THE GLOBAL PROGRAMME AGAINST THE SMUGGLING OF MIGRANTS

Human Trafficking and Migrant Smuggling Section

INFORMAL DONORS’ BRIEFING

Chaired by Ms. Sara Greenblatt, Chief, Organized Crime Branch

Vienna, 30 March 2012
GLOBAL PROGRAMME AGAINST THE SMUGGLING OF MIGRANTS

• Overview
• Smuggling of migrants: Trends and challenges
• Global Programme:
  – Objectives and areas of intervention
  – Outcomes
  – Outputs
  – Priorities and needs

Photo courtesy of Frontex
PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS by Land, Sea and Air, supplementing the UNTOC

- 8 years after entry into force
- 129 State Parties
- Protocol objectives:
  - Prevent and Combat the smuggling of migrants
  - Protect the rights of smuggled migrants and
  - Promote cooperation to these ends
- UNODC mandate
Global Programme Against the Smuggling of Migrants

UNODC Thematic Programme:
Action against Transnational Organized Crime and Illicit Trafficking, including Drug Trafficking
Sub-Programme 3: Trafficking in Persons and Smuggling of Migrants

UNODC Comprehensive Strategy to Combat Trafficking in Persons and the Smuggling of Migrants
Implemented by the Human Trafficking and Migrant Smuggling Section

Global Programme GLOT92

EC Direct Agreement
STATES ARE REQUIRED TO CRIMINALIZE (art. 6):

• **Smuggling of migrants**: the procurement of the *illegal entry* of a person into a State Party of which the person is not a national or a permanent resident, in order to obtain a *financial or other material benefit* (art. 3)

• **Enabling** a person to illegally remain in a country for *financial or other material benefit*

• **Producing, procuring, providing or possessing fraudulent travel or identity documents** for the purpose of migrant smuggling

• **Attempting, participating, organizing or directing others to commit Protocol offences**
ROUTES: AN EXAMPLE OF SMUGGLERS’ FLEXIBILITY

- Americas
- Europe
- Africa
- Asia
NEW TRANSREGIONAL ROUTES

Americas

Europe

Asia

Africa
SMUGGLING OF MIGRANTS: TRENDS AND CHALLENGES

- Lack of knowledge on routes, modus operandi, profiles
- Lack of common understanding of the crime
- Lack of coordination and cooperation
GLOBAL PROGRAMME AGAINST THE SMUGGLING OF MIGRANTS

- Objectives

- Key areas of intervention:
  - Prevention and awareness-raising
  - Data collection and research
  - Legislative assistance
  - Strategic planning & policy development
  - Criminal justice system responses
  - Protection and assistance
  - International cooperation

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<th>Key Area</th>
<th>Challenge</th>
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<tr>
<td>Prevention and awareness-raising</td>
<td>lack of common understanding</td>
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<td>Data collection and research</td>
<td>significant knowledge gaps</td>
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<td>Legislative assistance</td>
<td>lack of adequate law</td>
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<td>Strategic planning &amp; policy</td>
<td>insufficient planning</td>
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<td>Criminal justice system responses</td>
<td>misdirected prosecutorial focus</td>
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<td>Protection and assistance</td>
<td>inadequate support</td>
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<tr>
<td>International cooperation</td>
<td>limited cross-border action</td>
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LEGISLATIVE ASSISTANCE

 Desired Outcome:
 MS have comprehensive legal frameworks to combat the smuggling of migrants.

 Noted output:
 Global standard-setting tools – Framework for Action; Model Law.

 Priorities:
 Increased legal assistance.
**Desired Outcome:**
Comprehensive strategies, policies and institutional frameworks to prevent and combat the smuggling of migrants.

**Noted output:**
Assessment Guide: better identification of the needs of States and tailored technical assistance.

**Priorities:**
Operational use - independently or through a wider assessment of the criminal justice system in combination with the Criminal Justice Assessment Toolkit.
CAPACITY BUILDING

Desired Outcome:
• Improved criminal justice system response of MS in combating the smuggling of migrants

Noted outputs:
• Basic and In-depth Training Manuals on investigating and prosecuting the smuggling of migrants
• Training Film, “Ways and Means”
• Capacity building workshops

Priorities: ongoing roll-out & adaptation; specialized training; inter-regional technical workshops.
PRIORITIES & NEEDS

Member States:

• Implementation of the Protocol:
  – Political commitment;
  – Clear guidance and support;
  – Development of technical capacity to prevent, prosecute and protect.

UNODC:

• Provision of consistent, comprehensive expert technical assistance:
  – Increased outreach and partnership;
  – Sustainable resources.
THANK YOU!

For more information about the Global Programme and UNODC work to prevent and combat the smuggling of migrants, please contact:

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