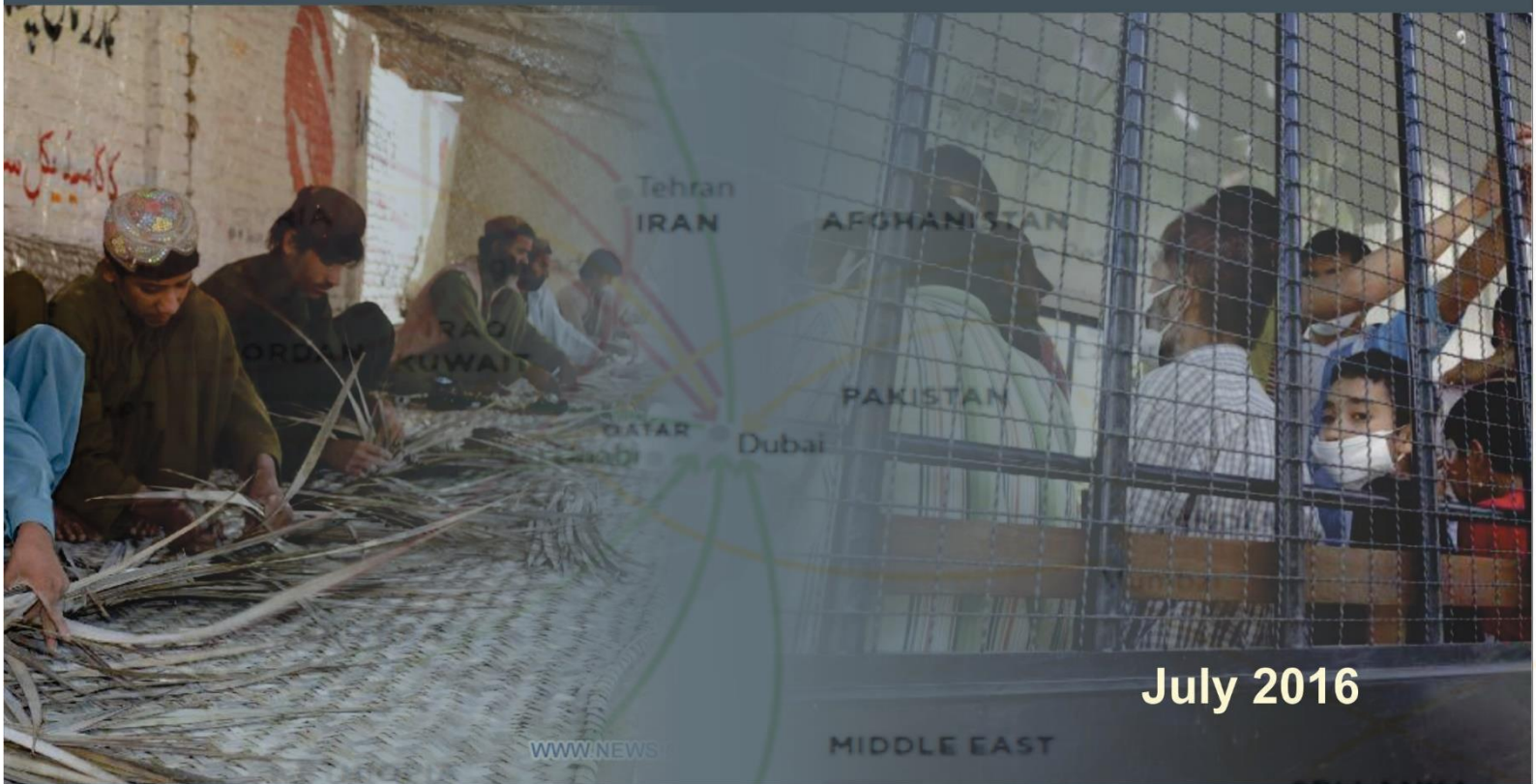




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United Nations Office on Drugs and Crime

SMUGGLING OF MIGRANTS FROM PAKISTAN REASONS, ROUTES, AND RISKS



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This is an internal UNODC document, which is not meant for wider public distribution and is a component of ongoing, expert research undertaken by the UNODC in order to inform the development and management of its assistance programming. The objective of this approach is to identify pressing needs and offer long-term strategic solutions to support the Government of Pakistan and its law enforcement agencies in areas covered by UNODC mandates, particularly the smuggling of migrants.

This report has not been formally edited, and its contents do not necessarily reflect or imply endorsement of the views or policies of the UNODC or any contributory organizations. In addition, the designations employed and the presentation of material in this publication do not imply any particular opinion whatsoever regarding the legal status of any country, territory, municipality or its authorities, or the delimitation of its frontiers or boundaries.

Foreword

Human trafficking and migrant smuggling remain unabated challenges for the international community, affecting nearly every country in the world and trapping millions of people in a cruel form of modern-day slavery.

The United Nations Office on Drugs and Crime (UNODC) and Government of Pakistan jointly developed the UNODC's Second Country Programme, and through this comprehensive, evidence-based assistance programme both endeavour to improve the skills and knowledge of law enforcement agencies, particularly the Federal Investigation Agency, in overcoming the challenges related to human trafficking and migrant smuggling.

This report has been formulated to develop an in-depth understanding of the patterns and trends related to migrant smuggling in Pakistan, with a particular emphasis on the important relationship between migrant smuggling and irregular migration from Pakistan.

The recommendations provided in the report will assist the relevant ministries and law enforcement agencies in Pakistan to effectively plan and allocate resources towards high migration areas while developing dynamic mechanisms for effective interagency communication and international cooperation.

Finally, I would like to extend my gratitude towards the Research and Analysis Centre of the Federal Investigation Agency (a joint venture between the FIA and UNODC) for providing important assistance and feedback for this research.

The lengthy partnership between the UNODC, Government of Pakistan and international community has delivered successful dividends in the struggle against human trafficking and migrant smuggling in Pakistan. Together, we will continue our common struggle against those illicit enterprises, for the betterment of Pakistan and the wider world.

Thank you



César Guedes
Country Representative

Acknowledgement

This report is the result of extensive research to identify recent trends of migrant smuggling both to and from Pakistan. Over the period of four months Dr Andreas Schloenhardt¹ (UNODC Consultant) coordinated with the staff of UNODC-COPAK Ms Shahida Gillani and Mr Arsalan Malik, in order to facilitate this research. In addition, Major Amir from the Research and Analysis Centre (RAC), which is a joint UNODC-FIA venture, extensively consulted with the Mr Wajid Zia, Additional Director General of Immigration, FIA, Mr Sardar Zaheer, Director Immigration, FIA and his predecessor, Mr Roa Kareem, Director Immigration, FIA, in order to refine and validate this report. Their collective input and guidance were most helpful.

This research was accomplished with support of inspirational members of the community, whereas everything discussed is not directly included in the report. We are also grateful to all those persons who directly helped and assisted for this research and countless others who recommended readings, provided reports, and shared their knowledge generously.

This research was accomplished with support from inspirational members of the community; however, due to anonymity not everything discussed has been directly included in the report. The staff at UNODC COPAK offer their gratitude and appreciation to Dr Andreas Schloenhardt, for authoring this report, and also extends its thanks to the UNODC and FIA staff for their contributions and insights, which have been invaluable to this research.

This research was made possible with the financial support from the Department of Immigration and Border Protection, Government of Australia.

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Mr Xavier R Goffinet served as the main research associate in the development of this report. Mr Goffinet holds degrees in Law and Economics from the University of Queensland and is currently a PhD candidate researching Indonesia's criminal justice response to the smuggling of migrants. He has previously worked with Professor Schloenhardt on a range of projects, including the report *Migrant Smuggling in Asia: Current Trends and Related Challenges*, which was published by the UNODC's Regional Office for Southeast Asia and the Pacific in Bangkok, Thailand, in April 2015.

Finally, Mr Andreas Wintersperfer, a student of Law and Philosophy at the University of Vienna, and Mr Colin B Craig, an intern at UNODC headquarters in Vienna and a student of Law and Arts at the University of Queensland, provided additional research assistance.

List of Abbreviations

AUD	Australian Dollars
CHF	Swiss Francs
CRED	Centre for Research on the Epidemiology of Disasters
EU	European Union
EUR	Euros
EUROPOL	European Police Office
FATA	Federally Administered Tribal Areas
FIA	Federal Investigation Agency of Pakistan
FRONTEX	European Agency for Management of Operational Cooperation at External Borders of EU
GBP	British Pound
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GOP	Government of Pakistan
ICMPD	International Centre for Migration Policy Development
ILO	International Labour Organisation
IOM	International Organisation for Migration
KP	Khyber Pakhtunkhwa
NADRA	National Database Registration Authority of Pakistan
NARA	National Alien Registration Authority of Pakistan
NGO	Non-Governmental organisation
OECD	Organisation for Economic Cooperation and Development
PKR	Pakistani Rupees
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
UNODC COPAK	UNODC Country Office in Pakistan
USD	United States Dollars

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1. Introduction

1.1 Summary

This report examines the smuggling of migrants by land, sea, and air from Pakistan.² It explores the role of Pakistan as a transit and source country for smuggled migrants and examines the levels, routes, and characteristics of all forms of smuggling of migrants from Pakistan.

The report outlines the reasons for irregular migration, including the smuggling of migrants and trafficking in persons, from Pakistan; the main push and pull factors for such migration, the profile and background of smuggled migrants, and the profiles of the smugglers and smuggling networks involved. Particular attention is devoted to the methods and routes used to smuggle migrants from Pakistan into neighbouring countries and to the main destination countries in the Gulf Region, Western Europe, Southeast Asia, Australia, and North America. The conditions and risks, including instances of exploitation and trafficking, to which smuggled migrants are exposed are examined, and the financing of such smuggling and the fees paid by smuggled migrants are also discussed.

The goal of this report is to comprehensively document the available knowledge (official reports, literature, and data) on the smuggling of migrants from Pakistan and to provide insight into and analysis of the causes and conditions of such smuggling, thus assisting the Government of Pakistan and its agencies, international organisations, donor countries, and non-governmental organisations to develop effective responses to prevent and suppress the smuggling of migrants whilst protecting the rights of migrants. The report aims to provide the fullest possible picture of the smuggling of migrants from Pakistan, to serve as a resource that can be updated if and when new information emerges, and to pave the way for future research on the many facets and dimensions of this phenomenon.

1.2 Background and Significance

1.2.1 Irregular migration and smuggling of migrants from Pakistan

Pakistan is a source, transit, and destination country for irregular migration of which smuggling of migrants is one form. Smuggling of migrants from Pakistan involves both Pakistani nationals, foreign nationals residing in Pakistan, and other migrants who transit in Pakistan en route to other destinations.

Among the migrants who are smuggled from Pakistan are very many people of Afghan background who have lived in Pakistan for many years or arrived there recently and are assisted by smugglers with their onward journeys to other destinations. For migrants from South Asia and other parts of Asia — Bangladesh and the Union of Myanmar (Myanmar) in particular — Pakistan is a destination country or, in some instances, a transit point for further migration to the Gulf Region or Europe. Pakistani nationals too are smuggled to Western Europe, North America, Southeast Asia, and Australia in considerable numbers.³

² The term ‘smuggling of migrants’ is defined in Article 3(a) of the United Nations (UN) *Protocol against the Smuggling of Migrants by Land, Sea, and Air, supplementing the Convention against Transnational Organized Crime* (opened for signature 15 December 2000, 2241 UNTS 507 (entry into force 28 January 2004) (hereinafter *Smuggling of Migrants Protocol*) to ‘mean 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 Party of which the person is not a national or a permanent resident.’ The terms ‘smuggling of migrants’ and ‘migrant smuggling’ are used interchangeably throughout this report.

³ For an overview, see UNODC, *Migrant Smuggling in Asia: Country Profiles: South-West Asia* (2015) 57–76.

The combination of complex and interconnected push factors explains the levels and characteristics of irregular migration from Pakistan, including the smuggling of migrants and, in some cases, trafficking in persons. Opportunities to earn higher wages, gain skills and education, and support their families from abroad are the main pull factors for irregular migrants from Pakistan.⁴ Other push factors include socio-economic developments, natural disasters and environmental factors, and political circumstances that have displaced many Pakistanis internally and lead some people to emigrate, often using irregular methods of migration such as smuggling and trafficking. Many Afghan nationals residing in Pakistan, most of them refugees, similarly opt to leave the country as they lose hope that they will be able to return to Afghanistan and because they have limited access to protection, assistance, and gainful employment in Pakistan.

The true extent of smuggling of migrants, and of other forms of irregular migration from Pakistan, is not known and there are no reliable (or recent) estimates. In 2006, the Human Rights Commission of Pakistan stated that some 300,000 people were leaving the country by illegal means each year. A 2009 study citing data by the FIA estimates that some 25,000 migrants were smuggled or trafficked each year between 2005 and 2008.⁵

In 2013, it was estimated that some four million irregular migrants are residing in Pakistan.⁶ Most of them, about 2.7 million, are Afghan nationals.⁷ Bangladeshi nationals constitute the second largest group of irregular migrants in Pakistan, although estimates of their numbers vary greatly. The political and security situation in Pakistan in recent years has reduced some of the pull factors that draw migrants into the country as a destination. However, Pakistan continues to be a transit point for the smuggling of migrants to the Gulf Region and Europe.⁸

Irregular migration from Pakistan is frequently facilitated by smugglers. The destinations, routes, and methods used to smuggle Pakistani nationals share many similarities with the smuggling of Afghan nationals, and many Pakistanis and Afghans are smuggled together. The smuggling of Pakistani migrants is directed primarily to the Gulf Region and to Western European destinations, followed by some smuggling to Southeast Asia and Australia and to a lesser degree, to North America. The smuggling of migrants from Pakistan involves smuggling methods over land, across the sea, and by air; and the means used often change along the way. The use of fraudulent documents can be found in all three methods.⁹ Smuggled migrants from Pakistan may encounter a range of conditions and risks that stem from these clandestine smuggling methods, or from their illegal status in the transit and destination countries. Their lives and safety are often in the hands of their smugglers, and some smugglers deliberately exploit the vulnerable situation and illegal status of the migrants or place them in situations of great danger. In some instances, migrants are at risk of sexual exploitation, labour exploitation, and other forms of trafficking in persons.

The available information points to a noticeable level of involvement of Pakistani nationals, most of them men, in the smuggling of migrants in source, transit, and destination countries. There appear to be close ties between recruiters, facilitators, and other agents operating in Pakistan and the communities from which the smuggled migrants originate. In some cases, the recruiters and agents were once smuggled migrants who returned to Pakistan or remained in transit countries.¹⁰ In places

⁴ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 13.

⁵ Azam, Farooq, *Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan* (2009) 14.

⁶ UNODC, *Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan* (2013) 17–18.

⁷ UNODC, *Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan* (2013) 1, 19.

⁸ UNODC, *Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan* (2013) 20–21, 23; Yousef, Kleopatra, 'The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan', *Background Report: Migratory System 3* (2013) 10–11.

⁹ UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 12; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 7, 13.

¹⁰ Triandafyllidou, Anna & Maroukis, Thanos, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 198–200.

where Pakistanis live among other refugees, Pakistanis sometimes operate as recruiters for the smuggling of other Pakistani nationals. The significant involvement of smugglers of Pakistani origin is however not at the exclusion of other nationalities. Local individuals and groups often assist in the main transit points; and foreign groups are sometimes involved in producing, procuring, and providing fraudulent travel or identity documents.¹¹

In general, the groups and individuals involved in the smuggling of Pakistani migrants form loosely organized networks. Specific functions are carried out by designated or contracted individuals who become involved as recruiters, transporters, guides, contact persons, or as people who produce or procure fraudulent documents. Previous research has found that some smuggling networks maintain contacts with immigration and other government officials as well as airline personnel who are bribed to 'turn a blind eye' or otherwise facilitate the migrant smuggling ventures.¹²

1.2.2 Context of this report

Pakistan's Federal Investigation Agency as the country's chief national law enforcement agency has the mandate to prevent and suppress migrant smuggling and trafficking in persons, and is in a unique position to comprehensively combat this phenomenon; along with associated crime such as money laundering, document fraud, and corruption.

UNODC, the United Nations Office on Drugs and Crime, is the guardian of the *Protocol against the Smuggling of Migrants by Land, Air, and Sea* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*,¹³ which supplement the *Convention against Transnational Organised Crime*.¹⁴ UNODC leads international efforts to comprehensively prevent and suppress the smuggling of migrants and protect smuggled migrants. UNODC's Country Office in Islamabad stands ready to assist Pakistan's authorities in their efforts.

With this background, in January 2016 UNODC COPAK requested the services of independent experts to document and examine the levels and characteristics of the smuggling of migrants from Pakistan in all its forms; and to produce a comprehensive report outlining the reasons, routes, and risks of such smuggling. This report was completed on, and all information current as of, 15 July 2016.

I.3 Objectives

The purpose of this report is to comprehensively collate, document, and analyse the available, open source information relating to the smuggling of migrants from Pakistan. This includes both qualitative and quantitative information from official reports, academic literature, case law, data from national authorities and international organisations, and selected reports by major international news outlets. The report seeks to provide the most detailed and nuanced insight into and analysis of the causes and conditions of the smuggling of migrants from Pakistan; and to reveal the existing gaps, weaknesses, contradictions, and errors in the available information.

The report serves to assist the Government of Pakistan, UNODC and other international organisations, donor countries, and NGOs to develop effective responses to prevent and suppress the smuggling of migrants whilst protecting the rights of migrants.

¹¹ UNODC, *Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan* (2013) 35–36.

¹² UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 184.

¹³ Opened for signature 12 December 2000, 2237 UNTS 319 (entered into force 25 December 2003) (hereinafter *Trafficking in Persons Protocol*). Article 3(a) defines 'trafficking in persons' to 'mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.'

¹⁴ Opened for signature 12 December 2000, 2225 UNTS 209 (entered into force 29 September 2003).

This report further aims to provide the fullest possible picture of the smuggling of migrants from Pakistan, and to serve as a resource that can be updated if and when new information emerges. The report identifies existing knowledge and data gaps, thus paving the way for future research and analysis.

I.4 Structure

The main body of this report is divided into four substantive parts: A, B, C, and D which examine the reasons, routes, and risks of smuggling of migrants from Pakistan.

Following this Introduction (Chapter I), which sets out the topic, background, objectives, structure, methodology, and source material used in this report Part A provides insight into the reasons for irregular migration, including the smuggling of migrants and trafficking in persons from Pakistan. This includes in Chapter II an analysis of Pakistan's role as a source country of migrant smuggling (i.e. smuggling of Pakistani nationals) and in Chapter III an analysis of Pakistan's role as a transit country for smuggled migrants who are foreign nationals. Chapter IV explores the profile and background of migrants who are smuggled from Pakistan, including, inter alia, their nationalities and background, age, gender, and levels of education.

Part B, Chapters V–IX of this report, maps and examines the routes, means, and methods used to smuggle migrants from Pakistan. After a short overview in Chapter V, the smuggling of migrants from Pakistan into neighbouring countries, especially the Islamic Republic of Iran ('Iran') is examined in Chapter VI, followed by the smuggling of migrants to the Gulf Region: in particular to Oman, the United Arab Emirates (UAE), and Saudi Arabia. Next, Chapter VIII documents the smuggling of migrants from Pakistan to Europe. This is done by examining separately the smuggling into Turkey (VIII.2), the smuggling from Turkey along the so-called Western Balkan (VIII.3) and Eastern Balkan (VIII.4) routes, the smuggling via Africa and the Mediterranean (VIII.5), the smuggling along other routes, including the so-called Northern route via the Russian Federation ('Russia') (VIII.6), the smuggling to Europe by air (VIII.7), and the smuggling of migrants between Western European countries (VIII.8) insofar as the available information specifically relates to migrants who were initially smuggled from or through Pakistan. Chapter IX examines the smuggling of migrants to Southeast Asia, especially Thailand, Malaysia, and Indonesia; and to Australia and Chapter IX covers the smuggling of migrants from Pakistan to North America.

In Part C this report turns to the specific risks associated with the smuggling of migrants both in Pakistan and along the routes described in Part B. This involves in Chapter X a summary of the conditions and dangers of the various smuggling methods by land, sea, and air. Instances in which situations of smuggling transcend into trafficking in persons are also examined. Chapter XI documents the available information in relation to the profile of smugglers and networks involved in the smuggling of migrants from Pakistan. The fees and financing of such smuggling are examined separately in Chapter XII.

The concluding part of this report, Part D, Chapter XIII reflects on the main findings of the analysis, the necessary responses, and 'the way forward' to better understand, prevent, and combat the smuggling of migrants from Pakistan.

I.5 Source material, methodology, and limitations

The research for this project as noted is based exclusively on open-source material, including primary sources such as reported cases and official data collections and reports; as well as secondary sources from international organisations, academic literature, and selected media reports from major news

outlets. The data and facts obtained from these sources have been complemented and validated by information received orally and in writing from government authorities in Pakistan and in transit and destination countries. The research for this project does not involve any classified or confidential information.

Research for this project was carried out over a five month period between 1 January and 1 June 2016. The initial stage of the research involved a systematic search of libraries, databases, and online for — and collation of — material published between the years 2000 and 2016 on the smuggling of migrants in Pakistan, and on the smuggling of migrants from Pakistan to other countries. Through this method some 200 publications including books, journal articles, and reports by government agencies, international organisations, NGOs, and individual groups and experts were retrieved. This material was complemented by selected news reports from major international media outlets. In addition, reported case law has been collected where available from selected jurisdictions along the main smuggling routes. This collection of reported cases is far from complete, but serves to validate the information reported in secondary sources, and to illustrate the myriad means and methods used to smuggle migrants from Pakistan. Some high profile cases are also outlined separately throughout the report. A complete record of all sources used and referenced in this report is set out in the Bibliography section.

The information retrieved from these sources was then sorted systematically into a predetermined structure developed to document the reasons, routes, and risks associated with smuggling of migrants from Pakistan. As a result information gaps have become clearly visible, and several areas in which the available information is contradictory also crystallized.

Although there are many limitations to researching, documenting, and analysing the smuggling of migrants from Pakistan the scope, objectives, and methodology of this report are deliberately ambitious. The report shows that very many facets and dimensions of this phenomenon are not or not adequately researched or documented. Data on the scale of smuggling of migrants from Pakistan, and statistics relating to the apprehension of smugglers and smuggled migrants are for the most part non-existent. In some instances, the available information is out of date, incomplete, questionable, or unreliable. Further difficulties arise from the limited time available for this research, and the limited access to national agencies and individual experts in a range of other relevant countries. The obstacles, concerns, and limitations encountered during the research are clearly marked throughout this report, and are also reiterated in the concluding sections, so that future research can avoid or address these specific issues.

I.6 Map of Pakistan



PART A: REASONS

II. Pakistan as a Source Country

II.1 Push factors from Pakistan – general overview

Irregular migration of Pakistani nationals, including by way of smuggling and trafficking, is the result of a combination of economic, social, political, and environmental factors that cause internal displacement and trigger emigration to neighbouring countries and to destinations further afield. The ‘push factors’ of migration from Pakistan are often difficult to separate from one another. The political and security situation for instance, has led some people to emigrate to gain greater physical safety and personal security, but the situation also had significant economic consequences that impact on wages and the availability of jobs, which in turn explain the decision of some Pakistanis to emigrate. The severe natural disasters Pakistan has experienced over the last decade have similarly displaced many people who have had to flee to save their lives, but also had considerable impact on economic developments in the country. Further adding to the causes and the complexity of irregular migration is the limited availability of legal avenues for migration, which in turn explains the existence of established networks for irregular migration.¹⁵ It is for these reasons that it is also difficult to determine with certainty whether Pakistani nationals arriving in transit and destination countries are migrating for economic reasons, are seeking asylum, or whether — as is frequently the case — both.¹⁶

II.2 Economic push factors

II.2.1 General economic situation

Pakistan’s economy has suffered from the volatile security situation, political developments (that are turbulent at times), flooding and other natural disasters, and global financial crises. The country’s economy is fragile and exports, foreign direct investment, and economic growth rates remain quite modest.¹⁷ Some studies draw a direct link between Pakistan’s GDP growth rates and economic performance and the levels of trafficking in persons and smuggling of migrants.¹⁸ This was particularly evident between 2007 and 2009 when the global financial crisis led to a considerable slowdown in the country’s Gross Domestic Product growth rate and inflation peaked at 20.29%,¹⁹ thus causing more people to look for opportunities abroad.

¹⁵ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 3; Budapest Process, *Pakistan Migration Country Report* (2013) 6, 22; UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 90.

¹⁶ Hatziprokopiou, Panos & Triandafyllidou, Anna, *Governing Irregular Migration: States, Migrants, and Intermediaries at the Age of Globalisation* (2013) 28.

¹⁷ UN Asia Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90.

¹⁸ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 29.

¹⁹ World Bank, *Pakistan* <<http://data.worldbank.org/country/pakistan>>; cf. UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 15.

Figure 1 Economic indicators, Pakistan 2006–2015 (World Bank, 2016)²⁰

	GDP at market prices, USD million	GDP per capita, USD	GDP growth %	Unemployment, % of total work force
2015	269,971	1,429	5.5%	n.a.
2014	243,632	1,317	4.7%	5.2%
2013	231,087	1,275	4.4%	5.1%
2012	224,646	1,266	3.5%	5.1%
2011	213,755	1,231	2.7%	5.1%
2010	177,407	1,043	1.6%	5.1%
2009	168,153	1,010	2.8%	5.2%
2008	170,078	1,043	1.7%	5.0%
2007	152,386	954	4.8%	5.1%
2006	137,264	877	6.2%	5.1%

II.2.2 Poverty, unemployment, low wages

Economic factors including poverty, a lack of employment opportunities, and low wages are among the key reasons for irregular migration, including smuggling of migrants and trafficking in persons, from Pakistan.²¹ Poverty is widespread in Pakistan, with large parts of the population surviving on less than USD 2 a day.²² In 2008, at the peak of the economic crisis, as much as 21.4% of the population was living on less than USD 1.25 a day.²³

The rather moderate economic growth that Pakistan has experienced in recent years, combined with a growing population, has contributed to growing unemployment. Although official figures show that unemployment has remained consistently at 5.0–5.2% of the total labour force over the past ten years, the true levels of unemployment and underemployment are believed to be higher. An official policy document published by the Government of Pakistan in 2009 acknowledges that:-

Pakistan, like many developing countries, is facing the problem of excess supply of the workforce comprising illiterates, semi-skilled, skilled, educated, and even highly qualified and professionals as compared to the domestic labour demand. This is reflected not only in open unemployment but also (in) under-employment. Indeed, the underutilisation of workforce is a cause of concern (and) continues to pose a major challenge. (...)

The unemployment and under-employment in the country is quite pervasive; the underutilised labour accounts for 10–15 percent of the workforce. Lesser remunerative and low productive work currently affects a significant proportion of the employed. Poor working conditions in significant workplaces are also not uncommon.²⁴

Poverty, unemployment, and wages also differ greatly between different parts of Pakistan and affect rural areas and urban centres differently. Economic conditions are thus not homogenous throughout Pakistan, and the economy has been particularly volatile in those areas affected by large-scale natural disasters, including the magnitude 7.6 earthquake that struck Kashmir on 8 October 2005 and the

²⁰ World Bank, 'Open Data' <data.worldbank.org>.

²¹ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 182–183; Frontex, *Risk Analysis for 2016* (2016) 40; Frontex, *Annual Risk Analysis 2012* (2012) 39; Frontex, *Annual Risk Analysis 2013* (2013) 25.

²² UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90.

²³ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 15.

²⁴ Pakistan, Ministry of Labour and Manpower, *National Emigration Policy* (2009) 9, 17.

floods of June 2010 that affected more than 20 million people, and caused damages estimated at between USD 8.7 and 10.9 billion.²⁵

Research into the causes of irregular migration from Pakistan through Turkey and Greece to Western Europe also found that most of the predominantly young, male migrants had left Pakistan to escape unemployment and low wages.²⁶ Similarly, a study published in 2009 found that many Pakistanis from the Shi'ite Hazara community had left Quetta, Balochistan and migrated to Australia with the aid of smugglers because they felt excluded from the labour market and experienced difficulties accessing government services.²⁷

Inequality

The economic conditions that are driving part of the irregular migration from Pakistan are said to stem from relative rather than absolute poverty. The inequalities in wealth distribution and employment opportunities are major push factors. A 2011 publication attributes irregular migration from Pakistan inter alia to the uneven distribution of wealth and land ownership: likening the situation, especially in Punjab and Sindh provinces, to feudalism whereby

rich and influential families control most of Pakistan's agricultural land and utilize sharecropping methods for cultivation. The result is that rural dwellers borrow from landlords in order to cultivate land and are obligated to provide a proportion of the crop produced to landlords. Impoverished families become indebted over generations to landowners, creating an impetus to send family members to other regions within Pakistan or migrate irregularly to supplement the family income.²⁸

The perception that some parts of society are reaping more benefits than others has been identified as a significant cause for the decision to emigrate and a pull factor to destinations where these perceived benefits are believed to be found.²⁹ International migration from Pakistan, notes one author,

is not necessarily triggered by unemployment (...) and certainly not by the poverty that surrounds (the migrants). If anything, the close proximity of less fortunate, often wretchedly impoverished constellations of the rural populace appears to provide them with no great sense of threat to their own relative wellbeing. They look instead to their neighbours — those within their own social milieu who have benefited from remittances from abroad, and become consumed, it appears, with an avidity to acquire more.³⁰

The combination of poverty and — as discussed in Section II.3.4 below — a lack of education means that many people are easily lured by promises made by traffickers. Recruiting victims of trafficking with promises of better jobs and more money is easy in circumstances in which people have few opportunities to make a living and feed their families.³¹ Traffickers frequently target specific areas in which poverty and unemployment are particularly high; and sometimes offer loans, material goods, or other incentives to recruit people.³² Income disparities, youth unemployment, and a lack of opportunities to gain formal education affect young women in Pakistan disproportionately and make them particularly vulnerable to trafficking.³³

²⁵ UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90; see further Section II.5 below.

²⁶ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 32–33.

²⁷ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 67.

²⁸ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 11–12.

²⁹ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 9.

³⁰ Ahmad, Ali Nabil, *Masculinity, Sexuality, and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 65.

³¹ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 15; United States, Department of State, *Trafficking in Persons Report 2015* (2015) 270; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 93.

³² Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 19, 93; Valika, Rashida, 'Women Trafficking in Pakistan: A Tale of Misery and Exploitation' (2007) 14 *Pakistan Journal of Women's Studies* 19, 21, 25.

³³ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 16.

II.2.3 Remittances

Relative poverty, low salaries, and a lack of suitable and sustainable employment options as push factors for migration from Pakistan are closely tied to the desire by many migrants to earn higher wages abroad and remit money to support relatives and friends in Pakistan. The ‘push’ to migrate for the purpose of sending remittances may be the choice of the individual migrant but may also be a decision taken by the migrant’s immediate family to send one of its members, often a young adult and mostly male, abroad for that purpose.

Some authors see the perceived gains from remittances as one of the main economic push factors for irregular migration from Pakistan, which is understood as an investment by the remaining family into their own future, and an ‘effective poverty coping mechanism in Pakistan’.³⁴ Some research suggests that Pakistani nationals who are for instance smuggled to the United Kingdom, are able to recoup the money paid to smugglers within two years of arrival and can then support their families in Pakistan with remittances.³⁵

Remittances thus increase the income and the social status of relatives in Pakistan, which in turn may encourage others to undertake a similar journey. In some cases, the migrants are also able to save substantial amounts of money and return to Pakistan to establish or expand a business, thus further raising their social status and profile.³⁶ The pull factor of remittances that draw Pakistani nationals to specific destinations are further discussed in Section V.2 below.

II.3 Social and demographic push factors

II.3.1 Population growth and demographic developments

Population growth and other demographic developments provide a further albeit indirect impetus for emigration from Pakistan. As at July 2015, the population of Pakistan was 199,085,847, making it the seventh most populous nation in the world.³⁷ Pakistan’s population growth, which stood at 1.46% in 2015, has been accompanied by limited economic growth. While a modest rise in per capita GDP has been recorded in recent years,³⁸ inflation remains high and the economic growth has not benefited all Pakistanis and all parts of Pakistan evenly, such that the gap between rich and poor has grown further.³⁹

It has also been reported that rising crime rates between 2000 and 2010, especially for offences against the person, constitute a further push factor for migration from Pakistan,⁴⁰ though there are no more recent sources confirming this observation as still valid.

³⁴ Budapest Process, *Pakistan Migration Country Report* (2013) 46.

³⁵ Triandafyllidou, A & Maroukis, T, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 12–13.

³⁶ Budapest Process, *Pakistan Migration Country Report* (2013) 46; UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 29.

³⁷ United States, Central Intelligence Agency, *CIA Factbook; Pakistan* <<https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>>.

³⁸ See Figure 1 above.

³⁹ UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90; UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 15. See also Section II.2.2 above.

⁴⁰ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 16, citing Hanniah, Tariq, *Crime Trends in Pakistan 2000–2010* (2011).

II.3.2 Gender

Gender tends to be an important factor in irregular migration from Pakistan.⁴¹ The decision by individual male Pakistanis to emigrate as well as the decision by families to encourage and facilitate the emigration of a male family member is said to be based on cultural and religious images and perceptions of masculinity. Some research shows that migration from Pakistan is associated with a certain ‘masculine glamour’ and clouded by ‘mythological masculinist ideology’, leading to the belief that emigration will result not only in economic prosperity but also in a higher social status, especially for those migrants who return to Pakistan.⁴²

Several sources explain the decision by young male Pakistanis to emigrate for a combination of factors that relate to personal ambition, the desire to improve social status and ‘make money’, and notions of selfhood, freedom, and overseas adventure.⁴³ Seen in this context, it also becomes plausible why some migrants make seemingly irrational choices, knowingly taking the risks and dangers associated with migrant smuggling and accepting the illegality of their journey.⁴⁴ ‘The sending context’, notes one author who interviewed Pakistani migrants in Pakistan, Italy, and the United Kingdom,

is a violent, tormented society in which money equals power in ways that can have brutal implications: corruption, disintegrating institutions and corroding social fabric have taken a heavy psychological toll on the Pakistani middle-classes, for whom emigration holds the promise of purchasing — in some cases restoring — damaged masculine self-esteem in communities distorted by competition for status and power.⁴⁵

II.3.3 (Popular) culture

The material motivations, gender, and masculinity that explain some of the reasons why especially young persons, most of them middle-class men, emigrate from Pakistan are often fuelled by popular culture, film, and social media. Television, advertising, and the global media have infiltrated a society that remains rather conservative and provide them with images and ideas of lifestyles and freedoms that cannot, or cannot easily, be accessed or achieved in Pakistan. For example, traditionally access to women by men has been regulated through engagements and marriages that are often arranged and seen by some men as limiting social mobility and sexual activity. Satellite television and the internet, which are widespread throughout Pakistan’s middle-class, also broadcast images of consumerism, social independence, and sexual liberalism in Western countries which, when combined with unemployment and boredom, provide a further push factor for migration. The influence of friends and other social circles, and the desire to gain economic independence and freedom from patriarchal control, are additional factors in the decision to emigrate.⁴⁶

II.3.4 Education

A lack of access to education and the limited opportunities for (quality) education in Pakistan have been identified as further factors contributing to the vulnerability to smuggling of migrants and the facility of trafficking in persons.

Literacy rates in Pakistan remain low by international standards and opportunities to gain secondary and tertiary education are extremely limited for some parts of the population.⁴⁷ In 2012, the adult literacy rate of the population aged 15 and higher stood at only 57%; a rate that has not improved over the past 10 years. Literacy rates among 15–24 years olds are higher, reaching 73% in 2012, but

⁴¹ See also Section IV.2.1 below.

⁴² Nabil Ahmad, Ali, ‘The Production of Illegality in Migration and Diaspora: State policies and human smuggling from Pakistan’, in Chatterji, Joya & Washbrook, David (eds), *Routledge Handbook of the South Asian Diaspora* (2014) 198, 208; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 44.

⁴³ Nabil Ahmad, A, *Masculinity, Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 85; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 183.

⁴⁴ Nabil Ahmad, *Masculinity, Sexuality and Illegal Migration...* 78, 122.

⁴⁵ Ali Nabil Ahmad, *Masculinity, Sexuality and Illegal Migration...* 5.

⁴⁶ *ibid*, 78–80, 85, 122.

⁴⁷ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 16.

are considerably lower for young females (64%) than for young males (80%). The enrolment ratio in primary and secondary education in Pakistan is also strongly in favour of boys.⁴⁸

II.4 Political push factors

II.4.1 Pakistan's security situation

The military intervention in Afghanistan and military operations in Pakistan against the Taliban, al-Qaeda, and other terrorist organisations; sectarian violence, and human rights abuses by militant groups have caused the death of many civilians, and triggered large-scale displacement within the country and across Pakistan's borders.⁴⁹ Civilian fatalities peaked in 2007–08 and 2010–11. In 2007 alone, some 678 separate bomb blasts were recorded.⁵⁰

The northwestern regions of Pakistan bordering Afghanistan, especially Khyber Pakhtunkhwa and the Federally Administered Tribal Areas, have been particularly affected by terrorist attacks and Taliban insurgencies.⁵¹ A report published in 2013 estimates that 'five million people have been displaced by conflict and sectarian violence in the northwest region of Pakistan since 2004'.⁵² The same report states that the displacement peaked in 2009 when three million people, including 2.3 million from the Malakand district of Khyber Pakhtunkhwa, were displaced. By 2013, 1.1 million persons were registered as persons displaced by the conflict in Pakistan's northwest, in addition to many more unregistered internally displaced people.⁵³

The displacement in Pakistan has also been caused by sectarian violence and tribal conflicts, which are also often linked to clashes over the control of land, water, and other resources. The conflict and violent attacks between Sunni and Shia groups has been widely reported. Other religious minorities in Pakistan, including Baha'is, Christians, Hindus, Sikhs, and Sufis/Barelvis, have also been the subject of threats and violence, which in turn has led to internal displacement and emigration.⁵⁴ Pakistani Hazaras living in Quetta have as earlier noted also been targeted by extremists, causing them to flee, often with the aid of migrant smugglers.⁵⁵

II.4.2 Political developments in Pakistan

Irregular migration from Pakistan has additionally been attributed to uneven political developments and economic policies that have resulted in personal and economic insecurity for some parts of the population. A paper published in 2014 for instance, portrays Pakistan's alliance with the United States in the 'war on terror' as the reason for greater economic liberalisation in Pakistan that went hand-in-hand with the reinforcement of the military and its influence on Pakistan's politics. This strengthened the 'military commercial class' in Pakistan and 'resulted in massive everyday lived insecurities in Pakistan for ordinary residents (citizens and non-citizens)'. The paper describes these developments in Pakistan as the emergence of a 'neoliberal security state' that is hailed by some, but feared by others. The saying 'Pakistan Zindabad, ya Pakistan se Zinda bhag?', 'Long live Pakistan, or run away from Pakistan alive?' is said to capture this situation.⁵⁶

⁴⁸ World Bank, 'Open Data' <data.worldbank.org>.

⁴⁹ Budapest Process, *Pakistan Migration Country Report* (2013) 17.

⁵⁰ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 17–18, 29.

⁵¹ UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 90.

⁵² Budapest Process, *Pakistan Migration Country Report* (2013) 16.

⁵³ Budapest Process, *Pakistan Migration Country Report* (2013) 16.

⁵⁴ Budapest Process, *Pakistan Migration Country Report* (2013) 22, 36.

⁵⁵ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 67.

⁵⁶ Alimia, Sanaa, 'Afghan (Re)Migration from Pakistan to Turkey: Transnational Norms and the 'Pull' of Pax-Ottomanica?' (2014) 16 *Insight Turkey* 159, 165.

II.4.3 Unavailability of legal avenues for migration

The lack of legal avenues for Pakistani nationals to emigrate, and the bureaucracy associated with labour migration from Pakistan are further factors contributing to irregular migration and trafficking. In 1976, the Government of Pakistan first established the Overseas Employment Corporation (OEC) as a government-run 'manpower exporting agency'. Since that time, labour emigration has been recognised and in some part regulated, but the 'institutional mechanisms' put in place to control and manage labour emigration 'lack the necessary coordination and cooperation' and remain 'plagued with capacity limitations'.⁵⁷ Today, the Bureau of Emigration and Overseas Employment, a branch of the Ministry of Overseas Pakistanis & Human Resource Development, is responsible for promoting and regulating labour migration to other countries.⁵⁸

In 2009, the Government of Pakistan issued a *National Emigration Policy* to 'promote regular emigration and protect emigrants',⁵⁹ but avenues for legal migration to other countries remain extremely limited, and there are few practical measures to protect the rights of Pakistani migrant workers. A closer reading of the policy also shows that the main focus of this initiative is to 'market and showcase' Pakistani workers abroad. The policy contains very few details about the procedures for working abroad or the protection of rights of labour migrants.⁶⁰

Insofar as they do exist, legal channels for labour migration from Pakistan are limited to the six countries that are members of the Gulf Cooperation Council (GCC), namely Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (UAE).⁶¹ Moreover, labour agreements and legal avenues for migration are said to benefit men more than women. Labour emigration for low-skilled women from Pakistan is severely restricted, due in part to reports of abuse and exploitation of Pakistani women in the Gulf States.⁶²

Legal avenues for migration to destination countries in Europe, Australia, and North America are for the most part non-existent and, insofar as they do exist, involve extreme levels of bureaucracy, paperwork, and waiting periods of several years.⁶³ Some avenues that were once available for Pakistani travellers and labour migrants have been shut down as destination countries have adopted restrictive policies to reduce the supply of migrant workers and deny asylum seekers the ability to seek protection. As a result of these developments irregular migration, especially of low skilled and unskilled migrants, from Pakistan towards developed economies now surpasses migration through legal channels.⁶⁴

A *Study on Smuggling of Migrants* published by the European Commission in 2015 specifically noted that:-

the migrants' decision to approach smugglers for assistance is based on a lack of accessible channels for legal migration and/or a lack of proper information about those legal channels that do exist. There is a widely held perception that it is very challenging to apply for a passport or a visa to enter EU Member States. In fact, it was reported that many skilled persons from (...) Pakistan (...) turn to smugglers when this could easily be prevented if there was less of an information vacuum surrounding the legal visa application process and less cumbersome and intimidating visa application processes. This is coupled with the perceived unapproachable nature of embassies by applicants as responsible for preventing migrants from considering the legal route as a first option. Approaching a smuggler is considered both

⁵⁷ Pakistan, Ministry of Labour and Manpower, *National Emigration Policy* (2009) 24.

⁵⁸ Gazdar, Haris, 'Pakistan' (2008) 17 (3–4) *Asian and Pacific Migration Journal* 311.

⁵⁹ Pakistan, Ministry of Labour and Manpower, *National Emigration Policy* (2009).

⁶⁰ See generally Masood, Ahmad Jam, *Pakistan's National Emigration Policy: A Review*, Policy Paper Series No. 35 (2010) 6–17.

⁶¹ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 34.

⁶² ILO, *International labour migration: A rights-based approach* (2010) 95.

⁶³ Cf Shelley, Louise, *Human Smuggling and Trafficking into Europe: A Comparative Perspective* (2014) 2; European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 91–2.

⁶⁴ Masood, A J, *Pakistan's National Emigration Policy: A Review*, 3.

cheaper and more likely to succeed than applying for a visa via an embassy.⁶⁵

The costs for migrant smuggling and illegal border crossing are believed to be much lower than the fees associated with visas and formal labour migration programs. Among the persons smuggled from Pakistan, especially to the Gulf States, are also many people who have previously been deported from those countries and are thus barred from migrating through official channels.⁶⁶

II.5 Environmental push factors

In the last decade, several natural disasters have caused widespread internal displacement, death, and injury; and the destruction of homes, buildings, industry, infrastructure, and crops: at vast economic cost to Pakistan. The country regularly experiences monsoonal rain and large parts of the country are prone to flooding. Pakistan also sits on top of several tectonic fault lines which results in frequent earthquakes, many of them with devastating consequences. The UN Office for Disaster Risk Reduction reports that between 1980 and 2010 a total of 138 natural disasters have been reported in Pakistan, killing as many as 87,053 people and affecting the lives of nearly 60 million.⁶⁷ Earthquakes and flooding, followed by droughts in the years 2010 to 2012, are said to have displaced as many as 15 million people across Pakistan.⁶⁸

Earlier reports by UNODC suggest that the displacement caused by natural disasters in Pakistan left many people vulnerable to smuggling of migrants and trafficking in persons⁶⁹ and, as the following sections show, explains the high levels of irregular migration from Pakistan in some years.

II.5.1 Flooding

The 2010 floods have been identified as a main push factor for migration from Pakistan across a large body of literature. The rise in irregular Pakistani migrants apprehended in 2011 has been widely attributed to the displacement caused by the floods that, following unusually heavy monsoonal downpours over a period of eight weeks, left 132,000 square kilometres, or one-fifth of the country, under water. Large areas of Balochistan, Gilgit-Baltistan, KP, Punjab, and Sindh were particularly affected. The Asian Development Bank and the World Bank have been cited as saying that the 2010 floods, which killed 2,000 people and destroyed 1,744,471 homes, caused more than USD 10 billion of losses and effectively reduced Pakistan's GDP by 5.8%.⁷⁰ UNHCR, the United Nations High Commissioner for Refugees, estimates that about 3.4 million people were forced to leave their areas during the floods;⁷¹ a report published by the International Organisation for Migration (IOM) in the same year put that number at 11 million.⁷²

Several sources examining the smuggling of migrants from Pakistan to Europe explain the large increase of irregular Pakistani migrants intercepted along the Eastern Mediterranean route⁷³ by the

⁶⁵ European Commission, DG M&HA, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 54–5.

⁶⁶ Arif, GM, *Recruitment of Pakistani Workers for Overseas Employment: Mechanisms, Exploitation and Vulnerabilities*, Working Paper No 64 (2009) 30.

⁶⁷ UNISDR, *Pakistan - Disaster Statistics*
<<https://web.archive.org/web/20111103043013/http://www.preventionweb.net/english/countries/statistics/?cid=129>>.

⁶⁸ Budapest Process, *Pakistan Migration Country Report* (2013) 16.

⁶⁹ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 17.

⁷⁰ Emerson, Shoghi 'Floods in Pakistan' in Gemenne, François et al (eds) *The State of Environmental Migration 2010* (2011) 17;; UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90.

⁷¹ Aslam Khan, Duniya 'Six months on, flood displaced Pakistanis return home to reconstruct', UNHCR *News Stories* (26 January 2011) <<http://www.unhcr.org/4d402b4b6.html>>, referenced in Emerson, S, 'Floods in Pakistan' in Gemenne, F et al (eds), *The State of Environmental Migration 2010* (2011) 17, 19.

⁷² IOM, *World Migration Report 2011: Communicating Effectively about Migration* (2011) 68.

⁷³ See Section VIII.5 below.

displacement caused by the 2010 floods and its aftermath.⁷⁴ It is believed that in particular those people who could not return to their areas of origin and were not resettled in new homes were the most likely to emigrate.⁷⁵

The floods of June 2010, which followed large scale flooding in Sindh province in 2003, and in Sindh, Khyber Pakhtunkhwa and coastal Balochistan in 2007, destroyed much of the infrastructure and flood protection in the affected areas. Flooding in Sindh in September 2011 caused further destruction.⁷⁶ Higher river levels caused by monsoonal rain, and the effects of climate change, are likely to destroy arable land and agricultural production again in the future and lead to further displacement, especially in rural areas. A 2011 report also noted that

the vast majority of farm workers in the flood plains of Pakistan are not landowners, resulting in less incentive for them to remain if the situation proves untenable. The combination of insecure land tenure and the impact from flooding and drought creates a push factor for rural inhabitants at the same time that access to services and livelihood opportunities pull people toward urban areas.⁷⁷

II.5.2 Earthquakes and other natural disasters

The northern parts of Pakistan especially are frequently struck by major earthquakes that damage the limited infrastructure in these remote, mountainous regions and exacerbate already poor economic and living conditions. This in turn causes internal displacement and contributes to migration pressures. A 2013 report on migration from Pakistan identified six major earthquakes in the 2001–2012 period, including the 7.6 magnitude earthquake that hit Kashmir in October 2005, killing 73,576 people and displacing nearly 6.3 million.⁷⁸

Data collected by the Centre for Research on the Epidemiology of Disasters (CRED) shows that between 2006 and 2016 Pakistan has been affected by a number of major natural disasters affecting millions of people, and causing damage of several hundred million dollars. In addition to floods and earthquakes, the country experienced major heatwaves, landslides, and tropical cyclones killing some 2,000 persons, affecting some 2.5 million others, and causing damage of nearly USD 2 billion.⁷⁹

II.6 Trafficking in persons from Pakistan

Comprehensive and reliable information about trafficking in persons from Pakistan is extremely limited. While trafficking in persons into and within Pakistan has received some attention by national agencies, international and non-governmental organisations (NGOs), and by individual experts, the topic of trafficking from Pakistan to other countries has not been similarly researched and remains poorly documented and understood. Evidence of trafficking from Pakistan is very scattered and, as other parts of this report show, limited to occasional reports about labour trafficking and labour exploitation of Pakistani men in the Gulf States and some European countries. In addition, there are some older reports on trafficking in children from Pakistan into the camel racing industry in the Gulf States and anecdotal reports of Pakistani women found in situations of sexual exploitation and trafficking abroad.⁸⁰

⁷⁴ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 26, 31–2.

⁷⁵ Emerson, S, 'Floods in Pakistan' in Gemenne et al (eds), *The State of Environmental Migration 2010* (2011) 17, 20.

⁷⁶ Budapest Process, *Pakistan Migration Country Report* (2013) 22.

⁷⁷ UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90.

⁷⁸ UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 89–90, 264.

⁷⁹ Centre on Research on the Epidemiology of Disasters (CRED), Emergency Events Database, 'Country Profile' <http://www.emdat.be/country_profile/index.html>; see also, UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 264; UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 17.

⁸⁰ See further Section IX.5 below.

II.6.1 Trafficking in adults

Information about how trafficked persons are recruited by or first come into contact with traffickers is limited and at times contradictory. Several of the available sources suggest that the conditions and circumstances of some people and their families cause them to actively seek the services of those offering or known to offer irregular migration options. Advertisements, social media, and word-of-mouth also play an important role in this context.⁸¹ Other research however, portrays trafficked persons as more passive in the sense that they are sought out actively by the traffickers and only fall victim to trafficking due to of deception, coercion, abduction, or the use of force.⁸² It is likely that both situations exist in parallel, and that some victims first make contact with traffickers while others are contacted by them.

One extreme form of trafficking in persons in Pakistan involves trafficking for the purpose of organ removal; a practice that has been examined in a report published in 2015. The authors tie this phenomenon to the wider problem of labour exploitation that is not uncommon in poverty-stricken parts of Pakistan where people, men in particular, often work in feudal, debt bondage-like situations in brick kilns or other industries involving manual work. The money earned through this labour is often not enough to feed their families, and education levels among the workers is low; creating a situation in which these men accept loans from moneylenders that trap them in situations where they have to work for little or no money to repay their debt. The selling of an organ, kidneys in particular, is then proposed to these men as a way to discharge their debt. Left with few other alternatives and hoping to end their cycle of debt, many men consent to selling their kidneys, which sometimes involves trafficking to another country. The surgeries are often performed very poorly and in dangerous and unhygienic conditions, leaving the men scarred for life and too feeble to work when they return home. This in turn means that their wives and children are frequently forced to work, and also become vulnerable to labour trafficking, sex trafficking, or trafficking for the purpose of organ removal.⁸³

II.6.2 Trafficking in children

The causes and conditions that make adults vulnerable to trafficking similarly affect children and are even more significant if children are without family. The research and literature on trafficking in children in Pakistan consistently identifies poverty and debt as the main causes that lead parents or other relatives to sell children to traffickers, or to be deceived by traffickers that their children can obtain employment in order to support their families. Custom and other cultural and social settings, and a lack of education, are seen as other factors contributing to trafficking in children. In some instances, criminal abductions and parental negligence are the main cause of trafficking in children.⁸⁴ Trafficking in children in Pakistan is, for the most part, a domestic issue with frequent reports about children being forced into manual labour in brick kilns and other industries, forced into begging, and in some instances, into prostitution and other sexual exploitation, or into drug trafficking. The large number of 'street children' who live in Pakistan's large cities and are particularly vulnerable to trafficking has also been documented.⁸⁵

Insofar as trafficking in children from Pakistan to other countries is concerned, the available information almost exclusively points to trafficking to the Gulf Region where children are used in the

⁸¹ United States, Department of State, *Trafficking in Persons Report 2014* (2014) 302.

⁸² Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 92–3.

⁸³ Farhan Navid Yousaf & Bandana Purkayastha, "'I am only half alive': Organ trafficking in Pakistan amid interlocking oppressions' (2015) 30 *International Sociology* 637, 643–46.

⁸⁴ Syed Rashid Ali et al, 'Child Trafficking: Analysis of the Leading Familial Determinants' (2014) 8 *FWU Journal of Social Sciences* 36, 39–41; United States, Department of State, *Trafficking in Persons Report 2013* (2013) 290; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 95–7.

⁸⁵ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 97; Syed Rashid Ali et al, 'Child Trafficking: Analysis of the Leading Familial Determinants' (2014) 8 *FWU Journal of Social Sciences* 36, 40.

camel racing industry — a practice that appears to have ceased considerably over the past five to ten years. Once more, poverty and a lack of education have been blamed for causing the problem in the first place as traffickers make promises to parents about the care their child would obtain, and the money the children would be able to earn and remit. Some sources bluntly accuse parents of greed and also attribute this type of trafficking to cultural pressures and social networks.⁸⁶ As the Gulf States, Saudi Arabia and the UAE in particular, have taken steps to reduce and eliminate the use of child camel jockeys (including by replacing them with robot jockeys), there are now fewer reports about trafficking in children from Pakistan for that purpose.⁸⁷

III. Pakistan as a Transit Country

III.1 Irregular migration through Pakistan

Pakistan is home to a considerable migrant population that has come to the country to find safety from war and persecution and, in some cases, to escape poverty and find employment.⁸⁸ According to figures by IOM, 3,628,956 immigrants were living in Pakistan in 2015, constituting about 1.92% of the total resident population.⁸⁹ A small sample taken in Karachi in 2000 found 78 different nationalities of irregular migrants residing in the city; a number that is likely to be much higher today. The two largest irregular migrant groups are Afghan and Bangladeshi nationals, with the communities of other irregular migrant populations in Pakistan being considerably smaller.⁹⁰

Most of the irregular migrants residing in Pakistan are Afghans who have been ‘pushed’ across the border by many years of armed conflict, widespread violence, and persecution and terror by the Taliban and other groups. Many Afghans also cross into Pakistan to pursue temporary or permanent employment opportunities. Bangladeshi nationals are the second main group of migrants, with historical ties to Bangladesh, the former East Pakistan, explaining the migration flow between the two countries.

Although many foreign migrants, regular and irregular, have lived and worked in Pakistan for many years, the influx of new migrants has decreased over the past 15 years. The economic, political, and security situation in Pakistan, along with a string of severe natural disasters in recent years, has reduced some of the pull factors that draw migrants into the country. However Pakistan remains an important transit point for irregular migrants from several countries. Furthermore, some people who have spent many years in Pakistan, chief among them Afghan nationals, are leaving Pakistan due to local circumstances and the hope of finding a better life abroad.⁹¹

III.2 Afghan migrants in Pakistan

III.2.1 Pull factors

Afghan nationals constitute the single largest migrant population in Pakistan, many of whom arrived irregularly or were smuggled into the country. In 2015, 1,618,687 Afghan immigrants were living in

⁸⁶ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 28–9; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 97, 99; Syed Rashid Ali et al, ‘Child Trafficking: Analysis of the Leading Familial Determinants’ (2014) 8 *FWU Journal of Social Sciences* 36, 38–9.

⁸⁷ Cf Sam Borden, ‘Sprinting Over the Dirt, With a Robot on the Hump Camel Racing Blends Centuries-Old Traditions and Modern Technology’, *The New York Times* (online), 26 December 2014 <<http://www.nytimes.com/2014/12/28/sports/camel-racing-in-the-united-arab-emirates-is-a-blend-of-centuries-old-traditions-and-modern-technology.html>>.

⁸⁸ See generally, Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 79.

⁸⁹ IOM, ‘World Migration’ <<http://www.iom.int/world-migration>>.

⁹⁰ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 18.

⁹¹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 20–23, 31; Kleopatra Yousef, *The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan*, Background Report: Migratory System 3 (Pakistan) (2013) 10–11; UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 18.

Pakistan according to IOM.⁹² According to Pakistan's National Alien Registration Authority (NARA) some 2,210,000 Afghan nationals were residing in the country in 2013.⁹³ A 2009 report succinctly notes that

cross border movements between Afghanistan and Pakistan are the result of a wide range of economic, social and political factors. Reasons for this include trade, employment and economic opportunities, the unequalled and wide access to health and other services in Pakistan and the use of Pakistan as a transit country.⁹⁴

Many Afghans have fled to Pakistan from war and terrorist insurgencies, others to find employment or pursue other business opportunities. More recent studies show that most Afghans who migrate to Pakistan, both regularly and irregularly, do so because of a combination of political and economic push factors in Afghanistan and economic and social pull factors in Pakistan.⁹⁵ Geographical proximity, long standing historical, ethnic, and cultural ties, and the fact that the long border between Pakistan and Afghanistan is mountainous and impossible to patrol in many areas also explain why many Afghans emigrate to Pakistan. The cities of Quetta and Peshawar, which are in close proximity to the border and have long-established Afghan communities, are two of the main destinations for many Afghans. Many sources confirm that migration across the border between Afghanistan and Pakistan is not a new and unusual phenomenon, that cultural ties and trade between the two countries have occurred for centuries, and that the borderline artificially separates several tribes that live on either side of the border.⁹⁶

Thus war and civil conflict, combined with turbulent political developments in Afghanistan have unsettled millions of Afghans and led them to emigrate to Pakistan which has offered refuge to large numbers of Afghans for over three decades. For several years, 'Pakistan has been the number one refugee-hosting country, reflecting the fact that neighbouring Afghanistan has been the number one refugee-producing country.'⁹⁷ Those who fled from the Taliban regime, persecution, terrorism, and insurgency came to Pakistan to find safety from violence and persecution, often motivated by families and friends who fled from Afghanistan to Pakistan years earlier.⁹⁸

Economic conditions also constitute a pull factor for migration from Afghanistan to Pakistan. According to World Bank figures, in 2015 Afghanistan's per capita GDP stood at USD 590 whereas that of Pakistan was more than twice that, standing at USD 1,429. Figure 2 below shows that economic growth in Afghanistan has been very uneven over the past 10 years, with double-digit growth rates in some years and next to no growth in others. Unemployment rates in Afghanistan are also considerably higher than those in Pakistan. In these circumstances, it is not surprising that many Afghan families

⁹² IOM, 'World Migration' < <http://www.iom.int/world-migration>>.

⁹³ Pakistan, National Alien Registration Authority, 2013 (copy held by authors).

⁹⁴ Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 15, 22.

⁹⁵ UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 98; STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 4; Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 23–4; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 80; Afghan Research and Evaluation Unit, *Afghans in Quetta: Settlements, Livelihoods, Support Networks and Cross-Border Linkages* (2006) 1.

⁹⁶ Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 13, 41; Daniel A Kronenfeld, 'Afghan Refugees in Pakistan: Not All Refugees, Not Always in Pakistan, Not Necessarily Afghan?' (2008) 21 *Journal of Refugee Studies* 43, 56–7; Budapest Process, *Pakistan Migration Country Report* (2013) 17; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 53, 56, 58; Afghan Research and Evaluation Unit, *Afghans in Quetta: Settlements, Livelihoods, Support Networks and Cross-Border Linkages* (2006) 8; Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 24–5; UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 90.

⁹⁷ Harriet Spinks, *Destination anywhere? Factors affecting asylum seekers' choice of destination country*, Research Paper No 1 2012–13, Parliamentary Library (2013) 4.

⁹⁸ UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 98; STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 14; Harriet Spinks, *Destination anywhere? Factors affecting asylum seekers' choice of destination country*, Research Paper No 1 2012–13, Parliamentary Library (2013) 6–7.

decide to send their oldest sons or other male family members to Pakistan to find work and send remittances to the remaining relatives.⁹⁹

Figure 2 Economic indicators, Afghanistan, 2006–2015 (World Bank, 2016)¹⁰⁰

	GDP at market prices, USD million	GDP per capita, USD	GDP annual growth %	Unemployment, % of total work force
2015	19,199	590	1.5%	n.a.
2014	20,038	634	1.3%	9.1%
2013	20,459	667	2.0%	9.2%
2012	20,537	691	14.4%	8.5%
2011	17,930	622	6.1%	8.9%
2010	15,936	570	8.4%	8.7%
2009	12,487	459	21.0%	8.1%
2008	10,191	384	3.6%	8.9%
2007	9,844	380	13.7%	8.4%
2006	7,058	280	5.6%	8.8%

Especially during those periods in which the conflict in Afghanistan subsided, many Afghans viewed migration to Pakistan primarily as a temporary strategy to find work, better their income, and support their families. Indeed, many Afghans who migrate to Pakistan to find temporary work later go back to Afghanistan and then return to Pakistan if and when opportunities arise.¹⁰¹ It has also been shown that in those years in which Afghanistan’s economy was improving while Pakistan’s economic situation was stagnating, economic pull factors for migration to Pakistan played a less important role.¹⁰²

Access to social services and education opportunities in Pakistan are further pull factors for Afghan migrants. This also includes the protection, assistance, accommodation, and education that is offered by UNHCR, other international organisations, and NGOs in the refugee camps in Pakistan.¹⁰³ Cultural ties play a role likewise in causing and shaping migration flows from Afghanistan into Pakistan, especially for ethnic Pashtuns who have strong communities in both countries.¹⁰⁴

III.2.2 Push factors and secondary movements

For many Afghans, migration to Pakistan is a temporary matter and they remain in the country only until they find an opportunity to migrate elsewhere. Some have their eyes set on the UAE and other Gulf States where they hope to find employment and higher wages. Other Afghans enter Pakistan en route to Europe, Australia, or North America where they intend to join families and friends who have migrated earlier; some transit through Pakistan from Afghanistan to Iran because the Afghan-Iranian border is more difficult to cross and more tightly controlled.¹⁰⁵ Instead of migrating to Pakistan or Iran

⁹⁹ UNHCR, *National Profile of Internal Displaced Persons (IDPs) in Afghanistan* (2008) 14–15; International Crisis Group, *Afghanistan: What Now for Refugees?* Asia Report No 175 (2009) 14–15; Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 40.

¹⁰⁰ World Bank, ‘Open Data’ <data.worldbank.org>.

¹⁰¹ Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 24–5, 28; Frédéric Grare & William Maley, *The Afghan Refugees in Pakistan*, (2011) 1; STATT, ‘Afghan Migration in Flux’ (2013) 10 *Synapse* 1, 4; Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 7, 31; Afghan Research and Evaluation Unit, *Afghans in Quetta: Settlements, Livelihoods, Support Networks and Cross-Border Linkages* (2006) 1.

¹⁰² Frédéric Grare & William Maley, *The Afghan Refugees in Pakistan*, (2011) 5; Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 26; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 22; Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 33; UNHCR, *National Profile of Internal Displaced Persons (IDPs) in Afghanistan* (2008) 14–15.

¹⁰³ Khalid Koser & Peter Marsden, *Migration and Displacement Impacts of Afghan Transitions in 2014: Implications for Australia*, Occasional Paper Series No 2|2013, Research Program, Department of Immigration and Border Protection (2013) 11; UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 98.

¹⁰⁴ Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 24–5.

¹⁰⁵ STATT, ‘Afghan Migration in Flux’ (2013) 10 *Synapse* 1, 15; Luke Mogelson, ‘The Corner Where Afghanistan, Iran and Pakistan Meet’, *The New York Times Magazine* (online), 18 October 2012, <<http://www.nytimes.com/2012/10/21/magazine/the-corner-where-afghanistan-iran-and-pakistan-meet.html>>; see also Section VI.1 below.

some Afghans, especially those from the northern regions, prefer to emigrate to Uzbekistan, Kazakhstan, and Tajikistan where they feel more welcome and culturally more assimilated.¹⁰⁶ As political turbulence, economic insecurity, and violent conflicts continue to persist in large parts of Afghanistan, Afghan migrants who have been refugees in Pakistan for many years — including some who have spent most of their lives in exile — are losing hope and patience that they will ever be able to return to Afghanistan. Many have lost their land, homes, and livelihoods in Afghanistan and the prolonged time abroad means they would have little or nothing to go back to should they ever be able to return to Afghanistan.¹⁰⁷

Pakistan's frail economy and natural disasters, as well as public attitudes and government policies towards Afghan migrants living in Pakistan have also changed, making it more difficult for Afghans to remain in Pakistan.¹⁰⁸ The deteriorating security situation in 2008 and 2009, especially in Khyber Pakhtunkhwa and FATA, and the floods of 2010 affected Afghan migrants in the same way as they affected Pakistanis. Many Afghans lost their homes and livelihoods. Some of them subsequently decided to return to Afghanistan, others moved deeper into Pakistan, and others still started to look for opportunities to migrate to other countries.¹⁰⁹

Refugees and irregular migrants from Afghanistan who live in Pakistan are also said to be particularly vulnerable to coercion into trafficking for labour or sexual exploitation. Their irregular status in Pakistan often provides them with little opportunity to gain legal employment and, in times of economic downturns or other crises, they are likely to be the first to lose their jobs and/or be forced to settle elsewhere.¹¹⁰

Furthermore attempts by Pakistan, other countries, and the international community to return the refugees to Afghanistan or declare some parts of that country safe and non-persecutory, thus denying some Afghans refugee status, have pushed a number of migrants underground and increased the level of clandestine, irregular migration and the smuggling of Afghan migrants. In 2007/08, the National Database and Registration Authority of Pakistan (NADRA) also stopped issuing 'Proof of Registration' cards to Afghan refugees. As a result, many Afghans living in Pakistan risked being returned to Afghanistan by Pakistani authorities and thus decided to leave Pakistan, often aided by migrant smugglers.¹¹¹ Shi'ite Afghan Hazaras living in Quetta or other parts of Balochistan have also been

¹⁰⁶ Ruchira Ganguly-Scrase & Lynnaire Sheridan, 'Dispossession, human security and undocumented migration: narrative accounts of Afghani and Sri Lankan Tamil asylum seekers', in Ruchira Ganguly Scrase & Kuntala Lahiri-Dutt (eds), *Rethinking Displacement: Asia Pacific Perspectives* (2012) 251, 262.

¹⁰⁷ Daniel A Kronenfeld, 'Afghan Refugees in Pakistan: Not All Refugees, Not Always in Pakistan, Not Necessarily Afghan?' (2008) 21 *Journal of Refugee Studies* 43, 55–6; Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 23–4.

¹⁰⁸ Angeliki Dimitriadi, *Migration from Afghanistan to third countries and Greece*, Background Report: Migration System 3 (Afghanistan) (2013) 13–14; UNHCR, *National Profile of Internal Displaced Persons (IDPs) in Afghanistan* (2008) 14–15; Ruchira Ganguly-Scrase & Lynnaire Sheridan, 'Dispossession, human security and undocumented migration: narrative accounts of Afghani and Sri Lankan Tamil asylum seekers' in Ruchira Ganguly Scrase & Kuntala Lahiri-Dutt (eds), *Rethinking Displacement: Asia Pacific Perspectives* (2012) 251, 263; Khalid Koser & Peter Marsden, *Migration and Displacement Impacts of Afghan Transitions in 2014: Implications for Australia*, Occasional Paper Series No 2|2013, Research Program, Department of Immigration and Border Protection (2013) 4; UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 29.

¹⁰⁹ STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 13; Khalid Koser & Peter Marsden, *Migration and Displacement Impacts of Afghan Transitions in 2014: Implications for Australia*, Occasional Paper Series No 2|2013, Research Program, Department of Immigration and Border Protection (2013) 10; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 12; Danielle Every, *The role of information and communication networks in the decision to seek asylum and the choice of Australia*, Occasional Paper Series No 15|2015, Research Programme, Department of Immigration and Border Protection (2015) 10.

¹¹⁰ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 19; United States, Department of State, *Trafficking in Persons Report 2014* (2014) 303; see also Carla Buil & Melissa Siegel, 'Destination Europe: Afghan Unaccompanied Minors Crossing Borders', in Spyros Spyrou & Miranda Christou (eds), *Children and Borders* (2014) 99, 100.

¹¹¹ Nicholas van Hear et al, *Drivers of Migration*, Working Paper No 1, Migrating out of Poverty (March 2012) 26; Frédéric Grare & William Maley, *The Afghan Refugees in Pakistan*, (2011) 5; Harriet Spinks, *Destination anywhere? Factors affecting asylum seekers' choice of destination country*, Research Paper No 1 2012–13, Parliamentary Library (2013) 6–7; Khalid Koser & Peter Marsden, *Migration and Displacement Impacts of Afghan Transitions in 2014: Implications for Australia*, Occasional Paper Series No 2|2013, Research Program, Department of Immigration and Border Protection (2013) 4, 13; Khalid Koser, *Transition, Crisis, and Mobility in Afghanistan: Rhetoric and Reality* (2014) 18.

targeted in violent attacks by radical Sunni groups such as the Lashkar-e-Jhanghvi. This has led many Hazaras to leave Pakistan, especially to Australia.¹¹²

III.3 Bangladesh

III.3.1 Pull factors

Bangladesh is the second most important source of irregular migrants in Pakistan. According to Pakistan's National Alien Registration Authority (NARA) some 1,030,000 Bangladeshi nationals who entered the country irregularly and later registered with NARA were residing in Pakistan in 2013.¹¹³ Historical ties, tracing back to British colonial rule and the period before Bangladesh's independence, explain the flow of migrants to Pakistan. Economic development was very slow following the separation of East Pakistan and the declaration of independence by Bangladesh on 26 March 1971, leading many migrants to move to Pakistan in pursuit of better opportunities. To this day, economic opportunities and better employment prospects are widely seen as the main reasons for regular and irregular migration from Bangladesh to Pakistan. Many Bangladeshis also have family connections in Pakistan that foster and facilitate migration.¹¹⁴

Religious, historical, and cultural affinities also explain the migration of Bangladeshis from India to Pakistan. India, especially its main cities and the north-eastern regions bordering Bangladesh, is home to large numbers of Bangladeshi migrants, but while Bangladeshis of Hindu faith are seen as refugees deserving protection in India, Muslim Bangladeshis have often been encouraged — and sometimes been enticed or forced — to move on to Pakistan. In those periods when violence against Muslims in India escalated, many Bangladeshis also decided to leave India for Pakistan, sometimes with the use of smugglers or traffickers.¹¹⁵

Migration from Bangladesh to Pakistan has always involved a large number of female migrants, many of whom migrated irregularly in response to the demand for cheap female labour especially in the hospitality, domestic service, and sex industries of Pakistan. It has been estimated that as many as 200,000 Bangladeshi women have migrated irregularly to Pakistan in the last decade.¹¹⁶

The greater Karachi area has been singled out as the principal destination for Bangladeshi workers moving to Pakistan, where many of them have family ties and seek to take advantage of the economic opportunities available in Pakistan's largest city.¹¹⁷ For some Bangladeshis, Karachi is merely a transit point where they spend several days en route to another destination, though some Bangladeshis who are smuggled via Pakistan become stranded and eventually settle in Pakistan permanently.¹¹⁸

It has been estimated that almost 200,000 Bangladeshis make a living as fishermen in the coastal areas of southern Pakistan.¹¹⁹

¹¹² Khalid Koser & Peter Marsden, *Migration and Displacement Impacts of Afghan Transitions in 2014: Implications for Australia*, Occasional Paper Series No 2 | 2013, Research Program, Department of Immigration and Border Protection (2013) 20.

¹¹³ Pakistan, National Alien Registration Authority, 2013 (copy held by authors); see also, Haris Gazdar, 'Pakistan' (2008) 17 (3–4) *Asian and Pacific Migration Journal* 311, 315–16.

¹¹⁴ Syed Sikander Mehdi, *Illegal Migration. Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 19–26; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 47, 80; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 21; Kleopatra Yousef, *The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan*, Background Report: Migratory System 3 (2013) 9.

¹¹⁵ Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 8.

¹¹⁶ Kleopatra Yousef, *The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan*, Background Report: Migratory System 3 (2013) 9.

¹¹⁷ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 20–21, 23.

¹¹⁸ Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 48.

¹¹⁹ Kleopatra Yousef, *The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan*, Background Report: Migratory System 3 (2013) 10–11.

III.3.2 Push factors and secondary movements

Migration from Bangladesh to Pakistan, both regular and irregular, appears to have decreased in recent years; and there are some indications that Bangladeshi nationals opt to remain in their country, return to Bangladesh from Pakistan, or use Pakistan merely as a transit country. In the late 2000s, the strengthening of Bangladesh's economy and currency and the relative political stability of Bangladesh at that time appeared to be favourable compared to conditions in Pakistan and reduced some of the incentives to emigrate.¹²⁰ It has also been suggested that there is a connection between the labour markets in both countries such that some migrants move backwards and forwards between Pakistan and Bangladesh through irregular channels, depending on where better employment and income opportunities exist.¹²¹

Pakistan's geographic location, especially its proximity to the Gulf States, has made the country an important transit point for Bangladeshi nationals, both men and women, who seek to migrate to the Gulf States, Iran, or to other destinations that can be reached more easily from Pakistan.¹²² Bangladeshi nationals residing in Pakistan encounter similar fears as Afghans living there as they too are unable to be legally recognised, especially if they have lived as Pakistani citizens in West Pakistan prior to 1971. These circumstances motivate some Bangladeshis to continue their journey to other countries, and render them vulnerable to both smuggling and trafficking.¹²³

A 2010 report further claims that Pakistan is a significant transit point for the smuggling and trafficking of Bangladeshi men, women, and children. The report specifically alleges that trafficking in Bangladeshi nationals through Pakistan 'thrives' because of the 'considerable demand for children (for camel races, domestic work, and sexual abuse), for young girls and women (for sexual exploitation and domestic work), and for men (for slave labour)' in the Gulf States and other Middle Eastern countries. The report further notes that

Pakistan is believed to be an attractive place for the sale of Bangladeshi women and children and women and young children belonging to other countries. The country is also attractive for their legal and illegal transfer to the Gulf and beyond for slave labour and commercial sexual exploitation.¹²⁴

The large number of female migrants among Bangladeshis who are smuggled via Pakistan to the Gulf States has been highlighted by several sources, and appears to indicate a growing trend. Many women are said to use recruitment agencies promising better salaries, safe jobs, and security. Some agents use friends and relatives in Bangladesh to recruit women for positions in Kuwait, the UAE, and also Malaysia. Believing they can improve their lives and support their families through remittances, many women enter into contracts with smugglers and traffickers that take them via Pakistan to the Gulf States.¹²⁵

¹²⁰ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 46–7; Kleopatra Yousef, *The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan*, Background Report: Migratory System 3 (2013) 10–11; Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 44–5.

¹²¹ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 48.

¹²² European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 32; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 20; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 48; Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 44–5.

¹²³ Kleopatra Yousef, *The vicious circle of irregular migration from Pakistan to Greece and back to Pakistan*, Background Report: Migratory System 3 (2013) 10–11.

¹²⁴ Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 2, 8, 23, 47–8.

¹²⁵ Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 23–4.

III.4 Myanmar

It is estimated that some 100,000 irregular migrants from Myanmar (Burma) are living in Pakistan. Most of them migrated to Pakistan in search of better employment and business opportunities. As the communities of Myanmar nationals living in Pakistan grew these, too, became a further pull factor encouraging relatives and friends to migrate from Myanmar to Pakistan.¹²⁶ From the limited available information it appears that Pakistan is mostly a destination for irregular migrants from Myanmar and there is, at present, no evidence to suggest that Pakistan is a transit point for the smuggling and trafficking of Myanmar nationals, though this may occur in individual cases.

III.5 India

Information relating to irregular migration from India to Pakistan is extremely limited, and the fact that the border between the two countries is heavily fortified and tightly controlled in many places seems to make it unlikely that cross-border smuggling and trafficking occurs on a significant scale. According to IOM figures, some 2 million people of Indian background are living in Pakistan.¹²⁷ Hostilities between the Hindu majority and Muslim minority in India, which escalate and turn violent from time to time, are believed to be one reason why people of Muslim faith in India become fearful or unsettled and may decide to emigrate to Pakistan. This may include Muslims who are Indian nationals and as mentioned, Bangladeshi nationals living in India.¹²⁸

Given the great difficulties associated with crossing the border from India to Pakistan it is likely that most cross-border movements taking place are irregular and facilitated by smugglers. Insofar as such irregular movements from India to Pakistan do occur, it appears that Pakistan is primarily a destination country; and there is at present no evidence to suggest that Pakistan is also a transit country for the smuggling and trafficking of Indian nationals to other destinations.

IV. Profile and Background of Smuggled Migrants from Pakistan

IV.1 Nationalities and background

Afghan and Bangladeshi nationals constitute the two largest non-Pakistani groups of migrants that are smuggled from or through Pakistan to other destinations. This is in addition to the large number of Pakistani nationals who use the services of migrant smugglers to reach foreign destinations. As shown in Part B of this report, the routes and methods used to smuggle migrants from Pakistan often involve a range of nationalities; and thus the patterns of migrant smuggling for individual nationalities often become indistinguishable once the migrants leave Pakistan.

IV.1.1 Pakistanis

Pakistani nationals who are smuggled to other countries come from a range of locations including urban and rural areas across the country. Although the smuggling of migrants can involve persons from anywhere in Pakistan, certain geographical areas are referred to more frequently in the literature, suggesting that migrant smuggling from Pakistan is more common in some parts of the country than in others.

¹²⁶ Pakistan, National Alien Registration Authority, 2013 (copy held by authors); Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 47; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 21.

¹²⁷ IOM, 'World Migration' < <http://www.iom.int/world-migration> >.

¹²⁸ Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 26. See further Section III.3.1 above.

Punjab, Pakistan's most populous province in the east of the country bordering India, is frequently identified as the main source of smuggled migrants. Northern Punjab, i.e. the districts around the cities of Lahore, Faisalabad, and Rawalpindi, is specifically mentioned in a great number of sources. 'The majority of outflow of illegal migrants from Pakistan', a 2009 publication notes, 'is taking place from a concentrated region of north-eastern Punjab'.¹²⁹ This is also confirmed by data collected by the FIA on the number of irregular migrants attempting to leave the country. Several districts in Southern Punjab and Khyber Pakhtunkhwa (formerly North-West Frontier Province), and the city of Karachi are the other areas from which many smuggled migrants originate.¹³⁰ A 2011 study into smuggling and trafficking from Pakistan found that migrants from areas in northern Punjab were particularly common among Pakistani migrants entering Western European countries, while those from KP were more commonly smuggled to the Gulf States.¹³¹ A 2010 publication adds that the 'major labour migrant sending areas in northern Pakistan are drastically lacking basic infrastructure, such as roads, schools, and health facilities' which is a further reason why many people from these regions decide to emigrate.¹³²

Statistics relating to the return and deportation of irregular migrants to Pakistan also show that the vast majority came from Punjab, followed by migrants from Khyber Pakhtunkhwa. The districts of Gujranwala, Gujarat, Mandi Bahauddin, and Sialkot, all located north of Punjab's provincial capital Lahore, have been identified as districts with a particularly high outflow of irregular migrants.¹³³

The smuggling of migrants from Sindh and Balochistan, the two provinces in Pakistan's south, appears to be less common,¹³⁴ though it has to be noted that large parts of Balochistan are quite sparsely populated. Those Pakistanis who migrate regularly and irregularly to Afghanistan tend to come mostly from the areas in close proximity to the border. Most of them are Pashtuns who live on either side of the border, and frequently cross the border in both directions for short and long-term purposes.¹³⁵

IV.1.2 Afghans

The background of Afghan nationals who are smuggled from or through Pakistan does not fit a uniform profile, and there is some variation between groups from different geographical regions and ethnic backgrounds in Afghanistan. Furthermore, many Afghans migrants who are smuggled from Pakistan have lived in Pakistan for many years, often as refugees who fled from persecution. This also includes people who were born to Afghan nationals in Pakistan and who never lived in Afghanistan but, like their parents, also never acquired Pakistani citizenship. There are in addition those Afghan migrants who are more recent arrivals and for whom Pakistan is merely a transit point for irregular migration to other destinations.¹³⁶

¹²⁹ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 78; see also Frontex, *Annual Risk Analysis 2013* (2013) 25.

¹³⁰ Budapest Process, *Pakistan Migration Country Report* (2013) 37; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 13, 182; UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 14; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 129–30; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 32–3.

¹³¹ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 14; cf Farooq Azam, *Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan* (2009) 16.

¹³² Masood Ahmad Jam, *Pakistan's National Emigration Policy: A Review*, Policy Paper Series No. 35 (2010) 4.

¹³³ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 69–71; UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 23; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 129–30.

¹³⁴ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 69.

¹³⁵ Angeliki, Dimitriadi, *Migration from Afghanistan to third countries and Greece*, Background Report: Migration System 3 (Afghanistan) (2013) 8; Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 42; see also Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 80.

¹³⁶ See further UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 18–20; Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 28, 30–31.

Many Afghans who fled or have otherwise migrated to Pakistan come from the eastern and south-eastern parts of Afghanistan in relatively close proximity to the border. For many of them Pakistan was the closest, easiest, and most obvious destination when they were forced or chose to emigrate.¹³⁷ Most of the people in this category are ethnic Pashtuns, Afghanistan's largest ethnic group, which is particularly predominant in areas east of the Hindu Kush in eastern Afghanistan and in northwestern Pakistan.¹³⁸ Movements across the border in these parts of Afghanistan and Pakistan are very common as the 'porous' border runs right through Pashtun areas, and split up many families when drawn up in 1893 under British colonial rule (also referred to as the 'Durand Line', named after Sir Mortimer Durand, a British diplomat in then British India).¹³⁹ A 2013 study further found that most Afghan migrants who are smuggled into and through Pakistan (rather than born or resident in Pakistan) come from provinces in eastern Afghanistan near the border including Nangarhar, Kunduz, Kabul, Jowzjan, Baghlan, and Ghazni.¹⁴⁰

A significant number of Afghan nationals smuggled from Pakistan are ethnic Hazaras, the Persian-speaking, Sh'ite people mostly resident in central Afghanistan but with large expat communities in Karachi and in particular in Quetta, the capital of Pakistan's Balochistan province.¹⁴¹ Ethnic Hazaras are particularly common among the Afghan nationals who have been smuggled from Pakistan to Europe, and also via Southeast Asia to Australia between 2008 and 2013. Many felt encouraged to migrate through the use of smugglers after hearing accounts of previous Hazara migrants who applied for asylum and settled in these destination countries as refugees.¹⁴²

The other significant Afghan populations in Pakistan include Tajiks, Uzbeks, and Turkmen who originate from northern Afghanistan; and Balochis who populate the border region in southern Afghanistan.¹⁴³ The available literature does not however contain specific information about the smuggling of these ethnic groups from and through Pakistan.

IV.1.3 Other nationalities

Information about the background and origin of other nationalities smuggled from and through Pakistan is extremely limited.

As mentioned earlier, Bangladeshi nationals constitute the third largest group of people smuggled from Pakistan to the Gulf States, Iran, and to other countries; or who transit through Pakistan en route to other destinations. Most of them are of Muslim faith, including some who previously lived in India.¹⁴⁴

¹³⁷ STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 4; Daniel A Kronenfeld, 'Afghan Refugees in Pakistan: Not All Refugees, Not Always in Pakistan, Not Necessarily Afghan?' (2008) 21 *Journal of Refugee Studies* 43, 52.

¹³⁸ Khalid Koser & Peter Marsden, *Migration and Displacement Impacts of Afghan Transitions in 2014: Implications for Australia*, Occasional Paper Series No 2|2013, Research Program, Department of Immigration and Border Protection (2013) 12; International Crisis Group, *Afghanistan: What Now for Refugees?*, Asia Report No 175 (2009) 17; see also, Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 53.

¹³⁹ See further Angeliki, Dimitriadi, *Migration from Afghanistan to third countries and Greece*, Background Report: Migration System 3 (Afghanistan) (2013) 8.

¹⁴⁰ Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 22, 26; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 20.

¹⁴¹ STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 4.

¹⁴² UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 17; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 183; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 2, 39, 42.

¹⁴³ Elaheh Rostami-Povey, 'Afghan Refugees in Iran, Pakistan, the U.K., and the U.S. and Life after Return: A Comparative Gender Analysis' (2007) 40 *Iranian Studies* 241, 242; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 53, 58; Afghan Research and Evaluation Unit, *Afghans in Quetta: Settlements, Livelihoods, Support Networks and Cross-Border Linkages* (2006) 2.

¹⁴⁴ See further Section III.3 above.

IV.2 Age and gender

IV.2.1 Pakistani nationals

The majority of Pakistani migrants are young, single men. All available sources confirm that irregular migration and the smuggling of migrants from Pakistan involves mostly male migrants. This is also confirmed by data collected by the FIA on the number of irregular migrants attempting to leave the country. Most of these migrants are young adults between 18 and 30 years of age. These observations have been made in Pakistan but also about Pakistani migrants in transit and in destination countries.¹⁴⁵ As mentioned earlier, a large percentage of Pakistani migrants who are smuggled to Europe come from northern Punjab, most of them young men fluent in Urdu.¹⁴⁶ Other information about the background of these migrants is rather contradictory, with some sources suggesting that most were unemployed before they left Pakistan,¹⁴⁷ while other sources suggest that most migrants were employed and left their positions to pursue/explore better opportunities abroad.¹⁴⁸

The fact that most of the irregular migrants are men has also been attributed to cultural and religious reasons; and to other circumstances that make it easier, and sometimes encourage, the emigration of men who move abroad to join other family members and support their families through remittances.¹⁴⁹ It is thus not surprising that among the communities of Pakistani migrants in transit and destination countries are many men who are related (brothers, cousins, uncles, et cetera) or who come from the same local area.¹⁵⁰

While most migrants smuggled from Pakistan to Europe appear to fit a particular profile, the smuggling of migrants from Pakistan to the Gulf States seems to involve a greater and more diverse range of persons and age groups. Research published by UNODC in 2011 found that the age of irregular Pakistani migrants intercepted in Oman, for instance, ranges from 12 to 65 years, and that most are between 30 and 50 years of age.¹⁵¹ Among the Pakistanis who are smuggled or trafficked to Iran or the Gulf States, and among those who are returned to Pakistan, are also many young men under 25 including teenagers aged 14 or 15.¹⁵²

It should be noted however, that the smuggling of Pakistani women and children also occurs; a fact that is likewise highlighted by Pakistani authorities.¹⁵³ Although most Pakistani women are not smuggled alone; they are either accompanied by a male partner or by their children.¹⁵⁴ 'Independent female international migration from Pakistan', one source notes, 'is almost non-existent'.¹⁵⁵

¹⁴⁵ Frontex, *Annual Risk Analysis 2013* (2013) 25; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 7, 13; 182–83; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–2; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 196; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 40.

¹⁴⁶ Budapest Process, *Pakistan Migration Country Report* (2013) 37; Frontex, *Annual Risk Analysis 2013* (2013) 25; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 32–3.

¹⁴⁷ Frontex, *Annual Risk Analysis 2012* (2012) 18.

¹⁴⁸ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 13; Frontex, *Annual Risk Analysis 2013* (2013) 25.

¹⁴⁹ Matthias Neske, 'Human smuggling to and through Germany' (2006) 44 *International Migration* 121, 153; Nasra M Shah, 'Labour Migration from Asian to GCC Countries: Trends, Patterns and Policies' (2013) 5 *Middle East Law and Governance* 36, 52; Ali Nobil Ahmad, *Masculinity, Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 26; see also UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 46; see also Section II.3.2 above.

¹⁵⁰ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 129–130.

¹⁵¹ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15–17.

¹⁵² Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 69.

¹⁵³ UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 21.

¹⁵⁴ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15–16.

¹⁵⁵ Ali Nobil Ahmad, *Masculinity, Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 143.

IV.2.2 Afghan nationals

Afghan nationals who are smuggled from Pakistan to other countries are also predominantly young men. They are usually smuggled individually rather than with their families, intending to settle, find work, and establish themselves in the destination country before trying to bring out their wives and children or other remaining relatives. The smuggling of unaccompanied minors, most of them teenagers, is also quite common. Women from Afghanistan are usually not smuggled alone; they are accompanied by their children or are smuggled in other groups or with other family members.¹⁵⁶

It is worth noting that the profile of Afghan nationals who are smuggled from Pakistan differs to that of Afghans residing in or migrating irregularly to Pakistan. The demographics of Afghans living in Pakistan is quite evenly split between men and women. The Afghan population in Pakistan is, on average, very young: a census held in 2005 revealed that more than 55% of the Afghan refugee population in Pakistan was under the age of 18. The number of small children aged 5 or less is also very high in this census, which shows that many Afghans were born in Pakistan.¹⁵⁷ Irregular migration, including the smuggling of migrants, from Afghanistan on the other hand, involves mostly single young men, as well as children who cross into Pakistan to work, including various forms of child labour.¹⁵⁸

IV.2.3 Other nationalities

Information about the gender, age, and profile of other nationalities smuggled or trafficked from or through Pakistan is extremely scarce; though it has to be stressed again that such smuggling and trafficking does not occur on a large scale.

Research into smuggling of migrants and trafficking in persons from Bangladesh ‘to Pakistan and beyond’ published in 2010 highlights that there are a considerable number of women among Bangladeshi migrants. Many of them as noted travel to Pakistan in pursuit of work, and because Pakistan is located close to key destination countries in the GCC. The growing ‘feminisation’ of migration from Bangladesh has also been attributed to government policies that are encouraging women to work abroad.¹⁵⁹

IV.3 Unaccompanied minors

The smuggling of unaccompanied minors raises particular concerns about the safety and vulnerability of children; and many minors who migrate without their parents or other guardians or relatives are at particular risk of being abused, exploited, and becoming victims of trafficking in persons. Although complete data is not available, there is a growing trend of smuggling of unaccompanied minors, including from Pakistan. The number of asylum applications lodged by unaccompanied minors is usually seen as indicative of smuggling of unaccompanied minors, and European authorities have noticed a steady increase in the number of such applications in recent years.¹⁶⁰

This smuggling of unaccompanied minors is driven by myriad causes that vary between individuals; some as indicated earlier migrate on the instruction or encouragement of their families in order to seek protection or find work abroad, and perhaps to later assist the remaining family members to follow. Some parents view the irregular migration of their children as the only opportunity for them

¹⁵⁶ Angeliki, Dimitriadi, *Migration from Afghanistan to third countries and Greece*, Background Report: Migration System 3 (Afghanistan) (2013) 23; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 131–32, 196; Henri Courau, ‘“Tomorrow Inch Allah, chance!”: people smuggler networks in Sangatte’ (2013) 22(2–3) *Immigrants and Minorities* 374, 375; UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 20; Ali Nobil Ahmad, ‘The Production of Illegality in Migration and Diaspora: State policies and human smuggling from Pakistan’, in Joya Chatterji & David Washbrook (eds), *Routledge Handbook of the South Asian Diaspora* (2014) 198, 208; Chona R Echavez, et al, *Why do children undertake the unaccompanied journey? Motivations for departure to Europe and other industrialised countries from the perspective of children, families, and residents of sending communities in Afghanistan* (2014) 11.

¹⁵⁷ Budapest Process, *Pakistan Migration Country Report* (2013) 20; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 53.

¹⁵⁸ Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 18, 22, 35.

¹⁵⁹ Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 8, 23.

¹⁶⁰ Budapest Process, *Pakistan Migration Country Report* (2013) 37.

to escape poverty or persecution. In some cases, especially if older teenagers are involved, minors hoping to find better opportunities abroad may be smuggled at their own initiative. Some are orphans or have no close family members in their country of origin.¹⁶¹

Authorities in Europe specifically have noticed a growing trend in the smuggling of Pakistani minors to countries such as Austria, Germany, Greece, and the United Kingdom. Between 2008 and 2012 the number of Pakistani minors who were found to be illegally in Europe had more than doubled from 890 to 1,790.¹⁶²

There are also reports about the smuggling of unaccompanied Afghan minors, most of whom are male and in their late teenage years.¹⁶³ These minors are usually smuggled in groups of five to ten and are accompanied by one or more adults for the majority of the smuggling process. Greece is believed to be the main transit point for unaccompanied Afghan minors who are smuggled to Europe.¹⁶⁴ British authorities report that the smuggling of unaccompanied minors, most of them Afghan boys aged between 14 and 15, has decreased considerably in recent years, while Norwegian and Swedish authorities note a significant increase in the smuggling of unaccompanied Afghan minors.¹⁶⁵ Large numbers of unaccompanied Afghan minors have also been detected in Indonesia, over 1,000 in 2012 alone.¹⁶⁶

IV.4 Education and socio-economic background

IV.4.1 Pakistani nationals

While it is difficult to make generalisations about the levels of education, training, and skills and the socio-economic background of smuggled migrants from Pakistan, most are from middle or low income backgrounds and have had primary and some secondary education. This also explains why most migrants seek to emigrate in order to pursue better opportunities and achieve higher income abroad: basic education and a level of information and awareness are also needed to appreciate these opportunities and to face some of the challenges associated with international migration. It is for these reasons that smuggled migrants from Pakistan usually do not come from the most poor or most disadvantaged backgrounds. The limited research that has been conducted on this issue also tends to confirm that most Pakistani migrants are either students or workers with limited skills who come from lower- or lower-middle-class backgrounds.¹⁶⁷ As summed up by a 2010 publication :-

There is considerable evidence to suggest that working-class persons emigrating abroad are not the

¹⁶¹ See generally Chona R Echavez, et al, *Why do children undertake the unaccompanied journey? Motivations for departure to Europe and other industrialised countries from the perspective of children, families, and residents of sending communities in Afghanistan* (2014); Marianne Vervliet et al, 'The Aspirations of Afghan Unaccompanied Refugee Minors before Departure and on Arrival in the Host Country' (2014) 22(3) *Childhood* 330–45; Peter E Hopkins & Malcolm Hill, 'Pre-flight experiences and migration stories: the accounts of unaccompanied asylum-seeking children' (2008) 6(3) *Children's Geographies* 257–68; Kerry Boland, *A Report on Children of Afghan Origin Moving to Western Countries* (2010) 55–6.

¹⁶² Budapest Process, *Pakistan Migration Country Report* (2013) 39.

¹⁶³ Carla Buil & Melissa Siegel, 'Destination Europe: Afghan Unaccompanied Minors Crossing Borders' in Spyros Spyrou & Miranda Christou (eds), *Children and Borders* (2014) 99, 101–02; Chona R Echavez, et al, *Why do children undertake the unaccompanied journey? Motivations for departure to Europe and other industrialised countries from the perspective of children, families, and residents of sending communities in Afghanistan* (2014) 11; Marianne Vervliet et al, 'The aspirations of Afghan unaccompanied refugee minors before departure and on arrival in the host country' (2015) 22 *Childhood* 330, 334.

¹⁶⁴ Frontex, *Unaccompanied minors in the migration process* (2010) 15, 17; Angeliki Dimitriadi, *Migration from Afghanistan to third countries and Greece*, Background Report: Migration System 3 (Afghanistan) (2013) 23; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 131–32, 196.

¹⁶⁵ UNODC, *Migrant Smuggling in Asia: Country Profiles, South-West Asia* (2015) 5; Frontex, *Unaccompanied Minors in the Migration Process* (2010) 15.

¹⁶⁶ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 182; Human Rights Watch, *Barely Surviving Detention, Abuse, and Neglect of Migrant Children in Indonesia* (2013) 20.

¹⁶⁷ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 79; Frontex, *Annual Risk Analysis 2013* (2013) 25; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 12.

poorest of the poor but those who have skills and higher levels of education. This is because you need considerable funds in order to emigrate, also information regarding employment opportunities abroad and knowledge of recruiting agencies and emigration networks. Young educated Pakistanis from both the middle and working classes also wish to emigrate for social and economic reasons.¹⁶⁸

Earlier research by UNODC, examining irregular migration from Pakistan, categorizes the background and characteristics of irregular Pakistani migrants by destination and method of migration. The report found that method and destination are largely determined by the income and resources available to smuggled migrants and their families.¹⁶⁹ Migrants who are smuggled from Pakistan to the Gulf States for instance, were found to be mostly from low income backgrounds with limited education and skill, sensitive to the prices charged by migrant smugglers.¹⁷⁰ Smuggling of migrants from Pakistan to Europe by land or sea mostly involves persons from middle-income or land-holding families with strong ties to overseas diaspora, and who choose the slower and more cumbersome land and sea routes because of limited resources or to save money. Smuggling by air on the other hand, regardless of destination, involves considerable cost and is thus mostly used by persons of middle or upper-middle-class backgrounds with higher levels of education, good English language skills, and ties to the overseas diaspora. Migrants in this category are also said to worry less about fees but more about the reputation of smugglers and the certainty that they will reach their intended destination.¹⁷¹

IV.4.2 Afghan nationals

Afghan nationals who are smuggled from Pakistan also require considerable funds to be smuggled to Europe, Australia, or other destinations. As a result, most of them come from middle or upper-middle class backgrounds. For most, leaving Afghanistan is an 'exit strategy' to move themselves, their families, and their capital to places that offer greater safety and prosperity.¹⁷²

The available literature on this point suggests that the socio-economic profile of Afghans who migrate from Afghanistan to Pakistan has changed over time. Those who left Afghanistan some time ago, and have since resided in Pakistan for longer periods, tend to be from poorer backgrounds. Persons entering Pakistan today, legally and irregularly, usually do so for specific economic interests and are labourers or wealthier Afghans who may also have family, property, or business interests in Pakistan.¹⁷³ As mentioned earlier, nowadays many of those Afghan nationals migrating to Pakistan are single men who enter Pakistan in pursuit of employment opportunities and higher income, intending to support their families through remittances, and to return to Afghanistan after some time abroad.¹⁷⁴

Although smuggled Afghan migrants have some access to capital and are not 'the poorest of the poor', they nevertheless have low levels of education, schooling, and training. This is also due to the fact that after many years of war and internal conflict, Afghanistan's education system remains poorly developed and many Afghans have limited opportunities to attend school, university, or to obtain formal training. It is for these reasons that literacy rates among irregular Afghan migrants are so low,

¹⁶⁸ Arif Hasan, 'Migration, small towns and social transformations in Pakistan' (2010) 22 *Environment & Urbanization* 33, 40.

¹⁶⁹ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 183; also cited in Budapest Process, *Pakistan Migration Country Report* (2013) 42.

¹⁷⁰ See also Nasra M Shah, 'Labour Migration from Asian to GCC Countries: Trends Patterns and Policies' (2013) 5 *Middle East Law and Governance* 36, 52.

¹⁷¹ See also UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15; Ali Nobil Ahmad, *Masculinity, Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 65.

¹⁷² Nicholas van Hear at al, *Drivers of Migration*, Working Paper No 1, *Migrating out of Poverty*, (2012) 26; STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 6, 19.

¹⁷³ STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 13; Nicholas van Hear at al, *Drivers of Migration*, Working Paper No 1, *Migrating out of Poverty* (2012) 26; Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 29–30.

¹⁷⁴ Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan an* (2009) 22, 25. See also, Section III.2 above.

few have professional skills, or have completed secondary or tertiary education; and that even if they have done, many migrants abandon their education in favour of pursuing opportunities abroad.¹⁷⁵

IV.5 Profile and background of trafficked persons from Pakistan

Much of the available information about trafficking in persons from Pakistan relates to internal trafficking, which is widely believed to be a much greater problem than cross-border trafficking.¹⁷⁶ Trafficking from Pakistan to other countries also takes place, but remains poorly documented and researched. It is furthermore often difficult to clearly separate instances of trafficking from smuggling of migrants. As a result, there is very little and incomplete information about trafficked persons from Pakistan, including their profile and background.

Trafficking from Pakistan mostly involves Pakistani nationals, and in some instances there appears to be some connection between internal and cross-border trafficking, as the following sections show. Other populations in Pakistan most vulnerable to trafficking are said to include Afghan refugees and migrants, internally displaced persons, irregular migrants from Bangladesh and Myanmar residing in Pakistan, and Pakistanis who move from rural to urban areas.¹⁷⁷

In some instances, Pakistan also serves as a transit point for trafficking. This is said to mostly involve women from countries such as Afghanistan, Azerbaijan, Bangladesh, India, and Nepal who travel through Pakistan en route to the Gulf States where they engage in forced labour or sex work.¹⁷⁸

IV.5.1 Gender

Trafficking in persons from Pakistan involves both men and women. Based on the available information, it appears that men are usually trafficked for the purpose of labour exploitation, while women (and children) are more commonly trafficked for the purpose of sexual exploitation.¹⁷⁹

IV.5.1.1 Men

Male victims of trafficking in persons from Pakistan are mostly found in various forms of forced or bonded labour. The Gulf States and also Europe are the principal destinations for labour trafficking of Pakistani men. Evidence about trafficking in persons from Pakistan for the purpose of organ removal is extremely limited, though it appears that it involves more men than women.¹⁸⁰

There is a growing body of literature suggesting that Pakistani men are frequently subjected to labour trafficking in some parts of Europe.¹⁸¹ Research into trafficking in persons and smuggling of migrants from Pakistan published by UNODC in 2013 found that:-

It is notable that male Pakistani nationals are emerging as a significant group of victims trafficked for forced labour in the European Union. This suggests the possibility that would-be irregular migrants seeking employment opportunities in Europe are turning into victims of trafficking somewhere along the

¹⁷⁵ Altai Consulting & UNHCR, *Research study on cross border population movements between Afghanistan and Pakistan* (2009) 22, 28; Carla Buil & Melissa Siegel, 'Destination Europe: Afghan Unaccompanied Minors Crossing Borders', in Spyros Spyrou & Miranda Christou (eds), *Children and Borders* (2014) 99, 102.

¹⁷⁶ See, for example, United States, Department of State, *Trafficking in Persons Report 2016* (2016) 294–95; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 7.

¹⁷⁷ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 19.

¹⁷⁸ Upala Devi Banerjee, 'Globalization and its links to migration and trafficking: the crisis in India, Nepal and Bangladesh' (2003) 22 *Canadian Woman Studies* 124 (no pinpoint available); United States, Department of State, *Trafficking in Persons Report 2009* (2009) 31, cited in UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 97.

¹⁷⁹ Sigma Huda, 'Sex trafficking in South Asia' (2006) 94 *International Journal of Gynaecology and Obstetrics* 374, 377; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 45.

¹⁸⁰ Farhan Navid Yousaf & Bandana Purkayastha, "'I am only half alive": Organ trafficking in Pakistan amid interlocking oppressions' (2015) 30 *International Sociology* 637, 643–44. See also, Section II.6.1 above.

¹⁸¹ Frontex, *Annual Risk Analysis 2011* (2011) 38; UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 23.

migration route. This may be due to a variety of reasons, such as: deception by recruiters from the outset, or a migrant's inability to pay the full amount of the smuggling fees which leads to exploitation and forced labour in order to compensate the smugglers. The profiles of the male victims of trafficking and potential irregular migrants from Pakistan are similar — young, working-age males from poor economic backgrounds. This also suggests a level of symbiosis between the trafficking and smuggling networks; they appear to be targeting the same demographic. Again, this is an area that requires further research.¹⁸²

The same report also sees a connection between internal labour trafficking and trafficking of Pakistani men to Europe for the purpose of forced labour.¹⁸³

IV.5.1.2 Women

Almost all of the available information concerning trafficking in women from and through Pakistan relates to trafficking to the Gulf States for the purpose of sex work and sexual exploitation. Abu Dhabi, Dubai, and other parts of the UAE, but also Bahrain and Oman, appear to be the most common destinations. Most of the trafficked women are under the age of 20, and many of them are Pakhtuns from Peshawar, Mardan, Swabi, and Nowshera districts of KP.¹⁸⁴

Trafficking in women from Pakistan to the Gulf States involves Pakistani nationals as well as women from other Central or South Asian countries.¹⁸⁵ Some sources also point to instances in which women have been trafficked to the Gulf States for the purpose of forced marriages or forced labour.¹⁸⁶

A study by IOM examining the profile of female victims of trafficking in persons in Pakistan found that the groups most vulnerable to trafficking include young girls from poor families, victims of war (presumably persons displaced by armed conflicts in Afghanistan and Pakistan's northern border regions), victims of domestic violence, and those from indebted, poor, and/or landless families.¹⁸⁷

IV.5.2 Trafficking in children

Trafficking in children from Pakistan involves both boys and girls. Nearly all cross-border trafficking in children involves the Gulf States where girls are sexually exploited; and boys as mentioned, are used as camel jockeys, a phenomenon that appears to have declined considerably in recent years.¹⁸⁸ Trafficking in children from Pakistan to the Gulf States involves both Pakistani children as well as children from other South and Central Asian States.¹⁸⁹

Other sources rightly emphasise that trafficking in children from Pakistan remains a phenomenon poorly researched and frequently misunderstood. It has been noted that the available literature on the one hand fails to adequately differentiate between children and adults and on the other, does not recognise that many teenagers assume adult responsibility at a relatively young age. Moreover, many sources continue to cover the 'camel jockey issue' although there is ample evidence to suggest that

¹⁸² UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 54.

¹⁸³ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 7, 45; see further, Section XI.5.3 below.

¹⁸⁴ Syed Rashid Ali et al, 'Child Trafficking: Analysis of the Leading Familial Determinants' (2014) 8 *FWU Journal of Social Sciences* 36, 37.

¹⁸⁵ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 89; Upala Devi Banerjee, 'Globalization and its links to migration and trafficking: the crisis in India, Nepal and Bangladesh' (2003) 22 *Canadian Woman Studies* 124 (no pinpoint available); UN Asia-Pacific RCM TWG on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 97.

¹⁸⁶ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 46.

¹⁸⁷ IOM, *Trafficking in Persons in Pakistan* (2004) cited in, Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 92.

¹⁸⁸ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 72; Shahram Khosravi, 'Illegal Traveller': An Auto-Ethnography of Borders (2010) 18; Sigma Huda, 'Sex trafficking in South Asia' (2006) 94 *International Journal of Gynecology and Obstetrics* 374, 377. See further Section II.6.2 above.

¹⁸⁹ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 89.

trafficking for this purpose has declined and that this practice is no longer as widespread as it once was.¹⁹⁰

IV.5.3 Education and socio-economic background

The limited information on the education and socio-economic background of trafficked persons from Pakistan suggests that most victims have obtained none, or only primary education. Education levels are particularly low among female victims. Despite the limited data, it is fair to conclude that persons with lower levels of education are much more vulnerable (and likely) to fall victim to trafficking than persons with some or higher levels of education.¹⁹¹

¹⁹⁰ *ibid*,94.

¹⁹¹ UNODC,,*The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 23; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 92–3.

PART B: ROUTES

V. Destinations – General Observations

V.1 Pull factors – overview

International migration, both regular and irregular, is a matter of need and opportunity. The push factors identified in Part A of this report that induce migration from Pakistan are complemented — and often mirrored — by pull factors that draw migrants, both regular and irregular, to particular destination countries. The pull factors relate to conditions in the destination country that are believed to be beneficial to the migrant, addressing the concerns and desires that lead to the decision to migrate in the first place. Since irregular migration from Pakistan involves a range of destinations in the Gulf Region, West Asia, Europe, North America, Southeast Asia, and Australia, different pull factors are more or less influential in the various destination countries. This is also evident from the analysis in Chapters VI–X of this report.

The overall impression that emerges from the available literature is that while migration from Pakistan is driven by range or combination of different economic, political, and environmental push factors, the decision of which destination to choose appears to be mostly determined by socio-economic pull factors. A further factor in the choice of destination is the financial resources available to the migrants and their families.¹⁹² A 2016 study of irregular migrants from Pakistan and Afghanistan (as well as Bangladesh and Sri Lanka) found that:-

Those with greater financial resources (personal circumstances) may choose to travel to more attractive destination countries; those who view education as important (personal outlook) may choose countries that provide good education at affordable prices; perceptions of safety in a destination country may be more important to people who have experienced extreme violence while livelihood factors may be more important to those who have not been able to meet their basic needs; people may choose destination countries with family and friends who can provide information relating to refugee applications as well as logistical support (social networks).¹⁹³

Political and environmental conditions in the destination seem to play a minor role, though they are often inseparable from socio-economic factors and may often provide more subtle, indirect reasons for migration that some migrants may only consider subconsciously. These statements need to be qualified however; as many irregular migrants, refugees in particular, are not or not always in a position to freely choose their destination and their migration routes, which are often determined by factors beyond the control of such migrants.

V.2 Economic pull factors

V.2.1 General economic considerations

The available literature unanimously explains the choice of destination that smuggled migrants from Pakistan make by reference to economic factors which pull them to certain countries, cities, and communities. This explanation is supported by the fact that the main destination countries for irregular migration from Pakistan are economically more prosperous and generally offer better working conditions, higher wages, better educational opportunities, and more dynamic labour markets, often caused by labour shortages and aging populations.¹⁹⁴ A 2009 policy paper by the

¹⁹² See further Chapter XIII below.

¹⁹³ Marie McAuliffe & Dinuk Jayasuriya, 'Do asylum seekers and refugees choose destination countries? Evidence from large-scale surveys in Australia, Afghanistan, Bangladesh, Pakistan and Sri Lanka' (2016) 56 *International Migration* (forthcoming).

¹⁹⁴ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 19.

Government of Pakistan estimates that in the years between 2001 and 2008 the number of Pakistani nationals moving abroad for work averaged 223,000.¹⁹⁵

Particularly important in this context, as already mentioned earlier,¹⁹⁶ are the opportunities for migrants to find work, earn money, and send remittances to their remaining relatives and friends in Pakistan. Several sources view remittances as the single most important driver of migration, both regular and irregular, from Pakistan and describe them as ‘an effective poverty coping mechanism’ since they represent the main source of income for some families in Pakistan.¹⁹⁷ Remittances are an important consideration in the choice of destination by individual migrants, and they have also gained great importance for Pakistan’s economy as whole.¹⁹⁸ As shown in Figure 3 below, an estimated USD 19.255 billion in remittances were transferred to Pakistan in 2015.

Figure 3: Migrant remittance inflows, Pakistan, 2001–2015¹⁹⁹

	Total in million USD	Share of GDP
2015	19,255	n.a.
2014	17,066	7%
2013	14,629	6.4%
2012	14,007	5.8%
2011	12,263	4.2%
2010	9,960	n.a.
2009	8,717	n.a.
2008	7,039	n.a.
2007	5,998	n.a.
2006	5,121	n.a.
2005	4,280	n.a.
2004	3,942	n.a.
2003	3,961	n.a.
2002	3,550	n.a.
2001	1,460	n.a.

There is ample evidence to show that remittance flows to Pakistan are rapidly growing and thus increasing as a pull factor.²⁰⁰ Remittances even continued to grow during the global financial crisis of the late 2000s; while remittance flows to other South Asian nations declined, the influx of remittances to Pakistan continued to rise every year.²⁰¹ In fact, the overall value of remittances, and their significance for Pakistani families and Pakistan’s national economy, may be higher still if money flows through informal channels are included.²⁰²

¹⁹⁵ Pakistan, Ministry of Labour and Manpower, *National Emigration Policy* (2009) 18.

¹⁹⁶ See Sections II.2.2–II.2.3 above.

¹⁹⁷ Budapest Process, *Pakistan Migration Country Report* (2013) 47.

¹⁹⁸ See further Syed Tehseen Jawaid & Syed Ali Raza, ‘Effects of Workers’ Remittances and its Volatility on Economic Growth in South Asia’ (2014) 54 (2) *International Migration* 50, 51.

¹⁹⁹ World Bank, ‘Migration and Remittances Data’

<<http://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data>>; see also, UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 19; Budapest Process, *Pakistan Migration Country Report* (2013) 47.

²⁰⁰ Dilip Ratha, ‘Workers’ Remittances: An Important and Stable Source of External Development Finance’, in Samuel Munzele Maimbo & Dilip Ratha (eds), *Remittances: Development Impact and Future Prospects* (2005) 20, 43.

²⁰¹ Ibrahim Sirkeci et al, ‘Introduction: Remittance Flows and Practices during the Crisis’, in Ibrahim Sirkeci et al (eds) *Migration and Remittances during the Global Financial Crisis and Beyond* (2012) 1, 4; S Irudaya Rajan & D Narayana, ‘The Financial Crisis in the Gulf and Its Impact on South Asian Migration and Remittances’, in Ibrahim Sirkeci et al (eds) *Migration and Remittances during the Global Financial Crisis and Beyond* (2012) 67, 79.

²⁰² Rizwana Siddiqui, ‘Pakistan’, in Saman Kelegama (ed) *Migration, Remittances and Development in South Asia* (2011) 70,.

V.2.2 Economic pull factors in specific destinations

The ability to find work, earn money, and transfer remittances ‘pull’ migrants, regular and irregular, from Pakistan to destination countries bordering Pakistan, to destinations in the region, and much further afield.

The Gulf States, most notably Saudi Arabia and the United Arab Emirates (UAE), and also Bahrain, Kuwait, Qatar, and Oman, are home to large numbers Pakistani nationals who have migrated to the Gulf region to take up work and send remittances to their families.²⁰³ According to IOM, 1,123,600 Pakistanis lived in Saudi Arabia in 2015, 863,858 in the UAE, 312,434 in Kuwait, 284,460 in Oman, and 133,212 in Qatar.²⁰⁴ Figures provided by the Ministry of Overseas Pakistanis for the 2013–14 financial year are slightly higher, stating that 1,900,000 Pakistani migrant workers were registered in Saudi Arabia, 1,200,000 in the UAE, 177,544 in Kuwait, 235,000 in Oman, 115,000 in Qatar, and 112,000 in Bahrain.²⁰⁵

It is estimated that in the 2011–12 fiscal year, remittances totalling USD 8.03 billion were sent from these six countries to Pakistan; up from just USD 1.61 billion in 2003–04. A 2013 report found that remittances from Saudi Arabia, traditionally the main destination for Pakistani labour migrants, amounted to USD 3.68 billion or 28% of all remittances received by Pakistan, followed by USD 2.84 billion (or 22%) from the UAE.²⁰⁶ The rapid economic development in the UAE, especially in Abu Dhabi and Dubai, has meant that a greater percentage of Pakistani migrant workers now move to the UAE than to Saudi Arabia. This is also a result of measures taken by the Saudi Government to reduce the number of foreign workers and pursue a wider ‘Saudisation’ policy which seeks to encourage broader employment of Saudi nationals.²⁰⁷ A 2009 report by UNODC shows that migrants in the Gulf States can expect to earn between USD 200 and 300 month, enough to cover expenditures and save money for remittances, property, or wedding dowries in Pakistan. Although the wages for Pakistani workers in the Gulf are meagre by many standards, for many Pakistanis from poor backgrounds the prospect of finding employment and earning some money, however little, is a very strong pull factor. The relatively close proximity of the Gulf States also enables migrant workers to return to Pakistan more frequently for private visits or in between jobs.²⁰⁸

²⁰³ See generally Pakistan, Ministry of Labour and Manpower, *National Emigration Policy* (2009) 32–42.

²⁰⁴ IOM, ‘World Migration’ <<http://www.iom.int/world-migration>>.

²⁰⁵ Pakistan, Ministry of Overseas Pakistanis (undated document) (copy held by authors); see also Americans for Democracy & Human Rights in Bahrain, *Slaving Away: Migrant Labor Exploitation Human Trafficking in the Gulf* (2014) 9, 27, 42.

²⁰⁶ Budapest Process, *Pakistan Migration Country Report* (2013) 47.

²⁰⁷ Nasra M Shah, ‘Labour Migration from Asian to GCC Countries: Trends, Patterns and Policies’ (2013) 5 *Middle East Law and Governance* 36, 48; Pakistan, Ministry of Labour and Manpower, *National Emigration Policy* (2009) 33; Ian Black, ‘Saudi Arabia’s foreign labour crackdown drives out 2m migrants’, *The Guardian* (online), 30 November 2013 <<https://www.theguardian.com/world/2013/nov/29/saudi-arabia-foreign-labour-crackdown-migrants>>.

²⁰⁸ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 8-9.

Figure 4: Top 9 remittance sending countries, remittance estimates, and total migrant stock, Pakistani nationals, World Bank 2015²⁰⁹

Remittance sending country	Total remittances in million USD	Number of resident Pakistani nationals
Saudi Arabia	5,007	1,123,260
UAE	4,761	863,858
United Kingdom	1,435	540,495
United States	1,146	325,419
Kuwait	981	312,434
Canada	491	175,204
Singapore	456	35,601
Qatar	427	133,212
Oman	348	284,460

Figure 5: Top 10 remittance sending countries, remittance estimates in million USD, Pakistani nationals, 2010–2015, State Bank of Pakistan²¹⁰

Remittance sending country	2010–11	2011–12	2012–13	2013–14	2014–Mar 2015
Saudi Arabia	2,670.07	3,687.00	4,104.73	4,729.38	4,045.75
UAE	2,597.74	2,484.86	2,750.17	3,109.43	3,010.61
- Abu Dhabi	1,328.82	1,367.62	1,485.03	1,512.39	1,343.22
- Dubai	1,201.15	1,411.26	1,213.84	1,550.00	1,616.10
United States	2,088.67	2,334.47	2,186.21	2,464.14	2,008.14
United Kingdom	1,199.67	1,521.10	1,946.01	2,180.14	1,747.06
Kuwait	495.19	582.57	619.00	681.43	553.59
Oman	337.59	382.66	384.80	530.32	500.77
Qatar	306.11	318.82	321.25	329.24	252.88
Bahrain	167.29	210.95	282.83	318.84	272.34
Canada	184.62	177.71	177.19	159.66	132.28
Australia	89.14	114.45	149.73	159.59	131.86

Turkey, which is both a transit and destination for migrant smuggling Pakistanis, is also chosen by many migrants; the country's vast informal economy and comparatively higher wages operate as pull factors.²¹¹

Western European nations, chief among them the United Kingdom, are the 'ultimate destination' for many irregular migrants from Pakistan who expect to find employment, opportunities for education, and if they seek asylum, protection from refoulement.²¹² The global financial crisis that affected Europe in the late 2000s temporarily reduced the attractiveness for Pakistani migrants and diverted

²⁰⁹ World Bank, 'Migration and Remittances Data'

<<http://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data>>; UN, Department of Economic and Social Affairs, *Trends in International Migrant Stock: Migrants by Destination and Origin* (2015), <<http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml>>.

²¹⁰ State Bank of Pakistan, Ministry of Overseas Pakistanis and Human Resource Development (undated document; copy held by authors).

²¹¹ Ayhan Kaya, 'Turkey as an Emerging Destination Country for Immigration: Challenges and Prospects for the Future', in Armando Garcia Schmidt & Joachim Fritz-Vannahme (eds), *Europe, Turkey and the Mediterranean* (2012) 85, 87.

²¹² UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 12; cf Louise Shelley, *Human Smuggling and Trafficking into Europe: A Comparative Perspective* (2014) 1.

some to the Gulf States and Australia. Economic improvements in Europe in more recent years, along with the availability of diverse irregular migration routes, meant that Pakistani migrants are again seeking to reach Western European nations in greater numbers.²¹³ The amount of remittances sent to Pakistan from Europe has grown along with the rising number of Pakistani migrants settling and working in Europe. Whereas in the 2003–04 fiscal year remittances from Europe to Pakistan totalled only USD 0.44 billion, this figure rose to USD 1.95 billion in 2011–12.²¹⁴ The UK as noted has been, and continues to be, the main destination for Pakistani migrants, many of whom join relatives and friends who have previously migrated to the UK.²¹⁵ In the 2011–12 fiscal year USD 1.52 billion in remittances was sent from the United Kingdom to Pakistan, up from just USD 0.33 billion in 2003–04.²¹⁶

Pakistan's difficult economic circumstances and the devastating impact of the several natural disasters has also led some Pakistani nationals to pursue employment opportunities in neighbouring Afghanistan. The flow of military and financial aid into Afghanistan since the early 2000s has created jobs opportunities and salaries not similarly available in Pakistan. It is estimated that in 2006 some 60,000 Pakistani labour migrants were residing in Afghanistan, many of them Pakistani Pashtuns.²¹⁷ According to the International Organisation for Migration (IOM), some 350,000 Pakistani nationals were living in Afghanistan in 2015.²¹⁸ Because of the length and porousness of the Afghanistan-Pakistan border, it is difficult to gauge the true level of cross-border migration and to differentiate between regular and irregular movements; though there are grounds to believe that official figures are much lower than actual numbers, and that many migrants cross the border very frequently if and when job opportunities arise or other reasons present themselves.²¹⁹

In the context of economic pull factors, many populist politicians and the tabloid media claim that the support provided to asylum seekers and refugees, and the accommodation and work rights they can receive, attract irregular migrants to specific destination countries. These statements often serve to advocate cuts in the support and protection provided to asylum seekers, and to raise resentment against irregular migrants. Convincing evidence to support such claims is however, for the most part, non-existent and often conflicting. While some Pakistani migrants may be aware that conditions for asylum seekers are 'good' or 'less good' in different destination countries, research shows that many if not most irregular migrants have little to no prior understanding of the rights and entitlements they will find in the destination countries.²²⁰

V.3 Political pull factors

The available literature contains extremely limited information on political factors that 'pull' or direct irregular migration, especially the smuggling of migrants, towards particular countries. While the issue may require further research, including surveys of migrants from Pakistan, it appears that these migrants do not primarily engage the services of smugglers for the purpose of reaching destinations where they can engage in political activities, express their opinions, practice their faith, or access information and like-minded peers more freely than they can in Pakistan. This is broadly also confirmed by the fact that migrants from Pakistan are smuggled to a very diverse range of destination countries which include on the one hand Western democracies in Europe, North America, and Australia but on the other, also include destinations with autocratic and military regimes and countries

²¹³ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4.

²¹⁴ Budapest Process, *Pakistan Migration Country Report* (2013) 47.

²¹⁵ OECD, *International Migration Outlook 2012* (2012) 160–61.

²¹⁶ Budapest Process, *Pakistan Migration Country Report* (2013) 47.

²¹⁷ UN Asia-Pacific Regional Cooperation Mechanism (RCM) Thematic Working Group (TWG) on International Migration including Human Trafficking, *Situation Report on International Migration in South and South-West Asia* (2012) 29; STATT, 'Afghan Migration in Flux' (2013) 10 *Synapse* 1, 4.

²¹⁸ IOM, 'World Migration' <<http://www.iom.int/world-migration>>.

²¹⁹ Daniel A Kronenfeld, 'Afghan Refugees in Pakistan: Not All Refugees, Not Always in Pakistan, Not Necessarily Afghan?' (2008) 21 *Journal of Refugee Studies* 43, 54.

²²⁰ See further Katie Kuschminder et al, *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices* (2015) 61.

where political opinions, religious practices, sexual preferences, et cetera cannot be expressed and practiced freely. In short, the political circumstances and liberties appear to play a minor role in the choice of destination.

Political conditions may, however, influence the choice of destination and transit countries for smuggling of migrants from Pakistan insofar as they impact on the ability to enter that country. Visa and other entry requirements imposed on Pakistani nationals, for instance, directly and indirectly shape the routes and methods of migrant smuggling. For example, prior to recent changes in government policies, Turkey's relatively flexible visa regime was seen as a pull factor that made the country an attractive destination and transit country for smuggled migrants.²²¹ These observations are, however, not true for all countries as some neighbouring countries with different visa requirements for Pakistani nationals experience similar levels of irregular migration. Based on the available information, there is insufficient evidence to show that visa-waiver schemes or other mechanisms to relax immigration controls have a direct impact on the levels and directions of migrant smuggling.

Although it remains debatable whether the absence of visa requirements and other measures that allow for easy and flexible entry of non-citizens make a country attractive for migrants, both regular and irregular, there is little to no evidence to show that stringent entry requirement and the unavailability of legal avenues to enter a country significantly reduces, let alone eliminates, irregular migration and the smuggling of migrants. Indeed, there are strong indications — and many examples — showing that the tightening of entry requirements and border controls pushes migration further underground and creates opportunities for smugglers to offer clandestine migration services.²²² This is particularly the case in destination countries where other pull factors remain strong.

V.4 Social and demographic pull factors

The existence of overseas diaspora and prior migration by family and friends are additional factors that direct migration, both regular and irregular, from Pakistan towards certain destination countries. The diaspora may also explain why many migrants seek out destinations that are far away and difficult to reach even if countries that are geographically closer can offer the same or even better levels of security and prosperity. Kinship and social networks among relatives, friends, and members of the same community are significant in shaping migration flows and can provide an opportunity for would-be migrants to obtain information from and contacts in the destination country — including information about the legal and irregular avenues to reach the destination.

As shown in the previous Section, Pakistanis have a large diaspora in the Gulf States, the United Kingdom, and North America. Prior research into smuggling of migrants and trafficking in persons from Pakistan has found that social networks play an important role in enabling irregular migration, including smuggling and trafficking.²²³ Upon arrival, these networks often assist in finding accommodation and work, and enable new migrants to engage with the individuals and communities who share their language and cultural background. This has also been observed in the context of migration from Pakistan to the Gulf States which share commonalities in culture and religion.²²⁴

The fact that diaspora and social networks influence and direct migration from Pakistan has also been observed in a range of destination countries in Europe.²²⁵ Figure 6 shows the estimated number of Pakistani nationals living in European countries in the 2013–14 financial year.

²²¹ Ayhan Kaya, 'Turkey as an Emerging Destination Country for Immigration: Challenges and Prospects for the Future' in Armando Garcia Schmidt & Joachim Fritz-Vannahme (eds), *Europe, Turkey and the Mediterranean* (2012) 85, 87.

²²² International Council on Human Rights Policy, *Irregular Migration, Migrant Smuggling, and Human Rights* (2010) 6; Anne Gallagher, 'Exploitation in Migration: Unacceptable but Inevitable' (2015) 68(2) *Journal of International Affairs* 55, 56-7; see also, Rebecca Miller & Sebastian Baumeister, 'Managing Migration: Is border control fundamental to anti-trafficking and anti-smuggling interventions?' (2013) 2 *Anti Trafficking Review* 15, 21.

²²³ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 18.

²²⁴ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 16.

²²⁵ Ayhan Kaya, 'Turkey as an Emerging Destination Country for Immigration: Challenges and Prospects for the Future', in Armando Garcia Schmidt & Joachim Fritz-Vannahme (eds), *Europe, Turkey and the Mediterranean* (2012) 85, 87; IOM, *Labour Migration*

Figure 6: Overseas Pakistanis living in Europe, Ministry of Overseas Pakistanis, Government of Pakistan, 2013–14 financial year (copy held by authors)

Country	Number of overseas Pakistanis
Austria	5,000
Belgium and Luxembourg	15,000
Bosnia & Herzegovina	12
Bulgaria	100
Bucharest	581
Croatia	2
Cyprus	3,000
Czech Republic	466
Denmark	35,000
Finland	1,700
France	100,000
Germany	72,000
Greece	90,000
Hungary	154
Ireland	12,000
Italy	110,000
Moldova	14
The Netherlands	40,000
Norway	40,000
Poland	361
Portugal	2,474
Romania	581
Serbia and Montenegro	15
Slovakia	50
Spain	81,413
Sweden	8,500
Switzerland	4,575
Turkey	400
United Kingdom	1,510,836

The United Kingdom and its sizeable Pakistani community are a major pull factor for other Pakistanis who are quickly integrated in the community and are usually able to find jobs in small business, many of them owned by other Pakistanis.²²⁶ Research into the smuggling of migrants through Greece also found that irregular migration of Pakistanis to Greece is greatly influenced by word of mouth and information provided by friends and relatives living in Greece. Although the information provided to would-be migrants is not always accurate and may misrepresent the opportunities and legal status available to Pakistanis in the country, it is nevertheless an important pull factor that encourages

from Colombo Process Countries: Good Practices, Challenges and Ways Forward (2011) 21; OECD, *International Migration Outlook 2012* (2012) 160–61; Partha S Ghosh, *Refugees and Migrants in South Asia: Nature and implications*, NMML Occasional Paper: Perspectives in Indian Development, New Series 10 (2013) 30.

²²⁶ Ali Nobil Ahmad, 'Dead men working: time and space in London's ("illegal") migrant economy' (2008) 22(2) *Work, Employment and Society* 301, 308; Richard Black et al, 'Routes to illegal residence: A case study of immigration detainees in the United Kingdom' (2006) 37 *Geoforum* 552, 557, 561.

Pakistanis to migrate to Greece (and on to other European destinations), often with the use of smugglers.²²⁷

V.5 Pull factors relating to trafficking in persons from Pakistan

In the context of trafficking in persons, the term ‘pull factor’ serves to capture the choice of destination made by the trafficked person, by their traffickers, or both. In many cases of trafficking, the victim will initially agree to or seek out the offers and promises made by traffickers, and their exploitation will take place sometime later in transit or destination countries. In situations in which victims, especially children, are kidnapped or otherwise forced by their traffickers to migrate, the choice of destination is that of the trafficker who may choose a particular destination owing to particular economic circumstances (e.g. a demand for labour, prostitution etc.) or for other reasons. Many situations of trafficking also initially start as smuggling of migrants but later morph into trafficking in persons if smugglers abuse or exploit the migrants.

Information relating to trafficking in persons from Pakistan (not including trafficking into the country and internal trafficking) is extremely scattered and often contradictory.²²⁸ A number of sources make vast, unrealistic allegations that are not supported by any evidence; others make broad statements about victims of trafficking in which Pakistani nationals are not isolated from other nationalities and may not share the attributes and experiences of other victims.

There are ample reports showing that labour migration from Pakistan to the Gulf States, mostly involving male workers, can sometimes lead to exploitation and situations of trafficking in the destination country. Lured by the promises of jobs and higher wages, some Pakistani nationals agree to dubious recruitment practices and working conditions that are exploitative in nature and often leave the migrants with little freedom to change employer or complain about low wages and poor working conditions. Situations of debt bondage are not uncommon and some employers and traffickers partially withhold wages to pay off inflated debts or charge excessive fees for transportation, work permits, and/or accommodation.²²⁹

Up until the late 2000s, as mentioned earlier, many reports also pointed to the problem of trafficking in children to the Gulf States for the purpose of using them as jockeys in the camel racing industry. Since the 1980s, when camel racing became more popular and more competitive, children from South Asian nations, including Pakistan, were frequently used as jockeys as they are lightweight and cost little. After the practice was criticised by non-governmental and international organisations which highlighted the exploitation of children and the circumstances in which they were recruited and sometimes kidnapped, the Gulf States led by the UAE began to stop this practice and return children to their country of origin. It has been estimated that approximately 1,000 children have been returned from the UAE to Pakistan to be reunited with their families.²³⁰

Evidence of trafficking from Pakistan to destinations beyond the Gulf States is very limited. There are some anecdotal reports of Pakistani nationals who were trafficked to Italy and Spain for the purpose of forced labour and occasionally, cases in which Pakistani nationals are found in trafficking-like situations in Europe and also Canada, but the available information does not permit generalisations on this issue.²³¹

²²⁷ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 129, 130, 152–53.

²²⁸ See also Section II.6 above.

²²⁹ Budapest Process, *Pakistan Migration Country Report* (2013) 47; see also, Muhammad Azam, ‘The role of migrant workers remittances in fostering economic growth’ (2015) 42(8) *International Journal of Social Economics* 690, 693. See further Section XI.5.3 below.

²³⁰ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 28.

²³¹ Budapest Process, *Pakistan Migration Country Report* (2013) 41; Benjamin Perrin, ‘Trafficking in persons & transit countries: A Canada-U.S. case study in global perspective’ (2010) 14 *Trends in Organized Crime* 235, 238; see further Section XI.5.3 below.

VI. Smuggling of Migrants to Iran

Iran is predominantly a transit country for migrant smuggling from Pakistan. Most migrants are smuggled overland across the border from Balochistan into Iran; smaller numbers may be smuggled by boat from Pakistan's seaports to southern Iran. Iran is the main gateway for smuggling to Turkey and Europe, a route where Pakistani and Afghan nationals are usually smuggled alongside a range of other migrants from other countries of origin. For Pakistanis, Iran is also an important transit point en route to the Gulf States.²³²



VI.1 Smuggling by land

VI.1.1 Entry into Iran

The easiest and most common way to smuggle migrants from Pakistan into Iran is by land across the border in Balochistan. The smuggling ventures frequently commence in Quetta or Karachi and cross through Balochistan to the Iranian border. The approximately 900 km long border that separates Pakistan and Iran crosses through many remote desert areas and is porous and uncontrolled in many parts. As a result, migrants can easily be smuggled but also cross the border at their own initiative on foot in places that are away from border control points.²³³

A faster and safer way of smuggling of migrants into Iran is along the main roads connecting the two countries. The border crossings at Taftan and between Mand in Kech District in Pakistan and Pishin

²³² Budapest Process, *Pakistan Migration Country Report* (2013) 40, 42; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 1, 33, 39; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 119–22; UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 17, 28.

²³³ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 31; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 30–31; Shahram Khosravi, *'Illegal Traveller': An Auto-Ethnography of Borders* (2010) 18.

in Iran have been identified as the main points for irregular migrants entering Iran. A further route used to smuggle Pakistani nationals into Iran leads through the very south of Balochistan across the border to the Iranian city of Chābahār, located on the Gulf of Oman. From here, many migrants continue to follow the coastline to the port city of Bandar Abbas (Bandar-e Abbas) in the Straits of Hormuz before continuing onto Shiraz.²³⁴

After entering Iran, Pakistani migrants initially usually move to the city of Zāhedān near the border. The smuggling routes to Turkey and Europe run across the country from the southeast to the northwest, a distance of about 2,200 km. The specific routes used to transport smuggled migrants across the country vary between smugglers and their local knowledge and may be circuitous and cumbersome, depending on police patrols, road blocks, and other obstacles and dangers that need to be avoided. From Zāhedān many smuggled migrants travel north to the region near Mashhad before continuing to Tehran. The direct route between the two cities tends to be avoided because it is known to involve many police checks as well as controls by specialised enforcement agencies that search cars for drugs and check the identity of passengers.²³⁵

VI.1.2 Tehran

Iran's capital and largest city Tehran is the main transit point and 'hub' for migrant smuggling to Turkey and Europe. The two main routes of smuggling migrants from Pakistan and from Afghanistan converge in Tehran, and many smuggled migrants remain in the city and its outskirts for some time before they continue their journey. For some migrants the initial smuggling venture ends in Tehran, and others have to find money and/or new smugglers before they can continue.²³⁶

If and when they continue their journey from Tehran, most migrants are smuggled overland to the cities of Urmia (Orumiyeh) or Salmas near the border to Turkey. This journey is usually made in cars by small groups of persons, often by paying drivers who use their private cars, referred to as 'taxis' in this context.²³⁷

VI.2 Smuggling by sea

In some instances, migrants are smuggled from Pakistan to Iran by boat, usually departing from Karachi or other main seaports in Pakistan that are also used to smuggle migrants across the Gulf to Oman and other Gulf States. The port city of Bandar Abbas is said to be the main point of arrival for migrants who are smuggled from Pakistan to Iran by boat. From here, they continue north along the routes described above, or transfer to a vessel that will take them to one of the Gulf States.²³⁸

VII. Smuggling of Migrants to the Gulf Region

The Gulf States including Oman, Saudi Arabia, the United Arab Emirates (UAE) and also Bahrain, Qatar, and Kuwait are significant destinations for Pakistani migrants who are smuggled to these countries to take up employment in a range of industries. Despite the availability of some official labour migration

²³⁴ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 30–31; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 123–24; UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15.

²³⁵ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 32; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 123–24; Katie Kuschminder et al, *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices* (2015) 36; Luke Mogelson, 'The Corner Where Afghanistan, Iran and Pakistan Meet', *The New York Times Magazine* (online), 18 October 2012, <<http://www.nytimes.com/2012/10/21/magazine/the-corner-where-afghanistan-iran-and-pakistan-meet.html>>.

²³⁶ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 1, 33; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 124, 141.

²³⁷ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 124; Katie Kuschminder et al, *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices* (2015) 35.

²³⁸ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15.

schemes, many Pakistan use the services of smugglers that are widely seen as cheaper, faster, and more efficient.

The smuggling from Pakistan to the Gulf States involves the smuggling by air on board one of the many commercial flights that connect Pakistan’s international airports to the main hubs in the Gulf; the smuggling by sea usually via Oman, and sometimes by land or sea via Iran. Smuggling from Pakistan to the Gulf States is not exclusive to Pakistani nationals but sometimes also involves Afghan, Bangladeshi, and Iranian nationals who are smuggled along the same routes.²³⁹

VII.1 Smuggling routes from Pakistan to the Gulf Region

VII.1.1 Smuggling by air

The smuggling of migrants from Pakistan to the Gulf States by air is done as mentioned above using commercial flights from any one of Pakistan’s several international airports, comprising Islamabad, Karachi, Lahore, Peshawar, and also Faisalabad, Multan, Quetta, and Sialkot. The number of flights between Pakistan, the UAE, Qatar, and Saudi Arabia has grown rapidly in recent years, not least because of the expansion of the networks by Gulf-based airlines and rising demand for travel between Pakistan and the Gulf States. Abu Dhabi, Dubai, Qatar, and Riyadh are the main points of arrival in the Gulf for both regular and irregular travellers.

The smugglers usually do not accompany the migrants on the flights, but smuggling migrants by air mostly requires the use of fraudulent travel identity documents that are used at check-in, departure, and boarding and/or upon arrival.²⁴⁰ In some cases, air travel to the Gulf States is undertaken on valid documents and without the use of smugglers or other facilitators, and migrants only employ the services of smugglers at a later stage in their journey.²⁴¹ Figure 7 below shows the number of Pakistani nationals who have been apprehended at Pakistan’s airports attempting to leave the country on fraudulent documents.

Figure 7: Detections of Pakistani nationals attempting to depart Pakistan on fraudulent documents (‘off-loads’), Federal Investigation Agency, 2014–2015²⁴²

Departure airport	2014	2015
Islamabad	177	170
Karachi	62	24
Lahore	209	105
Peshawar	30	10
Quetta	0	0
Sialkot	11	8
Multan	0	2
Total	489	319

²³⁹ Budapest Process, *Pakistan Migration Country Report* (2013) 40; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4.

²⁴⁰ Jon Boon & Nooruddin Bakhshi, ‘Boom time for Afghanistan’s people smugglers’, *The Guardian* (online), 19 January 2012, <<https://www.theguardian.com/world/2012/jan/18/afghanistan-people-smugglers-taliban-europe>>.

²⁴¹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 39; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 60.

²⁴² Pakistan, FIA Immigration Wing (undated) (copy held by authors). Note that these figures are not limited to departures for destinations in the Gulf region.

VII.1.2 Smuggling by sea

Smuggling from Pakistan to the Gulf States by sea is generally a much cheaper alternative to smuggling by air. It requires less planning and sophistication but is also much slower and, as later parts of this report show, also involves greater risks.²⁴³ Gwadar, a port city on the southwestern coast of Balochistan near the Iranian border, and Karachi have been identified as the main departure points for smuggling by sea, but smaller towns and fishing villages along Pakistan's coastline, which extends for about 1,050 km along the Arabian Sea, are also sometimes used as embarkation points. Small boats can easily be purchased for the purpose of smuggling in most areas and some boat owners and fishermen offer to ferry smuggled migrants for payment. A 2009 report describes these smuggling activities as 'a low-margin, high-volume business that generates substantial profit in the aggregate but (represents) little financial power when spread across the number of providers involved.'²⁴⁴

In some cases, migrants are initially smuggled by sea or land to Iran, before they are taken to the Gulf States.²⁴⁵ From the ports along Iran's southern coastline, the migrants usually initially continue by boat to Oman.²⁴⁶

VII.2 Destinations in the Gulf Region

VII.2.1 Oman

Oman is both a destination for Pakistani migrants as well as a transit country for those continuing to other Gulf States, especially the UAE. The available sources suggest that most Pakistanis are smuggled to Oman by boat, either directly from Pakistan or via Iran.²⁴⁷ Smuggling by air, either directly or via a transit point, appears to be less common.

Due to the large number of Pakistani nationals who arrive in Oman irregularly, Pakistan's FIA has established an office in Muscat to liaise with authorities in the Gulf States, Iran, and Turkey on matters relating to smuggling of migrants and trafficking in persons. Since the establishment of this post in 2007 up till 2013, some 7,500 irregular migrants (referred to as 'victims of trafficking' in the source) and 390 smugglers/traffickers have been identified.²⁴⁸ A 2010 newspaper report quotes Omani officials stating that some 400 irregular arrivals from South Asia, including Pakistan, are detected every month in addition to a 'few hundred' who arrive undetected.²⁴⁹

VII.2.2 United Arab Emirates

The United Arab Emirates is a destination country for many irregular Pakistani workers seeking employment. Several sources characterise the UAE as one of the most popular destination for smuggled migrants from Pakistan.²⁵⁰ Between 2009 and 2013, over 63,000 Pakistani nationals were removed from Saudi Arabia because of illegal entry or stay or other immigration law violations.²⁵¹

²⁴³ See Chapter XI below.

²⁴⁴ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 36; see also p 15, and UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 11.

²⁴⁵ See Chapter VI above.

²⁴⁶ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 59; 178; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4.

²⁴⁷ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 7; UNODC, *Migrant Smuggling in Asia A Thematic Review of Literature* (2012) 59,178; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4.

²⁴⁸ Budapest Process, *Pakistan Migration Country Report* (2013) 42.

²⁴⁹ Saleh al Shaibany, 'Oman struggles to keep out illegals', *The National* (online), 4 June 2010 <<http://www.thenational.ae/news/world/middle-east/oman-struggles-to-keep-out-illegals>>.

²⁵⁰ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 7; Budapest Process, *Pakistan Migration Country Report* (2013) 42.

²⁵¹ Zahid Gishkori, 'Illegal immigrants: 208 Pakistanis deported every day since 2009', *The Tribune* (online), 8 January 2014, <<http://tribune.com.pk/story/656301/illegal-immigrants-208-pakistanis-deported-every-day-since-2009/>>.

Pakistani migrants are smuggled to the UAE by air on the very many flights that connect Pakistan's main airports with Dubai and Abu Dhabi. It is for this reason that the UAE is also a transit point for further smuggling of Pakistanis to Western Europe, Southeast Asia, and Australia. Cases of airborne smuggling from Pakistan into or through the UAE commonly also involve the use of fraudulent travel or identity documents.²⁵²

It is equally common for Pakistani nationals to be smuggled to the UAE by land from neighbouring Oman.²⁵³ Given the geography, temperatures, and terrain along the border, it is likely that this is done using cars, buses, or other motorised vehicles.

VII.2.3 Saudi Arabia

Saudi Arabia is both a transit point and a very popular destination country for the smuggling of Pakistani migrants. Between 2009 and 2013, more than 122,000 Pakistani nationals were deported from Saudi Arabia, including 60,000 in 2013 alone.²⁵⁴

The smuggled migrants usually enter Saudi Arabia on flights from Pakistan to Riyadh and Jeddah, often using fraudulent travel or identity documents. If Saudi Arabia is the intended destination, the smuggling route may also lead overland to Iran and then by sea across the Persian Gulf. In some cases, the smuggled migrants also remain in Saudi Arabia for some time to organise their further travel or other documents which may include genuine visas for further travel to Western Europe.²⁵⁵

VIII. Smuggling of Migrants to Western Europe

VIII.1 Overview and preliminary remarks

Western Europe is one of the main destinations for the smuggling of migrants from Pakistan. Most irregular Pakistani migrants and other nationalities who are smuggled from or through Pakistan initially travel to Turkey via Iran and then continue along two principal routes. The first — and up until very recently most popular — route leads from Turkey to Greece and then with some variations via Macedonia, Serbia, and Croatia to Hungary or Slovenia and on to Austria, commonly referred to as the 'Western Balkans Route'. The second route originating in Turkey, referred to as the 'Eastern Balkans Route' in this report, leads from Turkey into Bulgaria, Romania, Hungary, and on to Austria.²⁵⁶ Each of these routes and the smuggling means and methods used in the countries along these routes are discussed individually below.

Figure 8 below shows the number of irregular Pakistani migrants detected in Europe as reported by Frontex, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. The data shows the shift between the main smuggling routes, and the fluctuations in detections between different reporting years. From 2010 to 2011 for instance, Frontex observed 'a precipitous fall' in the number of detection of irregular Pakistani migrants,²⁵⁷ but the number increased again greatly from 2014 to 2015.

²⁵² UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 39; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 60.

²⁵³ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 7; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 17.

²⁵⁴ Zahid Gishkori, 'Illegal immigrants: 208 Pakistanis deported every day since 2009', *The Tribune* (online), 8 January 2014, <<http://tribune.com.pk/story/656301/illegal-immigrants-208-pakistanis-deported-every-day-since-2009/>>.

²⁵⁵ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 13, 59, 178–79.

²⁵⁶ See generally Austria, Bundeskriminalamt, *Schlepperei 2014* (2015) 14–15.

²⁵⁷ Frontex, *Annual Risk Analysis 2015* (2015) 18.

Figure 8: Detections of Pakistani migrants at Europe’s external borders, irregular border crossings between checkpoints, Frontex, 2009–2015²⁵⁸

	Eastern Mediterranean Route	Western Balkans Route	Central Mediterranean Route	Eastern Borders Route	Western Mediterranean Route	Black Sea Route	Circular route from Albania to Greece	Other
2015	24,203	17,057	1,982	68	4	0	0	0
2014	271	368	3,401	1	3	15	0	0
2013	236	3,072	1,738	1	0	0	0	0
2012	2,752	861	1,258	6	0	0	0	0
2011	13,309	604	1,413	3	2	0	44	0
2010	3,706	39	55	10	0	0	68	0
2009	1,481	10	6	73	0	0	21	1

There have also been reports about the smuggling of Pakistani migrants to Europe across the Mediterranean on routes that lead via southern and West African states to North Africa, and there are some incidents in which Pakistanis have been smuggled across the Eastern Mediterranean to southern Europe.²⁵⁹ Lastly, it has been reported that some migrants are smuggled from Pakistan via Iran and Turkey through countries on the Caucasus into the Russian Federation (Russia), and from there via the Baltic States, Belarus, Ukraine, and/or Moldova to Poland, Slovakia, or the Czech Republic on to Austria or Germany.²⁶⁰

A further method of migrant smuggling to Europe involves smuggling by air using flights departing directly from one of Pakistan’s main international airports bound for destinations in Europe, or using flight connections via the Gulf States or other third countries to Europe.²⁶¹

Data obtained from Frontex suggests that cases in which Pakistani migrants are smuggled into Europe covertly only come to light very rarely. Although the data displayed in Figure 9 below shows an upward trend clandestine, concealed methods of smuggling seem to be exceptional, though it is also possible that many cases of concealed and covert methods of smuggling into Europe remain undetected.

Figure 9: Detections of Pakistani migrants at Europe’s external borders, clandestine entry at border control checkpoints, Frontex, 2009–2015²⁶²

	Land	Sea
2015	90	0
2014	63	0
2013	30	0
2012	24	0
2011	10	0
2010	11	1
2009	2	0

A UNODC report published in 2013 stresses that the journey from Pakistan to Europe often involves various combinations of legal and irregular methods of migration, and that smugglers are not always used for every leg of the journey. For example, Pakistani migrants may leave from Pakistan and enter

²⁵⁸ Frontex Risk Analysis Network (FRAN) and European Document Fraud (EDF) data provided by Frontex, 3 March 2016 (copy held by authors).

²⁵⁹ See further Section VIII.5 below.

²⁶⁰ See further Section VIII.6 below.

²⁶¹ See further Section VIII.7 below.

²⁶² Frontex Risk Analysis Network (FRAN) and European Document Fraud (EDF) data provided by Frontex, 3 March 2016 (copy held by authors).

one or more transit countries legally and only resort to clandestine or other irregular methods during the final legs of the journey to Western Europe. This is also reflected in the way travel and identity documents are used, in such that some parts of the journey may be made using genuine documents while fraudulent documents are employed for other parts.²⁶³

Many Pakistani nationals arrive in Western Europe with valid, genuine documents; others may lose or destroy their documents en route. In other cases, entry into the European Union (EU) is achieved by presenting fraudulent travel or identity documents, such as lost or stolen passports issued by an EU Member State, forged visas, or forged residence permits. Both genuine and fraudulent documents are also sometimes obtained by smugglers through theft and bribery and then passed on to the migrants.²⁶⁴ Figure 10 below shows the number of Pakistani nationals detected in Europe using fraudulent documents from third countries.

Figure 10: Pakistani nationals using fraudulent documents from third countries detected, Frontex, 2009–2015²⁶⁵

	Air	Land	Sea
2015	76	6	1
2014	133	11	2
2013	181	7	3
2012	253	4	0
2011	115	7	10
2010	49	3	1
2009	64	1	0

A further method of fraud sometimes observed among irregular migrants from Pakistan involves misrepresentations of their nationality. Because Pakistani nationals generally have a low rate of being recognised as refugees in Western European countries since they cannot prove that they were the targets of or feared individualised persecution, some Pakistanis falsely present themselves as Afghan or Syrian nationals, a practice also referred to as ‘nationality swapping’. This is done to increase their chances of gaining asylum. The practice is said to be so widespread as to distort official figures relating to the nationalities of irregular migrants detected in Europe.²⁶⁶

There are also reported cases in which Pakistani migrants entered into sham marriages with EU nationals or used other forms of misrepresentation to obtain genuine documents permitting them entry and residence in EU Member States. Such cases frequently involve Eastern European women who are paid to marry Pakistani men and then organise relevant visas and other immigration papers for them.²⁶⁷

The routes and methods used — and the fees paid²⁶⁸ — to smuggle migrants from Pakistan to Western Europe depend, at least to some extent, on the resources available to the smuggled migrants and their relatives. Wealthier Pakistanis tend to be smuggled by air, which is faster and safe but more expensive. Others use any combination of smuggling methods.²⁶⁹ This may include clandestine methods such as concealment in cars, vans, and trucks; and more overt crossings of ‘blue’ and ‘green’ borders that involve smuggling by sea or simply walking across open borders.²⁷⁰

²⁶³ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 36.

²⁶⁴ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 186.

²⁶⁵ Frontex Risk Analysis Network (FRAN) and European Document Fraud (EDF) data provided by Frontex, 3 March 2016 (copy held by authors).

²⁶⁶ Frontex, *Western Balkans Annual Risk Analysis 2016* (2016) 22; Frontex, *Risk Analysis for 2016* (2016) 18.

²⁶⁷ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 36; Europol, ‘Facilitated Illegal Immigration Intelligence Bulletin’ (Intelligence Bulletin, No 3, September 2011) 13.

²⁶⁸ See further, Section XIII.1 below.

²⁶⁹ Budapest Process, *Pakistan Migration Country Report* (2013) 40; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 52.

²⁷⁰ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 1, 36.

The ‘popularity’ of the routes described in the following sections of this report depends on a number of factors, such as the permeability of borders, political circumstances, the availability of transportation, accommodation, opportunities for bribery, et cetera. The choice of routes, smuggling means, and methods may be determined by the smugglers and/or the smuggled migrants. The frequency with which certain routes are used also change over time and, depending on the many variables, may be circuitous and cumbersome. Recent research published by the European Commission also casts doubts on the existence and use of clearly identifiable, pre-planned routes to smuggle migrants to Europe, noting that (t)he actual structures and strategies applied in the migrant smuggling business, however, do not support the notion of the predominance of easily identifiable routes’ and that ‘the geographical representation of the flows as routes (...) are not easily applicable when trying to understand the operational logic of migrant smuggling.’²⁷¹ Instead, the report suggests that migrant smuggling is better understood by identifying main hubs that ‘are the nodes connecting changing routes.’ ‘Hubs’, so the report states,

appear as the main constant, the geographical and operational nodes structuring the myriad of route options on offer and connecting migrants from diverse origin with a variety of destinations. Hubs and the opportunities they offer, more than anything else, define the itineraries of migrant smuggling. It is the hubs that shape the routes (...).²⁷²

VIII.2 Smuggling to Turkey

Turkey is a major transit country for migrants who are smuggled from Pakistan via Iran to Western Europe. Turkey is the starting point for smuggling along the Western and Eastern Balkans routes and Istanbul, Turkey’s largest city, has been identified as the main hub for these smuggling activities.²⁷³

Turkey’s unique geographical location, connecting Asia and Europe, make the country particularly attractive for smuggling by land; and Turkey has played a major role as a transit country for the smuggling of migrants since the 1990s when the end of the Cold War and the opening of Eastern European borders made travel to Western Europe considerably easier. Turkey’s extensive coastline, measuring nearly 1,600 km along the Mediterranean alone, also makes the country attractive for covert boat departures to destinations in Greece, Italy, and less frequently, to Cyprus or Malta.²⁷⁴ Smuggling via Turkey is particularly attractive for Pakistani (as well as Afghan and Iraqi) nationals as they do not require visas to enter Turkey.²⁷⁵

Turkey is also a destination for a number of irregular migrants from Pakistan who remain in the country temporarily or permanently. Some Pakistani and Afghan migrants choose Turkey as a destination in the first place, while others become stranded without the contacts or resources to continue their journey. Others still choose to remain in Turkey once they are able to find work and accommodation in the country.²⁷⁶

²⁷¹ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 36.

²⁷² European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 36; Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbmässiger Menschenschmuggel und die Schweiz* (2014) 71.

²⁷³ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 7; Esmâ Durugönül, ‘Turkish Return Migration from Europe’ (2013) 21(3) *European Review* 412, 416’ Budapest Process, *Pakistan Migration Country Report* (2013) 42; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 141, 196.

²⁷⁴ Ayhan Kaya, ‘Turkey as an Emerging Destination Country for Immigration: Challenges and Prospects for the Future’, in Armando Garcia Schmidt & Joachim Fritz-Vannahme (eds), *Europe, Turkey and the Mediterranean* (2012) 85, 86; Ahmet İçduygu & Deniz Sert, *Step-by-step Migration through Turkey: From the Indian Subcontinent to Europe*, CARIM-India Research Report No 14 (2012) 3–4; Louise Shelley, *Human Smuggling and Trafficking into Europe: A Comparative Perspective* (2014) 9.

²⁷⁵ Turkey, Ministry of Foreign Affairs, ‘Visa information for foreigners’, <<http://www.mfa.gov.tr/visa-information-for-foreigners.en.mfa>>. See also, Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbmässiger Menschenschmuggel und die Schweiz* (2014) 71.

²⁷⁶ Oğuzhan, Ömer Demir & M Alper Sozer, ‘Work and Remittance Patterns of Irregular Immigrants in Turkey’, in Ibrahim Sirkeci et al (eds) *Migration and Remittances during the Global Financial Crisis and Beyond* (2012) 303, 304–05; Sanaa Alimia, ‘Afghan (Re)Migration from Pakistan to Turkey: Translational Norms’ (2014) 16(4) *Insight Turkey* 159.

VIII.2.1 Iran into Turkey

Most smuggled migrants from Pakistan enter Turkey across the border from Iran; a route that is commonly used by Pakistani and Afghan as well as Bangladeshi, Iranian, and Iraqi nationals. The mountainous border that separates Turkey and Iran can be crossed by walking along roads or, more commonly, through more remote areas where border controls are less frequent. The migrants may be guided by smugglers along the way, usually in medium or large groups of mixed nationalities, sometimes involving up to 1,000 people crossing at once. The guides often do not cross the border with the migrants, but instead give them directions to the closest towns on the Turkish side or they may put them into contact with other smugglers working in Turkey. A faster and more expensive way to cross into Turkey is by motor vehicle usually using small, private cars in which the migrants are concealed.²⁷⁷

For most of the smuggled migrants, the Turkish city of Van near the border to Iran is the first destination. From here, further arrangements are made to travel across Turkey, usually in an east-to-west direction in order to reach Istanbul, the borders to Greece and Bulgaria, or the Aegean coast of Turkey. Public means of transport are usually used within Turkey, and some Pakistani migrants acquire fraudulent Turkish travel or identity documents along the way.²⁷⁸

VIII.2.2 Other routes into Turkey

In a small number of cases, Pakistani nationals have been smuggled onboard planes departing for Istanbul from Pakistan.²⁷⁹ Some sources also imply that Turkey's visa regulations make it possible for Pakistani nationals to travel to Turkey on valid documents before they employ smugglers to continue their journey to Western Europe.²⁸⁰

Once in Turkey, migrants who are smuggled from Pakistan join a large pool of other irregular migrants seeking to reach Western Europe including Afghans, Iraqis, various African nationalities and in particular, a great number of Syrian refugees. Because the smuggling of migrants from Turkey along the Western and Eastern Balkans routes usually involves groups of mixed nationalities, it is not always possible to separate the specific routes, methods, and means used to smuggle Pakistani migrants from those used to smuggle other nationalities. The following sections of this report need to be understood thus.

VIII.3 The Western Balkans Route

The term 'Western Balkans route' is widely used by law enforcement and immigration authorities in Western Europe to describe irregular migration from Turkey to Greece, through Macedonia, Albania, Montenegro, Serbia, Bosnia and Herzegovina, Croatia, Slovenia, or Hungary, to Austria, Italy, and Germany.²⁸¹ Smuggling along the Western Balkans route usually involves private vehicles or trucks, though some borders may also be crossed on foot or by train. The route is usually travelled in multiple stages and most migrants use several smugglers and several smuggling methods along the way.

²⁷⁷ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 34, 38; Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbmässiger Menschenschmuggel und die Schweiz* (2014) 71; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2011* (2012) 28–9; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 26–7, 31–3; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 119–22, 124, 196; ICMPD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 243.

²⁷⁸ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 7; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33; Ahmet İçduygu & Sule Toktas 'How Do Smuggling and Trafficking Operate via Irregular Border Crossings in the Middle East? Evidence from Fieldwork in Turkey' (2002) 40(6) *International Migration* 25, 32.

²⁷⁹ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 34; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 178–79.

²⁸⁰ Ahmet İçduygu & Deniz Sert, *Step-by-step Migration through Turkey: From the Indian Subcontinent to Europe*, CARIM-India Research Report No 14 (2012) 3–4.

²⁸¹ Zlate Dimovski et al, 'Republic of Macedonia as a Transit Country for the Illegal Trafficking in the "Balkan Route"' (2013) 15(2) *Journal of Criminal Justice and Security* 203, 207.

Smuggling of Pakistani migrants along the Western Balkans in a single journey, usually concealed in trucks or other vehicles does occur,²⁸² but seems to be exceptional. Generally, covert smuggling methods are usually only employed when smuggled migrants want to cross borders undetected or want to reach particular destinations further afield and not run the risk of being returned to their country of origin, to the country in which they first entered the European Union, or to another transit country.

The Western Balkans route gained particular prominence in 2015 and early 2016 when several hundred thousand migrants, most of them asylum seekers from Syria, Iraq, and Afghanistan, moved along this route to Western Europe. One of the reasons for the great popularity of the Western Balkans route in this period was the fact that migrants could travel with relative ease and without the need to employ smugglers.²⁸³ The large number of migrants who were able to move along this route to Western Europe to apply for asylum also encouraged several other nationalities, including Pakistanis, to travel to Greece 'en masse' and then continue along the Western Balkans route where, until late 2015, borders remained relatively open.²⁸⁴ In a report published in late 2015, the European Commission estimated that approximately 8% of the persons who migrated along the Western Balkans route between 1 January 2014 and 21 October 2015 were Pakistani nationals.²⁸⁵

²⁸² See, for example, 23 K 4978/11.A (Administrative Court Cologne, 10 December 2013).

²⁸³ Patrick Kingsley, *The New Odyssey: The Story of Europe's Refugee Crisis* (2016) 185.

²⁸⁴ Frontex, *Western Balkans Annual Risk Analysis 2016* (2016) 22.

²⁸⁵ European Commission, *Managing the Refugee Crisis, Western Balkans Route: State of Play Report* (2015) 1.

VIII.3.1 Greece

Greece is a major transit country for Pakistanis intending to reach other destinations within the European Union.²⁸⁶ Pakistanis, along with a great range of other nationalities, are smuggled into Greece from Turkey in one of two ways: either on a northern route from Istanbul to the Evros (or Maritsa) River and land border that separates the two countries, or by sea from any coastal area in Turkey across the Aegean Sea to the Greek islands or the Greek mainland. The frequency with which either of these routes has been used over the past ten years has changed repeatedly, mostly in response to heightened border controls and border fortifications that have shifted irregular movements from one route to the other: ‘The points of approach from Turkey into Greece are shifting constantly, while arrivals have been registered at almost any possible place along the eastern coast of Greece and most of the islands on the Eastern Aegean Sea’, notes a 2013 publication.²⁸⁷ There are also instances in which Pakistani nationals enter Greece through official border control points using fraudulent travel or identity documents.²⁸⁸



Smuggled migrants entering Greece overland from Turkey are able to do so on foot or hidden in vehicles in some border areas, or by crossing the Evros River separating the two countries. This can be done by using inflatable devices which are usually employed to smuggle migrants across the river in small groups at night. Smuggling from Turkey to Greece by land or across the Evros was particularly popular after the border area was demined, and at times when Turkish authorities controlled coastal areas more heavily than the land border. As a result, this route also used to be the cheaper option to reach Greece. In 2011–2012, Greek authorities began to erect steel walls and barbed wire fences along

²⁸⁶ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (Palgrave Macmillan, 2012) 152–53; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33.

²⁸⁷ Anna Triandafyllidou & Angeliki Dimitriadi, ‘Migration Management at the Outposts of the European Union’ (2013) 22(3) *Griffith Law Review* 598, 610.

²⁸⁸ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–3.

the border to Turkey which reduced smuggling activities in this area and made smuggling by sea the preferred method to reach Greece.²⁸⁹

Since about 2013, migrants are more commonly smuggled from Turkey to Greece by boat across the Aegean Sea on vessels that leave from western ports such as Izmir and travel to the Aegean Islands, especially Lesbos, Samos, Agathonisi, Farmakonisi, and Symi, or directly to the Greek mainland.²⁹⁰

For some irregular migrants from Pakistan, Greece is a destination country rather than a transit point. A 2012 publication found that many Pakistani nationals initially only seek to migrate as far as Greece where they remain for some time to pursue work opportunities. Greece's ability to reduce the number of irregular Pakistani migrants living in the country is also hampered by the fact that Pakistan often refuses to accept the return of these nationals unless they are furnished with official documentation which can be difficult, if not impossible, to obtain.²⁹¹

Some Pakistanis will live and work for prolonged periods of time, while others save up money and use the time in Greece to plan their onward journey to Western Europe and weigh up the means, methods, and prices offered by various migrant smugglers. At the appropriate time and opportunity, they will then leave Greece.²⁹²

Figure 11: Irregular Pakistani migrants apprehended in Greece, 2007–2012²⁹³

	Illegal entrants	Illegal residents
2012	n.a.	11,095
2011	n.a.	18,275
2010	n.a.	8,485
2009	n.a.	4,295
2008	5,512	2,060
2007	2,834	n.a.

Most irregular migrants continue from Greece along the Western and Eastern Balkans routes described below. Some also board vessels departing for Italy. Smuggling by air on commercial flights departing from Greece's main airports in Athens and Thessaloniki is a further common method to take the smuggled migrants closer or directly to their final destinations in Western Europe; this method is said to be particularly common for Pakistani and Afghan migrants.²⁹⁴

VIII.3.2 Macedonia, Montenegro, Kosovo, Albania, and Serbia

From Greece, irregular migration and migrant smuggling usually leads into the Former Yugoslav Republic (FYR) of Macedonia and sometimes on to Montenegro or Kosovo. A variety of means are

²⁸⁹ Andrea di Nicola & Giampolo Musumeci, *Bekanntnisse eines Menschenhändlers: Das Milliardengeschäft mit den Flüchtlingen* (2nd ed, 2015) 100; Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 60; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 119–22, 198–200; Charalambos Kasimis, 'Greece: Illegal Immigration in the Midst of Crisis, Country Profile Report' (8 March 2012) Migration Policy Institute, <<http://www.migrationpolicy.org/article/greece-illegal-immigration-midst-crisis>>; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33; Katie Kuschminder et al, *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices* (2015) 45.

²⁹⁰ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 119–22; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–2.

²⁹¹ See, for example, Salman Masood & Niki Kitsantonis, 'Pakistan Sends 30 Migrants Back to Europe', *International New York Times* (online), 3 December 2015 <<http://www.nytimes.com/2015/12/04/world/asia/pakistan-sends-30-migrants-back-to-europe.html>>.

²⁹² Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 152–53; Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 63; see also UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–2.

²⁹³ Budapest Process, *Pakistan Migration Country Report* (2013) 39; European Commission, *Clandestino Project, Final Report* (2009) 65.

²⁹⁴ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 47, 65.

used to enter and cross Macedonia, ranging from border crossings on foot and using trains to smuggling in concealed compartments of Greek coach buses that carry migrants (more or less) directly to the destination countries in Western Europe.²⁹⁵

Serbia is the next transit country along the Western Balkans route. The Pakistani migrants often enter Serbia in taxis from neighbouring countries, or walk across the border in areas away from official checkpoints. Alternatively, they may reach Serbia in concealed compartments in trucks or trains, or by using fraudulent travel or identity documents to gain entry.²⁹⁶

In early 2016, Macedonia adopted measures to prevent entry of some nationalities from Greece and only permitted migrants of Iraqi and Syrian background to cross the border and travel onwards along the Western Balkans route. In March 2016, the border was completely closed to all irregular migrants which caused thousands to become stranded in Greece unable to continue their journey. Around the same time, the European Union issued a joint statement with the Government of Turkey that allows for irregular migrants reaching Greece from Turkey to be returned to Turkey (in return for resettling Syrian refugees from Turkey in EU countries). As a result, since April 2016 the number of irregular migrants, including Pakistanis, who reach Greece and migrate along the Western Balkans route has dropped considerably.²⁹⁷ At the time of writing it was not clear to what extent migrants resorted to smugglers and other means of irregular migration to circumvent these new obstacles, though it was widely expected that the use of alternative routes and clandestine methods of smuggling would increase as a result of the measures taken.

There are also known cases in which Pakistani migrants were smuggled by air on flights from Turkey to Kosovo, taking advantage of the visa free entry that Kosovo offers to Turkish nationals. This also means that the documents of passengers on incoming flights from Istanbul or other Turkish airports are not or not always inspected, or that some Pakistanis may travel on fraudulent Turkish documents.²⁹⁸

Information provided by Europol in 2010 also found that Albania is sometimes used as a transit country by Pakistani migrants.²⁹⁹ Due to the developments in 2016, smuggling from Greece to Albania and across to Italy by boat was also considered to emerge as a likely alternative to the Western Balkans route.³⁰⁰

VIII.3.3 Croatia, Slovenia, Hungary

Bosnia and Herzegovina, Croatia, and Slovenia are further transit countries along the Western Balkans route which then leads into Hungary and/or Austria.³⁰¹ Up until September 2015, most migrants travelling along the Western Balkans Route crossed Serbia from south to north and then entered Hungary. Most border crossings occurred in the areas near the Serbian town of Subotica and the

²⁹⁵ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 43; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33–4; ICMPD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 128.

²⁹⁶ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33–4.

²⁹⁷ Frontex, 'Number of Migrants Arriving in Greece Dropped 90% in April' (News Release, 13 May 2016).

²⁹⁸ ICMPD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 128.

²⁹⁹ Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 18.

³⁰⁰ Andrew Connelly, 'Is Albania the next stop for stranded refugees?', *Al Jazeera* (online), 11 March 2016 <<http://www.aljazeera.com/indepth/features/2016/03/albania-stop-stranded-refugees-160310090910932.html>>; 'Flüchtlinge weichen verstärkt nach Albanien aus', *Die Zeit* (online), 26 February 2016 <<http://www.zeit.de/gesellschaft/2016-02/fluechtlingskrise-fluechtlinge-albanien-balkanroute-andrang>>; 'Albanien stellt verstärkten Andrang von Flüchtlingen fest', *Der Standard* (online), 26 February 2016 <<http://derstandard.at/2000031832350/Albanien-stellt-verstaerkten-Andrang-von-Fluechtlingen-fest>>; 'Refugees may start to cross over Albania', *The Economist* (online), 8 March 2016 <<http://www.economist.com/news/europe/21694411-just-twenty-five-years-ago-albanians-left-country-drove-refugees-may-start-cross>>.

³⁰¹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33–4.

Hungarian town of Szeged using roads and pathways in remote areas, away from border checkpoints.³⁰²

From Hungary the migrants continued east to Austria, often facilitated by smugglers. Others continued from Serbia via Croatia and Slovenia to Austria, using a variety of means of transportation including cars, trains, and trucks. Some migrants crossed the borders overtly, also by walking across the border in rural and remote areas, while others were concealed in cargo compartments of trucks or freight trains. Some cut holes into the tarpaulins to hide amongst the cargo; others were concealed with the assistance and knowledge of those driving the trucks.³⁰³

Hungarian authorities report that smuggled migrants from Pakistan were entering Hungary in three main ways: crossing borders in groups unaccompanied by smugglers, crossing borders while hidden in vehicles and driven by smugglers, or by way of document fraud. The smugglers often did not accompany the migrants into Hungary, but rather gave them instructions about where and how to cross the border and also provided them with contact numbers to call once they reach Hungary. The smuggled migrants were then picked up and taken to Budapest, Hungary's capital and largest city, where arrangements for the next legs of their journey were made.³⁰⁴

The situation along the route leading through from Macedonia via Serbia to Hungary to Austria changed in late 2015 and early 2016 as some countries, starting with Hungary in September 2015, erected fences and built other border fortifications to stop irregular migration by land. After Hungary completed the border fence to Serbia in September 2015, followed by closing the border to Croatia, irregular movements almost immediately shifted from Serbia via Croatia and Slovenia into Austria.³⁰⁵ As these countries later too installed fences and other border control mechanisms, migration along the Western Balkans route became considerably harder and gradually ceased in the first half of 2016. Early indications suggest that this led to a displacement of movements to the Eastern Balkans and Mediterranean routes, though at the time of writing it was not clear to what extent these measures impacted specifically on the smuggling of Pakistani migrants to Europe.

VIII.3.4 Austria

Austria is a major transit point and a destination country for many irregular migrants, including Pakistani nationals, who are smuggled to Western Europe. Austria provides fast and easy access to Germany, and the Western and Eastern Balkans routes converge in Austria. The capital Vienna is said to be an important hub for the smuggling of migrants who intend to reach destinations in Western and Northern Europe. These circumstances, as shown in Figure 12 below, explain why the country experiences very high levels of irregular migration and smuggling as relative to the small size and small population of Austria. The number of Pakistani migrants who were smuggled into Austria was particularly high in 2012, 2013, and 2015.³⁰⁶

³⁰² Switzerland, Koordinationsstelle gegen Menschenhandel und Menschen schmuggel (KSMM), *Gewerbsmässiger Menschen schmuggel und die Schweiz* (2014) 39.

³⁰³ ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 191; UNODC, *Migrant Smuggling in Asia: Country Profiles South-West Asia* (2015) 63–4.

³⁰⁴ UNODC, *Migrant Smuggling in Asia: Country Profiles South-West Asia* (2015) 63–4; see also ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 190; Alison Smale et al, 'Grim Findings in Austria and at Sea Push Migrant Crisis into Public View', *International New York Times* (online), 28 August 2015 <<http://www.nytimes.com/2015/08/29/world/grim-findings-in-austria-and-at-sea-push-migrant-crisis-into-public-view.html>>.

³⁰⁵ Frontex, *Risk Analysis for 2016* (2016) 19.

³⁰⁶ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschen schmuggel (KSMM), *Gewerbsmässiger Menschen schmuggel und die Schweiz* (2014) 67.

Figure 12: Irregular Pakistani migrants apprehended in Austria, 2003–2015³⁰⁷

	Smuggled migrants	Illegal entrants and residents
2015	2,633	939
2014	351	521
2013	793	1,506
2012	1,705	714
2011	804	421
2010	211	184
2009	159	118
2008	104	52
2007	151	20
2006	139	18
2005	496	91
2004	422	151
2003	375	167

Smuggled migrants from Pakistan frequently enter Austria from Hungary, using public transportation including buses and trains, private cars, and sometimes taxis to cross the border. Others are concealed in the backs of cars and trucks.³⁰⁸ Covert methods of smuggling are usually used if the migrants do not want to be detected by Austrian authorities and do not want to remain in Austria, but rather continue to Germany or other destinations in the European Union. The desire to avoid detection is fuelled by EU law and policy, specifically the *Dublin III Regulation*,³⁰⁹ which mandates that migrants seeking asylum in Europe who are detected travelling irregularly in the EU need to be returned to the first point of entry into the EU. For many migrants this would mean being returned to Greece or, if they travelled on other routes, to Bulgaria or Italy, a situation that many smuggled migrants wish to avoid.

Following the closure of the border between Hungary and Serbia in September 2015, irregular movements shifted to the route via Croatia and Slovenia. Most migrants travel overland on foot, or in buses or trains in large groups, and enter Austria at the border control point at Spielfeld, Styria where they are processed by Austrian authorities. Those seeking to continue to Germany or other destinations are then taken by bus to the German border.

VIII.4 The Eastern Balkans Route

The term ‘Eastern Balkans route’ is used here to describe irregular migration that leads from Turkey to Bulgaria (sometimes via Greece) and then via Romania and Hungary to Austria. This route is a little less established and predictable than the Western Balkans route, and sometimes also involves runs from Romania into Serbia or Ukraine, and then through various other neighbouring countries to Western Europe. In early 2016, there were some indications that irregular migration, including the

³⁰⁷ Austria, Bundeskriminalamt, *Schlepperei Österreich, Jahresbericht 2015* (2016) 17; Austria, Bundeskriminalamt, *Schlepperei 2014* (2015) 10, 27; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2013* (2014) 13, 14; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2012* (2013) 5; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2011* (2012) 4, 5, 18; ; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2010* (2011) 30; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2009* (2010) 28; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2008* (2009) 27; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2007* (2008) 29; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2006* (2007) 22; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2005* (2006) 20; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2004* (2005) 20; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2003* (2004) 20;

³⁰⁸ ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 191.

³⁰⁹ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (2013) OJ L 180/31 (hereinafter *Dublin III Regulation*).

smuggling of migrants, along the Eastern Balkans route was on the rise as a direct result of border closures along the Western Balkans route and enhanced interdiction efforts in the Aegean Sea to prevent illegal border crossings from Turkey into Greece.

VIII.4.1 Turkey to Bulgaria

The distance from Istanbul and western parts of Turkey to the Bulgarian border is approximately the same as to Greece; and developments over the last 10 years have shown that the routes and patterns of irregular migration and the smuggling of migrants from Turkey shift between routes leading to Greece overland, routes leading across the Aegean Sea, and routes to Bulgaria in direct response to law enforcement and border control efforts: as controls along one route are stepped up, migrant smugglers quickly adjust their *modi operandi* and divert to other routes. This was noted, for instance, in 2012/2013 when irregular migration from Turkey to Bulgaria sharply increased after the border to Greece became more difficult to cross. When subsequently border measures at the Bulgarian border were stepped up, irregular movements were again diverted to Greece.³¹⁰

Smuggled migrants from Pakistan are among the many nationalities smuggled from Turkey to Bulgaria. Border crossings are usually made overland and involve covert smuggling methods, including concealment in cars and trucks, or the use of fraudulent travel or identity documents.³¹¹

In some cases, the migrants first enter Greece by land or sea before crossing overland from Greece into Bulgaria, an internal EU border that is much longer and less heavily controlled and fortified than the border between Turkey and Bulgaria. Smuggling of Pakistani migrants from Greece to Bulgaria is said to involve both overt and covert methods.³¹²

VIII.4.2 Bulgaria, Romania, Hungary, and Slovakia

From Bulgaria most irregular migrants, including smuggled migrants from Pakistan, continue to Romania. This includes both overt and covert methods, such as walking across the border or hiding in trucks and vans.³¹³ There are also isolated reports of Pakistani nationals arriving at Bucharest's international airport, though it is not clear whether the available information refers to the smuggling of migrants or to legitimate travel.³¹⁴ Indeed, some sources seem to conflate and confuse legal and irregular migration, and in so doing directly or indirectly accuse migrants of using smugglers even though the circumstances of their journey are lawful and compliant with the requisite immigration laws.

The journey from Romania usually continues westwards to Hungary or north into Ukraine and Moldova. There are several reports of smuggling of Pakistani migrants from Romania into Ukraine and Moldova overland. In most cases, they attempt to enter and transit Ukraine clandestinely, for example by hiding in trucks. It has been noted that Ukraine is not a preferred destination for Pakistani nationals, and that smuggling ventures that lead via Ukraine to Slovakia are usually opportunistic responses taken if and when other more direct routes are closed or under greater surveillance. If

³¹⁰ Amnesty International, *The Human Cost of Fortress Europe: Human Rights Violations against Migrants and Refugees at Europe's Borders* (2014) 11.

³¹¹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–2; ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 190; UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 64.

³¹² ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 190.

³¹³ Robert Morar & Claudiu Nicolae Brandibur, 'Analysis of Irregular Migrants: Trafficking after Romania adhering to the EU' (2012) 5 *Journal of Criminal Investigations* 88, 93; ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 190.

³¹⁴ ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 191.

Pakistani migrants are detected entering Ukraine illegally, they sometimes apply for asylum but nevertheless seek to continue their journey to Western Europe.³¹⁵

Smuggling of migrants from Romania to Hungary appears to involve mostly clandestine methods such as concealment in various means of transport and/or the use of fraudulent travel or identity documents. For smuggled migrants from Pakistan, Hungary is predominantly a transit country en route to Austria or Slovakia. The migrants often change smugglers at the border as some smugglers do not want to risk being apprehended by border guards or by law enforcement officials in another country.³¹⁶

VIII.5 Smuggling across the Mediterranean and via Africa

Information about the smuggling of migrants from Pakistan via Africa to Europe is somewhat anecdotal, and some of the available sources may be out of date or provide a rather incomplete picture. A report published by the European Commission in 2015 also notes that an 'African cartel' detected in 2013 used travel and identity documents issued by African countries or to nationals of African countries to smuggle Pakistani migrants, which may have led to some false claims that they had been smuggled via Africa, which was not the case.³¹⁷

In summary, it appears that smuggling to Western Europe via Africa is less common than smuggling along the routes leading via Turkey and the Balkans. The greater duration, distances, and dangers associated with some of the journeys make smuggling via Africa especially via Eastern, Southern, and West Africa less attractive and also more costly. There have been some suggestions that these cumbersome routes are used by migrants who have attempted but failed to be smuggled along other routes to Europe.

VIII.5.1 The Central Mediterranean route via Egypt and/or Libya

The so-called 'Central Mediterranean route' that leads from Libya or Egypt by boat to southern Italy is generally one of the most frequent and most notorious routes used to smuggle large numbers of migrants from a range of backgrounds to Western Europe. This usually involves the use of vessels of various sizes and quality that depart from eastern Libya or western Egypt and are crewed (and sometimes owned) by local fishermen or seamen who attempt to smuggle migrants in large groups at once. The many dangers associated with these ventures, and the very many deaths that have occurred on the Central Mediterranean route are well documented and are further discussed in Section XI.2 below.

Reliable information about how commonly the Central Mediterranean Route is used to smuggle migrants from Pakistan to Western Europe is not available. Several reports show that irregular migrants from Pakistan are transiting in Egypt and Libya in order to board smuggling vessels bound for Italy. Initially, they usually fly to Cairo or insofar as possible, to airports in Libya and use fraudulent travel or identity documents to pass through immigration controls at embarkation and destinations points.³¹⁸ Recent reports suggest that the smuggling of migrants to Western Europe along the Central Mediterranean Route is on the rise after measures were implemented in early 2016 to block irregular

³¹⁵ Robert Morar & Claudiu Nicolae Brandibur, 'Analysis of Irregular Migrants' Trafficking after Romania adhering to the EU' (2012) 5 *Journal of Criminal Investigations* 88, 93; European Commission, *Clandestino Project, Final Report* (2009) 96; ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 191.

³¹⁶ 11 Os 122/07m (Supreme Court of Austria, 1 April 2008); UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 64.

³¹⁷ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 41.

³¹⁸ Global Initiative against Transnational Organized Crime, *Smuggled Futures: The dangerous path of the migrant from Africa to Europe* (2014) 5; UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 64–5; Paola Monzini, 'Sea-Border Crossings: The Organization of Irregular Migration to Italy' (2007) 12(2) *Mediterranean Politics* 163, 177; UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 22–3.

movements along the Western Balkans route and to stop smuggling from Turkey to Greece across the Aegean Sea.³¹⁹

VIII.5.2 Smuggling via West Africa and the Maghreb (Western Mediterranean Route)

Information about the smuggling of migrants from Pakistan via East, Southern, and West Africa is even more incomplete and as mentioned earlier, it appears that some sources refer to movements that occurred in the early and mid 2000s, and to situations that may not be part of a wider pattern or common method to smuggle migrants from Pakistan. The available sources suggest that Pakistani migrants are smuggled via Africa using a combination of airborne and overland methods. This, in short, usually involves air travel to one or more ports in Africa (usually via airports in the Gulf Region) and then smuggling overland across several countries in West and northwestern Africa.³²⁰

After transiting through various ports in East or Southern Africa, the migrants eventually reach West Africa where Burkina Faso and Mali have been identified as transit countries for smuggled migrants from Pakistan en route to Europe. The migrants are met by the smugglers upon arrival at the airport and are then smuggled in private cars to Algeria and/or Morocco, often travelling alongside other migrants from South Asia and Africa.³²¹ From Algeria, Tunisia, or more commonly from Morocco, the migrants seek to join vessels bound for Europe or, in some cases, attempt to enter the cities of Ceuta or Melilla, which are Spanish territories on the coast of northern Morocco.³²²

It has also been reported that around 2005 and 2006, Pakistani migrants after travelling by air through the Gulf States, were smuggled through Senegal and Mauritania in order to embark on vessels bound for the Canary Islands, a group of islands off the coast of southern Morocco that too are Spanish territory.³²³ The use of this route has however all but ceased since these reports were written.

VIII.5.3 Main points of arrival in Europe

Smuggled migrants from Pakistan who reach Europe from North Africa travelling along the Central or Western Mediterranean routes usually arrive in southern Italy, Malta, or Spain.

VIII.5.3.1 Italy and Malta

Italy is one of the most important entry and transit points for irregular migrants arriving in Europe by boat. Italy's extensive coastline, measuring 7,600 kilometres in total, makes the country particularly vulnerable to seaborne smuggling, and also makes irregular migrants dependent on smugglers as they cannot reach the country independently. The migrants usually arrive in Italy on smuggling vessels originating in eastern Libya or western Egypt, in Tunisia, Greece, or in a small number of cases, in Albania.³²⁴

The island of Lampedusa, which is only a relatively short distance from the coasts of Tunisia and Libya — and one of the most southerly points of the European Union — is one of the most frequent landing points of smuggled migrants arriving by sea on the Central Mediterranean route. Other islands in the

³¹⁹ James McAuley, 'More shipwrecks in Mediterranean claim migrants' lives, spur recriminations', *Washington Post* (online), 3 June 2016 <https://www.washingtonpost.com/world/migrant-boat-capsizes-in-near-crete-greek-coast-guard-rescues-hundreds/2016/06/03/d78f12e3-bacb-4c74-9a9e-b05cf601132d_story.html>.

³²⁰ Budapest Process, *Pakistan Migration Country Report* (2013) 40; UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 7–8.

³²¹ UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 51–3; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 1, February 2008) 19.

³²² UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 52–3; Heather L Johnson, "'The Other Side of the Fence' Reconceptualizing the "Camp" and Migration Zones at the Borders of Spain' (2013) 7 *International Political Sociology* 75, 85.

³²³ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 58–60.

³²⁴ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 1; UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 22–3.

south of Italy, including Sicily as well as Malta, and the coasts of Calabria and Apulia in the south of the Italian mainland also experience high levels of arrival of irregular migrants, including smuggled migrants from Pakistan together with those from a great range of other nationalities.³²⁵

Smuggled Pakistani migrants may also travel clandestinely to Italy by hiding in cargo ships or on board other vessels. There have additionally been cases in which Pakistani nationals travelled directly to Italy by plane using fraudulent travel or identity documents.³²⁶

For most smuggled migrants from Pakistan, Italy is a transit rather than a destination country, though some irregular migrants remain in Italy for several months or years, especially if they can find employment. Ultimately, most migrants will continue their journey to France, Switzerland, or Austria using overt means of transportation, including private vehicles, trains, and trucks. The use of carpooling platforms has also been observed in this context and it appears that the involvement of smugglers is not always necessary for movements within and beyond Italy. For those continuing north, Milan is a main hub for smuggling networks that assist migrants in organising the onwards journey, which may involve guiding them to the border, buying them train tickets, and in some cases furnishing them with forged travel or identity documents.³²⁷

VIII.5.3.2 Spain

Spain's situation in the smuggling of migrants is similar to that of Italy in that it is mostly a gateway to other destinations in Western Europe. In the case of Pakistani nationals the situation of Spain and also Portugal is slightly more complex, in that some migrants are smuggled into these countries from France and elsewhere, intending to remain in Spain or Portugal.³²⁸ Europol has reported that some Pakistani nationals are smuggled directly to Spain by plane, usually by using fraudulent travel or identity documents such as visas issued in the names of other persons.³²⁹ In other cases, Pakistanis are smuggled into other EU Member States before they fly to Spain.³³⁰

Most migrants from Pakistan smuggled to Spain however, intend to continue their journey to France, the United Kingdom, or other Western European destinations. They usually reach the Spanish mainland on vessels travelling along the Western Mediterranean route, originating in Morocco or other ports in Northern Africa or, as mentioned earlier, sometimes via the Spanish enclaves of Ceuta and Melilla. They normally travel alongside migrants from a range of other backgrounds and, once in Spain, use more overt means of transportation to continue to France and elsewhere.³³¹

VIII.6 Other routes

Reports about smuggled migrants from Pakistan entering Europe overland on other routes are very isolated and, again, rather anecdotal. Some sources report instances in which Pakistani nationals have been smuggled via Russia and the Baltic States to Western Europe, a route sometimes referred to as the 'Northern Route'. This route, which is also used to smuggle migrants from other South Asian

³²⁵ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 1, 33; Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 54; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 124, 196.

³²⁶ UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 64; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 178–79; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 14.

³²⁷ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 44, 67; UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 64; Katie Kuschminder et al, *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices* (2015) 48.

³²⁸ UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 65.

³²⁹ Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 14.

³³⁰ See, for example, 12 Os 111/06z (Supreme Court of Austria, 10 November 2006).

³³¹ Budapest Process, *Pakistan Migration Country Report* 2013) 40; UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 14.

nations, leads from Pakistan either through Kazakhstan and other Central Asian States, or via Iran and the Caucasus into Russia.³³² A number of migrants also fly directly to Moscow from one of the main airport hubs in the Gulf States. From Russia, these migrants are then smuggled to Ukraine (or sometimes Belarus) and on to Romania and Hungary,³³³ using the same methods outlined above in the context of the Eastern Balkans route.³³⁴

VIII.7 Smuggling to Europe by air (long-haul)

Migrants may also be smuggled from Pakistan to Europe by air, using any combination of flights through the main aviation hubs or in some cases, on direct flights departing from Pakistan's main international airports in Karachi, Lahore, and Islamabad. This method of migrant smuggling is generally much faster, less dangerous, and often more efficient; which also explains the higher costs associated with smuggling of migrants by air on long-haul flights. As a result, this method is usually only open to more affluent migrants.³³⁵ The routes used to smuggle migrants from Pakistan to Western Europe may be more or less direct, and similar to those used by regular tourist and business travellers; or they may be complex and circuitous, which is sometimes a way of disguising the true origin of the migrants, or because other routes involve tighter immigration controls.

Smuggling by air also necessitates the use of fraudulent travel or identity documents, especially passports and visas, or documents needed to apply for visas. In some cases the documents are acquired in Pakistan prior to departure for Europe. In others the migrants initially travel to one of the main transit hubs where they then obtain forged documents, often issued in the name of countries other than Pakistan that enable visa-free entry into one or more European countries.³³⁶ There have also been cases where Pakistani nationals use documents identifying themselves as citizens of Afghanistan or even of some African countries; this usually occurs when the smuggled migrants seek to claim asylum upon entering Western Europe.³³⁷ Afghan nationals also occasionally leave on forged Pakistani passports which makes it easier for them to depart on flights leaving for the UK. Migrant smugglers and corrupt officials assist the migrants to board their plane in Pakistan, and the migrants are then told to destroy or 'lose' their document en route and to report to the authorities once they reach the UK.³³⁸

Depending on the quality of the counterfeit documents, the migrants have a much greater chance to pass through immigration checks and controls at check-in undetected. It is widely believed that the price for fraudulent documents also increases with the quality of the forgeries.³³⁹ A further method is the use of documents issued in the name of another person. A recent report suggests that such documents are often sourced in the diaspora in the destination country, and then supplied to the smuggled migrants to make them appear citizens or residents of that country. This method also often

³³² UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 33; Irina Ivakhniouk, 'Illegal Migration: Russia' (2004) 13 *European Security* 35, 43; UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 53.

³³³ Robert Morar & Claudiu Nicolae Brandibur, 'Analysis of Irregular Migrants: Trafficking after Romania adhering to the EU' (2012) 5 *Journal of Criminal Investigations* 88, 93; European Commission, *Clandestino Project, Final Report* (2009) 96; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 4, August 2009) 10.

³³⁴ See further Section VIII.4 above.

³³⁵ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 21; cf Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(2) *International Migration* 3, 10; see also Sections VIII.1 above and XIII.1 below.

³³⁶ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 15; European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 34; see also, *R v Tariq Rashid Butt* (2004) EWCA Crim 3491; and Jon Boon & Nooruddin Bakhshi, 'Boom time for Afghanistan's people smugglers', *The Guardian* (online), 19 January 2012 <<https://www.theguardian.com/world/2012/jan/18/afghanistan-people-smugglers-taliban-europe>>.

³³⁷ European Commission, DG Migration & Home Affairs, *A study on smuggling of migrants: Characteristics, responses and cooperation with third countries* (2015) 41.

³³⁸ Jon Boon & Nooruddin Bakhshi, 'Boom time for Afghanistan's people smugglers', *The Guardian* (online), 19 January 2012 <<https://www.theguardian.com/world/2012/jan/18/afghanistan-people-smugglers-taliban-europe>>.

³³⁹ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 17.

involves the use of genuine documents that have been reported as lost or stolen by those in whose name they were issued.³⁴⁰

Another method to facilitate smuggling by air involves the swapping of boarding passes in the transit areas of main airports. It enables migrants to bypass some check-in and immigration procedures if they obtain the boarding pass from another person who is booked and checked-in for a particular flight. This practice is more common in airports that do not or not consistently check the documents of all transit passengers.³⁴¹ As many airports have introduced procedures to check documents more frequently and more thoroughly, it appears that boarding pass swapping is used less frequently as a method to smuggle migrants than it once was.

Smugglers may facilitate all or just part of the journey and the migrants may also undertake some flights independently, sometimes as noted travelling on genuine documents and lawfully acquired visas.³⁴²

VIII.8 Smuggling between Western European countries

The European Union (EU) is one of the main destinations of smuggled migrants from Pakistan. As the so-called *Schengen Agreement*³⁴³ permits travel without border checks among 26 European nations, commonly referred to as the 'Schengen Area' (22 EU Member States plus Iceland, Liechtenstein, Norway, and Switzerland), it is not uncommon for migrants, including many Pakistani and Afghan nationals, to be smuggled within the Schengen Area. This is due in part to the fact that the migrants seek to reach specific destination countries³⁴⁴ and fear that if they are apprehended before arrival in that country they may be returned to that point of first entry into the EU as mandated for asylum seekers by the *Dublin III Regulation*. Furthermore the United Kingdom, one of the preferred destinations for Pakistani migrants, as well as Ireland, have negotiated opt-outs from the *Schengen Agreement* permitting these countries to continue systematic controls at their borders.

In late 2015 as earlier mentioned, starting with Hungary, and followed by Austria and Slovenia, several European nations reintroduced border controls at selected locations in an attempt to control and stop the arrival of asylum seekers. These measures are widely believed to have resulted in increased covert smuggling of migrant activities along the Western and Eastern Balkans routes, and an increase in irregular migration across the Central Mediterranean route to Italy.³⁴⁵ Prior to the introduction of border controls in these countries, migrants could move within the Schengen Area with greater ease and often without the aid of smugglers, which also meant that smuggling within the EU was comparatively inexpensive,³⁴⁶ a situation that is likely to change while border controls remain in place.

VIII.8.1 Austria and Germany

For most Pakistani migrants, Austria is a transit rather than a destination country, especially for those seeking to reach Germany and in some cases, Italy.³⁴⁷ Smuggling across Austria to Germany occurs

³⁴⁰ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 21.

³⁴¹ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 21.

³⁴² Panos Hatziprokopiou & Anna Triandafyllidou, *Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation*, Concept Paper (2013) 29.

³⁴³ *Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders*, OJ L 239, 22 September 2000.

³⁴⁴ Cf Louise Shelley, *Human Smuggling and Trafficking into Europe: A Comparative Perspective* (2014) 4.

³⁴⁵ Council of the European Union, Presidency, 'Central Mediterranean route', EU Doc 4624/16 (3 May 2016); Helena Grech, 'EU Presidency raises concerns as migration routes shift to central Mediterranean', *The Independent* (online), 15 May 2016 <<http://www.independent.com.mt/articles/2016-05-15/world-news/EU-Presidency-raises-concerns-as-migration-routes-shift-to-central-Med-6736157849>>.

³⁴⁶ Ali Nobil Ahmad, *Masculinity, Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 105.

³⁴⁷ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–32; 11 Os 122/07m (Supreme Court of Austria, 1 April 2008); see further Section VIII.3.4 above.

along three main routes. The first leads from the Hungarian border in the east to the west where migrants, if they are transported in cars, vans, trucks, or buses mostly cross into Germany on the two main motorways near Passau and Salzburg. The second route goes from the Slovenian border in the south into Styria and northwards to Salzburg. The third route leads from Italy across the Alps at the Brenner Pass to Innsbruck and further north to Germany.³⁴⁸ There have also been cases in which Pakistani nationals were furnished with fraudulent documents by smugglers in Austria, intended for continuing by air to Spain and/or France.³⁴⁹

Smuggled migrants from Pakistan may enter Germany from the Czech Republic, France, and the Netherlands³⁵⁰ though these land routes appear to be used less commonly than those via Austria. Figure 13 below shows the number of Pakistani nationals investigated by German police authorities for entering Germany unlawfully, an offence under Germany's *Aufenthaltsgesetz* or *Residence Act*. The figures shown here do not capture the full number of Pakistani nationals entering Germany irregularly, but nevertheless show a four-fold increase in numbers from 2014 to 2015 when many Pakistanis travelled with Syrians, Iraqis, Afghans, and other nationalities along the Western Balkans route to Germany. Data from earlier years was not available at the time of writing. There are also reports of Pakistani nationals obtaining and using fraudulent travel and identity documents or entering into sham marriages to enter Germany; data for the years 2012–2015 are displayed in Figure 18 below.³⁵¹

Figure 13: Pakistani nationals investigated for unlawful entry, Germany, 2012–2015³⁵²

	Unlawful entry § 95(1) 3 and (2) 1a <i>Aufenthaltsgesetz</i>	Unlawful entry § 95(1) 3 <i>Aufenthaltsgesetz</i>	Unlawful re-entry after removal/deportation, § 95(2) 1a <i>Aufenthaltsgesetz</i>
2015	4,407	4,377	35
2014	1,041	978	38
2013	1,087	1,072	22
2012	711	685	30

VIII.8.2 Italy and Switzerland

Italy is both a destination country and transit point for smuggled migrants from Pakistan. Most of them arrive by boat from Northern Africa on the Central Mediterranean route,³⁵³ or, in some cases, across the Adriatic Sea from Albania. Boat arrivals by Pakistani smuggled migrants are usually recorded in the southern regions of Puglia and Calabria.³⁵⁴ Smuggled Pakistani migrants may also travel clandestinely to Italy by hiding in cargo ships. Following the closure of the borders between Greece and Macedonia and along the Western Balkans route in early 2016, some experts expected that smuggling from Greece through the mountainous terrain into Albania and then by boat across to Italy would increase.³⁵⁵

³⁴⁸ Austria, Bundeskriminalamt, *Organisiert Schlepperkriminalität, Illegale Migration, Jahresbericht 2010* (2011) 11; ICPMD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 191; see also AN 11 K 13.31170 (Administrative Court Ansbach, 27 February 2014) (7).

³⁴⁹ See, for example, 12 Os 111/06z (Supreme Court of Austria, 10 November 2006).

³⁵⁰ Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 14.

³⁵¹ See Section XII.1.4 below.

³⁵² Germany, Bundeskriminalamt, 'Polizeiliche Kriminalstatistik'

<http://www.bka.de/nn_229440/DE/Publikationen/PolizeilicheKriminalstatistik/pks__node.html?__nnn=true> [Tabelle 62: Straftaten und Staatsangehörigkeit nichtdeutscher Tatverdächtiger].

³⁵³ See Section VIII.5 above.

³⁵⁴ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 124.

³⁵⁵ See Section VIII.8.2 above.

Figure 14: Irregular Pakistani migrants apprehended in Italy, 2000–2012³⁵⁶

	Irregular maritime migrants	Illegal residents
2012	799	400
2011	1,423	355
2010	55	705
2009	1	800
2008	251	1,385
2007	85	n.a.
2006	183	n.a.
2005	479	approx. 5,967
2004	296	n.a.
2003	553	n.a.
2002	787	n.a.
2001	253	n.a.
2000	388	n.a.

Those smuggled migrants who do not remain in Italy continue north into Austria, Switzerland, or France.

Switzerland's role as a destination and transit country for smuggled migrants from Pakistan is smaller than that of its neighbours, though Swiss authorities have noted an upward trend in the smuggling of Pakistani as well as Afghan, Syrian, and Iraqi migrants specifically to Switzerland. From 2011 to June 2016, Swiss authorities detected 1,043 irregular Pakistani migrants in the country.³⁵⁷

Entry into Switzerland usually occurs across the eastern border with Austria or across the southern border from Italy. In the latter case, the migrants may travel by train or travel to the border region and are then instructed by the smugglers which way to take to cross into Switzerland on foot in areas with no border controls. On the Swiss side, they are then met by other smugglers with local knowledge who will take them to one of Switzerland's main cities or facilitate their onward movement. Another method used to smuggle migrants into Switzerland involves using private cars and vans on roads leading from Italy into the Swiss Canton of Ticino, from France to the Geneva area, or from Austria into Switzerland. Cases in which Pakistani nationals operated as smugglers all involved private vehicles in which migrants were smuggled in groups of up to three people across the border from Italy.³⁵⁸

There have also been reports in 2006, that Pakistani nationals acquired visas from Switzerland by way of corruption and other fraudulent means through the Swiss embassy in Islamabad and, with the aid of travel agencies in Pakistan, arranged travel to Switzerland and other parts of Europe.³⁵⁹ Swiss authorities in addition report that there have been instances of sham marriages between EU nationals residing in Switzerland and Pakistanis who may pay up to CHF 30,000 to agents or other individuals

³⁵⁶ Philippe de Bruycker, Philippe et al, *Migrants smuggled by sea to the EU: facts, laws and policy options*, MPC Research Report 2013/09 (2013) 17; European Commission, *Clandestino Project, Final Report* (2009) 71; Budapest Process, *Pakistan Migration Country Report* (2013) 39.

³⁵⁷ Information provided by Switzerland, Federal Customs Administration, 20 June 2016 (copy held by authors).

³⁵⁸ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschen schmuggel (KSMM), *Gewerbsmässiger Menschen schmuggel und die Schweiz* (2014) 38, 39–40, 67, 70; Information provided by Switzerland, Federal Customs Administration, 20 June 2016 (copy held by authors).

³⁵⁹ Farooq Azam, *Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan* (2009) 21; Louise Shelley, *Human Smuggling and Trafficking into Europe: A Comparative Perspective* (2014) 10.

who assist in connecting the ‘partners’ and making the necessary arrangements for the marriage and for subsequent entry into Switzerland.³⁶⁰

VIII.8.3 Spain and France

Spain is a destination country and transit point for smuggled migrants from Pakistan. As mentioned earlier, there have been some reports of smuggled migrants arriving at airports in Spain or, albeit in small numbers, by boat from Northern Africa. Some smuggled migrants remain in Spain to take up work while others continue to France. There are also reports of smuggling in the opposite direction from France into Spain.³⁶¹

Based on the available information, France appears to be a transit rather than a destination country for smuggled migrants from Pakistan. They enter from Spain, Italy, or Germany and mostly use France as a transit point en route to the United Kingdom or, in some cases, to Scandinavia.³⁶² Pakistan nationals are also among the many migrants who are camping or living in makeshift shelters in Calais, France, waiting for an opportunity to hide on a truck or train departing for the UK or to pay private drivers to take them across.³⁶³

VIII.8.4 Belgium and the Netherlands

Belgium and the Netherlands are sometimes destinations but more commonly transit points for smuggled migrants from Pakistan, especially for those bound for the UK or Scandinavia or, in some cases, to Germany. Belgium’s ports offer frequent ferry connections across the English Channel to the UK while some migrants travel from Belgium to France in order to continue to the UK.³⁶⁴

VIII.8.5 United Kingdom

The UK is — historically and presently — as stated the primary destination in Europe for regular and irregular migrants from Pakistan.³⁶⁵ Smuggled migrants attempt to enter the UK in a range of ways. This involves entry on trucks, cars, vans, trains, and ferries from neighbouring countries or by air on flights originating in Pakistan or other transit points.³⁶⁶

Figure 15: Irregular Pakistani residents apprehended in the United Kingdom, 2008–2012³⁶⁷

	Illegal residents
2012	7,135
2011	6,430
2010	4,750
2009	4,510
2008	4,690

³⁶⁰ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 50–51.

³⁶¹ Europol, ‘Facilitated Illegal Immigration Intelligence Bulletin’ (Intelligence Bulletin, No 3, July 2010) 14; Europol, ‘Hit on migrant smuggling and human trafficking ring operating via the Mediterranean’ (Press release, 3 November 2015) <<https://www.europol.europa.eu/content/hit-migrant-smuggling-and-human-trafficking-ring-operating-mediterranean>>; Europol, ‘Criminals behind people smuggling ring arrested’ (Press release, 16 February 2015) <<https://www.europol.europa.eu/content/criminals-behind-people-smuggling-ring-arrested>>.

³⁶² Europol, ‘Facilitated Illegal Immigration Intelligence Bulletin’ (Intelligence Bulletin, No 3, July 2010) 14; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–2.

³⁶³ See, for example, Surindar Dhesi et al, *An Environmental Health Assessment of the New Migrant Camp in Calais* (2015) 7.

³⁶⁴ UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 65; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–2.

³⁶⁵ Budapest Process, *Pakistan Migration Country Report* (2013) 42; OSCE, *International Migration Outlook 2012* (2012) 160–61; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23.

³⁶⁶ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23, 31–2; Richard Black et al, ‘Routes to illegal residence: A case study of immigration detainees in the United Kingdom’ (2006) 37 *Geoforum* 552, 559; UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 65.

³⁶⁷ Budapest Process, *Pakistan Migration Country Report* (2013) 39.

Smuggling of migrants to the United Kingdom by air on direct flights from Pakistan or via other airports is also not uncommon. It usually involves the use of fraudulent documents and there have been several cases in which networks of offenders in Pakistan and the UK colluded in gathering, forging, and distributing fraudulent Pakistani and British passports or the documents. The case of *R v Tariq Rashid Butt* (2004 EWCA Crim 3491) for instance, involved a group of offenders who furnished Pakistani nationals in Pakistan or in a transit country with fraudulent documents and accompanied them on their way to the UK. Smuggled migrants were also able to obtain temporary housing and transportation in the UK if needed. When UK authorities uncovered this network in December 2002, they found 60 British passports, 29 Pakistani passports, and 06 from other countries, along with a range of other travel documents, blank passport pages, and other material used for forged documents in the possession of one of the offenders.

It is not uncommon as noted for Pakistani nationals to claim asylum when they first arrive in the UK, pretending to be nationals of countries such as Afghanistan or Syria which generally have a higher recognition among asylum seekers. Other misrepresentations and the use of fraudulent travel or identity documents have also been reported. Sham marriages between Pakistani nationals and European spouses have been used in a number of cases to facilitate the entry of Pakistani migrants to the UK.³⁶⁸

VIII.8.6 Scandinavia

The Scandinavian countries as well as Finland are likewise destinations for smuggled migrants from Pakistan. They usually arrive via Belgium, the Netherlands, or Germany, and then enter Denmark, which is a transit rather than a destination country for most Pakistanis.

Sweden is the main destination in Scandinavia for smuggled Pakistani migrants. A range of methods of land transportation including cars, buses, trucks, and trains are generally used to reach Sweden, although Swedish authorities report some irregular Pakistani migrants also arriving by plane. Fraudulent travel or identity documents are sometimes used to transit between countries and gain entry into Sweden. Pakistanis may also enter Sweden by way of sham marriages. Swedish authorities believe that the country is targeted in this manner due to the speed and ease by which marriages may be contracted and because marriage permits the migrant spouse to reside as well in other parts of Europe.³⁶⁹

IX. Smuggling of Migrants to Asia and Australia

IX.1 East Asia

Information about the smuggling of migrants to East Asia is mostly limited to occasional reports of Pakistani nationals who enter the Hong Kong Special Administrative Region of China (SAR) irregularly to take up employment or seek asylum.³⁷⁰ In March 2016, Hong Kong authorities uncovered a large migrant smuggling network that brought irregular migrants from Pakistan, India, Bangladesh, and Vietnam via mainland China to Hong Kong. This network which was led among others by a Pakistani national, offered 'one stop services' to over 3,000 migrants by smuggling them by air from their home countries to Guangzhou airport and then overland to Hong Kong.³⁷¹

³⁶⁸ Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 7. UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 55; UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 65; United Kingdom, Child Exploitation and Online Protection Centre, *Strategic Threat Assessment, Child Trafficking in the UK* (2009) 22.

³⁶⁹ UNODC, *Migrant Smuggling in Asia, Country Profiles: South-West Asia* (2015) 65; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 2, April 2010) 11.

³⁷⁰ See, for example, the case of *Shahid v Secretary for Justice* (2010) 4 HKLRD 12.

³⁷¹ Christy Leung, 'Hong Kong people smuggling syndicates smashed', *South China Morning Post* (online), 30 March 2016 <<http://www.scmp.com/news/hong-kong/law-crime/article/1931749/hong-kong-people-smuggling-syndicates-smashed-nearly-3000>>.

IX.2 South and Southeast Asia

A further route to smuggle Pakistani migrants leads from Pakistan to Southeast Asia and on to Australia.³⁷² Most Pakistanis smuggled to Southeast Asia initially travel by air from Pakistan to Bangkok, Kuala Lumpur, Jakarta, or other main airports in the region — sometimes transiting in one of the main airports in the Gulf Region. Other Pakistanis are instead smuggled first across South Asian nations using a variety of transportation methods. This may involve travel from Pakistan to Sri Lanka or Bangladesh or sometimes via India. In some cases Bangladesh has also served as a transit point en route to Western Europe.

IX.2.1 Thailand and Malaysia

Thailand, Malaysia, and Indonesia are the main transit countries in Southeast Asia. To reach Thailand, most smuggled migrants initially travel on direct flights between one of Pakistan's main airports and Bangkok (sometimes transiting in the Gulf States) using fraudulent travel or identity documents.³⁷³

Malaysia is a popular transit point for smuggling through Southeast Asia for Pakistani migrants, because it offers visas on arrival to Pakistani nationals. For this reason Pakistani nationals — especially ethnic Hazaras, migrating through Southeast Asia irregularly — often fly first to Malaysia rather than flying directly to Indonesia. The smuggling through Malaysia usually involves direct flights to Kuala Lumpur or connecting flights via the Gulf States or Bangkok. The use of fraudulent travel or identity documents has been observed as well along this route. In some cases, the Pakistani migrants travel from Thailand to Malaysia overland or by boat; in a small number of cases they have also been smuggled by air to Hong Kong and Singapore and then continued by air to other transit points in Southeast Asia.³⁷⁴

IX.2.2 Indonesia

From Malaysia, the smuggled migrants usually continue to Indonesia. This is done mostly by boat from the Malay Peninsula to Sumatra or Java.³⁷⁵

Within Indonesia, most of the travel is done overland, often using buses and night-time travel. It has also been reported that the smugglers can pay up to USD 200 to bribe some police officers at local checkpoints. The smuggled migrants eventually reach southern Java, Bali, or the surrounding islands that are in relatively close proximity to Australia. The town of Cisarua in Western Java has been identified as a key transit point on these routes. Australia is the preferred destination for Pakistani migrants who are smuggled through Southeast Asia. Most of them arrive by boat from Indonesia, and are apprehended near the Australian offshore territories of Christmas Island and Ashmore Reef that are closer to Indonesia than to Australia. On Java, Tangerang, and Pelabuhan Ratu are frequent points

³⁷² See generally UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 32, 66; Ahmad Almaududy Amri, 'People smuggling in Southeast Asia: trends, challenges and way forward' (2015) 7(2) *Australian Journal of Maritime and Ocean Affairs* 132, 136; Susan Kneebone, 'Controlling Migration by Sea: The Australian Case', in Bernard Ryan & Valsamis Mitsilegas (eds), *Extraterritorial Immigration Control — Legal Challenges* (2010) 347, 353.

³⁷³ UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 178–79; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4, 39; Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 7.

³⁷⁴ Antje Missbach & Frieda Sinanu, 'The Scum of the Earth'? Foreign People Smugglers and Their Local Counterparts in Indonesia,' (2011) 30(4) *Journal of Current Southeast Asian Affairs* 57, 73–74; Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 7, 37; UNODC, *Migrant Smuggling in Asia: A Thematic Review of Literature* (2012) 178–79; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4, 35–6, 38–9, 42.

³⁷⁵ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 65; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 38–41; UNODC, *Transnational Organized Crime in East Asia and the Pacific: A Threat Assessment* (2013) 43; Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 7.

of embarkation for the smuggling of migrants by boat to Christmas Island. Bali, Sumbawa, Makasar, Kabaena, and Kubang are often used as embarkation for smuggling ventures to Ashmore Reef.³⁷⁶

IX.3 Australia

Australia has been an important destination for smuggled migrants from Pakistan from the late 1990s to 2013. Most Pakistani and Afghan migrants — many of them as noted ethnic Hazaras long resident in Balochistan — are smuggled via Southeast Asia along routes that are also used to smuggle Iraqi, Iranian, and Kuwaiti migrants. The vast majority of these migrants have used overt smuggling methods to cross from Indonesia to Australia where they seek asylum. Indonesian fishing vessels departing from coastal areas in Java and other islands in the south of Indonesia are commonly used to make the journey to Australia.³⁷⁷

While some vessels have been apprehended near the Australian mainland along the coasts of the Northern Territory and Western Australia, most vessels have travelled as indicated to the Australian offshore territories of Ashmore Reef and Christmas Island which are closer to Indonesia than to the Australian mainland.³⁷⁸

X. Smuggling of Migrants to North America

Information about the routes and methods used to smuggle Pakistani nationals to North America is extremely limited. Canada and the United States are both destination countries for Pakistani migrants. In some cases, Pakistanis are smuggled into Canada en route to the United States, while in other cases, the United States serves as a transit point en route to Canada.

In the early 2000s an investigation by Canadian authorities referred to as ‘Project Old-Timer’ made headlines. This case involved a migrant smuggling ring that between 1 July 2001 and 7 October 2002 brought at least 300 Pakistani and Indian nationals into Canada and from there into the United States. The smuggled migrants were accommodated in small groups in motels in southern Ontario, then concealed in boats and trucks and taken across the border into the United States. A total of 19 persons, most of them Canadian citizens of South Asian background, were later arrested and charged in relation to these ventures.³⁷⁹

If migrants are smuggled to Canada or the United States by air, this usually involves the use of fraudulent travel or identity documents. In the absence of direct flights from Pakistan to North America, the migrants need to transit, for instance in one of the main airports in the Gulf States or in some cases, first travel to Europe, especially the United Kingdom, and then continue to North America.³⁸⁰

³⁷⁶ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 17; UNODC, *Transnational Organized Crime in East Asia and the Pacific: A Threat Assessment* (2013) 43; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 23–4, 39–42; Cat Barker, *The people smugglers’ business model*, Research Paper No 2, Parliamentary Library (2013) 7.

³⁷⁷ Ahmad Almaududy Amri, ‘People smuggling in Southeast Asia: trends, challenges and way forward’ (2015) 7(2) *Australian Journal of Maritime and Ocean Affairs* 132, 136; Budapest Process, *Pakistan Migration Country Report* (2013) 40; Cat Barker, *The people smugglers’ business model*, Research Paper No 2, Parliamentary Library (2013) 7; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 2, 37, 39; Susan Kneebone, ‘Controlling Migration by Sea: The Australian Case’, in Bernard Ryan & Valsamis Mitsilegas (eds), *Extraterritorial Immigration Control — Legal Challenges* (2010) 347, 353.

³⁷⁸ Andreas Schloenhardt & Colin Craig, ‘Prosecution of People Smugglers in Australia 2011–14’ (2016) 38 *Sydney Law Review* 49, 51; Andreas Schloenhardt & Colin Craig, ‘“Turning Back the Boats”: Australia’s Interdiction of Irregular Migrants at Sea’ (2015) 27(4) *International Journal of Refugee Law* 536, 536.

³⁷⁹ *Patel v Minister of Public Safety and Emergency Preparedness* (Unreported, Immigration and Refugee Board, Hazelyn Ross, 24 July 2007); *R v Tewana* (2005) OJ 4676; *R v Toor* (Unreported, Ontario Superior Court of Justice, Durno J, 28 August 2009); *Minister of Citizenship and Immigration v Khan* (Unreported, Immigration and Refugee Board, M Funston, 21 June 2004); *R v Wasiluk and Szelest* (2005) ONCJ 407; *R v Hallal* (2006) 72 Imm L R (3d) 46.

³⁸⁰ See for example, *Khokar and Khokar vs Minister of Citizenship and Immigration* (2008) FC 449; *Majid v Holder* 336 Fed Appx 389 (2009).

There have also been reports about smuggling of Pakistanis via Mexico or other parts of Latin America into the United States, though based on the limited information it is not possible to state with certainty that these are commonly used smuggling routes.³⁸¹ Further information about the routes and methods used to smuggle migrants from Pakistan to North America was not available at the time of writing.

³⁸¹ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 14, 30–1; Richard Pérez-Peña et al, 'Migrants' Attempts to Enter U.S. via Mexico Stoke Fear About Jihadists', *The New York Times* (New York), 20 November 2015, 10; Harriet Spinks, *Destination anywhere? Factors affecting asylum seekers' choice of destination country*, Research Paper No 1 2012–13, Parliamentary Library (2013) 11.

PART C: RISKS

The smuggling of migrants from Pakistan frequently involves great risks stemming from concealed and clandestine smuggling methods, from the illegal status of smuggled migrants in transit and destination countries, and from the harsh and sometimes inhuman treatment by some smugglers. In some instances, the smuggling of migrants morphs into situations of trafficking in persons in which migrants are deliberately exploited by their smugglers. By definition,³⁸² the smugglers seek to maximise the financial and material benefits from their criminal activities, and often work in cooperation with other groups and individuals to facilitate the smuggling process and to further increase their profits. The fees charged by smugglers often require the migrants and their families to use their life savings or sell property, leaving many in debt and vulnerable to further coercion and exploitation. Where trafficking in persons occurs, this also involves the purpose of exploiting the migrant during the recruitment, transportation, transfer, harbouring, or receipt of the migrant.³⁸³

Part C of this reports explores the conditions and dangers associated with the various smuggling methods and routes identified in Part B. Part C also profiles the persons and networks involved in the smuggling of migrants from Pakistan, and summarises the available information relating to the fees and financing of such smuggling.

XI. Conditions and Dangers of Smuggling Methods

The choice of smuggling method, as mentioned in Section VIII.1 above, is determined by the available means, local knowledge of the smugglers, the presence and rigour of border and immigration controls, geography, weather and seasons, and the financial resources available to the smuggled migrants and those funding their journeys. In general faster, more expensive, and more sophisticated methods of migrant smuggling, such as smuggling by air using fraudulent travel or identity documents, tend to involve fewer physical dangers for the migrants especially if commercial airlines are used. Smuggling by land or by sea on the other hand can be slow, cumbersome, and more dangerous.

Regardless of the method used and time spent, any form of migrant smuggling involves conditions and dangers that can threaten the safety and health of smuggled migrants, and can place their lives in jeopardy. The specific conditions and dangers associated with the methods used to smuggle migrants from Pakistan are examined in the following sections.

XI.1 Smuggling by land

XI.1.1 On foot

The conditions and dangers associated with illegal border crossings on foot by migrants originating in Pakistan are most commonly reported from Iran and Turkey, though some older reports also mention specific experiences of smuggled migrants from Pakistan who were found crossing borders on foot in Northern and Western Africa.

The long border between Balochistan in Pakistan and Iran for instance, runs through many remote areas and is not controlled in large parts, thus making it easy for migrants to cross into Iran undetected.³⁸⁴ The smuggling from Iran into Turkey also often involves crossing the border on foot,

³⁸² See Article 3(a) *Smuggling of Migrants Protocol*.

³⁸³ See Article 3(a) *Trafficking in Persons Protocol*.

³⁸⁴ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 30–1; see further Section VI.1 above.

usually in large groups of mixed nationalities who are guided by the smugglers from Urmia in Iran, through the remote border regions, to the city of Van in Turkey.³⁸⁵ The terrain in this area is mountainous and prone to snow and freezing temperatures in winter. Many migrants are not adequately dressed or equipped for these conditions and are at risk of freezing. The dangers are augmented if the guides abandon the migrants en route with no instructions where to find the closest road and settlement, or how to reach their destination. If the border is crossed at night, migrants run the risk of being mistakenly shot by police or border guards.³⁸⁶ Once in Van, the migrants usually change smugglers or are left to make their own way to other parts of Turkey. This may require finding additional funds for the onward journey, and some migrants are forced to live on the streets of Van before they have sufficient funds to continue their journey.³⁸⁷

Border crossings on foot also used to be common from Turkey into Greece, where the Evros River as also earlier noted marks part of the border between the two countries. Depending on the water level, it is possible to wade across the river at some times during the year, or to swim or use various floating devices to cross at other times. Many migrants — and their smugglers — however, underestimate the water level and the speed and force of the river, thus risking drowning.³⁸⁸ The building of a fence along the border between Turkey and Greece together with increased border controls has led to a reduction in smuggling by land from Turkey to Greece, and shifted smuggling activities to the Aegean Sea where migrants cross from Turkey into Greece by boat: a journey no less dangerous than crossing the Evros.³⁸⁹

The smuggling of migrants from Pakistan via Western and Northern Africa, which has been reported in the late 2000s, frequently involved long overland journeys. Many of the groups of migrants, in which Pakistanis were smuggled alongside a range of other nationalities, had to cross borders on foot. The geographical and climatic conditions in these areas make smuggling by land particularly dangerous, especially if migrants are unprotected from the sun and carry insufficient water and food. These dangers are higher still if they travel through remote desert areas and become stranded, are abandoned, or are otherwise held up by their smugglers. A 2011 report suggests that some migrants spent years crossing the Sahara to reach the northern shores of Africa to embark on a vessel that would take them to Southern Europe.³⁹⁰

XI.1.2 By car, van, or truck

The smuggling of migrants by car, van, truck, or in other private vehicles is a common, flexible, and relatively inexpensive method to smuggle migrants across borders and is used widely along the routes used to smuggle migrants from Pakistan. This method becomes particularly dangerous, if migrants are concealed in special secret compartments or hidden in the cargo areas of vans and trucks. Apart from the dangers of injury associated with traffic and accidents, migrants may risk suffocation if they are kept in compartments that are insufficiently ventilated. The risks to health and life are particularly high if large numbers of migrants are crowded into small compartments, if they are exposed to high temperatures, if they travel in refrigerated cargo areas, and if the compartments are locked. Concealed methods of smuggling migrants from Pakistan have been reported in relation to border crossings from Iran into Turkey, across Turkey, from Turkey and Greece into Bulgaria, along the

³⁸⁵ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33; see further Section VIII.2. above.

³⁸⁶ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 125–26.

³⁸⁷ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 141.

³⁸⁸ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 31–3.

³⁸⁹ See Section XI.2.1 below, and Section VIII.3.1 above.

³⁹⁰ UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 37, 52–3; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 60.

Eastern Balkans route from Bulgaria or Ukraine into Romania and onto Hungary, and along the Western Balkans route via Macedonia, Serbia, and Slovenia.³⁹¹

XI.1.3 By train

Some smuggled migrants from Pakistan use trains to move from Italy to Austria or along the Western Balkans route from Macedonia via Serbia to Hungary. Although there are few reports about migrants from Pakistan being smuggled clandestinely on passenger trains, Hungarian authorities have reported methods with which migrants from Pakistan were smuggled on freight trains. Some were found hiding in containers (several of them locked and sealed by customs) while other migrants cut holes in tarpaulins to hide amongst the cargo. There are also reports by Hungarian authorities that migrants were hiding in trucks and containers carried on trains entering or crossing Hungary.³⁹²

XI.2 Smuggling by sea

XI.2.1 Overt smuggling methods

The smuggling of migrants from Pakistan by sea to Europe across the Mediterranean and to Southeast Asia and Australia involves, for the most part, overt smuggling methods in which the migrants are not concealed and do not attempt to evade or circumvent detection by border control, marine police, or naval authorities.

Smuggling by sea along the Central Mediterranean route from Libya and Egypt to Italy is notoriously dangerous, especially if the vessels used are not made and not equipped for the long journey. Many vessels used on this route are also not seaworthy and do not carry sufficient, if any, life-saving equipment, food, water, or fuel. In order to maximise their profits, many smugglers also crowd as many migrants as possible onto their vessels, thus increasing the danger that vessels capsize or sink, and creating unsanitary conditions that can pose serious health risks. These dangers are particularly serious for children, pregnant women, and the many smuggled migrants from Pakistan who cannot swim. On many vessels, the migrants are also exposed to the sun or to extreme heat during the summer months, and to storms and high waves at other times. Numerous smuggled migrants from Pakistan have lost their lives trying to reach Italy by boat; many others have been injured or left traumatised by these experiences. In some extreme cases, smugglers have thrown or forced migrants overboard, leaving them to drown; in other cases they simply abandon the migrants on the high seas and return via another vessel to the point of embarkation.³⁹³ Similar dangers are involved in the smuggling of migrants by sea from Morocco and Western Africa to Spain's Canary Islands; a method that was common in the mid 2000s but has since subsided.³⁹⁴

In 2014/15, the smuggling of migrants to Western Europe shifted from the Central Mediterranean route to smuggling via Turkey and Greece along the Eastern Balkans route. Enhanced controls and fortifications along the Turkish-Greek border further contributed to greater smuggling activities from the west coast of Turkey across the Aegean Sea to the Greek islands and mainland Greece. Although the distances between coasts and islands are much shorter than those on the central Mediterranean route, smuggling by sea from Turkey nevertheless involves similar risks, especially when small,

³⁹¹ ICMPCD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 190–91; Robert Morar & Claudiu Nicolae Brandibur, 'Analysis of Irregular Migrants' Trafficking after Romania adhering to the EU' (2012) 1 *Journal of Criminal Investigation* 88, 93; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 33–4; UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenge* (2015) 24–8. See further Section VIII.3 above.

³⁹² UNODC, *Migrant Smuggling in Asia; Country Profiles: South-West Asia* (2015) 64; see further, Section VIII.3.3 above.

³⁹³ UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 22–3; FRONTEX, *Annual Risk Analysis* (2012) 23–4; Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 74.

³⁹⁴ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 58–60.

crowded vessels are used or when smugglers underestimate distances, the seas, or the weather.³⁹⁵ After several borders along the Western Balkans route were closed by governments in late 2015/early 2016, the main smuggling activities shifted back to the Central Mediterranean route with vessels departing from Libya or Egypt to reach Italy. Many vessels are severely overcrowded and ill-suited for the long journey across the Mediterranean. IOM reports that between 1 January and 31 May 2016 alone, 2,061 persons died on the Central Mediterranean route.³⁹⁶

The smuggling of migrants from Pakistan via Southeast Asia to Australia — a smuggling route frequently used until 2014 — involves seaborne smuggling from Indonesia to Australia's north and northwest coasts or its offshore territories of Ashmore Reef and Christmas Island. The wooden Indonesian fishing vessels used in these ventures are often in poor condition and frequently suffer engine failure or become waterlogged on the journey to Australia. Many vessels are overcrowded and carry insufficient water, food, and life-saving equipment. GPS and maps are also often lacking such that vessels frequently become lost. Some 1,000 migrants, many of whom had come from or via Pakistan, are believed to have died on the journey from Indonesia to Australia.³⁹⁷

XI.2.2 Covert smuggling methods

Information about covert methods used to smuggle migrants by sea is rather limited. There are isolated reports of Pakistani nationals found hidden on cargo vessels travelling from Greece to Italy, and of Pakistanis who enter Indonesia clandestinely by boat from Malaysia.³⁹⁸ The dangers associated with these practices are similar to those involved in smuggling migrants in trucks or other cargo compartments and may involve risks of dehydration, suffocation, and exposure to extreme temperatures.

XI.3 Smuggling by air

Smuggling of migrants by air generally involves fewer risks than other smuggling methods but as stated comes at a much higher cost to migrants and their families. While there are occasional reports of smuggled migrants travelling in airfreight containers, on cargo planes, or hiding in the undercarriage of airplanes, there are presently no reports linking the smuggling of migrants from Pakistan to clandestine methods of smuggling by air.

Smuggling of migrants by air does however, usually necessitate the use of false or forged travel or identity documents that are presented at check-in, immigration, and customs control at the point of embarkation and/or arrival. Smuggled migrants from Pakistan have been found using fraudulent or stolen passports or visas, travel and identity documents that were obtained through bribery or other illicit means, or using documents issued in the name of other persons. In some cases the fraudulent documents are Pakistani passports that are easier to procure, but because of the many visa requirements for travel by Pakistani nationals, it is more desirable — and thus more expensive — to acquire fraudulent documents, especially passports, from countries whose nationals can travel more freely. It has also been reported that smugglers in Pakistan sometimes bribe airline personnel at

³⁹⁵ UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 31; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 1, 32, 34.

³⁹⁶ IOM, 'Mediterranean Migrant Arrivals 2016' (Press release, 31 May 2016) <<http://www.iom.int/news/mediterranean-migrant-arrivals-2016>>.

³⁹⁷ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 2, 39, 41; Antje Missbach & Frieda Sinanu, 'The Scum of the Earth'? Foreign People Smugglers and Their Local Counterparts in Indonesia' (2011) 30 *Journal of Current Southeast Asian Affairs* 57, 76–7; Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 7.

³⁹⁸ UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 22–3; UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 26, 64.; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 2.

check-in and security staff at airports to ‘turn a blind eye’ to fraudulent travel and identity documents.³⁹⁹

Pakistani nationals travelling by air on false or forged documents have been apprehended in a range of countries along a myriad of routes used to smuggle migrants. For example, the airports in Dubai in the United Arab Emirates, Riyadh in Saudi Arabia, Cairo in Egypt, and also Tripoli in Libya have been identified as landing and transit points en route to Europe where Pakistani nationals using fraudulent documents were stopped.⁴⁰⁰ In 2010, Europol detected a smuggling network bringing Pakistani nationals to France and Spain on working visas that were issued to other persons.⁴⁰¹ Similarly, Pakistani nationals who are smuggled to Southeast Asia and Australia have been apprehended in Thailand and Malaysia with fraudulently obtained passports and visas, and with documents in which information had been altered or inserted.⁴⁰²

XI.4 Inhuman or degrading treatment, exploitation of smuggled migrants

During their journey, smuggled migrants are frequently at the mercy of their smugglers. Harsh treatment, exploitation, and extortion are frequent occurrences and, in some instances transcend into situations of trafficking in persons. Some smugglers take advantage of the fact that their clientele has no local knowledge and no local contacts in the transit countries and, especially in remote areas or on the high seas, have little alternative but to succumb to the smugglers’ demands. To maximise their control, some smugglers deliberately keep the migrants in the dark about their location and the routes, distances, and other information on the intended journey.⁴⁰³

It is also not uncommon that smugglers abuse the situation of dependence of the migrants to extort further money from them or their families. For this reason, smugglers sometimes take away the migrants’ travel and identity documents, or hold them hostage or under lock and key until they are willing and able to pay the additional fees that go above and beyond the originally agreed payments.

Reports from Turkey for instance, show that local gangs operating near the border to Iran sometimes lure or kidnap irregular migrants when they cross the border, to demand ransoms from their relatives in Pakistan. In extreme cases, they use violence and torture while the migrants speak to their relatives on the phone. In other cases, these gangs threaten to return the migrants to Iranian authorities unless further payments are made.⁴⁰⁴ Similar situations have been reported from Istanbul where smuggled migrants were found locked in ‘safe houses’ or coerced to work for the smuggling network to earn additional money. This may also involve illegal activities relating to the smuggling operation, or activities involving illicit drugs. Some smugglers also respond with threats, coercion, or violence if smuggled migrants indicate that they intend to change their smugglers.⁴⁰⁵

On the routes used to smuggle migrants from Pakistan via Africa to Western Europe, migrants are particularly vulnerable if the smugglers transport or guide them through remote desert areas over long distances. This method is however, no longer used widely to smuggle Pakistani and other migrants from South Asia. Nevertheless these journeys, which sometimes take months and years to complete as alluded to earlier, are uniquely dangerous and traumatic, especially if the migrants travel

³⁹⁹ UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 100; Khalid Koser, ‘Why Migrant Smuggling Pays’ (2008) 46(3) *International Migration* 3, 15.

⁴⁰⁰ UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 48.

⁴⁰¹ Europol, ‘Facilitated Illegal Immigration Intelligence Bulletin’ (Intelligence Bulletin, No 3, July 2010) 14.

⁴⁰² UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 2, 35–6, 40, 42.

⁴⁰³ Katie Kuschminder et al, *Irregular Migration Routes to Europe and Factors Influencing Migrants’ Destination Choices* (2015) 53–4.

⁴⁰⁴ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 125–26; see also, European Commission, *A study on smuggling of migrants: Characteristics, responses, and cooperation with third countries*, Final Report (2015) 56.

⁴⁰⁵ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 139–40, 142.

without insufficient food and water supplies. There have been reports of smuggling gangs holding the migrants hostage to renegotiate fees, or because different gangs no longer agreed on transfers, payments, and routes.⁴⁰⁶

It needs to be stressed that the vulnerable situation of smuggled migrants is not only often exploited by their smugglers, but also by third parties or government officials. There are many reports of smuggled migrants being harassed, robbed, or treated harshly by local thugs, border guards, police, and other officials. For example, accounts of Pakistani migrants residing irregularly in Greece, a country where many migrants remain or become stranded for some time, reveal that many migrants often work for little pay in sub-standard conditions, are dismissed unfairly and without any warning, and are sometimes treated harshly by government officials.⁴⁰⁷ In other cases, smuggled migrants are arrested and kept prisoner unless they pay bribes. In extreme cases, smuggled migrants have been injured or even killed if they failed to comply with demands made by corrupt officials or persons abusing their position of power.⁴⁰⁸

XI.5 Trafficking in persons

Trafficking in persons that leads from Pakistan to other countries is a phenomenon that is not well documented and remains poorly understood. The true extent of this problem, the patterns and characteristics of trafficking, and the profile of traffickers and their victims has not been comprehensively researched; and much of the available information is rather selective and at times anecdotal. Moreover, many sources refer to trafficking within or into Pakistan, but few reports examine trafficking from Pakistan to other countries.⁴⁰⁹

It is also difficult to gauge to what degree the smuggling of migrants from Pakistan is connected to instances of trafficking, and just how commonly situations that start as smuggling transition into situations of trafficking. The following sections summarise the available information, separated by types of trafficking. Given the limited range of sources and doubts regarding the quality of some reports it is however, not always possible to confirm the validity and currency of this information.

XI.5.1 Sexual exploitation

Several sources report that women seeking to work in the Gulf States sometimes end up in situations involving sexual exploitation. Believing they will be able to work in the service industry in countries such as Qatar and the UAE, some Pakistani women contact employment agencies in Pakistan and often pay high fees for the recruitment services. The job offers, however, sometimes turn out to be false and once they arrive at their destination, the women find themselves trapped in situations involving sexual exploitation.⁴¹⁰ There are also allegations that some traffickers operate with the protection of government officials and politicians.⁴¹¹

One 2009 publication suggests that young women are trafficked from Pakistan to India where they work in brothels, but contains no further information about the trafficking methods or details about the exploitation.⁴¹²

⁴⁰⁶ UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 37, 52–3; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 60.

⁴⁰⁷ See, for example, *Robin Choudry v Canada (Minister of Citizenship and Immigration)* (2011) FC 1406.

⁴⁰⁸ Shahram Khosravi, 'Illegal Traveller': *An Auto-Ethnography of Borders* (2010) 19; Sanaa Alimia, 'Afghan (Re)Migration from Pakistan to Turkey: Transnational Norms and the 'Pull' of Pax-Ottomanica?' (2014) 16 *Insight Turkey* 159, 163, 171.

⁴⁰⁹ See also Section II.6 above,

⁴¹⁰ United States, Department of State, *Trafficking in Persons Report 2014* (2014) 302; Americans for Democracy & Human Rights in Bahrain, *Slaving Away: Migrant Labor Exploitation Human Trafficking in the Gulf* (2014) 31–2. See also, Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 107.

⁴¹¹ Rashida Valika, 'Women Trafficking in Pakistan: A Tale of Misery and Exploitation' (2007) 14 *Pakistan Journal of Women's Studies* 19, 25.

⁴¹² Alexis A Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (2009) 84.

XI.5.2 Forced marriage

Arranged marriages are not uncommon in Pakistan and there are instances in which young women, some of them minors, are forced into marriages or sold as brides. This seems to be more common in the poor northwestern parts of the country, in some urban Afghan and Bengali communities, and in some Afghan refugee camps. The limited information available seems to suggest that forced marriages are mostly a domestic problem but there are also some cases in which women were taken abroad for that purpose.⁴¹³ The 2016 *Trafficking in Persons Report* by the United States Department of State for instance, reports that Pakistani women are sometimes ‘sold’ into forced marriages to husbands that taken them to Afghanistan or Iran where they are sexually exploited or forced into prostitution.⁴¹⁴ The customary practice of swara, which is used in some parts of Pakistan and Afghanistan to settle dispute and blood feuds among tribal clans and families, also involves forced marriages that may lead to exploitation and trafficking.⁴¹⁵

XI.5.3 Labour trafficking

Labour trafficking involves both men and women from Pakistan. Insofar as Pakistani nationals are trafficked to other countries for the purpose of labour exploitation, the available literature mostly documents the exploitation of workers in the Gulf States.⁴¹⁶ Some Bangladeshi and East Asian nationals, most of them women, are also believed to be trafficked through Pakistan to the Gulf States. In many cases, persons who voluntarily seek employment in the Gulf States using formal or informal channels to reach the destination country, later find themselves in situations where they do not receive the agreed salaries and work in conditions that greatly differ from those they anticipated. Labour exploitation in the Gulf States is said to involve several industries, ranging from oil and gas to construction and domestic service. In many instances, the exploitation relates to working conditions, especially working hours, as many migrants are forced or compelled to work more than standard hours, work at night, or work without breaks.

Frequently criticised in this context is the kafala sponsorship system which is rooted in Middle Eastern traditions of hospitality and the treatment and protection of foreign guests. Kafala is used across the Gulf States and Mashreq and has been formalised in the national immigration and labour migration laws of some countries. Under the kafala system employers (the kafeel or sponsor) determine their demand for labour and then sponsor and pay for the recruitment of workers. The kafeel thus takes on legal responsibility for the entry, residency, and employment of foreign workers who are thus tied to the individual sponsor for the duration of the contract. During the recruitment, some agencies acting on behalf of the kafeels charge inflated recruitment fees amounting to several months’ wages. The workers often arrive at the place of employment heavily indebted from the recruitment and transportation fees, and are not permitted to change employers. The sponsor controls the worker’s entry, stay, and exit from the country because the workers’ immigration status is tied to the kafeel. The employers also often confiscate the workers’ passports and accommodate them in sub-standard housing.⁴¹⁷ It has been reported as well that job offers made to would-be migrants are often false and that upon arrival in the Gulf States, some Pakistani migrants are tricked into signing new contracts

⁴¹³ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 92, 107–09; Syed Sikander Mehdi, *Illegal Migration, Human Smuggling and Trafficking: From Bangladesh to Pakistan and Beyond* (2010) 39.

⁴¹⁴ United States, Department of State, *Trafficking in Persons Report 2016* (2016) 295; see also, United States, Department of State, *Trafficking in Persons Report 2013* (2013) 290–91.

⁴¹⁵ UNODC, *The Socio-Economic Impact of Human Trafficking and Migrant Smuggling in Pakistan* (2014) 13; cf Sarah Zaman, *Forced Marriages and Inheritance Deprivation in Pakistan* (2011) 91–2.

⁴¹⁶ See generally United States, Department of State, *Trafficking in Persons Report 2016* (2016) 295; United States, Department of State, *Trafficking in Persons Report 2014* (2014) 302;

⁴¹⁷ ILO, *Tricked and Trapped: Human Trafficking in the Middle East* (2013) 25–9, 59–62, 114–21; Paul Renkiewicz, ‘Sweat makes the green grass grow: the precarious future of Qatar’s migrant workers in the run up to the 2022 FIFA World Cup under the kafala system and recommendations for effective reform’ (2016) 65 *American University Law Review* 721, 733–7; Andrew Ross, ‘High culture and hard labour’, *International New York Times*, 31 March 2014, 10; Mohammad A Auwal, ‘Ending the Exploitation of Migrant Workers in the Gulf’ (2010) 34(2) *The Fletcher Forum of World Affairs* 89, 99–101; Americans for Democracy & Human Rights in Bahrain, *Slaving Away: Migrant Labor Exploitation Human Trafficking in the Gulf* (2014) 11–12, 27–8, 43–4.

that stipulate lower salaries than originally agreed, or where unfair deductions are applied to salary payments including sick-leave and overtime amounts.⁴¹⁸

Much of the recent literature and labour exploitation of Pakistani nationals in the Gulf States relates specifically to the use of migrant workers from Pakistan and other South Asian States in Qatar's building industry and in large infrastructure projects under development for the 2022 soccer World Cup in Doha. Many reports as well as NGOs have found that Pakistanis, along with other foreign workers from South Asia, are often led into exploitative working conditions, especially in the construction, domestic service, gas, and transportation industries. As noted it has been reported that migrant workers usually work shifts of 12 to 14 hours a day, are often exposed to the sun and sweltering temperatures, have to live in overcrowded and unsanitary accommodation, and are tied to their employer by contracts that do not permit them to change jobs or leave Qatar freely. Under the kafala system as described earlier, workers' passports are frequently confiscated by employers to exercise further control and ensure they do not abscond.⁴¹⁹ In response to international concern and criticism, in May 2014 the Government of Qatar announced it would introduce new laws to provide greater protection of the rights of foreign workers and replace the kafala system.⁴²⁰ Further updates on these proposals were not available at the time of writing.

Pakistani nationals who arrive irregularly in Europe are also vulnerable to exploitation and trafficking. Some sources report the exploitation of Pakistani workers in Italy, where many of them work in the agricultural industry in the southern Campania and Puglia regions and on the island of Sicily. Other reports concern the exploitation of Pakistani migrants in Spain's agricultural sector.⁴²¹ A recent investigation by Europol and Spanish authorities uncovered a smuggling network that brought Pakistanis via Libya and Italy to Spain where the migrants were forced work in Pakistani-run restaurants without any pay and in abusive conditions.⁴²²

XI.5.4 Trafficking in persons for the purpose of organ removal

There has been some speculation about an emerging market of donor organs in Pakistan and about trafficking in persons for the purpose of organ removal. Two reports published in 2007 and 2015 respectively suggest that the enactment and enforcement of more rigorous organ transplantation laws in India has shifted some of the market to Pakistan. 'Pakistan emerged as a main market in the region for transplant tourism and illegal organ transplants', notes one of these sources, and also attributes this shift to the fact that Pakistan's anti-trafficking laws do not extend to trafficking in persons for the purpose of organ removal.⁴²³ The extent and patterns of this phenomenon are,

⁴¹⁸ G M Arif, *Recruitment of Pakistani Workers for Overseas Employment: Mechanisms, Exploitation and Vulnerabilities* (2009) 31, 33; Sigma Huda, 'Sex trafficking in South Asia' (2006) 94 *International Journal of Gynecology and Obstetrics* 374, 377; cf United States, Department of State, *Trafficking in Persons Report 2016* (2016) 295.

⁴¹⁹ Paul Renkiewicz, 'Sweat makes the green grass grow: the precarious future of Qatar's migrant workers in the run up to the 2022 FIFA World Cup under the kafala system and recommendations for effective reform' (2016) 65 *American University Law Review* 721, 724–25; Americans for Democracy & Human Rights in Bahrain, *Slaving Away: Migrant Labor Exploitation Human Trafficking in the Gulf* (2014) 27–32. See, also, Robert Booth, 'UN gives Qatar a year to end forced labour of migrant workers', *The Guardian* (online), 24 March 2016 <<https://www.theguardian.com/world/2016/mar/24/un-gives-qatar-year-end-forced-labour-migrant-workers>>; Owen Gibson, 'UN urges Qatar to reform its laws for World Cup workers', *The Guardian* (London), 26 April 2014, 7; David Conn, 'Qatar 2022 World Cup will exploit migrant workers, says report', *The Guardian* (online), 30 January 2013, <<https://www.theguardian.com/football/2013/jan/29/qatar-2022-world-cup-exploit-workers>>; Richard Morin, 'Few rights for foreign workers in Qatar', *International Herald Tribune*, 15 April 2013, 17.

⁴²⁰ Ian Black et al, 'Qatar: Emirate promises labour law reform: Move follows outcry over "slave workers" preparing for World Cup', *The Guardian Weekly* (London), 23 May 2014, 5.

⁴²¹ IOM, "Stagione Amara" *Rapporto sul sisistema di ingress per lavoro stagionale e sulle condizioni dei migrant impiegati in agricoltura in Campania, Puglia e Sicilia* (2010) 11–20; Francesco Carchedi, *Slave Labour: Some aspects of the phenomenon in Italy and Spain* (2010) 31–3; Paolo Leotti et al, *Supporting victims of severe forms of labour exploitation in having access to justice in EU Member States, Spain* (2014) 20, 21, 34.

⁴²² Europol, 'Hit on migrant smuggling and human trafficking ring operating via the Mediterranean' (Press release, 3 November 2015) <<https://www.europol.europa.eu/content/hit-migrant-smuggling-and-human-trafficking-ring-operating-mediterranean>>; see further Section XII.2 below.

⁴²³ Farhan Navid Yousaf & Bandana Purkayastha, "'I am only half alive": Organ trafficking in Pakistan amid interlocking oppressions' (2015) 30 *International Sociology* 637, 638, 648. See also, Syed Ali Anwar Naqvi et al, 'A socioeconomic survey of kidney vendors in Pakistan' (2007) 20 *Transplant International* 934, 934–38; Yosukoe Shimanzono, 'The state of the international organ trade: A provisional

however, not further documented and there is, at present, no further information about the trafficking of persons from Pakistan to other countries for the purpose of organ removal.

XI.5.5 Trafficking in children

As mentioned earlier in this report,⁴²⁴ insofar as trafficking in children from Pakistan to other countries occurs, the available information almost exclusively points to trafficking to the Gulf Region where children are used in the camel racing industry; a practice that appears to have ceased considerably over the past five to 10 years.⁴²⁵ Pakistani as well as Afghan and Bangladeshi boys were mostly trafficked through Iran to the Gulf States where they were forced to work as camel jockeys, labourers, or to engage in begging.⁴²⁶ As the Gulf States, Saudi Arabia, and the UAE in particular have taken steps to reduce and eliminate the use of child camel jockeys (also by replacing them with robot jockeys), there are now fewer and less recent reports about trafficking in children from Pakistan for that purpose. It is not clear, however, whether the use of children as camel jockeys has been universally abolished.

XII. Perpetrators and Networks

XII.1 Profile of migrant smugglers

XII.1.1 General information

The individuals involved in the smuggling of migrants from Pakistan come from a diverse range of backgrounds and it is not possible to create a stereotypical migrant smuggler profile from the available information. It is also not possible to clearly label all the persons involved in the smuggling of migrants from Pakistan and those operating along the main smuggling routes as criminal smugglers because some individuals and businesses may provide legal services, such as transport companies, taxi drivers, airlines, accommodation providers, et cetera.⁴²⁷

Furthermore, many individuals and businesses operate in a grey area in that they are unlicensed, unregulated, or semi-regulated and thus do not squarely fall into the legal/illegal dichotomy. This is especially the case for recruitment agents and labour hire agencies that are unlicensed or that operate on the fringes of legality. Many reports point to the 'blurry' line between formal and informal labour recruitment schemes and the difficulties of differentiating between 'truly' legal and illegal actors.⁴²⁸ Other sources make similar observations about legitimate travel agents who, besides their normal business, also offer journeys involving irregular border crossings and smuggling.⁴²⁹

Many smuggled migrants from Pakistan also rely on the assistance and information provided by relatives, friends, and acquaintances, and some of the support offered may be provided free of charge. In international law, the United Nations *Protocol Against the Smuggling of Migrants* is very clear about the fact that aiding, assisting, and facilitating the illegal entry or stay of another person does not amount to smuggling of migrants if it is not done for the purpose of 'obtaining, directly or indirectly a

picture based on integration of available information' (2007) 85(12) *WHO Bulletin* 955–62; UNODC, *Trafficking in Persons in Pakistan: A Review of National Laws and Treaty Compliance* (2011) 20–21.

⁴²⁴ See Section II.6.2 above.

⁴²⁵ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 28–9; Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 97, 99; Syed Rashid Ali et al, 'Child Trafficking: Analysis of the Leading Familial Determinants' (2014) 8 *FWU Journal of Social Sciences* 36, 38–9.

⁴²⁶ United States, Department of State, *Trafficking in Persons Report 2016* (2016) 295; Shahram Khosravi, *Illegal Traveller: An Auto-Ethnography of Borders* (2010) 18; cf John R Miller, 'Slave Trade' (2006) 27(4) *Harvard International Review* 70, 71.

⁴²⁷ Cf European Commission, *A study on smuggling of migrants; Characteristics, responses, and cooperation with third countries*, Final Report (2015) 93; Louise Shelley, *Human Smuggling and Trafficking into Europe: A Comparative Perspective* (2014) 1.

⁴²⁸ See, for example, Sanaa Alimia, 'Afghan (Re)Migration from Pakistan to Turkey: Transnational Norms and the 'Pull' of Pax-Ottomanica?' (2014) 16 *Insight Turkey* 159, 169.

⁴²⁹ Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46 (3) *International Migration* 3, 5.

financial or other material benefit'.⁴³⁰ For this reason, not all persons involved in the irregular journey are necessarily smugglers. Moreover, persons and organisations, such as NGOs assisting irregular migrants for humanitarian or other altruistic reasons — for example by helping them to flee from persecution or war — are, by definition, not migrant smugglers.

XII.1.2 Smugglers of Pakistani or Afghan background

One observation common to most transit points and destinations for the smuggling of migrants from Pakistan is the involvement of persons who share the same nationality and ethnicity as the migrants they smuggle.⁴³¹ All along the main routes used in the smuggling of migrants from Pakistan are other Pakistani and Afghan nationals who frequently act as local contact points for the migrants, who connect them to local accommodation and transport providers, and/or who work as intermediaries or agents for smuggling networks that organise separate stages of the journey. In some instances, these individuals occupy more senior roles in the network or operate as organisers who oversee the various legs of the smuggling journey and commission local gangs and individuals to carry out specific smuggling-related tasks.

The involvement of persons from similar national and ethnic backgrounds in the smuggling of migrants is also important for some migrants and their families as they speak a common language and are often seen as more trustworthy and reliable. In some instances, the migrants personally know these smugglers from their home country or have heard about them from family and friends.⁴³²

Many smugglers in the main transit points were once themselves smuggled migrants who became stranded on their journey or who returned from the destination to the transit point to become involved in smuggling-related activities. They often use the experience and knowledge gained during their own ventures and use the contacts they established along the route to set up their own smuggling network and live off the earnings of migrant smuggling. In some cases, especially if they cannot work legally or do not want to be detected by the authorities for fear of deportation and return to their home countries, the individuals have little choice but to engage in clandestine activities such as smuggling.

XII.1.3 Local smugglers in transit and destination countries

Most of the more routine and basic smuggling activities such as transporting, guiding, or accommodating irregular migrants along the main smuggling routes are carried out by local groups and individuals. These are rarely routine criminals, but become involved in the smuggling-related activities merely if and when opportunities arise. Many of them witness the demand for irregular migration in their local area firsthand, and see an opportunity to earn additional money by transporting migrants, accommodating them, helping them buy tickets for trains, buses, or flights or by guiding them to or from border crossings.

This kind of involvement in the smuggling of migrants is highly opportunistic and generally not driven by a desire to exploit or coerce the migrants. Smugglers and facilitators of this kind exist in large numbers and often do not engage in these activities full-time or over long periods. It is also very difficult to arrest and deter these offenders on a large scale and even if they are arrested, this does little to disrupt the overall flow of irregular migrants, stop the smuggling of migrants, or address the

⁴³⁰ See Article 3(a) *Smuggling of Migrants Protocol*; see further, UN General Assembly, *Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the work of its first to eleventh sessions; Addendum: Interpretative notes for the official record (travaux préparatoires) of the negotiations for the United Nations Convention against Transnational Organized Crime and the Protocols thereto*, UN Doc A/55/383/Add.1 (3 Nov 2000) 16 (88) 17 (89).

⁴³¹ See generally European Commission, *A study on smuggling of migrants; Characteristics, responses, and cooperation with third countries*, Final Report (2015) 51; Switzerland, *Koordinationsstelle gegen Menschenhandel und Menschen schmuggel (KSMM), Gewerbsmässiger Menschen schmuggel und die Schweiz* (2014) 68; Frontex, *Unaccompanied minors in the migration process*, Report (2010) 26.

⁴³² UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 2.

causes of their migration. The following sections show that opportunistic, local smugglers can be found on all the routes used to smuggle migrants from Pakistan.

XII.1.4 Information from specific countries

XII.1.4.1 Pakistan

There is surprisingly little information about the background and profile of persons involved in the smuggling of migrants in Pakistan, including those who recruit or are contacted by would-be migrants, those who make arrangements for travel or organize genuine or fraudulent travel or identity documents, or those who guide or transport smuggled migrants to and across the border. Some of the smuggling (and also trafficking) seems to be organised or initiated by unlicensed labour recruitment agents and brokers in Pakistan, or by relatives and friends who have returned or are visiting from the destination country.⁴³³

Several sources point to the involvement of corrupt officials and politicians in Pakistan who, as in other countries, receive payments to enable, facilitate, or 'turn a blind eye' to the smuggling of migrants from the country. A 2014 publication cites the then Minister of Interior Mr Faisal Saleh Hayat who stated that many migrant smuggling operations had 'powerful backing from local politicians' which also made it difficult for some authorities to investigate and take action against smuggling.⁴³⁴

XII.1.4.2 Iran

Smuggled migrants who arrive from Pakistan in Iran often travel with the details of contact persons (also referred to as 'dallal') in Tehran or other transit points. These middlemen are networked locally and can assist with arrangements for the onward journey.⁴³⁵ Local Iranians also seem to play a part in smuggling migrants from Pakistan across the country. Many of them appear to be short-term opportunists rather than persons who make a living from migrant smuggling. For example, it has been reported that some locals offer to drive (or 'taxi') smuggled migrants from Tehran to the Turkish border using their own private vehicles.⁴³⁶

XII.1.4.3 Turkey and Greece

Reports from Turkey show that both local and foreign nationals, mostly men, from a diverse range of nationalities engage in the smuggling of migrants. In many cases, the main smugglers are from the same background as the migrants they smuggle. In other words, Pakistani smugglers — some of whom were once themselves smuggled migrants who stayed or became stranded in Turkey — are often involved in smuggling other Pakistani nationals. They are usually based in the main cities or transit hubs and supported by local Turkish individuals and groups that are employed to carry out more menial tasks. The crossings from Greece into Turkey overland or by boat are also usually carried out by Turkish or Greek nationals, while Pakistani smugglers recruit the migrants for this journey and connect the migrants to the people who will take or guide them across the border.⁴³⁷

XII.1.4.4 Western and Eastern Balkans Routes

The pattern that mostly local people — most of them men — are responsible for transporting and guiding smuggled migrants has also been observed along the Western and Eastern Balkans routes.

⁴³³ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 21; ILO, *Tricked and Trapped: Human Trafficking in the Middle East* (2013) 102–03.

⁴³⁴ Ali Nobil Ahmad, 'The Production of Illegality in Migration and Diaspora: State policies and human smuggling from Pakistan' in Joya Chatterji & David Washbrook (eds), *Routledge Handbook of the South Asian Diaspora* (2014) 198, 206–07.

⁴³⁵ Sanaa Alimia, 'Afghan (Re)Migration from Pakistan to Turkey: Transnational Norms and the 'Pull' of Pax-Ottomanica?' (2014) 16 *Insight Turkey* 159, 169.

⁴³⁶ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 143–44.

⁴³⁷ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 68, 198–200; UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges*, (2015) 24–6.

They usually have knowledge of the best routes and roads and know where to expect and avoid police checks and border controls. They can also assist with transportation, sometimes using their own private trucks, vans, or cars, or they can guide the smuggled migrants to areas in which the border can be crossed on foot. In some instances, they connect the migrants to other smugglers across the border, though it appears to be more common that these local smugglers remain in their country of origin or only venture across the border for a short distance and a short period before they return. Most of these local smugglers are opportunists who merely take advantage of the possibility to make some money while demand for smuggling is high. In some, but not all, transit countries smugglers from the countries of origin of the migrants, such as Pakistan and Afghanistan, oversee the smuggling ventures or establish contact between smugglers and between smuggled migrants and smugglers.⁴³⁸ Figure 16 below shows the number of smugglers (‘facilitators’) who are Pakistani nationals found to be involved in the smuggling of migrants (of all nationalities, not just from Pakistan) in Europe.

Figure 16: Number of Pakistani facilitators of irregular migration apprehended in Europe by point of detection, Frontex, 2009–2015⁴³⁹

	Land	Inland	Land Intra EU	Sea	Air	Not Specified
2015	203	111	21	11	3	0
2014	16	219	18	3	3	4
2013	10	199	14	2	2	0
2012	12	240	20	4	6	0
2011	20	201	8	2	6	0
2010	16	216	4	4	5	0
2009	12	212	3	15	3	0

XII.1.4.5 Destination countries in Western Europe

Authorities in destination countries in Western Europe such as Germany, Belgium, and the United Kingdom have similarly observed that the smuggling of migrants from Pakistan is often overseen by other Pakistani nationals already residing in the destination country. Some are from the same provinces or local areas as the smuggled migrants. Their private residences as well as community centres or places of worship used by Pakistanis sometimes serve as meeting points for smugglers and smuggled migrants. These smugglers can also assist in finding accommodation, work, or if necessary, onward transportation.⁴⁴⁰

Between 2011 and June 2016, Swiss authorities detected 11 Pakistanis who were involved in smuggling migrants into Switzerland, all of them using private cars to bring small groups of upto three persons (not all of them Pakistanis) from Italy, and in two cases from Austria, into Switzerland.⁴⁴¹ Figure 17 below shows the number of migrant smugglers who are Pakistani nationals that have been apprehended in Austria. This number decreased in the mid 2000s but has risen again since 2008. These figures do not however, stand in any direct correlation to the number of Pakistanis smuggled into Austria each year.⁴⁴²

⁴³⁸ ICMPCD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 190; UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges*, (2015) 26–7.

⁴³⁹ Frontex Risk Analysis Network (FRAN) and European Document Fraud (EDF) data provided by Frontex, 3 March 2016 (copy held by authors).

⁴⁴⁰ UNODC, *Migrant Smuggling in Asia; Country Profiles: South-West Asia* (2015) 67.

⁴⁴¹ Information provided by Switzerland, Federal Customs Administration, 20 June 2016 (copy held by authors).

⁴⁴² See Figure 12, Section VIII.3.4 above.

Figure 17: Pakistani migrant smugglers apprehended in Austria, 2000–2015⁴⁴³

	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003
No. of smugglers	26	n/a	17	13	17	15	4	2	10	5	2	12	23

Pakistani nationals who are arrested and prosecuted for smuggling of migrants in Austria usually operate in an organising capacity rather than carrying out specific smuggling activities such as transporting the migrants. They normally help connect newly arrived migrants seeking to continue from Austria to other destination countries to other smugglers. In a 2002 case, for instance, a Pakistani national who also worked as an informant for Austrian law enforcement agencies abused his position to recruit Pakistani, Afghan, and Indian migrants in Austria's main asylum seeker reception centre in Traiskirchen, Lower Austria by pretending to be a Pakistani interpreter and allegedly connecting several hundred of them to other smugglers who would facilitate their onward journey. He was also accused of being part of a criminal network that furnished Pakistani migrants with fraudulent documents and smuggled them via Russia and Ukraine or along the Eastern Balkans route to Slovakia or the Czech Republic.⁴⁴⁴

German authorities, as shown in Figure 18 below, have apprehended several hundred Pakistani nationals involved in smuggling of migrants in recent years. As in the case of Austria, it is interesting to note that the considerable increase in detections of smuggled Pakistani migrants in 2015 did not coincide with an increase in the number of Pakistani smugglers.⁴⁴⁵ Also shown are cases in which Pakistani nationals were found to be obtaining or using fraudulent travel or identity documents. These figures may not necessarily relate to smugglers, but may also involve smuggled migrants acquiring, using, or presenting such documents.

Figure 18: Pakistani nationals investigated for migrant smuggling offences, Germany, 2012–2015⁴⁴⁶

	2015	2014	2013	2012
Smuggling of foreigners, § 96 Aufenthaltsgesetz	55	42	48	68
• Smuggling of foreigners, § 96(1), (4) Aufenthaltsgesetz	46	30	43	52
• Smuggling of foreigners, § 96(2) Aufenthaltsgesetz	9	12	5	16
Obtaining residence permit by deception, § 95(2) 2 Aufenthaltsgesetz	60	48	50	80
Obtaining by deception or misuse of visa	38	29	34	58
• Obtaining by deception or misuse of visa by way of sham marriage	4	5	7	5
• Obtaining by deception or misuse of visa in other ways	34	24	27	53
Obtaining by deception or misuse of entry or residence permit	23	19	16	23
• Obtaining by deception or misuse of entry or residence permit by way of sham marriage	5	6	5	5

⁴⁴³ Austria, Bundeskriminalamt, *Schlepperei Österreich, Jahresbericht 2015* (2016) 21; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2013* (2014) 17; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2012* (2013) 10; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2011* (2012) 12; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2010* (2011) 32; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2009* (2010) 30; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2008* (2009) 27; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Illegale Migration, Jahresbericht 2007* (2008) 29; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2006* (2007) 22; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2005* (2006) 20; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2004* (2005) 20; Austria, Bundeskriminalamt, *Organisierte Schlepperkriminalität, Jahresbericht 2003* (2004) 20.

⁴⁴⁴ 15 Os 107/03 (Supreme Court of Austria, 4 December 2013).

⁴⁴⁵ See Section VIII.8.1 above.

⁴⁴⁶ Germany, Bundeskriminalamt, 'Polizeiliche Kriminalstatistik'

<http://www.bka.de/nn_229440/DE/Publikationen/PolizeilicheKriminalstatistik/pks__node.html?__nnn=true> (Tabelle 62: Straftaten und Staatsangehörigkeit nichtdeutscher Tatverdächtiger).

	2015	2014	2013	2012
• Obtaining by deception or misuse of entry or residence permit in other ways	18	13	11	18
Smuggling of foreigners causing death, commercial smuggling, and involvement of criminal group, § 97 Aufenthaltsgesetz	1	0	4	12
• Smuggling causing death, § 97(1) Aufenthaltsgesetz	0	6	0	0
• Commercial smuggling of foreigners and involvement of criminal group, § 97(2) Aufenthaltsgesetz	1	6	4	12

XII.1.4.6 Smuggling via Africa to Europe

The smuggling of migrants from Pakistan via Northern or Western Africa to Europe appears to be both organised and carried out by smugglers and groups from countries along the route. The limited available information suggests that smuggling along these routes involves a higher level of organisation, and that the smuggling routes are set up and used mostly by migrants from African countries with little if any involvement of smugglers who themselves are of Pakistani background.⁴⁴⁷

XII.1.4.7 Southeast Asia and Australia

The smuggling of migrants from Pakistan via Southeast Asia to Australia also tends to be overseen by migrants who are of the same background as the smuggled migrants. These organisers are frequently individuals who were once themselves smuggled along the same routes and failed in their quest to reach Australia. Some became involved in smuggling activities to earn the funds to pay for their onward journey, others saw the opportunity to use their own smuggling experience and their contacts to facilitate the smuggling of other migrants from their home country. Because the smuggling ventures across Indonesia and to Australia usually involved migrants of mixed backgrounds and nationalities, Pakistani and Afghan smugglers worked alongside — sometimes in collaboration, sometimes in competition— smugglers of Iranian, Iraqi, or Sri Lankan backgrounds.⁴⁴⁸ It should be stressed, however, that although the literature and many news outlets frequently report the involvement of Pakistani nationals in the smuggling of migrants through Indonesia, there are very few reported cases to confirm this.⁴⁴⁹

The main smuggling activities are executed by local drivers and fishermen who are recruited and paid for individual tasks and ventures. Indonesian nationals are, for the most part, not involved in senior roles, but many Indonesians, most of them young men from coastal areas and poor backgrounds, are hired to crew the vessels that are used to smuggle migrants from Indonesia to Australia.⁴⁵⁰ There have also been reports of smugglers colluding with corrupt Indonesian officials who ‘turn a blind eye’ or sometimes actively assist in the migrant smuggling venture in return for bribes.⁴⁵¹

⁴⁴⁷ UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 52–3; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 60.

⁴⁴⁸ Andreas Schloenhardt & Colin Craig, ‘Prosecution of People Smugglers in Australia 2011–14’ (2016) 38 *Sydney Law Review* 49, 59–63, 67–70; Andreas Schloenhardt & Charles Martin, ‘Prosecution and Punishment of People Smugglers in Australia 2008–2011’ (2012) 40 *Federal Law Review* 111, 123–25; Peter Munro, ‘People smuggling and the resilience of criminal networks in Indonesia’ (2011) 6 *Journal of Policing, Intelligence and Counter Terrorism* 40, 43; Andreas Schloenhardt & Linley Ezy, ‘Hadi Ahmadi – And the Myth of the People Smugglers’ Business Model’ (2012) 38 *Monash University Law Review* 120, 143; Antje Missbach & Frieda Sinanu, ‘“The Scum of the Earth”? Foreign People Smugglers and Their Local Counterparts in Indonesia’ (2011) 30 *Journal of Current Southeast Asian Affairs* 57, 76–7; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 42.

⁴⁴⁹ See, for example, *Chaudhry v The Queen* (2007) WASCA 37.

⁴⁵⁰ Andreas Schloenhardt & Colin Craig, ‘Prosecution of People Smugglers in Australia 2011–14’ (2016) 38 *Sydney Law Review* 49, 58–9; Andreas Schloenhardt & Charles Martin, ‘Prosecution and Punishment of People Smugglers in Australia 2008–2011’ (2012) 40 *Federal Law Review* 111, 126–27; Antje Missbach & Frieda Sinanu, ‘“The Scum of the Earth”? Foreign People Smugglers and Their Local Counterparts in Indonesia’ (2011) 30 *Journal of Current Southeast Asian Affairs* 57, 76–7.

⁴⁵¹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 42; Antje Missbach & Frieda Sinanu, ‘“The Scum of the Earth”? Foreign People Smugglers and Their Local Counterparts in Indonesia’ (2011) 30 *Journal of Current Southeast Asian Affairs* 57, 76–7.

XII.2 Smuggling networks and organisations

Official sources and academic research unanimously show that the smuggling of migrants from Pakistan is rather loosely organised. Most smuggling ventures are carried out by networks of groups and individuals in the various transit and destination countries. Evidence of the involvement of large scale criminal organisations and sophisticated transnational syndicates is, for the most part, non-existent and suggestions that those involved in smuggling of migrants from Pakistan simultaneously carry out other forms of organised crime are, at best, anecdotal. This is also confirmed by information received from Pakistan's Federal Investigation Agency (FIA) stating that 'there is no credible information' that large-scale criminal organisations and sophisticated transnational crime syndicates based in Pakistan are involved in the smuggling of migrants.⁴⁵²

It also appears that for most smuggled migrants the journey from Pakistan to the main destination countries is not a single, simple, pre-organised venture, but that the smuggling occurs in multiple legs and stages and that the migrants use and encounter different smugglers and smuggling networks along the way. The picture that emerges from the available literature also suggests that the main smugglers only have oversight over some part of the smuggling process rather than exercising control over the entire journey from sending to destination countries.⁴⁵³

The level of organisation and sophistication of the smuggling networks is mostly reflected in the methods used to smuggle migrants from Pakistan. It is more likely that larger and more organised smuggling networks are involved if migrants are furnished with fraudulent travel or identity documents in order to be smuggled by air on long-haul flights. These network also tend to operate for longer periods of time, develop a reputation among would-be migrants, and have the ability to facilitate the departure of larger numbers of people.⁴⁵⁴ It is also not uncommon for businesses such as travel agencies or visa consultants in Pakistan to offer migrant smuggling services, ranging from providing fraudulent documents to organising flights and accommodation.⁴⁵⁵

In November 2015, for instance, Europol in cooperation with Spanish and Polish law enforcement agencies detected a migrant smuggling network and arrested 29 suspects involved in smuggling migrants from Pakistan to Europe (referred to as 'Operation Shafat-Turkeba'). Charging some EUR 14,000 each, the migrants were offered a 'package' that involved fraudulent documents and transportation. Some of these migrants were smuggled via Libya to Italy and Spain where a number of them ended up in situations of trafficking, having to work in Pakistani-run restaurants. Others travelled via Turkey and Greece to Poland. The money collected by the criminal network was sent back to Pakistan through money wires, sometimes using the identities of the migrants they exploited.⁴⁵⁶ Earlier that year, Spanish authorities arrested five members of a network involved in smuggling Pakistanis to Spain. Once in Spain, the migrants were kept in 'safe' houses and forced to work in order to pay back between EUR 6,000 and 15,000 each to the smugglers who also acquired forged residence permits for the said migrants.⁴⁵⁷

The extent to which smuggled migrants from Pakistan use and rely on smugglers and smuggling networks also depends on the abilities and pre-existing contacts the migrants may have to persons and groups along the main smuggling routes. A further consideration for the migrants before they embark on their journey is the reputation of the smugglers; their networks, and their ability to smuggle

⁴⁵² Information provided to UNODC staff members during meetings with senior FIA Management.

⁴⁵³ Cf Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 143–44.

⁴⁵⁴ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 36; Jon Boon & Nooruddin Bakhshi, 'Boom time for Afghanistan's people smugglers', *The Guardian* (online), 19 January 2012, <<https://www.theguardian.com/world/2012/jan/18/afghanistan-people-smugglers-taliban-europe>>.

⁴⁵⁵ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 40–2.

⁴⁵⁶ Europol, 'Hit on migrant smuggling and human trafficking ring operating via the Mediterranean' (Press release, 3 November 2015) <<https://www.europol.europa.eu/content/hit-migrant-smuggling-and-human-trafficking-ring-operating-mediterranean>>.

⁴⁵⁷ Europol, 'Criminals behind people smuggling ring arrested' (Press release, 16 February 2015) <<https://www.europol.europa.eu/content/criminals-behind-people-smuggling-ring-arrested>>.

migrants swiftly and effectively to the desired destination. The way in which smugglers treat their clientele and the smugglers' abilities to adapt and change routes in response to law enforcement activities and border controls also impact on the choice of smugglers and smuggling networks. It has in addition been shown that migrants with little or no information about the smugglers and their reputation (which is often the case with smuggled migrants from rural backgrounds) are at much greater risk of exploitation or of failing in their quest to reach the desired destination.⁴⁵⁸

Information relating to the smuggling of migrants from Pakistan to Europe shows that many migrants travel from one country to the next along a chain of smuggling networks located in the main transit countries or transit hubs. Each network has a relatively flat hierarchical structure, in that each leg of the journey is overseen by one or more organisers who, as mentioned earlier, are often also of Pakistani background and operate as the main contact(s) when the smuggled migrants arrive in that country. This person not only has the ability to communicate with the migrants in their native language, but also has the local knowledge to organise accommodation and to direct and pay local individuals and groups who transport or guide the migrants from point to point.

There is general agreement that the smuggling of migrants from Pakistan is best understood as a loosely connected chain of small networks each of which maintains some degree of structure and hierarchy. Some of these chains and networks are believed to have been in operation for many years and have thus acquired considerable experience and reputation.⁴⁵⁹ A further advantage of this network model is that it provides the smuggled migrants with the ability to change smugglers or reroute their journey if individuals are arrested or if it becomes too difficult to pass through certain transit points.

The smuggling of migrants from Pakistan via Northern and West Africa, on the other hand, is as mentioned believed to be more organised and carried out by networks that operate across multiple countries. Pakistani authorities have also been cited saying that smuggling along this route has a higher incidence of fraudulent travel and identity documents that are sold to Pakistani migrants by 'cartels' based in Africa which systematically forge, use, sell, or recycle stolen or expired passports.⁴⁶⁰ Smugglers operating in Northern and West African countries are often former smuggled migrants from other parts of Africa who work in conjunction with local groups and individuals. The use of chains of smuggling networks along the main smuggling routes has also been observed in this context.⁴⁶¹

Research on the smuggling of migrants from Pakistan to Southeast Asia and Australia has identified a similar model by which smuggled migrants are transferred from contact to contact between countries. These contacts are often other Pakistani or Afghan migrants who oversee local smuggling operations and pay local groups and individuals if and when needed. Over time, some of these networks became well established, building experience and reputation, but also leading to competition between certain groups and their members. In late 2013, Indonesian authorities identified several established smuggling networks operating in the country, usually organised along the same ethnic lines as the people they smuggle.⁴⁶²

⁴⁵⁸ European Commission, *A study on smuggling of migrants; Characteristics, responses, and cooperation with third countries*, Final Report (2015) 37.

⁴⁵⁹ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 129, 198–200.

⁴⁶⁰ European Commission, *A study on smuggling of migrants; Characteristics, responses, and cooperation with third countries*, Final Report (2015) 41; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 35–6.

⁴⁶¹ UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 52–3; Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 60.

⁴⁶² Antje Missbach, 'Making a "Career" in People-Smuggling in Indonesia: Protracted Transit, Restricted Mobility and the Lack of Legal Work Rights' (2015) 30 *Journal of Social Issues in Southeast Asia* 423, 436; Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 30; UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 42.

Several sources also emphasise the significance of corruption in the smuggling of migrants from Pakistan and suggest that corruption pervades the smuggling processes all along the main smuggling routes. Many smuggling networks collude with corrupt officials on an ongoing basis and pay them to deliberately ignore the smuggling activities, to aid them actively, to prevent other officials and authorities from interfering, or to acquire travel or identity documents for the smuggled migrants.⁴⁶³ It should be stressed, however, that many allegations of corruption are not further substantiated and that reported cases of corrupt individuals facilitating the smuggling of migrants are quite limited. This may, however, also be the reflective of the fact that few such cases are ever reported and investigated. Further research on the nexus between corruption and smuggling of migrants from Pakistan and a collection of cases on this topic is long overdue to confirm or deny long-standing allegations.

XII.3 Traffickers and trafficking networks

Information on the individuals and groups involved in trafficking in persons from Pakistan is extremely limited and, at times, either sensationalised or anecdotal. Reliable information and reported cases that give insight into the profile and background of traffickers and the structure of trafficking organisations are, for the most part, non-existent. This is also explained by the fact that many sources incorrectly distinguish (or fail to differentiate altogether) between trafficking in persons and smuggling of migrants or superimpose information from one phenomenon onto the other. Pakistani laws and law enforcement practices also insufficiently separate these two issues.⁴⁶⁴

Because of the nature of trafficking in persons and the control that most traffickers exercise over their victims, trafficking is generally more organised and less improvised than many smuggling operations. Recruiters tend to play a more active role when they contact or are contacted by trafficking victims as they need to gain the victims' trust or, if minors are involved, the trust of their parents. For this reason, traffickers rely on local people who may be known or have better access to potential victims. Local groups and individuals sometimes 'supply' victims to larger trafficking organisations that may also traffic the person to another country. The same practice has been observed by trafficking networks that recruit Afghan or Bangladeshi victims from refugee camps or urban centres in Pakistan.⁴⁶⁵ The available information suggests that traffickers operating in Pakistan are nationals and foreigners, including Iranians and Bangladeshis.⁴⁶⁶

XIII. Fees and Financing of Migrant Smuggling

XIII.1 Fees

XIII.1.1 General information

Actual fees paid by migrants who are smuggled from Pakistan and estimates of those fees depend on a range of factors and also fluctuate over time depending on demand and capacity. As a general rule, the greater the distance and the faster and safer the smuggling method, the higher will be the required fee. Slow, unsafe, and smuggling methods with uncertain outcomes, such as smuggling on small boats, and methods that require little effort by the smugglers, such as guiding them across open borders or driving them in private vehicles are less expensive than methods that are sophisticated, fast, and

⁴⁶³ Ali Nobil Ahmad, *Masculinity, Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 102; Sanaa Alimia, 'Afghan (Re)Migration from Pakistan to Turkey: Transnational Norms and the 'Pull' of Pax-Ottomanica?' (2014) 16 *Insight Turkey* 159, 169; Farooq Azam, *Human Trafficking, Human Smuggling and Illegal Migration to and from Pakistan* (2009) 20.

⁴⁶⁴ UNODC, *Trafficking in Persons in Pakistan: A Review of National Laws and Treaty Compliance* (2011) 17–21; UNODC, *Smuggling of Migrants by Land, Air and Sea in Pakistan: A Review of National Laws and Treaty Compliance* (2011) 10–16; UNODC *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 20.

⁴⁶⁵ Enterprise for Business & Development Management, *Baseline Study on Illegal Migration, Human Smuggling and Trafficking in Pakistan* (2009) 108–09.

⁴⁶⁶ UNODC, *Smuggling of Migrants and Trafficking in Persons: A Situational Analysis of Pakistan* (2011) 21.

efficient, such as smuggling by air using high quality fraudulent documents. Many smuggled migrants also use a combination of means and methods, depending on the offers made by smugglers and the resources available. They may also attempt to use a cheaper option first and resort to more expensive smuggling methods if the first option fails.⁴⁶⁷

It is for these reasons that the choice of method and destination are largely dependent on the resources available to the smuggled migrants and their family; a point that is further discussed in Section XIII.2 below. Many migrants do not have the resources to be smuggled to far-away destinations and thus have to opt for cheaper alternatives. North America and Western Europe are the first preference for many smuggled migrants, but are also the most expensive and, in the case of North America, the most difficult to reach. For some time, migrants from Pakistan who were unable to afford the costs to be smuggled to these destinations chose Australia instead. Some smugglers in Pakistan are believed to tailor their offers according to the resources available to the would-be migrants, proposing different destinations and smuggling methods depending on the money the migrants are able and willing to pay.⁴⁶⁸

The fees reported in the following Sections need to be read with caution as they may not be a true reflection of actual payments made and of fees currently charged for the respective routes and methods. Some of these figures are unreliable estimates; others have been reported by migrants in small-scale surveys. As a whole, the data is however, indicative of the sums needed to be smuggled along certain routes, and also serves to show the scale of the migrant smuggling 'economy'. In 2013, UNODC reported that a 'conservative assessment' of the total 'economy of irregular migration' from Pakistan in 2010 was USD 106.8 million.⁴⁶⁹

XIII.1.2 Smuggling from Pakistan to Iran, the Gulf States, and Turkey

The most immediate destinations for the smuggling of migrants from Pakistan — and some of the most popular — are Iran and the Gulf States. Smuggling from Pakistan to Iran is believed to cost approximately PKR 25,000.⁴⁷⁰ Research conducted by UNODC in 2009 found that smuggling from Pakistan to Iran overland costs approximately USD 600–800 and smuggling from Pakistan to Oman or the UAE by sea (either directly or via Iran) approximately USD 300–700.⁴⁷¹ More recent figures provided by Pakistani authorities suggest that these fees are considerably higher, and that between PKR 200,000 and 500,000 is needed to be smuggled from Pakistan to the Gulf States.⁴⁷² Labour recruitment agents in Pakistan also often deceive and overcharge migrants seeking to move to the Gulf. Maximum service fees are capped by government regulation at PKR 4,500, but some migrants are required to pay PKR 40,000, or even more if they come from rural areas.⁴⁷³

Some would-be migrants in Pakistan may also purchase or otherwise acquire fraudulent documents independent of the smuggling journey and a specific smuggling route or destination. A 2008 publication suggests that, depending on the country of issue, forged foreign passports are available in Pakistan for about USD 2,000 on average.⁴⁷⁴

XIII.1.3 Smuggling to Western Europe

Several variables determine the fees for smuggling from Pakistan to Western Europe, especially the routes and means taken, the number of transit countries crossed, and the number of smugglers

⁴⁶⁷ See generally Switzerland, Koordinationsstelle gegen Menschenhandel und Menschen schmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 30.

⁴⁶⁸ UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 90; Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) *International Migration* 3, 3–4.

⁴⁶⁹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 7.

⁴⁷⁰ G M Arif, *Recruitment of Pakistani Workers for Overseas Employment: Mechanisms, Exploitation and Vulnerabilities* (2009) 30.

⁴⁷¹ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 28.

⁴⁷² UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 34–6.

⁴⁷³ G M Arif, *Recruitment of Pakistani Workers for Overseas Employment: Mechanisms, Exploitation and Vulnerabilities* (2009) 36.

⁴⁷⁴ Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) *International Migration* 3, 15.

paid/payments made along the journey. Some migrants make many small payments for each leg along the way, which can add up to significant sums. Others may only make one or two part-payments, which is not to say that this is a less expensive method.

On average, most sources seem to suggest that the fee for smuggling from Pakistan to Europe overland, which may also include short ventures by sea, is approximately USD 7,000. If smuggled migrants travel by air for some or all of the journey, fees range between USD 10,000 and 20,000. Higher fees still may be paid if the smuggling involves high quality fraudulent travel or identity documents from Western countries⁴⁷⁵ or if marriages are arranged to gain entry to Europe, in which case fees can be as high as EUR 25,000.⁴⁷⁶ If the migrants depart from Pakistan by air, the fees may include up to USD 5,000 that have to be paid to bribe airline, immigration, or customs staff in Pakistan.⁴⁷⁷ Figure 19 below lists the available estimates and reported figures of migrant smuggling from Pakistan to Western Europe.

Figure 19: Estimated fees for smuggling of migrants from Pakistan to Europe

Route	Currency + fee	Source (year)	Notes/method
Pakistan-Europe	EUR 3,000	UNODC, <i>Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications</i> (2011) 101.	overland
Pakistan-Europe	USD 9,000–10,000	K Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) <i>International Migration</i> 3, 12.	direct flights
Pakistan-Europe	USD 4,000–12,000	P Hatziprokopiou & A Triandafyllidou, <i>Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation</i> (2013) 29.	flight + overland; two or more flights
Pakistan-Europe	USD 3,000	K Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) <i>International Migration</i> 3, 12.	flight then overland
Pakistan-Europe	USD 7,000	S Khosravi, 'Illegal Traveller': <i>An Auto-Ethnography of Borders</i> (2010) 104.	not specified
Pakistan-Europe	PKR 1,000,000–1,500,000	UNODC, <i>Migrant Smuggling in Asia: Current Trends and Related Challenges</i> , (2015) 34–6.	not specified
Pakistan-Europe	USD 9,000–10,000	P Hatziprokopiou & A Triandafyllidou, <i>Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation</i> (2013) 29.	direct flights
South Asia-Europe	EUR 15,000-18,000	UNODC, <i>The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union</i> (2011) 37.	via West and Northern Africa
Pakistan-Greece	EUR 3,500–8,500	A Triandafyllidou & T Maroukis, <i>Migrant Smuggling: Irregular Migration from Asia and Africa to Europe</i> (2012) 120–21.	high of EUR 8,500 in 2010
Pakistan-Romania	EUR 1,500-4,500	ICMPD, <i>Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe</i> (2011) 192.	route via Russia and Ukraine
Pakistan-Germany	EUR 13,00-15,000	Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, July 2010) 14.	flights to France, Italy or Spain then overland
Pakistan-UK	USD 13,000–14,000	K Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) <i>International Migration</i> 3, 12.	direct flights

⁴⁷⁵ See, for example, ICMPD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 37–8.

⁴⁷⁶ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 50–51; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 3, September 2011) 13; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 2, April 2010) 10–11.

⁴⁷⁷ Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) *International Migration* 3, 15.

Route	Currency + fee	Source (year)	Notes/method
Pakistan-UK	USD 13,000-14,000	P Hatziprokopiou & A Triandafyllidou, <i>Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation</i> (2013) 29.	direct flights from Pakistan to UK
Pakistan-UK	USD 20,000 or more	J Boon & NBakhshi, 'Boom time for Afghanistan's people smugglers', <i>The Guardian</i> (online), 19 January 2012.	direct flights from Pakistan to UK
Pakistan-UK	GBP 4,000-6,000	R Black et al, 'Routes to illegal residence: A case study of immigration detainees in the United Kingdom' (2006) 37 <i>Geoforum</i> 552, 559.	range covers any means of transport
Pakistan-Europe	USD 4,000	K Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) <i>International Migration</i> 3, 12.	flight then overland

For many migrants who are smuggled from Pakistan to Europe, Greece is their first main destination and their entry point into the European Union. Smuggling to Greece also appears to be considerably cheaper than smuggling to other destinations in Western Europe, partly because the smuggling window from Turkey to Greece is fairly large as many migrants from a host of nations use the route via Turkey to Greece to get to Europe. Many migrants from Pakistan also have relatives, friends, or other contacts in Greece which enable them to negotiate discounts or pay part of the smuggling fee after they arrive in Greece.⁴⁷⁸

It has been estimated that in 2005 smuggling from Pakistan to Greece cost about EUR 3,500. The fee increased to EUR 5,500–8,500 in 2009/2010 but dropped again in 2010/2011 to EUR 3,500 when demand for smuggling to Greece declined after many Pakistanis left Greece and returned to Pakistan because having lost their employment in the aftermath of the global financial crisis which affected Greece particularly severely.⁴⁷⁹ Pakistani migrants who are smuggled via Russia and Ukraine to Romania, a route not very commonly used, are believed to pay between EUR 1,500 and 4,500 for their journey.⁴⁸⁰

From Greece, smuggled migrants pay anywhere between EUR 100 and 500 for each leg of the onward journey along the Western or Eastern Balkans routes. The fees differ regarding the mode of transportation, the number of migrants that can be smuggled in any one journey, and the distance travelled. The experience and reputation of the smugglers also impact on the price they can charge for their services. If smuggling attempts remain unsuccessful, migrants may be asked to pay less or are offered a further venture at no extra or a reduced cost.⁴⁸¹ This means that smuggling from Greece to Western European countries costs approximately EUR 3,000 along the Eastern Balkans route,⁴⁸² or between EUR 1,500 and 2,500 from Serbia to Germany or France along the Western Balkans route.⁴⁸³ Estimates of the additional costs for fraudulent travel or identity documents vary greatly. Reports from national authorities in Eastern Europe suggest that smuggled migrants travelling along the Eastern Balkans route are required to pay between EUR 1,000 and 2,000 for fraudulent documents in addition to the transportation fee.⁴⁸⁴ A 2013 report by UNODC, on the other hand, found that Pakistani migrants pay up to PKR 1,400,000-1,600,000 for obtaining a genuine visa to enter the UK on fraudulent grounds. Forged visas are said to be available for PKR 200,000–300,000 each.⁴⁸⁵

⁴⁷⁸ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 136, 142.

⁴⁷⁹ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 120–21, 130.

⁴⁸⁰ ICMPD, *Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* (2011) 192.

⁴⁸¹ UNODC, *Migrant Smuggling in Asia: Current Trends and Related Challenges* (2015) 34–6; Ali Nabil Ahmad Masculinity, *Sexuality and Illegal Migration: Human Smuggling from Pakistan to Europe* (2011) 105.

⁴⁸² Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 4, October 2010) 11.

⁴⁸³ UNODC, *Migrant Smuggling in Asia; Country Profiles: South-West Asia* (2015) 70.

⁴⁸⁴ UNODC, *Migrant Smuggling in Asia; Country Profiles: South-West Asia* (2015) 69–70.

⁴⁸⁵ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 36.

XIII.1.4 Smuggling to Southeast Asia and Australia

Estimates of the costs for smuggling migrants from Pakistan via Southeast Asia to Australia vary considerably, due in part to the fact that the smuggled migrants usually pay separately for individual legs of the journey, rather than making a single upfront payment.⁴⁸⁶ Further adding to the wide spectrum of estimates is the fact that some smugglers, especially those offering journeys from Indonesia to Australia, sometimes vary their fees between individual (groups of) migrants and charge different fees depending on what the migrants can afford at that time.

⁴⁸⁶ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 42.

Figure 20: Estimated fees for smuggling of migrants from Pakistan to Australia, 2000-2015

Route	Currency + fee	Source (year)	Notes/method
Pakistan-Australia	AUD 11,750–14,700	C Barker, <i>The people smugglers' business model</i> , Research Paper No 2, Parliamentary Library (2013) 17.	smuggling by air
Pakistan-Australia	USD 12,000–15,000	K Koser, <i>Why Migrant Smuggling Pays</i> (2009) 3–4.	smuggling by air
Pakistan-Australia	AUD 4,900–7,581	C Barker, <i>The people smugglers' business model</i> , Research Paper No 2, Parliamentary Library (2013) 17.	smuggling by air then boat
Pakistan-Australia	USD 5,000–8,000	K Koser, <i>Why Migrant Smuggling Pays</i> (2009) 3–4.	smuggling by air then boat

The total costs for travel from Pakistan to Southeast Asia (Thailand, Malaysia, or Indonesia) by air plus travel by boat from Indonesia to Australia are believed to range from as little as AUD 4,900 to as much as AUD 17,650.⁴⁸⁷ Smuggling by air from Pakistan to Australia via transit points in the Gulf States or Southeast Asia is estimated to cost between AUD 11,750 and 14,700 or USD 12,000–15,000.⁴⁸⁸

The first leg of the journey from Pakistan to Southeast Asia is sometimes done lawfully using genuine documents and travelling on regular flights, thus not requiring smugglers. This of course is different for the final leg from Indonesia to Australia by boat: estimates of the fees paid to be smuggled for this relatively short distance range from as little as AUD 590 and to as much as USD 5,000.⁴⁸⁹

XIII.1.5 Smuggling to North America

Canada and, in particular, the United States are the most expensive destinations for the smuggling of migrants from Pakistan due to the great distance and the fact that it involves long-haul air travel, at least for some part of the journey. Fees are estimated to range between USD 17,000 and 20,000, though some migrants appear to have paid less (GBP 4,000–6,000) in individual cases.⁴⁹⁰ In the case of *Majid v Holder* 336 Fed Appx 389 (2009) USD 25,000 was paid by an Afghan migrant to two smugglers who smuggled him and his family on flights via the Gulf States and Europe to Canada and then by boat across to New York State.

XIII.2 Financing

XIII.2.1 Source of funding

The funds needed to pay the considerable fees associated with smuggling from Pakistan thus usually require migrants to use up their life savings and to sell their property and any assets they may have in Pakistan.⁴⁹¹ A study published in 2015 found that of 50 irregular Pakistani and Afghan migrants surveyed, the fee for smuggling from Pakistan to the United Kingdom amounted on average to 262% of the household's annual income. For some, the fees paid constituted ten times their annual

⁴⁸⁷ Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 17; Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) *International Migration* 3, 3–4.

⁴⁸⁸ Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 17; Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46 (3) *International Migration* 3, 3–4.

⁴⁸⁹ UNODC, *Recent trends of human trafficking and migrant smuggling to and from Pakistan* (2013) 40–1; Joe Cochrane & Matt Siegel, 'Seeking Asylum in Australia, Refugees Find a Policy in Flux', *The New York Times* (New York), 27 August 2013, 4; UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 100–01; Cat Barker, *The people smugglers' business model*, Research Paper No 2, Parliamentary Library (2013) 17.

⁴⁹⁰ Panos Hatziprokopiou & Anna Triandafyllidou, *Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation* (2013) 29; Richard Black et al, 'Routes to illegal residence: A case study of immigration detainees in the United Kingdom' (2006) 37 *Geoforum* 552, 559; Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46 (3) *International Migration* 3, 12; UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 101.

⁴⁹¹ Panos Hatziprokopiou & Anna Triandafyllidou, *Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation* (2013) 29; UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 90.

earnings, for others a relatively much lower 67%.⁴⁹² A further study of 100 Pakistanis and Afghans published in 2008 found that the smugglers' fees amounted to 367% of the household's annual income.⁴⁹³

The funds available to the migrants will generally determine the destination and method of smuggling. Put simple, migrants with access to fewer funds will choose closer destinations and travel overland using more unreliable and often dangerous methods of smuggling, while migrants with more available funds can afford to choose more distant destinations, travelling on commercial flights or using other means of transport that are faster, less dangerous, and also often involving guarantees by smugglers to offer alternative routes and methods should a smuggling attempt fail.⁴⁹⁴

As many if not most migrants from Pakistan are not able to accumulate sufficient funds to pay for the smuggling to the intended destination themselves, they will often rely on support, gifts, and loans from their relatives. It is not uncommon for parents, siblings, and more distant family members to give money to pay the smugglers' fees. This is done to help their relatives to find better work and opportunities abroad, but also often involves the expectation that the smuggled migrants, once settled in the destination country, repay loans and send remittances to the remaining relatives in Pakistan. Many family members also hope that the smuggled migrants will later aid other relatives to follow to the same destination either by sponsoring their migration through legal avenues or by paying smugglers with the money earned abroad. Research into the smuggling of migrants from Afghanistan and Pakistan published in 2008 stressed that:-

This is an investment by families in their children. Just as you might invest in sending your children to school or university, these are families investing in their children, either to get them out of harm's way, if they're fleeing persecution, or to help them perhaps to achieve a better life and a better standard of living by getting them to another part of the world.⁴⁹⁵

It is for these reasons that some smuggled migrants obtain considerable amounts of money from their families, and that some parents are willing to sell jewellery and other heirlooms or mortgage land or property to raise funds for the smuggling fee.⁴⁹⁶

In circumstances in which the migrants and their families cannot raise sufficient money to pay the smuggling fees, they may take out loans from banks or from smugglers or their associates.⁴⁹⁷ This creates considerable liabilities, debts, and risks; and these debts make the migrants and their relatives vulnerable to coercion and more exploitation, especially if the smugglers or irregular moneylenders demand repayment. There are also reports of friends and relatives deceiving or overcharging would-be migrants.⁴⁹⁸

XIII.2.2 Payment

XIII.2.2.1 Timing of payments

The availability of funds also often determines when and how fees for the smuggling of migrants are paid. Some migrants and their families are able to pay the fee upfront and in full, which sometimes includes discounts offered by the smugglers. Upfront payments are particularly common for shorter,

⁴⁹² OECD, *Corruption and the smuggling of migrants* (October 2015) 4.

⁴⁹³ Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) *International Migration* 3, 4.

⁴⁹⁴ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbmässiger Menschenschmuggel und die Schweiz* (2014) 71; Panos Hatziprokopiou & Anna Triandafyllidou, *Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation* (2013) 29; Gianna d'Amato et al, *Menschenschmuggel und irreguläre Migration in der Schweiz*, SFM Forschungsbericht 37 (2005) 67.

⁴⁹⁵ Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46 (3) *International Migration* 3, 4.

⁴⁹⁶ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 137; Panos Hatziprokopiou & Anna Triandafyllidou, *Governing Irregular Migration: States, Migrants and Intermediaries at the Age of Globalisation* (2013) 29; UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 37; Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46(3) *International Migration* 3, 4.

⁴⁹⁷ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 41; UNODC, *The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union* (2011) 37.

⁴⁹⁸ G M Arif, *Recruitment of Pakistani Workers for Overseas Employment: Mechanisms, Exploitation and Vulnerabilities* (2009) 36.

less expensive smuggling ventures, such as smuggling from Pakistan to the Gulf States, though this has also been observed in cases involving smuggling by air from Pakistan to Europe.⁴⁹⁹

Those without sufficient funds sometime pay in stages along the smuggling venture if and when funds become available. This appears to be the most common method although it may result in long delays if the migrants cannot pay their smugglers or if money transfers from the home country take longer than expected. It may also place the migrants at the mercy of their smugglers who may threaten to abandon them if fees are not paid or who abuse the vulnerability of the migrants to coerce or further exploit them. It is also not uncommon for smugglers to suddenly increase agreed fees and demand additional payment along the way.⁵⁰⁰

For the smuggled migrants, payment in instalments can, however, also have the advantage that they can withhold payments until they have reached certain destinations or transit points, and it can provide migrants with the opportunity to attempt border crossings without the aid of smugglers or to choose or change smugglers along the way. Some migrants may also be able to negotiate lower fees en route. Because of the competition between smugglers along the main routes and in the main smuggling hubs, migrants may also be given guarantees that several methods and routes would be tested in case initial attempts at smuggling them across borders fail. Some smuggling ventures also involve arrangements in which upfront payments are made to intermediaries (sometimes hawaladars or money brokers) who only release the instalments to the smugglers once it has been confirmed that the migrants have reached predetermined transit or destination points.⁵⁰¹

There have as well been reports of cases in which migrants enter into debts to the smugglers and agree to pay back the money once they reach their destination. Such arrangements increase the risk of exploitation and trafficking and often lead migrants into situations in which they are forced to work in sub-standard conditions with no pay under the control of the traffickers or their associates.⁵⁰²

XIII.2.2.2 Methods of payment

Various methods are used to transfer the payment to the smugglers. This may be done in cash directly from the migrants (or their families) to the smugglers in the home country or at any stage along the way. It also explains why smugglers when they are arrested are often found to be in possession of large amounts of cash in various currencies. In some cases, smugglers ask the migrants to deposit the money with middlemen or directly pay local operators who then transfer the funds onward.⁵⁰³

Banks and other financial institutions are also occasionally used to make payments and transfer funds, though the use of money transfer companies such as Western Union or informal remittance systems is much more common. One of the advantages of these systems is that deposits can be given to a guarantor such that payment to the smugglers is conditional upon receiving notification that the smuggled migrant has reached the intended destination or transit point. The said systems also tend to be less expensive, more accessible and flexible, and less bureaucratic than the regular financial sector.⁵⁰⁴

⁴⁹⁹ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 41–42; European Commission, *A study on smuggling of migrants; Characteristics, responses, and cooperation with third countries*, Final Report (2015) 46.

⁵⁰⁰ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 139; Khalid Koser, *International Migration - A Very Short Introduction* (2007) 68.

⁵⁰¹ Switzerland, Koordinationsstelle gegen Menschenhandel und Menschenschmuggel (KSMM), *Gewerbsmässiger Menschenschmuggel und die Schweiz* (2014) 71; OECD, *Corruption and the smuggling of migrants* (2015) 4; European Commission, *A study on smuggling of migrants; Characteristics, responses, and cooperation with third countries*, Final Report (2015) 46, 96.

⁵⁰² See, for example, Europol, 'Criminals behind people smuggling ring arrested' (Press release, 16 February 2015) <<https://www.europol.europa.eu/content/criminals-behind-people-smuggling-ring-arrested>>; Paolo Leotti et al, *Supporting victims of severe forms of labour exploitation in having access to justice in EU Member States, Spain* (2014) 21, 34.

⁵⁰³ Anna Triandafyllidou & Thanos Maroukis, *Migrant Smuggling: Irregular Migration from Asia and Africa to Europe* (2012) 139.

⁵⁰⁴ UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 41; Khalid Koser, 'Why Migrant Smuggling Pays' (2008) 46 (3) *International Migration* 3, 5; Rebecca Napier-Moore, *Smuggling and Trafficking: Rights and Intersections* (2011) 27; Europol, 'Facilitated Illegal Immigration Intelligence Bulletin' (Intelligence Bulletin, No 4, August 2008) 10–11, 47.

Hawala, a traditional, informal, and inexpensive money transfer system which is used widely in South Asia, the Gulf States, North Africa and among the South Asian diaspora, is another way to deposit and obtain funds, especially in locations with no access to the formal banking sector.⁵⁰⁵ The use of hawala (also referred to as hundi) has been particularly contentious in the context of migrant smuggling and other types of crime, as there are widespread allegations that the system is vulnerable to the transfer and laundering of the proceeds of crime.

⁵⁰⁵ OECD, *Corruption and the smuggling of migrants* (October 2015) 4; UNODC, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (2011) 100–01; UNODC, *Crime Facilitating Migration from Pakistan and Afghanistan* (2009) 41.

CONCLUSION

XIV. Observations

Smuggling of migrants from Pakistan is a large, complex, and long-standing phenomenon. It is triggered by factors that are deeply rooted in the economic and political situation in Pakistan and the neighbouring countries, historical events and ties to other countries, culture, demographic factors, and environmental causes. The factors that cause and shape migration, both regular and irregular, from Pakistan and explain why Pakistan is an important source, transit, and destination country for many migrants.

The reasons for irregular migration from Pakistan, of which the smuggling of migrants is but one form, can be found both within the country, in neighbouring States, and in transit and destination countries. Pakistan is a country that has been shaped by international migration: a fact that can neither be reversed nor stopped. Pakistan's economy and its people thrive on the influence of Pakistanis who have moved abroad and support their remaining relatives with remittances and gifts, and also enrich their former communities with their experiences and knowledge. The Pakistani diaspora has similarly made many important, valuable, and lasting contributions to the communities and countries they still call home. Similarly, Pakistan has benefited from immigration by people from neighbouring countries and from further afield who have made Pakistan a more vibrant and diverse place. In short, in reflecting on the causes, conditions, and consequences of migration from Pakistan, it is important to stress that migration is a reality for any society and any nation including Pakistan, and a phenomenon that cannot be deterred, but that can be managed.

The migrants' main motivation to leave Pakistan for foreign shores is the desire to improve their lives, their opportunities, their experience and income, and to raise their standard of living and that of their family. International migration, both regular and irregular, is a phenomenon closely tied to personal aspirations of the migrants and their hope to find a better life and a safer future. Not all irregular migration, and not all cases of migrant smuggling, are for the purpose of leaving Pakistan permanently. Many migrants intend to visit Pakistan and their remaining relatives once they have built a new existence and secured a durable immigration status abroad. Many more plan to work abroad for a period of time and return to Pakistan or support their families with remittances whilst overseas. Others intend to emigrate permanently to join other relatives and friends in many of the Pakistani communities worldwide and to settle, find employment, and bring out their families if and when they can.

Migrant smugglers prey on these hopes and seek to profit from the migrants' aspirations and their inability to access fast, easy, and regular avenues of migration. A complex web of means and methods used to smuggle migrants from Pakistan by land, air, and sea has emerged that spans the space from Pakistan across the Middle East and Africa to Europe and Southeast Asia, Australia, and North America. Although the exact figures of the true levels of smuggling of migrants from Pakistan will never be known, the analysis in this report shows that this phenomenon has grown to an economy of scale involving hundreds of millions in dollars. The extent and complexities of smuggling of migrants from Pakistan also show that there are no easy answers, and that a diverse range of measures in sending, transit, and destination countries are needed to reduce the smuggling of migrants and protect the rights of smuggled migrants.

Further adding to the difficulties associated with tackling the smuggling of migrants from Pakistan is the fact that many aspects of this phenomenon remain poorly documented and not well understood. Throughout this report it is noted that very many aspects and facts of the smuggling of migrants are not known and not analysed, and that some of the available information tends to be anecdotal or

sensationalised. A lack of more and better research is one of the main obstacles to understanding and fighting the smuggling of migrants from Pakistan.

XV. Outlook

It is evident that the Government of Pakistan cannot address the many causes, conditions, and consequences of migrant smuggling by itself. Cooperation and information sharing with other countries is crucial to grasp the scale of the problem and understand the *modi operandi* of smugglers. International cooperation is also needed in the prevention and suppression of smuggling of migrants, which requires cooperation at the practical as well as the strategic and policy levels. Of particular importance is closer cooperation and information exchange with those countries through which Pakistani nationals are frequently smuggled. The development of further bilateral agreements with the main transit and destination countries would also be desirable to facilitate law enforcement and judicial cooperation, the sharing of information, and the return of smuggled migrants.

Efforts to combat the smuggling of migrants in Pakistan are also hampered by a lack of resources in Pakistan. Further financial aid and technical support is needed to assist Pakistan's law enforcement and border control agencies, chief among them the Federal Investigation Agency (FIA), to meet the many challenges associated with detecting instances of migrant smuggling and bringing migrant smugglers to justice.

Another obstacle stems from the ongoing confusion between trafficking in persons and smuggling of migrants under Pakistan's existing laws; and clear, consistent, and comprehensive laws on the smuggling of migrants are still lacking. Law reform in this area is long overdue and hampers the ability of Pakistan to detect and disrupt migrant smuggling ventures and engage with international organisations and foreign authorities in this field. Reform proposals, model laws, and best practice guidelines are readily available and can help the Government of Pakistan improve national legislation in this area.

Irregular migration and the smuggling of migrants are, however, not merely criminal justice problems that can be addressed and solved through new offences, tougher enforcement, and sophisticated criminal justice measures. The human rights of smuggled migrants, and their safety and security, need to be paramount in any national and international mechanism to combat this phenomenon. The special vulnerabilities of women and children additionally need to be respected, especially in those situations that can lead to exploitation and trafficking.

It also needs to be acknowledged that the business of migrant smuggling thrives on measures adopted by States to fortify and control borders, build fences, and refuse entry to asylum seekers and other irregular migrants. The analysis in this report shows that measures designed to close borders and stop the flow of migrants are often counterproductive, resulting in higher levels of irregular migration and smuggling of migrants. The more difficult it becomes to enter another country, the more likely it is that smugglers will offer clandestine and highly dangerous methods to bring migrants into that country.

Several sources reveal that the level of irregular migration exceeds the level of regular migration; a situation that is alarming and intolerable. Many migrants employ the services of smugglers merely because legal, regular avenues of migration do not exist, are not readily available, or are associated with slow, complicated, costly, and cumbersome procedures that deter rather than facilitate migration. Many Pakistanis as well as other nationals living in Pakistan have no choice, whether they are forced or choose to emigrate, but to resort to irregular avenues. Smugglers and traffickers thrive on this situation and provide services which States do not offer or do not sufficiently regulate. The scale of smuggling of migrants from Pakistan is thus also testimony to a failure by States and the

international community to provide meaningful and lawful migration channels, and adequately address the root causes of this phenomenon. It is hoped that this report sheds some light into the causes, conditions, and consequences of the smuggling of migrants from Pakistan, and helps develop more sustainable and durable solutions to this problem.

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