



Smuggling of migrants — The harsh search for a better life



The smuggling of migrants is a truly global concern, with a large number of countries affected by it as origin, transit or destination points. Profit-seeking criminals smuggle migrants across borders and between continents. Assessing the real size of this crime is a complex matter, owing to its underground nature and the difficulty of identifying when irregular migration is being facilitated by smugglers. Smugglers take advantage of the large number of migrants willing to take risks in search of a better life when they cannot access legal channels of migration.

Smuggled migrants are vulnerable to abuse and exploitation. Their safety and even their lives are often put at risk: they may suffocate in containers, perish in deserts or drown at sea while being smuggled by profit-seeking criminals who treat them as goods. As the crime is a clandestine one, accurate global figures are difficult to come by. Nevertheless, it is estimated that two of the principal smuggling routes — leading from East, North and West Africa to Europe and from South America to North America — generate about \$6.75 billion a year for criminals.¹ The global figure is likely to be much higher.

Moving people for profit

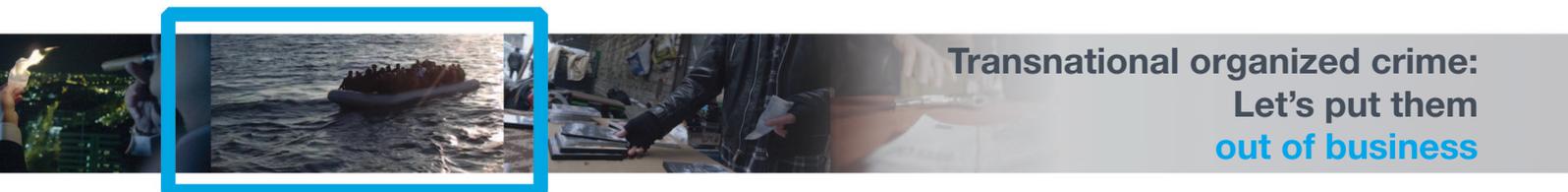
The smuggling of migrants is the facilitation of crossing borders illegally or residing illegally in another country with the aim of making a financial or other material profit. This crime is often perpetrated by organized criminal networks, which seize the opportunity to make large profits from an illicit activity involving little risk of detection.

The profiles of the smugglers vary widely. Full-time professional criminals are involved in smuggling migrants around the world; some of those criminals are specialized in smuggling people, and some are not. There is evidence of both smaller and larger, more organized groups and networks operating as smugglers in all areas, although this varies by region and route. There are also many smugglers who run legitimate businesses and are involved in the smuggling of migrants as opportunistic carriers or hospitality providers who choose to look the other way in order to make some extra money. Corrupt officials and other individuals may also be involved in the process.

Smugglers of migrants are becoming more and more organized, establishing professional networks that transcend borders and encompass all regions. As with other forms of organized crime, the groups concerned have increased their operations by shifting routes in a bid to expand into other markets and circumvent the responses of States. Criminal groups have merged or formed cooperative relationships, expanding their geographical reach and the range of their criminal activities. Some criminal groups view migrants as simply one of many commodities to be smuggled, alongside drugs and firearms. Since the smuggling of migrants is a highly profitable illicit activity with a relatively low risk of detection, it is attractive to criminals.

The harsh search for a better life

People move to other countries for many reasons, but for undocumented migrants it is nearly always for a better life. This may be for themselves or for their families, and it may involve



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Migrant flows from Latin America to the USA, 1999-2008

UNODC: *The Globalization of Crime: A Transnational Organized Crime Threat Assessment (2010)*, p. 62



searching for work or escaping from poverty, natural disasters, violence, armed conflict or persecution.

Profit-seeking criminals exploit the lack of legal opportunities available to migrants and take advantage of their situation by offering services at great cost. While these may include services such as transport, they may also consist of document fraud. This can include the lending of stolen passports with photos that resemble the migrants, the falsification of travel or identity documents or the obtaining of genuine passports or visas on the basis of fraudulent supporting documents.

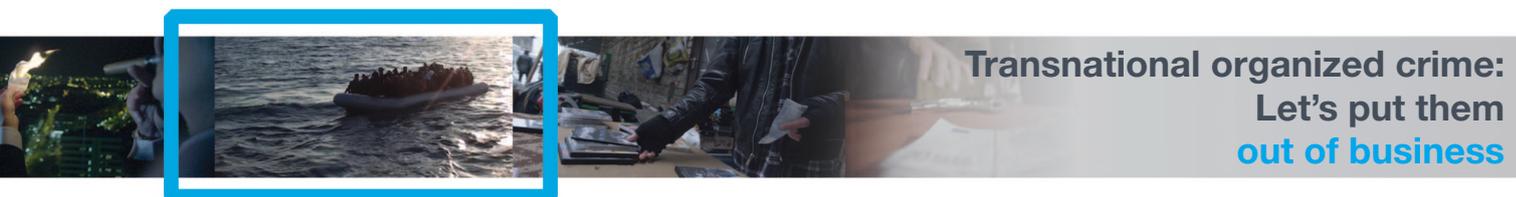
Because these services are illegal, the criminals have tremendous power, while the migrants are left vulnerable. Many migrants are abused or die on the way to their destination, and many are abandoned en route without resources. Refugees and asylum seekers, as well as vulnerable migrants such as unac-

companied minors and pregnant women, can be among those who pay a high price for smuggling services with no guarantee for their safety or the success of the venture.

In many cases, migrants are mistreated during the smuggling process and the conditions that they are made to endure are severe. When they realize the situation they are in, some migrants try and turn back, but they are inevitably forced to continue with the journey.

Routes and packages

There are many different ways of smuggling migrants; they range from simple to complex, from safe to dangerous and from cheap to very costly. The level of safety and ease of reaching the destination are dependent on the amount of money paid. Migrants with little financial means may opt for a "pay-



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as-you-go” package in which they pay bit by bit for different parts of the journey to smugglers who may not be linked with one another. These migrants are more likely to become stranded and be exposed to abuse. The more comprehensive “package deals” may be quicker, safer and have a higher guarantee of success, but they can also be considerably more expensive.

Smuggling routes can be affected by long detours and last-minute changes in the itinerary to take advantage of certain border policies or weaknesses in border control. The routes may originate and end on the same continent, be transcontinental or involve transiting through a third continent. Two examples of routes commonly used for the smuggling of migrants are the route leading from South America and Central America (as well as Mexico) to North America and the route leading from Africa to Europe.

From South America and Central America to North America

It is estimated that just under one third of all immigrants in the United States of America are there illegally, with about 80 per cent of the illegal immigrant population in the country originating in South America (as well as Mexico). Of all illegal immigrants in the United States, an estimated 25–40 per cent entered the country on a legal visa and then overstayed, and the remainder entered the country clandestinely. Of the latter group, 97 per cent entered the United States clandestinely through that country’s border with Mexico; coastal apprehensions comprised less than 1 per cent of the total.² While not all illegal immigrants are smuggled, these figures do provide an indication of the extent of the situation.

Most migrants are smuggled across the border in trucks, although there have been cases in which the crossing is made on foot, by rail or even through special tunnels. The organized criminal groups involved in smuggling migrants across the border between Mexico and the United States appear to be based largely in Mexico and Central America. For the smugglers, there appears to be little risk of arrest, as they normally pretend to be irregular migrants themselves and are repatriated rather than apprehended.

While the percentage of migrants who have been smuggled is unknown, it is estimated that Latin Americans account for around 3 million illegal entries into the United States each year, generating an annual income of about \$6.6 billion for criminals.³ Incidents of hostage-taking and extortion have increasingly been noted, which highlights the diverse criminal elements involved in the smuggling of migrants.

Figures for 2008 show that 88 per cent of migrants apprehended at United States borders were Mexican nationals, 3 per

cent were from Honduras, 3 per cent were from Guatemala, 2 per cent were from El Salvador and 4 per cent were from other countries. The fees charged for smuggling migrants differ substantially depending on the point of origin. Migrants smuggled across the border between Mexico and the United States pay about \$2,000,⁴ while migrants from beyond Mexico (and thus needing to cross multiple borders) could pay as much as \$10,000.

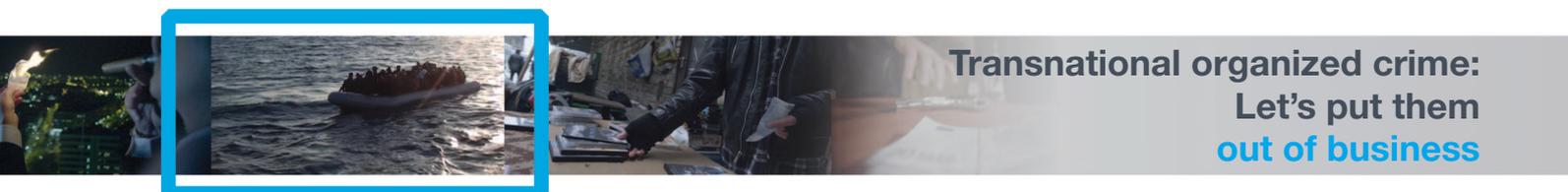
Recent figures indicate that to migrants use indirect routes leading from other continents. Migrants from East Africa are transported along land routes to South Africa and then smuggled by air into Brazil. Once in South America, they then travel by sea or land to Costa Rica or Panama, or by air directly from Brazil to Mexico. Chinese and Indian migrants are often transported to Guatemala and travel from there by land to Mexico.

From East, North and West Africa to Europe

Each year, some 55,000 migrants are thought to be smuggled from East, North and West Africa into Europe, generating about \$150 million in revenue for criminals.⁵ While the number of migrants smuggled from Africa into Europe is far lower than the number smuggled from South America and Central America into North America, the conditions are no better: long desert routes and treacherous sea crossings. While figures on fatalities can be difficult to ascertain, media reports indicate that between 1996 and 2011, at least 1,691 people died while attempting to cross the Sahara⁶ and that in 2008 alone, 1,000 deaths occurred during sea crossings.⁷

For African migrants travelling to Europe, the motivation for leaving their country of origin mirrors that of migrants from Central America and South America: a lack of economic opportunities and political instability are two of the leading reasons. It is believed that many migrants heading to Europe from Africa are either smuggled by air with the aid of fraudulent documents or initially enter Europe legally and then remain in the country of destination once their visa has expired. The rest are smuggled along a combination of land and sea routes, which can take considerably longer and be more dangerous.

The journey from West Africa to Europe is not always made all at once: the majority of migrants remain in North Africa for different periods of time, often to earn more money to pay for the rest of the journey. The fees paid to criminals vary, depending on the point of departure and the points of destination. For instance, Asian migrants who travel to Europe via Africa reportedly pay between €4,180 and €5,575 for the flight alone.⁸ A smuggling journey from Agadez, in the Niger, to Libya or to Europe itself would be priced at about \$2,000–\$3,000.⁹





Main routes for African irregular migrants to Europe, 1999-2008

UNODC: *The Globalization of Crime: A Transnational Organized Crime Threat Assessment (2010)*, p. 68



Travelling from inland areas to coastal ports is a gruelling journey. In West and East Africa, Gao, Mali; Agadez; Addis Ababa; and Cairo are hubs from which migrants head to the coasts of Algeria, Egypt, Libya, Morocco and Turkey. From there, migrants are smuggled by boat to various locations in Europe.

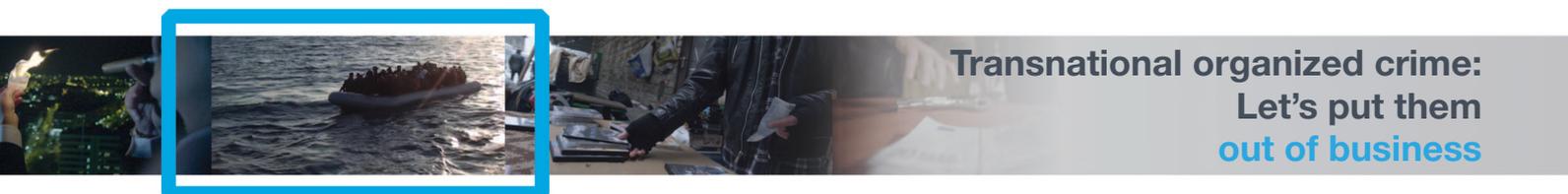
A far-reaching crime

Smuggled migrants are often subject to grave human rights abuses. While they might initially agree to be smuggled into another country, the journey can turn into anything but a consensual one. During the trip, people might be squeezed into exceptionally small spaces in trucks or onto unseaworthy boats in order for smugglers to maximize their “cargo”. Migrants might be raped or beaten en route or left to die in the desert. Once they reach their destination, many find that they (or their families) are the victims of blackmail or debt

bondage. The latter can involve migrants paying huge sums of money to criminals in order to settle near-impossible levels of debt out of fear of violence or fear of being deported by the authorities, which can result in them becoming victims of human trafficking.

The smuggling of migrants and the activities related to it cost many people their lives and generate billions of dollars in profit for criminals. They also fuel corruption – through the bribery of officials – and strengthen organized crime in the countries of origin, transit or destination. There is evidence suggesting that, with the ever-growing interdependence of the global economy, the involvement of criminal groups in the smuggling of migrants is on the rise.

The smuggling of migrants has an impact on the countries of origin, transit and destination. In countries of origin,





families go into debt in order to pay the smuggling fee, with no guarantee for a return on their investment. Even worse, they may be left with no news from their relatives, not knowing whether they are dead or alive, in prison or victims of trafficking. In transit countries, smuggled migrants may become stranded with limited means of continuing their journey, or be deceived by smugglers. This places a heavy burden on the transit countries, particularly since migrants are usually from a different cultural background and may not understand the local language. Smugglers may also recruit for their criminal activities among local or migrant communities; thus, their illicit activity may have an impact on the areas along the routes they use. Attempting to intercept smuggled migrants and combat the crime places a significant strain on the resources of countries of destination. If countries lack the resources and legal framework to respond appropriately to the smuggling of migrants, the crime may continue unchecked.

What can be done?

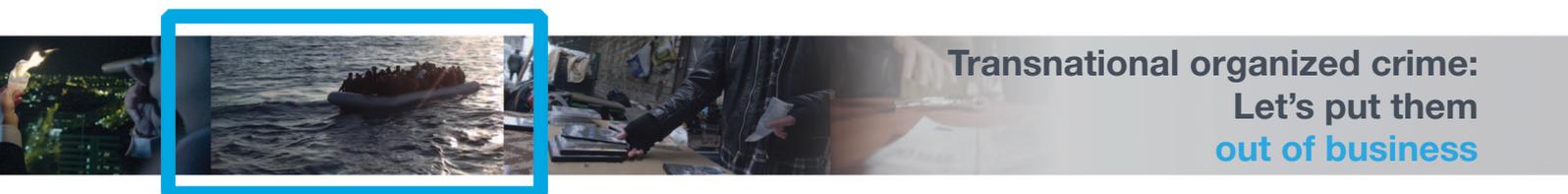
The absence or inadequacy of national legislation to address the smuggling of migrants in many parts of the world often means that smugglers of migrants can continue to commit the crime with little fear of being brought to justice. Responses by States often target migrants, leaving smugglers, and especially organized criminal groups, which are more difficult to apprehend, at large. Only a limited number of States have specific policies and mechanisms in place aimed at countering the smuggling of migrants, and a lack of capacity to investigate and prosecute the crime means that criminal justice systems are often unable to meet the challenge of combating it. Beyond this, failure to secure smuggled migrants as witnesses means that prosecutions are often difficult and opportunities to convict are missed. Moreover, the smuggling of migrants is not always considered a serious crime for which a heavy penalty could be imposed. Ensuring that priority is given to investigating higher-level smugglers and taking due account of aggravating circumstances in the prosecution of cases involving the smuggling of migrants could have a deterrent effect on organized criminal groups.

Moreover, organized criminal groups turn to smuggling of migrants only for the profit that it generates. Following the money trail by launching financial investigations and freezing, seizing and confiscating assets, as well as looking for examples of money-laundering, could have a direct impact on such profits. Making the smuggling of migrants an unprofitable crime would discourage organized criminal groups from becoming involved in it.

The smuggling of migrants is by nature a transnational crime, and the smugglers involved work in networks. Key to combating the smuggling of migrants, therefore, is the need to increase international cooperation, reinforce national coordination and ensure that the laws in the countries involved are harmonized in order to close loopholes. Only by ensuring that actors within countries of origin, transit and destination work together can the smuggling of migrants be stopped. The United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention, are essential to addressing the crime.

The work of UNODC in countering the smuggling of migrants focuses on assisting States in implementing the Smuggling of Migrants Protocol and in enacting laws criminalizing involvement in the smuggling of migrants and on training law enforcement officers and prosecutors from around the world. Organizations such as the International Criminal Police Organization (INTERPOL) support the efforts of national police authorities in breaking up the criminal networks behind the smuggling of migrants.

The underlying social, economic and political pressures that fuel the crime cannot be ignored. Unemployment, war and persecution are but three of the many reasons people decide to leave their home country. Pull factors include demand for cheap, undocumented labour in countries of destination. To better understand these dynamics and fully address the root causes of migration in order to prevent organized criminal groups from profiting from vulnerable groups such as migrants, a comprehensive response is required – one that involves examining the issues of migration and development.



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¹ UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

² UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

³ UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

⁴ UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

⁵ Note: As one migrant may enter more than once per year, the term 'entries' is used. UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

⁶ UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

⁷ UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

⁸ UNODC: The Globalization of Crime: A Transnational Organized Crime Threat Assessment. 2010 http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

⁹ UNODC: The role of organized crime in the smuggling of migrants from West Africa to the European Union <http://www.unodc.org/unodc/en/human-trafficking/migrant-smuggling/the-role-of-organized-crime-in-the-smuggling-of-migrants-from-west-africa-to-the-european-union.html>

¹⁰ UNODC: Issue Paper – Smuggling of Migrants by Sea 2011. http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_Smuggling_of_Migrants_by_Sea.pdf

¹¹ UNODC: The role of organized crime in the smuggling of migrants from West Africa to the European Union <http://www.unodc.org/unodc/en/human-trafficking/migrant-smuggling/the-role-of-organized-crime-in-the-smuggling-of-migrants-from-west-africa-to-the-european-union.html>

¹² UNODC: The role of organized crime in the smuggling of migrants from West Africa to the European Union <http://www.unodc.org/unodc/en/human-trafficking/migrant-smuggling/the-role-of-organized-crime-in-the-smuggling-of-migrants-from-west-africa-to-the-european-union.html>



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