



## **Links Between Smuggling of Migrants and Other Forms of Organized Crime Along the Central and Western Mediterranean Routes**

## ➤ Executive Summary

**Smuggling of migrants is a serious crime with links to other criminal offences.** The [paper](#), through a rapid data collection and analysis, provides insights into the dynamics of migrant smuggling along these routes, the prevalence of smuggling networks and links with other forms of organized crime. It should be noted from the outset that one of the biggest challenges faced was scarcity of available data. While data on irregular migration could provide insights, it cannot be treated as data on migrant smuggling.

Notwithstanding the above, the analysis of available data suggests that **no single group dominates the migrant smuggling market** via the Central and Western Mediterranean routes, **but rather a variety of actors and groups with different levels of organization and coordination.**

Another finding concerns a number of **self-organized departures** of migrants in sea crossings from North Africa, notably from Tunisia and Morocco.

The **smuggling of migrants by air** seems to be another emerging trend on these two routes. Smuggling networks use countries in Western Africa as transit hubs for onwards travel mainly to Europe.

The data analysis indicates that smuggling of migrants on the Central and Western Mediterranean routes is linked to **systemic corruption**, ranging from petty corruption at border checkpoints to corruption at senior levels of government.

Regarding profits involved, it appears that the smuggling of migrants is a **lucrative business** as the fees paid by migrants to reach their destination can be high depending on the mode of travel and the route taken.

Regarding links with other forms of organized crime, the data analysis shows **strong links with trafficking in persons**. Many migrants are smuggled only to end up trafficked for sexual or labour exploitation. Traffickers use deception, fraud, force, abuse of vulnerability against smuggled migrants. Many smuggled migrants end up trafficked in **artisanal gold mining sites** in Western and Central Africa for sexual or labour exploitation.

The data collection revealed evidence of links between **terrorism and the financing of violent extremism**, particularly in the Sahel region and Libya, where national authorities do not control large swathes of territory.

Data points to **links between smuggling of migrants and drug trafficking**, especially of tramadol, a synthetic opioid, particularly between northern Niger and southern Libya, or between Nigeria and Libya and suggests that migrant smugglers are turning to trafficking of tramadol following a booming demand across the Sahel.

## ➤ Conclusions and Recommendations

### Understanding the crime and establishing a baseline

1. States must uphold the standards of the Smuggling of Migrants Protocol. The Protocol's definition of smuggling of migrants should serve as a common basis for understanding what is and what is not migrant smuggling. According to the Protocol, **financial or material benefit is an element of the crime of migrant smuggling**. Further guidance on the Protocol can be found in the UNODC Model Law on Smuggling of Migrants.

2. As per Art. 5 of the Smuggling of Migrants Protocol, **smuggled migrants must not be prosecuted for having been smuggled** - the responsibility for migrant smuggling lies with the smugglers and not with the migrants themselves.

3. On the basis of a common understanding of the offence of migrant smuggling, **efforts to collect data must be intensified**. Statistical data on investigations, prosecutions, convictions, and sentences, disaggregated by sex and age, is needed for evidence-based responses.

4. **Robust and centralized data collection system should be put in place** and fed with updated information to foster better understanding of smuggling patterns and trends.

5. The **exchange of information is essential** in the fight against migrant smuggling and can contribute to further international cooperation. The experience of regional projects in this area should be assessed and methods or techniques that have been proven to be effective and knowledge or insights gained from these be taken into account.

6. As this data collection has clearly shown, **further research is needed** to develop more targeted policy measures: around gold mining sites where links between smuggling of migrants and trafficking in persons have been observed; in relation to the types of structure of organized crime groups involved in the smuggling of migrants and the way their operations are carried out in West and North Africa; and a thorough analysis of cases of migrant smuggling and cases that should not be considered as such.

#### Fostering international cooperation

1. Authorities should **make full use of the toolbox provided in the United Nations Convention against Transnational Organized Crime**, and mutual legal assistance and the establishment of joint investigation teams must be promoted and fully exploited.

2. The fight against the smuggling of migrants is an integral part of criminal justice systems - and it is **these systems that need to be supported** in order to function well not only within borders, but ultimately across them.

3. A **culture of international cooperation needs to be fostered among criminal justice authorities**. This may require requesting and/or providing training on mutual legal assistance and other forms of international cooperation to evidence and testimony. This could also include the deployment of liaison magistrates, for example through the conclusion of bilateral or regional agreements or operational arrangements.

4. The technology used by smugglers and the financial gains they make also transcend national borders, and **international cooperation is needed to address the multifaceted nature of migrant smuggling** and to provide a holistic response. It would be beneficial to share best practices to detect, monitor and combat the use of technology by smugglers, such as social media platforms and online payment systems, and to establish common standards and protocols for the collection, storage and sharing of digital evidence related to smuggling cases, while ensuring respect for human rights and data protection principles.

5. It should be very useful for States Parties to the Organized Crime Convention and its Smuggling of Migrants Protocol to **participate in intergovernmental processes** such as the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (COP) and its Working Group on Smuggling of Migrants, and the Commission on Crime Prevention and Criminal Justice (CCPCJ), in order to promote international debate among countries of origin, transit and destination.