



# Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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**Review of the implementation of the United Nations  
Convention against Transnational Organized Crime and  
the Protocols thereto: Protocol against the Smuggling of  
Migrants by Land, Sea and Air**

## **Activities of the United Nations Office on Drugs and Crime to promote and support the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime**

### **Report of the Secretariat**

#### **I. Introduction**

1. The present report has been prepared to inform the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, at its eighth session, about the activities of the United Nations Office on Drugs and Crime (UNODC) to promote and support the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, as the primary legal instrument to combat the smuggling of migrants and related conduct.
2. The Smuggling of Migrants Protocol has a total of 142 parties. Since the seventh session of the Conference of the Parties, in October 2014, Barbados and the Republic of Korea have become parties.
3. In the reporting period, UNODC regional programmes, strategies and dedicated projects supported more than 50 Member States in implementing the Protocol, through a comprehensive approach.

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\* CTOC/COP/2016/1.



## **II. Activities to assist States in the implementation of the Protocol**

4. UNODC implements a comprehensive strategy to combat smuggling of migrants in the following areas of activity: (a) provision of technical assistance for the implementation of the Smuggling of Migrants Protocol; (b) support for intergovernmental and inter-agency cooperation and coordination; and (c) enhanced research and data collection. On the basis of this strategy, UNODC continued to provide significant and diverse forms of support to States in their efforts to become parties to and implement the Protocol.

### **A. Normative, policy and other multilateral work**

5. UNODC provided strategic and substantive support to intergovernmental bodies and processes and continued to cooperate closely with other United Nations agencies, as well as with regional intergovernmental and non-governmental organizations, in promoting the objectives of the Smuggling of Migrants Protocol, ensuring that its standards and obligations continue to be better understood and implemented, and fostering synergies and partnerships to that end.

#### **1. Conference of the Parties to the United Nations Convention against Transnational Organized Crime**

6. UNODC serviced and provided substantive support to the Working Group on the Smuggling of Migrants, established by the Conference. Three technical background papers were developed to facilitate policy discussions during the third session of the Working Group, held in Vienna from 18 to 20 November 2015, on the following topics: smuggling of migrants by sea (CTOC/COP/WG.7/2015/2); practical measures to prevent the smuggling of migrants and children, in particular unaccompanied children, such as the issuance of visas on arrival, public information campaigns and training sessions on fraudulent documents (CTOC/COP/WG.7/2015/3); and organized crime aspects of the smuggling of migrants, including financial investigations and responses targeting the proceeds of crime (CTOC/COP/WG.7/2015/4). UNODC also assisted the Working Group by preparing a consolidated paper containing the previous recommendations of the Working Group (CTOC/COP/WG.7/2015/5).

#### **2. Commission on Crime Prevention and Criminal Justice**

7. To promote the Protocol and disseminate good practices in its implementation, UNODC co-organized several side events during the twenty-fourth session of the Commission on Crime Prevention and Criminal Justice. In collaboration with the Government of Italy, UNODC organized a side event entitled “Protecting migrants at sea and addressing the smuggling of migrants: the Italian experience”. It also organized a side event entitled “A human rights approach to migration: smuggling, violence and protection”, in collaboration with the International Federation of Red Cross and Red Crescent Societies. In addition, UNODC delivered a technical briefing to Member States on its programme of work related to the smuggling of migrants.

### **3. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice**

8. On the margins of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in April 2015, UNODC conducted a workshop on trafficking in persons and the smuggling of migrants, in cooperation with the European Institute for Crime Prevention and Control. The workshop addressed and discussed successes and challenges in criminalization, mutual legal assistance and the effective protection of witnesses of crime and trafficking victims.

### **4. Economic and Social Council**

9. During the reporting period, the Economic and Social Council adopted resolution 2014/23, in which it underlined the crucial role of the Organized Crime Convention and the Smuggling of Migrants Protocol as the primary international legal instruments to combat the smuggling of migrants and related conduct and encouraged UNODC to continue providing, upon request, technical assistance aimed at strengthening the capacity of Member States to criminalize, investigate and prosecute the smuggling of migrants. The adoption of that resolution contributed to an increased demand for UNODC support following the seventh session of the Conference.

### **5. General Assembly**

10. UNODC also provided substantive support to Member States in discussions leading to the development and subsequent implementation of General Assembly resolutions relating to the smuggling of migrants and the implementation of the Smuggling of Migrants Protocol.

11. In December 2014, at its sixty-ninth session, the General Assembly adopted resolution 69/197 on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity. In that resolution, the Assembly called upon Member States to reinforce international cooperation for preventing and combating the smuggling of migrants and for the prosecution of smugglers while effectively protecting the rights and respecting the dignity of smuggled migrants, and called on UNODC to continue its technical assistance to Member States in accordance with the Smuggling of Migrants Protocol.

12. Also at its sixty-ninth session, the General Assembly adopted resolution 69/167 on protection of migrants, in which it called on States to ensure that their laws and policies in the area of combating transnational organized crime, including smuggling of migrants, fully respect the human rights of migrants. The Assembly also encouraged States to cooperate and to take appropriate measures to prevent, combat and address the smuggling of migrants.

### **6. Security Council**

13. In October 2015, the Security Council adopted resolution 2240 (2015), in which it condemned all acts of migrant smuggling into, through and from Libyan territory and off the coast of Libya, noting that those crimes undermine the process of stabilization of Libya and endanger the lives of thousands of people. In the same resolution, the Security Council called on Member States to assist Libya, upon request, in building needed capacity, including to secure its borders and to prevent,

investigate and prosecute acts of smuggling of migrants through its territory and its territorial sea. The resolution specifically refers to the Organized Crime Convention and the Smuggling of Migrants Protocol. In response to that resolution and numerous related requests, UNODC has provided expert knowledge and expertise to Member States and regional organizations on requirements, obligations and responsibilities under the Organized Crime Convention and the Smuggling of Migrants Protocol. UNODC has held, for example, a number of meetings with representatives from the European Union Naval Force-Mediterranean Operation Sophia, which is a European Union operation mandated, among other things, to combat smuggling of migrants in the Mediterranean.

## **7. Regional and inter-agency engagement**

14. In the reporting period, UNODC continued to collaborate and cooperate with international and regional organizations and regional mechanisms that address the smuggling of migrants. At the global level, UNODC contributed to several forums on issues related to the protection of smuggled migrants in accordance with the Smuggling of Migrants Protocol, such as: the annual dialogue of the Office of the United Nations High Commissioner for Refugees (UNHCR) on protection challenges, which in December 2014 focused on the topic “Protection at sea” and in December 2015 on “Understanding and addressing the root causes of displacement”; the International Maritime Organization’s high-level meeting addressing unsafe mixed migration by sea; and an expert meeting convened by the Office of the United Nations High Commissioner for Human Rights on human rights and the smuggling of migrants.

15. In addition, UNODC has been involved in the preparation and organization of a high-level meeting of the General Assembly on large movements of refugees and migrants, to be convened on 19 September 2016. Its involvement has included the drafting of the Secretary-General’s report on that subject,<sup>1</sup> which was published in April 2016. UNODC continues to provide substantive input regarding the criminal justice response to trafficking in persons and smuggling of migrants in the context of large-scale movements of migrants within the framework of that high-level meeting.

16. In Europe, UNODC contributed to a better understanding of the objectives and obligations set out in the Smuggling of Migrants Protocol through a range of events such as: the annual Conference of the European Union Fundamental Rights Agency, held in Rome in November 2014; the European Conference on the topic “Promoting the multidisciplinary approach in addressing migrant smuggling”, organized by the European Migration Network, under the Netherlands Presidency of the Council of the European Union, in January 2016; and the second European Police Office (Europol)/International Criminal Police Organization (INTERPOL) Operational Forum on Countering Migrant Smuggling Networks, in February 2016.

17. As part of the cooperation established with some of those regional agencies, UNDOC participated in technical meetings, including the European Commission expert group meeting on the revision of the European Union legal framework on the smuggling of migrants, in July 2015; the first tactical meeting on judicial cooperation in cases of smuggling of migrants, organized by Eurojust, in

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<sup>1</sup> A/70/59.

February 2016; the European Patrols Network operational meeting, organized by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), in Norway in June 2015; and the annual conference of the European Association of Airport and Seaport Police on the topic “Countering threats to Europe: tackling terrorism, people smuggling and cybercrime”, in April 2015.

18. To advance interregional cooperation, UNODC supported the preparations of the United Nations delegation to the Valletta summit on migration, through its participation in several meetings of senior officials. It also contributed to the Valletta summit action plan on issues related to the smuggling of migrants, for the purposes of a joint response to migration flows by the European Union, the African Union and their member States.

19. In relation to the African region, in July 2015 UNODC became a member of the North Africa Mixed Migration Task Force. The Task Force aims to promote a human rights-based approach to ensure the protection of people moving in mixed and complex flows along the north-eastern Africa migratory route, as well as in North Africa. The Task Force is designed to foster collaborative approaches among key stakeholders to address the serious protection and other issues faced by individuals using those routes, with a view to informing policy and programme development.

20. UNODC also continued to be an implementing partner of the African Union-Horn of Africa Migration Route Initiative, which was launched in October 2014 in Khartoum, and thus is also known as the Khartoum process. Moreover, UNODC became an implementing partner of the Better Migration Management project, which is aligned with the Khartoum process and is aimed at providing capacity-building to improve migration management, in particular to address irregular migration, including smuggling of migrants and trafficking in persons.

21. In the context of Asia, UNODC is a member of the Bali Process and the ad hoc working group on human trafficking, which strengthens the regional response to the smuggling and trafficking of human beings and related transnational crime. Along with approximately 50 other members, UNODC actively participates in regional dialogues and initiatives, such as the drafting of policy guides on victim identification and the protection of victims of human trafficking. Furthermore, the Bali Process has endorsed UNODC technical initiatives such as the Voluntary Reporting System on Migrant Smuggling and Related Conduct, which is aimed at strengthening the collection and sharing of data on the smuggling of migrants across the Asia and the Pacific region.

22. UNODC is also an active member of the inter-agency Global Migration Group, which brings together heads of agencies to promote the wider application of all relevant instruments relating to migration and to encourage the adoption of more coherent, comprehensive and better-coordinated approaches. UNODC has remained active and committed by continually contributing to joint Group statements, papers and events on migration-related issues, including the 2030 Agenda for Sustainable Development. UNODC is also an active member of the Global Migration Group’s Working Group on Migration, Human Rights and Gender, which addresses the

human rights of, among others, smuggled migrants, and the right of access to justice for migrants who are victims of crimes.

23. In 2014 and 2015, UNODC contributed to two Global Migration Group reports, on crisis-related migration and protection at sea, and to a joint communiqué on the inclusion of migrants and migration issues in the post-2015 development agenda. Following the adoption of the Sustainable Development Goals, UNODC has sought to assist in the introduction of specific goals into the Global Migration Group framework, including on issues related to combating the smuggling of migrants, with the aim of improving coordination between member organizations.

## B. Technical assistance

24. With regard to technical assistance, UNODC has provided expertise to requesting Member States in the following areas: (a) legislative assistance; (b) strategy development; (c) criminal justice responses; (d) international cooperation; (e) data collection and research; (f) prevention and awareness-raising; and (g) assistance and support for migrants who have been the object of smuggling, as well as other vulnerable migrants.

25. Through its Global Programme against the Smuggling of Migrants, UNODC organized or substantively contributed to 16 major technical assistance activities during the reporting period, including legislative assistance and capacity-building activities, assisting more than 50 countries and training more than 500 criminal justice practitioners and government officials in effectively investigating and prosecuting the smuggling of migrants. Specific country and regional programmes also implemented activities to counter the smuggling of migrants and provided mentoring and tailor-made technical assistance.

26. In the reporting period, UNODC adopted two comprehensive strategies on addressing the smuggling of migrants, to address the needs of the Mediterranean area and West and Central Africa.

27. In January 2015, UNODC launched the Strategy for the Building of Capacity through an Integrated Response, as a contribution to international efforts to address the smuggling of migrants across the Mediterranean.<sup>2</sup> Through that strategy, UNODC seeks to comprehensively address the smuggling of migrants by means of a strategic and integrated response encompassing five mutually reinforcing areas of action: (a) research, analysis and assessments; (b) enhancing national capacities and legislative frameworks; (c) Promoting regional and transregional cooperation; (d) contributing to a global response; and (e) ensuring assistance to smuggled migrants and the protection of their rights.

28. In September 2015, UNODC launched the Regional Strategy for Combating Trafficking in Persons and Smuggling of Migrants in West and Central Africa,<sup>3</sup> which covers 22 African countries and includes the following goals: (a) improving

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<sup>2</sup> Available at [www.unodc.org/documents/human-trafficking/2016/UNODC\\_Mediterranean\\_Strategy\\_SOM\\_Summary.pdf](http://www.unodc.org/documents/human-trafficking/2016/UNODC_Mediterranean_Strategy_SOM_Summary.pdf).

<sup>3</sup> Available at [www.unodc.org/documents/westandcentralafrica/UNODC\\_Regional\\_Strategy\\_for\\_Combating\\_TIP\\_SOM\\_West\\_and\\_Central\\_Africa\\_2015-2020.pdf](http://www.unodc.org/documents/westandcentralafrica/UNODC_Regional_Strategy_for_Combating_TIP_SOM_West_and_Central_Africa_2015-2020.pdf).

national and regional coordination and cooperation; (b) enhancing information and data and ensuring that they are kept up to date; (c) strengthening the legal frameworks and public policies of States involved; (d) building the capacity of the region's criminal justice systems; (e) providing support to victims of trafficking in persons and smuggling of migrants; and (f) raising awareness of these issues in the region. The Strategy is the response of the UNODC Regional Office for West and Central Africa to the challenges facing the region in this regard.

29. At the global level, UNODC added three modules dedicated to the smuggling of migrants to its e-learning programme, on the following topics: (a) introduction to the smuggling of migrants; (b) investigative approaches to the smuggling of migrants; and (c) investigative techniques to counter the smuggling of migrants.

## **1. Legislative assistance**

30. UNODC continued to provide Member States with tailor-made, specialized legislative assistance to help develop effective national legislation in line with the requirements of the Smuggling of Migrants Protocol. UNODC provided legal advice and assistance to legislative drafters, through an analysis of gaps in legislation and practice and by conducting legislative drafting workshops.

31. For example, in close cooperation with the Colombian Ministry of Foreign Affairs, the Office supported technical discussions to conclude the national process to ensure the legislative implementation of the Smuggling of Migrants Protocol.

32. UNODC also provided legislative assistance to six Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama), drafting comprehensive reports with recommendations and a guidance for the drafting and adoption of special laws against the smuggling of migrants, in line with the Protocol.

33. UNODC supported the revision of offences of trafficking in persons and smuggling of migrants in the Viet Nam penal code. The revisions, approved by the National Assembly in November 2015, contained substantial changes to offences related to trafficking in persons and smuggling of migrants.

34. In addition, UNODC held a legislative drafting workshop on trafficking in persons and the smuggling of migrants for Djibouti and Ethiopia in May 2015, in coordination with the Ethiopian Ministry of Justice, and delivered technical advice to the interministerial team responsible for drawing up a new Ethiopian law, which was adopted in August 2015. In addition, to support the reduction in smuggling of migrants in the Niger, UNODC provided technical assistance to the Government of that country for the drafting of a new law against this crime, which was adopted on 11 May 2015.

35. UNODC also assisted the authorities of Nigeria in assessing and drafting new legislation aimed at establishing a legal framework that reflects existing modern migration management and border management practices while establishing provisions on and strict penalties for the smuggling of migrants. The act was passed into law in May 2015.

36. During the reporting period, UNODC also provided advice to the Governments of Afghanistan and Morocco on amendments to their legislation in order to criminalize the smuggling of migrants.

## **2. Strategy development**

37. In Pakistan UNODC developed, in consultation with the Federal Investigation Agency, a national strategic framework to combat trafficking in persons and the smuggling of migrants for the period 2015-2020.

38. UNODC organized a regional workshop with the secretariat of the Southern African Development Community (SADC) to identify gaps in the criminal justice response to the smuggling of migrants in the region and to map a way forward in addressing this crime in line with the requirements of the Smuggling of Migrants Protocol. The workshop, attended by 11 SADC member States, provided the basis for the development of a regional plan of action to address the smuggling of migrants, in support of the regional strategy to combat illegal migration, smuggling of migrants and trafficking in persons, currently under development.

39. In March 2015, UNODC, the International Organization for Migration (IOM), UNHCR, the United Nations Population Fund and the United Nations Children's Fund developed a joint strategy to address human trafficking, kidnapping and smuggling of persons in the Sudan, which provides a framework for the coordination of action in response to these issues.

## **3. Strengthening criminal justice responses**

40. UNODC continued to carry out a wide range of technical assistance activities aimed at strengthening the criminal justice response to the smuggling of migrants in all regions. In particular, specialized training was offered for practitioners involved in addressing the smuggling of migrants, including border personnel, immigration and law enforcement officers, prosecutors, judges and lawyers. UNODC delivered training for criminal justice practitioners in South-Eastern Europe, particularly for law enforcement personnel and prosecutors in Bosnia and Herzegovina, in May 2015, and for prosecutors and judges in the former Yugoslav Republic of Macedonia, in February 2016.

41. UNODC trained police officers in Kyrgyzstan in 2015 on basic concepts of trafficking in persons and the smuggling of migrants, including basic investigation and interviewing techniques.

42. UNODC continued to support the strengthening of criminal justice responses to combat the smuggling of migrants in the Middle East and North Africa, including in Algeria, Egypt, Jordan, Morocco, the Sudan and Tunisia, through capacity-building on the identification and investigation of cases of smuggling of migrants and trafficking in persons, the prosecution of offenders and the dismantling of criminal networks engaged in such criminal activities. Its activities highlighted the importance of regional and international cooperation to combat both crimes, as well as the need to uphold the rights of trafficking victims and smuggled migrants.

43. In Africa, UNODC delivered specialized training on addressing the smuggling of migrants by air and detecting document fraud in a workshop attended by participants from Ethiopia, the Gambia, Ghana and South Africa, in April 2016. UNODC also continued supporting Nigeria through a dedicated programme, and supports a regional training initiative for criminal justice practitioners in Burkina Faso, Mali and the Niger.

44. UNODC provided technical assistance to Viet Nam through six training courses in several provinces and at the central level, as well as three e-learning courses for law enforcement officers on countering smuggling and border interdiction. Those training events were complemented by the development of a field guide and a pocket guide in Vietnamese, addressing all forms of smuggling, including the smuggling of migrants, disseminated to front-line officers at the central and provincial levels.

45. UNODC also trained officials from Mexico and Central American countries on how to better detect, investigate and prosecute the smuggling of migrants, using a train-the-trainers methodology.

#### **4. International cooperation**

46. Close cooperation between States is essential for effectively combating the smuggling of migrants, given the transnational nature of the crime. Accordingly, in addition to conducting technical assistance activities focused on building capacity at the national level and including a component on regional and/or international cooperation, UNODC undertook activities aimed at fostering direct cooperation between States. In particular, UNODC organized and participated in relevant information exchanges and conferences on the smuggling of migrants at both the regional and the global level.

47. Two transregional workshops were organized in 2015, with the aim of addressing challenges encountered in responding to the smuggling of migrants by sea. Topics included detection, search and rescue, and interception at sea; the underlying jurisdictional challenges; and the coordination and cooperation mechanisms needed to enhance the response to the involvement of organized crime in the smuggling of migrants. The first workshop, held in Panama in March 2015 for the Caribbean, Mexico and Central American region, brought together practitioners from seven countries (Bahamas, Dominican Republic, Haiti, Honduras, Jamaica, Mexico and Panama). The second workshop, held in Syracuse, Italy, on the prevention and combating of the smuggling of migrants in the Mediterranean, was attended by participants from 11 countries (Egypt, Eritrea, Lebanon, Mali, Morocco, Niger, Nigeria, Somalia, Sudan, Tunisia and Turkey).

48. By organizing workshops for border guards and customs, police and immigration officials in May 2015, UNODC supported the enhancement of existing cross-border cooperation between Bangladesh and India and between Bhutan and India to counter the smuggling of migrants and trafficking in persons.

49. In collaboration with IOM and the Organization for Security and Cooperation in Europe, and following a regional workshop held in June 2014, UNODC organized a regional workshop in November 2015 on strengthening cooperation between criminal justice actors and other relevant actors from the public and private sectors, to address crimes in the western Balkans related to irregular migration, focusing on the areas of prevention, prosecution, cross-border cooperation, and assistance to victims and vulnerable migrants. The regional workshop gathered policymakers, practitioners, representatives of international organizations and academics from 24 countries.

## 5. Data collection and research

50. An effective response to the smuggling of migrants requires sound knowledge of the existing situation, including reliable data, as a basis for policy- and decision-making, the allocation of resources and the identification of technical assistance needs. UNODC directly supports States in developing their capacity to collect and analyse information and data relating to the smuggling of migrants.

51. In 2015, UNODC published a report entitled *Migrant Smuggling in Asia: Current Trends and Related Challenges*,<sup>4</sup> which analysed the smuggling of migrants in 28 States from the Middle East to the Pacific and found that criminal networks are creatively exploiting gaps between demand and regular migration opportunities.

52. At a meeting in December 2015, UNODC consulted expert academics and practitioners to inform the development of a case law database on the smuggling of migrants, as a part of the wider Sharing Electronic Resources and Laws on Crime (SHERLOC) initiative. The case law database is aimed at addressing the continued lack of prosecutions of smugglers of migrants by improving knowledge of global prosecution practices and legislation against the smuggling of migrants.

## 6. Prevention and awareness-raising

53. The Smuggling of Migrants Protocol requires its parties to undertake prevention measures, including: the exchange of information; strengthening border controls to detect the smuggling of migrants; ensuring the security and control of travel and identity documents; building their ability to verify the legitimacy and validity of such documents in a timely manner; providing training and technical cooperation; and initiating public awareness-raising initiatives.

54. During the reporting period, UNODC launched an awareness-raising campaign in partnership with the Government of Mexico entitled “Smuggling of migrants: #adeadlybusiness”.<sup>5</sup> The campaign, drawing attention to this violent business that ultimately supports other forms of organized crime, serves as a mechanism to warn vulnerable migrants and inform them of the risks of using a smuggler.

## 7. Protection of and support for smuggled migrants

55. The purpose of the Smuggling of Migrants Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among States parties to that end, while protecting the rights of smuggled migrants. Although the Protocol does not create new obligations related to the protection of migrants’ rights, it stresses that each State party, in implementing the Protocol, must take all appropriate measures to preserve and protect the rights of persons who have been the object of the crime of smuggling of migrants, as accorded under international law, international human rights law and international humanitarian law, and in particular the Convention relating to the Status of Refugees, adopted in 1951, and the principle of non-refoulement. Protection of and support for smuggled migrants

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<sup>4</sup> Available at [www.unodc.org/documents/southeastasiaandpacific/Publications/2015/som/Current\\_Trends\\_and\\_Related\\_Challenges\\_web.pdf](http://www.unodc.org/documents/southeastasiaandpacific/Publications/2015/som/Current_Trends_and_Related_Challenges_web.pdf).

<sup>5</sup> Available at [www.unodc.org/unodc/en/frontpage/2015/September/new-campaign-draws-attention-to-plight-of-smuggled-migrants-in-mexico-and-central-america.html](http://www.unodc.org/unodc/en/frontpage/2015/September/new-campaign-draws-attention-to-plight-of-smuggled-migrants-in-mexico-and-central-america.html).

is a component that is addressed continuously in the general capacity-building activities carried out by UNODC.

56. In Central America, UNODC contributed to a dialogue between civil society organizations and government institutions to identify operational solutions to tackle the smuggling of migrants from different angles and to protect the human rights of smuggled migrants. The authorities and civil society of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama participated in the development of the operational guidelines that were launched in 2014, which are being used by the countries' public prosecutors' offices and in training workshops.

57. In April 2016, UNODC organized a specialized workshop on addressing protection and assistance needs of smuggled migrants in mixed migration flows, in Tunisia. The workshop was the pilot phase of a training course for law enforcement officers, whereby a series of situations are presented in which persons with different protection and assistance needs are the object of smuggling operations.

### **III. Conclusions**

58. In promoting the implementation of the Smuggling of Migrants Protocol, especially by providing technical assistance to Member States and fostering inter-agency cooperation, UNODC has consistently sought the active participation of relevant stakeholders at the international, regional and national levels.

59. Despite the progress made, the smuggling of migrants remains a pressing global problem, affecting all regions. UNODC will continue its efforts to promote and support the implementation of the Smuggling of Migrants Protocol and will work jointly with Member States, international organizations, civil society and migrants to make the fight against the smuggling of migrants in all its forms more effective.

60. In the framework of the Global Migration Group, UNODC aims to contribute to the development of a common framework for the protection of people on the move who do not benefit from protection as refugees.

61. UNODC will continue to develop, on the basis of expert consultations held in December 2015, a case law database on the smuggling of migrants and will issue new publications, such as the forthcoming issue paper on the profit element as one of the key issues in the smuggling of migrants.

62. UNODC will also continue to deliver tailor-made capacity-development assistance at the national and regional levels, including on specific issues such as financial investigations in smuggling-of-migrants cases, cooperation, the protection and assistance needs of smuggled migrants and refugees, and smuggling of migrants by sea and by air.