



Migrant Smuggling Investigations: Successes & Challenges in Pakistan

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Pakistan – A profile in Migrant Smuggling

- **Profile:**

- **Pakistan is origin, transit and destination country**
- **Agents/criminals have nexus with Transnational Organized Gangs**

- **Modus Operandi:**

- **Agents lure victims through showing bright future dreams**
- **They earn money and exploit victims considering them a commodity**
- **Mainly land route is used followed by sea and air**
- **Encrypted Apps are used for communication**

Push and Pull Factors

- **Push Factors:**

- ✓ **Poverty**
- ✓ **Unemployment**
- ✓ **Lack of skill & info to use legal migration channels**

- **Pull Factors:**

- ✓ **Demonstration effect of a bright future in rich countries**
- ✓ **Economic opportunities**



Prevention & Detection

- **Two main approaches to curb offences of migrant smuggling**
- **First, interceptions are made on routes in border regions**
- **Intelligence based operations are conducted**
- **Secondly, deportees provide info about the agents involved in smuggling**
- **Info leads to the identification and arrest of offenders**
- **Offenders are investigated and prosecuted**

New Law – Prevention of Smuggling of Migrants Act 2018



- **A relatively new law and new rules under the Act**
- **Based on UN Protocol against the Smuggling of Migrants**
- **Provides for comprehensive definitions of offences**
- **Punishments commensurate with gravity of offences**
- **Aggravating factors are taken into account for repeat offenders**
- **Non-criminalization of smuggled migrants protects victims**



Investigatory Practices

- **Training of investigation officers to learn special skills**
- **Penal provisions are simple to apply**
- **There is no confusion regarding the culpability**
- **Victims are protected and assisted in rehabilitation**
- **Mainly agents are offenders who are investigated and prosecuted**
- **Code of Criminal Procedure is applied in INV & prosecution**

International Cooperation

- **International cooperation is essential for success**
- **Existing international cooperation mechanism:**
 - ✓ **Bilateral Focal Points in partner countries**
 - ✓ **Foreign Office channel**
 - ✓ **FIA Link Offices — Greece-Iran-Oman (Spain, Turkey, UK and Italy)**
 - ✓ **Local police liaison officers — case to case basis**
- **Specific points of contact for identifying & sharing information**
- **Specific points established with Iran & Turkey**
- **Process in negotiation with EU for re-admission of victims**



Case study 1

- **In 2019, 03 females from Lahore were smuggled to UAE for employment**
- **They were forced to indulge in prostitution**
- **Report was made to local police who arrested the accused**
- **Pakistan Link Office Oman played a pivotal role**
- **Victims were repatriated & rehabilitated with assistance of LEAs**
- **The accused were investigated and prosecuted**



Case Study 2: Kidnapping for Ransom

- **In March 2021, an illegal migrant in Greece was kidnapped by local gang**
- **The gang demanded ransom from the family in Pakistan**
- **The family reported the case to FIA Pakistan in Lahore**
- **The FIA contacted Link Office Greece which recovered the abductee**
- **The accused were arrested both in Greece with assistance of local police**
- **Local gang members in Pakistan were also arrested**
- **The ransom amount was recovered & they were prosecuted**

Pakistan – Best Practices & Lessons Learnt



- **UNTOC Protocols compliant new law has started bearing fruit**
- **New law provides for comprehensive legal framework**
- **Focus on trainings and capacity building proving beneficial**
- **Multi Agency approach a new normal:**
 - **FIA for investigation, prosecution and victim identification;**
 - **Civil society and media for awareness;**
 - **INGOs and NGOs for victim support.**
- **Bilateral & multilateral cooperation is essential for effective response**



Recommendation

Setting up of bilateral focal points for quickly sharing cross border information to make effective investigations & ensure successful prosecutions.