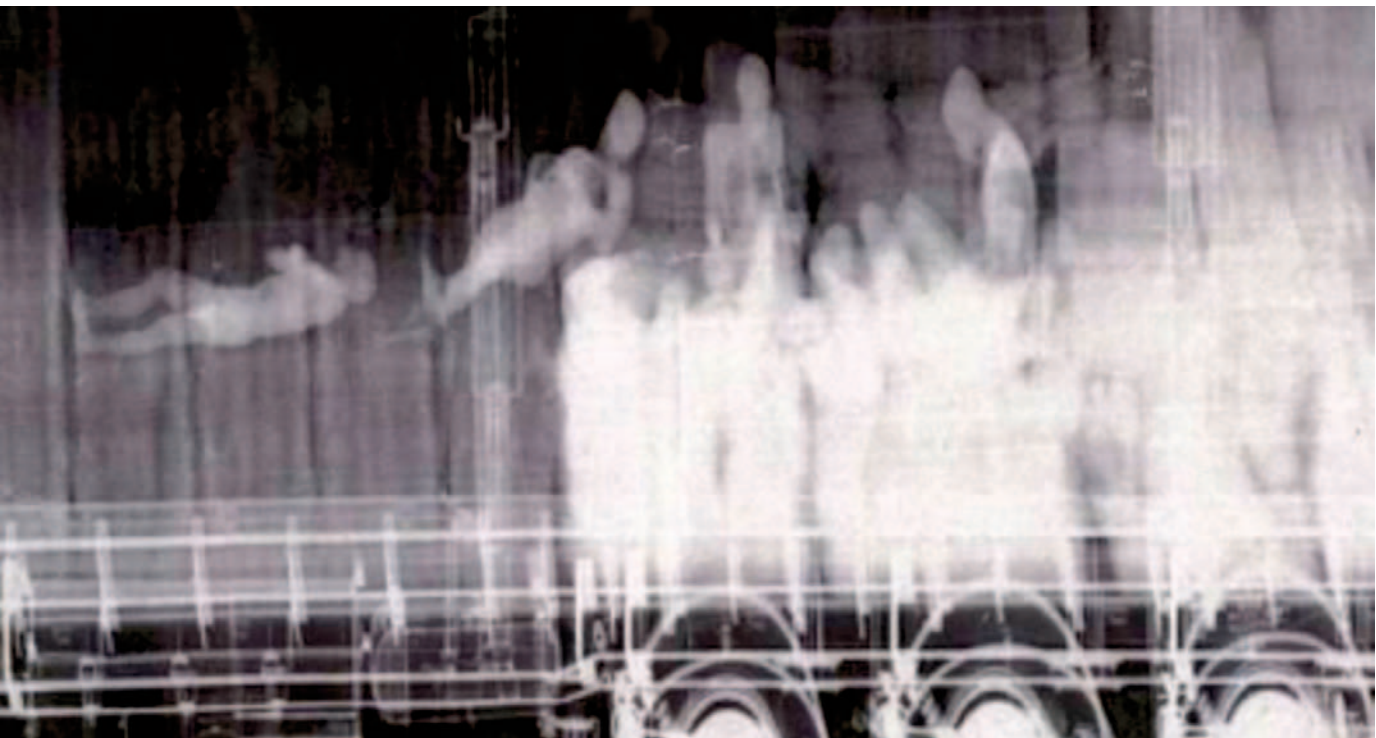




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United Nations Office on Drugs and Crime



Toolkit to Combat Smuggling of Migrants

Tool 2
Actors and processes in
the smuggling of migrants



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UNITED NATIONS OFFICE ON DRUGS AND CRIME
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Toolkit to Combat Smuggling of Migrants

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Actors and processes in the smuggling of migrants



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Overview

Tool 2, entitled “Actors and processes in the smuggling of migrants”, is divided into nine sections as follows:

- 2.1 provides an overview of actors in the smuggling of migrants and their role;
- 2.2 considers the various profiles of smuggled migrants;
- 2.3 examines the various forms of smuggling of migrants;
- 2.4 examines the role of document abuse in the smuggling of migrants;
- 2.5 highlights the key role of corruption in the smuggling of migrants;
- 2.6 draws attention to some of the key financial transactions involved in the smuggling process;
- 2.7, 2.8 and 2.9 describe the processes of smuggling migrants by land, sea and air.

2.1 Overview of actors and their role in the smuggling of migrants

The process of smuggling migrants can involve a number of actors in a range of roles. Small-scale smugglers generally arrange all aspects of the smuggling operation themselves rather than employing other actors in the process. Within larger smuggling networks, there is a clear division of work among the actors involved.

Individuals who head smuggling networks are often the actors most difficult to identify and bring to justice. Unless their activities are stopped, the smuggling of migrants will continue.

Some of the roles played by actors involved in the smuggling of migrants are outlined below.

Coordinators/organizers

Role

The coordinator or organizer is the person who has overall responsibility for the smuggling operation, much like the manager of a company. He or she might direct, employ or subcontract other individuals participating in the operation. The coordinator/organizer oversees the whole process and can assign smugglers to an operation or to a specific part of an operation, select the route and mode or modes of transport to be used and arrange accommodation. The coordinator/organizer has many contacts.

Relationships

A full smuggling operation might be organized by one coordinator/organizer or by several acting in collaboration to make the necessary arrangements.

It is usually difficult to gather sufficient evidence against coordinators/organizers. They often have “employees” who have a more practical role in the operation and who report to the coordinator/organizer as necessary.

Recruiters

Role

Recruiters advertise their “services” and establish contact between smugglers and prospective migrants seeking ways to migrate. Recruiters often lure such persons into illegal migration by deliberately misinforming them about both the migration process and conditions in the destination country. They prey on vulnerable persons and exploit their vulnerability. Recruiters may collect initial fees charged to the smuggled migrants for transportation and may also use the services of persons who do not directly recruit persons to be smuggled but who provide information as to where such persons can be found.

Relationships

Recruiters often collaborate with more than one smuggler. In many cases, they are resident in the country of origin or transit, have a good knowledge of the migrants' language and may even know the migrants personally.

Transporters/guides

Role

Transporters or guides carry out the practical part of the smuggling operation by guiding and accompanying migrants en route through one or more countries and across borders. The smuggled migrants may be handed over to another transporter/guide at different stages of the journey. In many cases, transporters/guides are men from border regions who have good local knowledge. When intercepted while smuggling a group of migrants, they often attempt to pass themselves off as one of the migrants.

Since transporters/guides are usually easy to recruit, their loss from the network does not necessarily affect the smuggling operation in any serious way. However, they play a crucial role in determining whether or not the migrants are successful in crossing borders, and are in a position to mistreat or exploit those they are smuggling. It is often the role of the transporter/guide that has the greatest impact on the reputation of the smuggling network as a whole.

Relationships

Transporters/guides are not always part of a broader smuggling network; some provide services on an ad hoc basis or seek out prospective clients in border areas (including at bus stations or bridges at borders).

Spotters, drivers, messengers and enforcers

Role

Spotters, drivers and messengers perform ad hoc jobs that are part of the smuggling process. Spotters, for instance, are responsible for providing specific information about checks by police, border guards or army personnel. Spotters often travel ahead of the vehicle carrying the smuggled migrants and communicate with it by mobile phone to warn of possible checks.

Enforcers are responsible for safeguarding the operation, to which end they may use threats or violence against the smuggled migrants in order to keep them from making noise or moving too much during the journey.

Service providers and suppliers

Role

Ad hoc service providers and suppliers often have an established link with the smugglers and are paid a share of the proceeds from the smuggling operation in return for their role. In many cases they collaborate with more than one smuggling network or group in order to maximize the frequency with which their services are used and thus their earnings from the smuggling business. For instance, owners or builders of boats may be complicit in the use of their boats in smuggling migrants.

Corrupt public officials, including corrupt border police, soldiers, immigration officials, employees in embassies and consulates and police at ports, may be bribed to turn a blind eye or otherwise facilitate the smuggling process.

Migrant smugglers and smuggled migrants may be harboured by hotel, house or apartment owners (or residents). Hotel owners can be particularly useful collaborators when smugglers require accommodation for a larger group of migrants.

Other individuals who may play a role in facilitating the smuggling process in exchange for payment include:

- Forgers of passports, visas and other travel and immigration documents
- Train conductors
- Taxi drivers
- Travel agents
- Airline staff
- Owners of boats or other vehicles
- Persons responsible for maintenance of vehicles and fuel supply
- Financiers/cashiers responsible for transferring the money collected from the smuggled migrants to the smuggler(s) on successful completion of the smuggling operation. Financiers/cashiers may be the owners or employees of legitimate businesses (e.g. shop owners).

It should also be noted that some individuals facilitate the smuggling process unknowingly (such as taxi drivers), while others may be aware that they are playing a passive role in the smuggling process but turn a blind eye (for instance, a taxi driver may be aware that he is transporting a smuggled migrant to a safe house but may think that it is not his or her business to interfere).

Recommended resources

Chin, Ko-Lin (2001). The social organisation of Chinese human smuggling. In *Global Human Smuggling: Comparative Perspectives*, Rey Koslowski and David Kyle, eds. Baltimore: John Hopkins University Press.

Chin, Ko-Lin, and Sheldon Zhang. *Characteristics of Chinese human smugglers*. NIJ Research in Brief, August 2004. Washington, D.C.: United States Department of Justice, Office of Justice Programs. Available from www.ncjrs.gov/pdffiles1/nij/204989.pdf.

Nilufer Narli, Ayse. Human Trafficking and Smuggling: the Process, the Actors and the Victim Profile. In *Trafficking in Persons in South East Europe - a Threat to Human Security*. Vienna: National Defence Academy and Bureau for Security Policy, 2006.

Van Liempt, Ilse (2007). *Inside Perspectives on the Process of Human Smuggling*. Policy Brief No. 3. Amsterdam: International Migration, Integration and Social Cohesion (IMISCOE). Available from www.imiscoe.org/publications/policybriefs/documents/PB3-Liempt.pdf.

This policy brief is intended for policymakers who deal with irregular migration and asylum. It draws attention to alternative perspectives on the smuggling of migrants, social perceptions of such smuggling, the need to give greater attention to the diversity of smuggling processes and the complexity of the circumstances that give rise to the smuggling of migrants.

United Nations Office on Drugs and Crime. *Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants*.

The modules contained in this training manual address the concept and categories of smuggling of migrants, the role of smuggled migrants and migrant smugglers in the criminal justice process, investigative approaches, financial investigations, covert investigative techniques, intelligence, legislative issues, international cooperation and human rights. The modules are the product of a broad participatory process involving law enforcement and prosecution experts from several regions of the world.

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United Nations Office on Drugs and Crime. Issue Paper: *A short introduction to migrant smuggling*. Vienna, 2010.

This succinct issue paper offers an overview of what constitutes the smuggling of migrants and related conduct and gives practical examples of such smuggling.

www.unodc.org/unodc/en/human-trafficking/publications.html

2.2 Profiles of smuggled migrants

It is difficult to draw up generalized profiles of smuggled migrants, since the information currently available is too scattered and too incomplete and global trends in migration are constantly changing.

While smuggled migrants may be men, women or children, many studies carried out in different parts of the world have shown that the majority of such migrants are young men, a trend which is attributable in part to the expectations placed on men in many societies to provide for their families. However, available literature on migration indicates that the number of female migrants is increasing. Much of that literature focuses on poverty as the key factor driving that trend; however, educated female migrants who are not from impoverished backgrounds account for an ever-increasing proportion of illegal migrants.

Many smuggled migrants seek to escape poverty, natural disaster, conflict or lack of opportunities, inter alia, for employment or well-paid employment. Others seek asylum. While many are poor and uneducated, some are educated members of the middle class. In many cases, it is a lack of possibilities to migrate legally that leads some migrants to seek the services of smugglers.

Some research has indicated that the ethnicity of smuggled migrants plays a role in determining who smuggles them, the way in which they are treated by the smugglers and organize themselves en route and sometimes the destination they aim for.

The choice between land, sea or air routes depends largely on the funds available to the smuggled migrant for the journey. Some smuggled migrants use a combination of routes to complete their journey.

Case study: Morgan

"My name is Morgan, I'm 30 years old. I tried to get to the Canary Islands once before but didn't make it; I'm on my way back to try a second time. The boat I was on was intercepted by the Spanish police as we reached land. I was put in detention and then deported back to Nigeria. That journey was quite possibly the most frightening experience of my life and had we not been picked up by the authorities, we would all have died. Despite this, I am on my way back to try again a second time.

"Life in Nigeria is hard. There is such poverty. There are no jobs, there's no food and there is corruption. I can't say too much about the situation as I fear for the lives of my family; the ones I've left behind. My father died when I was young, life for my family has been difficult ever since, I don't remember a time when we didn't struggle to eat. I have to try to make a better life for myself and it will enable me to send money back for my family.

"I left Benin City in Nigeria on 11 January 1998 and began my journey. I travelled overland through Nigeria, Niger, Libya, Algeria and into Morocco. I worked wherever I could, selling goods and working as a barber. I was caught by police on various occasions. A friend of mine told me we should go to the western side of Morocco, where we could meet someone who would help us to get to the Canary Islands. I gave a man 300 euros. He took me out into the open desert, where there were more than 70 other Africans waiting to go. We entered the boat on 7 August 2002. There were three boats, each boat carried around 25 people. As the boat moved off, we began singing gospel music to keep our spirits up. It helped us not to think about the danger. After many hours, lots of us, including me, were vomiting. One girl who had been vomiting severely died. I can't say what happened to her body. I try never to think about it. I'm also afraid for my safety.

"After many hours of this, a big wave came and covered the boat. Everyone was shouting, water was pouring into the boat. I thought we were dead. We were all crying, we had no idea which direction we were going in or which direction we had come from. Everyone was panicking but then the engine suddenly started again. We all worked hard to bail out the water and we continued the journey. We were at sea for another three or four hours. I remember thinking it felt like the ocean kept opening up, swallowing our boat and spitting it back out again. We were rescued by the police as we neared the coastline. Moments after they picked us all up, our boat broke in two. If we had not been rescued, we would certainly have died at sea. The other two boats disappeared. To this day I don't know what happened to them. I was in detention on the island for many days but we heard nothing.

"Back in Nigeria, the situation was even worse. I started trying to save money again. I met a friend who had some money and we agreed to try to make the journey again. We went from Nigeria to Benin, through Togo and Burkina Faso and into Mali. There we paid a truck driver to take us to Morocco but he dropped us in the middle of the desert in Algeria. We were left there for two days with no water. Some people died, including my friend and travel companion, John. Luckily for us, the authorities rescued us again. It was the Algerian police this time, they found us in the desert and sent us back to Mali. That saved my life.

"I gathered together as much money as I could and started out again. I'm back on the road now, working where possible and trying to save enough money to take the boat again. I am, of course, very afraid of making this boat journey again but there is no other way. I and other people like me feel we have no choice. I have to try to make a better life, I pray God will see me through."

Source: BBC, 12 September 2006.

Case study: Sue

"My name is Sue. I am a primary school teacher and come from Asia. My parents have passed away and I have one brother and two sisters. I have two daughters; one is 8 years old and the other is 16 months old. My youngest daughter was born in Europe.

"I came to Western Europe because I am a member of a group that opposed my Government. Before I left my country, I was arrested by the Government because I was a member of this group. I was detained for five days. I was pregnant at the time. My friend acted as guarantor to bail me out of detention and helped me to leave the country illegally. I found a migrant smuggler to get me out of the country. My definition of a migrant smuggler is that they are not a good person; they are part of a gang who make money by doing illegal things. I agreed to pay around

\$10,000 in order to come to Europe. The arrangement was that when I arrived in the UK they would ring my family to let me inform them that I had arrived ok, then my family would transfer the money to them.

“The money was borrowed from my friends and family. Some came from a money lender with interest. I promised my family that when I found a job in Europe I would pay them back. I am willing to do any job; working in a factory, for instance, or looking after children.

“On the day I left, I took a taxi to the airport, where a smuggler from my country was waiting for me. I had some clothes with me, and around \$85. The smuggler gave me a boarding pass to Central Asia; he showed me a passport with my name in it but did not give it to me. I thought maybe the passport was fake. The smuggler told me I would have to meet another man at this next airport in a coffee shop. I went on a plane and arrived in Central Asia, and found the coffee shop. The next man—a European-looking man—came in and bought me a cup of coffee. We waited for around five hours and he took me on another plane. He had two passports with him; I didn’t see inside them. We flew for a few hours and then landed in Eastern Europe. When we left the airport, there was a man waiting in a car for us. I sat in the back seat. The driver and the man I travelled with then took me to a house in the country where I was taken to an empty room and locked inside. I stayed there for around 13 days; they gave bread and water twice a day.

“Finally, a man I had never seen came to take me on a lorry. He had blue eyes. I was told to hide behind boxes. We stopped five or six times during the journey. After a long time, the lorry stopped in Western Europe. The driver opened the door, passed me a mobile phone and on the other end was a man who spoke my language. He told me to tell my family that I had arrived in Western Europe. I briefly spoke with them, and then the phone was hung up. The driver got in the lorry and drove away. I wandered around the streets asking people for help. I found an apartment for \$40 a week which my family helped me to pay for.

“Later I found a solicitor who helped me to apply for asylum. The solicitor was a Western European who used an interpreter who could speak my language. Soon after this, my second daughter was born.

“One day, when I went to claim my benefit, I was arrested. They took my baby and me to a detention centre.”

Raising the fee to be smuggled

In many cases, migrants seeking to be smuggled must either sell their property (land or chattel) to raise the necessary money or, more commonly, obtain some form of credit. They often borrow from friends, relatives or loan sharks; some take out bank loans.

Migrants who incur large debts in paying to be smuggled find themselves under great pressure to make enough money to settle those debts. The pressure placed on them by the smugglers to repay the costs of smuggling, the expectations of family members and the accumulation of debts as the journey progresses contribute to that pressure and reduce the migrant’s likelihood of being able to return home. Even if he or she cannot complete the journey, the migrant must find a way to settle his or her debts.

Indebtedness to a smuggler who has offered to cover the cost of smuggling on condition of repayment renders the migrant extremely vulnerable to exploitation, trafficking or debt bondage.

Case study: Albania to Italy

Small, flexible smuggling businesses were established in Valona, Albania. By the end of the 1990s, between 150 and 300 people per night could be transported from Valona to Italy. It was estimated that about 50 rubber dinghies were used by those businesses in 1999. The dinghies were about 10 metres long and were completely emptied for the purpose of transporting illegal migrants. Some were equipped with two engines. Each craft carried 15 to 40 people in crouching position; the migrants were concealed under a canvas sheet. The dinghies would set out together at night, travelling in formation so as to be able to offer each other assistance if necessary. They would then fan out as they approached Italian territorial waters, using the lighthouses of Santa Cesarea Terme, Otranto and San Cataldo as their points of reference.

The fee for the journey was variable: \$400 to \$450 for those paying the boat owner directly and \$600 to \$650 for those who used the services of a middleman. The annual turnover of the smuggling businesses in 2000 was estimated to be between \$30 million and \$60 million.

Recommended resources

United Nations Office on Drugs and Crime. *Smuggling of Migrants Into, Through and From North Africa: A Thematic Review and Annotated Bibliography of Recent Publications*.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

United Nations Office on Drugs and Crime. *The smuggling of migrants from a global perspective: a thematic review*.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

2.3 Forms of smuggling of migrants

The smuggling of migrants can take many forms. It may be planned in advance and highly organized, involving the use of sophisticated methods such as falsified travel documents, or a simple process whereby a migrant pays a smuggler to guide him or her over a border from a border town. In addition, the number of criminal actors involved can vary enormously, from one person to an extensive network spanning several countries and more than one continent. It is often assumed that the smuggling of migrants is dominated by hierarchically organized criminal groups who use established smuggling routes (such as those used for drug trafficking). While this might be true in certain countries and regions, there are also many smaller, flexible criminal groups or individual criminals that conduct smuggling operations on the basis of demand. Although such groups may form networks, those networks should not be confused with organizations characterized by a mafia-style hierarchy.

The categories below are generalized representations of some—but by no means all—of the processes involved in the smuggling of migrants, with particular emphasis on the organizational aspects of such smuggling. This typology was developed by Matthias Neske, researcher at the Institute for Migration and Ethnic Studies, Amsterdam, on the basis of interviews with experts and the examination of records of court proceedings in Germany relating to 51 cases in which a total of some 20,000 persons were smuggled by several hundred smugglers.

“Individual smuggling with a high degree of self-responsibility”

This form of smuggling entails the independent organization by the migrant of his or her journey without prior arrangement with a smuggler or smugglers. Such migrants typically travel alone and by public transport, but at a certain stage in the journey enlist the help of a local smuggler or smugglers, for instance, to cross a border illegally.

For more details, see Matthias Neske, *Human smuggling to and through Germany*, *International Migration*, vol. 44, No. 4 (2006).

Case study: Gheorghe

Gheorghe is 35 years old and lives in the capital of an Eastern European country. He has been jobless for several years, and has travelled to Western Europe three times in search of a job. Twice he was apprehended when crossing a border and sent back to his home country. On the third attempt he succeeded in entering a Western European country illegally and worked in that country for one and half years before returning to his home country.

When the money he had earned abroad began to run out, he decided to migrate again. He obtained a visa for a nearby country and travelled there by bus. He then took another bus to the border of a Central European country, which he entered on foot. Having failed to find work, he decided to go to Western Europe. Fearing that it was too dangerous to attempt to illegally enter a Western European country alone, Gheorghe decided to enlist the services of a smuggler. After a few days of searching, he met a man from his home country who assured him that he knew the border region very well. Gheorghe paid the smuggler a fee equivalent to about \$150. The smuggler drove Gheorghe to a location close to the border and guided him over the border on foot. Having just crossed the border, Gheorghe was apprehended by a border police patrol, while the smuggler managed to escape. Gheorghe told the police that he did not have a fixed plan and that he might have tried to stay in that country or to travel onward to another, even though he did not have any contacts to whom to turn.

“Covered smuggling” (smuggling of migrants through the abuse of documents)

The role of the smuggler may be to assist the illegal migrant in obtaining a passport, visa or residence or other documents fraudulently, including by means of fraudulent applications, modification of authentic documents or counterfeiting. Once those documents are obtained, the migrant often travels to his or her destination alone.

Case study

Mr. M., a businessman, organized tourist travel to a Western European country of which he was a national. Mr. D., a businessman from southern Africa, lived in Central Asia. Mr. M. and Mr. D. had known each other for several years. At the end of the 1990s they decided to cooperate in obtaining visas for Central Asian citizens fraudulently.

Through newspaper advertisements, Mr. D. identified Central Asian citizens who wanted to migrate to a European Union member State. He provided their names and birth dates to Mr. M., who then prepared invitations and agendas for purported “business trips” to Western Europe. He also completed the formalities that are part of the procedure for obtaining a visa to a Western European country, obtaining for each traveller health and private liability insurance, the latter providing cover for possible deportation costs. He would then sign an official declaration stating that he was able to cover any costs arising from the traveller’s stay in Western Europe. Mr. M. would make a reservation for three days in a cheap hotel in the destination city for each traveller. Lastly, Mr. M. would send all the documents, including the hotel reservation, the official invitation and the agenda for the “business trip”, to Mr. D., who in turn submitted them to the embassy of the Western European country concerned. Mr. D. then provided the migrants with their visas, and the migrants travelled alone through the Western European country for which they had a visa to other destination countries within the European Union.

Mr. M. and Mr. D. are believed to have facilitated the illegal migration of some 6,000 Central Asian citizens in return for a fee of up to \$2,000 per person. Mr. M. was sentenced to seven and a half years of imprisonment.

Case study: sham marriages scam

Over 80 sham marriages between men seeking to remain in country X and female citizens of that country were organized by a man and his girlfriend. Mr. S., the main organizer of the scam, found suitable “brides” and submitted false supporting documents to authorities requesting that the “grooms” be allowed further leave to remain in the country. He used the name of a reputable firm of solicitors to carry out his activities. The scam was uncovered by an investigative journalist who posed as an immigrant seeking to stay in country X and met with Mr. S. to arrange a bogus marriage. Mr. S. promised to organize the necessary documentation in a service he called “everything under one roof”.

Following the arrest of Mr. S. and his girlfriend, police found blank marriage certificates and counterfeit documents, including passports, during searches of the various addresses used by Mr. S.

Mr. S. was sentenced to five years’ imprisonment and a number of the “brides” and “grooms” were arrested and prosecuted for their involvement in the scam.

“Pre-organized stage-to-stage smuggling”

The smuggling process is pre-organized, which means that the migrants themselves do not have to conduct negotiations with local smugglers during their journey. “Stage coordinators”—a chain of individuals who act independently but in close cooperation—carry out those negotiations with “local service providers”, whom the coordinators pay. Local service providers are typically nationals or residents of the transit country who are responsible for a specific stage of the process.

The stage coordinators and smuggled migrants usually have the same ethnic background. Each stage coordinator outsources those smuggling activities that involve direct contact with the migrants either to a “local coordinator”, who in turn outsources the work to a local service provider, or directly to a local service provider.

Migrants are accompanied by smugglers for most of the journey. It is unusual for one individual to mastermind and control the whole process from origin to destination.

The relationship between coordinators and service providers is characterized by the following aspects:

- The local service providers’ “wrong” ethnic background and their lack of contacts may make it difficult for them to become coordinators themselves
- Service providers and coordinators are not part of one organization; rather, they are part of a process which is based on market principles and is driven by profit. However, over time, successful cooperation between them can result in the “networkization” of relationships similar to the establishment of a circle of regular customers.

In cases of pre-organized smuggling from non-crisis regions, the majority of the migrants are single males and females. Among such migrants, Neske identified two subtypes:

- Migrants who intent to join family or community members who have already established a home in the destination country. Such migrants are usually expected in the target country by those family or community members, who in most cases commission the smuggler or smugglers to carry out the smuggling operation
- Migrants who are sent by their community to a destination country in which they have no contacts. Typically, a family or village community suffering from poor living conditions commissions a smuggler or smugglers to carry out the smuggling operation. The smuggling fees are often advanced by the smugglers, which makes the migrant particularly vulnerable to trafficking and exploitation in the destination country.

In cases of pre-organized smuggling from crisis regions, the smuggled migrants usually rely on existing contacts abroad and on sufficient financial resources. Such cases include those in which either a whole family or more than one member of a family migrate together. Countries of origin are usually those which are experiencing crises as a result of conflict. Destination countries are usually those in which the migrant has a good chance of being granted asylum. It is important to note in that regard that in many such cases, the persons smuggled are refugees. The right to apply for asylum is upheld regardless of the means by which the smuggled person gained entry into the destination country.

Case study

A is from the Indian subcontinent but has lived for many years in Eastern Europe. He works in the textile import and export business.

He is also a typical "stage coordinator". That is, he is responsible for receiving smuggled migrants from the Indian subcontinent in Eastern Europe, arranging housing and preparing their onward travel to their next destinations (usually in Western Europe). In that role, he collaborates with other stage coordinators from the Indian subcontinent and with "local service providers" (who are usually nationals or residents of countries on the smuggling route and who carry out the practical activities that are part of the smuggling operation, such as driving or guiding the migrants over the border). Once a stage of the operation is successfully completed, the migrants call the responsible stage coordinator to inform him or her of that fact. The stage coordinator then pays the local service providers.

A also maintains contact with the stage coordinator on the Indian subcontinent who coordinates the migrants' departure. That coordinator, together with the other stage coordinators involved, determines the route and the fee to the targeted destination country.

In a typical case in which A was involved, the smuggled migrants flew with falsified passports from the Indian subcontinent to West Asia. On their arrival in West Asia, a stage coordinator collected the passports and sent those passports back to the Indian subcontinent. The stage coordinator also arranged the migrants' onward travel by lorry to an Eastern European country. From there, another stage coordinator arranged the migrants' travel to another Eastern European country, where a third stage coordinator arranged a further journey by van. At that point, A organized the next stage of travel to Western Europe by outsourcing that task to B, an Eastern European citizen. B drove the migrants close to the border, where they were handed over to C who in turn guided them over the border on foot. On the other side, the migrants were picked up and brought in a small van to a town in Western Europe where the next stage coordinator, E (a friend and relative of A), lived. From there, the migrants called A to inform him of their

arrival. E then contacted D, the stage coordinator of the destination country. E again outsourced the actual smuggling to local smugglers, who drove the migrants in cars to their final destination. In some of the cars the migrants were hidden in the luggage trunk. D received the smuggled migrants. Most of the migrants had relatives in the destination country who collected them from D. It was proven that most of those relatives had requested the smuggling operation.

Recommended resources

The typology set out above was developed by Matthias Neske on the basis of interviews with experts and the examination of records of court proceedings in Germany relating to 51 cases in which a total of some 20,000 persons were smuggled by several hundred smugglers.

For more details, see:

Matthias Neske, Human smuggling to and through Germany, *International Migration*, vol. 44, No. 4 (2006).

European forum for migration studies

www.efms.de

United Nations Office on Drugs and Crime. *Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants*.

The modules contained in this training manual address the concept and categories of smuggling of migrants, the role of smuggled migrants and migrant smugglers in the criminal justice process, investigative approaches, financial investigations, covert investigative techniques, intelligence, legislative issues, international cooperation and human rights. The modules are the product of a broad participatory process involving law enforcement and prosecution experts from several regions of the world.

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www.unodc.org/unodc/en/human-trafficking/publications.html

United Nations Office on Drugs and Crime. *Smuggling of Migrants Into, Through and From North Africa: A Thematic Review and Annotated Bibliography of Recent Publications*.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

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This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

Further reading

Andreas, Peter (2001). The Transformation of Migrant Smuggling across the US-Mexican Border. In *Global Human Smuggling: Comparative Perspectives*, Rey Koslowski and David Kyle, eds. Baltimore: Johns Hopkins University Press.

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İçduygu, Ahmet, and Sule Toktas. How do Smuggling and Trafficking Operate via Irregular Border Crossings in the Middle East? Evidence from Fieldwork in Turkey. *International Migration*, vol. 40, No. 6 (December 2002).

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Schloenhardt, Andreas. *Organised Crime and Migrant Smuggling: Australia and the Asia-Pacific*. Research and Public Policy Series, No. 44. Canberra: Australian Institute of Criminology, 2002.

The aim of this study is to explain the organized crime aspect of smuggling of migrants in the region of Asia and the Pacific. In order to develop appropriate and effective counter-measures, the study seeks to identify and investigate the structural patterns of smuggling of migrants. The report includes a brief discussion of what organized crime is and how it can best be approached. It examines why, when and where organized crime and the smuggling of migrants take place. This provides the theoretical background for a detailed analysis of the organizational and operational aspects of smuggling of migrants in Australia and the region of Asia and the Pacific.

The study is available from www.aic.gov.au/documents/9/7/E/%7B97EFC2BE-3D43-4E9B-B9D0-4AC71800B398%7Drpp44.pdf.

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United Nations Office on Drugs and Crime, Regional Office for South Asia. *Smuggling of Migrants from India to Europe and in particular to the UK: A Study on Tamil Nadu*. New Delhi, 2009.

The aim of this study, commissioned by the United Nations Office on Drugs and Crime Regional Office for South Asia in collaboration with the Institute of Social Sciences, New Delhi, is to assess the current extent and nature of irregular migration from Tamil Nadu with the aim of improving evidence-based knowledge on the profile of irregular migrants, the modus operandi of agents, the countries to which migration is destined and the Government response to curbing irregular migration.

www.unodc.org/documents/human-trafficking/Smuggling_of_Migrants_from_India.pdf

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2.4 The role of document abuse

Falsification (counterfeiting) of travel documents

Improved border controls have led to the increased use of more sophisticated and high-quality counterfeit travel documents.

Forged or falsified documentation is most likely to be used at seaports and airports, where documentation is always checked. Many smuggled migrants do not carry genuine identity documents. Smugglers may provide migrants with counterfeited, stolen or altered travel documents to conceal the migrants' true identity. In some cases, smugglers collect those documents once they are no longer needed so as to reuse them later.

Criminal networks are known to apply to embassies or consulates for travel documents (mainly visas but also passports), either directly, under the pretext of a legal business activity, or through the tourist travel sector.

One cause for concern is the frequency with which blank passports and visas are stolen from consulates around the world. Such documents are then easily altered and "issued" to migrants or passed on to other persons for use in criminal activities.

The use of other documentation, such as seaman's books and joining letters from shipping companies, are also used to enable persons to enter or transit a country without a visa.

The main types of documentation used to facilitate illegal entry into the European Union include:

- *Passports*
 - The various types of fake passport seized by law enforcement agents include those that are entirely fake and genuine passports that have been altered, often by replacing the photograph or tampering with the biographical data page.
- *Visas*
 - Visas may be falsified or obtained fraudulently, for example by means of a fraudulent student or tourist visa application.
 - A further modus operandi of illegal migrants is to obtain a visa legitimately but then to remain in the destination country beyond the expiry date of the visa. This is known as "overstaying". Entry and exit stamps are often falsified to indicate that a person has left the country or region when in fact he or she has not. In some cases, a migrant may not require a visa for the destination country but remains in that country longer than he or she is entitled to.

- *Permits*
 - Residence and work permits are also susceptible to forgery. There have been cases in which illegal immigrants claim asylum in one State while already holding a permit entitling them to reside in another.
- *Abuse of genuine travel documents by imposters (lookalikes)*
 - Some illegal migrants use a passport that belongs to another person with similar features.

It is becoming increasingly apparent that the abuse of documents plays a role of growing importance in facilitating irregular migration. As a result of strengthened border security in several States in recent years, many would-be migrants have turned to the services of migrant smugglers, who have developed and are continuing to develop new ways and means of facilitating such migration.

Migrant smuggling through document abuse is rapidly becoming a growing business for migrant smugglers. This is borne out by growing evidence, in recent years, of the increasing importance of organized document abuse in the smuggling of migrants from Eastern Europe and the Caucasus to countries of the European Union. There are numerous forms of document abuse, such as identity theft, use of counterfeit documents, use of lookalikes and fraudulent visa applications.

Many States have already developed a high level of expertise in combating document abuse and have established internal information exchange and training mechanisms to ensure that their efforts to tackle such abuse are effective. However, a number of other States continue to lack such capacity, a situation that is exploited by organized crime groups. Given the transnational nature of the production, procurement and distribution of counterfeit documents and other forms of organized document abuse, it is clear that lack of capacity in origin and transit countries has a major impact on destination countries.

Case study

Gang jailed for running passport factory, 19 January 2009.

A gang of passport counterfeiters were sentenced to a combined total of twelve years and two months' imprisonment for running one of the most sophisticated and highly organized counterfeit document factories detected in recent years. All five members of the gang were served deportation orders.

The gang had been running a passport factory from a residential address in the United Kingdom, making Spanish and Portuguese identity documents, driving licences and British national insurance cards. Sophisticated card and hot foil printing equipment were found at the address. The operation was well organized, with three separate workstations replicating the various stages of manufacture. Detectives found dry embossing stamps bearing official passport crests ready to be placed on the front covers of the counterfeit passports.

A thorough search of the premises revealed two safes containing numerous documents and on open display were in excess of 300 blank Spanish, Italian and Portuguese passports and 400 blank Portuguese identity cards. There was evidence that numerous false documents, including utility bills, had been made and sold, and that orders were being prepared, with numerous passport

photographs awaiting use. The group was believed to be manufacturing European Union identification documents to enable non-European Union citizens to remain in the United Kingdom illegally and to find employment there.

The group was brought to justice by Operation Maxim, a dedicated team of police and immigration officers working together on intelligence-led operations targeting persons involved in organized immigration crime, including smuggling of migrants, trafficking in persons and abuse of identity documents, in particular the use of counterfeit passports.

In some cases in which visas are obtained by artifice on behalf of an illegal migrant, that migrant can undertake the entire journey without the assistance of smugglers once the necessary documents have been obtained. In others, as few as two smugglers are able to organize the entire process; however, complex organized crime groups may also be involved in facilitating migrant smuggling through document abuse.

In cases in which smugglers are involved throughout the migrant's journey, a coordinator in the country of origin liaises with a coordinator in the target country, who arranges "cover" for the migrant by informing the relevant authorities that he or she is responsible for the traveller. In some cases, the coordinator him- or herself acts as the person issuing the visa invitation; in other cases, he or she entrusts another person with that task.¹ The migrant then receives the necessary paperwork and can travel independently across borders. However, where the "cover" is provided in the form of an invitation issued to a group of tourists, a migrant travelling alone may be detected more easily by law enforcement agencies.

Smugglers involved in this type of smuggling rarely see themselves as smugglers but rather as "travel agents". Smugglers often demand excessive fees for their services. The smuggled migrants do not have direct contact with the "agents"; the smuggling process consists of several phases that vary from case to case. In the majority of cases, smugglers are not involved in finding jobs for smuggled migrants. The involvement of coordinators who help migrants to obtain visas by artifice generally ends at the point at which the visa is handed over to the migrant.

Case study

Mr. M., a businessman, organized tourist travel to a Western European country of which he was a national. Mr. D., a businessman from southern Africa, lived in Central Asia. Mr. M. and Mr. D. had known each other for several years. At the end of the 1990s they decided to cooperate in obtaining visas for Central Asian citizens fraudulently.

Through newspaper advertisements, Mr. D. identified Central Asian citizens who wanted to migrate to a European Union member State. He provided their names and birth dates to Mr. M., who then prepared invitations and agendas for purported "business trips" to Western Europe. He also completed the formalities that are part of the procedure for obtaining a visa to a Western European country, obtaining for each traveller health and private liability insurance, the latter providing cover for possible deportation costs. He would then sign an official declaration stating that he was able to cover any costs arising from the traveller's stay in Western Europe. Mr. M. would make a reservation for three days in a cheap hotel in the destination city for each traveller.

¹ Persons asked to issue official invitations are often unaware that they are facilitating the smuggling of migrants. They may be deceived by the coordinator, or may be dependent on the commission that they receive for such work.

Lastly, Mr. M. would send all the documents, including the hotel reservation, the official invitation and the agenda for the “business trip”, to Mr. D., who in turn submitted them to the embassy of the Western European country concerned. Mr. D. then provided the migrants with their visas, and the migrants travelled alone through the Western European country for which they had a visa to other destination countries within the European Union.

Mr. M. and Mr. D. are believed to have facilitated the illegal migration of some 6,000 Central Asian citizens in return for a fee of up to \$2,000 per person. Mr. M. was sentenced to seven and a half years of imprisonment.

For information on responding to document abuse, see Tool 6, section 6.13, and Tool 10, section 10.5

Recommended resources

European Police Office. *Facilitated illegal immigration into the European Union*. Fact sheet available from www.europol.europa.eu/publications/Serious_Crime_Overviews/Illegal_Immigration_Fact_Sheet_2009.PDF.

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Matthias Neske. Human smuggling to and through Germany. *International Migration*, vol. 44, No. 4 (2006).

United Nations Office on Drugs and Crime. *Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants*.

The modules contained in this training manual address the concept and categories of smuggling of migrants, the role of smuggled migrants and migrant smugglers in the criminal justice process, investigative approaches, financial investigations, covert investigative techniques, intelligence, legislative issues, international cooperation and human rights. The modules are the product of a broad participatory process involving law enforcement and prosecution experts from several regions of the world.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

2.5 The role of corruption in the smuggling of migrants

What is corruption?

There is no comprehensive, universally accepted definition of corruption. Attempts to develop such a definition invariably meet with legal, criminological and, in many countries, political problems.

The United Nations Convention against Corruption, rather than defining the phenomenon, provides for a wide range of acts of corruption, including bribery, embezzlement of public funds, money-laundering and obstruction of justice. It also requires States to establish those acts as criminal, civil or administrative offences. The Convention addresses, inter alia, preventive measures, criminalization, law enforcement, international cooperation and recovery of assets obtained through corruption.

Transparency International (www.transparency.org) offers a working definition of corruption as the abuse of entrusted power for private gain. The World Bank defines corruption as the abuse of public power for private benefit.

Corruption can also be understood to mean:

- The promising/giving/requesting/accepting of an undue advantage
- Active or passive bribery
- Trading in influence
- Breach of trust
- Accounting offences.

Corruption in the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption

The United Nations Convention against Transnational Organized Crime covers many substantive and procedural issues relating to corruption. Many of its provisions use language identical to that of the United Nations Convention against Corruption to describe a number of offences. However, there are some differences between the two instruments:

- Criminalization of bribery: articles 15 and 16 of the United Nations Convention against Corruption and article 8 of the United Nations Convention against Transnational Organized Crime
- Criminalization of obstruction of justice: article 23 of the United Nations Convention against Transnational Organized Crime and article 25 of the United Nations Convention against Corruption

- Criminalization of money-laundering: article 23 of the United Nations Convention against Corruption and article 6 of the United Nations Convention against Transnational Organized Crime.

Corruption and the smuggling of migrants

Corruption is both a means and an end of migrant smuggling. It is not only the process of smuggling of migrants itself that offers opportunities for corruption but also the criminal justice response to such smuggling and the provision of services to intercepted migrants.

Bribery is arguably the most common form of corruption used in the smuggling of migrants.

United Nations Convention against Corruption

Article 15—Bribery of national public officials

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

- (a) The promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties;
- (b) The solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

The process of smuggling of migrants offers a number of opportunities for corrupt practices:

- Recruitment
- Documentation
- Transportation
- Border crossings
- Control over migrants
- Exploitation of migrants during their journey
- Laundering/investment of proceeds.

The following are some of the actors that may be involved in corruption during the smuggling process:

- Police and other law enforcement officers
- Customs officials
- Visa offices/embassies
- Border control agencies
- Immigration services

- Translation and interpretation services
- Local public officials
- Intelligence/security forces
- National or international military forces
- Individuals or groups who have influence in particular communities
- Private sector actors, including:
 - Travel agencies
 - Airlines
 - The transportation sector
 - Financial institutions
 - Banks.

Case study: Suleiman

The first time Suleiman was smuggled abroad, the plan was to fly to Dushanbe then continue overland to Moscow. The first stage was fine—Suleiman boarded the aeroplane in Karachi with a fake Pakistani passport without any problems. The agent who accompanied him to the airport told him that at the airport in Dushanbe he would be met by another agent, named Nafi.

When he arrived in Dushanbe, however, he was arrested as soon as he stepped off the aeroplane. He was imprisoned for four weeks with other Afghan illegal migrants, interrogated, beaten regularly and threatened with torture. After a month, for no apparent reason, he was collected one night from his cell and driven back to the airport at Dushanbe. Nafi was waiting for him. Nafi explained that on the flight from Karachi with Suleiman there had been another 50 illegal immigrants, their journey organized by several other agents in Pakistan. One agent had failed to bribe immigration officials at Dushanbe airport, so they had arrested those they understood to be the “clients” of that particular agent. Suleiman had been arrested as a result of mistaken identity.

The second time Suleiman tried to leave Pakistan was to fly directly to Amsterdam. He flew with an agent from Peshawar to Karachi, where he was accommodated in a bungalow for the day. That night the agent picked him up and took him to the airport. He was told to wait in the car. A few minutes later the agent returned with an immigration official. This official personally accompanied him through check-in and immigration into the departure lounge. A few minutes before boarding the aeroplane, however, Suleiman was asked into a room to be interviewed by a Dutch airport liaison officer. He spotted immediately that Suleiman’s Pakistani passport was a forgery—Suleiman said even he could see it was forged, so poor was the quality. The airport liaison officer called in the immigration official who had been accompanying Suleiman and asked Suleiman to wait outside. Five minutes later the immigration official came out and accompanied Suleiman back through the airport and out to the car, where the agent was still waiting. He explained that he had forgotten to bribe the airport liaison officer, but that he had just paid him enough to avoid being reported.*

*Source: Koser, Khalid. Migrant Smuggling: Theoretical and Empirical Perspectives from Pakistan, Afghanistan and the UK. Presentation delivered at the Mobility, Ethnicity and Society Conference, University of Bristol, 16-17 March 2006

How does corruption harm societies?

Corruption is a serious crime that weakens societies, inter alia, by:

- Hindering social and economic development and increasing poverty by diverting domestic and foreign investment away from where it is most needed
- Weakening education and health systems, thus depriving people of the basic building blocks of a decent life
- Undermining democracy by distorting electoral processes and also undermining government institutions, thus potentially leading to political instability
- Exacerbating inequality and injustice by perverting the rule of law and punishing victims of crime through corrupt rulings.

Promising practices

Strategies against corruption

The Council of Europe Programme against Corruption and Organised Crime in South-Eastern Europe suggests various strategies that can be used to combat trafficking in persons. Many of those strategies can be deployed also in combating the smuggling of migrants, inter alia:

- Acknowledgement of the problem: inclusion of the issue of corruption in anti-smuggling plans
- Trust-building
- Establishment of specialized multi-agency units
- Organization of multi-agency training
- Prevention: codes of conduct, guidelines, regulations governing conflicts of interest and careful monitoring of groups at risk
- Targeting of officials susceptible to corruption and investigation of the finances of suspects
- More systematic use of information provided by migrants and by non-governmental and civil society organizations
- Engagement of non-governmental organizations and the international community in monitoring investigations
- Organization of awareness campaigns and involvement of the media
- Strengthening of international cooperation through accession to international conventions and monitoring systems
- Organization of regional networks
- Seeking of technical assistance from international organizations and bilateral donors.

What can States and individuals do to fight corruption?

Say “No” to corruption.

Here are some examples of how States and individuals can say “No” to corruption:

- Ratify and enact the United Nations Convention against Corruption. *Countries that successfully tackle corruption are far more legitimate in the eyes of their citizens, thus creating stability and trust.*
- Know what the Convention requires of your Government and its officials. *Rooting out corruption facilitates social and economic development.*
- Educate the public about the Government’s responsibility to be corruption-free. *Equitable and fair justice for all is crucial to a country’s stability and growth. It also helps to fight crime effectively.*
- Raise awareness among the public, the media and Governments about the cost of corruption to key services such as health and education. *Society as a whole benefits from basic services that function effectively.*
- Educate the youth of your country about what ethical behaviour and corruption are and how to fight corruption, and encourage them to demand their right to such information. *One of the ways to ensure a brighter future is to ensure that future generations of citizens are brought up to expect corruption-free countries.*
- Report incidents of corruption. *Create an environment in which the rule of law prevails.*
- Refuse to participate in any activities that are not legal and transparent. *A corruption-free business environment encourages both domestic and foreign investment.*
- Foster economic stability by enforcing policies of zero tolerance towards corruption. *A transparent and open business community is the cornerstone of any strong democracy.*

Recommended resources

Anti-Slavery International, Transparency International and the United Nations Office on Crime. *The role of corruption in trafficking in persons*. Background paper prepared for the side event “The role of corruption in trafficking in persons” at the third session of the Conference of the State Parties to the United Nations Convention against Corruption, Doha, 9-13 November 2009. Available from www.unodc.org/documents/human-trafficking/Corruption_and_trafficking_Doha_final.pdf.

Council of Europe. Codes of conduct for public officials: *Recommendation Rec(2000)10 and explanatory memorandum*. Strasbourg, 2001.

This model code of conduct for public officials has three objectives: to specify the standards of integrity and conduct to be observed by public officials, to help them meet those standards of integrity and to inform the public of the conduct it is entitled to expect of public officials.

http://book.coe.int/EN/ficheouvrage.php?PAGEID=36&lang=EN&produit_aliasid=785

Spencer, Jon, and others. *Organised crime, corruption and the movement of people across borders in the new enlarged EU: A case study of Estonia, Finland and the UK*, HEUNI Paper No. 24. Helsinki: The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), 2006.

www.heuni.fi/Etusivu/Publications/HEUNIpapers

Transparency International Corruption Fighters' Tool Kit

The Corruption Fighters' Tool Kit is a compendium of practical civil society anti-corruption experiences described in concrete and accessible language. It presents innovative anti-corruption tools developed and implemented by Transparency International National chapters and other civil society organizations from around the world. The publication highlights the potential of civil society to create mechanisms for monitoring public institutions and to demand and promote accountable and responsive public administration.

www.transparency.org/tools/e_toolkit

United Nations Convention against Corruption

www.unodc.org/unodc/en/treaties/CAC/index.html

United Nations Convention against Transnational Organized Crime and the Protocols thereto

www.unodc.org/unodc/en/treaties/CTOC/index.html

United Nations Office on Drugs and Crime. *Self-assessment checklist on the implementation of the United Nations Convention against Corruption and the United Nations Convention against Transnational Organized Crime.*

This self-assessment checklist, which can be used, inter alia, for self-assessment of implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, uses omnibus survey software available from www.unodc.org/unodc/en/treaties/CAC/self-assessment.html.

United Nations Office on Drugs and Crime. *United Nations Anti-Corruption Toolkit*, third edition, September 2004.

This Toolkit is part of a larger package of materials intended to provide information and resource materials for countries developing and implementing anti-corruption strategies at all levels, as well as for other elements of civil society with an interest in combating corruption.

www.unodc.org/documents/corruption/publications_toolkit_sep04.pdf

"Your No Counts" international anti-corruption campaign

The website of the "Your No Counts" international anti-corruption campaign provides a number of resources to support efforts to fight corruption.

www.unodc.org/yournocounts/

A list of anti-corruption intergovernmental organizations can be found at www.unodc.org/yournocounts/en/resources/index.html.

2.6 Key financial transactions in the smuggling of migrants

Smuggling fees and payment modalities

Illegal migrants generally have to pay a fee to be smuggled. The fee is usually paid as follows:

- In advance by the migrant or his or her family:
 - The advance is often 50 per cent of the total fee, the balance being due on the migrant's arrival in the destination country
 - Advance payments are often made to a third party or middleman rather than directly to the smuggler. The third party may issue a receipt to the migrant, his or her family and the smuggler. The money is then given to the smuggler only once the migrant's family has confirmed the migrant's safe arrival to the third party
 - Some smugglers reimburse fees if the smuggling operation is unsuccessful, and may even offer to attempt the operation again at no extra cost
- En route to various actors involved in the operation at different stages of the journey
- On the basis of "credit": the migrant is smuggled on the basis of payment being made either on arrival or after an agreed period of time. This renders the migrant particularly vulnerable to trafficking or debt bondage.

The payment modality varies depending on the origin of both the smuggler(s) and the smuggled migrant and the nature of the smuggling.

Payments in cash:

- Must generally be made in convertible currencies.

Trust systems:

- Require a high degree of organization
- Often require a closer relationship between smugglers and smuggled migrants than in the case of cash transactions
- Often require a closer relationship between the smugglers involved.

Bank transfers:

- May be used where the appropriate infrastructure to support such transactions is available, e.g. in large cities.

Fees paid for smuggling services vary widely, depending on such factors as:

- The means of transport used
- The “guarantees” offered
- Additional services such as the provision of forged documents
- Whether the whole journey is organized by one provider or more and in one or more stages
- The risks of detection associated with the route (i.e. likelihood of being discovered by police/coastguards/border police)
- The time of year and weather conditions
- In some cases, the nationality of the migrant.

The following example illustrates how fees may vary according to the route taken.

Case study: variation in fees according to the destination country

A man from a country in the Middle East recounted the following: *When I entered the shop in the town there were a few boys and a woman sitting there. They offered me a cup of tea and then we talked a bit ...*

Where do you want to go?

Europe

Of course. Everybody wants to go to Europe. But which country in Europe?

I do not know, somewhere where I can stay.

OK, at the moment we can offer you North America or one of two destination countries in Western Europe. But you have to be aware that it costs a lot of money. With us you pay a lot but you will get what you want. If the first time fails we will try again, but this time at our expense.

How much does it cost and how long do I have to wait?

The fee to North America is \$10,000 and we can arrange everything within two or three weeks.

For one of the Western European countries, the fee is \$8,000; this will also take two or three weeks. For the other, the fee is \$7,000, but we can arrange everything within five days.

OK, I will go to the second Western European country.

The following assumptions may be made about fees paid by migrants to smugglers:

- The further the distance between the country of origin and the country of destination, the higher the fee
- Higher risk involves higher cost
- Land routes often require several stopovers, each of which represents a risk of detection. Clandestine travel (by foot, car, lorry or train) is likely to be more dangerous and in many cases is life-threatening
- Journeys by air direct from the country of origin to the country of destination are safer, more convenient and of shorter duration and therefore more expensive than longer, more dangerous journeys via land and/or sea
- The more sophisticated the smuggling operation, the higher the fee.

Raising the fee to be smuggled

In many cases, migrants seeking to be smuggled must either sell their property (land or chattel) to raise the necessary money or, more commonly, obtain some form of credit. They often borrow from friends, relatives or even loan sharks; some take out bank loans.

Migrants who incur large debts in paying to be smuggled find themselves under great pressure to make enough money to settle those debts. Indebtedness to a smuggler who has offered to cover the cost of smuggling on condition of repayment renders the migrant extremely vulnerable to exploitation, trafficking or debt bondage.

Profits

It is difficult to estimate the profit that smugglers make from their criminal activities, for the following reasons:

- Proceeds from illicit activities are usually laundered and therefore become indistinguishable from legitimate profits
- Attempts to estimate the profits of the smuggling business vary widely, depending on such factors as the type and range of activities covered by the payment, the distance travelled, the nature of the risks and the countries involved
- Payments do not always take place in a single transaction, which makes it difficult to calculate overall fees and profits.

The following assumptions may be made about the nature of the profits made:

- The further the distance between the country of origin and the country of destination, the higher the fee
- The more sophisticated the smuggling operation, the higher the fee.

Case study: smuggling of migrants by sea

Small, flexible smuggling businesses were established in Albania. By the end of the 1990s, between 150 and 300 people per night could be transported from Albania to Italy. It was estimated that

about 50 rubber dinghies were used by those businesses in 1999. The dinghies were about 10 metres long and were completely emptied for the purpose of transporting illegal migrants. Some were equipped with two engines. Each craft carried 15 to 40 people in crouching position; the migrants were concealed under a canvas sheet. The dinghies would set out together at night, travelling in formation so as to be able to offer mutual assistance if necessary. They would then fan out as they approached Italian territorial waters, using the lighthouses as their points of reference.

The fee for the journey was variable: \$400 to \$450 for those paying the boat owner directly and \$600 to \$650 for those who used the services of a middleman. The annual turnover of the smuggling businesses in 2000 was estimated to be between \$30 million and \$60 million.

Recommended resources

For information on financial investigations relating to the smuggling of migrants, see Tool 7, subsection 7.7.

United Nations Office on Drugs and Crime. *Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants*.

The modules contained in this training manual address the concept and categories of smuggling of migrants, the role of smuggled migrants and migrant smugglers in the criminal justice process, investigative approaches, financial investigations, covert investigative techniques, intelligence, legislative issues, international cooperation and human rights. The modules are the product of a broad participatory process involving law enforcement and prosecution experts from several regions of the world.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

2.7 Smuggling of migrants by land

Migration is often a lengthy and complicated process comprising a number of stages. Each stage can involve several days or even weeks of travel through several different countries; some of those stages are organized locally by people who know the area. Migrants not travelling as part of a group may rely on contacts abroad for assistance and rarely pay a single sum for the entire journey.

In some cases, journeys require a desert crossing. Migrants may attempt to reach the desert alone or pay for all-inclusive transportation services, which are available in most major cities. In many cities, it is easy to arrange long journeys by minibus from one country to another. Travel by private minibus is always paid in advance; some passengers make the necessary arrangements with transporters by e-mail or by telephone prior to departure.

The second step is the desert crossing itself, which is very difficult and dangerous. At this stage, almost all migrants must establish contact with middlemen in order to continue the journey with drivers who know the routes and are able to avoid detection. They are forced to rely both on the smugglers who arrange the journey and on the drivers of the vehicles in which they are transported for several days, usually passing through several hubs.

In many cases, large lorries are used to transport up to 160 people between hubs; in others, minibuses are used to carry 25-30 people, but at greater expense. Payments to corrupt officials at the border are routine. Migrants often speak of their journey across the desert as being the most dangerous part of their odyssey; the travellers may encounter not only natural dangers but also well-organized groups of bandits.

Migrants are often left outside hubs by smugglers who fear detection. Migrants travelling without smugglers may hide for several days while looking for smugglers to take them to their desired destination; the waiting time can be very long. They may be introduced to smugglers by drivers who brought them to the hub or may find smugglers without help. If they need to save money to finance their onward travel, they may remain at the hub for several months, or even years.

Migrants often lodge in groups with fellow nationals who are already integrated into the local community and who may be able to help them in finding a job or contacts to facilitate onward travel. Groups are formed on the basis of ethnolinguistic affinities and are often controlled by a group leader who forbids newcomers from having contact with persons outside the group. In some cases, migrants live in camps of several hundred people, where they lack facilities and resources and the threat of violence from criminal organizations and of police raids is constant. In many such cases, the migrants have no choice but to accept jobs in which they are exploited.

Once the migrant succeeds in arranging onward travel, he or she may be brought by car, truck or on foot to a pickup point, usually late at night. At such pickup points, groups of

25-45 migrants are placed in an open-back truck which may be part of a two- or three-truck convoy that drives across the desert, a journey that takes around 10 days. There are often delays during the journey, caused by vehicle breakdowns, exhaustion of fuel supplies, waits for additional passengers or driver errors. Passengers may run out of basic food provisions and water as a result of such delays. Some passengers fall from the truck, but the drivers do not always stop to pick them up again. In some cases, desert crossings are completed entirely on foot. Smugglers may direct migrants for only part of the journey, abandoning them along the way.

Recommended resources

Mghari, Mohamed. *L'immigration subsaharienne au Maroc*. CARIM Analytic and Synthetic Notes 2008/77, Irregular Migration Series. San Domenico di Fiesole: European University Institute, 2008. Available from http://cadmus.iue.it/dspace/bitstream/1814/10510/1/CARIM_AS%26N_2008_77.pdf.

United Nations Office on Drugs and Crime. *Issue Paper: A short introduction to migrant smuggling*. Vienna, 2010.

This succinct issue paper offers an overview of what constitutes the smuggling of migrants and related conduct and gives practical examples of such smuggling.

www.unodc.org/unodc/en/human-trafficking/publications.html

United Nations Office on Drugs and Crime. *Smuggling of Migrants Into, Through and From North Africa: A Thematic Review and Annotated Bibliography of Recent Publications*.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

United Nations Office on Drugs and Crime. *The smuggling of migrants from a global perspective: a thematic review*.

This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

2.8 Smuggling of migrants by sea

“There were three boats, each boat carried around 25 people. As the boat moved off, we began singing gospel music to keep our spirits up. It helped us not to think about the danger. After many hours, lots of us, including me, were vomiting. One girl who had been vomiting severely died. I can’t say what happened to her body. I try never to think about it.

“After many hours of this, a big wave came and covered the boat. Everyone was shouting, water was pouring into the boat. I thought we were dead. We were all crying, we had no idea which direction we were going in or which direction we had come from. Everyone was panicking but then the engine suddenly started again. We all worked hard to bail out the water and we continued the journey. We were at sea for another three or four hours. I remember thinking it felt like the ocean kept opening up, swallowing our boat and spitting it back out again. We were rescued by the police as we neared the coastline. Moments after they picked us all up, our boat broke in two. If we had not been rescued, we would certainly have died at sea. The other two boats disappeared. To this day I don’t know what happened to them.”

Morgan, a survivor of smuggling by sea

Source: BBC, 12 September 2006.

One of the most dangerous forms of smuggling of migrants is by sea. Thousands of illegal migrants have lost their lives at sea. According to the International Maritime Organization (IMO), the total number of incidents related to unsafe practices associated with the trafficking or transport of migrants by sea reported from 1 January 1999 to 31 December 2008 was 1,667, those incidents involving 61,413 migrants.²

Case study: smuggling of migrants across the Mediterranean*

In the past, migrants would attempt perilous sea crossings alone. Slowly, smugglers created a market for their services and recruited professional sailors to transport migrants across oceans. Smugglers then began to send boats across seas, often without professional sailors.

Migrants arrive at coastal departure points or hubs independently or with the assistance of smugglers. From there, arrangements are made with maritime smugglers, perhaps in bars or market places in port towns or their outskirts. Whereas smugglers once used to sell single crossings to migrants, some now offer full “packages” that include assistance upon arrival in the destination country; in many cases half the fee for such a package is paid upfront, the remaining half being paid by relatives of the migrant in the destination country once the migrant’s safe arrival is

² International Maritime Organization. Document MSC.3/Circ.16, 3 February 2009. Available from www.imo.org/Circulars/mainframe.asp?topic_id=397.

confirmed. In some cases, the full fee is paid in advance; in such cases, the smuggler may have less incentive to ensure that the migrant arrives safely to his or her destination.

Once a deal has been made between a migrant and a smuggler, the migrant is usually transported to a place where he or she must wait until the day of departure. There have been reports of migrants crowded into houses in the countryside for days or weeks, sometimes with armed guards to keep them in order while they wait for passage.

In some countries, when the time for departure arrives, the migrants are transported to the site of embarkation at night in small buses which have been emptied of their seats so as to increase their capacity. The passengers are then loaded on to small boats or transferred to fishing boats waiting at anchor, or are taken directly on board at small ports.

Crossing the sea is a perilous journey. Vessels are generally driven by migrants themselves who have no experience of seafaring or navigating. Often the migrant who takes responsibility for sailing the boat will be allowed to make the crossing without payment. Some are provided with a compass or a Global Positioning System device, but many have nothing with which to navigate.

The boats sail without a flag, a name or any kind of documentation. The owners of the boats remain unidentified and thus at no risk of investigation. The risk of shipwreck is very high; in some cases the boats are not even supplied with enough fuel to make the journey. The smugglers rely on the boats being rescued by authorities and sometimes send several boats at the same time with the aim of overcrowding reception centres so that migrants are moved to other locations immediately.

* United Nations Office on Drugs and Crime. *Smuggling of Migrants Into, Through and From North Africa: A Thematic Review and Annotated Bibliography of Recent Publications*. This publication is currently being prepared. For more information, visit www.unodc.org or contact ahtmsu@unodc.org.

To learn about cooperation and assistance in response to the smuggling of migrants by sea, go to Tool 6, subsection 6.11.

Recommended resources

Fortress Europe (www.fortresseurope.blogspot.com) reports that at least 14,798 people have died since 1988 along the European frontiers. Of that number, 6,417 went missing at sea. A total of 10,817 migrants died in the Mediterranean and Atlantic while travelling towards Spain. In the Sicily Channel, 4,178 people died while travelling along routes from Libya, Egypt and Tunisia to Malta and Italy, and 3,056 went missing; 138 more drowned while sailing from Algeria to Sardinia. Along routes from Mauritania, Morocco and Algeria towards Spain, through the Gibraltar Strait or off the Canary Islands, at least 4,446 people died and 2,254 went missing. A total of 1,315 people died in the Aegean Sea between Turkey and Greece or between Egypt and Greece, while 823 went missing; 603 people died and 220 went missing in the Adriatic Sea between Albania, Montenegro and Italy. At least 624 people were drowned trying to reach the French island of Mayotte in the Indian Ocean. The sea is not only

crossed aboard makeshift boats. 153 men who had been sailing as stowaways on registered ferries and cargo vessels died from asphyxiation or drowned.

International Maritime Organization. *Incident reports of unsafe practices of smuggling of migrants by sea*. Available from www.imo.org/Circulars/mainframe.asp?topic_id=397.

Monzini, Paola. *Sea-Border Crossings: The Organization of Irregular Migration to Italy. Mediterranean Politics*, vol. 12, No. 2 (2007).

The arrival of rotting boats crowded with hundreds of individuals exhausted by a difficult crossing in wretched conditions is a powerful image too often seen in the Italian newspapers. In the majority of cases, the sea crossing is only a small part of a long and eventful journey. The cross-Mediterranean flow of migrants without papers originates on the southern and eastern shores of the Mediterranean Sea, but it includes migration from several continents. Many Mediterranean countries have become transit routes as the main objective of the sea journey is to cross the most protected border, that of the Schengen area. In these countries, migrants become clients of illegal organizations; they pay for a service and subject themselves to rough treatment, with high risk for their personal safety. This article reconstructs the routes and the organization of the travels which irregularly cross the Mediterranean Sea to reach Italy. Different migration flows and their evolution are presented: the case of short crossings from Albania at the beginning of the 1990s; the departures from Turkey, Syria and Lebanon at the end of the 1990s; the passage from the Suez Canal; the long-distance journeys from West Africa; and finally the landings in Lampedusa from Libya, which is currently the most favoured route. Focus is placed on the organizations that run the illegal entry routes and on the institutional reactions at play to stop these irregular movements, considering both the Italian and the international perspectives.

www.informaworld.com/smpp/ftinterface~content=a779512721~fulltext=713240930

Office of the United Nations High Commissioner for Refugees. *Irregular Migration by Sea: Frequently Asked Questions*.

www.unhcr.org/4a1e48f66.html

2.9 Smuggling of migrants by air

The modus operandi used by migrant smugglers is adapted to each route and to the circumstances of each smuggling operation; highly sophisticated and often expensive methods are used to circumvent efforts to detect and intercept them. One of the most expensive and sophisticated methods employed by smugglers is air travel, which is much safer than journeys by land or sea. Little research has been carried out on the smuggling of migrants by air since smuggled migrants frequently pass through border controls unnoticed.

The smuggling of migrants by air reaps millions of dollars in profit for the criminals involved in such smuggling. Routes are often circuitous, passing through several different airports on different continents. Smugglers use falsified documents or documents that have been obtained fraudulently and bribe officials en route. The sophistication and transnational nature of this modus operandi highlight the need for a comprehensive response to it. However, there is insufficient information to formulate an appropriate response.

Several actors may be involved in the smuggling of migrants by air. Typically, the migrant initially liaises with an “agent” (sometimes a real travel agent), who is the first point of contact in the smuggling network. Coordinators in both the country of origin and the country of destination liaise between the parties, often with the help of an intermediary.

Another person may be required to supply a fake or falsified passport. Forgers may also be involved in providing falsified visas. Other actors may be involved in providing lookalike passports to be used by migrants who look like the person whose photo is on the passport.

Other key actors in the smuggling process are persons who, for a price, turn a blind eye to the smuggling operation or actively facilitate it. Such persons may be airline check-in staff, immigration authorities or airport staff.

Other actors involved in the smuggling of migrants by air include persons who provide ad hoc services along the route, such as accommodation and local transportation at transit points. Money brokers may also facilitate financial transactions between the actors at any stage of the process.

Case study

In 2007, police in the United Kingdom uncovered a scam whereby thousands of Indian nationals were brought to the United Kingdom using fake South African passports. First, the Indian nationals would travel by air to South Africa using their legitimate passports. Once there, they would be given fake South African passports and ID cards, obtained through a corrupt official the gang had bought off.

The migrants would then travel largely by air to the United Kingdom, where no visa was needed for South African nationals. Once in the United Kingdom, they would register with a college or in some instances marry in order to obtain leave to stay longer, before eventually disappearing off the radar altogether.

For some—as many as a quarter of those arriving in the United Kingdom—the journey did not end in Britain. They would pay the gang for a new, fake British passport to travel on to their final destination—the United States of America or Canada. “Facilitators” would make travel arrangements and, on occasion, would travel with those being smuggled.

Police who searched the room of one of the “facilitators” in South Africa found a diary listing hundreds of real names, false identities and payment records.

As the police continued to monitor them, that gang found ever more circuitous routes to get people into the country. One man was flown from Johannesburg to Doha in Qatar, then on to Switzerland and from there to Dublin. He travelled to Belfast, where he caught a ferry to Stranrear (United Kingdom), where he was arrested.

It is impossible to say how many people the gang transported in total. Detectives admit that as this gang is dismantled, it is likely another will begin an operation to bring more people into Britain.

Source: BBC, 22 January 2008.

Case study: “Club class” migrant smuggling

The mastermind of a people-smuggling racket which provided a “club class” service to migrants has been jailed for ten years. Turkish nationals were flown on a six-seater plane with a leather interior to small airstrips where there were no passport controls. The pilot involved in the operation was paid £1,000 per “customer”.

Source: London Evening Standard, 19 December 2006.

In a similar case, migrants paid a sum for a complete package including forged passports and visas and the smugglers arranged for the migrants to pose as tourists and fly to a transit country. Once in the transit country, the migrants used forged papers and domestic airlines or ferries to enter the destination country.

Recommended resources

Human Rights Watch. *Lost in Transit: Insufficient Protection for Unaccompanied Migrant Children at Roissy Charles de Gaulle Airport*. New York, 2009.

www.hrw.org/en/node/86211

International Centre for Migration Policy Development. *2007 Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe: A Survey and Analysis of Border Management and Border Apprehension Data from 20 States*. Vienna, 2008.

This document includes a special survey on illegal migration by air.

www.icmpd.org/807.html?&tx_icmpd_pi2%5Bdocument%5D=587&cHash=67946757c8

United Nations Office on Drugs and Crime. *Issue Paper: Migrant smuggling by air*. Vienna, 2010.

www.unodc.org/unodc/en/human-trafficking/publications.html



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