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1 Ethical Issues in Irregular Migration 2 Research in Europe 3 4 5

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10 ABSTRACT

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13
14
15 This paper is concerned with the ethical issues
16 arising for researchers engaged in the study of
17 irregular migration. Based on the authors'
18 research experiences, the paper goes beyond
19 analysis of ethical dilemmas and aims to
20 provide some guidance to researchers in this
21 field. Irregular migration is by definition an
22 elusive phenomenon as it takes place in
23 violation of the law and at the margins of
24 society. The very nature of this phenomenon
25 raises important issues, including the
26 sensitivity and vulnerability of the research
27 subjects and a whole series of other ethical
28 issues to be addressed both when conducting
29 fieldwork with irregular migrants and also at
30 the later stage of data analysis, processing and
31 dissemination. The paper first considers
32 various methods in researching irregular
33 migration and defines research ethics. It then
34 discusses the differences between sensitivity
35 and vulnerability and their particular
36 implications for irregular migration research.
37 Next, the paper looks at the ethical challenges
38 arising from fieldwork and discusses the
39 sensitive issues involved in the relationship
40 between researcher, irregular migrant
41 and society. Finally, it discusses the question
42 of disseminating findings (both qualitative
43 and quantitative) to wider audiences. In
44 conclusion, we highlight the key points that
45 we consider to be important when studying
46 irregular migrant populations. Copyright ©
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INTRODUCTION

Irregular migration attracts considerable political attention and ranks high on national and international policy agendas. Initially, irregular migration in Europe was considered somewhat obscure, but this has changed rapidly now that a growing number of (sometimes policy-driven) studies have been conducted, and numerous papers, articles and books have been published that address irregular migration (e.g. Düvell, 2006). Nevertheless, to the best of our knowledge there are as yet no specialised codes of practice or research ethics for those who research irregular migration. This paper considers the ethical issues arising in qualitative and quantitative research and in the processes of disseminating research findings. It draws on the CLANDESTINO research project, funded by the Sixth Framework Programme of the European Commission,¹ and also on various qualitative and quantitative research projects conducted by the authors between 1998 and 2009 in the UK, Italy, Greece, Ukraine, Turkey and Germany (see for instance: Triandafyllidou, 2001, 2006; Jordan and Düvell, 2002; Düvell, 2006). In the course of these projects several hundred interviews and surveys were conducted with irregular migrants as well as with other stakeholders (non-governmental organisations (NGOs), public services, enforcement agencies, etc.). The subsequent dissemination of findings amongst academic audiences and other user groups will also be analysed alongside the primary research on which this paper is based.

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The paper separately addresses the two main areas of ethical concern in research on irregular migration: firstly, the ethical issues arising during empirical research; and secondly, the use, misuse and dissemination of qualitative and quantitative data. Our focus is on the ethical issues arising when conducting and disseminating research that has irregular migrants as its research subjects. Other social and political actors (including government authorities, employers, migrant organisations, support groups and human smugglers) are considered here only peripherally. Moreover, this paper goes beyond scholarly inquiry and aims to be a tool that can guide future researchers when making their own ethical decisions.

5 IRREGULAR MIGRATION, RESEARCH METHODS AND ETHICS

Various approaches have been used to research irregular migration, including face-to-face in-depth interviews (e.g. Jordan and Düvell, 2002; Alt, 2003; Mainwaring, 2010); anonymous questionnaires (e.g. Chiuri *et al.*, 2004); analysis of secondary data including quantitative enforcement agencies' records (e.g. Jandl, 2007) or police or court interrogation records (Pastore *et al.*, 2006; Neske, 2007); and qualitative interviews with experts or others possessing knowledge (e.g. Bilger *et al.*, 2006). In general, qualitative interviews and participant observation usually produce highly personal and confidential data, and quantitative research data on travelling, living and working patterns (including nodal points of irregular immigration). Police data and interrogation records contain personalised data, and expert interviews may produce detailed quantitative or qualitative data or they may simply reveal migrants' general perceptions and beliefs. Each of these approaches presents its own ethical challenges.

Research has been defined as 'any form of disciplined inquiry that aims to contribute to a body of knowledge or theory', and research ethics as the 'moral principles guiding research, from its inception through to completion and publication of results and . . . the curation of data' (ESRC, 2005: 20). Research ethics is a process of making decisions that are informed from a specific ethical position (Dench *et al.*, 2004). When referring to the investigation of irregular migrants, it has

been argued that 'the prosecutor shares a central cognitive aim with the researchers' (Pastore *et al.*, 2006: 99). We reject this view and argue that scientific research is fundamentally different from police investigations, both in terms of the different kinds of information sought and the ethics that guide the work of researchers.

One fundamental ethical question is whether irregular migration should in fact be researched at all (Düvell, 1998). Some academics believe that quantitative research on this topic is 'too problematic and potentially unethical', leading only to 'number crunching' and 'number games' (Van Dijk, 1996; Weber, 1998). Black (2003: 45) argues that research questions such as asking how 'migrants/asylum seekers move when controls are tight' are problematic because results can 'serve state interests in clamping down'. In contrast, Sieber and Stanley (1988: 55) suggest that not researching social phenomena and 'shying away from controversial topics, simply because they are controversial, is an avoidance of responsibility'. Similarly, Humphreys (1970: 173) believes that 'ignoring the problems of discriminated groups by not researching them adds more to the discrimination than not to investigating' their problems and, furthermore, research that aims to help overcome 'superstition and atrocities that characterise previous responses to a certain group, behaviour or phenomenon should be conducted'. Participants of various workshops and conferences that the authors have attended under the auspices of the CLANDESTINO research project and other projects have suggested that quantitative research does serve a purpose because society should be aware of the size of its population as this has implications both for the urgency of the problem of irregular migration and for the solutions that need discussing.

In our various projects, the main ethical question to arise is whether the potential social benefits from research outweigh the potential social harms. To further this question, we tried to identify potential unintended negative consequences and the risks and benefits for all stakeholders, as well as anticipating the potential use of the research, and how to take appropriate precautions against possible misuse of the findings. Thus the aim of our research has not been just to produce a 'body of knowledge' but to address the misperceptions and misconceptions surrounding

1 irregular migration, and to minimise the risks
2 and maximise the benefits, firstly for the
3 researched group and, secondly, for other stake-
4 holders (see Dench *et al.*, 2004: 17–18). We con-
5 cluded that our professional responsibilities lie
6 in researching irregular migration and inform-
7 ing society about the phenomenon in a
8 manner that does not contribute to discrimina-
9 tion against these groups but, instead, improves
10 understanding.

11 Research on irregular migration is rarely
12 explained or justified. More commonly, it seems
13 to be taken for granted and we include some of
14 our own previous work within this criticism.
15 Researchers rarely discuss where they should
16 draw ethical lines, in direct contrast (for instance)
17 to medical research where such issues are keenly
18 debated. Exceptions to this can be found in the
19 work of Black (2003), who examined the types of
20 bias in the research of irregular migration that
21 should be avoided; in PICUM (2002) on social
22 work with irregular immigrants; and in Jacobsen
23 and Landau (2003) and Hopkins (2008), all of
24 whom were researching refugees.

25 The second main ethical issue to consider at
26 the outset is the selection of appropriate methods
27 to ensure that research is transparent, account-
28 able and produces data of the highest quality.
29 This implies that qualitative and quantitative
30 data should be double-checked and verified by
31 researchers for both validity and reliability and
32 that researchers must respect ‘professionalism’
33 and ‘quality standards’ such as those outlined by
34 the American Statistical Association (1999). The
35 accuracy and validity of qualitative and, in par-
36 ticular, quantitative data, can be difficult to verify,
37 mostly due to a lack of data sources, especi-
38 ally given the non-registered character of the
39 phenomenon.

40 41 RISKS, SENSITIVITY AND VULNERABILITY 42 IN IRREGULAR MIGRATION RESEARCH 43

44 Any research on human beings carries certain
45 risks for the research subjects (ESRC, 2005). These
46 are identified as:

47
48 ‘(a) potential physical or psychological harm,
49 discomfort or stress to human participants that
50 a research project might generate or, (b) risk to
51 a subject’s personal social standing, privacy,
52 personal values and beliefs, their links to family

53 and the wider community, and their position
54 within occupational settings, as well as the
55 adverse effects of revealing information that
56 relates to illegal [...] or deviant behaviour.
57 Research which carries no physical risk can be
58 disruptive and damaging to research subjects
59 either as individuals or as whole communities
60 or categories of people.’ (ESRC, 2005: 22)
61

62 Furthermore, the ESRC explains that risks of
63 social science research are specific and could be
64 framed as both social risks and those that might
65 generate psychological/physical stress. Research
66 that generally might be considered as involving
67 more than minimal risk includes: research involv-
68 ing vulnerable groups (e.g. ‘individuals in a
69 dependent or unequal relationship’); sensitive
70 topics (e.g. ‘participants’ illegal or political behav-
71 iour, their experience of violence, their abuse or
72 exploitation, . . . or their gender or ethnic status’);
73 groups where a gatekeeper is normally required
74 for initial access (e.g. ‘ethnic or cultural groups’);
75 ‘deception or which is conducted without par-
76 ticipants’ full and informed consent’; and in par-
77 ticular, research involving ‘access to records of
78 personal or confidential information . . . concern-
79 ing identifiable individuals’ ESRC, 2005: 8–9).

80 There may also be risks to the researchers
81 resulting from interacting with criminal environ-
82 ments and people in traumatic circumstances.
83 For this reason, Düvell, in his ongoing research
84 on irregular transit migration in Ukraine,²
85 avoided discovering or publishing detailed crim-
86 inal practices, which may have proved important
87 for criminal or journalistic investigations, but
88 were not relevant to explaining the social pro-
89 cesses and extent of irregular migration. Simi-
90 larly, Black (2003: 47) suggests that less emphasis
91 should be placed on describing the *how* of certain
92 aspects of illegal migration, (routes, costs, con-
93 tacts, etc.) and that researchers should instead
94 consider *why* irregular immigrants act in the way
95 that they do (motivations and decision-making
96 processes, options, etc.). Ultimately, however, it
97 is the research subjects who decide what can be
98 researched. In the field, we have often found that
99 irregular migrants refuse to be interviewed or
100 even give misleading answers.

101 Sensitivity and vulnerability are notions that
102 are crucial for understanding and addressing the
103 ethical questions in social science research and,
104 in particular, in research on irregular migration.

1 Sensitivity generally refers to the area of research
 2 (meso level) while vulnerability is a feature
 3 mainly of the research subjects (micro level). Both
 4 these concepts and the related concerns are inher-
 5 ently interlinked; therefore, a two-level assess-
 6 ment of the risks in each area is required. Sieber
 7 and Stanley (1988: 49) suggest that 'studies in
 8 which there are potential consequences or impli-
 9 cations, either directly for the participants in the
 10 research or for the class of individuals repre-
 11 sented by the research', must be considered sen-
 12 sitive. Furthermore, according to Johnson and
 13 Clarke (2003: 422), any 'direct contact with vul-
 14 nerable people, with whom sensitive and diffi-
 15 cult topics are often raised and sometimes raised
 16 within difficult contexts' presents a high degree
 17 of sensitivity.

18 Thus fieldwork that includes interviews, partici-
 19 pant observation or personal data in any
 20 respect, is considered to be highly *sensitive* in
 21 nature. Renzetti and Lee (1993) explain that sen-
 22 sitive topics are those that seem either threaten-
 23 ing, or contain some risk to research subjects, for
 24 example, because such research involves poten-
 25 tial costs and problems for participants. Lee
 26 (1993: 4) further elaborates that sensitive research
 27 potentially exposes stigmatising or incriminating
 28 information and can cause pain and harm to indi-
 29 viduals who are already experiencing oppres-
 30 sion. Such research may also be related to
 31 politicised issues that are controversial or can
 32 even cause social conflict.

33 Gibson (1996) expands the discussion to con-
 34 sider sensitivity issues that relate to public
 35 opinion and the political context of a study.
 36 The term '*vulnerable* people' is used to refer to
 37 'people who are stigmatized, have low social
 38 status, . . . very little power or control over their
 39 lives', and who live under damaging legal, social
 40 or institutional regimes (Clements *et al.*, 1999:
 41 104). They are at risk from various more power-
 42 ful members of their peer group or other social
 43 groups, sometimes from authorities and enforce-
 44 ment agencies, and the scientific community, and
 45 may suffer from violations of human rights. The
 46 subjects of research on irregular migration meet
 47 all these criteria and must therefore be consid-
 48 ered sensitive and potentially vulnerable.

49 The major principles of social research ethics
 50 are that any research keeps the potential risk or
 51 harm of research in sensitive topics and on vul-
 52 nerable groups to a minimum for participants

and others who are affected by the research
 (ESRC, 2005: 3), and that the welfare and rights
 of social groups are protected (Lee, 1993). This
 implies that some level of risk can be legitimate.
 Research may be

'deliberately and legitimately opposed to the
 interests of the research subjects in cases where
 the objectives of the research are to reveal and
 critique fundamental economic, political or
 cultural disadvantage, or exploitation. Much
 social science research has a critical role to play
 in exploring and questioning social, cultural,
 and economic structures and processes [. . .]
 and institutional dynamics and regimes that
 disadvantage some social groups over others.'
 (ESRC, 2005: 22)

In the case of irregular migrants such risks include
 scapegoating, denunciation by subjects' peer
 group or wider society and enforcement actions.
 For example, researching the informalisation of
 subcontracted cleaning companies working in
 the public sector may mean revealing that
 certain cleaners lack an appropriate immigration
 status (Maroukis, 2008). As well as exposing
 individuals to stigmatisation and incrimination,
 the company may fear exposure and may even
 fire these workers. In this case participant obser-
 vation was done covertly without the consent of
 any party and interviews were conducted in
 complete privacy in order to avoid these risks
 (Maroukis, 2008).

The Thematic and Cultural Sensitivity of Irregular Migration Research

Fieldwork on irregular migrants involves indi-
 viduals who are violating the law and attempts
 to elicit information on their mode of travel,
 employment, residence and access to public and
 private services. The networks of the subjects
 may also touch upon wider criminal structures,
 including human smuggling, facilitating irregu-
 lar entry/stay and corruption. Even if such
 research aims at better understanding of the
 mechanisms and processes of irregular migra-
 tion, it inevitably risks being intrusive and inter-
 rogative. Since irregular migration is often
 interwoven with rights violations, research activ-
 ities might put participants at risk (Beyrer and
 Kass, 2002). The researcher is commonly faced
 with people suffering harsh living and working

1 conditions, and this may well raise ethical dilemmas such as the researcher's own emotional engagement and, potentially, even the need to intervene.

2 Moreover, if some research findings become known to enforcement agencies this could have far-reaching consequences for irregular migrants. Research can discover places and employers, patterns and strategies that could inform enforcement operations. Information produced during research on immigration potentially involves risks for the research subjects. Thus, in our own research the ethical concerns we faced were related to the fact that the research could easily harm its subjects and that 'social knowledge' might be translated into 'investigative knowledge' (O'Hara and O'Hara, 1994).

3 Our experiences from research into irregular migrant workers suggest that enforcement agencies are often aware of irregular entry, stay or employment strategies of migrants, but have their own priorities as to what to target or indeed to tacitly tolerate (Düvell and Jordan, 2003; Jordan *et al.*, 2003; Düvell, 2006). In our various projects, however, we have sometimes discovered new patterns of irregular migrant activities or have otherwise been positions where the information we produced could have led to a change in the priorities of enforcement agencies. In these circumstances it is important to consider carefully whether the knowledge produced could be of immediate use to enforcement agencies and, if this is the case, to take action to minimise these risks.

4 A related set of issues arises from the cooperation of researchers with other actors (Vogel, 1999). Often, researchers request NGOs or state agencies to broker access to interviewees or to gain access to official data. In the case of our various research projects, in order to obtain consent from these agencies we had to respect their position. This does not necessarily mean that we contributed to their agendas; rather we remained independent and pursued our own aim, which is namely the production of academic knowledge.

5 Finally, it should be noted that researchers are often members of an ethnically or socially privileged group, and thus when researching issues related to irregular migration, cultural sensitivity is of paramount importance. In cases such as 10 these, Sieber (1992) argues that:

'Cultural sensitivity has . . . to do with respect, shared decision-making and effective communication. Too often, researchers ignore the values, the life-style and the cognitive and affective world of the subjects. They impose their own, perhaps in an attempt to reform people whose culture they would like to eradicate, or perhaps simply out of ignorance about the subjects' reality.' (■■■) 11

He suggests that researchers should first learn about their research subjects' lifestyles, beliefs and values and how to communicate in ways that the individuals understand (Sieber, 1992). From this it follows that issues of respect and trust are crucial in establishing a relationship between researcher and participants. In a study conducted by Kotic and Triandafyllidou (2003), a Polish research assistant was employed to conduct qualitative interviews with undocumented Polish migrants in Italy working as live-in maids in private households. The researcher was able to recruit informants in public meeting spaces such as squares and bus stations, and she took time to establish a friendly relationship with them, creating trust so that they felt they could speak openly with her about their lives and their contact with the authorities (public administration and the police). The researcher invested considerable time in approaching the subjects' lived realities, and achieved a high level of empathy, which meant she could accomplish the fieldwork in the best possible way and ensure that the informants felt respected and appreciated.

It is also important to keep in touch with the range of opinions circulating in the community about a given study. These may include views about the researcher's motives and the risks or benefits of participating. Conducting interviews, for instance, in an inner city area of Athens where a large number of refused asylum seekers and irregular migrants have settled in recent years, gave rise to suspicion and fear among research participants. It also carried the potential to increase tensions as some long-term (citizen) residents of the neighbourhood felt that 'their' neighbourhood was 'under siege' by the 'newcomers' (Maroukis, 2008). The response by the researchers was to approach the fieldwork with caution, in order to create trust and avoid raising tensions. Thus while researchers may openly express their views on certain issues (e.g. the increasing

1 numbers of refused asylum seekers sleeping
2 rough and/or renting substandard accommoda-
3 tion in inner city areas), they may also need to
4 keep an independent stance, without getting
5 involved in local tensions.

7 **The Vulnerability of Irregular Migrants**

9 Vulnerability may be defined as a person's sus-
10 ceptibility to physical or emotional harm; it
11 denotes inadequate means or ability to protect
12 oneself from external influence. Moore and Miller
13 (1999: 1034) define vulnerable people as being
14 those who 'lack the ability to make personal life
15 choices, to make personal decisions to maintain
16 independence, and to self-determine'. Others
17 (such as Birman, 2005) point explicitly to the vul-
18 nerability of groups of people stemming from
19 their legal status – as is the case for irregular
20 migrants. Subjects of research can be vulnerable
21 both as individuals and as a group. Vulnerable
22 individuals and groups are broadly understood
23 as those who are exposed to greater risks because
24 of certain characteristics. In this context vulner-
25 ability is understood as the possibility that partic-
26 ipation in research may cause the participants
27 some harm, e.g. by virtue of factors such as age,
28 social status or powerlessness (British Society of
29 Criminology, 2006). The vulnerability of irregu-
30 lar immigrants has multiple facets: if their irregu-
31 lar status is identified (by accident, in course of a
32 police operation or through denunciation) they
33 may be apprehended and/or be subject to perse-
34 cution (for example, they may be fined, issued
35 with a deportation order, imprisoned or even
36 removed). Research may identify workplaces,
37 NGOs or street corners where irregular migrants
38 gather. The disclosure of such information can
39 increase the vulnerability of irregular migrants as
40 a group.

41 While irregular migrants live in a variety of
42 conditions and some may live in relatively com-
43 fortable, secure and happy circumstances (Jordan
44 and Düvell, 2002) and even with an organi-
45 sed communal voice (e.g. Daskalopoulou and
46 Nodaros, 2008), they may also live in conditions
47 of sheer poverty (Anderson, 1999; Alt, 2003),
48 which are exacerbated by the fact that in most
49 European countries irregular migrants have
50 minimal legal and social rights (Gibney, 2000;
51 Cohen, 2003; PICUM, 2003). Thus they have
52 limited access to assistance from social or politi-

cal institutions in the host society and it is some-
times nearly impossible for them to join or form
civil society organisations.

The insecure situation in which irregular
migrants live can lead to chronic stress and
anxiety. This is sometimes reinforced by experi-
ences of traumatising journeys and maltreatment
(including sexual harassment) by human smug-
glers, police or others (Goodman, 2004). Exacer-
bating these problems is the fact that the perceived
authority of a researcher can sometimes have an
intimidating effect.

Finally, there are some more subtle forms of
vulnerability that characterise irregular migrants.
Interviewees may be illiterate in their own lan-
guage and/or that of the host country, limiting
their ability to follow public debates, understand
the media discourses and assess the risks involved
in the research that concerns them. Consequently
this can further limit their ability to make
informed decisions (Cooper *et al.*, 2004).

53 **The Risks for the Researcher**

54 Researchers can potentially be exposed to harm
55 resulting from the nature of their research subject,
56 and this may make them vulnerable to conflict
57 and distress (Davison, 2004). Researchers of
58 irregular migration often enter a shadowy area
59 where they can be confronted with criminal
60 activities, organised crime and health risks. Those
61 involved in criminal activities – human smug-
62 glers, illegal agents and corrupt officials (for
63 example) – can try to stop the researcher from
64 pursuing the study either through warnings or
65 even by force. For example, in Ukraine, Düvell
66 received a discreet warning from the secret
67 service and, for his own security, decided to
68 interrupt his fieldwork and kept a low profile for
69 a while.³ Furthermore, female and sometimes
70 even male research assistants may be approached
71 with marriage offers. In our case we assessed the
72 risks via in-depth discussions between super-
73 visors and assistants. In particular, we were con-
74 cerned whether the assistant was overconfident
75 or too risk-tolerant. In these cases, strategies were
76 discussed and precautions taken to prevent the
77 researchers from being exposed to difficult situ-
78 ations. As supervisors we had to be prepared to
79 advise researchers to withdraw if necessary, even
80 if this meant jeopardising the research. In prac-
81 tice, such withdrawal never proved necessary.

1 We discussed what to do should enforcement
2 agencies approach us demanding enforcement-
3 relevant information. Social science researchers,
4 unlike (for example) medical personnel have
5 no right to refuse witness statements. However,
6 the authors are not aware of any such cases
7 having occurred, and would caution against
8 undue alarm here.

9 Unpopular or controversial research can have
10 a negative impact on the reputation and career
11 prospects of the researcher. We know of specific
12 cases in which researchers were put under con-
13 siderable pressure from funding and research-
14 commissioning agencies to change or adapt their
15 conclusions to fit with the political agenda of
16 these bodies. Senior researchers or those in secure
17 positions were able to reject this, but early career
18 researchers or those depending on external
19 research sometimes gave in to such pressure.

21 ETHICS AT WORK

22
23 The fieldwork on irregular migration is one of the
24 most sensitive aspects of the research process as
25 it brings the researcher into direct contact with
26 irregular migrants and their environment. The
27 first challenge lies in identifying where to find
28 irregular migrants and, because migration status
29 has no visible marker, how to identify irregular
30 members. This is a particular challenge if the
31 principle researcher or the assistant do not share
32 certain characteristics with the researched group,
33 or have no intimate knowledge of them and thus
34 may require the use of gatekeepers, experts or
35 key people in the community. To gain access to
36 the research subject group from such gatekeepers
37 trust is critical. As well as convincing the gate-
38 keeper that the study is of no harm to the
39 researched group, sometimes the researcher must
40 go further and demonstrate how the study can
41 be of positive benefit to the researched group. If
42 the gatekeeper is prepared to recommend the
43 researchers, he or she must go back to potential
44 interviewees for their consent before passing on
45 names or making arrangements for a meeting.

46 Once meetings were agreed, they took place in
47 public areas (for example on a park bench or in
48 a café), in semi-public places (such as a shelter,
49 an NGO or a faith organisation) or a private place
50 (such as the home of the researcher or the inter-
51 viewee). When the researchers met informants in
52 public or sheltered spaces the interviewees were

53 afterwards able to leave the place of the inter-
54 view safely. Sometimes, however, researchers
55 were invited to the homes of irregular migrants.
56 This had certain advantages as the informant
57 seemed to feel more comfortable at home and an
58 intimate atmosphere often allowed for an open
59 conversation. However, once the address of an
60 irregular migrant became known this meant that
61 the informant could not easily return to anonym-
62 ity and also researchers had to consider the
63 potential risks for themselves. This not only dem-
64 onstrated a high level of trust for the interviewer,
65 it also placed considerable responsibility on
66 them.

67 Equally relevant is the issue of the type of
68 information that was requested by the researcher
69 and given by the informant. Ideally, the terms of
70 the interview are agreed in advance (see below)
71 and the researcher explains that for the purpose
72 of an academic study no personalised data is rel-
73 evant, and thus names, addresses or specific loca-
74 tions and dates shall be omitted. In an open,
75 in-depth conversation, informants can disclose
76 names and places or very detailed violations of
77 the law that may well not be relevant to the study.
78 In such instances we usually intervene and
79 explain that this information is not relevant to the
80 study or that it is too sensitive. However, some-
81 times it is important not to disrupt the flow of the
82 conversation. Thus, as part of our ethical respon-
83 sibilities, such data was either not recorded or
84 was deleted afterwards.

86 **The Ethical Dimension of Relationships** 87 **Between Researcher and Irregular Migrant**

88
89 Researchers and irregular migrants often enter
90 into a complex and unbalanced relationship. We
91 have always aimed at relationships based on
92 a humane approach and on respect. In most
93 countries, irregular migrants are not repre-
94 sented in public and have very little legal or
95 political power, though in some countries self-
96 organisations and support campaigns have suc-
97 cessfully challenged this. Irregular migrants will
98 find it difficult to challenge (legally or politically)
99 a researcher who at times may be violating ethical
100 principles or trust or even misrepresenting them.
101 The irregular migrants nevertheless do hold a
102 position of key influence in the research context,
103 namely the ability to decide whether to tell their
104 story and participate in the research or whether

1 to refuse to do so. At the same time the interviewees
2 can potentially misinterpret the role of the
3 researcher and believe that researchers can positively
4 influence their situation because they are
5 'powerful'.

6 Another set of issues lies in the level of trust
7 emerging from this encounter and the consequences
8 that this has for both parties. After an
9 interview, an informant may wonder whether
10 the information is actually in safe hands and can
11 consequently experience a period of stress. At the
12 same time, the researcher can sometimes discover
13 information that emotionally distresses them.

14 We have experienced occasions when the
15 informant wanted to continue the relationship in
16 the hope that the researcher could do something
17 to improve their situation. In general, we felt that
18 we should do whatever was possible to live up
19 to such expectations if such expectations were
20 considered reciprocal and fair and as long as they
21 were not immoral, illegal or disproportionate.
22 Deciding in advance the kind of reciprocity we
23 would consider ethical in our relationship with
24 informants made our position much more tenable.
25 For example, if the interviewee asked for advice,
26 or to be recommended a lawyer or psychosocial
27 support, we responded. However, no help was
28 offered in finding employment. Sometimes irregular
29 migrants seemed to use such requests as
30 tests to establish whether the researcher understood
31 the ethics of such interactions and whether
32 he or she was a good-hearted and helpful person.
33 In one instance, a destitute single mother in
34 Turkey who received no support from NGOs
35 asked the researcher for help. The researcher
36 bought her necessities, both for his/her own
37 peace of mind and as a basic humanitarian
38 gesture. This considerably changed the position
39 of the researcher who became engaged in
40 welfare/social work. Whilst there were obvious
41 limits to what a researcher could do, leaving an
42 interviewee completely unsupported was simply
43 not an option. Being prepared for such dilemmas,
44 seeking support from trained social workers and
45 striking the balance between research and
46 humanitarian relief became a crucial part of our
47 fieldwork.

48 **Informed Consent**

49 Any research into human beings and human
50 actions takes as a basic principle respect for the
51
52

53 moral autonomy of each human being and the
54 subject's right to make autonomous decisions
55 (Faden and Beauchamp, 1986). Consequently, we
56 have always explained our projects as compre-
57 hensively as possible including details such as
58 funding institutions, research methods and dis-
59 semination plans, the basis of the interaction, the
60 ground rules and potential risks and benefits, so
61 that the individual could make a voluntary and
62 informed decision about their participation. This
63 principle is known as informed consent (IC) (see
64 Christian, 2005) and normally requires a written
65 or verbal agreement with research subjects.

66 It is accepted that under certain conditions, (for
67 example, observing a crowd) IC is impracticable
68 (ESRC, 2005: 21). More particularly with refer-
69 ence to irregular migration, written consent, as
70 foreseen by some guidelines (e.g. CUREC, 2008)
71 can contradict the principle of irregular and
72 undocumented strategies. In certain circum-
73 stances it can create unnecessary risks for the
74 research subjects, and even provoke the inter-
75 viewee to use false names or withdraw from the
76 research. We ourselves have never asked for
77 written IC. We have never lied to interviewees
78 and nor have we concealed certain aspects of our
79 projects in order to obtain consent. Finally, we
80 have always made it clear that the interviewee
81 has the right not to take part, not to answer
82 certain questions and to withdraw from the inter-
83 view altogether.

84 Sometimes, research assistants may be hired
85 from the same ethnic, cultural, linguistic or
86 gender group as the research subjects. This can
87 create a point of contact and facilitate relation-
88 ships of trust and familiarity. Such a strategy can
89 improve communication and go some way
90 towards addressing the difference in power and
91 status between interviewer and interviewee.
92 Where we have used such approaches, the
93 researcher in the field explained who they were
94 working for (including the supervisor and insti-
95 tution), and in some cases the senior researcher
96 introduced themselves to the interviewees to
97 ensure there was no doubt about the principal
98 researcher and the nature of the project.

99 Moving beyond these considerations we have
100 often found that the research subjects can enjoy
101 the interview, and appreciate being listened to,
102 and indeed that interviews sometimes seemed to
103 have a therapeutic effect. Some interviewees
104 have expressed the hope that through the research

1 their voices would be heard, and that research
2 would contribute to the design of solutions to
3 their situation, thus giving the interview a politi-
4 cal aspect.

6 THE ETHICS OF DISSEMINATION

8 Once a study is finished the next step may be the
9 dissemination of its findings. Such dissemination
10 can potentially reach a variety of audiences,
11 including the scientific community, policy-
12 makers, state officials, international organisa-
13 tions, NGOs, the media and the wider public, as
14 well as the research subjects themselves. Some
15 social scientists may prefer not to attract too
16 much media attention to avoid their work being
17 trivialised or sensationalised (Roberts, 1984). On
18 the other hand, institutes such as research centres
19 are required to deal with stakeholders, including
20 the media, in order to make their findings avail-
21 able. Dealing with these competing claims, like
22 the research itself, requires ethical approaches.

23 It has been claimed that during the dissemina-
24 tion of research findings, it is vital to consider
25 'how participants are portrayed' (Clements *et al.*,
26 1999: 112). Notably 'the semantics of power struc-
27 tures' (Luhmann, 1996) potentially reinforce the
28 exclusion of certain groups, contribute to their
29 stigmatisation and subsequently lead to their
30 exclusion from the realm of moral subjects
31 (Bauman, 1996). Consequently, there has been a
32 demand for researchers to 'avoid adding to the
33 burden of stigma that vulnerable people bear'
34 (Clements *et al.* 1999: 112). In particular, the ter-
35 minology used is an issue that particularly con-
36 cerns researchers of irregular migration. Because
37 reference to 'illegal migrants' can contribute to
38 the criminalisation of this group and reinforce its
39 stigmatisation, most researchers prefer expres-
40 sions with less negative connotations, such as
41 irregular and undocumented migrants (see
42 Pinkerton *et al.*, 2004: 1).

43 As researchers we recognise our responsibility
44 to take an ethical position regarding both the
45 content and timing of our dissemination. For
46 example, we asked ourselves a number of ques-
47 tions such as: Should all or only some results be
48 published? Who is the audience? How will our
49 results be received and discussed at a given time
50 period (in the light of related political and public
51 debates) and how may they be (ab)used? The
52 question also arose as to what extent we can

control and influence the (ab)use of our findings.
We also considered whether the usual time delay
between research and the publication of findings
meant that publication would not have an imme-
diate effect on the research subjects, and their
locations or businesses.

Qualitative research findings on irregular
migration seem to receive comparatively little
negative media attention and none of the authors
have experienced this. Journalists sometimes
conduct their own investigations to find 'outra-
geous' cases and headlines (e.g. 'Illegal immi-
grant benefits industry – how this man milked
the welfare system', *Daily Mail*, 30.6.97; see
Düvell, 1998). In contrast, the media and politi-
cians usually seem eager to quote statistics and
to quantify social phenomena. Statistics are con-
sidered to be hard and simple facts, with consid-
erable symbolic power and they are often used
as powerful tools in politics and policy. There-
fore, quantitative research is more likely to receive
media coverage. Consequently, if numbers are
'abused, whether through malice or incompe-
tence, genuine harm is done' (Vardeman and
Morris, 2003: 21).

Quantitative data on irregular migrants is par-
ticularly prone to abuse by media or politicians.
For instance, the Greek Minister of Interior, Pro-
kopis Pavlopoulos, stated in the Greek Parlia-
ment on 3 June 2008:

'We had 112,000 illegal migrants in 2007. We
have no cooperation from Turkey. I will accuse
[Turkey] on Thursday [5 June 2008] when I go
to Luxembourg [for the Justice and Home
Affairs summit of EU Ministers] (. . .) forgive
me for the tone. Do not consider it hypocritical
or emotional. It is the anxiety that I feel every
night when they release all the slave ships at
the coasts of Greece, without any control from
Turkey, all these people that we have to take
care of with respect to their rights and their
life.'

The 112,000 irregular migrants mentioned actu-
ally refer to apprehensions of aliens for irregular
entry or stay in Greece in 2007. Nearly half of
these apprehensions took place in the interior of
the country, away from the borders. In other
words, it is unclear how many of those appreh-
ended were new arrivals. Moreover, of those
actually detected on the border, only 35,000 were
detected at the Greek–Turkish border, and of

12

1 those 35,000, less than 15,000 were arrested in the
 2 Aegean Sea. However, as the statement stands
 3 the figure of 112,000 people directly refers to the
 4 arrival of irregular migrants (and asylum seekers)
 5 on the coasts of the Greek islands in the Aegean.
 6 This is an interesting and probably typical
 7 example of how data on irregular migration can
 8 be misrepresented and misused by simply failing
 9 to specify *exactly* which group of migrants the
 10 statistics refer to.

11 The mass media or press demonise irregu-
 12 lar migrants all too frequently with statistics
 13 (Greenslade, 2005). Unfortunately, little attention
 14 is paid to what the numbers actually represent,
 15 how they were produced, by whom and for what
 16 purpose. The number of 'illegal migrants' pre-
 17 sented often conflates border apprehensions with
 18 entry refusals and irregular migrant apprehen-
 19 sions within a country's territories. Statements
 20 noting an increase in irregular migration often
 21 refer to increases in border apprehensions and
 22 could simply reflect tougher enforcement. Refer-
 23 ences to implausibly high figures usually have a
 24 certain purpose, for example to cause shock and
 25 fuel fear whilst calling for certain – and normally
 26 tough – policy responses.

27 These examples demonstrate the delicate envi-
 28 ronment in which we planned the dissemination
 29 of our work. Before publishing the CLANDES-
 30 TINO project research findings, the consequences
 31 for national or regional discourses on irregular
 32 migration were considered; we then took precau-
 33 tions 'against predictable misinterpretations or
 34 misuse', as advised by the International Statisti-
 35 cal Institute (1985). Operating in an environment
 36 in which the European Union declared combat-
 37 ing irregular migration to be a top priority, we
 38 classified the use of bare numbers as verging on
 39 the politically dangerous. We decided to combine
 40 quantitative data and estimates on irregular
 41 migration with appropriate qualitative data that
 42 placed the numbers in a suitable context. The
 43 project database on irregular migration in Europe
 44 classifies the data on the size of irregular migra-
 45 tion in each country into low, medium or high
 46 quality data estimates. The method used for the
 47 classification is documented and readily acces-
 48 sible to users (HWWI, 2009; see also: [http://](http://irregular-migration.hwwi.net/)
 49 **13** irregular-migration.hwwi.net/).

50 There are, however, limits to the extent to
 51 which we feel we can be held responsible for the
 52 risks and benefits of our research. Once the

research is in the public domain its use or misuse
 falls under the specific ethical guidelines for the
 media, politicians and other user groups.

Taking a Stand?

As researchers engaged in studies on sensitive
 and politicised issues we often cannot avoid
 having a polarising effect. The nature of the topic
 can mean that researchers will be documenting
 appalling living conditions (Cabbot, 2008). Some-
 times, our findings have been of such an explicit
 nature that it has proved difficult not to take sides
 and in such cases it has been suggested that
 researchers 'should comment upon the [...] cir-
 cumstances in which their "subjects" were living'
 (Clements *et al.*, 1999: 104). We often referred
 informants to NGOs or religious organisations
 and/or provided them with information and
 advice. To give another example, a colleague
 studying irregular migration in Athens realised
 that some conational acquaintances of their infor-
 mants were involved in drug trafficking and other
 criminal activities. While opposing the biased
 views of enforcement agencies, the researcher also
 wanted to understand and explain how irregular
 migration was linked to such criminal activities.
 Thus, he had to rethink and expand the research
 agenda in the light of these interim findings.

Researchers, however, are not primarily advo-
 cates or social workers but academics, and they
 are subject to a set of complex responsibilities for
 high quality and ethical research. They have
 responsibilities towards their subjects, their pro-
 fession, their funding bodies and society at large.
 In our case this meant we had to negotiate a bal-
 anced attitude between contrasting perspectives
 and opposing aims and interests. The authors of
 this paper are involved (to varying degrees) in
 advocacy activities and have adopted different
 strategies in striking a balance between their
 roles as researchers and as citizens. Triandafylli-
 dou has decided to use her position as a researcher
 and university professor to disseminate her find-
 ings at conferences, policy forums and on televi-
 sion programmes in order to advocate policy
 changes. Düvell has decided to engage in advoca-
 cy in his capacity as a member of NGOs rather
 than as an academic. More generally, Oliver
 (1992) suggests that the relationship of research-
 ers and the researched could be one of mutual
 respect, partnership and mutual advantage.

1 CONCLUDING REMARKS

2
3 Ethical issues in irregular migration research are
4 manifold and so are the challenges in the field
5 and in the dissemination of its findings. This
6 paper reflects on and draws some lessons from
7 our experiences. We have learned that answers
8 are often not clear-cut and that there is no one-
9 size-fits-all universal ethical standard. Although
10 we found ethical guidelines useful, they were not
11 sufficient and we would argue that the research-
12 er's own ethics weigh equally since decisions
13 often have to be taken on a case-by-case basis. We
14 learned that it was important to be able to justify
15 why we were investigating a particular topic.
16 While we assessed the ethical implications when
17 designing and implementing our projects we
18 could not always anticipate the issues that would
19 emerge. Thus, we had to be flexible when new
20 issues arose.

21 When planning our research projects we con-
22 sidered the potential risks for individual irregu-
23 lar immigrants and kept these to a minimum (for
24 example, through the issues we studied and the
25 questions we asked, arranging for safe meeting
26 places, anonymity and safe data storage, etc.).
27 Consent was sought on this basis, though never
28 in writing. The challenge was always to carry out
29 our research whilst ensuring that the potential
30 and actual harm to interviewees was kept to a
31 minimum. Precautions were taken to ensure that
32 risks to researchers were also kept to a minimum,
33 and that advance preparations had been made
34 for a change of plans (for example, in location or
35 time) if this would have been in the best interests
36 of the researcher.

37 Irregular migration research often has a
38 humanitarian dimension, thus we were some-
39 times drawn into social work and advocacy and
40 had to prepare ourselves for such challenges. We
41 also considered the potential consequences of
42 our research results. The bottom line was that our
43 research was conducted and disseminated in a
44 way that meant enforcement agencies could not
45 identify the whereabouts of individuals or groups
46 of irregular migrants. We avoided disclosing
47 information that would facilitate the planning
48 and operations of enforcement agencies.

49 Irregular migration research inevitably touches
50 upon sensitive issues and thus clearly has a polit-
51 ical dimension. For dissemination purposes this
52 means researchers must act in a morally respon-

sible way, abstain from ideological statements 53
and present results in a balanced and careful 54
manner in order to avoid harming the subjects of 55
research. 56
57

NOTES 58

- 59
60 (1) CLANDESTINO is a Research Project funded by
61 the European Commission, DG Research, under
62 Priority 8, Scientific Support to Policies, for the
63 period 2007–2009. The project has provided an
64 inventory of data and estimates on undocumented
65 migration (stocks and flows) in selected European
66 Union (EU) countries; has analysed these data com-
67 paratively; has discussed the ethical and method-
68 ological issues involved in the collection of data,
69 the elaboration of estimates and their use; and lastly
70 (but not least), has created a new method for evalu-
71 ating and classifying data/estimates on undocu-
72 mented migration in the EU. Twelve EU countries
73 (Greece, Italy, France and Spain in southern Europe;
74 Netherlands, UK, Germany and Austria in Western
75 and Central Europe; Poland, Hungary, Slovakia
76 and the Czech Republic in Central Eastern Europe)
77 and three non-EU transit migration countries
78 (Turkey, Ukraine and Morocco) have been under
79 study in this project. The findings of the project,
80 including not only the Project Reports but also the
81 CLANDESTINO database on irregular migration
82 in Europe and the related Research Briefs, are
83 available at <http://eliamep.clandestino.gr>.
84 (2) See research web site: Düvell F. At the fringes
85 of Europe: Transit migration in Ukraine. Avail-
86 able at [http://www.compas.ox.ac.uk/research/
87 dynamics/at-the-fringes-of-europe/](http://www.compas.ox.ac.uk/research/dynamics/at-the-fringes-of-europe/).
88 (3) See note 2. 89

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