



## THE INTERNATIONAL ORGANIZATION FOR MIGRATION AND PEOPLE SMUGGLING

People smuggling is a growing global crime that exposes thousands of migrants to unacceptable risks and challenges the integrity of international borders. In the last two decades, globalization and conflicts have seen an increase in international migration flows. Given the restrictive immigration policies put in place by destination countries and the important human and technological resources deployed at borders to better monitor entry and exit movements, many migrants lacking the means to reach their country destination legally fall prey to criminal groups specialized in people smuggling that can arrange journeys at a high price. The hazardous travel undertaken by these migrants may sometimes be short and direct, but at other times lengthy and circuitous. The time between departure and arrival can vary from a few days to months or even years. Smugglers use land, sea and air routes, but their itineraries can evolve rapidly if detected by border officials. Very often travel conditions are difficult, dangerous and sometimes deadly. At their destination, having crossed an international border illegally, migrants are confronted with their irregular status and usually have very limited means to successfully integrate into their new country's society.

As the leading intergovernmental organization in the field of migration, IOM is increasingly called upon by States to assist in addressing complex border management challenges, including countering people smuggling. The Immigration and Border Management (IBM) Team, consisting of a core group of specialists with substantial technical expertise and strong border management experience, posted to strategic locations in the field as well as in IOM headquarters, has been established to offer guidance and expertise to governments aspiring to improve their migration and border management and operational procedures.

IOM supports States to embed procedures and processes that permit law enforcement agencies to more effectively target those responsible for organising people smuggling while at the same time complementing activity against trafficking in human beings. The IBM Team for instance helps governments to identify and source technical equipment required to help detect irregular migrants at border crossings, such as X-ray vehicle scanners or surveillance cameras. The Personal Information and Registration System (PIRS), IOM's Border Management Information System, can also be a valuable tool to fight smuggling: the system can be connected to national and international alert lists such as Interpol's I-24/7 Global Communication System, and can therefore enable authorities to gather intelligence against organized criminal gangs (movements and routings) and to formulate risk profiles that can assist in identifying both the perpetrators and those being smuggled at an early point in the process. IOM also provides a comprehensive range of training courses designed to equip border officials with the skills necessary to develop and refine intelligence, detect fraudulent travel documents and to be aware of relevant legislation including that related to migrants rights.

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### OUR OBJECTIVE

ENABLE STATES TO EMBED PROCEDURES AND MEASURES TO MORE EFFICIENTLY TARGET PEOPLE SMUGGLING

FOSTER REGIONAL COOPERATION TO CURB TRANSNATIONAL CRIMINAL ACTIVITIES

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IOM International Organization for Migration

## DEFINITION OF PEOPLE SMUGGLING

According to the United Nations Convention on Transnational Organized Crime and its protocol against the smuggling of migrants, people smuggling is “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State of which the person is not a national or a permanent resident”.

## DIFFERENTIATING BETWEEN PEOPLE SMUGGLING AND TRAFFICKING IN HUMAN BEINGS

People smuggling is distinct from trafficking in human beings insofar as smuggling implies the procurement of irregular entry into a State of which the individual is neither a citizen nor a permanent resident, for financial or material gain. Trafficking, on the other hand, occurs for the purpose of exploitation, often involving forced labour and prostitution. For intermediaries involved in people smuggling, the source of profit derives from the provision of the service of enabling an irregular border crossing, whereas for those involved in organizing human trafficking the source is the exploitation of the person. The difference can also be drawn from the concept of consent. Smuggled individuals are voluntarily involved in the process: they pay people smugglers to enter a country irregularly. Traffickers, on the other hand, use coercion and/or deception to force people into exploitation. Contrary to trafficking, smuggling does not require an element of exploitation, coercion, or violation of human rights. This is not to say that those smuggled are not subject to abuse either before, during or after their journey.

## THE WESTERN BALKANS SMUGGLING ROUTE



X-RAY AT BORDER POST REVEALS SMUGGLED MIGRANTS IN A TRUCK

People smugglers are active on routes to the European Union via the external Schengen borders. In 2007, irregular migrants originating in Albania and from third countries were travelling through the dangerously mountainous regions of Kakavije, Kaphistice and elsewhere in Southern Albania to pass the Albanian-Greek border. The migrants using these crossings were mainly Afghan, Albanian, Chinese, Iraqi, Palestinian and Somali. Their destinations were primarily Belgium, France, Italy, Spain and the United Kingdom. Over two months in March and April 2007, Greek Border Police arrested seven people smugglers, detected around 500 forged documents and found almost 450 persons were hidden in cars and vans trying to gain unlawful entry into Greece. Although this route was disrupted as a result, smugglers demonstrated their flexibility and switched to alternative routes via Croatia, Montenegro and Serbia to Italy, Hungary and Slovenia, and then onwards to the West. As a matter of fact, with Albania now benefitting from Schengen visa exemption, criminal groups are increasingly using the Serbian-Hungarian border to smuggle people into the EU: The number of irregular migrants apprehended at this border has raised by 20 percent between January and August 2011 when compared to the same period in 2010. IOM, through its 2009-2011 project “Integrated Border Management in the Western Balkans and Turkey” worked with Albania, Bosnia Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia and Turkey

to build enhanced cooperation in border management and increase officers’ skills to counter criminal activities. The specialized Risk Analysis training courses that were delivered in the framework of this project notably addressed the issue of people smuggling. Trainers stressed that the ultimate goal of border management risk analysis was to maximize the effectiveness of controls where the highest risk of criminal activities -including smuggling- was concentrated.

## PROFITABILITY OF SMUGGLING FOR ORGANIZED CRIMINAL GROUPS IS ESTIMATED AT 3 TO 10 BILLION USD A YEAR

For organized crime groups, smuggling people across borders is a “low-risk, high-profit” business. Smugglers still benefit from weak legislation and relatively slim risks of being detected, arrested and prosecuted. Moreover, numerous other crimes are oftentimes linked to people smuggling – human trafficking, identity fraud, corruption and money laundering – creating shadow governance systems that undercut the rule of law. This situation calls for enhanced international cooperation between concerned States’ law enforcement agencies, international organizations and other relevant actors.

## THE BALI MINISTERIAL CONFERENCE ON PEOPLE SMUGGLING, TRAFFICKING IN HUMAN BEINGS AND RELATED TRANSNATIONAL CRIME

Following large numbers of illegal boat arrivals run by people smuggling operations in the Asia-Pacific region, the Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime was launched in 2002. It brings together more than 40 source, transit and destination countries from throughout the region to combat people smuggling and human trafficking. IOM, together with the UNHCR, Australia, Indonesia, New Zealand and Thailand is part of its steering committee and fosters regional cooperative efforts through technical workshops and increased cooperation between interested countries and agencies such as the International Red Cross and Interpol.

## IOM'S BORDER CONTROL AND MIGRATION MANAGEMENT ASSESSMENTS

The IBM Team conducts border control and migration management assessments that enable States to identify areas for development and strengthen their immigration and border structures and support the development of operational measures and legal instruments to counter smuggling and related criminal activities. Regional research is also carried out by IOM's country offices to better understand the dynamics behind people smuggling. Publications examples are:

- “In pursuit of the Southern Dream: Victims of necessity” highlights the scope and nature of irregular migration and people smuggling of men from East Africa and the Horn to South Africa (2009).
- “Future tools to deal with irregular Migration and Smuggling of Migrants in the European Union” aims at enabling migration management practitioners to better understand the latest developments in Europe (2008).