereignty and manage borders.

## Defining irregular migration

There is a wide range of definitions of 'irregular' migrants, including those who have purposefully crossed a border without authorisation, those who have inadvertently or unknowingly crossed a border without authorisation, those who have become irregular sometime after entering a country regularly, those who have been trafficked, and those who

have been born into irregularity. For the purpose of this book, the term ‘irregular migration’ is mainly limited to the migration processes involved in travelling to and entering a country irregularly. We are, therefore, interested in intentional migration embarked upon to gain irregular entry into a country, regardless of whether this has been unassisted, with the help of a smuggler or has been as a result of human trafficking. The management and support of irregular migrants within a destination country is beyond this book’s scope.

We have chosen this focus for three main reasons. First, the increasing number of people crossing borders irregularly poses significant and increasingly complex policy and operational challenges for many states throughout the world, and some of the responses that have been implemented are clearly not working as intended. Second, the irregular migration journey is widely recognised as dangerous, often costly and sometimes deadly for migrants. While there is widespread support for reducing irregular migration in principle, the nature of policy responses is often hotly contested. Policy responses that balance the rights and needs of migrants with those of nation states and their need to protect sovereignty, and that uphold international legal obligations can be difficult to achieve. Third, policy responses addressing other aspects of irregular migration (e.g. those who become irregular after entering legally) are necessarily different to those aimed at influencing migration patterns and processes.

## Estimating irregular migration

Determining flows of irregular migrants is inherently difficult. Kraler and Reichel (2011) argued that ‘wild assumptions, estimates and number games are made in regard to irregular migration flows’ (p. 97). Nevertheless, sound attempts to quantify irregular movements can provide clear benefits to national governments, regional and local governments, international organisations, service providers, employers and others. If such actors can better understand the number of people engaging in irregular migration, they will be better able to develop responses and mitigation strategies able to manage the many potentially conflicting interests. These different interests may range from those of governments focused on border management, civil society actors focused on safeguarding migrants as far as possible from exploitation and other forms of vulnerability, and service providers seeking to support irregular migrants in transit or destination countries.

Australia seems to hold a fairly atypical place among industrialised destination countries, in that in Australia it is possible to record and/or estimate irregular migration flows reasonably well. Australia's geography, sea borders and relative isolation from regions that have traditionally experienced large-scale human displacement and acute refugee flows has meant that Australia has developed over recent decades a perhaps unique ability among industrialised countries to manage international people movement. As a corollary, Australia has, out of necessity, developed border management practices that have extended its virtual border well beyond its physical border as a means of facilitating travel to what is— from much of the world's perspective—an isolated location. Almost all international travel to Australia is by air. Multilayered processes have been developed focusing on the management of cross-border movements with virtually no regulations or processes in place to manage internal migration through, for example, national identity cards, registration processes, internal 'passports', and other forms of regulation and restriction (Koser & McAuliffe, 2013).

With the regulation of international air travel, and considerable investment in technology and international cooperation in this regard, there has been a fairly constant low number of irregular air arrivals of between one and two thousand per year. This contrasts with the peak–lull dynamic of irregular maritime arrivals (Figure 1.1). In addition, the number of irregular migrants living in Australia is very low (around 62,700 or 0.26 per cent of the population) compared to other countries, including the US (around 12 million or 3.85 per cent), and South Africa (between 3–5 million or around 7.5 per cent) (McAuliffe & Mence, 2014; Department of Immigration and Border Protection [DIBP], 2014).

Further, irregular air arrivals (i.e. those refused immigration clearance at airports) represented a very small proportion of all air arrivals (around 0.013 per cent in 2011–12, or 2,048 of around 15.920 million air arrivals), whereas irregular maritime arrivals are a much greater proportion of all maritime arrivals (8,371 or 3.1 per cent of 478,000 maritime arrivals in 2011–12).<sup>1</sup> Very few irregular air arrivals lodge asylum claims, and so do not pose the same policy challenges as those who arrive irregularly by sea. In 2011–12, of the 2,048 irregular air arrivals, just 26 people made

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1 Maritime arrivals are derived from DIBP's Annual report of 2011–12 (pp. 151 and 219).

protection claims at the border (Koser & McAuliffe, 2013). In contrast, almost all of those who have arrived irregularly by sea in recent years have submitted asylum claims, in the majority of cases successfully.

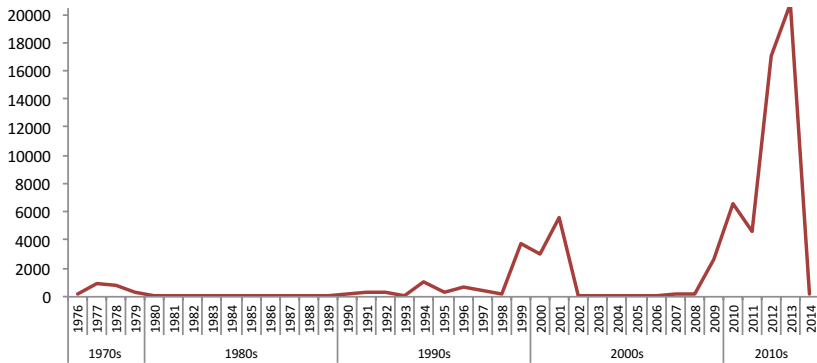


Figure 1.1: Number of irregular maritime arrivals to Australia, 1976–2014

Source: McAuliffe and Mence (2014), updated.

In terms of asylum seekers who arrived in an authorised manner on a visitor or other type of visa, there would appear to be some underlying differences between these asylum seekers and those who arrive unauthorised. In addition to demographic differences (most notably citizenship), behaviours and/or motivations appear to be somewhat divergent. For example, in many cases they apply for asylum years after they have arrived in Australia. Analysis of 2011–12 program data shows that the median time between arrival and application for a protection visa for those who arrived by air in an authorised manner was 321 days. In relation to some student visa citizenship groups, median times were over 1,000 days (Koser & McAuliffe, 2013, p. 6).

Irregular maritime arrivals in the Australian context have become a lightning rod for political, public and academic debate. Australia is not alone in this regard: in receiving countries such as Italy, Greece, Spain and Malta, the phenomenon is high on the immigration agenda where it remains contested and contentious. The International Organization for Migration (IOM) estimated that in 2015 over one million people arrived in Europe irregularly by sea, where the discourse has become increasingly polarised.

## Research issues

Part of the problem with the debates about irregular migration is a lack of information and data on aspects of its manifestation, as well as of its consequences. This is particularly so in the Asia–Pacific region where information and data has tended to be fragmented, anecdotal and sometimes based on assumptions. Research on the topic can sometimes reflect polarised positions. In addition, research is commonly undertaken within discrete theoretical disciplines or analytical frameworks, such as economics, sociology, demography, anthropology, national sovereignty and security, international (refugee) law and human rights (Brettell & Hollifield, 2015), which all contribute valuable insights but do not always adequately capture the multifaceted and dynamic nature of migration processes, including from migrants’ perspectives, that multidisciplinary research and analysis is often able to illuminate.

There has also been an emphasis on the interests and concerns of receiving countries, with less attention given to origin, transit and refugee host countries, let alone the migrants themselves or their families. This can inhibit a more nuanced understanding of the characteristics of populations on the move and the reasons for changing migration patterns. Further, given the largely invisible, often clandestine nature of irregular migration, the difficulty of systematically measuring, researching and understanding movements is considerable. Data on irregular movements within the Asia–Pacific region are generally not available; research is challenging, expensive and sensitive. In other regions, such as the Horn of Africa, efforts to overcome such difficulties are bearing fruit and the scale of irregular movement, smuggling, trafficking and exploitation of migrants is being reported.

Irregular maritime migration flows to Australia have been a contentious academic and public policy issue for several decades. Much of the focus of the discourse on, and research into, this discrete type of irregular migration has been on the treatment of asylum seekers and refugees who make up these irregular flows. There is a considerable body of literature and commentary on these aspects, including on the critical areas of human rights, normative frameworks, mental health, settlement and integration, international relations and domestic politics. These areas of research and scholarly enquiry are extremely important; they are also fairly mature.

There is a substantial body of work that exists on these aspects of irregular maritime migration to Australia, but much less enquiry into the migration patterns, processes, drivers and decision-making underpinning movement.

The contributions in this volume aim to rectify some of the imbalance in migration research by presenting empirical research findings on irregular migration undertaken in origin, transit and destination countries using a range of methods and employing interdisciplinary approaches. The chapters in this book originate from the Irregular Migration Research Program's occasional paper series (see background discussion in the Preface), and are rooted in a particular period of time, namely 2012 to 2014. References to recent developments are made in relevant chapters, such as the reduction in irregular maritime arrivals to Australia in 2014 and the increase in arrivals to Europe in 2015; however, the main emphasis remains on the period from which this volume emerged.

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