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.