



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 tenth session, about the activities undertaken by 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, since the ninth session of the Conference, in October 2018.
2. As of July 2020, the Smuggling of Migrants Protocol had a total of 149 parties. Since the ninth session of the Conference, the Sudan (October 2018), Gabon (May 2019) and Palau (May 2019) have become States parties to the Protocol.
3. Through its global and regional programmes, strategies and dedicated projects, UNODC supports Member States in implementing the Protocol, using a comprehensive and cooperative approach aimed at preventing the smuggling of migrants, prosecuting its perpetrators and protecting the rights of smuggled migrants.
4. In the period 2018–2020, more than 65 Member States received pre-ratification, legislative and/or strategic support. Under the Global Programme against the Smuggling of Migrants, UNODC organized or contributed to 26 legislative assistance and capacity-building activities, reaching over 700 practitioners, government officials and civil society representatives from more than 70 countries. Key activities were also implemented under the Global Action to Prevent and Address Trafficking in

* [CTOC/COP/2020/1](#).



Persons and the Smuggling of Migrants (GLO.ACT) in the 13 beneficiary countries of the first phase of the Global Action, which ended in 2019 (namely, Belarus, Brazil, Colombia, Egypt, Kyrgyzstan, the Lao People's Democratic Republic, Mali, Morocco, Nepal, the Niger, Pakistan, South Africa and Ukraine) and the five countries of the second phase (Afghanistan, Bangladesh, Iran (Islamic Republic of), Iraq and Pakistan). Current activities are implemented by UNODC in partnership with the International Organization for Migration (IOM).

5. In 2019, the Global Programme against the Smuggling of Migrants trained 424 criminal justice practitioners, government officials and civil society representatives (44 women, 159 men and a further 221 persons in events for which no gender breakdown was available). Four countries (Guatemala, Mali, Peru and Zambia) received targeted technical cooperation activities at the national level, with Zambia also receiving legislative assistance. The Programme organized a subregional workshop for the investigation and prosecution of the smuggling of migrants for border control authorities from Bolivia (Plurinational State of), Brazil, Colombia, Ecuador and Peru. Fifty-seven countries participated in technical cooperation activities addressing the smuggling of migrants (as well as trafficking in persons) at the national and regional levels. As a measure to address the impact of the coronavirus disease (COVID-19) pandemic, knowledge development efforts were carried out by means of remote capacity-building through the use of e-learning modules, which in the second quarter of 2020 were accessed by 203 practitioners (107 female, 96 male) from five countries (Chile, Guatemala, Malawi, Montenegro and North Macedonia) as well as Kosovo.¹ UNODC continues to monitor the impact of the pandemic to inform its support to Member States. A research brief published by UNODC in April 2020 noted that COVID-19 travel and movement restrictions seemed not to have stopped the movement of people fleeing conflict, human rights abuses, violence and dangerous living conditions and that the economic consequences of the pandemic were likely to lead to an increase in the flows of smuggling of migrants and trafficking in person from the most affected countries to more affluent destinations.²

II. Activities to assist States in the implementation of the Smuggling of Migrants Protocol

6. In line with its mandate to prevent and counter organized crime in its various forms, UNODC continues to implement a comprehensive strategy to combat the smuggling of migrants. It includes technical cooperation programmes with Member States, upon request, for the implementation of the Smuggling of Migrants Protocol; support to intergovernmental processes; engagement in inter-agency cooperation; and coordination mechanisms and enhanced efforts in research and data collection.

A. Normative and policy work, knowledge development and inter-agency cooperation and coordination

7. During the reporting period, UNODC continued to provide strategic and substantive support to intergovernmental bodies and processes and continued to cooperate closely with other United Nations entities, as well as regional intergovernmental and non-governmental organizations, to promote the objectives of the Smuggling of Migrants Protocol, ensure that the Protocol's standards and obligations were better understood and implemented, and foster synergies and partnerships to those ends.

¹ References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

² UNODC "How COVID-19 restrictions and the economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America", Research Brief (May 2020).

1. Support to intergovernmental bodies

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8. During the reporting period, UNODC provided substantive support to the meeting of the intergovernmental Working Group on the Smuggling of Migrants, established by the Conference. At its sixth meeting, held in Vienna from 11 to 13 September 2019, the Working Group discussed the topics of information-sharing on the smuggling of migrants as a form of transnational organized crime and the smuggling of migrants by air and its facilitation through document fraud. In line with past practice, UNODC drafted thematic papers to support the Working Group's discussions on two topics: on information-sharing (CTOC/COP/WG.7/2019/2) and on the smuggling of migrants by air (CTOC/COP/WG.7/2019/3). UNODC prepared a further background paper compiling all recommendations made by the Working Group at its five previous meetings, organized chronologically and with a thematic index (CTOC/COP/WG.7/2019/5).

9. Prior to the tenth session of Conference, UNODC will also support and service the Working Group on the Smuggling of Migrants at its seventh meeting, to be held on 8 and 9 September 2020. In line with the planned thematic agenda items under discussion, supporting background papers had been prepared covering the following topics: (a) the impact of natural disasters, conflicts and crises, such as the COVID-19 pandemic, on trends in organized criminal groups and on routes for the smuggling of migrants, as well as good practices to support effective law enforcement cooperation during such crises to detect, investigate and prosecute such cases (CTOC/COP/WG.7/2020/2); and (b) successful strategies concerning the use of technology, including of information and communications technology, to prevent and investigate the smuggling of migrants and to mount a robust response to the increasing use of cyberspace by criminal groups (CTOC/COP/WG.7/2020/3).

10. UNODC further supported Member States in the preparatory phase of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, established by Conference at its ninth session, in 2018, in its resolution 9/1. At its fifth meeting, held in Vienna on 4 and 5 July 2018, the Working Group on the Smuggling of Migrants recommended for approval by the Conference the self-assessment questionnaire for the review of the implementation of the Smuggling of Migrants Protocol. During the reporting period, UNODC supported the intergovernmental expert group established in accordance with Conference resolution 9/1 in the process of finalizing and harmonizing all the self-assessment questionnaires for the review process in informal consultations and meetings.

Commission on Crime Prevention and Criminal Justice

11. The issue of the smuggling of migrants featured prominently at the twenty-eighth session of the Commission on Crime Prevention and Criminal Justice, held in Vienna in May 2019. In addition to briefings for Member States on relevant work undertaken by UNODC in this area, three side events were organized to support the development of best practices and the sharing of information on the issue. The first side event was on cooperation between the European Union and UNODC in preventing and addressing trafficking in persons and the smuggling of migrants; a second side event was on Operation Andes, a successful international migrant smuggling investigation supported by the International Criminal Police Organization (INTERPOL) and UNODC; and a third side event examined how universities can contribute to transforming practices to combat human trafficking and migrant smuggling.

12. In 2020, the twenty-ninth session of the Commission on Crime Prevention and Criminal Justice, originally scheduled to take place from 18 to 22 May, was postponed due to the COVID-19 pandemic, provisionally to the last quarter of 2020. The prominent theme of the twenty-ninth session of the Commission is "Effective

measures to prevent and counter the smuggling of migrants, while protecting the rights of smuggled migrants, particularly women and children, and those of unaccompanied migrant children”. To support consideration of that issue, UNODC prepared a discussion guide for the thematic discussion (E/CN.15/2020/6) identifying issues for consideration and proposing issues for future attention.

Congress on Crime Prevention and Criminal Justice

13. UNODC prepared several thematic papers to support the relevant discussion at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, originally scheduled for April 2020 and which has been postponed due to the COVID-19 pandemic. Among other reports, the report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.234/3) details the available information on the smuggling of migrants, and the background paper on current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime (A/CONF.234/11) discusses how information and communication technologies are used by smugglers, as well as by police to investigate migrant smuggling crimes.

General Assembly

14. During the reporting period, UNODC continued to provide substantive support to Member States in discussions on the development and implementation of General Assembly resolutions relating to countering the smuggling of migrants and the implementation of the Smuggling of Migrants Protocol.

15. A number of resolutions were adopted during the reporting period to support enhanced responses to prevent and counter the smuggling of migrants, in line with the UNODC mandate. In its resolution 74/148 on the protection of migrants, the General Assembly encouraged States to design more effective measures to protect migrants, including by preventing and combating the smuggling of migrants.

16. In its resolution 74/177, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, the General Assembly called upon Member States to consider ratifying or acceding to the Smuggling of Migrants Protocol and 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. The Assembly also urged UNODC to continue to provide technical assistance to Member States in accordance with the Protocol.

17. In its resolution 74/127, entitled “Violence against women migrant workers”, in which the Assembly also invited Member States to ratify the Smuggling of Migrants Protocol.

18. During the reporting period, the Office continued to provide substantive input for the drafting of relevant reports of the Secretary-General on the implementation of General Assembly and Security Council resolutions on issues related to migration and the smuggling of migrants.

Security Council

19. In its resolution 2491 (2019), the Security Council renewed measures to address the smuggling of migrants and trafficking in persons, as well as the inspection and seizure of vessels off the coast of Libya, setting out a comprehensive framework to enhance security and reinforce and promote the rule of law in the country.

20. UNODC supported the development of the related reports of the Secretary-General submitted to the Security Council detailing progress in implementing Council resolution 2491 (2019), focusing on the implementation by UNODC of measures to combat migrant smuggling in Libya and on data collection and capacity-building efforts.

2. Participation in inter-agency and regional coordination and cooperation mechanisms

21. UNODC is strongly engaged in several thematic inter-agency mechanisms to advance the international agenda for countering the smuggling of migrants and trafficking in persons, including in the context of international migration, in line with targets 5.2, 8.7, 10.7 and 16.2 of the Sustainable Development Goals and the overall Goal 17.

22. UNODC is a member of the Executive Committee of the global United Nations Network on Migration, established by the Secretary-General to support implementation by Member States of the Global Compact for Safe, Orderly and Regular Migration, endorsed by the General Assembly in its resolution 73/195. UNODC participates in the Network's global core and thematic working groups, working to establish a global knowledge platform and a connection hub to develop tailor-made responses to migration; empower Member States in developing and implementing national implementation plans related to the Global Compact; strengthen the United Nations capacity at the global, regional and country levels to provide such support to Member States; enhance national capacity for data collection, analysis and dissemination on migration-related issues; and promote alternatives to detention for irregular migrants.

23. In the reporting period, UNODC contributed to the establishment, and supported the activities, of more than 15 national and regional migration networks and thematic issue-based coalitions in most regions of the world, working closely with United Nations country teams and governmental counterparts to support the national efforts to implement the Global Compact and its related review process.

24. For example, UNODC is part of the United Nations regional migration network for West and Central Africa and regularly participates in the work of the Mixed Migration Working Group established in its framework. At the national level, UNODC is an active member of the national migration networks in Mali, Mauritania and the Gambia.

25. In line with its mandates, UNODC provides, in particular, support to Member States in the implementation of Global Compact objectives 9 (Strengthen the transnational response to smuggling of migrants) and 10 (Prevent, combat and eradicate trafficking in persons in the context of international migration), by strengthening the rule of law and enhancing crime prevention and criminal justice responses to prevent and counter organized crime while protecting its victims.

26. UNODC is engaged in supporting Member States as they tailor responses under the Global Compact to address the impact of the COVID-19 pandemic and provide enhanced protection and assistance to the most vulnerable populations, including stranded migrants, regardless of their status. Among other interventions, at the request of the counter-trafficking unit of the police in Jordan, UNODC supported a coordinated response by international and national agencies to procure sanitation materials, protective equipment, medical kits and COVID-19 testing units for first responders in contact with vulnerable populations, including smuggled migrants.

27. The Office continues to play a primary role within the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. UNODC actively participates in high-level policy dialogues and practical capacity-building activities with the 49 members of the Bali Process, including through its Regional Support Office, its various working groups and its Task Force on Planning and Preparedness. The Seventh Bali Process Ministerial Conference, held in August 2018, achieved significant outcomes in addressing people smuggling, human trafficking and irregular migration in the region. Members of the Bali Process issued the Declaration of the Seventh Ministerial Conference of the Bali Process, in which they reaffirmed the inaugural 2016 Bali Declaration and committing themselves to enhanced cooperation on addressing migrant smuggling, improving the sharing of information and policies, promoting regular migration pathways and countering criminal

networks. In addition, UNODC participated in the Global Forum on Migration and Development regional consultations held in June and July 2020.

28. During the reporting period, UNODC actively participated in inter-agency and regional coordination and cooperation mechanisms to strengthen regional coordinated responses to trafficking in persons and smuggling of migrants in West and Central Africa.

29. In support of the Group of Five for the Sahel (G5 Sahel), UNODC organized, in Burkina Faso in July 2019, a high-level regional meeting on the G5 Sahel Security Cooperation Platform for sharing information related to cases of trafficking in persons and smuggling of migrants. Recommendations were formulated on collecting and sharing data on trafficking in persons and smuggling of migrants at the national and regional levels.

30. Following the first regional meeting of G5 Sahel, UNODC supported the organization of a workshop, held in Mali in December 2019, on strengthening the criminal intelligence system of the countries of G5 Sahel, including as related to trafficking in persons and smuggling of migrants. The aim of the event was to strengthen the G5 Sahel intelligence system and structure in order to harmonize and streamline information-sharing among its members and to strengthen knowledge of existing tools and models on criminal intelligence.

31. Since the COVID-19 outbreak in West Africa, UNODC has been organizing online training sessions on providing virtual assistance for the G5 Sahel Security Cooperation Platform, including 12 virtual workshops aimed at providing the Platform with an effective criminal information sheet for the collection of intelligence information on smuggling of migrants and trafficking in persons. The first webinar was delivered in April 2020.

32. UNODC organized and provided technical support for the first regional conference, held in Dakar in March 2019, for focal points from the States parties to the Niamey joint declaration of 16 March 2018 on combating the smuggling of migrants and trafficking in persons. The regional conference, held to establish the permanent monitoring mechanism of the Niamey joint declaration, brought together focal points from African and European signatories of the Niamey joint declaration: Burkina Faso, Chad, Côte d'Ivoire, France, Gambia, Germany, Guinea, Italy, Mali, Mauritania, Netherlands, Niger, Nigeria, Senegal, Spain and the United Kingdom of Great Britain and Northern Ireland. The European Union was also represented as a multilateral partner. On that occasion, UNODC presented a matrix of activities developed by Member States to prevent and counter trafficking in persons and the smuggling of migrants at the national, regional and international levels. UNODC also presented a table of indicators and targets for measuring the progress made towards the achievement of the recommendations outlined in the Niamey joint declaration.

33. In October 2019, UNODC facilitated the organization of the second regional conference of directors general and high commanders of internal security forces and senior justice officials on the permanent monitoring mechanism of the Niamey joint declaration, held in Abidjan, Côte d'Ivoire. On that occasion, senior officials from States that signed the Niamey joint declaration discussed the various developments in the fight against trafficking in persons and the smuggling of migrants and made new recommendations for effectively combating those crimes. The high-level meeting also provided an opportunity for UNODC to present its liaison magistrate initiative, including the results, lessons learned and challenges. The initiative contributes to enhancing international judicial cooperation between European and West African countries to fight trafficking in persons and the smuggling of migrants and, more specifically, to streamlining procedures to facilitate the provision of mutual legal assistance among Member States.

3. Development of knowledge and normative and policy guidance and tools

34. Since October 2018, UNODC has published e-learning modules on the smuggling of migrants, including modules entitled “Introduction to smuggling of migrants”, “Investigative approaches to the smuggling of migrants” and “Investigative techniques to counter smuggling of migrants”, in Serbian and the Macedonian language.

35. The Smuggling of Migrants Knowledge Portal, powered by the Sharing Electronic Resources and Laws on Crime (SHERLOC) portal, was launched by UNODC in 2017 and has continued to expand. The Portal is composed of three databases: a case law database containing, as of June 2020, 801 cases from 44 jurisdictions; a database of legislation containing, as of June 2020, 245 pieces of legislation from 99 countries; and a bibliographical database containing 384 entries. The goal of the Portal is to strengthen the capacity of Member States to fight impunity and increase accountability by successfully investigating and prosecuting smuggling of migrants cases, which the Portal accomplishes through the collection, analysis, review and dissemination of court cases from various jurisdictions and different legal systems and through the collation of related information on legislation, strategies and available literature. UNODC has been using the case law database as a source of information to develop additional normative and policy guidance documents and technical assistance tools.

36. In the last quarter of 2018, UNODC held an expert meeting to identify and draw on lessons learned in order to improve the Smuggling of Migrants Knowledge Portal and the Trafficking in Persons Knowledge Portal and devise strategic directions for their future development and strengthening. Furthermore, UNODC developed 27 analytical case briefs that highlight key issues regarding migrant smuggling cases, such as jurisdiction on the high seas, financial or other material benefit, the differences between criminal groups and organized criminal groups, the differences between human trafficking and migrant smuggling, and investigative techniques. Finally, UNODC fostered partnerships with Member States, international organizations, academic institutions, civil society and international law firms for the further expansion of the Smuggling of Migrants Portal.

37. UNODC is further expanding the knowledge base on migrant smuggling, both by engaging more closely with civil society and academia and by analysing States’ judicial practice, and is enhancing its efforts to mainstream gender in its work. In 2019, UNODC completed a case analysis of women in migrant smuggling, bringing to light some of the patterns characterizing the involvement of women in migrant smuggling ventures and the criminal justice response to it. Later in 2019, UNODC consulted with international experts on the impact of the implementation of the Smuggling of Migrants Protocol and gaps in its understanding. In order to address some of those gaps, UNODC is undertaking a study, launched in mid-2020, on the gender dimensions of aggravated smuggling offences. The aims of the project are (a) identifying in selected transit regions the prominent forms of aggravating circumstances to smuggling offences as described in article 6 of the Smuggling of Migrants Protocol; (b) understanding the criminal justice response to those aggravating circumstances and related crimes of which smuggled migrants may have become victims; and (c) carrying out those aims with a gender lens.

38. In the context of the Education for Justice (E4J) initiative, under the Global Programme for the Implementation of the Doha Declaration, UNODC developed during the reporting period a series of educational tools and materials to empower educators to teach the next generation about topics related to the prevention of crime and the promotion of the rule of law.

39. Those diverse tools and materials were developed for all educational levels – primary, secondary and tertiary – and can either be used directly, in that original form, by interested parties, or be adapted to a country’s national context. For secondary education, UNODC has developed a video and teacher’s guide aimed at critically engaging students aged 13 to 18 so that they understand the meaning and impact of

the smuggling of migrants and other acts linked to smuggling of migrants. In addition, a comic book series entitled “San Servolo” has been developed to make the topic of migrant smuggling accessible to secondary level students, engaging them through the medium of comics. At the tertiary level, UNODC has partnered with more than 100 academics and developed nine peer-reviewed modules on the smuggling of migrants (five modules on smuggling of migrants and four cross-cutting modules that also address trafficking in persons), accompanied by a teaching guide. A series of three videos has been developed, as supporting teaching materials, to introduce the topics of trafficking in persons and smuggling of migrants, human rights and gender. Finally, two additional modules, one in Spanish for Latin America and one in French for francophone Africa, have been developed adapting the material to those regional contexts.

B. Promoting and supporting the implementation of the Smuggling of Migrants Protocol through technical cooperation

40. To support effective and coherent implementation of the Smuggling of Migrants Protocol, during the reporting period UNODC pursued technical assistance and capacity-building efforts in more than 65 countries, including in Latin America and the Caribbean, Africa, Asia, the Middle East and Europe. In addition, UNODC and the European Union launched the GLO.ACT Asia and the Middle East project for the period 2018–2022.

41. UNODC supported the establishment of informal networks of practitioners in Latin America and West Africa. One such network was the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants, which, with UNODC assistance, agreed on the development of joint investigation teams on trafficking and migrant smuggling in the region and adopted guidelines to support their establishment.

42. In November 2018, UNODC delivered a training session on the smuggling of migrants as a substantive contribution to the training of officials of the Libyan Coast Guard, organized by the European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED), as part of its operation Sophia, and held at the naval base of La Maddalena, Sardinia, Italy. Sixty-four military personnel were provided with core information and training required to conduct routine activities on board an offshore patrol vessel, with particular lessons focused on human rights, basic first aid and gender policy.

1. Legislative assistance and strategy development

43. During the reporting period, UNODC provided legislative assistance to draft or revise national laws to address the smuggling of migrants in the Gambia, Ghana, Liberia, Mali and Senegal. UNODC also provided technical support to the national commission in the Niger to establish the first national action plan to counter smuggling of migrants in West Africa.

44. In December 2018, UNODC, in cooperation with the National Committee for Combating Human Trafficking of the Sudan, organized a thematic workshop for members of the National Legislature on trafficking in persons and the smuggling of migrants. The workshop was aimed at increasing awareness and strengthening the understanding of the peculiarities and differences between the two crimes, highlighting the importance of using human rights-based approaches in responding to those crimes and identifying priorities for action for the Sudan, with an emphasis on the role of members of legislature.

45. UNODC supported Zambia in identifying gaps in national legislation relating to the smuggling of migrants. A workshop for legislative review held in March 2020, attended by government experts and the Zambia Law Development Commission, assessed the legislation in force as a first step towards a comprehensive legal framework to counter the smuggling of migrants. The work for the alignment of the

current legislative framework with the Smuggling of Migrants Protocol will continue throughout 2020.

46. UNODC, within the framework of GLO.ACT, supported the Government of Colombia in developing a comprehensive strategy to address the smuggling of migrants through a series of workshops focused on legislative assistance. Those efforts culminated in the adoption of the country's first-ever strategy on the smuggling of migrants by the third Intersectoral Commission to Combat the Smuggling of Migrants, with a strong focus on the issue of gender.

47. In November 2019, UNODC organized in Nepal a regional workshop on strengthening the response to migrant smuggling for practitioners from Maldives, Nepal and Sri Lanka. The aim was to promote the sharing of information on patterns, trends and challenges in addressing the smuggling of migrants and initiate a dialogue on policy in order to review current legislation and encourage the ratification of the Smuggling of Migrants Protocol.

2. Strengthening criminal justice responses

48. During the reporting period, UNODC delivered capacity-building activities and training to law enforcement authorities and judicial authorities in various countries, including Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Guatemala, Guinea-Bissau, Liberia, Mali, Mauritania, the Niger, Peru and Senegal. Mentorships to enhance the detection and investigation skills of law enforcement authorities on trafficking in persons and the smuggling of migrants were also provided to relevant counterparts in Côte d'Ivoire, the Gambia, Mali, the Niger and Senegal.

49. Moreover, UNODC provided technical assistance and facilitated the negotiations and elaboration of bilateral judicial agreements – namely, on extradition, the transfer of sentenced persons and mutual legal assistance – between Italy and Mali and between Italy and the Niger, to strengthen international cooperation on combating transnational crime, especially trafficking in persons and the smuggling of migrants. Those two rounds of negotiations took place in Rome from 26 February to 1 March 2019 and from 2 to 5 July 2019, respectively.

50. Pursuant to Security Council resolutions [2331 \(2016\)](#) and [2388 \(2017\)](#), in 2019 UNODC, jointly with the United Nations Multidimensional Integrated Stabilization Mission in Mali, conducted a series of training sessions to enhance national responses to trafficking in persons and the smuggling of migrants.

51. In South-East Asia, UNODC worked in collaboration with IOM, the Office of the United Nations High Commissioner for Refugees and the Bali Process Regional Support Office to develop a comprehensive training curriculum to prevent and respond to migrant smuggling by sea. The related two-week training course will be piloted in the coming months at the Jakarta Centre for Law Enforcement Cooperation, to be given to law enforcement officials from Indonesia, Malaysia and Thailand.

52. In February 2020, UNODC supported a specialized training course for the investigation and criminal prosecution of the smuggling of migrants, using a case simulation methodology, held in Chiquimula, Guatemala, with 26 participants from law enforcement agencies.

53. In the reporting period, UNODC also continued to support the Government of Algeria by enhancing its investigation and prosecution of trafficking in persons and smuggling of migrants cases. A five-day mock-trial workshop focused on transnational cases of trafficking in persons and smuggling of migrants took place in Algeria in February 2020. Similarly, in March 2020, UNODC organized a national mock-trial workshop for Egyptian law enforcement officials from Ministry of Interior, the Ministry of Justice, the Office of the Prosecutor General and the Administrative Control Authority. The training methodology for both sessions was based on real case scenarios and used interactive simulation exercises, enriching the experience of the participants by providing diversified knowledge.

3. Promoting international cooperation

54. As part of the liaison magistrate initiative, UNODC supported the deployment of two Nigerian liaison magistrates, to Italy and to Spain, to strengthen international judicial cooperation between West African countries and European countries on cases of trafficking in persons and smuggling of migrants and related crimes. The liaison magistrates act as an interface between the national central authorities of the deploying country and the host country, on the basis of article 18 of the Organized Crime Convention. By establishing a direct line of communication between two central authorities and building trust, liaison magistrates facilitate the mutual exchange of information and the expedited transmission of mutual legal assistance requests, provide legal advice and solicit prompt follow-up on cases. To date, liaison magistrates have worked on 44 cases, 35 rogatory and mutual legal assistance requests have been sent, multiple investigations have been opened, and a suspect was arrested in December 2019. Under the initiative, another liaison magistrate from the Niger is to be deployed to Italy in the last quarter of 2020.

55. In July 2019, UNODC organized the first subregional workshop for the investigation and prosecution of the smuggling of migrants with the participation of 36 law enforcement agents and prosecutors from Bolivia (Plurinational State of), Brazil, Colombia, Ecuador and Peru. The aim was to strengthen cooperation between neighbouring countries, with a focus on border territories.

56. With respect to the Asia-Pacific region, UNODC and IOM committed themselves in June 2020 to enhancing collaboration to address the smuggling of migrants. The two organizations agreed to improve evidence-based research on current and new smuggling trends by sharing information, in particular on travel documents and identity fraud, and to work to build law enforcement capacity in the region. The initiative is guided by the well-established cooperation agreement of 2012 and the 2018 Joint Platform on Countering Migrant Smuggling of UNODC and IOM. A key element is to enhance coordination between the UNODC Voluntary Reporting System on Migrant Smuggling and Related Conduct and the IOM Document Examination Support Centre. The UNODC Voluntary Reporting System is aimed at strengthening the collection and sharing of data on the smuggling of migrants from across the Asia-Pacific region.

57. The Global Programme against the Smuggling of Migrants and GLO.ACT supported a joint INTERPOL–UNODC operation against the smuggling of migrants, Operation Turquesa, which was conducted in the Americas in November 2019. Authorities in 20 countries on three continents acted on leads and carried out nearly 1 million checks at air, land and sea borders to disrupt the organized criminal groups behind key smuggling routes to the United States of America and Canada. The operation led to the detention of 152 persons, of whom 97 were arrested for smuggling of migrants, 31 for trafficking in persons and 24 for other related offences, and the identification of 775 vulnerable migrants, many of whom had been smuggled and were victims of rape, trafficking or other violent crimes. A major outcome of Operation Turquesa was the arrest of a 32-year old man from Bangladesh believed to be behind one of the largest networks smuggling migrants into the United States. Authorities of Brazil dismantled his entire network, which is alleged to have facilitated the illegal passage of more than 200 nationals of South Asia. The INTERPOL Vulnerable Communities Sub-Directorate, in collaboration with UNODC, subsequently organized a meeting to assess the results of Operation Turquesa, held in the Dominican Republic from 24 to 26 February 2020. Attendees included the INTERPOL Specialized Operational Network against People Smuggling, consisting of experts from the 20 countries that participated in the operational phase of Operation Turquesa, as well as members of that INTERPOL Network from Bangladesh, Pakistan, Portugal and the United States and designated representatives of IOM, UNODC and Uber.

58. In November 2019, UNODC, in collaboration with the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in

Persons of Egypt organized a regional forum entitled “Regional forum for knowledge exchange and cooperation among national coordinating bodies to combat human trafficking and migrant smuggling along the Central and Western Mediterranean migration routes”. The forum was aimed at enhancing cooperation and coordination among national coordinating committees on combating and preventing trafficking in persons and the smuggling of migrants affecting various African countries.

59. UNODC organized a subregional meeting on trafficking in persons and smuggling of migrants in Morocco in April 2019. The meeting was attended by 28 government officials from Mali, Morocco and the Niger to enhance international judiciary and law enforcement cooperation and promote the establishment of agreements on information exchange. In addition, UNODC further organized a regional training workshop on international cooperation and mutual legal assistance, held in October 2019 in Morocco, aimed at strengthening skills and capacities of criminal justice officials from Egypt, Libya, Tunisia, Algeria and Morocco to effectively collaborate in preventing and combating trafficking in persons and smuggling of migrants and which provided a platform to discuss the challenges related to effective international cooperation.

4. Data collection and research

60. In November 2019, UNODC worked with IOM to support the creation of a framework to develop standard operating procedures for crisis-sensitive anti-trafficking responses across the Levant, which are of direct relevance to related migrant smuggling.

61. In 2019, UNODC published a comprehensive regional report that examines legislative frameworks relating to the criminalization of smuggling of migrants in the 10 States members of the Association of South-East Asian Nations. The report highlights the similarities and differences at the national level as compared with the international legal framework in this area and develops recommendations to facilitate the accurate and comprehensive implementation of the Protocol’s requirements into domestic laws in the countries under review.

62. The UNODC Observatory on Smuggling of Migrants is a flagship project designed to assess criminal activities, as well as the drivers and impact of the smuggling of migrants, in rapidly changing contexts. The Observatory will collect and disseminate robust data, information and analysis related to the smuggling of migrants, including evidence on the *modi operandi* of migrant smugglers, smuggling routes and the human costs of using smuggling services – such as the risk of kidnapping for extortion – and raise awareness of the dangers along migration routes. In general, the information and analysis provided will be essential to better understand the phenomenon of smuggling of migrants in this context and thus help to more effectively prevent and combat smuggling and related human rights abuses and other crimes, and will complement the UNODC *Global Study on Smuggling of Migrants 2018* and existing data collection and intelligence-sharing by UNODC and other actors. The information is gathered through regular fieldwork in origin, transit and destination countries, in coordination with people on the move, law enforcement authorities, members of civil society and other key actors. Collected information is complemented with regular surveys in origin countries focusing on prospective migrants’ journey planning and potential engagement with smugglers. The information gathered for the Observatory will be freely accessible through an online platform set to go live during 2020 and will be updated on a regular basis to provide up-to-date information. The regular fieldwork and surveys will allow for a longitudinal assessment of the data and information. The Observatory has been set up on a pilot basis and will run for an initial period of three years.

63. In January 2020, IOM, UNODC and the United Nations Children’s Fund called for proposals to develop a study on the smuggling of migrants and trafficking in persons in Libya, to increase knowledge of the following: the profile of traffickers and smugglers and understanding their *modus operandi* in the country; the

vulnerabilities of victims and potential victims of trafficking, which is exacerbated by prolonged conflict; and how to address any legal, policy and institutional gaps in responding to these challenges by promoting regional and international cooperation.

64. In the Niger, UNODC provided technical assistance for the design, development and implementation of a national system for collecting data and statistics on trafficking in persons and the smuggling of migrants. A first workshop on data collection tools and methodologies was held in Dosso, the Niger, in June 2019. Since January 2020, UNODC has been supporting the National Agency for the Fight against Trafficking in Persons and the Smuggling of Migrants by promoting a more systematic approach consisting of regular meetings with all the stakeholders involved in the data collection process in the Niger (national, international and non-governmental actors), with the aim of increasing cooperation on data collection and analysis for evidence-based policies and strategies. A first consultation workshop on the main variables and indicators to be included in the national data collection tool is to take place in August 2020.

65. Moreover, during the reporting period, UNODC conducted a research project on the *modi operandi* used in the smuggling of migrants and linkages with other forms of transnational organized crime, conducted in Mali and the Niger, which was completed in 2019.

5. Crime prevention and awareness raising

66. In June 2019, UNODC facilitated a thematic discussion and provided targeted training on the smuggling of migrants by sea at the Caribbean maritime crime conference held in Trinidad and Tobago. The purpose of the discussion was to enhance responses in the region to the smuggling of migrants by sea by providing tools to detect and counter this crime to officials working in crime prevention and criminal justice. The conference was organized by the UNODC Global Maritime Crime Programme and supported by the Global Programme against the Smuggling of Migrants. It was attended by more than 30 participants from Antigua and Barbuda, Barbados, Belize, Grenada, Guyana, the Netherlands, Saint Lucia, Suriname, Trinidad and Tobago and the United States.

67. In February 2020, UNODC organized a five-day awareness-raising event on trafficking in persons and smuggling of migrants at the Royal Police Institute in Kenitra, Morocco, to enhance the capacity of law enforcement officials to respond to those crimes. Key outcomes of the training were, inter alia, a better understanding of key definitions and terminologies related to both trafficking in persons and the smuggling of migrants and increased knowledge of special investigative techniques to address those crime and identify victims of trafficking in persons and smuggled migrants.

6. Protection of and support for smuggled migrants

68. UNODC, through GLO.ACT Asia and the Middle East, organized five workshops in Pakistan on trafficking in persons and the smuggling of migrants, with a particular focus on victim identification, protection and assistance in March and April 2019. The main aim of the workshop series was to ensure coordination among representatives of law enforcement authorities, social services and civil society in addressing trafficking in persons and the smuggling of migrants, with a view to enhancing protection of the most vulnerable populations, including trafficking victims and smuggled migrants. A total of 102 participants (15 women and 87 men) attended the five workshops, which were held in Lahore, Islamabad and Peshawar.

III. Conclusions

69. The smuggling of migrants is a transnational crime posing unique challenges that require global responses and coordinated action by all stakeholders concerned,

including non-governmental actors. It is characterized by a mix of demand and supply factors that generate significant economic returns.

70. A holistic approach to countering the smuggling of migrants needs to take into account not only the geography of the crime but also its various contributing factors. Combating the smuggling of migrants requires a comprehensive strategy that recognizes the complexity of these factors and is guided by a knowledge-based approach. The development of effective and impactful strategies is hampered by the fact that many facets of the smuggling of migrants remain poorly documented and under-researched, with a corresponding gap in analytical material concerning issues such as the smuggling of unaccompanied children and violent crime and serious human rights abuses occurring along migration routes.

71. The Smuggling of Migrants Protocol is the only internationally agreed legal instrument designed to prevent and combat the smuggling of migrants. In promoting the implementation of the Smuggling of Migrants Protocol, including by providing technical assistance to Member States and fostering inter-agency cooperation, UNODC consistently works to secure the active participation of relevant stakeholders at the international, regional and national levels.

72. The adoption of the Global Compact for Safe, Orderly and Regular Migration constitutes a historical step in international efforts to address all dimensions of international migration in a holistic and comprehensive manner. Its 23 objectives and associated actions set a political agenda aimed at improving the governance of migration, addressing the challenges associated with migration today and strengthening the contribution of migrants and migration to sustainable development. In line with the mandate of UNODC, The Global Compact's objectives 9 and 10 set out a comprehensive framework to address the smuggling of migrants and trafficking in persons in the context of international migration.

73. UNODC remains committed to promoting and supporting the implementation of the Smuggling of Migrants Protocol and to working jointly with Member States and other international and regional organizations, civil society and migrants' groups in order to more effectively fight the smuggling of migrants in all its forms.

74. UNODC will continue to develop the Smuggling of Migrants Case Law Database and will issue new technical publications on the most pressing concerns, such as an issue paper on the role of women in the smuggling of migrants.

75. UNODC will also continue to deliver tailor-made capacity development and technical cooperation at the national and regional levels, including by giving due consideration to the current COVID-19-related concerns and by making greater use of technology as it addresses the increased need for the protection of and assistance for migrants and refugees vulnerable to trafficking in persons and the smuggling of migrants by land, sea and air.