



OBSERVATORY

on Smuggling of Migrants

Methodological Guide

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Introduction

The UNODC Observatory on Smuggling of Migrants is a pilot UNODC project to assess the characteristics, drivers and impacts of migrant smuggling in rapidly changing contexts. The Observatory collects and disseminates robust data, information and analysis on smuggling of migrants. The information is gathered through regular field research in origin, transit and destination countries, with people on the move, law enforcement, civil society, and other key actors. This is complemented with surveys in origin and transit countries, and monitoring and review of relevant statistics, policy documents and secondary literature.

The Observatory conducts **field research** with two distinct groups of interviewees: in-depth narrative interviews with people on the move in countries of origin, transit and destination; and key informant interviews with actors from Government and civil society. In addition, **surveys** are carried out in origin and transit countries. The data and information collected through the field research and surveys is then triangulated with existing statistics and relevant secondary sources, such as reports and studies, in order to verify the findings of the Observatory's research. The **analyses** are made available on the online platform for reference and use by a broad variety of stakeholders.

The function of the Observatory is to provide **accurate and up-to-date evidence** on migration preparation, the *modus operandi* of migrant smugglers, smuggling routes, financial aspects and the human costs of using smuggling services, as well as counter-smuggling actions. The information and analysis provided are essential to better understand the phenomenon of smuggling of migrants, in order to better prevent and combat smuggling, as well as human rights abuses and other crimes committed in the context of migrant smuggling.

The information gathered for the Observatory will be freely accessible through an **online platform**, which will be updated on a regular basis to provide real-time information, and to allow for a longitudinal assessment of the data and information.

UNODC engages in data collection, research and information sharing to improve States' capacities to combat migrant smuggling, as per the **mandate** given to UNODC by UN General Assembly Resolution A/73/186 (29.01.2019) to: "*systematically collect data and information from Member States on migrant smuggling routes, the modus operandi of migrant smugglers and the role of transnational organized crime.*"

Description of Methodology

2.1 Research Scope

The UNODC Observatory on Smuggling of Migrants provides descriptive assessments of the **phenomenon** of migrant smuggling, and not an evaluation or assessment of the anti-smuggling response of any country, programme or organisation. UNODC is the guardian of the **Protocol Against the Smuggling of Migrants by Land, Sea and Air**, supplementing the UN Convention Against Transnational Organized Crime, which defines smuggling of migrants as:

the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.

The overarching research question of the Observatory is: **What are the current characteristics and trends of migrant smuggling along the West African, North African and Mediterranean mixed migration routes?**

The **sub-topics** covered by the research address the following research questions:

Aspiration, Preparation and Planning	<ul style="list-style-type: none"> • What are prospective migrants' motivations, intentions and preparations for migration? • What type of financial planning do they engage in? • To what extent do they assess possibilities for regular and irregular travel? • What is their awareness of and interaction with migrant smugglers and other facilitators of mobility during the planning and departure phase?
Smuggling Routes and Fees	<ul style="list-style-type: none"> • What are smuggled refugees and migrants' itineraries and duration of travel? • What are their experiences of the journey? • Which profiles of refugees and migrants use migrant smuggling services along these routes? • What are the prices paid for migrant smuggling services and the methods of payment?
Smugglers' <i>modus operandi</i> and costs and risks of operations	<ul style="list-style-type: none"> • How do migrant smugglers organise their business? • What types of costs are borne and profits made by smugglers? • Which strategies do smugglers have for the identification of service-users? • Are there connections to other types of crime? • How do smugglers adapt to changes in policies and law enforcement practices?
Human costs	What types of abuses do refugees and migrants suffer in the context of migrant smuggling? (including: physical and sexual violence; child abuse; exploitation and human trafficking; deprivation of liberty; extortion; robbery; corruption; food and water deprivation; lack of access to healthcare; loss of life).
Responses	What are the policies and actions by State authorities and non-State actors to combat migrant smuggling (investigation, prosecution, disruption) and to protect refugees' and migrants' rights? How appropriate are these policies and actions to the real-life phenomenon of migrant smuggling?

The affected populations who are the **subjects** of the research are children (both unaccompanied and travelling with family members) and adults from non-EU countries who take the journey by sea and/or overland through West Africa, North Africa and/or the Central Mediterranean to Europe. They are referred to throughout simply as "migrants", while acknowledging that some of them are also refugees.

The Observatory collects **available numerical and demographic data** in relation to smuggling cases identified; people affected by rights abuses in the context of smuggling who are being protected; and efforts to prevent smuggling of migrants, and to prevent vulnerable populations from suffering human rights abuses in the context of smuggling. Therefore, information on counter-smuggling actors, institutions and policy initiatives will also be collected. The final analysis will also provide a brief overview of these institutions and initiatives.

Crime opportunity theory is taken into account in the analysis, to acknowledge the necessity not only for the presence of (a) a **demand** for migrant smuggling services, but also for (b) the presence of a motivated smuggler or smugglers **ready and willing to commit the crime**, and (c) **conditions**

that provide the opportunities to commit the crime.¹ In cases where migrant smuggling is committed by an organised criminal group, the characteristics of these groups are categorised according to variables such as the roles of different actors, type of organisation, market structure (monopoly/competitive), geographic distribution, use of violence, involvement in crimes other than migrant smuggling, identification of service-users (migrants) and financial flows.²

The crime of smuggling of migrants can be conceptualised in terms of a **business model that is network-based**. The level of coordination between the different actors in the network varies along a spectrum from opportunistic and ad-hoc to highly sophisticated and controlled. Nevertheless, research has shown that entire journeys are rarely coordinated from beginning to end by the same actor. The networks also change over time. Smuggling has been referred to as a “transnational service industry” that responds to changes in conditions (e.g., increased border control, spaces lacking in rule of law, law enforcement response) and to demand (the number of “consumers” able and willing to pay certain prices for migrant smuggling services).³

The geographical scope of the research is **West Africa, North Africa and the European Union**, with a particular focus on Nigeria, a key country of origin, Morocco, a country of origin and transit, Italy, the country of first arrival in the EU along the Central Mediterranean route and Spain, the country of first arrival in the EU along the Western Mediterranean route. It is under consideration to add Niger (a major country of transit in West Africa) and the Netherlands (a country of destination and sometimes also transit). Indications of smuggling of migrants that relate to **other countries of destination, transit or origin of migrants** who transit through the regions covered by the Observatory also fall within the research scope.

The Observatory’s chronological scope covers the years **2019-2021**, until March 2022, as information becomes available. Data and information from 2015-2018 is included where necessary in order to contextualise the main chronological scope.

2.2 Methodological Approach

The SOM Observatory research methodology is **inductive and flexible**, guided by the context of the research field, rather than following a rigid formula or theoretical framework. Inductive research draws as much as possible from the observation of the realities of the research field, which is then analyzed in order to identify trends and form theoretical frameworks, as opposed to deductive research, which starts with theories and then tests them according to observation of the research field. The SOM Observatory methodology is also interdisciplinary, combining primary research and surveys in the field with desk-based research, as well as analysing qualitative and quantitative sources.

The intention is to “*start [...] with a question*” (Perri 6 & Bellamy, 2012: 76); let the research field speak for itself, as much as possible, rather than imposing artificial constructs and structures by applying an overly rigid methodology. However, this flexibility has to be balanced with the imperative of answering the research questions and covering the scope of the research. As Chaitin (2003: 1150)

¹ See, for example, Gök, Özkan (2011). "The Role of Opportunity in Crime Prevention and Possible Threats of Crime Control Benefits". *Turkish Journal of Police Studies*. Vol: 13 (1); and Vogel, Dita & Albert Kraler (2017). "Demand-side Interventions Against Trafficking in Human Beings: Towards an Integrated Theoretical Approach." DemandAT Working Paper No. 14, available at http://demandat.eu/sites/default/files/WP3_WorkingPaper14_IntegratedTheoreticalApproach_FINAL_0.pdf, accessed 09.01.2018.

² See: UNODC MACRO (Measuring Organized Crime: Assessment of data in the Western Balkans) Methodology (unpublished).

³ See, among others: Bilger, V., Hofmann, M. & Jandl, M. (2006); Optimity Advisors, ICOMP, ECRE (2015); Bilger, V. (2018); Campana, P. (2018); Neske, M. (2006); Zhang, Sheldon X., Gabriella E. Sanchez & Luigi Achilli (eds.) (2018).

puts it: “*the researcher refrains, as much as possible, from imposing his or her theoretical framework or perspectives on the world on the [interviewee]. What to talk about, and how to talk about it, is initially and primarily left up to the interviewee. [...] To no small degree, we consciously forfeit control of the interview, and we let the interviewee lead us*”. This applies to interviews with key informants, and is particularly important for interviews with migrants.

In terms of concept formation (see: Perri 6 & Bellamy, 2012), the SOM Observatory research is guided by a set of **Working Definitions** (see Annex V) based on international legal frameworks where available, and on existing literature and research on smuggling of migrants, forced displacement, migration and rights violations in the context of migration, where there are no legal definitions. These Working Definitions guide the entire research process, from the design of the methodology through the field research and data collection to the final analysis and composition of findings.

During interviews and focus group discussions, the application of the Working Definitions of the Observatory requires the interviewers not to expect a high level of understanding of the topic among their informants. They instead probe the interviewees for relevant information, according to what the researchers understand as the Working Definitions, rather than the informants’ own understanding, and without imposing the research concepts on the interviewee.

! It is essential to keep in mind that (a) the informants’ understanding of these concepts is not the subject of this research, and (b) it is not the interviewer’s role to inform them.

Sources for the Observatory include interviews with migrants (the subjects of the research), interviews with key informants, focus group discussions with key informants or migrants, survey, legislative and policy documents, research reports, academic articles, media reports, statistics, and any other source deemed relevant and useful. When possible, interviews with smugglers will also be included as key sources.

The information gathered and the analysis conducted at local, national and regional level for the Observatory will be **updated on a regular basis to provide real-time information, to allow for a longitudinal assessment** of the data and information. This requires the field research, surveys and desk-based review of statistics, reports and literature to be carried out on a regular basis, in order to identify and monitor trends in the thematic areas covered by the research questions.

It is essential to keep in mind the **limitations** of the research, and the resulting **caveats** in understanding the results, which will be clearly stated in the Observatory’s outputs. Some of the limitations are intentional in the design of the methodology, while others will be related to the obstacles posed by the research field itself. These include the impossibility of interviewing all migrants using smuggling services in the region, the decision not to interview anyone under 18 nor to interview migrant smugglers themselves and the difficulty in obtaining qualitative information relating to smuggler-facilitated journeys in the immediate present (there will of necessity be a delay between the journeys, the interviews and the dissemination of the analysis).

All of these limitations will **compensated** for as much as possible by triangulating data from various sources (see section 2.4 below), and by limiting the delay between migration journeys and interviews, and between interviews and dissemination of analysis, as much as is ethically and methodologically possible.

2.3 Qualitative Field Research

2.3.1. Overview of the qualitative field research

There are obstacles to the collection and management of statistics and other quantitative data on migrant smuggling in the regions under study, and migrant smuggling at a global level is usually under-reported. It is therefore *a priori* acknowledged that there is very little quantitative data, that they are difficult to access by researchers and that their reliability can be questioned, hence the need to always complement quantitative data collection exercises with qualitative research. To address this limitation, quantitative data collected within the framework of the Observatory, as well as available quantitative data and existing literature will be corroborated with **primary qualitative field evidence**, facilitating the generation of more complete and up-to-date knowledge on migrant smuggling than would be possible through official statistics or set questionnaires.

! This does not exclude existing quantitative data, but rather treats it as a source that needs to be complemented with primary qualitative field evidence.

Three distinct groups of **informants** will be interviewed for the field research, with tailored guidelines, guiding questions and methods of analysis for each group: migrants, actors of the smuggling industry, and key informants. Whenever possible, each qualitative field research initiative in each country will be roughly divided into two phases. During the first phase, key informants will be interviewed, aiming to – to the extent possible - comprehensively cover all those informants who may have relevant information for the Observatory. As key informants are by definition a less vulnerable group, the intention is to obtain as much information as possible from them before involving refugees and migrants in a vulnerable situation. During the second phase, for migrant interviews, the aim is not to be comprehensive, but rather to complement the information gathered from key informants with the migrants' own perspectives, to understand their personal experiences, identify issues that key informants may not be aware of, and fill any knowledge gaps. Nevertheless, for practical reasons, it may also be necessary and opportune to conduct some interviews with migrants during the first phase, and some key informant interviews during the second phase.

Primary qualitative field research will continue until the point of **theoretical saturation** has been reached, *i.e.*, no more relevant new information is being obtained through interviews and consultations. The saturation point is the moment at which subsequent data and information collection does not bring anything new and significant to the topic under study (Mason, 2010). Theoretical saturation has been referred to as "*the phase of qualitative data analysis in which the researcher has continued sampling and analyzing data until no new data appear and all concepts in the theory are well-developed*" (Morse, 2004). The country-level research should continue until that saturation point is reached.

2.3.2 Key Informant Interviews

Key informants include representatives of international organisations, national and local state authorities, international, national and local NGOs and humanitarian organisations, journalists and other media sources, researchers and other interlocutors identified as having relevant information. Key informants are defined, as per Gilchrist & Williams (1992: 73), as "*the individual who shares information*" and has an "*information-rich connection to the research topic*". This does not exclude the possibility of a key informant being one of the affected people themselves, but key informants should be able to provide information on a number of cases or situations, rather than just their own personal case. Gilchrist & Williams' three main reasons for conducting key informant interviews are:

- “(a) to gather information efficiently,
- (b) to gain access to information otherwise unavailable to the researcher, and
- (c) to gain a particular understanding or interpretation of cultural information” (1992: 73-74).

The **sampling strategy** of the SOM Observatory for key informants is to seek to be **comprehensive**, mapping all relevant stakeholders and sources in the countries covered by the Observatory. Nevertheless, some key informants will give an interview without really engaging with the topic. Even those key informants who do provide relevant information are clearly not always neutral, with different biases depending on how informed they are about the topics, their nationality, gender, whether they are from the government or NGO sector, from academia, etc., which should be taken into account in the analysis.

The interviews are conducted according to the principle of **informed consent** (see: Bhattacharjee, 2012). Key informants are given the option of remaining completely anonymous (citing only the type of key informant); of being cited only with their organization and/or position; or of being fully cited with their name, position and organization. Interviewees are also allowed to change their mind about **anonymity** issues until publication of findings – referred to as “*continuous or process consent*” (Allmark *et al*, 2009: 49). This flexibility allows for a higher number of informants to participate in the research. With the informed consent of participants, interviews will be voice-recorded or recorded through note-taking by the interviewer (depending on the informant’s preference) and full transcriptions or interview summaries in English will be prepared.

! If the informant does not consent to a voice-recording, then the interviewer should simply take notes. Notes should also be taken during a recorded interview, to record additional aspects and in case the recording does not work.

Interviewers should **explicitly gain approval** from all informants to participate in the research. It should always be ensured that informants share information with their consent and of their own free will, particularly in the case of interviews arranged with the help of others. It should be respected if informants do not wish certain parts of the interview or certain information to be used or shared.

! If in doubt, interviews should remain anonymous.

Interviews with key informants are conducted according to **semi-structured and open-ended** interview questions, and adapted during each interview to the specific expertise and experience of the informant in question. This flexibility in terms of topics covered, mode of interview and level of anonymity is appropriate because the objective of the interviews is not to have an internally comparable set of information about informants’ attitudes, but rather to gather as much information as possible that is relevant to the research questions.

2.3.3 In-depth semi-structured interviews with Migrants

In-depth, narrative interviews are conducted with migrants in selected locations in the second phase of each round of country-level research, in order to complement the information already gathered with the migrants’ own perspectives, to understand their personal experiences, identify issues that key informants may not be aware of, and fill any knowledge gaps.

In-depth interviews are particularly useful for collecting rich and detailed information about people and social situations/phenomena; enriching existing notions/ideas about the structure and aspects of social phenomena in terms of experience, attitudes, motivation, and subjectively perceived reality; and allowing for a deeper and more accurate understanding of quantitative data. This method is appropriate for the Observatory’s research as it elicits **individual experiences and rich, nuanced and detailed responses**, addresses sensitive topics and provides an understanding of migrants’

interpretive perspective, i.e., the connections and relationships a person sees between particular events, phenomena, and beliefs.⁴

In-depth, narrative interviews with migrants are carried out in selected locations, in order to provide detailed case studies of the individual personal experiences of a diverse group of people who have used, are using, or intend to use, migrant smuggling services. All interviews with migrants are (a) subject to **informed consent** from interviewees; (b) conducted on condition of **strict anonymity and confidentiality**; and (c) with procedures in place for **referral** of any cases requiring an immediate response.

Conducting interviews with vulnerable people requires that a number of safeguards are in place, including sufficient training of interviewers and procedures for the eventuality of the need to report a crime or a protection issue that might arise during an interview (refer to Annex IV: the Code of Conduct).

Ethical principles for involving vulnerable people in research must be taken into account (see, for example: Allmark et al, 2009; Van Liempt & Bilger, 2009; Israel & Hay, 2006). In addition, there are many pitfalls in conducting interviews with vulnerable people, ranging from misinterpretation to causing actual physical or emotional harm (Israel & Hay, 2006; Allmark et al, 2009). Due to the significant additional risks attached to interviewing children (under 18 years) and the need for longer periods of trust-building in order to conduct valid interviews with children, only adults will be interviewed.

Where possible, the Researcher should try to ensure diversity and representativeness in the selection of refugees and migrants in terms of nationalities, age cohort, and different categories (e.g. women, men, people likely to be granted asylum, people unlikely to be granted asylum, if possible also other vulnerable groups). Nevertheless, it is not intended that the informants be fully representative of a large and diverse group of affected people, as the method of analysis of these interviews will be that of **case studies**.

In terms of **sampling strategy**, interviews will be conducted, where feasible, at reception and other accommodation centres, at the premises of or with the assistance of relevant NGOs, and in other locations where **confidentiality** and the **safety** of both interviewee and interviewer can be ensured. Every attempt will be made to ensure that the interviewee does not feel threatened or coerced, and is at ease with the interviewer and the interview location, including by taking into account the implications of the genders, backgrounds, etc., of interviewees and interviewers. Where necessary and possible, interpreters will be used during the interviews in order to consult with migrants who are not fluent in the languages spoken by the Interviewers.

Getting access to people who have an irregular migration status can be difficult. While establishing a relationship of trust between interviewer and interviewee is a challenge for all empirical social research, this particularly applies to this group, as their situation is characterised by vulnerability.

! If the Researcher has any doubts or concerns about safety, confidentiality or any other ethical safeguards in relation to conducting a particular interview, then they should **avoid conducting the interview unless these issues are resolved**.

Overall, establishing trust and gaining access can be achieved in various ways: by **using gatekeepers** whom potential interviewees already trust, such as NGOs who work with them; by establishing a personal relationship through existing respondent-driven networks - **snowball sampling** -; or by frequenting sites where migrants meet, for example places of worship, cafes or

⁴ See: UNODC MACRO (Measuring Organized Crime: Assessment of data in the Western Balkans) Methodology (unpublished).

certain public places etc. - **site selection strategy**.⁵ The use of gatekeepers is often the most reliable and feasible in terms of accessing interviewees. However, it can be expected that some NGOs may be reluctant to provide access, as they may, understandably, see providing access to strangers as threatening the relationship of trust that they have built with the person. It is important to take these concerns seriously, and provide sufficient information about the Observatory on Smuggling of Migrants project and its aims and ethical principles in order to encourage the NGO to cooperate.

Furthermore, experience shows that conducting interviews with people who have left reception or detention centres and moved on to other places (e.g., big cities) are **both richer in information and more reliable**, as interviewees can talk more freely. Interviewing people who have very recently arrived in the country where the interview takes place has implications both for ethically conducting the interview and for the validity of the information provided during the interview.

! The Researcher should avoid interviewing people who are still recovering from a journey or from a traumatic incident, or people whose freedom of movement is limited, such as those in a detention centre, as this would raise doubts in terms of effective informed consent.

Interviews with migrants are conducted according to open-ended interview questions intended to elicit **comprehensive narrative accounts of migration journeys and migration preparation**, including indications of smuggling of migrants in origin, transit and destination countries. The questions should be adapted during each interview to the person in question. The Researcher should refrain from “leading” the interviewee by raising specific issues or by offering their own interpretation of the informant’s experiences. However, if topics that may be specifically relevant to the research are mentioned, the Researcher should carefully probe the interviewee for more details.

! During these interviews, the Researcher should speak as little as possible, and only enough to encourage the informant to share relevant information, while also putting the informant at ease.

2.3.4 In-depth interviews with actors of the Smuggling Industry

UNODC may rely on its implementing partners to conduct in-depth semi-structured interviews with actors of the Smuggling Industry in selected locations along key smuggling routes. While this Methodological Guide sets the broader framework of action, specific methodological guidelines will need to be developed jointly by UNODC and its implementing partners for a field work initiative to include interviews with actors of the smuggling industry.

2.4. Quantitative data collection

Whenever possible, quantitative data collection activities will be carried out in key locations along smuggling routes. UNODC will rely on its implementing partners for the development and implementation of quantitative data collection activities. While this Methodological Guide sets the broader framework of the research approach, dedicated instruments will be developed to conduct the surveys.

2.5 Country-level and General Analysis

For the analysis of the research, the findings of desk-based research and field research are combined. **Some aspects of Grounded Theory** that are considered relevant and useful are adapted to the purposes of the research and applied, specifically a) methodical gathering of data; b) coding; c) forming concepts and categories; and d) development and testing of hypotheses. These aspects of Grounded Theory are adapted in order to fit with the descriptive - rather than theoretical

⁵ See: Dahinden, Janine & Denise Efionayi-Mäder (2009). “Challenges and Strategies in Empirical Fieldwork with Asylum Seekers and Migrant Sex Workers” in: Van Liempt & Bilger, 2009.

- purpose of the research. The analysis of primary information collected should start from the first interview, covering each stage set out below and allowing for **theoretical sampling** (choosing who to interview and where to look for additional information based on the existing information collected and analysed).

Stages of Information Analysis (adaptation from Grounded Theory)

Stage	Purpose
Coding	Coding information that may be relevant to the research questions
Concepts	Grouping codes with similar content to identify patterns and concepts
Categories	Grouping similar patterns and concepts to develop hypotheses
Testing hypotheses	Testing hypotheses with data and information collected in order to determine the research findings

Data and information from various sources will then be triangulated, in order to cross-reference, compare and contrast findings from different sources, and findings obtained through different methods. **Triangulation** seeks to verify the validity of information, as well as to approach the research question from different perspectives. Triangulation is an approach adopted in social science research, which involves assessing whether the information obtained from one source, or through one research instrument, supports or confirms the information obtained from other sources or through other instruments.⁶ The information supplied in the interviews, for example, could confirm or reproduce the information obtained from the analysis of documents or statistics, and vice versa. On the other hand, the information may be contradictory or conflicting, necessitating a dialogue between methods and consideration of the relative weight attributed to each source and instrument.

Data reliability is also a central issue. The Observatory’s analysis acknowledges *a priori* that no one source or category of source can be considered to present the whole picture and/or to be fully reliable. The process of triangulation seeks to mitigate the challenge of the relative reliability of different sources, and, in addition, each source will be weighted according to its robustness and probable accuracy.

! The relative reliability of different sources should be taken into account, according to whether they were based on empirical research, official data, or other methods or sources.

Triangulation therefore involves not only various, possibly conflicting sources, with different biases, but also **multiple methods and various theoretical approaches** (Gilchrist & Williams, 1992). It is a method of shifting the perspective from which the topic and the research field is viewed, and thereby covering different dimensions of the research question (Bryman, 2004). Attempts will also be made to search for “*disconfirming evidence*” (Gilchrist & Williams, 1992: 81), rather than trying to obtain only additional information that confirms what has been gained from existing sources.

! If the triangulation of certain pieces of information is not possible, due to a lack of alternative sources, it should still be included in the analysis, but it should be clearly stated that it was not possible to confirm the information with other sources.

⁶ Suggested by authors such as Aebi (2006), Strauss and Corbin (1998), Francis (2000), Maxwell (1996), Merriam *et al* (2002) and Patton (2002).

Both the qualitative and quantitative sources shall be used and analyzed until **theoretical saturation point** is reached, as explained above.

2.6 Issues of Validity and Inference

In this type of largely qualitative research, in order for the findings to be valid, it is essential to be precise about the concepts that are developed and applied, as well as satisfying the other three characteristics of the scientific method – according to Bhattacharjee (2012) – **replicability**, **falsifiability** and **parsimony**. This includes developing specific operational definitions of concepts such as “migrants”, “smuggling of migrants”, “deprivation of liberty”, “extortion”, “exploitation,” etc. The process of concept formation is one of the first steps in designing the methodology. This is not only necessary in order to orientate the research itself and guide the semi-structured interviews, but also in order to test and replicate the methodology in the same regions at a later date and in other regions.

Though the issue of **replicability** is a particularly thorny one in qualitative research, efforts are made to ensure the highest possible degree of replicability under the circumstances of the field research and in the context of a largely qualitative methodology. This is particularly important given the longitudinal nature of the Observatory’s research. While qualitative research can never be fully replicable, it should come as close as possible, in terms of Working Definitions, methodological rigour and in the collection and analysis of data and information (King, Keohane & Verba, 1994), as set out in this Methodological Guide. The falsifiability (can it be proven wrong?) and parsimony (simplicity over complexity) of the research can also be assessed based on transparency in terms of presenting the research methodology.

Guided by the Working Definitions and research scope, inferences can be drawn, using isolated indications of smuggling of migrants or related abuses as proxies for the actual incidence of cases of smuggling of migrants or related abuses. The **descriptive inference** refers to the forms of migrant smuggling found to be taking place, the extent of smuggling, and the profiles of those involved. The **explanatory inference** is that the incidence of different forms of smuggling is related to the drivers analysed and is influenced by counter-smuggling responses. Finally, the **interpretive inference** is developed as research findings emerge (see: Perri 6 & Bellamy, 2012).

In addition, it is inferred that not migrant smuggling cases and rights violations in the context of migrant smuggling can be identified by the field research. Therefore, the indications of migrant smuggling and related rights violations that are identified in certain locations may be logically extrapolated to the broader geographical context, while at the same time taking into account that every local context is slightly different.

! The research does not seek to identify confirmed migrant smuggling cases, as this can only be carried out by the responsible authorities in the country in question, but rather seeks to uncover sufficient indicators for a follow-up by these authorities.

Outputs

The main output of the Observatory on Smuggling of Migrants is the **website**, which provides access to the analysis of the Observatory's research findings, as well as general information about the Observatory. It will be updated at a minimum every 6 months in order to provide current and relevant information.

In addition, **Briefing Notes** will be prepared for different target audiences, e.g. national law enforcement authorities; regional policy makers; national policy makers; humanitarian responders; UN organizations; and researchers.

Independent or joint **publications by the Observatory** will be issued on an ad hoc basis, focusing on overall findings or on specific topics or regions.

Selected References on Methodology

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Appendix - Research Instruments

Code of Conduct for Researchers Working with the UN Observatory on Smuggling of Migrants

A – Working Definitions

B – Note on Sources and Guidelines for Literature Review

C – Mapping Potential Informants

D – Guidelines for All Interviews

E – Templates and Guiding Questions for Interviews with Migrants

F – Templates and Guiding Questions for Interviews with Key Informants

G - Focus Group Meeting Guidelines

H – Targeted Population Surveys

I – Observatory on Smuggling of Migrants Country-Level Analysis Template

Code of Conduct for Researchers Working with the UNODC Observatory on Smuggling of Migrants

Overview and Guiding Principles

Because the Observatory foresees a significant level of involvement of interviewees and other people in the research, including people in vulnerable situations, the **ethical principles of social science research involving human participation** apply. Ethical principles for research involving human participation originate in clinical research, but apply to “*all fields of research in which humans participate by contributing time, effort, insights and personal data for researchers’ use.*”⁷

The notion of minimal risk is used to denote research in which the probability and magnitude of harm or discomfort anticipated are not greater than those ordinarily encountered in daily life. **The Observatory’s research involves more than minimal risk** because of (a) the participants’ situation, (b) the sites of interviews and (c) the topics of discussion.⁸ In addition, there may be risks to the safety of the interviewee and/or the interviewer, and access to interviewees may be provided by “gatekeepers” (e.g., NGO workers, social workers, community leaders). This necessitates both procedural ethics in the methodology and the application of this Code of Conduct throughout the research process.

The underlying principles of ethical social science research include:

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- **respecting the** dignity, integrity, safety and well-being **of all those involved in the research;**

 - **protecting** vulnerable **individuals;**

 - **minimising** harm **and maximising** benefit;

 - **ensuring** honesty and transparency **towards research subjects;**

 - **respecting individual** autonomy **and obtaining free and informed** consent **(as well as assent whenever relevant);**

 - **ensuring** privacy **and confidentiality;**
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⁷ European Commission (2018). *Ethics in Social Science and Humanities*. Commissioned by DG Research and Innovation - https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020_ethics-soc-science-humanities_en.pdf.

⁸ Specifically for research with refugees, asylum applicants and migrants, the European Commission Guidance Note on the topic recommends that: “*To account for their particular vulnerability, you should apply the following principles whenever your research involves such participants:*

- treat them with care and sensitivity
- be objective and transparent
- avoid ethnocentricity: show respect for their ethnicity, language, religion, gender and sexual orientation
- rigorously safeguard the dignity, wellbeing, autonomy, safety and security of their family & friends
- *respect their values and right to make their own decisions.*” European Commission, DG Research and Innovation (2020). EU Grants: Guidance note — Research on refugees, asylum seekers and migrants: V1.1. - https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/guide_research-refugees-migrants_en.pdf.

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- **promoting justice and inclusiveness;**

 - sharing the benefits **with disadvantaged populations;**

 - **respecting and protecting the environment and future generations.**

This Code of Conduct has been developed in order to operationalise these ethical principles in the context of the Observatory's research.⁹ Procedural ethics are incorporated into the Observatory research methodology, while ethics in practice involve the incorporation of these ethical principles and the Code of Conduct into all research activities.

All Researchers working with the Observatory are expected to **accept these principles, to interpret them in good faith, to respect them, and to make sure they are respected by others**. All Researchers working in any capacity with the Observatory should be fully aware of the ethical issues involved in the research. Each Researcher supplements the Code of Conduct based on her/his own personal values, culture and experience, without violating the Code of Conduct. It is the individual responsibility of each Researcher to aspire to the highest standards of conduct.

Ethical Standards:

1. **Welfare as the Primary Concern:** The research should avoid undue intrusion into the lives of individuals or communities. The welfare of the interviewees should have the highest priority; their dignity, privacy and interests should be protected at all times, and interviews should not be conducted if this cannot be guaranteed.
2. **Avoiding Potential Harmful Effects:** The Researcher should consider the effects and potential effects of her/his work, including safety concerns, unintended consequences, harmful effects and the consequences of misuse, for interviewees, colleagues and for the wider society. Interviewees should be protected against any and all potentially harmful effects and should be informed of any potential consequences of their participation. The choice of research topics should be based on the best scientific judgement and on an assessment of the potential benefit to the participants and society in relation to the risk to be borne by the participants. Any potential harm should be minimized, alternative methods sought if necessary, or particular activities avoided if the risk is too high.
3. **Competence and Avoiding Bias:** The research should be conducted in a competent fashion, as an objective scientific project and without bias. All research personnel should be qualified to use all of the procedures employed by them. Researchers should be aware of the fact that their assumptions may have an impact upon the research results. Hence their

⁹ Adapted from: the International Sociological Association's (ISA) Code of Ethics, as approved by the ISA Executive Committee in 2001 - www.isa-sociology.org/en/about-isa/code-of-ethics; European Commission (2018). Ethics in Social Science and Humanities. Commissioned by DG Research and Innovation - https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020_ethics-soc-science-humanities_en.pdf; European Commission, DG Research and Innovation (2020). *EU Grants: Guidance note — Research on refugees, asylum seekers and migrants: V1.1.* - https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/guide_research-refugees-migrants_en.pdf; Code of Ethics for Research in the Social and Behavioural Sciences involving Human Participants (2016). As accepted by the Deans of Social Sciences in the Netherlands - https://bmslab.utwente.nl/wp-content/uploads/2017/03/DSW_code-ethics-social-and-behavioural-sciences-jan16.pdf; and UNESCO Code of Conduct for Social Science Research (no date) - www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/SHS/pdf/Soc_Sci_Code.pdf.

duty is, on the one hand, to keep an unbiased attitude as far as possible, while, on the other hand, not to conceal their own ideological position(s).

4. **Compliance:** The research should be carried out in full compliance with, and awareness of, local customs, standards, laws and regulations.
5. **Free and Informed Consent:** Freely given informed consent should be obtained from all human subjects. The consent of research subjects and informants should be obtained in advance. Covert research should be avoided. Potential participants should be informed, in a manner and in language they can understand, of the context, purpose, nature, methods, procedures, and sponsors of the research. There should be no coercion. Participants should be fully informed of their right to refuse, and to withdraw consent at any time during the research. Research teams should be identified and contactable during and after the research activity.
6. **Privacy and Confidentiality:** The anonymity and privacy of research subjects and informants should be respected rigorously, in both quantitative and qualitative research. Participants should be informed of any potential limitations to the confidentiality of any information supplied. Should informants be easily identifiable, researchers should remind them explicitly of the consequences that may follow from the publication of the research data and outcomes. Procedures should be put in place to protect the confidentiality of information and the anonymity of the participants in all research materials. The sources of personal information obtained by Researchers should be kept confidential, unless the informants have asked or agreed to be cited. No photos should be taken or videos recorded of any interviewees or other people at research sites, unless every person in the photo/video has expressly requested it and freely consented to its use and reproduction. Confidential information provided by research participants should be treated as such by researchers even if there is no legal protection or privilege to do so. The obligation to maintain confidentiality extends to members of research or training teams and collaborating organizations who have access to the confidential information. To ensure that access to confidential information is restricted and respected, it is the responsibility of researchers, collaborators, and administrators to instruct and supervise staff and research workers to ensure they take the steps necessary to protect confidentiality.
7. **Access to Research Findings:** Research participants should be offered access to research results, presented in a manner and language they can understand. All research should be reported widely, with objectivity and integrity.
8. **Responsible Research:** Researchers should provide adequate information in all publications and to colleagues to permit their methods and findings to be properly assessed. Limits of reliability and applicability should be made clear. Researchers are responsible for properly acknowledging the unpublished as well as published work of others.

! This Code of Conduct is non-exhaustive. The fact that a particular conduct is not addressed specifically by the Code of Conduct does not mean the conduct is necessarily either ethical or unethical.

Guidelines for All Interviews

All Interviews

In conducting interviews, Researchers will strictly adhere to the Observatory Code of Conduct, comply with international and national legal requirements regarding safe working practices, data

protection, and participants' rights to confidentiality and privacy, and develop personalised and context-specific steps to fulfil such requirements. If there is a doubt or concern about an interview adhering to these guidelines and principles, it should be re-scheduled or cancelled.

Interviews with Migrants (both semi-structured in-depth interviews and surveys)

The Interviews with Migrants involve interviews with people who are planning to migrate, currently travelling, have arrived at an intended migration destination or have been returned. Participants will be selected in locations where the migration in question is likely to have involved at least one irregular border crossing or the use of facilitation service for border crossing. Where feasible, the interviews are conducted in person, but they may also be conducted by phone, Skype, email, postal correspondence, or any other useful means.

Getting access to refugees and migrants (adults only, nobody under the age of 18 years should be interviewed) will be the responsibility of the Observatory on Smuggling of Migrants Researchers and its Implementing Parties. For this, they should develop a strategy at country/city level and submit it for consideration by the Observatory on Smuggling of Migrants Project Team, as part of the Field Research Plan. Researchers should aim to make the best possible arrangements for an appropriate setting and location of interview.

Interpreters may be used where necessary, and strategies for engaging trusted and qualified interpreters at country level should also be included in the Field Research Plan. The Researcher must clearly explain to any interpreter involved in the interviews the research guidelines and ethical principles, particularly with regard to confidentiality, anonymity and neutrality, and request that the interpreter sign a written commitment in this regard.

With the informed consent of the interviewee, interviews will be voice-recorded, or, if the interviewee prefers not to be recorded, notes will be taken. Interview cover sheets and short summaries of each interview in English - around 2-4 pages in length, depending on the quantity of relevant information obtained -, with all personal details anonymised, will be prepared for sharing with the Observatory on Smuggling of Migrants Research Team at UNODC HQ (and only with this Research Team), according to dedicated templates which shall be either provided by UNODC to its Researchers or jointly validated by UNODC and its Implementing Partners during the Inception Phase.

Interviews with Key Informants

The Key Informant Interviews (KIIs) for the Observatory on Smuggling of Migrants involve interviews with institutions, organisations and individuals with direct access to smuggled migrants and refugees, smugglers and/or information pertaining to them, where feasible conducted in person, but also by phone, Skype, email, postal correspondence, or any other useful means. The interviews are semi-structured and open-ended, based on a set of guiding questions and probing topics, and conducted according to these guidelines. With the informed consent of participants, interviews will be voice-recorded, or, if the interviewee prefers not to be recorded, notes will be taken. Notes should also be taken if interviews are voice-recorded, to note down additional details and provide a record in case the recording does not work.

Interview cover sheets and short summaries of each interview in English or French - around 2-4 pages in length, depending on the quantity of relevant information obtained -, clearly stating the level of anonymity requested by the key informant, will be prepared for sharing with the Observatory on Smuggling of Migrants Research Team at UNODC HQ (and only with this Research Team), using the templates provided/agreed.

How to apply the Code of Conduct : Practical Guidelines

- 1. INFORMED CONSENT:** Whenever possible, consent should be given by the informant in written form in a language they understand (by signing the printed consent form or by e-mail), however oral consent is also acceptable. A precondition for informed consent is that informants are briefed about the purpose of the research. Researchers and Implementing Parties shall introduce each interview with a short description of purpose of the research, in a language understood by the refugee, migrant or key informant being interviewed. Whenever possible, Researchers and Implementing Parties shall also describe the Observatory on Smuggling of Migrants research, its purpose and outputs and how the information will be used.
- 2. ANONYMITY: Refugees and migrants** who are interviewed will not be referred to by their real names in the country-level analysis or the final analysis. Record personal information only to allow follow-up contacts and ensure that the details are kept safely and apart from the rest of the interview notes. Explain the principle of anonymity to the interviewee and make absolutely sure that they understand what is meant. The principle of effective anonymity applies – this means that whatever details are included about the interviewee should effectively respect their anonymity and not lead to them being easily identified. For **Key Informants**, depending on the level of anonymity requested, they will not be referred to by their real names in the country-level analysis or the final analysis. In cases where the informant requests anonymity, record personal information only to allow follow up contacts and ensure that the details are kept safely and apart from the rest of the interview notes. Explain the principle of anonymity to the interviewee and make absolutely sure (a) that they understand what is meant, and (b) that you as the Interviewer understand which level of anonymity they are requesting. The interviewee can request Full Anonymity; Citation of their Position and Organisation only; Citation of their Organisation only; or Full Citation. In the case of Full Anonymity, the Researcher should note the type of organisation they represent. The principal of effective anonymity applies – this means that whatever details are included about the interviewee should effectively respect the level of anonymity they requested and not lead to them being easily identified. In the case of surveys, primary identifiers will not be collected or stored. Secondary identifiers may be collected and treated according to UNODC guidelines.
- 3. TRUST:** Establishing trust between interviewer and informant is crucial for the success of interviews. To establish trust requires that general principles of interviewing as well as the selection of the interview setting are considered to the greatest extent possible, to ensure that interviewees provide information of their own free will, that they understand the principles of anonymity and that there are no safety risks for the informant or the interviewer.
- 4. REFERRAL AND ORIENTATION SYSTEMS IN CASE OF PROTECTION CONCERNS:** In accordance with national law and research ethics, each researcher is responsible for activating referral or orientation system in case of specific protection concerns that emerge during the interviews. The Researcher should prepare a country-specific information sheet with all of the relevant contacts for this purpose, and the legal context in terms of the responsibility to report. If the concerns that arise relate to abuses of a child or children, this must be referred to the appropriate NGO or authorities. Inform the Research Coordinator of the protection concern or crime as soon as possible. Third parties acting as UNODC

implementing partners should provide sufficient evidence of referral and/or orientation systems in place and their compliance with the Observatory Code of Conduct.

5. **LIMITS TO CONFIDENTIALITY:** In rare cases, researchers may not be required to adhere to these confidentiality obligations. These cases include (a) crime witnessing and (b) prospective health- or life-threatening crimes.

(a) Reporting obligations in case of crime witnessing: researchers have the obligation to report on witnessed crimes which are NOT the object of the crime research activities, nor are strictly connected to it. Reporting abuse of minors is mandatory. As in many countries it may not be in the best interest of the child to report the case to national child protection systems or law enforcement, procedures shall be assessed and described in the country-specific information sheet.

(b) Reporting obligations in case of prospective health- or life-threatening crimes. Researchers may confront unanticipated circumstances where they become aware of confidential information that is clearly health- or life-threatening to research participants or others. In these cases, before taking action, researchers shall evaluate, with applicable law and regulation in mind, the importance of assurances of confidentiality as specified in this Code of Conduct. It is the responsibility of researchers, collaborators, and administrators to instruct and supervise staff and research workers to ensure they take the steps necessary to report such cases to relevant authorities.

6. **NEUTRALITY:** Researcher should always ensure to be neutral in organising the interview, throughout the interview itself, and to be perceived by the informant as neutral.

! The objective is to obtain information, without making judgments or evaluations in relation to informants.

7. **FEEDBACK:** Providing feedback to participants is essential in ethical research. Especially during qualitative field work, if migrant interviewees or key informants request it, Researchers should send them their Interview Summary. Sections of the analysis that concern their interview may also be shared with the Informant if requested. However, as refugees and migrants are expected to be highly mobile, sharing Interview Summaries may not always be feasible.
8. **DO NO HARM:** If research site is located in an area that poses relatively high risks to you or your potential participants, researchers or implementing partners shall provide clear strategies for keeping research participants/informants and research staff safe. The Research Team may request a risk assessment to be made, in which the Researcher or Implementing Partner should include details of safety measures undertaken, including training for staff, insurance cover, and taking into account the implications of female-male interactions. Reasonable steps must be taken to minimize and repair any harm, should researchers become aware that research procedures have proven detrimental to an interviewee.

Research Instrument A. Working Definitions

The absence of statistical data on Smuggling of Migrants, or of systematically collected data, should be taken into account from the outset, and Observatory Researchers should expect to obtain and interpret whatever data and information is provided *in loco*, without needing to ask for a specific survey or data report on the topic of the research. Therefore it is essential that the Researcher is fully familiar with the research questions, objectives and Working Definitions, but it is not necessary that the informants are familiar with them, nor should they explain the definitions to the informants unless specifically requested to do so.

The Observatory on Smuggling of Migrants Working Definitions have been developed on the basis of relevant legislation and references on the topics of migrant smuggling, mixed migration and related human rights abuses in West Africa, North Africa, Europe and at the international level.

Section 1: General

A **child** is any person younger than 18 years, according to the 1989 UN Convention on the Rights of the Child (CRC) and the 2000 UN Trafficking Protocol.

Child protection refers to protecting children from all forms of violence, abuse, neglect or exploitation (CRC).

Children on the move are children who have left their place of habitual residence and are either on the way to a new destination, or have already reached that destination.¹⁰ A child can move across state borders, or within a country. She or he can be on the move alone, with parents or other family members, or with other adults and/or children.

Unaccompanied children are children on the move travelling or residing outside their country of origin, "who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so."¹¹ In the EU context, unaccompanied children are citizens of non-EU countries or stateless children below the age of 18, who arrive on the territory of an EU Member State unaccompanied by an adult responsible for them by law or custom, and for as long as they are not effectively taken into the care of such a person. It also includes children who are left unaccompanied after they have entered an EU Member State.¹²

!“**Unaccompanied minors**” is a legal term, and as such, should be used only as a specific legal category.

Separated children are children outside their country of origin, who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives.¹³ The *ECOWAS Support Procedures and Standards for the Protection and Reintegration*

¹⁰ Definition adopted by Terre des hommes, 2011.

¹¹ UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6, available at: www.refworld.org/docid/42dd174b4.html [accessed 24 February 2020].

¹² Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:en:HTML>.

¹³ UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6, available at: www.refworld.org/docid/42dd174b4.html.

of *Vulnerable Children on the Move and Young Migrants* define separated children as “those who have been separated from both their parents and legal guardians, but not necessarily from other family members. This notion implies that other adult family members accompany the children”.¹⁴

Female/male sex is the category defined in the civil registry (birth certificate) or identity document.

Gender identity is the gender with which a person identifies. Transgender refers to people whose gender identity is not in accordance with the gender designated at birth or with their anatomical sex.

A person’s **sexual orientation** indicates which gender or genders they feel attracted to, whether physically, romantically or emotionally.

LGBTQI+ refers to people who are homosexual, bisexual, transgender, intersex and/or have other sexualities other than heterosexual and/or other genders other than cisgender/binary.

Section 2: Migration

A **migrant** is someone who moves their place of residence from one locality to another [from the Latin *migrāre* to change one's abode]. A migrant may also be a person who has previously migrated and then returns to their place of origin, referred to as a return migrant.

Internal migration involves changing one’s place of residence within the same country, while **international migration** indicates moving to a different country.

Emigration and **immigration** refer to the same phenomenon, viewed from the perspective of the country of origin and the country of destination of a migrant, respectively. Therefore migrant, emigrant and immigrant may all refer to the same person, depending on whether the perspective is general, that of the country of origin or that of the country of destination, respectively.

The **country of origin** is the country from which an international migrant departs in order to take up residence in another country, the **country of destination**. The country of origin may be the country of birth of the migrant, or simply their country of habitual residence prior to migration.

A **country of transit** is a country that a migrant passes through on their way from a country of origin to a country of destination. However, if a migrant experiences difficulties in travelling onwards to their intended country of destination, the country of transit may become their *de facto* country of destination. A **transit migrant** is therefore a migrant whose intention is not to stay in the country in which they find themselves, but rather to move on to a final country of destination.

A **stranded migrant** is someone who is residing in a country that they intended to transit through, but they are unable to continue the journey towards their intended country of destination.

Mobility can be cross-border or internal and may form part of a person’s livelihood strategy. It is distinct from migration in that the movement itself forms part of the person’s daily, weekly or monthly life.

Step migration refers to a migration process where the migrant stays in an initial country of destination until it is possible for them to **re-migrate** to another country of destination.

Irregular border crossing or **irregular entry** is when a person enters a country other than that of their citizenship or regular residence without the necessary legal authorisation.

¹⁴ ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants (2015). Available at: www.ssiao.org/wp-content/uploads/2017/05/ecowas_standards_children_on_the_move_pdf_15903.pdf.

Irregular migration includes irregular entry, but also covers a person residing in a destination or transit country without authorisation, because their permit or visa has expired, or when a person works in a destination country without being authorised to do so.

Irregular migrants do not have a permit authorising them to regularly reside and/or work in their country of destination/transit. They may have been unsuccessful in the asylum procedure, their visa or permit may have expired, or they may have entered irregularly.

Sea/ Land (or Green)/ River/ Air Borders are different types of borders at which formal or informal border crossing points can be located.

Official **border crossing points** are locations where national authorities check documentation to determine whether a person has authorisation to enter a country, and may be either permanent or temporary. People may also cross borders at **informal border crossing points**.

Mixed migration is composed of migrants with a variety of protection needs and motivations. It therefore includes refugees, asylum applicants, irregular migrants, trafficked people, smuggled migrants and refugees and other people in need of protection. Furthermore, these people's protection needs and motivations may change according to the stage in the migration journey in a country of origin, transit or destination and may not necessarily align with the legal status they have in a country. Finally, the intended destination of migrants in mixed migration flows may change based on the opportunities available to them or the dangers in certain geographic areas.

Forced return is synonymous with **deportation**, and describes a migrant being returned to their country of origin or transferred to another country against their will.

Assisted Voluntary Return (AVR) is the return of migrants who are unable or unwilling to remain in a country of destination and who receive assistance to return to their countries of origin. IOM defines assisted voluntary return as "*administrative, logistical, financial and reintegration support to rejected asylum seekers, victims of trafficking in human beings, stranded migrants, qualified nationals and other migrants unable or unwilling to remain in the host country who volunteer to return to their countries of origin*" (IOM, 2011).

International protection is defined as "actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries. In the EU context, protection encompasses refugee status and subsidiary protection status" (EMN, 2014: 168).

A **refugee** is: "either a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned before, is unable or, owing to such fear, unwilling to return to it" (EMN, 2014: 230). In the EU context, a refugee must also be someone to whom Article 12 (Exclusion) of the recast Qualifications Directive does not apply.¹⁵

Subsidiary protection is: "the protection given to a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person to their country of former habitual residence, would face a real risk of suffering serious harm as defined in Art. 15 of 2011/95/EU [recast Qualifications Directive], and to whom Art. 17(1) and (2)

¹⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

of Directive 2011/95/EU do not apply, and is unable or, owing to such risk, unwilling to avail themselves of the protection of that country” (EMN, 2014: 211).

Alternative forms of protection may include temporary protection status, humanitarian leave to remain and subsidiary protection, all of which grant a status similar, but not equivalent to refugee status (whether *prima facie* or convention refugee status).

Asylum applicant is someone who is outside of their country of origin, or at an international border, has applied for international protection status, and whose application is still under consideration. It is synonymous with ‘asylum seeker’.

A **stateless person** is someone who does not have internationally recognised national citizenship of any state.

Internally Displaced Person (IDP): “Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border” (Guiding Principles on Internal Displacement, 1998).¹⁶

The **Hotspot Approach** was proposed by the European Commission in the European Agenda on Migration in May 2015. The European Asylum Support Office (EASO), EU Border Agency (Frontex), the EU Police Cooperation Agency (Europol) and the EU Judicial Cooperation Agency (Eurojust) assist the Greek and Italian authorities at designated hotspots to “*swiftly identify, register and fingerprint incoming migrants*”. The Hotspot Approach is also intended to contribute to the implementation of Relocation.¹⁷

The “**first country of asylum**” **concept** means that “a person has already, in a previous state, found international protection, that is once again accessible and effective for the individual concerned. Application of the concept requires an individual assessment of whether the refugee will be readmitted to that country and granted a right of legal stay and be accorded standards of treatment commensurate with the 1951 Convention related to the Status of Refugees, and its 1967 Protocol, and international human rights standards, including protection from refoulement, as well as timely access to a durable solution.”¹⁸

The “**safe third country**” **concept** means that “a person could, in a previous state, have applied for international protection, but has not done so, or where protection was sought but status was not determined. Application of the concept requires an individual assessment of whether the previous state will readmit the person; grant the person access to a fair and efficient procedure for determination of his or her protection needs; permit the person to remain; and accord the person standards of treatment commensurate with the 1951 Convention and international human rights standards, including protection from refoulement.”¹⁹

A **Dublin procedure** is: “the process of determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national under Regulation (EU) No 604/2013 (Dublin III Regulation)” (EMN, 2014: 88).

¹⁶ See: www.internal-displacement.org/internal-displacement.

¹⁷ See: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/2_hotspots_en.pdf.

¹⁸ See: “Legal considerations on the return of asylum-seekers and refugees from Greece to Turkey as part of the EU-Turkey Cooperation in Tackling the Migration Crisis under the safe third country and first country of asylum concept”, www.unhcr.org/56f3ec5a9.pdf.

¹⁹ See: “Legal considerations on the return of asylum-seekers and refugees from Greece to Turkey as part of the EU-Turkey Cooperation in Tackling the Migration Crisis under the safe third country and first country of asylum concept”, www.unhcr.org/56f3ec5a9.pdf.

A Dublin transfer is:

“(a) The transfer of responsibility for the examination of the merits of an application for international protection from one Member State to another Member State.

(b) The (physical) transfer of an applicant to the Member State who is considered to be responsible for examining the merits of an application following a Dublin procedure” (EMN, 2014: 90).

Section 3: Migrant Smuggling

Migrant smuggling is “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident” (Article 3 of SOM Protocol).²⁰ It therefore consists of two elements – the **purpose** of obtaining a financial/material benefit and the **act** of procuring illegal entry. If an illegal entry is facilitated but there is no financial/material benefit, or if entry is facilitated for a financial/material benefit but the entry is not illegal, then this does not constitute smuggling as per the SOM Protocol.

Related crimes: The Protocol on Smuggling of Migrants also requires States to criminalise, “*when committed for the purpose of enabling the smuggling of migrants*”, producing, procuring, providing or possessing a fraudulent travel or identity document. The Protocol also requires States to criminalise: “*Enabling a person who is not a national or a permanent resident to remain in the State concerned without complying with the necessary requirements for legally remaining in the State by [illegal] means*”. In each case, as with the crime of Smuggling of Migrants itself, the element of the purpose of obtaining a financial/material benefit is required (Article 6 of SOM Protocol).

The definition of someone who engages in **Facilitation of Unauthorised Entry, Transit and Residence** contained in the EU Directive on the Facilitation of Unauthorised Entry, Transit and residence is:

“1(a) any person who intentionally assists a person who is not a national of a Member State to enter, or transit across, the territory of a Member State in breach of the laws of the State concerned on the entry or transit of aliens; (b) any person who, for financial gain, intentionally assists a person who is not a national of a Member State to reside within the territory of a Member State in breach of the laws of the State concerned on the residence of aliens.

2. Any Member State may decide not to impose sanctions with regard to the behaviour defined in paragraph 1(a) by applying its national law and practice for cases where the aim of the behaviour is to provide humanitarian assistance to the person concerned”.²¹

Many different and distinct roles are carried out by migrant smugglers, including: **Coordinator or Organiser** - the person with overall responsibility for the smuggling operation, acting like a manager of an enterprise; **Recruiters** - advertise their services and establish contacts between smugglers and migrants wishing to make use of smuggling services; **Transporters or guides** - manage the operational part of smuggling by guiding and accompanying migrants *en route* through one or more countries and overseeing border crossings; **Spotters, Drivers, Messengers, Enforcers** - perform other jobs in the smuggling process; and **Ad hoc “service providers” and suppliers** - maintain a

²⁰ Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the UN Convention against Transnational Organized Crime (UNTOC), adopted in New York on 15 November 2000.

²¹ Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence, Art. 1.

relationship with the smugglers and are paid a share of the profits for their role in the smuggling process (including corrupt officials).²²

Migrant smuggling is an offence that may be committed by an **organized criminal group**, defined in accordance with the UN Convention Against Transnational Organized Crime, 2000 as: “a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit”. A **serious crime** is defined as “conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.” A **structured group** is “a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.”

Facilitators of internal movement within one country do not facilitate the irregular crossing of an international border and therefore cannot be defined as migrant smugglers according to international law.

Facilitators of regular movement across borders provide services to people who have authorisation to regularly enter another State and are therefore not considered migrant smugglers.

Providers of humanitarian assistance may assist people who are irregularly entering or remaining in a country, but they are not considered migrant smugglers. According to the *Travaux Préparatoires* for the SOM Protocol in reference to Art. 4, the “provision of the protocol was not intended to criminalize humanitarian support given to migrants, in particular by non-governmental organizations or churches or support given on the basis of close family ties.”²³

While the Observatory refers to all those who use migrant smugglers’ services as “**smuggled migrants**”, it is acknowledged that they may also be **refugees and asylum applicants**, as well as other people of concern, as “refugees often have to rely on smugglers to flee persecution, serious human rights violations or conflict. They should not be criminalized for making use of smugglers and claims for asylum should not be undermined for their having made use of smugglers or for their illegal entry (Article 31 of the 1951 Refugees Convention and Article 19 of the Migrant Smuggling Protocol)”.²⁴

In addition, while smuggled migrants are not generally referred to as “**victims**” of migrant smuggling, they “may become victims of crime during or as a result of the smuggling process. Their consent to be smuggled does not mean that they have necessarily consented to the treatment they received throughout the process. Smuggled migrants are vulnerable to exploitation and their lives are often put at risk.”²⁵

Section 4: Rights violations in the context of Migrant Smuggling

²² See: UNODC (2010). *Issue Paper: A short introduction to migrant smuggling*. Available at: www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_A_short_introduction_to_migrant_smuggling.pdf

²³ www.unodc.org/documents/treaties/UNTOC/Publications/Travaux%20Preparatoire/04-60074_ebook-e.pdf, p486.

²⁴ See: UNODC (2010). *Issue Paper: A short introduction to migrant smuggling*. Available at: www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_A_short_introduction_to_migrant_smuggling.pdf, p.5.

²⁵ See: UNODC (2010). *Issue Paper: A short introduction to migrant smuggling*. Available at: www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_A_short_introduction_to_migrant_smuggling.pdf, p.3.

Deprivation of liberty for extortion (also referred to as “kidnapping”) refers to situations when people on the move are subject to restrictions on their movement with the purpose of extorting money (“ransom”) from them or their families.²⁶

Loss of life is when a person dies as a result of the circumstances of their smuggling. According to Art. 6 of the 1966 International Covenant on Civil and Political Rights: “*Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life*”.

Torture is “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity” (Art. 1 of the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). The Convention also covers other forms of **cruel, inhuman or degrading treatment or punishment**. It is interpreted to include States’ positive obligation to protect people under their jurisdiction from torture and other cruel, inhuman or degrading treatment or punishment committed by non-state actors. According to Article 7 of the 1966 International Covenant on Civil and Political Rights: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Sexual and gender-based violence (SGBV) is “violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.”²⁷ UNHCR refers to SGBV as “any act that is perpetrated against a person’s will and is based on gender norms and unequal power relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature, and can take the form of a denial of resources or access to services. It inflicts harm on women, girls, men and boys”.²⁸

Non-refoulement is a principle of international customary law (jus cogens) that prohibits the expulsion or return (‘refoulement’) of a person “in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion”.²⁹ It also applies in the context of other international human rights instruments, including on the prohibition of torture.³⁰

Trafficking in persons/TIP (synonymous with trafficking in human beings/THB) is:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual

²⁶ See: Healy, Claire (2019). *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*. Vienna: ICMPD, pp. 217-221.

²⁷ General Recommendation made by the Committee on the Elimination of Discrimination against Women No. 19 (11th session, 1992).

²⁸ See: www.unhcr.org/sexual-and-gender-based-violence.html.

²⁹ Article 33 of the 1951 UN Refugee Convention.

³⁰ Art. 3 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Art. 7 of the 1966 International Covenant on Civil and Political Rights.

exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”³¹

In the case of trafficking in adults, this can be broken down into a specific **act**, using certain **means**, for the purpose of **exploitation**.

! Trafficking in children, however, is defined as committing a specific **act** for the purpose of **exploitation**, as the means are irrelevant in child trafficking.

Any consent on the part of a trafficked person can be considered invalidated consent due to the use of the means, or to the fact that the trafficked person is a child.

The Act	
Recruitment	Recruitment occurs in the place of origin, transit or destination, when a physical person or the representative of a legal person seeks to persuade a person to take a trip, with the purpose of exploiting them.
Transportation	Transportation covers various methods of travel and the facilitation of entry of the trafficked person to the place of destination.
Transfer	Transfer is the act of handing over control of a trafficked person to another person or group.
Harboring	Harbouring indicates the physical space where trafficked people are accommodated during the journey or at places of transit or exploitation.
Receipt	The receipt of persons is the act of receiving trafficked people at the final destination or at the place of exploitation.

The Means (not relevant for children)	
Threat/ Use of Force or other Form of Coercion	When the trafficker uses force, threat or another form of physical, moral or psychological coercion in order to obtain the consent of the trafficked person to the transportation and/or the exploitation.
Abduction/ False Imprisonment	When the trafficker abducts the trafficked person or deprives them of liberty with the intention of transporting them and/or exploiting them.
Abuse of Power or of a Position of Vulnerability	When the trafficker uses their power (for example, in a hierarchical relationship) or the position of vulnerability of the person to be trafficked (e.g. financial or familial difficulty) to force them or obtain their consent to the transportation. ³²
Fraud/ Deception	When the trafficker uses fraudulent means, such as false employment contracts, or makes deceptive promises like that of a decent salary, or marriage, in order to obtain the consent to the transportation from the person to be trafficked.
Giving or Receiving of Payments or Benefits to Achieve the Consent of a Person Having Control Over Another Person	When the trafficker pays or receives benefits for convincing a third party who has control over the person to be trafficked to hand that person over to the trafficker.

³¹ Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (UNTOC), adopted in New York on 15 November 2000.

³² See: UNODC (2013). Issue Paper: Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons. New York: UN.

Forms of Exploitation: Purpose of the Act	
Sexual exploitation	Obtaining financial gain or other benefits from the prostitution of another person or through sexual violence carried out against another person, including through pornography (adults) and child sexual abuse imagery (children).
Forced Labor/ Labor Exploitation	"[A]ll work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily" (ILO Convention no. 29, 1930).
Domestic Servitude	This means to subject a person to labour exploitation or excessive working hours, or to subject them to degrading working conditions, in the domestic sphere.
Forced/Servile Marriage	Servile marriage is when a trafficked person is married to someone who promises a healthy marital relationship but who then obliges the person to carry out household chores and/or to have sexual relations with them, even against their will. Forced marriage is when a party does not validly consent to a marriage. As a form of exploitation in the context of THB, financial or material benefits can be obtained by the trafficker from (a) brokering the forced marriage itself, or (b) from exploitation carried out in the context of a forced/servile marriage.
Removal of Organs, Tissue or Human Body Parts	Exploitation by removing a trafficked person's organs, skin tissue or body parts, without their valid consent or that of their relatives.
Illegal Adoption	Exploitation of a child being transferred to another person without observing the legal formalities for an adoption process.
Exploitation in Criminal Activities	Exploitation of a person practicing criminal activities, such as transporting narcotics from one place to another, petty theft, migrant smuggling, etc.
Exploitation of Begging	The exploitation of begging, whereby begging indicates various activities through which a person asks a stranger for money (<u>classic begging</u>). The sale of token items such as flowers and sweets at traffic lights, the price of which is not in accordance with the value of the product, is also considered as begging, and offering small services such as washing car windscreens, parking cars, helping with shopping at the supermarket and playing musical instruments on the streets may also be considered as a form of begging (<u>auxiliary begging activities</u>). ³³
! It is important to emphasise that the list is not exhaustive and that other forms of exploitation may be identified during the field research.	

Trafficked people. In the Observatory on Smuggling of Migrants research, rather than "victims", we use the terms "trafficked person", "trafficked people", "trafficked adults", "trafficked children", etc., as they are not strictly legal terms. Nevertheless, the legal term **victim of trafficking** will also be used, where relevant.

³³ See: Healy & Rogoz (2012). *Report for the Study on a Typology and Policy Responses to Child Begging in Europe*. Vienna: ICMPD. Project funded by the European Commission.

Research Instrument B. Note on Sources and Guidelines for Literature Review

Sources

The Observatory on Smuggling of Migrants Research Team will conduct a comprehensive literature review of relevant academic literature, reports, other documents, online media reports and other sources on the topic, and keep adding to this throughout the research process. The literature review will identify the existing body of knowledge on the research topic and situate the Observatory on Smuggling of Migrants research within ongoing research on mixed migration in the regions under study.

Sources on migrant smuggling, mixed migration, human rights abuses of migrants and other relevant data and information in the regions under study covering the years 2019-2020 – and 2021 as they become available - fall within the scope of the research, with sources covering 2015-2018 included where relevant.

A **primary source** is either: (a) a document written or an interview/focus group discussion recorded *during the field research* or (b) a document obtained as raw data (not yet analysed, assessed or published) directly from the individual or organisation that produced it, e.g. statistics, unpublished court records, eye-witness testimonies.

Potential primary sources for the Observatory include:

- Key informant interviews with conducted during field research;
- Interviews with migrants conducted during field research;
- Site visits;
- Focus group meetings;
- Online databases of statistics, legislation, case law, etc.;
- Statistics provided directly by informants;
- Legislation; and
- Other primary sources identified during the field research.

Grey literature is "*Information produced on all levels of government, academics, business and industry in electronic and print formats not controlled by commercial publishing i.e. where publishing is not the primary activity of the producing body.*"³⁴ Examples of grey literature include: government reports; policies and policy statements; issue papers; conference proceedings; theses and dissertations; factsheets.

A **secondary source** interprets and analyses primary sources and other secondary sources. Secondary sources are one or more steps removed from the event. Some types of secondary sources include academic studies, journal articles and news articles.

Potential secondary sources for the Observatory include:

- Publications available online and through online libraries;
- Publications and documents available in libraries, e.g. at universities, National Library;
- Academic journals;

³⁴ 3rd International Conference on Grey Literature Luxembourg definition, 1997, expanded in New York, 2004.

- Online newspapers and news websites; and
- Any other secondary sources identified during the field research.

The relative **reliability** of different sources should be taken into account in the process of weighting and triangulating information (see [Section 2.4](#) above), according to whether they were based on empirical research, official data, or other methods or sources. The collection of, and referral to, sources is important throughout the research process, from the development of the methodology through the desk and field research to the final analysis and dissemination.

Literature Review

As well as referring to primary and secondary sources and grey literature during the process of field research and country-level analysis, a brief country-level **Literature Review** of relevant secondary sources and grey literature should be conducted. A Literature Review is a **brief overview of what has been published** on a topic by researchers, organisations and the media. The purpose is to convey: (a) what knowledge has been established on the topic; and (b) its strengths and weaknesses.

The Literature Review refers to secondary sources and grey literature, rather than primary sources. As a piece of writing, the Literature Review is **defined by the research objective and the topic** of migrant smuggling in the country in question. A literature review is a piece of **discursive prose**, not a list describing or summarising one piece of literature after another. It is best to organise the Literature Review into **sections** that present themes or identify trends.

The Literature Review enables you to identify relevant material, expand your knowledge about the topic and critically assess the quality of existing sources. The Literature Review should:

1. be organised around and directly related to the **research topics**;
2. synthesise results into a **summary** of what is and is not known;
3. identify areas of **controversy** in the literature; and
4. formulate **questions** that need further research.

! The Literature Review refers to **secondary sources**, rather than primary sources and grey literature.

Research Instrument C. Mapping Potential Informants

The mapping serves as a research instrument, as it provides a systematic list of potential sources of information on the research topic, their geographic location (address) and the contact people for each organisation (names, telephone numbers and email addresses, where possible).

Note: The tables below are intended to assist in mapping relevant stakeholders and other potential sources of information in the Country under Study.

They have already been filled in with some examples, which are not necessarily relevant for every Country under Study.

The main set of tables is divided according to the type of informant.

! The Mapping Document should be updated throughout the field research with precise/corrected details and information on the latest contact with each potential informant in the last column.

1. International Organisations

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
UNHCR						
UNICEF						
IOM						
UN Women						
Interpol						

2. International NGOs

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
International Federation of Red						

3. Regional Organisations

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
ECOWAS Commission						
EU Delegation						
Council of Europe						
OSCE						

4. National Authorities

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
Migration Authority						
Asylum Agency						
Anti-Trafficking Authority						
Ministry of the Interior						
Ministry of Justice						
Ministry of Health						
Ministry of Education						
Ministry of Labour						
Ministry of Social Security						
Ministry of Families, Women, Children						
Ministry of Foreign Affairs						
State Prosecutor						
Police						

Other Security Forces						
Child Protection Agency						

5. National NGOs (note: in all cases, there could be more than one).

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
<i>Women's Rights</i>						
<i>Child Rights</i>						
<i>Refugees</i>						
<i>Migrants</i>						
<i>People with Disabilities</i>						
<i>LGBT Rights</i>						
<i>Homeless People</i>						

<i>National Red Cross Societies</i>						
<i>Migrant-led community organisations</i>						
<i>Refugee-led community organisations</i>						

6. Local Authorities

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
<i>Health</i>						
<i>Education</i>						
<i>Employment</i>						
<i>Police</i>						
<i>Prosecutors</i>						
<i>Child Protection</i>						
<i>Housing</i>						

7. Management of Reception/Accommodation/Transit/Pre-Removal/Detention Centres and NGOs at Centres

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)
<i>Centre X</i>						
<i>Centre Y</i>						
<i>Centre Z</i>						

8. Academia, media, other

Name	Contact Person	Position	Email	Phone	Address	Latest Contact? (Phone/ Email/ Set Appointment/ Had Meeting/Conducted Interview)

Research Instrument D. Guidelines for All Interviews

Overview

All Interviews

In conducting interviews, researchers will strictly adhere to the Observatory Code of Conduct, comply with international and national legal requirements regarding safe working practices, data protection, and participants' rights to confidentiality and privacy, and develop personalised and context-specific steps to fulfil such requirements. If there is a doubt or concern about an interview adhering to these guidelines and principles, it should be re-scheduled or cancelled.

Interviews with Migrants

The Interviews with Migrants will involve interviews with people who are planning to migrate, currently travelling, have arrived at an intended migration destination or have been returned, where the migration in question involves at least one irregular border crossing, where feasible conducted in person, but also by phone, Skype, email, postal correspondence, or any other useful means. The interviews will be semi-structured narrative interviews, loosely based around a set of guiding questions, topics and guidelines.

Getting access to migrants (adults only, nobody under the age of 18 years should be interviewed) will be the responsibility of the Observatory on Smuggling of Migrants Researchers. For this, they should develop a strategy at country/city level and submit it for consideration by the Observatory on Smuggling of Migrants Project Team, as part of the Field Research Plan. Researchers should aim to make the best possible arrangements for an appropriate setting and location of interview.

Interpreters may be used where necessary, and strategies for engaging trusted and qualified interpreters at country level should also be included in the Field Research Plan. The Researcher must clearly explain to any interpreter involved in the interviews the research guidelines and ethical principles, particularly with regard to confidentiality, anonymity and neutrality, and request that the interpreter sign a written commitment in this regard.

With the informed consent of the interviewee, interviews will be voice-recorded, or, if the interviewee prefers not to be recorded, notes will be taken. Interview cover sheets and short summaries of each interview in English - around 1-3 pages in length, depending on the quantity of relevant information obtained -, with all personal details anonymised, will be prepared for sharing with the Observatory on Smuggling of Migrants Research Coordinator, according to the Templates below.

Interviews with Key Informants

The Key Informant Interviews (KIIs) for the Observatory on Smuggling of Migrants involve interviews with institutions, organisations and individuals with direct access to smuggled migrants, smugglers and/or information pertaining to them, where feasible conducted in person, but also by phone, Skype, email, postal correspondence, or any other useful means. The interviews will be semi-structured and open-ended, based on a set of guiding questions,

topics and guidelines. With the informed consent of participants, interviews will be voice-recorded, or, if the interviewee prefers not to be recorded, notes will be taken.

Interview cover sheets and short summaries of each interview in English - around 1-3 pages in length, depending on the quantity of relevant information obtained -, clearly stating the level of anonymity requested, will be prepared for sharing with the Observatory on Smuggling of Migrants Research Coordinator, using Templates 2 and 3 below.

Guiding Principles for Interviews and How to Apply Them

9. **INFORMED CONSENT:** Consent should preferably be given by the informant in written form in a language they understand (by signing the printed consent form or by e-mail), however verbal consent is also acceptable. A precondition for informed consent is that informants are briefed about the purpose of the research. Introduce each interview with a short description of the Observatory on Smuggling of Migrants research, its purpose and outputs and how the information will be used, as well as sharing the Observatory Key Information in a language understood by the migrant or key informant being interviewed.

10. **ANONYMITY: Migrants** who are interviewed will not be referred to by their real names in the country-level analysis or the final analysis. Record personal information only to allow follow-up contacts and ensure that the details are kept safely and apart from the rest of the interview notes. Explain the principle of anonymity to the interviewee and make absolutely sure that they understand what is meant. The principle of effective anonymity applies – this means that whatever details are included about the interviewee should effectively respect their anonymity and not lead to them being easily identified.

For **Key Informants**, depending on the level of anonymity requested, they will not be referred to by their real names in the country-level analysis or the final analysis. In cases where the informant requests anonymity, record personal information only to allow follow up contacts and ensure that the details are kept safely and apart from the rest of the interview notes. Explain the principle of anonymity to the interviewee and make absolutely sure (a) that they understand what is meant, and (b) that you as the Interviewer understand which level of anonymity they are requesting. The interviewee can request Full Anonymity; Citation of their Position and Organisation only; Citation of their Organisation only; or Full Citation. In the case of Full Anonymity, the Researcher should note the type of organisation they represent.

The principal of effective anonymity applies – this means that whatever details are included about the interviewee should effectively respect the level of anonymity they requested and not lead to them being easily identified.

11. **TRUST:** Establishing trust between interviewer and informant is crucial for the success of interviews. To establish trust requires that general principles of interviewing as well as the selection of the interview setting are considered to the greatest extent possible, to ensure that interviewees provide information of their own free will, that they understand the principles of anonymity and that there are no safety risks for the informant or the interviewer.

12. **REFERRAL:** In accordance with national law and research ethics, each researcher is responsible for referring any crime or specific protection concerns that emerge during the interviews to relevant NGOs or the authorities, in consultation with the person in question. The Researcher should prepare a country-specific information sheet with all of the relevant contacts for this purpose, and the legal context in terms of the responsibility to report. If the concerns that arise relate to abuses of a child or children, this must be referred to the appropriate NGO or authorities. Inform the Research Coordinator of the protection concern or crime as soon as possible.

13. **NEUTRALITY:** Always ensure that you are neutral in organising the interview, and throughout the interview itself, as well as ensuring that the informant perceives you as neutral.
! The objective is to obtain information, without making judgments or evaluations in relation to informants.

14. **FEEDBACK:** Providing feedback to participants is essential in ethical research standards. If migrants or key informants request it, you should send them the Interview Summary. Sections of the analysis that concern their interview may also be shared with the Informant if requested. However, as migrants are expected to be highly mobile, sharing of Interview Summaries may not always be feasible.

15. **DO NO HARM:** If your research site is located in an area that poses relatively high risks to you or your potential participants, provide clear strategies for keeping your research participants/informants, your research staff and yourself safe. A risk assessment needs to be made in which you should include details of safety measures you intend to take, including training for staff and insurance cover, and taking into account the implications of female-male interactions. Reasonable steps must be taken to minimize and repair any harm, should researchers become aware that research procedures have proven detrimental to an interviewee.

General Tips

1. It is recommended that the Research Instruments (Mapping, Interview Cover Sheet, etc.) are filled in or updated electronically after each procedure, where possible during the field research, so that the workload is not so overwhelming during the analysis of the findings. These files should be kept, as you may need to refer to them again.

2. Field journals that record observations, ideas, insights, codes, concepts, patterns, hypotheses, conclusions, or moments of saturation on the topic, may also be an important source to refer to later.

3. Familiarise yourself completely with the Working Definitions and with these Interview Guidelines before commencing your first interview. Make sure you are clear on the objectives, guidelines, ethical safeguards, Working Definitions, etc. If you still have any questions, contact the Research Coordinator!

4. You may wish to ask a friend or colleague to simulate interviews with you, before you conduct your first interview, whereby the friend plays the role of the migrant or key

informant. This can be useful in bringing up issues that you would not have otherwise considered.

5. Even after informants have confirmed their participation in an interview or focus group discussion, it is a good idea to briefly call the day before to confirm the date, time and location.
6. Try to identify suitable places and settings for the interviews which offer privacy and safety, and try to arrange times and places for interviews as conveniently as possible for the migrant or key informant. Remember they are doing you a favour!
7. A **migrant** may feel more comfortable conducting the interview in the presence of a trusted interpreter, friend or family member, and/or NGO staff member. You should be as flexible as possible in this regard, always keeping in mind that the first priority is the needs of the migrant and their safety, and the second priority is to obtain relevant information. If someone else is present, you should also explain to them the research guidelines and ethical principles, particularly with regard to confidentiality, anonymity and neutrality.
8. Some informants may request the interview questions in advance so that they can prepare. The document can be sent on to them, but it is important to stress that they are open-ended questions and that the interviews are semi-structured, and so it is not necessary for them to have an answer to every single question.
9. Take into account that the absence or unavailability of data or information is also a finding in itself and should be noted.
10. The Guiding Questions are flexible and adaptable, and can be re-phrased, added to and omitted where necessary, and asked in whatever sequence is most appropriate.
11. It is not important how, and using what terminology, the informants provide you with the information – what is important is the content of that information itself. In this sense, the [Working Definitions](#) are essential to the Observatory's research, providing for a common understanding when it comes to analysing the data collected in the interviews.
12. It is to be expected that there will be a number of 'failed interviews,' in particular with migrants, as a result of which interviews may be relatively short and contain little relevant information, or not take place at all due to concerns in terms of the interviewee's or interviewer's safety, the lack of an interpreter or an inappropriate interpreter. If you are in doubt about any of these issues, or about whether the person might actually be under 18, do not conduct the interview until you have resolved these issues.
13. Whether or not to use some kind of compensation for migrants' interviews is at the discretion of the Observatory on Smuggling of Migrants Researchers. It is preferable that such inducements – both tangible and intangible – are always explicit and are tokenistic in nature (e.g. coffee, tea, sandwich). Researchers should clearly specify

what the incentives are for the interviewees. This allows a clear understanding of the potential role of the incentives in threatening the validity of the study. If compensation is provided, this should be documented in the Interview Summary. Strategies in this regard should also be included the Field Research Plan.

Conducting the Interviews

AT THE BEGINNING OF THE INTERVIEW

1. Introduce yourself, ensure that the interviewee is fully informed about the objectives of the Observatory on Smuggling of Migrants and the purposes for which the information from the interview will be used. Ask the interviewee to sign the informed consent form, just with their initials if they are more comfortable with that, or, if that is not possible, to consent verbally.
2. You should present the Observatory on Smuggling of Migrants Key Information in a language the interviewee understands before commencing the interview, and give the interviewee an overview of the topics that you wish to discuss during the interview. For Key Informants, if you have not already sent them your Introductory Letter in advance, you should present this to them before commencing the interview.
3. For Key Informants, always offer the option of remaining (a) completely anonymous. Other options include citing (b) only the position of the interviewee, (c) only the organisation that they represent, or (d) full description including the interviewee's name. Carefully make a note of their request in this regard, and make sure the level of anonymity is clearly stated on all documents related to the interview.
4. If the interviewee agrees, the interviews should be digitally recorded for future reference within the project context. If the interviewee does not agree to this, simply take notes. Interviewers should take notes during the interview, regardless of whether it is being tape-recorded. These notes serve as a backup when recording fails and to capture nonverbal information. They are also valuable when a respondent asks the interviewer to turn off the tape recorder during discussion of particularly confidential information.
5. Fill in a cover sheet at the beginning of every interview, using the appropriate template.

DURING THE INTERVIEW

1. The **migrant** interviews are semi-structured narrative interviews, with the objective of **allowing the migrant to tell the story of their journey, in their own words**, allowing the Researcher to subsequently identify issues relevant to the Observatory on Smuggling of Migrants Research Questions.
2. The **Key Informant** interviews are semi-structured and open-ended, with the objective of **collecting as much information as possible**, both qualitative and quantitative.
3. Establish **rappport** with the interviewee, providing for an atmosphere that is positive, relaxed, and mutually respectful. Interviewees are more likely to talk freely, openly, and honestly about the research topic if they feel comfortable in the interviewer's

presence, feel secure about confidentiality, believe the interviewer is interested in their story and do not feel judged. Practically, this means adopting a friendly manner, smiling, using a pleasant tone of and relaxed body language, avoiding patronizing remarks and being patient. The interviewer should refrain from making comments about other people s/he has interviewed, which provides additional assurance of anonymity.

4. Adapt the **terminology** and words you use, as well as the formal/informal nature of the interview, according to the profile of each interviewee. Do not expect the interviewees to be familiar with our project terminology, and it is not your role to explain it to them, unless this is necessary in order to obtain the information, or unless they specifically request this.
5. Ask for **specific details** as much as possible – gender, age, nationality/ethnicity, group composition, etc.
6. Some questions will be more relevant for some interviewees than others. The **order of the questions and the duration** allotted to each question can be adapted according to each informant’s expertise and knowledge, according to how the interview naturally progresses and according to the progress of the field research and data collection in the country in question. You do not need to ask every question, if you are sure that the interviewee does not have relevant information in relation to certain questions.
7. Feel free to provoke (“**probe**”) the interviewee to speak more and provide more detailed information in relation to certain topics that are specifically relevant to the Observatory on Smuggling of Migrants Research Questions. However, use probes sparingly and strategically. Do not probe the informants for each and every detail that may be relevant and use your judgment to prioritise certain themes and bits of information over others.
8. **! The interview should not be a dialogue** – avoid expressing your own opinions or responding directly to what the interviewee says, as this runs the risk of “leading” the interviewee. Your role is to probe the interviewee in such a way that he/she is able to provide as much information as possible in relation to the topics covered in the questions and, in the case of a migrant, to tell the story of their journey and experiences. If you do wish to provide some feedback, response, or interesting information from your side, wait until the interview has been completed before engaging in a discussion with the interviewee.
9. **Do not judge** what your respondent says (“Every answer is right”). Show understanding for their difficulties and their point of view.
10. Maintain a **conversational** style and formulate questions as open questions to maintain the flow of conversation. Avoid asking a series of closed questions with short answers.

11. **Verify unclear responses.** If you are unsure whether you understood correctly, and verify the response before going to the next question.
12. **Avoid leading questions**, which – intentionally or not – influence the interviewee’s answers. In answering such a question, the interviewee is likely to provide an answer which agrees with it because s/he might be reluctant to contradict the interviewer.
13. If an interviewee provides you with information that reveals **confidential personal information** about another adult or a child, ensure that you do not share that information further, even with the Research Team.
14. If an interviewee provides you with information indicative of a **crime or a protection concern**, in accordance with research ethics and national legislation, and in consultation with the informant in question, the case should be properly referred. You should prepare a country-specific information sheet with all of the relevant contacts for this purpose. If the concerns that arise relate to abuses of a child or children, this must be referred to the appropriate NGO or authorities.

ENDING THE INTERVIEW

15. Give the interviewee your contact details, if they do not already have them, inform him/her when the analysis will be available and refer them to the Observatory webpage/website.
16. Thank the interviewee for taking the time out of their schedule and making the effort to participate in the research.
17. Write the Interview Summary as soon as possible after the interview, to ensure that the details are fresh in your mind, and include any interesting and relevant direct quotes. If you wish to include any of your own judgements, assumptions or impressions, clearly distinguish them from the main interview summary by using square brackets [] or including comments at the end. Otherwise the summary should directly reflect what the informant said. For migrant interviews, no personal details should be included in the Interview Summary. For key informants, clearly state the level of anonymity requested in the Interview Summary. Assign a code to the Interview. Update [Research Instrument C. Mapping](#) accordingly.
18. Interview Coding: Country of Interview – Migrant/Key Informant – Number of Interview. Countries: NG, NE, MA, IT, ES. Migrant: M. Key Informant: K. For example, the third interview in Nigeria with a key informant will be coded as follows: NG-K-03. The 14th interview with a migrant in Morocco will be coded as follows: MA-M-14.

Research Instrument E. Templates and Guiding Questions for Interviews with Migrants

! The **Interview Consent Form** must be translated to the language of the interviewee, to ensure that they understand the content of the document. It should also be explained orally, if necessary.

Template 1: UN Observatory on Smuggling of Migrants Interview Consent Form for Migrants

1. I agree to participate in an interview for the UNODC research project Observatory on Smuggling of Migrants. The interview will be about my migration journey and personal experiences.

2. I am aware that **my participation is voluntary and optional**, that I can change any part of the interview if I wish, and that I can cancel my participation or cancel the use of my interview at any time.

3. I understand that the information I provide in the interview will be seen only by the Observatory on Smuggling of Migrants Research Team, who will ensure my **anonymity**. The interview will **only be used for** the Observatory on Smuggling of Migrants research project[, or for future published work on this topic by the Researcher].

4. Information from my interview may be mentioned on the Observatory website, but it will be **fully anonymous**.

5. If I wish to, I can provide my email address/telephone number in order **to be informed** about the results of the research.

6. I also understand that I can **contact** [Researcher Name] at the following tel. no. [xxxxxxxxx] or email address [xxxxxxxxxxxxxx], if I have any questions or other issues about the research project.³⁵

 Interviewee's signature/initials Place, Date

 Researcher's signature Place, Date

³⁵ Providing contact details may mean that some of the migrants interviewed will subsequently contact the Researcher to request assistance outside of the context of the Observatory on Smuggling of Migrants Research. The Researcher may therefore find it useful to have the contact details of an active and responsive NGO to hand, in order to be able to refer the migrant there for assistance.

Template 2: Observatory on Smuggling of Migrants Interview Cover Sheet for Migrants

Confidential

Name of Interviewee:

Contact Details:

Date and Time:

Duration of Interview:

Interview Code:

Location:

Interviewer:

Allowed recording of interview?

Additional comments or observations in relation to the interview:

Template 3: Observatory on Smuggling of Migrants Interview Summary - Migrants

Confidential

Date, Time, Duration, Location:

Interview Code:

Demographics: Gender; Age (or Approximate Age); Origin (nationality and region within country of nationality); Family status; travelling with a group (who?) or alone?

Interviewer/Author of Summary:

Summary of Interview, with Direct Quotes where Relevant (2-4 pages)

Guiding Questions – Interviews with Migrants

Note: These Guiding Questions provide a general overview of the interviews, and guidelines for the topics to be covered. The Research Methodology foresees semi-structured, narrative interviews and therefore the precise questions asked by the interviewer may be adapted, according to the interviewee's own experiences and to the progress of the field research in the Country under Study.

! The interviewer should specifically **probe** the interviewee to go into more depth on issues that arise during the interview that may be related to migrant smuggling and/or abuses in the context of migrant smuggling. These are included after each general question, in *italics*.

If these issues do not arise in the course of the interview, the interviewer should bring them up in a sensitive way, without "leading" the interviewee to talk about issues that are not significant to them.

Starting the Interview

1. Please introduce yourself.
(How old are you? Where are you from? Do you have family (family of origin, spouse, children)? What education do you have?)
2. Did you have a job before you left your country? Why did you decide to leave?

Before Departure

3. Can you please tell me about how you prepared for and organized the trip, before you left your home country/country of previous residence?
(what was your intended destination, where did you look for information, who helped you to organize the trip (relationship to interviewee, nationality, gender, etc.), how did you get in contact with them?)
4. How did you plan to travel? Did you consider applying for a visa and travelling regularly/by plane? Did you have travel documents/passport?
(modes of transport, accompanied by whom, how long would it take, which route, awareness of and attempts at regular migration (details)?)
5. How much did you pay before you left (in which currency) and how did you obtain that money? Were you able to negotiate the price?

(savings, selling of assets, borrowing from family or community members, borrowing from strangers, payment only en route, in instalments or upon arrival?)

During the Journey

6. Which countries and cities did you travel through? How long did it take to get to [location of interview]? Can you please describe your experiences in each country?
(Who did you come into contact with, how did you travel (modes of transport),
7. Who were the people organizing your journey? Did they travel with you? How did you communicate with them? Did they also provide food and accommodation?
(any additional costs (which currency), any information on relationship between “guides” en route and travel organizers at origin and destination, use of mobile phones, internet, social media)
8. What problems did you experience during the journey?
(logistical, financial, abuses. Probe for more details on any abuses: bribes – to whom, robbery, lack of food/water, lack of access to healthcare, dangerous travelling conditions, physical violence, SGBV, detention, asking for ransom, labour exploitation (ask about any work en route), sexual exploitation, forced to provide migrant smuggling services, e.g. guide, navigating a boat, involvement in other crimes, e.g. drug smuggling/sale)
9. Did anyone help you during your journey? What was the most positive experience you had during the trip? What advice would you give other migrants?
(assistance from NGOs, authorities or individuals, overall assessment of experiences)

Other People’s Experiences

10. Are you aware of any other migrants (adults and children) who experienced difficulties or abuses during the journey or in [country of interview]?
(Probe for more details on any abuses: bribes – to whom, robbery, lack of food/water, dangerous travelling conditions, lack of access to healthcare, loss of life, physical violence, SGBV, detention, asking for ransom, labour exploitation (working en route), sexual exploitation, forced to provide migrant smuggling services, e.g. guide, navigating a boat; ask for specific details – gender, age, nationality etc.)

Concluding Questions

11. What are your plans for the immediate future? (*travel, work, etc.*)
12. Do you have anything to add?
13. Do you know any other migrants who might be willing to talk to me?
14. Do you have any other questions about the Observatory on Smuggling of Migrants research project?

Research Instrument F. Templates and Guiding Questions for Interviews with Key Informants

Template 4: Observatory on Smuggling of Migrants Interview Consent Form – Key Informants

1. I **agree to participate** in an interview for the UNODC research project Observatory on Smuggling of Migrants.

2. I am aware of my right **to change** any part of the recorded data if I so wish, and also to withdraw my statements and participation from the interview at any time.

3. The interview will **only be used for** the Observatory on Smuggling of Migrants research project[, or for future published work on this topic by the Researcher].

4. I am aware that it is my decision about the level of **anonymity**, and this will be fully respected in all research work and publications by the Observatory team. I wish my responses to be:

(a) cited with my name and full details ⇒

(b) cited only with my position and organisation ⇒

(c) cited only with my organisation ⇒

(d) anonymous ⇒

5. I also understand that I can **contact** [Researcher Name] at the following tel. no. [xxxxxxxxx] or email address [xxxxxxxxxxxxxxx], if I have any questions or other issues about the research project.

Interviewee's signature/initials

Place, Date

Researcher's signature

Place, Date

Template E: Observatory on Smuggling of Migrants Interview Cover Sheet – Key Informants

Confidential

Name of Interviewee:

Position:

Organization:

Contact Details:

Date and Time:

Duration of Interview:

Interview Code:

Location:

Interviewer:

Allowed audio recording of interview?

Level of Anonymity requested:

Additional comments or observations in relation to the interview:

Template F: Observatory on Smuggling of Migrants Interview Summary – Key Informants

Confidential

Level of Anonymity requested:

Only if authorised: Name of Interviewee, Position, Organization:

Type of Organization:

Gender; Age (or Approximate Age); Nationality

Date, Time, Duration, Location:

Interview Code:

Interviewer/Author of Summary:

Summary of Interview, with Direct Quotes where Relevant (2-4 pages)

Guiding Questions - Interviews with Key Informants

Note: These Guiding Questions provide a general overview of the interviews, and guidelines for the topics to be covered. The Research Methodology foresees semi-structured, open-ended interviews and therefore the precise questions asked by the interviewer may be adapted, according to the interviewee's specific expertise and to the progress of the field research in the specific country.

Starting the Interview

1. What are the main **roles** of your organization in relation to smuggling of migrants and related issues?
2. **How long** have you been working at this organization/in this position? For how long have you been working on the issue of smuggling of migrants?

Mixed Migration

3. What are the **profiles** of refugees and migrants³⁶ departing from, transiting through or arriving in [locality/country]³⁷ since the beginning of 2019?
(nationality; age; gender; travelling alone or with family or in groups; reasons for migrating)
4. Could you estimate which proportion of them **use migrant smugglers**?
5. Can you describe the **routes** commonly travelled by smuggled refugees and migrants departing from, transiting through or arriving in [country] and their modes of transport?
(points of departure, transit and destination; public transport/bus/car/on foot/boat, etc.)
6. Do you have any information about **fees** paid for migrant smuggling services? How are the payments made?
(cash, credit transfer, Western Union, hawala; payment upfront; payment in installments, conditional payment subject to arrival; indebtedness to smugglers, etc.)
7. Have there been any recent **changes** in the profiles of refugees and migrants, the proportion using smugglers, the routes or the payment? Why?

Smugglers

³⁶ For **Nigeria**, please specify that throughout the interview you are asking about Nigerians and other people departing Nigeria and travelling irregularly overland to North Africa and/or Europe, or using smugglers to travel by plane or by sea; for **Niger** and **Morocco**, that you are asking about people who irregularly entered the country, and citizens and non-citizens who intend to travel irregularly to other parts of North Africa and/or to Europe; and for **Italy** and **Spain**, the interviews refer to people who have arrived irregularly to either of those two countries by sea or by land.

³⁷ Refer to a region, city or country, depending on the scope of the interviewee's work.

8. Are the **smugglers** related to the smuggled refugees and migrants or from the same community of origin or nationality? Or are they of a different nationality? Are they involved in other legal or criminal business activities?
(gender; ethnicity; nationality; age; involvement in other legal activities/crimes)
9. How do migrant smugglers **come into contact** with refugees and migrants?
(word-of-mouth; personal contacts; use of mobile phones, internet, social media; concrete examples if possible)
10. How would you describe how groups of smugglers **organize their operations**? Do they have links to government authorities, armed groups, other criminal groups?
(flexible, ad hoc, structured, hierarchical; national/international; cooperation with other groups)
11. Do you have any information about **profits** made by migrant smugglers?
12. Have any smugglers been **identified by law enforcement**? Were cases investigated and/or prosecuted? Could you please provide specific (anonymized) details about the cases?
13. Have there been any recent **changes** in how smugglers operate? Why?

Refugees and Migrants' Experiences of Migrant Smuggling

14. Please describe what you know about the conditions experienced on journeys facilitated by migrant smugglers.
(ask for concrete examples and specific details of: lack of access to food/water/sanitation; dangers and risks; loss of life; theft; physical violence; which profiles of refugees and migrants are affected by these issues – adults/children/gender/nationalities etc; who are the perpetrators (smugglers or others)?)
15. Are you aware of cases of **sexual or gender-based violence, or violence against children**, affecting smuggled migrants?
(ask for concrete examples and specific details on victims and perpetrators)
16. Do you have information on **kidnappings, deprivation of liberty and extortion** in the context of migrant smuggling?
(ask for concrete examples and specific details on victims and perpetrators)
17. Do you have any information on **exploitation or trafficking** of smuggled refugees and migrants (adults or children)?
(prostitution; sexual exploitation; forced labour; poor working conditions; forced marriages; begging; forced criminal activities; ask for specific details – gender, age, perpetrator (smuggler or other), form of exploitation, location)
18. Were smuggled refugees and migrants who suffered any of these abuses **identified** by any service and provided with some form of **protection**?

Drivers and Responses

19. What makes refugees and other migrants **more likely to use migrant smuggling services**?
20. What makes refugees and other migrants **more likely to suffer abuses** in the context of migrant smuggling?
(*profiles; laws; policies; border control measures; access to rights; access to services; etc.*)
21. What measures are in place (or should be put in place) to **combat** migrant smuggling?
22. What measures are in place (or should be put in place) to **protect** people who have suffered abuses in the context of migrant smuggling?
23. What measures are in place (or should be put in place) to **prevent** migrant smuggling?

Concluding Questions

24. Do you know of any relevant publications, reports or statistics?
25. Are there any other organisations or individuals that should be interviewed?
26. Do you have anything to add?
27. Do you have any remaining questions on the Observatory on Smuggling of Migrants?

Research Instrument G. Focus Group Meeting Guidelines

Focus Group meetings are opportunities for a focused discussion on a particular topic, whereby a group can be constituted according to sector, topic, profiles of participants or region. The method facilitates the collection of information during a relatively short period of time with a larger number of interlocutors than an individual interview. The decision to organise Focus Group meetings lies with the Researcher, who may wish to interview various people from the same organisation, from the same sector (e.g., academics or NGO workers) or among migrants.

Short summaries in English - around 4 pages in length, depending on the quantity of relevant information obtained - of each Meeting will be prepared for sharing with the research team.

In conducting Focus Group meetings, researchers will comply with international research practices regarding safety, data protection, and participants' rights to confidentiality and privacy, and develop personalised and context-specific steps to fulfil such requirements.

[Research Instrument D: Guidelines for All Interviews](#) also applies to Focus Group Meetings. Depending on whether the Focus Group participants are key informants or migrants, the Guiding Questions in [Research Instrument E](#) or [Research Instrument F](#) also apply to Focus Groups.

GENERAL GUIDELINES FOR FOCUS GROUP MEETINGS

1. When well executed, a focus group creates an accepting environment that puts participants at ease allowing them to thoughtfully answer questions in their own words.
2. A focus group is a small group of five to eight people led through an open discussion by a moderator. The group needs to be large enough to generate rich discussion but not so large that some participants are left out.
3. Focus group meetings are structured around a set of carefully predetermined questions but the discussion is free-flowing. Ideally, participant comments will stimulate and influence the thinking and sharing of others.
4. The ideal focus group moderator has the following traits:
 - Can listen attentively with sensitivity and empathy;
 - Is able to listen and think at the same time;
 - Believes that all group participants have something to offer no matter what their education, experience, or background;
 - Has adequate knowledge of the topic;
 - Can keep personal views and ego out of the moderation;
 - Is someone the group can relate to but also give authority to;
 - Can appropriately manage challenging group dynamics.³⁸

³⁸ Eliot & Associates (2005). "Guidelines for Conducting a Focus Group". http://datainnovationproject.org/wp-content/uploads/2017/04/4_How_to_Conduct_a_Focus_Group-2-1.pdf.

5. Forming a relatively homogenous group is key to eliciting information from focus group participants. You can also conduct a focus group meeting with a group that already meets regularly, such as a research group, an NGO forum or a migrant community group.
6. Consider the following in establishing selection criteria for individual groups:
 - Gender – Will both men and women feel comfortable discussing the topic in a mixed gender group?
 - Age – How intimidating would it be for a younger person to be included in a group of older adults? Or vice versa?
 - Power – Would a social worker be likely to make candid remarks in a group where her/his boss is also a participant?
7. Over-invite in anticipation of a no-show rate of around 20%.
8. The room should have a door for privacy and table and chairs to seat a circle of up to 10 people.
9. Focus Group Meetings should last c. 1 ½-2 hours (plus 30 minutes at beginning for paperwork, introductions, explanations, food/coffee, etc).
10. If ALL participants agree, the meeting should be digitally recorded for future reference. If one or more participants do not agree to this, simply take notes.
11. Always offer each participant the option of remaining completely anonymous. Other options include citing only the position of the participant, or only the organisation that they represent. Each participant should fill in their own individual consent form. Allocate a code to anonymous participants. In the case of migrants, all participants should be anonymous.
12. Ask all participants to agree to the Ground Rules for the meeting:
 - e.g. ***“WE WANT YOU TO DO THE TALKING.***
 - We would like everyone to participate.*
 - I may call on you if I haven't heard from you in a while.*
 - THERE ARE NO RIGHT OR WRONG ANSWERS.***
 - Every person's experiences and opinions are important.*
 - Speak up whether you agree or disagree”.*³⁹
 - RESPECT ALL PARTICIPANTS.***
 - Only one person speaks at a time.*
 - Responses made by all participants are confidential.*

DURING THE MEETING

13. Guide and facilitate discussion by introducing questions. Direct back to relevant subjects if the conversation goes off-topic.

³⁹ Eliot & Associates (2005). “Guidelines for Conducting a Focus Group.”

14. Because the facilitator holds a position of authority and perceived influence, s/he must remain neutral, refraining from nodding/raising eyebrows, agreeing/disagreeing, or praising/denigrating any comment made.
15. You should paraphrase and summarise long, complex or ambiguous comments. It demonstrates active listening and clarifies the comment for everyone in the group.
16. A facilitator must tactfully deal with challenging participants. Here are some appropriate strategies:
 - ❖ Self-appointed experts: “Thank you. What do other people think?”
 - ❖ The dominator: “Let’s have some other comments.”
 - ❖ The rambler: Stop eye contact; look at your watch; jump in at their inhale.
 - ❖ The shy participant: Make eye contact; call on them; smile at them.
 - ❖ The participant who talks very quietly: Ask them to repeat their response more loudly.⁴⁰
17. You do not need to ask every question, if you are sure that the participants do not have relevant information in relation to certain questions.
18. If you wish to provide some feedback, response, or interesting information from your side, please wait until the meeting is over before engaging in a discussion with the participants.

ENDING THE MEETING

19. Each participant should be offered the chance to make one final point based on the discussion as a whole – their summary of the discussion.
20. Provide the participants with your contact details, in case they do not have them.

⁴⁰ Eliot & Associates (2005). “Guidelines for Conducting a Focus Group.”

Template 7: Observatory on Smuggling of Migrants Project Focus Group Meeting Participation Consent Form - Migrants

1. I **agree to participate** in a focus group meeting for the UNODC research project Observatory on Smuggling of Migrants. The discussion will be about my migration journey and personal experiences.
2. I am aware that **my participation is voluntary and optional**, that I can change any part of the information I provide if I wish, and that I can cancel my participation or cancel the use of my information at any time.
3. I understand that the information I provide in the focus group meeting will be seen only by the Observatory on Smuggling of Migrants Research Team, who will ensure my **anonymity**. The information will **only be used for** the Observatory on Smuggling of Migrants research project[, or for future published work on this topic by the Researcher].
4. Information from the focus group meeting may be mentioned on the Observatory website, but it will be **fully anonymous**.
5. If I wish to, I can provide my email address/telephone number in order **to be informed** about the results of the research.
6. I also understand that I can **contact** [Researcher Name] at the following tel. no. [xxxxxxxxx] or email address [xxxxxxxxxxxxxx], if I have any questions or other issues about the research project.

Participant's signature/initials Place, Date

Facilitator's signature Place, Date

Template 8: Observatory on Smuggling of Migrants Project Focus Group Meeting Participation Consent Form – Key Informants

1. I **agree to participate** in a focus group meeting for the UNODC research project Observatory on Smuggling of Migrants.

2. I am aware that **my participation is voluntary and optional**, that I can change any part of the information I provide if I wish, and that I can cancel my participation or cancel the use of my information at any time.

3. I understand that the information I provide in the focus group meeting will be seen only by the Observatory on Smuggling of Migrants Research Team, who will ensure that my requested level of **anonymity** is respected. The information will **only be used for** the Observatory on Smuggling of Migrants research project[, or for future published work on this topic by the Researcher].

4. I am aware that it is my decision about the level of **anonymity**, and this will be fully respected in all research work and publications by the Observatory team. I wish my responses to be:

- (a) cited with my name and full details ⇒
- (b) cited only with my position and organisation ⇒
- (c) cited only with my organisation ⇒
- (d) anonymous ⇒

5. If I wish to, I can provide my email address/telephone number in order **to be informed** about the results of the research.

6. I also understand that I can **contact** [Researcher Name] at the following tel. no. [xxxxxxxxxx] or email address [xxxxxxxxxxxxxxxx], if I have any questions or other issues about the research project.

 Participant's signature/initials Place, Date

 Facilitator's signature Place, Date

Template 9: Observatory on Smuggling of Migrants Project Focus Group Meeting Cover Sheet

Confidential

[Only in case of Key Informant participants] Names, Positions, Organisations and Contact Details of Participants (depending on Level of Anonymity requested), types of organizations:

- 1.
- 2.
- 3.
- 4.
- 5.....

Date and Time:

Duration of Meeting:

Focus Group Meeting Code:

Location:

Facilitator:

All participants allowed digital recording of Meeting?

Which participants requested to remain anonymous?

Additional comments or observations in relation to the Focus Group Meeting:

Research Instrument H. Targeted Population Surveys on Smuggling of Migrants

The surveys contribute to the quantitative component of the research activities under the UN Observatory on Smuggling of Migrants. The aim of the surveys is to collect data on the **decision-making dynamics, and preparation and planning strategies of prospective and intending migrants who may make use of smuggling services.**

In terms of **topics**, the survey questionnaire covers:

- Key demographic and socio-economic **profiles** of prospective and intending migrants;
- **Journey planning**: main sources of information, information and communication channels used to gather information on the migratory journey, knowledge about regular and irregular migration options, most used type of information on the journey; key actors in decision-making about migration journey;
- **Risk awareness and risk assessment** related to potential abuses in the context of smuggling;
- **Smugglers and other facilitating actors**: role in the decision making, type of actor and level of professionalization, organizational set-up, services packages available on the market;
- **Practical steps** and planning in preparation of migration journeys: financial resources management, family and community arrangements, modes of travel; mitigation strategies and back-up plans.

The **target population for the survey** includes prospective and intending migrants, or people who have an increased likelihood of contracting smuggling service to migrate. The survey targets both adult women and men. No child (any person aged under 18 years) should be interviewed within the framework of the survey, nor people from other vulnerable groups (e.g. those with a learning disability or reduced mental capacity).

The **survey responses are collected** at individual level through face-to-face, standardized interviews. While representativeness at national level is not required, the sampling frame adopted should be informed by existing data sources and literature, and aim at providing representative results on one or more sub-population groups. A minimum of 1,500 individual interviews should be conducted.

In general, the questionnaire (and the survey as a whole) must adhere to **standard social science research protocol** in terms of effectiveness, robustness and ethics. The [Code of Conduct for Researchers Working with the UN Observatory on Smuggling of Migrants](#) applies. In addition, at a minimum, the following must be considered:

- Questions under each section must be articulated reflecting local idioms, reference to migration related activities and avoid technical language. (e.g. there should not be reference to migrant smugglers and instead use the local word for people facilitating migration, especially irregular migration, etc.);
- The list of indicators and the analytical framework shall be based on internationally approved standards and guidelines (e.g. Join Inter-sectoral Analysis Group, etc.);
- The composition of the questions should consider sequencing and psychological effects of asking some questions before others. This concerns the so-called “warm up

effect”, which relates to the timing of how sensitive questions are presented later. The sequencing should also consider how to best build rapport, confidence and trust with the respondent;

- When appropriate, the questionnaire may make use of both closed and open-ended questions;
- The interview shall be conducted in the mother tongue of the respondent without the use of intermediation. The original questionnaire in English should therefore be translated into all relevant local languages necessary for surveying the target population.

Surveyors shall use Computer Assisted Personal Interview (CAPI) or similar software **to conduct the interviews**. Use of mobile-device-based programs is especially encouraged. All completed interviews must be archived digitally and must be shared with UNODC in a cleaned and anonymized format, as required by data protection and ethical standards, after completion of the task. All completed surveys shall be retrieved from the field and dispatched for data cleaning in a secured manner. Data cleaning and formatting shall be carried out using a standard systematic cleaning process. Standards and procedures adopted for the data cleaning must be summarized and reported to UNODC as part of the methodology package.

The **dataset** containing the anonymized electronic version of the survey completed by the survey respondents shall be delivered. The tables shall be in both *Excel* and *SPSS*. All tables shall be organized according to name of the variable as listed in the questionnaire with headings for each column. The first column should list codes identifying the respondent for each row. The relevant aggregation/disaggregation shall be listed in the indicators list to be provided as part of the methodology package.

Controls are generally imposed to limit the risk that this data may be abused or lead to loss of privacy. For example, the [Integrated Public Use Microdata Series](#) requires researchers to implement security measures, avoid redistribution of microdata, use microdata only for non-commercial research/education purposes, and not make any attempt to identify the individuals recorded. Names and fine-level geographical data are removed, some data items are altered as necessary to make it impossible to identify individuals, and small ethnic categories are merged.

Research Instrument I. Observatory on Smuggling of Migrants Country-Level Analysis Template

Each country-level analysis should follow a standard format, according to the Template, including a Cover Sheet, Table of Contents and Annexes and References.

The main body of the Report comprises ten distinct sections (A-J):

- A. Short Introduction to the National Context
- B. Overview of Legal, Policy and Institutional Framework on Migrant Smuggling
- C. Mixed Migration in [Country]
- D. Aspiration, Preparation and Planning
- E. Profiles and Experiences of Smuggled Migrants
- F. Abuses suffered in the context of Migrant Smuggling
- G. Migrant Smugglers – Modus operandi, costs, routes, profiles
- H. Counter-Smuggling Responses
- I. General Conclusions
- J. References and Interview Codes; Methodological Note

FORMAT

- APA (American Psychological Association) standard – please see for example, www.bibme.org/citation-guide/apa/.
- Statistical data should always be cited.
- For secondary sources cited in the text, please use Author, Date citation: (Surname, Year).
- Any *ipsi literis* quote from an interview should be in inverted commas and cited (XX-Z-NN).
- Any *ipsi literis* quote from a publication should be cited with the inclusion of the page number (Author Surname, YYYY: NN).
- Primary sources should be cited as follows: (XX-Z-NN), where XX is the code of the country under study, Z indicates a Key Informant (K) or a Migrant (M) and NN is the number of the interview. Site visits and focus group meetings should be cited as: (XX-V-NN) and (XX-FZ-NN), respectively. A full list of interview codes and non-anonymous interview details should be included at the end of the report.
- Footnotes should be included to provide explanatory or additional information that is not strictly relevant to the focus of the report, or references to websites (with access date).
- Graphs, tables, maps and figures should be included if they contribute to understanding the text, but are not essential. They should be included in an editable format.

COUNTRY-LEVEL ANALYSIS STRUCTURE

Cover Sheet

Include:

- **UN Observatory on Smuggling of Migrants**
- [Author Name];
- [Country under Study];
- “DRAFT not for citation”;
- [Version date];
- [Table of contents]

A. Introduction to the national context (c. 4-5 pages)

General geographic data and geographic location on the migration route;

Demographic and socio-economic data (e.g., see table below);

	Total Population	Area (km ²)	HDI	Poverty rates	GDP per capita
Country					

Any relevant information on political system;

Brief Literature Review on the Observatory on Smuggling of Migrants Research Questions in the country under study (see [Research Instrument B](#) above).

B. Overview of Legal, Policy and Institutional Framework on Migrant Smuggling

Migrant smuggling law, policy and institutions

Mixed migration law, policy and institutions

C. Mixed Migration in [Country under Study]

Mixed migration statistics, 2019-2020 (disaggregated by age, gender, nationalities, at a minimum)

Points of departure, transit and destination for irregular migration

Centres for Registration, Transit, Accommodation, Detention, etc.

D. Aspiration, Preparation and Planning

Migrants’ motivations, intentions and preparations for migration

Financial planning

Assessment of possibilities for regular and irregular travel

Awareness of and interaction with migrant smugglers and other facilitators of mobility during the planning and departure phase

E. Profiles and Experiences of Smuggled Migrants

Profiles of migrants using migrant smuggling services along these routes

Itineraries and duration of travel

Experiences of the journey

Prices paid for migrant smuggling services and methods of payment

F. Abuses suffered in the Context of Migrant Smuggling

Detailed description of the abuses to which people are subjected, including features and characteristics of the victims and perpetrators of these abuses – origin, nationality, gender, age, occupation, educational level, disabilities, sexual orientation, marital status; and the relative prevalence of the forms of abuses, for example:

physical and sexual violence; child abuse; exploitation and human trafficking; deprivation of liberty; extortion; robbery; corruption, food and water deprivation; lack of access to healthcare; loss of life.

If available, information on any victims of abuses identified and or protected

G. Migrant Smugglers – Modus operandii, costs, routes, profiles

How migrant smugglers organise their business

Costs borne and profits made by smugglers

Strategies for the identification of service-users

Connections to other types of crime

How smugglers adapt to changes in policies and law enforcement practices

H. Counter-Smuggling Responses

Policies and actions by State authorities to combat migrant smuggling (prevention, investigation, prosecution, disruption)

Policies and actions by non-state actors to combat migrant smuggling

Policies and actions by State authorities to protect the rights of smuggled migrants

Policies and actions by non-state actors to combat migrant to protect the rights of smuggled migrants

How appropriate are these policies and actions to the real-life phenomenon of migrant smuggling?

I. General Conclusions

J. References and Interview Codes; Methodological Note

References according to APA guidelines.

Full details of field research conducted, including interview, visit and meeting codes, dates, locations, names and affiliations of interviewees, except when anonymity was requested and including only information on the profiles of migrants (excluding any information that might effectively reveal their identity).

Methodological Note (if necessary).

Annexes (if necessary)

Note: Subsequent to the publication, Researchers are encouraged to further analyse their research findings at country level and to publish these analyses as journal articles, books chapters, etc. However, the findings should strictly not be published prior to the publication of the Observatory findings (foreseen in late 2020).

Researchers are required to acknowledge the UN Observatory on Smuggling of Migrants project in any publication ensuing from the research findings

The consent forms provided allow for further use of data by Researchers, under the condition that the required level of anonymity is followed in all publications.