

**Secretariat Opening Statement of the 9th Session of the
Working Group on Migrant Smuggling**

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Agenda item 1 (b): Adoption of the agenda and organization of work

Thank you, Chair,

Excellencies, distinguished colleagues, ladies and gentlemen,

It is my pleasure to welcome you to the 9th session of the Working Group on the Smuggling of Migrants of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, especially noting that the Working Group has for a number of years provided the most advanced State practitioner-led and policy-focused discussions on migrant smuggling at the global level in the UN system.

To date, 150 States are party to the Protocol against Smuggling of Migrants by Land, Sea and Air. This is testimony of the commitment of Member States to tackle this crime.

Guided by the objectives of the Smuggling of Migrants Protocol, UNODC continues to support States to counter migrant smuggling including by providing legislative assistance, supporting States to develop counter-smuggling strategies

and action plans; assisting in reinforcing the capacity of criminal justice actors to combat migrant smuggling and protect smuggled migrants; and fostering international cooperation.

I would like to offer several practical highlights of UNODC's recent efforts in these areas:

In 2021, our Global Programme supported the development and revision of legislation, policies and strategies to counter the inter-connected crimes of migrant smuggling and human trafficking in 18 countries, including 7 countries distinctly on migrant smuggling alone; and supported investigations into 48 cases of migrant smuggling. Overall, more than 5,700 people participated in training and other activities conducted by UNODC to tackle both migrant smuggling and human trafficking. Details are contained in our Annual Report for 2021, which is available on our website.

In 2021 we also launched a two-year project to counter migrant smuggling through the Western Hemisphere. The '*Strengthening Transnational Action against Migrant Smuggling*' (STARSOM) initiative brings together **13 countries** that are located along smuggling routes through South Asia, the Middle East, Africa and Latin America and the Caribbean. So far, more than 400 officials from these countries have been trained on how to detect, investigate and prosecute cases of migrant smuggling. The initiative is also facilitating cross-border

cooperation between law enforcement and criminal justice authorities in these countries.

We also continued to generate new knowledge on the smuggling of migrants. Through the Smuggling of Migrants Observatory, launched in 2021, we are assessing the characteristics, drivers and impacts of migrant smuggling along key routes. The information generated by the Observatory will help States to conduct evidence-based planning and programming in response to the crime of migrant smuggling. Further, we produced several studies on migrant smuggling in 2021, including:

- i. *Covid-19 and the Smuggling of Migrants: a call for safeguarding the rights of smuggled migrants facing increased risks and vulnerabilities; and*
- ii. *Abused and Neglected: a gender perspective on aggravated migrant smuggling offences and response.*

Both these publications seek to strengthen States' interventions to counter migrant smuggling.

In December 2021, we supported the overarching thematic discussion of the 30th Commission on Crime Prevention and Criminal Justice, which focused on *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.*

Finally, UNODC's **Smuggling of Migrants Knowledge Portal** continues to expand through the inclusion of new legislation and judicial decisions, enabling the further dissemination of knowledge on the investigation, prosecution and adjudication of smuggling of migrants. To date, we have collected 829 court cases from 46 jurisdictions. Additionally, the Portal also includes 253 pieces of legislation from 102 countries. We strongly encourage States to continue sharing case law with us in order to create a robust body of international jurisprudence on migrant smuggling. Such efforts contribute to increasing the understanding of the characteristics of migrant smuggling and help us to develop better-informed responses and additional policy products.

Ladies and gentlemen,

It takes time for criminal justice systems, and the personnel working in them, to enhance their ability to detect, investigate and successfully prosecute cases of migrant smuggling. It is proven that the longer countries have had specialized and/or comprehensive legislation in place, the more convictions are recorded. That is why States need to implement and make full use of the UN Convention against Transnational Organized Crime and the Protocol on Smuggling of Migrants at the national, regional and international levels. These international legal instruments provide a unique framework for strengthened collaborative actions against these crimes. The ongoing implementation of the Mechanism for the Review of UNTOC and its protocols presents an

unprecedented opportunity for States to improve on their implementation of the Convention and its protocols and make lasting impact on efforts to counter migrant smuggling.

UNODC works hand-in-hand with other UN, international and regional organizations to assist Member States in fulfilling their obligations, supporting coordination of efforts between States formally and informally across borders. At the policy level, as a member of the Executive Committee of the UN Network on Migration, we played an integral role in preparing for and convening the first International Migration Review Forum (IMRF) at the General Assembly in New York in May 2022, where progress in implementing the Global Compact for Migration was reviewed. The Progress Declaration that was adopted by the IMRF specifically encourages cooperation among States to prevent and counter migrant smuggling, in full respect for human rights. Thank you for your attention and I wish you fruitful and productive discussions.