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Smuggling of Migrants

A Global Review and Annotated Bibliography of Recent Publications

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Acknowledgements

Abbreviations and acronyms

AIC	Australian Institute of Criminology
CRS	Congressional Research Service
EU	European Union
Europol	European Police Office
Frontex	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
GAO	United States Government Accountability Office
ICMPD	International Centre for Migration Policy Development
INTERPOL	International Criminal Police Organization
IOM	International Organization for Migration
NGO	non-governmental organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNODC	United Nations Office on Drugs and Crime

Contents

1. Introduction

The purpose of this thematic review is to survey existing sources and research papers on smuggling of migrants and to provide a gap analysis of existing knowledge from a global perspective. Indeed, despite the fact that smuggling of migrants has attracted great media and political attention over the last two decades, there has not been any comprehensive analysis of the state of expert knowledge. Great confusion still prevails about what smuggling of migrants is within the global context of irregular migration.

Smuggling of migrants is a crime defined under international law 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 of which the person is not a national or a permanent resident", according to article 3 (1) of the Protocol against the Smuggling of Migrants by Land, Sea and Air—commonly referred to as the Smuggling of Migrants Protocol—supplementing the United Nations Convention against Transnational Organized Crime.[1]

Article 6 of the Smuggling of Migrants Protocol, requires States to criminalize both smuggling of migrants and enabling a person to remain in a country illegally in order to obtain, directly or indirectly, a financial or other material benefit, as well as to establish as aggravating circumstances acts that endanger the lives or safety or entail inhuman or degrading treatment of migrants. By virtue of article 5, migrants are not liable to criminal prosecution for the fact of having been smuggled. It is therefore understood that the Protocol aims to target smugglers, not the people being smuggled.[2]

While most researchers refer to the Protocol for a definition of smuggling of migrants, some authors have developed a broader definition referring to the sociological characteristics of the phenomenon. According to Van Liempt, a broader definition is necessary in order to properly reflect the changing character of intermediary structures in international migration processes and to shed light on the possible criminal character of smuggling. From a sociological perspective, smuggling of migrants may then include every act on a continuum between altruism and organized crime.[3] Doomernik defines smuggling of migrants as "every act whereby an immigrant is assisted in crossing international borders whereby this crossing is not endorsed by the government of the receiving state, neither implicitly nor explicitly".[4]

To the extent that the literature available allows a distinction to be made, the issues of irregular migration and trafficking in persons are deliberately not covered per se by this thematic

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[1]United Nations, *Treaty Series*, vol. 2241, No. 39574.

[2]United Nations Office on Drugs and Crime, "A short introduction to migrant smuggling", *Issue Paper*, 2010; see also Matthias Neske, "Human smuggling to and through Germany", *International Migration*, vol. 44, No. 4 (2006).

[3]Ilse van Liempt, "The social organization of assisted migration", paper presented at the Eighth International Metropolis Conference, Vienna, September 2003.

[4]Jeroen Doomernik, "Tussen daar en hier: van werving tot smokkel", as cited in van Liempt, "The social organization of assisted migration".

review,[5] despite the fact that these phenomena are closely connected with smuggling of migrants in practice.

The overall objective of the report is to enhance the concrete understanding of this phenomenon.

Chapter 2 focuses on the different ways to define and view the smuggling of migrants (e.g. as a migration business, a security threat or a family business). It highlights prevailing confusion between the smuggling of migrants and other forms of organized crime, such as trafficking in persons. The review shows that each of the theories with regard to the smuggling of migrants has brought to light different aspects of the phenomenon; however, used separately, these theories do not manage to capture its many dimensions. Most of the existing literature suffers from a "Western-centric" approach; there is also a lack of literature produced from the perspective of source countries.

Chapter 3 provides a brief overview of the methodologies that are currently applied when researching the smuggling of migrants. Currently, quantitative research methodologies suffer from a lack of reliable data, and efforts to harmonize data-gathering should be pursued, as further discussed in chapter 4. The reviewed literature shows positive developments in qualitative research. Despite great practical difficulties and obstacles, empirical research has developed significantly over the past few years and insight has been gained into the process of the smuggling of migrants, and the actors involved. Knowledge gaps highlighted throughout the review also show that geographical coverage should be more balanced, as there is a critical lack of information about Central, East and southern Africa, Asia, Latin America and the Caribbean.

Chapter 4 discusses the lack of adequate research methodologies and tools available to accurately measure the phenomenon of the smuggling of migrants. The lack of harmonized methodologies makes it very difficult to compare statistical data and give a realistic assessment of the scope of the phenomenon. According to the literature, most research has focused on the smuggling of migrants in Western Europe and North America, and very little is known about the phenomenon elsewhere. The literature reviewed also reveals a dual perspective on the geographical trends and routes used in the smuggling of migrants. Recent research shows that these routes are far more diverse than initially thought and that Western-centric visions may not accurately represent the complex dynamics of the smuggling of migrants. It also shows that organizations involved in the smuggling of migrants may change the routes used as a result of law enforcement strategies.

Chapter 5 considers the information available about the social and educational background of the smuggled migrants, and their role in the smuggling process. The literature reviewed shows disparities in the volume and quality of information available about the profile and characteristics of migrants. Research has been produced primarily by researchers from destination countries; there seems to be little literature produced by transit and source countries. This outsider's perspective might have an impact on the understanding of the characteristics and profiles of the migrants. According to the sources reviewed, there is a lack of specific research devoted to vulnerable migrants—women, unaccompanied minors and refugees—even though they seem to account for an ever-growing proportion of the total number of migrants smuggled worldwide.

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[5]There is no universally accepted definition of irregular migration. Article 3, subparagraph *(b)*, of the Smuggling of Migrants Protocol states that "'illegal entry' shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State". However, the glossary of the International Organization for Migration (IOM) states that irregular migration "refers broadly to the most common forms of irregular migration, notably illegal entry, overstaying and unauthorized work and are defined as movement that takes place outside the regulatory norms of sending, transit and receiving countries", see *International Migration Law: Glossary on Migration* (Geneva, IOM, 2004).

The research reviewed in chapter 6 shows a critical lack of information about smugglers' profiles. Part of the literature relies on stereotypes rather than substantial analysis. Scholars' views can be divided into two perspectives: the criminological and the sociological. While the research that is currently available seems to draw a strict line between the categories of actors involved, future research should take into consideration the fact that migrants may become smugglers themselves in the course of their journey towards the destination country. Sources reviewed generally lack gender and age perspectives; further research on the potential involvement of women and minors in activities related to the smuggling of migrants would be very helpful in gaining a more accurate picture of the persons currently involved in such activities.

Chapter 7 examines the relationship between migrants and smugglers, while chapter 8 considers the organizational structures and actors involved in the smuggling of migrants. Despite the disparities in the quantity and quality of the information available on how smuggling networks are organized, there is a certain consensus that they function according to the "enterprise model", with large numbers of smaller, flexible criminal groups or individuals that interact when necessary. While the question of their link with organized criminal organizations remains controversial, the research available highlights that increasingly sophisticated networks have replaced small-scale businesses in regions where law enforcement strategies to combat the smuggling of migrants are particularly robust.

The literature reviewed in chapter 9 conveys only a partial assessment of the modi operandi used by networks involved in the smuggling of migrants around the world. Although North America and Europe—and to some extent North and West Africa—are relatively well covered, there is little information available about Latin America, East and Central Asia and eastern and southern Africa. Information compiled in this chapter shows the complexity and sophistication of smugglers' modi operandi, in particular, document forgery and parallel banking systems that allow migrants to have access to fairly expensive services. Although by no means comprehensive, the research available highlights the role of corrupt government officials in the smuggling of migrants in origin, transit and destination countries.

Chapter 10 looks at the human and social costs of the smuggling of migrants. According to the sources available, there is a lack of substantial research on the human cost of the smuggling of migrants, and there are disparities in information from one region to another. Age- and gender-sensitive research should be further developed, as testimonies have revealed the extreme vulnerability of women and minors during the smuggling process. Information about the social cost of the phenomenon is still lacking. Future research should be developed in order to create a better understanding of the issue; this would help specialized agencies and decision makers to craft effective awareness-raising programmes and, in the long term, to stem the smuggling of migrants, in full compliance with international standards

The research is based on literature available in English and French, such as journalistic books, reports and academic articles. Research reports published by international organizations and NGOs have also been considered.

Neither the annotated bibliography nor the thematic review pretends to be comprehensive. Rather, they are conceived as a summary of existing knowledge and identified gaps based on the most recent and relevant research available.

It is to be stressed that the level of information available in the different thematic and regional subsections varies greatly because of the imbalance in the quality and the quantity of the research

available. Owing to the abundance of literature produced by Western authors—and more particularly Europeans—the literature review may also suffer from a Eurocentric perspective, despite efforts to remain impartial and objective.

While the review of literature is structured in thematic chapters, each chapter is also divided into regional sub-chapters in order to better illustrate knowledge, gaps and specific issues. The review adopts the following geographical classification:

- Europe (Eastern Europe and Central Asia; Western and Central Europe)
- Africa (West and Central Africa, East Africa, North Africa, Southern Africa)
- Americas (North America, Central America and the Caribbean, South America)
- Asia (East Asia and the Pacific; South and West Asia)

However, given interregional smuggling trends, certain paragraphs depart from this geographical classification, and the author has taken some liberties in grouping certain information for the sake of clarity.

2. Conceptual challenges

This chapter will focus on main features of the problem and different ways to define and conceptualize smuggling of migrants. It will discuss the prevailing confusion between smuggling of migrants and concepts such as irregular migration and trafficking in persons, which may lead to difficulties in quantifying the phenomenon of smuggling of migrants, as statistical data often do not clearly distinguish between irregular migration, trafficking and smuggling. It will then look at the different ways scholars have conceptualized smuggling of migrants (migration business; organized crime and security threat; family business). Throughout this chapter, the influence of certain theories and concepts on decision makers and academic circles will be highlighted.

2.1 Smuggling of migrants and the concepts of irregular migration and trafficking in persons

2.1.1 Irregular migration

The relationship between irregular migration and smuggling of migrants has been discussed in the literature, with most authors acknowledging the crucial role of smuggling of migrants in facilitating irregular migration.

The legal definition of smuggling of migrants finds wide acceptance among the academic community, which usually refers to articles 3 and 6 of the Smuggling of Migrants Protocol. Contrary to the concept of smuggling, the notion of irregular migration does not have a universally accepted definition; however, most academics and experts refer to the definition provided by IOM, which highlights that the most common forms of irregular migration are illegal entry, overstaying and unauthorized work.

In looking at the relationship between the two concepts, Friedrich Heckmann stresses that smuggling of migrants plays a crucial role in facilitating irregular migration, as smugglers may provide a wide range of services, from physical transportation and illegal crossing of a border to the procurement of false documents.[6]

2.1.2 Trafficking in persons

Smuggling of migrants must also be differentiated from the concept of trafficking in persons, defined under article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Trafficking in Persons Protocol) as:

> 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

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[6]Friedrich Heckmann, "Towards a better understanding of human smuggling", *IMISCOE Policy Brief*, No. 5, November 2007.

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 exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.[7]

The academic debate over precise definitions for the concepts of trafficking and smuggling arose only after the mid-1990s, but those concepts were still used interchangeably in academic literature and expert reports published by intergovernmental organizations in the early 2000s.[8] Despite efforts made by scholars to compare and clarify the respective scope of the concepts of smuggling and trafficking, one can still find an improper use of terms in the research, leading to confusion regarding both the quantitative and qualitative analysis of these phenomena.[9]

According to UNODC, there are three basic differences between smuggling of migrants and trafficking in persons, as summarized below:[10]

- *Source of profit.* The primary source of profit and thus also the primary purpose of trafficking in persons is exploitation. In contrast, smugglers generate their profit through facilitating illegal entry or stay. After a migrant has been enabled to illegally enter or stay in a country, the relationship between migrant and smuggler usually ends.

- *Transnationality.* Smuggling of migrants always has a transnational dimension involving at least two countries. The objective of smuggling of migrants is always to facilitate the illegal entry or stay of a person from country A in(to) country B. Trafficking in persons may also involve the illegal entry or stay of a person, but it does not always. The transportation and stay of a victim of trafficking in persons can also occur in a legal way. That is, victims of trafficking are not limited to the group of people who do not have legal opportunities to migrate. Moreover, trafficking in persons may occur within the home country of the victim without involving any border crossings.

- *Victimization.* Smuggling of migrants does not necessarily involve the victimization of the migrant. Smuggled migrants generally consent to be smuggled. However, other crimes are often committed against smuggled migrants during the smuggling process, involving violence or endangerment. It is also possible that smuggled migrants might retract their consent during a smuggling operation.[11] In contrast to smuggling of migrants, trafficking in persons is always a crime against a person. Victims of trafficking have either never consented—e.g. if they have been abducted or sold—or, if they have given initial consent, their consent became meaningless because of the means the traffickers used to gain control over them, such as deception or violence.

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[7] See Article 3 *(a)* of the Trafficking in Persons Protocol.

[8] See, for example, John Salt, "Trafficking and human smuggling: a European perspective", *International Migration*, vol. 38, No. 3, Special Issue No. 1 (2000); Fiona David and Paola Monzini, Rapid Assessment: Human *Smuggling and Trafficking from the Philippines* (United Nations Interregional Crime and Justice Research Institute and Australian Institute of Criminology, November 1999).

[9] See, for example, Benjamin Buckland, "Human trafficking and smuggling: crossover and overlap", in Strategies against Human Trafficking: The Role of Security Sector, Cornelius Friesendorf, ed. (Geneva, Study Group Information, 2009), pp. 137-166; Natalia Ollus, "Protocol against the smuggling of migrants by land, air and sea, supplementing the UN Convention against transnational organized crime: a tool for criminal justice personnel", paper presented at the 122nd international training course, European Institute for Crime Prevention and Control, affiliated with the United Nations, 2000; Australian Institute of Criminology, "People smuggling versus trafficking in persons, what is the difference?", Transnational Crime Brief, No. 2, 2008.

[10] UNODC, "A short introduction to migrant smuggling" (see footnote 2).

[11] According to the Special Rapporteur on the human rights of migrants, the issue of migrants' consent to be smuggled is very complex. Once an irregular migrant is intercepted, it is up to the States to determine the migrant's level of complicity in the mode of irregular entry. Much latitude is then left for the assignment of culpability or, by contrast, of victimization, which is a factor in determining the level of protection that the migrants may receive (see A/HRC/7/12).

The blurred relationship between these two concepts has been discussed intensively by academics,[12] some authors arguing that there is no distinction in practice, as migrants may voluntarily use the services of smugglers and then find themselves in coercive situations and thus become the victims of traffickers.[13] The closeness between smuggling of migrants and trafficking was highlighted by Webb and Burrows in a post-conviction study based on interviews with convicted smugglers and traffickers, published in July 2009 by the United Kingdom Home Office. According to them, activities of trafficking and smuggling overlap, and the overall market can be presented as a continuum between these two extremes, where many initial clients of smuggling operations can end up as victims of traffickers.[14] The fact that these two concepts are so closely connected in practice explains why most of the literature reviewed touches upon both subjects, although more specialized literature focusing predominantly on smuggling has emerged recently.[15]

Beyond the academic discussion, the distinction between trafficked and smuggled migrants has important practical and legal consequences. Trafficked persons qualify as victims and are entitled to legal protection and financial compensation. While acknowledging that the adoption of agreed definitions under the two Protocols is a major achievement, Anne Gallagher, then of UNHCR, initially argued that the imbalance in the regime created by the two Protocols was a clear incentive for national authorities to identify irregular migrants as having been smuggled rather than trafficked.[16] She refined her judgment, however, in an article published in 2009 in which she stressed that protection of the rights of migrants was one of the main objectives of the Smuggling of Migrants Protocol, according to which States have an obligation to preserve and protect the fundamental rights of smuggled migrants, in particular if their lives and safety are endangered through the smuggling process.[17] Empirical research has highlighted, however, that many countries continue to detain and convict smuggled migrants while failing to find better ways to censure the smugglers, who at present enjoy considerable scope for impunity.[18]

2.2   Conceptualization of smuggling of migrants

2.2.1   Smuggling as an illegal migration business

The conceptualization of smuggling as a migration business was formally developed by Salt and Stein in 1997, [19] even if one may find reference to this theory in earlier literature.[20] This new interpretation of the smuggling phenomenon had a great influence on academic circles, and the

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[12]See Rebecca Tailby, "Organised crime and people smuggling: trafficking to Australia", *Trends and Issues in Crime and Criminal Justice*, vol. 208, May 2001. This paper argues that "smuggling" and "trafficking" in human beings are similar concepts. Although in theory there are some important points of distinction, in practice the boundary between these concepts can become blurred.

[13]Alexis Aronowitz, "Smuggling and trafficking in human beings: the phenomenon, the markets that drive it and the organizations that promote it", *European Journal on Criminal Policy and Research*, vol. 9, No. 2 (2001), p. 167.

[14]Sarah Webb and John Burrows, *Organised Immigration Crime: A Post-Conviction Study*, Research Report No. 15 (London, Home Office, 2009).

[15]See, for example, Serge Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (Paris, Hachette, 2008); Sheldon Zhang, *Smuggling and Trafficking in Human Beings: All Roads Lead to America* (Westport, Connecticut, Praeger, 2007); David Kyle and Rey Koslowski, eds., *Global Human Smuggling: Comparative Perspectives* (Baltimore, Johns Hopkins University Press, 2001).

[16]Anne Gallagher, "Trafficking, smuggling and human rights: tricks and treaties", *Forced Migration Review*, vol. 12, 2002.

[17]Anne Gallagher, "Human rights and human trafficking: quagmire or fire ground? A response to James Hathaway", *Virginia Journal of International Law*, vol. 49, No. 4 (2009), p. 839. On this issue see also Tom Obokata, "Smuggling of human beings from a human rights perspective: obligations of non-State and State actors under international human rights law", *International Journal of Refugee Law*, vol. 17, No. 2 (2005), pp. 394-415.

[18]Christopher Horwood, *In Pursuit of the Southern Dream: Victims of Necessity—Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa* (Geneva, International Organization for Migration, 2009), p. 133.

[19]John Salt and Jeremy Stein, "Migration as a business: the case of trafficking", *International Migration*, vol. 35, No. 4 (1997).

[20]Khalid Koser, "Negotiating entry into 'Fortress Europe': the migration strategies of 'spontaneous' asylum seekers", cited in Salt and Stein, "Migration as a business: the case of trafficking", p. 474.

concept was then borrowed by many academics. In a critical analysis of this concept, Herman stresses that the focus of expert discussions then revolved around the notion of a migration industry and its professionalization, in which migrants are seen as "products" and "people who aid migrants are called 'smugglers', and are portrayed as illegal 'entrepreneurs'". [21]

Salt and Stein suggested treating international migration as a global business that has both legitimate and illegitimate sides. The migration business is conceived as a system of institutionalized networks with complex profit and loss accounts, including a set of institutions, agents and individuals each of which stands to make a commercial gain.

The model conceives trafficking and smuggling as an intermediary part of the global migration business facilitating movement of people between origin and destination countries. The model is divided into three stages: the mobilization and recruitment of migrants; their movement en route; and their insertion and integration into labour markets and host societies in destination countries.[22] Salt and Stein conclude their theory by citing the need to look at immigration controls in a new way, placing sharper focus on the institutions and vested interests involved rather than on the migrants themselves.[23]

Aranowitz puts forward a similar view and claims that smuggling could not have grown to such proportions if it were not supported by powerful market forces.[24] Furthermore, Aranowitz argues that smugglers exhibit entrepreneur-like behaviour and circumvent legal requirements through corruption, deceit and threats.[25] They specialize either in smuggling or in trafficking services, and the profit generated varies accordingly.

The migration business theory seems still to be dominant in the literature analysing smuggling trends in North America, South-East Asia and the Pacific region, where smugglers are portrayed as "migration merchants", while the smuggled migrants are considered clients paying for a service.[26] However, it seems that academic views have evolved recently, with a greater number of authors, such as Zhang and Herman,[27] looking at the role of family members and social networks in the smuggling process. While still endorsing the "migration business" theory, authors such as Doomernik and Kyle call for a more nuanced approach, as the empirical reality includes a mix of people with both altruistic and profit-making goals.[28] Empirical research led by Van Liempt and Doomernik in the Netherlands in 2003 and 2004 looked at how smugglers of migrants may depict themselves as serving migrants rather than as profit-makers, despite the fees involved. Equally, migrants may not use the word "smugglers" when they talk about the person who "helped" them.[29] According to Aranowitz, the "Mother of All Snakeheads"—a major Chinese smuggler—

[21] Emma Herman, "Migration as a family business: the role of personal networks in the mobility phase of migration", *International Migration*, vol. 44, No. 4 (2006).

[22] Salt and Stein, "Migration as a business: the case of trafficking", p. 479.

[23] Ibid., p. 485.

[24] Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), p. 171.

[25] Ibid., p. 172.

[26] Andreas Schloenhardt, "Organized crime and the business of migrant trafficking: an economic analysis", paper prepared for the Australian Institute of Criminology, Occasional Seminar Paper, Canberra, 10 November 1999; David Kyle and Zai Liang, "Migration merchants: human smuggling from Ecuador and China", Working Paper, No. 43, San Diego, University of California, Center for Comparative Immigration Studies, October 2001.

[27] Sheldon Zhang, *Chinese Human Smuggling Organizations: Families, Social Networks, and Cultural Imperatives* (Stanford, California, Stanford University Press, 2008); Herman, "Migration as a family business" (see footnote 21).

[28] Jeroen Doomernik and David Kyle, "Introduction", *Journal of International Migration and Integration*, vol. 5, No. 3 (2004).

[29] Ilse van Liempt and Jeroen Doomernik, "Migrant's agency in the smuggling process: the perspectives of smuggled migrants in the Netherlands", *International Migration*, vol. 44, No. 4 (2006); see also Ilse van Liempt, "Inside perspective on the process of human smuggling", IMISCOE Policy Brief, No. 3, August 2007, available from www.imiscoe.org/publications/policybriefs/index.html.

is probably the symbol of the dual reality of smuggling of migrants, as she was a revered figure in New York's Chinatown and considered a saint for "reuniting families".[30]

The importance of altruistic motivation in the smuggling business is also mentioned in the academic literature produced by authors who specialize in the study of the smuggling phenomenon in the Mediterranean region, such as Pastore and Monzini,[31] but also increasingly by experts focusing on smuggling trends from and within West Africa that highlight the (ambiguous) role of relatives and social networks in the recruitment of smuggled migrants. This will be discussed further in chapters 5 and 8. [32]

2.2.2   Smuggling as a security threat (organized crime)

Although focused primarily on the economic aspects of smuggling, the smuggling business theory also looks at the link between smuggling networks and organized crime syndicates. According to Salt and Stein, smuggling of migrants is an established branch of a well-organized "international gangster syndicate".[33]

The concept of "organized criminal group" is defined by article 2 *(a)* of the United Nations Convention against Transnational Organized Crime as a structured group composed of at least three persons, acting in concert with the aim of committing one or more serious crimes to obtain financial or material benefit.[34] However, in many publications, the concept of organized crime is used in a generic sense without referring to the United Nations definition. Naylor has argued that organized crime groups differ from other crime groups in that they specialize in enterprise, have a durable hierarchical structure, employ systemic violence and corruption and extend their activities into the legal economy.[35]

It is almost axiomatic to equate organized crime with smuggling of migrants and trafficking in persons. According to Bhabha, there is a widely held view that smuggling of migrants consists of a "transnational highly structured and tightly controlled multi-million dollar, mafia-like criminal network, transporting in addition to humans, weapons, organs and drugs".[36] Another typical characterization can be found in the work of Ko-Lin Chin, according to whom the Chinese smuggling network can be compared to a dragon: "although it is a lengthy creature, various organic parts are tightly linked".[37]

However, opinions appear to be divided as to the extent to which international organized crime groups are involved in smuggling of migrants. As highlighted by Van Liempt, sources have strong (but often contradictory) views on how smugglers work together.[38]

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[30] Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), p. 177.

[31] Ferruccio Pastore, Paola Monzini and Giuseppe Sciortino, "Schengen's soft underbelly? Irregular migration and human smuggling across land and sea borders to Italy", *International Migration*, vol. 44, No. 4 (2006).

[32] Jørgen Carling, *Migration, Human Smuggling and Trafficking from Nigeria to Europe*, IOM Migration Research Series, No. 23 (Geneva, International Organization for Migration, 2006); see also Florianne Charrière and Marion Frésia, *L'Afrique de l'Ouest comme espace migratoire et espace de protection* (Geneva, Office of the United Nations High Commissioner for Refugees, November 2008), p. 28.

[33] Salt and Stein, "Migration as a business: the case of trafficking" (see footnote 19), p. 472.

[34] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[35] R. T. Naylor, "Mafias, myths and markets: on the theory and practice of enterprise crime", cited in *Results of a Pilot Survey of Forty Selected Organized Criminal Groups in Sixteen Countries* (UNODC, September 2002), p. 4.

[36] Jacqueline Bhabha, "Human smuggling, migration and human rights", working paper prepared for the International Council on Human Rights Policy Review Meeting, "Migration: Human Rights Protection of Smuggled Persons", Geneva, 25-26 July 2006; as an example of this view see Raimo Väyrynen, "Illegal immigration, human trafficking and organized crime", WIDER Discussion Paper, No. 2003/72 (University of Helsinki, Finland and University of Notre Dame, Indiana, United States of America, October 2003).

[37] Ko-Lin Chin, in Kyle and Koslowski, *Global Human Smuggling: Comparative Perspectives* (see footnote 15), p. 45.

[38] Gijsbert van Liempt, *Human Trafficking in Europe: an Economic Perspective*, Working Paper, No. 31 (Geneva, International Labour Organization, June 2004), p. 15; see also Fabrizio Sarrica, "The smuggling of migrants: a flourishing activity of transnational organized crime", *Crossroads*, vol. 5, No. 3 (2005).

Certain sources describe smuggling as the work of stable profit-driven organizations with a clear hierarchy. The Australian Institute of Criminology identifies 10 different categories of agents working in a single migrant-smuggling episode—such as recruiters, transporters, informers and money-launderers—with financers at the top of the organization competent in investing the profits of the activity and supervising the smuggling.[39] Following that line of thought, Narli went further and analysed smuggling of migrants as a security threat, arguing that smuggling networks coexist with "criminal organizations,…guerrillas and terrorists".[40] Recent literature published in the United States refers to the increasing involvement of organized crime networks into migrant-smuggling activities at the Mexico-United States border—such as the powerful Mexican drug cartel Los Zetas. United States authorities observe that the proceeds of migrant-smuggling activities could be used to finance or support terrorist activities.[41]

Other sources reviewed consider that smuggling networks are rather loose horizontal networks without a clear command structure, working flexibly together on an ad hoc basis, if not small family operations consisting of relatives or people from the same village or clan. Most of those involved in smuggling of migrants were found to be ordinary individuals who exploit their social or familial networks to take advantage of emerging opportunities.[42] According to Bilecen, there is an evolution of experts' views regarding the structure and modus operandi of organized crime groups. Europol states that the traditional perception of hierarchically structured organized criminal groups is being challenged. There is now a development suggesting that a greater percentage of powerful organized criminal groups are far more cellular in structure, with loose affiliations made and broken on a regular basis and with less obvious chains of command.[43] However, this analysis has been challenged by the literature recently published in the United States, which has focused on the rise of larger-scale smuggling organizations operating across the Mexico-United States border. According to the United States authorities, smuggling of migrants has become another component of the very powerful Mexican drug cartels' business. Cartels and gangs have control over lucrative smuggling corridors and have gradually replaced the small-scale and part-time smugglers who are embedded in the Mexican migrant community itself.[44]

The organizational structures of smuggling rings and their potential link with organized crime networks will be further discussed in chapters 8 and 9.

2.2.3   Smuggling as a family business

While acknowledging the influence and the validity of the migration business theory, Herman argues that this metaphor provides only part of the answer and should be complemented by a

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[39] Andreas Schloenhardt, *Organised Crime and Migrant Smuggling. Australia and the Asia-Pacific*, Research and Public Policy Series, No. 44 (Canberra, Australian Institute of Criminology, 2002).

[40] Ayse Nilufer Narli, "Human smuggling and migration of illegal labour to Turkey", in *Crushing Crime in South East Europe: A Struggle of Domestic, Regional and European Dimensions—6th Workshop of the Study Group "Regional Stability in South East Europe"*: *Proceedings*, Predrag Jurekovic and Frederic Labarre, eds., Study Group Information (Vienna, National Defence Academy and Bureau for Security Policy, 2003), pp. 61-88; see also Khalid Koser, "Irregular migration, state security and human security", paper prepared for the Global Commission on International Migration, September 2005.

[41] Blas Nuñez-Neto, Alison Siskin and Stephen Viña, "Border security: apprehensions of 'Other than Mexican' aliens", Congressional Research Service Report for Congress, Library of Congress of the United States, September 2005.

[42] Sheldon Zhang and Ko-Lin Chin, "Snakeheads, mules, and protective umbrellas: a review of current research on Chinese organized crime", *Crime Law and Social Change*, vol. 50, No. 3 (2008).

[43] Basak Bilecen, "Human smuggling networks operating between Middle East and the European Union: evidence from Iranian, Iraqi and Afghani migrants in the Netherlands", COMCAD Working Paper, No. 62 (Bielefeld, Germany, Center on Migration, Citizenship and Development, 2009), p. 10.

[44] United States, House Committee on Homeland Security, Subcommittee on Investigations, *A Line in the Sand: Confronting the Threat at the Southwest Border* (2006).

network theory that takes into account non-economic elements, such as the role of social capital in the migration process. The network theory shows that, from places of origin to countries of destination, migrants are connected through ties of kinship, friendship and ethnicity.[45] According to this theory, an expanding network further increases the likelihood of migration, as the social capital reduces the costs and risks of migration. Herman thus demonstrates that family and friends play an active role not only in the migration decision—in particular through material assistance—but also in the integration of the migrant in the destination country.

The network theory has been quite widely used in the literature. For example, two empirical research studies conducted among smuggled migrants in the Netherlands between 1994 and 2001, led by Staring, highlight the role of relatives—including extended family members—and members of ethnic communities living in the Netherlands for the continuation of the irregular migration process.[46]

In line with Herman's view, Staring stresses that family networks may not replace commercial ties but rather are complementary. According to him, professional smuggling organizations still play a determinant role in guiding their clients towards the informal labour market and instruct them on how to succeed in their asylum application. Families and social networks play an active role in practical daily matters, such as finding accommodation. The network theory is also reflected in the literature dealing with smuggling of migrants from Central to North America, referred to by certain authors, such as Spener, as "mom and pop" smuggling.[47]

The network theory also departs from the migration business theory by looking at the migrant as an actor in the migration process and not merely as an object, as in the organized crime theory. Van Liempt and Doomernik have questioned the assumption that smuggled migrants are recruited by criminals and have little to say within the migration process. In their view, the relationship between the smugglers and the smuggled is more complex.[48]

Looking at migrants as actors in the migration process, de Haas also insists on the need to depart from prejudiced views against smuggled migrants. According to him, rather than a desperate response to destitution, migration is generally a conscious choice made by relatively well-off individuals to enhance their livelihoods.[49] Detailed discussions of migrants' profiles and relationships with their smugglers are in chapters 5 and 7.

2.3   Conclusions

Sources reviewed reveal a strong interest among the academic community in analysing the phenomenon of smuggling of migrants from a conceptual perspective. In particular, experts have debated the link between smuggling of migrants and other forms of transnational movement of persons—in particular irregular migration and trafficking in persons. Recent literature has also attempted to improve concrete understanding of smuggling of migrants through the conceptualization of the phenomenon as a migration business, a security threat or a family (network) business.

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[45] Herman, "Migration as a family business" (see footnote 21), p. 198.

[46] Richard Staring, "Facilitating the arrival of illegal immigrants in the Netherlands: irregular chain migration versus smuggling chains", *Journal of International Migration and Integration*, vol. 5, No. 3 (2004), p. 276.

[47] David Spener, "Mexican migrant-smuggling: a cross-border cottage industry", *Journal of International Migration and Integration*, vol. 5, No. 3 (2004).

[48] Van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 173.

[49] Hein de Haas, *The Myth of Invasion: Irregular Migration from West Africa to the Maghreb and the European Union*, IMI Research Report (Oxford, International Migration Institute, October 2007), pp. 20-22.

However, the quality of the information available is somewhat limited, since many authors tend to mix up smuggling of migrants with other forms of organized crime, such as trafficking in persons.

Each of the theories used to conceptualize smuggling of migrants has brought to light different aspects of the phenomenon. However, taken separately, they do not manage to capture the various dimensions of the migrant-smuggling phenomenon. Future research aimed at analysing migrant-smuggling mechanisms should include an approach combining the different theories in order to reflect the complexity of the phenomenon.

Most of the existing literature suffers from a "Western-centric" approach, and there is a perceived lack of literature from the perspective of source countries. Future research including the perspective of those countries would be a valuable contribution to knowledge about smuggling of migrants.

3. Methodology applied for researching smuggling of migrants

This chapter will provide an overview of the methodologies for researching smuggling of migrants as found in the literature. Data sources, which are used to analyse the smuggling process, can be divided into quantitative and qualitative sources. This chapter will also discuss research limitations, in particular the main difficulties in measuring the migrant-smuggling phenomenon accurately and problems in collecting qualitative information.

3.1   Statistical methodologies

Methods to measure and estimate the migrant-smuggling phenomenon are to be analysed within the broader discussion about methods used to quantify irregular migration. A detailed presentation of the various methods for the estimation of irregular migration falls beyond the scope of this review. However, the present section describes the classification developed by Jandl, as it offers a comprehensive and simplified analysis of the existing methods used by international organizations and national administrations to measure irregular migration.[50]

According to Jandl, the fundamental distinction between all estimates on irregular migration is that they refer to one of two distinct statistical concepts: *stocks* (undocumented/illegal residents or irregular migrant workers who reside in a country *at a given time*) or *flows* (illegal migrants who enter a country over a certain period).[51] Most efforts, however, have so far been concentrated on estimating stocks of undocumented migrants rather than flows, given the volatile nature of such flows and the lack of reliable indicators.[52]

Methods for the estimation of stocks of illegal residents can be divided into *direct and indirect approaches*. The direct approach includes, in particular, immigration enforcement data (e.g. apprehended illegal residents), administrative records (e.g. data on regularization of unauthorized residents) and survey data (illegal residents identified through snowball techniques). Jandl identifies a number of indirect approaches, such as residual methods, demographic methods, subjective estimation/indicator methods, econometric methods on the size and structure of shadow economies, comparisons of immigration and emigration statistics and flow-stock methods.[53] Experts and academics may also use combined data sources and estimation techniques. Jandl remarks that there are many methods available to estimate the number of illegal foreign residents (residual estimation technique, multiplier technique, regularization data or surveys). Jandl claims that policymakers nonetheless rely on guesswork rather than on the serious estimation techniques

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[50]"Clandestino: undocumented migration—counting the uncountable data and trends across Europe", project presentation, available from http://clandestino.eliamep.gr/about/.

[51]Michael Jandl, "Methods for estimating stocks and flows of irregular migrants", in *Report on Methodological Issues*, Michael Jandl, Dita Vogel and Krystyna Iglicka (European Commission, Clandestino project, November 2008), p. 20; see Michael Jandl, "The estimation of illegal migration in Europe", *Migration Studies*, vol. XLI, No. 153 (March 2004), pp. 141-155.

[52]Jandl, "Methods for estimating stocks and flows of irregular migrants", p. 20.

[53]Ibid., p. 21.

currently available. Jandl further states that "in most European countries, policymaking in the area of illegal migration is based on guesswork and rumours rather than sophisticated methods of estimation".[54]

According to Heckmann, the quantitative approach is delicate, as it draws on statistics that are collected for administrative purposes and are necessarily incomplete. Therefore existing statistics are in reality only estimates based on extrapolation of data from other sources (such as asylum applications, regularizations and expulsion orders).[55] Salt states that the statistics are often collected in different ways at different times, use diverse terminologies and are not always comparable within a country, let alone from one country to another.[56] Because of the conceptual problems mentioned in chapter 2 above, statistics on trafficking and smuggling are often used interchangeably, thus creating further confusion. Such a critical assessment is supported by ICMPD, which insists that statistics compiled should be used as estimates of smuggling trends within the context of irregular migration rather than as accurate data.[57]

Many of the research papers reviewed lament the lack of reliable data on irregular migration and smuggling. The IOM *World Migration Report 2008* laments that data are often influenced by the methodology utilized and sometimes by the agenda of those reporting on the subject.[58]

Given the difficulties of quantifying smuggling of migrants within irregular migration flows, it is interesting to note that some authors and intergovernmental agencies measure the extent of the smuggling phenomenon on the basis of estimated profit. According to estimates published by Widgren in 1994, migrant-smuggling and human-trafficking business worldwide brings in an annual income of about $5 billion to 7 billion, and might be as profitable as drug smuggling.[59] According to figures quoted by Skelton, the average price for smuggling an illegal migrant from China to the United States of America was estimated to be $30,000 in 1994, each boatload leaving southern China being worth $15.7 million.[60] On the basis of these figures, Skelton estimates that smugglers operating between China and the United States would earn some $3 billion annually.

This approach is strongly criticized by Pastore, Monzini and Sciortino because it treats irregular migration as a transparent world and presents estimates of annual inflows of irregular migrants, and maps, tables, pie charts and graphs informing the reader about current irregular flows, their size and their composition. These authors further criticize the fact there is no critical assessment of the evidence put forward.[61] However, there is a consensus among experts and academics that well-founded research is essential in order to ensure that migration policy initiatives do not have counterproductive effects.[62]

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[54]Jandl, "The estimation of illegal immigration in Europe".

[55]Heckmann, "Towards a better understanding of human smuggling" (see footnote 6), p. 2.

[56]Salt, "Trafficking and human smuggling: a European perspective" (see footnote 8).

[57]Peter Futo, ed., *Yearbook: Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe in 2007—A Survey and Analysis of Border Management and Border Apprehension Data from 20 States* (Vienna, International Centre for Migration Policy Development, 2008).

[58]International Organization for Migration, *World Migration 2008: Managing Labour Mobility in the Evolving Global Economy*, IOM World Migration Report Series (United Nations publication, Sales No. E.07.III.S.8), p. 207.

[59]Jonas Widgren, "Multinational co-operation to combat trafficking in migrants and the role of international organizations", cited in Salt and Stein, "Migration as a business: the case of trafficking" (see footnote 19), p. 472.

[60]R. Skelton, "East Asian migration and the changing world order" cited in Salt and Stein, "Migration as a business: the case of trafficking" (see footnote 19), p. 472.

[61]Pastore, Monzini and Sciorino, "Schengen's soft underbelly?" (see footnote 31), p. 98.

[62]"Clandestino: undocumented migration" (see footnote 51).

3.2   Qualitative methodologies

3.2.1   Interviews with smuggled migrants

Methodological issues

Qualitative information can be extracted from various sources. For example, it can be the outcome of fact-finding missions carried out by researchers in source, transit and/or destination countries, involving interviews with actors in and witnesses of the smuggling process (migrants, migrants' relatives and smugglers). The collection of direct information seems to be the most problematic, and research projects often require a combination of sources, such as interviews and police and court files.[63]

Researchers may face difficulties in interviewing smuggled migrants and persons directly involved in the smuggling process. According to Düvell, Triandafyllidou and Vollmer, migrants are reluctant to participate, as they fear retaliation from smugglers and are also afraid that the information provided might be used against them and lead to deportation.[64] Collyer, however, insists on the difficulties of getting a representative sample and of carrying out a proper interview, given the interviewees' living conditions.[65] Owing to these constraints, the interview technique varies greatly: while some researchers carry out observation in police stations or shelters,[66] others conduct interviews on the basis of a standard questionnaire. Some academics use a mix of interviews and observations.[67]

According to Heckmann, smuggled persons tend to cooperate in interviews when basic conditions are met, such as respect for anonymity, or when the interviewer is a person who comes from the same community as the smuggled person. Smuggled migrants may want to speak out of frustration with the smugglers or, after having achieved safe status, for political reasons.[68] According to Bilecen, command of the migrant's native language seems to be an imperative asset, together with being from the same community.[69] Given the reluctance of smuggled migrants and smugglers, some authors have used tricks such as enrolling as social workers at the reception centre of Sangatte (France) or pretending to be irregular migrants.[70]

Large-scale interview programmes

Two large-scale interview programmes have been implemented by research institutes in the Netherlands: "The unknown city" in 1994 and 1995 and "Illegal immigrants in the Netherlands"

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[63] Matthias Neske and Jeroen Doomernik, "Comparing notes: perspectives on human smuggling in Austria, Germany, Italy, and the Netherlands", *International Migration*, vol. 44, No. 4 (2006), p. 41.

[64] See Franck Duvell, Anna Triandafyllidou and Bastian Vollmer, "Ethical issues in irregular migration research", Research Paper (European Commission, Clandestino project, October 2008), p. 8.

[65] Michael Collyer, "States of insecurity: consequences of Saharan transit migration", Working Paper, No. 31 (Oxford, University of Oxford, Centre on Migration, Policy and Society, 2006), p. 11.

[66] For an example of observation in police stations, see Ilse Derluyn and Eric Broekaert, "On the way to a better future: Belgium as a transit country for trafficking and smuggling of unaccompanied minors", *International Migration*, vol. 43, No. 4 (2005); for an example of observation carried out in social centres see Greta Lynn Uehling, "The international smuggling of children: coyotes, snakeheads, and the politics of compassion", *Anthropological Quarterly*, vol. 81, No. 4 (2008), pp. 833-871; Henri Courau, "'Tomorrow Inch Allah, chance!': people smuggler networks in Sangatte", *Immigrants and Minorities*, vol. 22, Nos. 2-3 (2003), pp. 374-387.

[67] Courau, "'Tomorrow Inch Allah, chance!'".

[68] Heckmann, "Towards a better understanding of human smuggling" (see footnote 6), p. 2.

[69] Bilecen, "Human smuggling networks operating between Middle East and the European Union" (see footnote 43), p. 6.

[70] Regarding Sangatte see Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66); for an example of an author who pretended to be an irregular migrant see Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15).

in 2000 and 2001. The overall objectives of these studies were *(a)* to estimate the total number of illegal immigrants in the Netherlands; *(b)* to present a comprehensive quantitative picture of registered illegality in the Netherlands; and *(c)* to gain more qualitative insight into the migration and integration strategies of illegal immigrants.[71]

Given their practical constraints, academic projects are often limited to interviews in the destination countries,[72] while international organizations have carried out large-scale interviews in origin, transit and destination States.[73] A recent example of multi-country research was the April 2009 IOM research about smuggling of migrants from East Africa and the Horn of Africa to South Africa, based on interviews with more than 800 smuggled migrants and 625 written interview statements.[74] The report offers an assessment of the logistics, economics, causal factors and trends in the smuggling of migrants in the area. It also emphasizes the dynamics of the abuse and exploitation of these irregular migrants during their multi-country journey. The research covered seven countries (Ethiopia, Kenya, Malawi, Mozambique, South Africa, United Republic of Tanzania and Zambia) and multiple locations within each country, including urban centres, border crossings, major mobilization or transport arteries and refugee camps. In many cases, local transport (taxis, buses, trucks and boats) and similar routes (national roads and cross-country routes) were used by researchers in order to interview relevant people along the way and understand the physical journeys taken by the migrants.

3.2.2   Interviews with smugglers

There is a lack of research focusing on the smugglers' perspectives that would allow insight into the subjective dimension of the phenomenon. According to Neske, this gap is understandable since smugglers are not interested in exposing themselves to publicity or law enforcement.[75]

Among the sources reviewed, few studies were based on interviews with smugglers. There is a significant gap in research that attempts to understand smuggling of migrants from the perspective of the offenders themselves. One example of such research is a study by Webb and Burrows that was commissioned by the British Home Office.[76] A key aim of the study, published in 2009, was to strengthen the evidence base by shedding light on issues that had not been explored in previous assessments. The study describes human-trafficking and migrant-smuggling processes, sets out details about smugglers and traffickers and their perceptions of the market, and outlines information about their victims/clients. Finally, it addresses attitudes towards the perceived risks of actions taken by the regulatory authorities.

The value of this research lies in its original approach of focusing on perpetrators rather than victims. Although the prisoner sample was limited and therefore not representative of the whole organized immigration crime market, the study provides valuable insight into the smugglers' and traffickers' perception of their activities and their relationship with the migrants,

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[71] Staring, "Facilitating the arrival of illegal immigrants in the Netherlands" (see footnote 46), p. 277.

[72] See for instance Neske and Doomernik, "Comparing notes: perspectives on human smuggling" (see footnote 63).

[73] Lucile Barros and others, *L'immigration irrégulière subsaharienne à travers et vers le Maroc*, International Migration Papers, No. 54 (Geneva, International Labour Office, 2002).

[74] Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18).

[75] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 131.

[76] Webb and Burrows, *Organised Immigration Crime* (see footnote 14).

together with some information about their organization and modi operandi. The interview techniques used offer a valuable pattern that could be replicated to extend knowledge about smugglers of migrants.

Another example is a research project commissioned by the United States National Institute of Justice and led by Zhang and Chin presenting information collected in 2000 and 2001.[77] The overall objective of the project was to explore the inner workings of Chinese migrant-smuggling organizations through field observations and face-to-face interviews in both China and the United States. Efforts were made to capture a sample that varied widely in terms of geography, roles, type of smuggling and organized affiliation. Some 129 formal and informal interviews were conducted in both countries. In addition to face-to-face interviews, researchers visited villages in Fuzhou and adjacent regions, which experience extensive smuggling activity, and the Chinese communities in New York and Los Angeles. Because of fear of detection by law enforcement and suspicion of the project's purpose, the researchers encountered many difficulties in persuading smugglers of migrants to come forward. The selection of the subjects and their referral networks was thus limited to the initial contacts in the researchers' own personal networks and therefore biased. Still, they were able to collect first-hand data that had far greater detail on the organizational and operational characteristics of the smuggling of Chinese migrants than any previously known report. On the basis of this information, the same authors published additional reports that are still used as reference tools by the academic community.[78] Although the research carried out by Zhang and Chin provide a very solid basis for understanding smuggling of migrants from China, the findings might be obsolete by now and further research should be carried out in order to keep track of recent developments.

3.2.3   Other sources

According to Heckmann, police, asylum and border authorities, social workers and supporting health services are among the main expert groups who have detailed knowledge on irregular migration and smuggling of migrants.[79] Interviews with police investigators have proved to be informative, as well as those with lawyers who defend illegal migrants.[80] Access to data files of intercepted irregular migrants provides valuable knowledge of the smuggling process (journey, fees, smuggling modus operandi). This methodology has been praised by researchers such as Kaizen and Nonnema, Derluyn and Broekaert, as it allows them to review a large number of cases and therefore draw conclusions about a significant sample.[81] Acknowledging that these sources provide useful information, Pastore et al. note that they should be handled carefully, as they are biased towards traumatic journeys and problem-ridden clandestine entries. Indeed, these sources provide information not on the migrant-smuggling phenomenon per se but only on the cases where the smuggling process has failed. The authors further argue that the information collected does not

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[77]Sheldon Zhang and Ko-Lin Chin, "The characteristics of Chinese human smugglers: a cross-national study", report prepared for the United States Department of Justice, National Institute of Justice (San Diego, California, San Diego State University, 2002), available from www.ncjrs.org.

[78]Sheldon Zhang, Ko-Lin Chin and Jody Miller, "Women's participation in Chinese transnational human smuggling: a gendered market perspective", *Criminology*, vol. 45, No. 3 (2007); Sheldon Zhang and Ko-Lin Chin, "Enter the dragon: inside Chinese human smuggling organizations", *Criminology*, vol. 40, No. 4 (2002), pp. 737-767; Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15).

[79]Heckmann, "Towards a better understanding of human smuggling" (see footnote 6), p. 2; see also Neske and Doomernik, "Comparing notes: perspectives on human smuggling" (see footnote 63).

[80]Heckmann, "Towards a better understanding of human smuggling" (see footnote 6), p. 2.

[81]Julie Kaizen and Walter Nonneman, "Irregular migration in Belgium and organized crime: an overview", *International Migration*, vol. 45, No. 2 (2007), pp. 121-146; Derluyn and Broekaert, "On the way to a better future" (see footnote 66).

provide any information about effective smuggling channels that are usually used by migrants with more resources and means. Some caution should also be exercised towards the testimonies of smuggled migrants who have a vested interest in presenting themselves as naive victims who have been cheated by the smugglers.[82]

Although rarely, some researchers have also used court proceedings. While authors such as Drazga-Maxfield and Lewis have looked at court proceedings to measure the efficiency of anti-smuggling policies,[83] authors such as Pastore et al. and Neske have also used court proceedings to reconstruct the organization of a smuggling ring and to provide insight into the strategies used by such groups.[84] Neske, Van Liempt, Doomernik, and Webb and Burrows also highlight that researchers' perceptions might be distorted by the fact that many cases that go to court are those in which a greater number of migrants were smuggled and because of this were prioritized for prosecution.[85]

3.3   Conclusions

The literature reviewed shows a great diversity of research methodologies. The research available might be difficult to use from a comparative perspective, since the indicators and methodology vary from one project to another.

The literature highlights that no source is perfect and a combination of sources is needed in order to get a fair estimate of irregular migration in general, and smuggling of migrants in particular. Currently, quantitative research methodologies suffer from a lack of qualitative data, and efforts to harmonize data-gathering should be pursued.

The literature shows a positive evolution of research based on qualitative sources. Despite great practical difficulties and obstacles, empirical research has developed significantly over the years and has provided insight into the smuggling process and the actors involved. Despite their limitations, studies based on interviews with smugglers of migrants have proved valuable, and transnational research programmes and large-scale interviews have proved to be very useful tools. Similar programmes should be developed.

There is a lack of research available about smugglers of migrants. Most qualitative research focuses on or takes the perspective of the migrants. Source countries should be more closely associated with research programmes in order to have a better understanding of the social context within which smuggling of migrants happens. The knowledge gaps highlighted in the following chapters show that the geographical coverage should be more balanced as there is a critical lack of information available about Central, East and Southern Africa; Asia; and Latin America and the Caribbean.

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[82] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 98.

[83] Linda Drazga Maxfield and Jocelyn Lewis, "The impact of guideline increases on sentencing levels for unlawful alien smuggling", *Federal Sentencing Reporter*, vol. 14, No. 5 (2002).

[84] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 99; see also Paola Monzini, Ferruccio Pastore and Guiseppe Sciortino, *Human Smuggling to/through Italy* (Rome, Centro Studi di Politica Internazionale, April 2004); Neske, "Human smuggling to and through Germany" (see footnote 2).

[85] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 157; van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 172; Webb and Burrows, *Organised Immigration Crime* (see footnote 14), p. 7.

4. The scope of smuggling of migrants

Bearing in mind the methodological limitations on estimating the movement of smuggled migrants in the broader context of irregular migration, this chapter will outline quantitative information about the extent of smuggling of migrants with a focus on subregions and key countries. This information is scattered and/or imprecise for two reasons. Firstly, reports often mix up statistics on and refer interchangeably to irregular migration, trafficking in persons and smuggling of migrants. Secondly, quantitative assessments are limited mainly to smuggling towards industrialized Western countries, while intraregional movements in the southern hemisphere are largely ignored.

This chapter then looks at the current state of knowledge regarding smuggling routes. The literature reviewed reveals a dual perspective. On the one hand, the "traditional" view holds that all smuggling trends are converging towards the industrialized Western States. This perspective is dominant in the literature published in the early 1990s. On the other hand, more recent research shows that smuggling routes are far more diverse and that Western-centric views may not accurately represent the complex dynamics of smuggling of migrants. In any case, the routes outlined below provide only an overview of smuggling routes as described in the literature. Further details about the organization of sea, air and land movements are provided in chapter 9.

4.1 Quantitative assessment by region

4.1.1 Europe

Western Europe

The measurement of irregular migration has been a matter of great debate and interest throughout Europe. According to Salt, there are still enormous gaps in the availability of statistics on international migration in Europe despite a steady improvement during the last decade.[86] Statistical methodologies are slowly being harmonized among European Union member States.[87]

The Clandestino project provides an inventory and a critical appraisal of data and estimates on undocumented migration stocks and flows in selected EU member States where undocumented migration is an important phenomenon.[88] Investigating further the flows of undocumented migration, the project also covers three countries neighbouring EU that serve as important stepping stones towards EU (Morocco, Turkey and Ukraine). Clandestino compares and critically analyses existing methods of data collection and calculation of estimates.[89] While the European Commission had initially estimated

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[86] Salt, "Trafficking and human smuggling: a European perspective" (see footnote 8), p. 37.

[87] European Parliament and Council of the European Union regulation No. 862/2007 of 11 July 2007 on Community statistics on migration and international protection and repealing Council regulation No. 311/76 on the compilation of statistics on foreign workers, cited in *World Migration 2008: Managing Labour Mobility* (see footnote 58), p. 208.

[88] "Clandestino: undocumented migration" (see footnote 50).

[89] See Dita Vogel and Vesela Kovacheva, "Classification report: quality assessment of estimates on stocks of irregular migrants", Working Paper, No. 1 (Hamburg Institute of International Economics, Database on Irregular Migration, December 2008), available from http://clandestino.eliamep.gr.

between 4.5 and 8 million foreign nationals residing in EU territory without a right to legal residence,[90] one of the main conclusions of the Clandestino project is that the aggregate country estimate for EU indicates a much lower level of irregular residence than previously assumed: a maximum of 3.8 million instead of 8 million undocumented immigrants. Furthermore, estimates show a clear decline in the stock of irregular resident populations in the EU 15, which fell from a range of 3.1 to 5.3 million irregular foreign residents in 2002 to a range of 1.8 to 3.3 million in 2008.[91]

In marked contrast with other regions, there have been attempts to develop common European measurement tools in order to give a comprehensive picture of the migrant-smuggling phenomenon throughout the continent, in particular in the European Union. However, it is to be noted that while there has been a strong focus on flows of irregular migrants through Eastern and Southern Europe, there is a lack of quantitative knowledge about other potentially important trends, such as the phenomenon of smuggling of migrants from Latin America and Asia.

Even regarding Western Europe, statistics on smuggling of migrants remain very patchy and there is not even any consensus about rough estimations. The number of people smuggled into EU has been estimated on the basis of the assumption that out of every three illegal migrants, one is caught and two reach their destinations.[92]

The Dutch Immigration and Naturalization Service estimated that, while in 1996, 30 per cent of asylum-seekers entering Europe used the service of smugglers, the number had risen to 60 or 70 per cent by 2000.[93] According to statistics established by a Swiss NGO, 100 per cent of the asylum-seekers arriving in Switzerland would get there by using the services of smugglers.[94] However, according to Staring's much lower estimates, smuggled migrants who arrive in Western Europe constitute anywhere from 15 to 30 per cent of the total of irregular migrants. For asylum-seekers, the figure is estimated at 20 to 40 per cent.[95]

While a detailed breakdown of the nationalities of the smuggled migrants by country of destination falls beyond the scope of that study, it should be noted that the recent perceived increase in irregular Chinese migrants in Europe has aroused some interest among experts and academics. This phenomenon became obvious in the late 1990s and in the early 2000s after large-scale regularization programmes had been carried out in major EU countries, and IOM launched a series of specific reports in order to better understand migration between China and Europe.[96] However, according to statistics published annually by ICMPD, this problem has evolved over time. Figures published in the ICMPD yearbooks on illegal migration show an overall decrease of irregular migration and smuggling of migrants from China to Central and Eastern European countries. The number of Chinese apprehended for border violations in

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[90] See Michael Jandl, Dita Vogel and Krystyna Iglicka, *Report on Methodological Issues* (European Commission, Clandestino project, November 2008), available from http://clandestino.eliamep.gr.

[91] Platform for International Cooperation on Undocumented Migrants, "Report on a workshop organized by the European Commission, DG Research: undocumented and irregular migration—policy developments, data and social implications", Brussels, 13 November 2009.

[92] Friedrich Heckmann and others, "Transatlantic workshop on human smuggling: a conference report", *Georgetown Immigration Law Journal*, vol. 15, No. 1 (2000).

[93] Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), p. 169.

[94] Study carried out by Denise Efionayi-Mäder and others, 2001, cited in Doomernik and Kyle, "Introduction" (see footnote 28), p. 269.

[95] Staring, "Facilitating the arrival of illegal immigrants in the Netherlands" (see footnote 46), p. 276.

[96] Frank Laczko, "Introduction: understanding migration between China and Europe", *International Migration*, vol. 41, No. 3 (2003).

Central and Eastern Europe decreased from more than 5,200 in 2003 to 1,100 in 2006.[97] However, according to the same source, smuggling of Chinese migrants remains a primary concern for Romanian and Latvian authorities, who foresee an increase in irregular migration and smuggling of Chinese migrants. Information available indicates that Chinese migrants use a legal way to enter those countries but then travel onward illegally. The use of falsified documents in the migrant-smuggling process seems to be of increasing concern to those countries. [98]

Nevertheless, according to the sources reviewed, a specific assessment of this smuggling flow of Chinese migrants is yet to be made. The literature available focuses on the issue of irregular migration and working conditions.[99]

Southern Europe

Smuggling of migrants has been a critical issue in Southern Europe since the early 1990s. The literature reviewed focuses on two main smuggling routes: the Greek-Turkish route and smuggling from Africa towards Italy, Malta and Spain. (See also section 4.1.3, on smuggling of migrants from Latin America to Southern Europe.)

According to the IOM, a large number of smuggled migrants are intercepted at the Greece-Turkey border because of Turkey's pivotal role in the larger irregular migration system around the Mediterranean basin.[100] Literature reviewed also reveals the importance of the Greek-Turkish route for Central Asian and Middle Eastern migrants—mainly from Afghanistan, Bangladesh, India, Iraq, Iran (Islamic Republic of) and Palestine—who then travel on to final destinations such as France, Germany, Italy and the United Kingdom.[101] Most of them travel on foot, crossing the land border between Turkey and Greece via the Evros River. The secondary route is by boat, sailing from Turkey to Eastern Aegean islands or to the Greek mainland. According to Antonopoulos and Winterdyck, about 10 per cent of irregular migrants entering Greece come by sea.[102] While it is difficult to provide accurate statistics, the Turkish Ministry of Interior estimates that 400,000 irregular migrants were apprehended in Turkey between 1997 and 2003, and most of them used the services of smugglers. According to research carried out by Içduygu for IOM in 2003, many migrants would have been unable to make the journey to Turkey without the intervention of smugglers. From among the sample used by Içduygu, all Afghan migrants, more than two thirds of Iranians, over half of Iraqis and close to half of all other respondents had had recourse to smugglers to make the journey.[103] According to the 2010 UNODC report on smuggling of migrants in the Mediterranean region, irregular migration in Turkey is increasing sharply, and changes in the ethnic composition of the migrants indicate

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[97] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 17.

[98] Ibid., pp. 141 and 172.

[99] See, for example, Pál Nyíri, "Chinese migration to Eastern Europe", *International Migration*, vol. 41, No. 3 (2003), pp. 239-265; Marketa Moore and Czeslaw Tubilewicz, "Chinese migrants in the Czech Republic: perfect strangers", *Asian Survey*, vol. 41, No. 4 (2001), pp. 611-628.

[100] Ahmet Içduygu, *Irregular Migration in Turkey*, IOM Migration Research Series, No. 12 (Geneva, International Organization for Migration, February 2003), p. 19.

[101] Ahmet Içduygu and Sule Toktas, "How do smuggling and trafficking operate via irregular border crossings in the Middle East? Evidence from fieldwork in Turkey", *International Migration*, vol. 40, No. 6 (2002), pp. 25-54.

[102] Georgios A. Antonopoulos and John Winterdyk, "The smuggling of migrants in Greece: an examination of its social organization", *European Journal of Criminology*, vol. 3, No. 4 (2006).

[103] Içduygu, *Irregular Migration in Turkey* (see footnote 100), p. 35.

the formation of new routes, especially from Afghanistan, Iraq and the Horn of Africa.[104] As noted by Clandestino researchers, data on apprehensions at sea borders in Greece should be treated with caution because some apprehensions took place on Greek islands; according to Greek authorities, there were 9,049 apprehensions in 2006, 9,240 in 2007 and 5,332 in the first half of 2008.[105] In 2008 more than 15,000 arrivals of migrants by sea were intercepted in Greece, according to data published by UNHCR.[106] Despite these high figures, Içduygu insists that various aspects of smuggling of migrants between Turkey and Greece are still relatively unknown and "knowledge" might be based partially on speculation.[107]

Smuggling of migrants has also been a critical issue elsewhere in Southern Europe since the early 1990s, with a sharp increase in the number of interceptions of unauthorized migrants along the Italian, Spanish and—to a lesser extent—Maltese coasts since 2000. According to a 2009 UNODC report, about 65,000 illegal migrants landed in Italy, Malta and Spain in 2006. In 2007, about 40,000 illegal migrants arrived in those three countries, representing about 23 per cent of all the illegal border crossings detected by EU that year.[108] According to the same source, the migrants were mainly from sub-Saharan countries, with a large proportion coming from Côte d'Ivoire, Ghana, Liberia, Nigeria and Senegal.[109]

According to Carling, the number of interceptions on the Spanish coast rose steadily through the mid-1990s, more than doubled from 1999 to 2000 and remained steady at about 16,000 to 19,000 per year from 2000 to 2004.[110] De Haas estimates that 15,000 persons from West Africa enter Spain irregularly each year.[111]

According to Lutterbeck, smuggling of migrants is also a matter of growing concern in Malta, although the flows remain comparatively limited. It is estimated that between 1,500 and 2,000 migrants have been smuggled to Malta annually since 2000.[112] Currently, Malta, like Cyprus, is considered a dead-end destination. Landings are nonetheless on the rise: in 2008 the number of migrant arrivals almost doubled from that in 2007, reaching 2,500.[113]

In its July 2009 report, UNODC estimated that some 37,000 migrants arrived in Italy by sea in 2008, an 85 per cent increase over arrivals in 2007. In contrast, the number of migrants arriving in Spain has declined for the last two years.[114] According to the 2010 UNODC report on the smuggling of migrants in the Mediterranean, most of these crossings originate in the Libyan Arab Jamahiriya, mainly in an area close to its border with Tunisia. A remarkable rise in the number of migrants coming to Sicily, not only from the Maghreb but also from sub-Saharan Africa, has been recorded since 2002. Migrants from the Horn of Africa, and even

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[104]UNODC, *Smuggling of Migrants into, through and from North Africa: A Thematic Review and Annotated Bibliography of Recent Publications* (2010), p. 17.

[105]Ibid.

[106]See Office of the United Nations High Commissioner for Refugees: "Key facts and figures".

[107]Ahmet Içduygu, "Transborder crime between Turkey and Greece: human smuggling and its regional consequences", *Southeast European and Black Sea Studies*, vol. 4, No. 2 (2004), p. 297.

[108]UNODC, *Transnational Trafficking and the Rule of Law in West Africa: A Threat Assessment* (July 2009), p. 64.

[109]Ibid., p. 65; see also Hein de Haas, *Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends*, IOM Migration Research Series, No. 32 (Geneva, International Organization for Migration, 2008), p. 28.

[110]Jørgen Carling, "Unauthorized migration from Africa to Spain", *International Migration*, vol. 35, No. 4 (2007), pp. 3-37.

[111]De Haas, *The Myth of Invasion* (see footnote 49), p. 46.

[112]Derek Lutterbeck, "Small Frontiers Island: Malta and the Challenge of Irregular Migration", *Mediterranean Quarterly*, vol. 20, No. 1 (2009), pp. 121-123.

[113]UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104), p. 17.

[114]UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 64.

from Bangladesh, Iraq, Pakistan and Palestine, began to use the Libyan Arab Jamahiriya as a transit point, leaving from its areas bordering Egypt.[115]

As pointed out by Coslovi, in the Mediterranean region the growth of importance of the Libyan Arab Jamahiriya as a transit country corresponds directly to the decrease in importance of routes originating from Albania, Tunisia and Turkey, and to the reduction of flows from Morocco to Spain.[116] In 2007, the appearance of new routes to Italy from outside the Libyan Arab Jamahiriya suggests that smugglers in the Libyan Arab Jamahiriya may have been facing some difficulties, probably owing to a temporary intensification of controls.[117]

In 2008 and 2009, departures from the Libyan Arab Jamahiriya were organized even during the winter, in difficult weather conditions: in total 36,951 landings were recorded in Italy in 2008. According to recent studies, the smugglers relied for a long time on the fact that the Italian authorities would tow vessels found out at sea into Lampedusa port.

Deaths of migrants going to Italy are on the increase.[118] The total number of migrants attempting the journey from Africa to Europe remains unknown, but according to the NGO Fortress Europe, an estimated 1,000 died in 2008 trying to reach Europe by sea.[119]

According to the literature reviewed, there has been a debate about the use of statistics by media and governmental reports, with certain authors arguing that smuggling trends have been artificially inflated. Pastore et al. remark that the continual reference to boat landings has little objective value.[120] According to them, the smuggling operations so often seen on television are spectacular, but the number of migrants smuggled by this means is relatively limited if compared to global figures.[121] Based on data released by the Italian Ministry of the Interior, it has been estimated that in 2005 no fewer than 61 per cent of irregular migrants were overstayers, 27 per cent entered the country by document fraud and only 12 per cent entered the country clandestinely.[122] Andrijasevic similarly states that the migration flows from the Libyan Arab Jamahiriya to Italy were inflated.[123] A 2008 study by the United Nations Office for West Africa draws similar conclusions, according to which only 8 per cent of all migrants entering Spain irregularly arrived by sea.[124]

Table 1. Migrants apprehended at sea borders, Italy, 1999-2008

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Sicily	1973	2782	5504	18225	14017	13594	22824	21400	16585	34540
Sardinia							16	182	1548	1621
Italy	49999	26817	20143	23719	14331	13635	22939	22016	20165	36951

Source: Italian Ministry of Home Affairs, Department of Public Order.

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[115] UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104), p. 15.

[116] Lorenzo Coslovi, "Brevi note sull'immigrazione via mare in Italia e in Spagna", source cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[117] UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104), p. 16.

[118] Ibid.

[119] UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), footnote 217.

[120] Monzini, Pastore and Sciortino, *Human Smuggling to/through Italy* (see footnote 84), p. 4.

[121] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 96.

[122] De Haas, *The Myth of Invasion* (see footnote 49), p. 23.

[123] Rutvica Andrijasevic, "Renounced responsibilities: detention, expulsion, and asylum at the EU's southern border of Libya and Lampedusa", policy study prepared for the Central European University (Budapest, Open Society Institute, 2006), available from www.policy.hu/news/Andrijasevic-ps.

[124] United Nations Office for West Africa, "Migrations irrégulières en provenance d'Afrique de l'Ouest: description du phénomène et analyse des causes et conséquences des flux migratoires", Etudes thématiques, September 2008, p. 25.

Central and Eastern Europe

Figures appear to be more consolidated regarding Central Europe, as statistics have been systematically gathered by ICMPD since 1997. ICMPD provides a nuanced picture of the migrant-smuggling phenomenon in that region and stresses that recourse to the services of smugglers is far from systematic, particularly when it comes to countries with relatively new borders, such as those of the former Yugoslavia and the former Soviet Union. On the other hand, operative data of border services have shown that irregular intercontinental migrants more often need the unlawful services of smugglers.[125] In 2005 apprehensions of smugglers of migrants across the region were stagnating, and the number decreased by 5 per cent between 2006 and 2007 (see table 2). Most smugglers were apprehended in Hungary and Turkey. The most significant decrease in the absolute numbers of apprehended smugglers of migrants has taken place in Slovenia and the Czech Republic.[126]

Table 2. Number of smugglers of migrants apprehended, including foreigners and citizens of the reporting country

Country	2006	2007	Percentage
Turkey	951	1 241	31
Hungary	568	522	-8
Slovenia	634	405	-36
Slovakia	305	278	-9
Bulgaria	161	275	71
Czech Republic	464	269	-42
Poland	291	204	-30
Serbia	186	152	-18
Albania	120	138	15
Bosnia and Herzegovina	82	118	44
Romania	69	46	-33
Ukraine	47	41	-13
Lithuania	19	20	5
Cyprus	15	18	20
Estonia	3	9	200
Total	**3 915**	**3 737**	**-5**

Source: ICMPD.

4.1.2 Africa

North and West Africa[127]

Despite the fact that the phenomenon of smuggling of migrants has been intensively researched in both North and West Africa, there are no consolidated figures available about flows and trends.

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[125] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 24.

[126] Ibid.

[127] Information available from UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

Regional estimates on the irregular migrant population do not exist, but partial evaluations have been done. For example, in 2004 ICMPD estimated that 100,000 to 120,000 irregular migrants crossed the Mediterranean Sea each year, of whom 35,000 were from sub-Saharan Africa, 55,000 from southern or eastern Mediterranean countries and 30,000 from other countries.[128] According to the UNODC report published in 2006, the numbers are higher: possibly as many as 300,000 African migrants each year try to reach Europe without the proper documentation, and smugglers are involved in many of these movements. According to that 2006 UNODC report, at least 200,000 Africans enter Europe illegally every year, while another 100,000 try but are intercepted, and countless others lose their way or their lives.[129]

An overall estimate of smuggling of migrants in North Africa has not yet been made, and too little is known about the share of irregular migrants using smuggling services. However, according to a survey carried out in Morocco, 87 per cent of sub-Saharan migrants arriving in that country used the services of smugglers.[130] As regards Europe, UNODC recently assessed that it is very difficult to travel there clandestinely from Africa without the support of smugglers.[131] According to the same source, the profits of the migrant-smuggling business are at least $300 million per year.[132]

Detailed research carried out by de Haas shows that a relatively small proportion of people from sub-Saharan Africa entering Maghreb countries actually get to Europe. It has been estimated that between 65,000 and 120,000 people from sub-Saharan Africa enter the Maghreb countries overland every year; only between 20 and 38 per cent of them eventually proceed to Europe.[133] While the Libyan Arab Jamahiriya is probably the North African country with the largest number of sub-Saharan migrants,[134] de Haas also insists on the importance of Algeria, Morocco and Tunisia as destination States. According to him, demand for cheap labour is no longer specific to European or Western countries: thousands of irregular migrants are attracted by large developing areas of North Africa, where underground economies are flourishing.[135]

East and Southern Africa

The phenomenon of smuggling of migrants in East and Southern Africa remains largely underresearched. The literature shows that there is a growing phenomenon of smuggling of migrants mainly across the Gulf of Aden (from Somalia to Yemen) and from East Africa and the Horn to South Africa. However, it does not include any comprehensive information about quantitative flows of migrants smuggled.

The April 2009 IOM report assessing the irregular movement of men from East Africa and the Horn to South Africa offers an interesting, although incomplete, assessment.[136] In attempting to establish a realistic number of irregular migrants being handled by smugglers

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[128] Figures quoted in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[129] UNODC, "Organized crime and irregular migration from Africa to Europe" (July 2006), p. 5.

[130] Mohamed Mghari, "L'immigration subsaharienne au Maroc", CARIM Analytic and Synthetic Notes, No. 2008/77, Irregular Migration Series (San Domenico di Fiesole, Italy, European University Institute, 2008).

[131] UNODC, "Organized crime and irregular migration" (see footnote 129), p. 7.

[132] Ibid., p. 19.

[133] De Haas, *The Myth of Invasion* (see footnote 49), p. 47.

[134] United Nations Office for West Africa, "Migrations irrégulières en provenance d'Afrique de l'Ouest" (see footnote 124), p. 17.

[135] De Haas, *The Myth of Invasion* (see footnote 49), p. 22.

[136] Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18).

based on a variety of evidence, the study estimates 17,000 to 20,000 male irregular migrants per year. Not all of these men successfully enter South Africa, but all make at least part of the journey south. Such an estimate is possible only because a large number of the irregular migrants (almost 60 per cent of the Ethiopians and 80 per cent of the Somalis), while en route through Malawi, pass through a camp where registration is disaggregated by nationality. Based on the number of Somalis and Ethiopians registered per year, and the estimate of how many of them pass through Malawi, the report gives an estimate of the number of Somalis and Ethiopians travelling from their home countries towards South Africa.[137]

Table 3 shows the key data (based on actual figures and estimations) used in the IOM report to establish the approximate minimum number of Somali and Ethiopian migrants who attempt to move from the Horn to South Africa each year.[138]

Table 3. Approximate number of Somali and Ethiopian migrants who attempt to move from the Horn to South Africa

Estimate source	Activity and data	Extrapolation for entire year
UNHCR/Government of Malawi and interview findings	Somalis transiting through Malawi per month (30 per cent of 715)	2 600
UNHCR/Government of Malawi and interview findings	Ethiopians transiting through Malawi per month (70 per cent of 715)	6 000
Interviews and Malawi data	Additional migrants arriving in Zimbabwe from Zambia	1 000
Analysis of interviews	Migrants arriving directly by air into South Africa (3 per cent of Somalis, 5 per cent of Ethiopians)	800
Analysis of interviews	Migrants flying to Mozambique or Zimbabwe and then entering South Africa by road	4 000
Analysis of interviews	Migrant sent back by Kenya immigration authorities	3 500-5 200
Total		17 900-19 600

Source: IOM.

Statistical information about smuggling of migrants between Somalia and Yemen has been collected by the Mixed Migration Task Force co-chaired by IOM and UNHCR.[139] According to the statistics published in August 2009, there has been a noticeable increase in migrants crossing the Gulf of Aden, particularly from Somaliland, Puntland and Djibouti, to reach Yemen. From January to August 2009, more than 32,500 people arrived in Yemen by sea compared to 22,500 in 2008. In total, more than 50,000 people arrived in Yemen in 2008. Although the number of Somali asylum-seekers trying to reach Yemen is very high (almost 15,000 between January and early August 2009), in particular after new violence erupted in Mogadishu in May 2009, the statistics reveal that the majority of the people crossing into Yemen are Ethiopians (over 17,500 between January and early August 2009). The total number of arrivals from Ethiopia doubled between 2008 and 2009. The official statistics are not fully accurate; while nearly all Somalis are being registered upon arrival in Yemen, only one Ethiopian in four is registered. According to information published in 2009 by the Mixed Migration Task Force, most of them will avoid the authorities, possibly for fear of being deported.[140] The proportion of people dying during the crossing has been decreasing over

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[137]Ibid., p. 121.

[138]Ibid., p. 122.

[139]"Strengthening the regional approach to migration", Mixed Migration Task Force Update No. 8, August 2009.

[140]Ibid.

recent years. Some 1 per cent of the passengers did not make it to the coast in 2009, compared to 2 per cent at the same date in 2008. In 2007, some 7 per cent of the passengers did not survive the journey.[141]

4.1.3 Americas

North America

The reviewed literature focuses on smuggling of migrants from China to the United States and across the Mexico-United States border.

There is little literature produced about smuggling of migrants to Canada, and the literature reviewed does not offer any quantitative assessment of it. According to Mountz, migrants are not smuggled to Canada on a large scale because Canada is somewhat protected both by geography and by its patrolling and interception practices along its coasts.[142]

The Mexico-United States border is not the only entry point for smuggling of migrants to the United States, but it plays a pivotal role. According to the Pew Hispanic Center, Mexico is not only the major country of origin of irregular migrants to the United States (over 450,000 a year) but also a transit country for irregular migration from Central and South America.[143] It should be noted that migrants crossing that border irregularly come from all over the world, including the Middle East and Asia. Although calculations vary, authors such as Guerette and Clarke remark that the largest flows of illegal immigration into the United States undoubtedly take place along the Mexican border.[144] According to Zhang, there are no comprehensive statistics about smuggling of migrants in the United States. However, the importance of this phenomenon has been assessed on the basis of the number of apprehended illegal migrants along the Mexico-United States border—approximately 900,000 in 2003 and close to 1.5 million in 2004 and 2005.[145] According to the Executive Office for United States Attorneys, the number of convicted smugglers of migrants also rose significantly, from 589 in 1995 to 2,457 in 2004.[146] While in 2005, 93 per cent of apprehended migrants were Mexican nationals, the number of non-Mexican nationals increased dramatically between 2002 and 2005. The majority of these apprehensions took place along the Texas border, and those apprehended came mainly, but not exclusively, from four nations: Brazil, El Salvador, Guatemala and Honduras.[147]

The phenomenon was relatively uncontrolled until the early 1990s, but in 1993 the United States Border Patrol started to implement a series of enforcement campaigns to bring the border under control. According to Cornelius, however, the consequence of these campaigns has been to change the nature of the problem along the Mexico-United States border from one of irregular immigration

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[141] Ibid.

[142] Quoted in Alison Mountz, "Human smuggling and the Canadian State", *Canadian Foreign Policy*, vol. 13, No. 1 (2006), p. 63.

[143] Jeffrey S. Passel, "Estimates of the size and characteristics of the undocumented population" (Washington, D.C., Pew Hispanic Center, 21 March 2005), available from www.pewhispanic.org.

[144] Rob Guerette and Ronald Clarke, "Border enforcement, organized crime and deaths of smuggled migrants on the United States-Mexico border", *European Journal on Criminal Policy and Research*, vol. 11, No. 2 (2005), pp. 159-174.

[145] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 21.

[146] United States of America, Government Accountability Office, *Combating Alien Smuggling: Opportunities Exist to Improve the Federal Response*, document GAO-05-305 (Washington, D.C., May 2005).

[147] Nuñez-Neto, Siskin and Viña, "Border security: apprehensions of 'Other than Mexican' aliens" (see footnote 41), p. 25.

to one of smuggling of migrants.[148] Although no comparative statistics are available, experts remark that smuggling of migrants was a relatively limited phenomenon before 1993, while recent publications assess that 80 per cent of migrants use the services of smugglers.[149]

Torres highlights that, under pressure from the United States Government—and in particular after the adoption of the 1990 Immigration Reform Act and the 1996 Immigrant Responsibility Act—Mexico has developed a comprehensive legal and operational anti-immigration framework and increased the number of apprehensions and deportations.[150] While statistics show a decline in the number of deportations carried out by the Mexican authorities since 2006, experts believe that there is no sign of a general decline in irregular migration from Central to North America. Instead, they point to the development of alternative routes and the use of more effective methods to evade detection.[151] Andreas, for example, argues that the continuous tightening of the Mexico-United States border over recent years seems to have had the effect of diverting the flows of migrants towards less heavily guarded parts of the border, as well as fostering the sophistication of the smugglers.[152] Similarly, in a survey of the impact of the enforcement strategy on the market for smugglers of migrants, Gatthmann shows that irregular migrants have switched from heavily patrolled areas to remote and dangerous crossing routes.[153]

The literature reviewed reveals a marked interest in the smuggling of Chinese migrants to the United States. According to Zhang, Chinese smugglers—"snakeheads"—have received much media and political attention for having managed to bring immigrants into the United States by maritime vessels, including by means of offshore transfers of migrants and transit through South and Central America, Canada and Mexico.[154] According to IOM statistics published in 2000, the number of irregular migrants from China smuggled to the United States annually was then estimated at about 50,000,[155]and the United States Government estimated in 2008 that 30,000 to 40,000 Chinese are smuggled into the United States each year. Researchers and academics, however, believe that the figure is anywhere from 50,000 to 100,000.[156]

Smuggling of migrants and irregular migration within Latin America

While intraregional migration in Latin America has continuously declined, there has been a spectacular increase in migration towards the United States. As previously mentioned, there has been a great increase in migrants smuggled to the United States, particularly from Brazil, El Salvador, Guatemala and Honduras.[157] Intraregional migration flows—both regular and irregular—remain substantial in the Andean region in particular (with migrants from Colombia and Ecuador going to Venezuela) and to a lesser extent into the Southern Cone (with Brazilians, Paraguayans and Uruguayans migrating to

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[148]Wayne A. Cornelius, "Death at the border: efficacy and unintended consequences of US immigration control policy", *Population and Development Review*, vol. 27, No. 4 (2001), pp. 661-685.

[149]Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 21.

[150]Ariadna Torres, "Human smuggling: policies, practices and legislation (Mexico 2000-2003)", working paper prepared for the International Council on Human Rights Policy "Migration: Human Rights Protection of Smuggled Persons", Geneva, 25-26 July 2006.

[151]*World Migration 2008: Managing Labour Mobility* (see footnote 58), p. 212.

[152]Peter Andreas, *Border Games: Policing the U.S.-Mexico Divide*, cited in Derek Lutterbeck, "Policing migration in the Mediterranean", *Mediterranean Politics*, vol. 11, No. 1 (2006), p. 60.

[153]Christina Gathmann, *The Effects of Enforcement on Illegal Markets: Evidence from Migrant Smuggling along the Southwestern Border*, Discussion Paper, No. 1004 (Bonn, Institute for the Study of Labor, January 2004).

[154]Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 18.

[155]Ronald Skeldon, *Myths and Realities of Chinese Irregular Migration*, IOM Migration Research Series, No. 1 (Geneva, International Organization for Migration, 2000).

[156]All figures quoted in Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 19.

[157]Nuñez-Neto, Siskin and Viña, "Border security: apprehensions of 'Other than Mexican' aliens" (see footnote 41), p. 25.

Argentina and Peruvians and Bolivians to Chile).[158] Costa Rica has attracted a substantial number of migrant workers concentrated mainly in agriculture. According to the Costa Rican authorities, there were 50,400 seasonal migrant workers in the agricultural sector in 2002/2003, of whom 81 per cent were undocumented.[159] While the existence of smuggling rings to facilitate intraregional emigration in Latin America and the Caribbean countries is mentioned by authors such as Sanchez and Alvarado, the literature reviewed does not provide any comprehensive quantitative analysis of this phenomenon, with most figures focusing only on irregular migration.[160]

The literature provides sporadic figures regarding smuggling of migrants in the Caribbean countries. In an article published in 2003, Thomas-Hope notes that there are only rough estimates of the number of migrants who actually land at their various destinations, and there are no detailed statistics available on illegal entry to the islands of the Eastern Caribbean.[161] She also argues that most irregular migrants moving into the Caribbean are from China. In the early 2000s, a large number of Chinese migrants were smuggled annually into the area, including the United States, by organized rings and syndicates. Many of those destined for the United States land first in the Caribbean, especially on the islands of the Eastern Caribbean, or in Central America, and later attempt to reach the United States.[162] According to Kyle and Scarcelli, intra-Caribbean migration has evolved radically since the Haitian coup in 1991, when the United States became overwhelmed by ten of thousands of Haitian "boat people", leading the United States Government to enforce the suspension of entry for all undocumented Haitian migrants.[163] As a result, the number of attempts by irregular migrants to reach Florida substantially decreased and the migration route was switched towards other Caribbean islands, especially the Bahamas and the Dominican Republic.[164] The sources reviewed did not include any comprehensive statistics about smuggling of migrants from Haiti to other Caribbean Islands but according to the 2008 IOM *World Migration Report 2008*, there are 50,000 to 700,000 Haitians living in the Dominican Republic without residence permits, while it is estimated that 40,000 to 50,000 Haitians reside in the Bahamas.[165] Furthermore, according to figures released in 2002 by the Ministry of Foreign Affairs of the Bahamas and the authorities in the Turks and Caicos Islands, about 6,000 irregular Haitian migrants were intercepted in their territorial waters. Migrants are usually smuggled in undocumented boats operated by smuggling rings.[166]

Smuggling of migrants and irregular migration from Latin America to Europe

Although migration to Europe from Latin America has grown rapidly over the last decade, there is still a critical lack of research about that phenomenon as underlined by Padilla and Peixoto on the occasion of the expert workshop held within the framework of the 2006 Metropolis Conference.[167]

[158] Iván González Alvarado and Hilda Sánchez, "Migration in Latin America and the Caribbean: a view from the ICFT/ORIT" *Labour Education*, 2002/4, No. 129.

[159] Cited in W*orld Migration 2008: Managing Labour Mobility* (see footnote 58), p. 213, footnote 20.

[160] Alvarado and Sánchez, "Migration in Latin America and the Caribbean".

[161] Elizabeth Thomas-Hope, "Irregular migration and asylum seekers in the Caribbean", Discussion Paper, No. 2003/48 (Helsinki, United Nations University, World Institute for Development Economics Research, 2003).

[162] Ibid., p. 5.

[163] David Kyle and Marc Scarcelli, "Migrant smuggling and the violence question: evolving illicit migration markets for Cuban and Haitian refugees", *Crime, Law, and Social Change*, vol. 52, No. 3 (2009).

[164] W*orld Migration 2008: Managing Labour Mobility* (see footnote 58), p. 213.

[165] Ibid.

[166] Thomas-Hope, "Irregular migration and asylum seekers in the Caribbean" (see footnote 161), p. 8.

[167] Beatriz Padilla and João Peixoto, "Latin American Immigration to Southern Europe", *Migration Information Source*, June 2007, available from www.migrationinformation.org.

In a comprehensive study of irregular migration from Latin America to Europe, Pellegrino held that most of the flows are directed towards southern European countries, although other European countries have also seen significant increases.[168] Poverty and economic hardship caused by the recession in Latin America, together with the tightening of visa regimes in the United States after 11 September 2001, have been major causes of increased flows.

A limited study was carried out jointly by INTERPOL and Frontex in January 2007, based on questionnaires sent to German and Italian law enforcement authorities. However, owing to its limited scope, the study does not include any comprehensive statistics, and its focus is on irregular migration and trafficking for the purpose of sexual and labour exploitation.[169]

4.1.4   Asia

East Asia and the Pacific

As already mentioned there have been some attempts to measure trends in smuggling of migrants between China and the United States (see section 4.1.3 above). According to the literature reviewed, the issue of smuggling of migrants in the East Asia and Pacific region has aroused limited interest, in contrast with that of trafficking in persons, in particular trafficking for the purpose of sexual exploitation of women and girls.[170] Further, the figures available are very patchy, with a predominant focus on irregular flows towards Australia. These limitations should therefore be borne in mind, and the information presented here should be seen as only indicative.

In a 2000 report on smuggling of migrants and trafficking in persons from the Philippines, UNICRI and AIC stressed that the absence of accurate statistics on the magnitude of these phenomena in the East Asia and Pacific region could be explained by several factors, including the lack of systems to collect data about smuggling of migrants and the fact that countries in the region use different definitions of smuggling and trafficking.[171] This information was confirmed by the 2008 report of the Pacific Immigration Directors' Conference, highlighted that many countries in the region had still not developed an adequate legal framework to tackle these issues, thus leading to confusion between smuggling of migrants and trafficking in persons.[172] According to the same source, the reported number of migrant-smuggling cases detected in 2007 in the East Asia and Pacific region was 114, involving 209 people smuggled. Australia reported 73 detections involving 135 people being smuggled—the largest number in the region. Other countries in the region each reported only a handful of cases.[173] The numbers reported are surprisingly low if compared to the total number of irregular arrivals

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[168] Adela Pellegrino, *Migration from Latin America to Europe: Trends and Policy Challenges*, IOM Migration Research Series, No. 16 (Geneva, International Organization for Migration, 2004).

[169] International Criminal Police Organization, "Analytical report on the Operation Amazon: smuggling of human beings", January 2007.

[170] For example, Fiona David and Paola Monzini, "Human smuggling and trafficking: a desk review on the trafficking in women from Philippines" (United Nations Interregional Crime and Justice Research Institute and Australian Institute of Criminology, April 2000); see also information enclosed in *World Migration 2008: Managing Labour Mobility* (see footnote 58); and United States, Department of State, *Trafficking in Persons Report: June 2008*, publication No. 11407 (Washington D.C., 2008). Andreas Schloenhardt, "Migrant trafficking and regional security", Fo*rum for Applied Research and Public Policy*, vol. 16, No. 2 (2001), pp. 83-88; Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39); Schloenhardt, "Organized crime and the business of migrant trafficking" (see footnote 26).

[171] David and Monzini, *Rapid Assessment: Human Smuggling and Trafficking from the Philippines* (see footnote 8).

[172] Pacific Immigration Directors' Conference, "People smuggling, human trafficking and illegal migration in the Pacific: a regional perspective", April 2008.

[173] Ibid., p. 21.

at the border (more than 3,500 individuals) and undocumented migrants (about 46,500) reported by Australia for that same year.[174]

Another important gap to be noted is that, although countries such as China (Hong Kong and Taiwan Province), Malaysia, the Republic of Korea and Thailand host a large number of undocumented migrants from neighbouring countries, there are currently no consolidated figures available on the specific issue of smuggling of migrants. According to the IOM *World Migration Report 2008*, Japanese authorities reported approximately 207,000 irregular migrants in 2005, most of whom had arrived legally and overstayed; another estimated 30,000 persons had been smuggled in by boat.[175]

South and South-West Asia

Very little research, few studies and very limited figures are available on smuggling of migrants in South and South-West Asia.

The reviewed migrant-smuggling studies about India do not provide any consolidated statistics, although a 2009 UNODC report on Tamil Nadu provides figures from Chennai airport on deportations for the period January to May 2007. Though the data are for a limited period, they are a significant indicator of the volume of irregular migration. About 140 people are being deported every month to Chennai from other countries or are being prevented from departing by immigration authorities in Chennai.[176]

According to Koser,[177] gauging the scale of smuggling of migrants between either Afghanistan or Pakistan and the United Kingdom is difficult for a number of reasons. First, there is no published work on irregular migration and smuggling of migrants between these countries, and the trends described are derived largely from media reports in Pakistan, various unpublished reports, especially by local NGOs in Pakistan, and interviews with key stakeholders. A second complication is that it is very difficult to distinguish the smuggling of Afghans from Pakistan to the West from that of Pakistanis. Lastly, there are simply no accurate data on the totality of smuggling of migrants from Afghanistan and only indicative figures for the smuggling of Pakistanis. Some sources estimated in 2004 that as many as 500,000 people per year were being smuggled into and out of Pakistan. However, of that number, only a small proportion will be Afghans or Pakistanis being smuggled to the West.[178]

4.2   Overview of migrant-smuggling routes

4.2.1   Migrant-smuggling routes from the perspective of the destination countries

According to some Western authors, such as Koser, Zhang or Schloenhardt, smuggling routes are systematically converging towards high-income countries. According to Zhang, for example, the global geography of migrant-smuggling routes can be divided into four main areas.[179]

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[174]Ibid., p. 12.

[175]Wo*rld Migration 2008: Managing Labour Mobility* (see footnote 58), p. 216.

[176]UNODC, *Smuggling of Migrants from India to Europe and in Particular to the UK: A Study on Tamil Nadu* (New Delhi, Regional Office for South Asia, 2009), p. 8.

[177]Khalid Koser, "Why migrant smuggling pays", *International Migration*, vol. 46, No. 2 (2008).

[178]Ibid., p. 8.

[179]Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), pp. 17-18.

African routes

Zhang observes that one of the major smuggling routes is from Africa through Spain and Italy to other parts of Western Europe.[180] In its *World Migration Report 2008*, IOM gave further details about travel routes from East and West Africa to Europe. The most utilized one originates from the Gulf of Guinea, crosses Mali and the Niger and leads north, through Algeria, where it bifurcates east towards the Libyan Arab Jamahiriya and west towards Morocco. Agadez in the Niger, Gao and Kidal in Mali, and Tamanrasset in Algeria are transit nodes. A different route cuts south-west towards Senegal and Mauritania to cross over to the Canary Islands. The route that originates from East Africa cuts across the Sudan, with Selima as the nodal point, and enters the Libyan Arab Jamahiriya at Kufra, the major port of entry, where migrants stay a short time before proceeding to the coast. Tripoli and Benghazi are the main departure points and Lampedusa the preferred destination.[181] Detailed maps of smuggling routes can be found in numerous studies, such as those published by ICMPD, Charef and Cebrián, and Carling.[182]

According to Lutterbeck, maritime patrols and interceptions of migrants by the Italian and Spanish authorities have led smugglers to also use Malta as a destination country.[183] Malta has recently become a country of destination for an increasing number of immigrants from West African countries, in particular Côte d'Ivoire and Mali.[184] However, this phenomenon remains limited to about 2,500 persons smuggled annually.

Furthermore, recent literature highlights the diversity of the migrant-smuggling phenomenon in North Africa and the Middle East. The Egyptian-Israeli border has in the space of a few years become a point of clandestine passage towards Israel for migrants and asylum-seekers originating mainly from Africa. Despite the fact that illegal border crossing is very risky, smuggling of migrants at the Sinai border has increased dramatically. The Bedouin smugglers of migrants play a role in these crossings, and this border economy perpetuates the old informal and illegal trade routes still controlled by the region's Bedouin population.[185] According to Human Rights Watch, hundreds of tunnels were built between Rafah and Egypt in order to circumvent travel restrictions.[186]

Central Asian routes

According to Zhang, another important migrant-smuggling route extends from Central Asia through Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan to Russia. From there, migrants are smuggled through the Czech Republic, Slovakia and Ukraine to Western Europe and onwards to North America. According to the same author, the Balkan route—with transit points in the Islamic Republic of Iran and Turkey—also plays a pivotal role.[187]

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[180]Ibid.

[181]W*orld Migration 2008: Managing Labour Mobility* (see footnote 58), p. 216.

[182]International Centre for Migration Policy Development, Interactive Map on Migration (i-Map) project available from www. imap-migration.org; Mohammed Charef and Juan Cebrián, "Des pateras aux cayucos: dangers d'un parcours, stratégies en réseau et nécessité de passeurs", *Migrations Société*, vol. 21, No. 125 (2009); Carling, "Unauthorized migration from Africa to Spain" (see footnote 110).

[183]Lutterbeck, "Small Frontiers Island: Malta and the Challenge of Irregular Migration" (see footnote 112), p. 123.

[184]Ibid.

[185]See Lisa Anteby-Yemini, "Migrations africaines et nouveaux enjeux de la frontière israélo-égyptienne", *Cultures & Conflits*, vol. 72, 2008; Human Rights Watch, *Sinai Perils: Risks to Migrants, Refugees, and Asylum Seekers in Egypt and Israel* (New York, 2008).

[186]Human Rights Watch, *Sinai Perils: Risks to Migrants, Refugees* (see footnote 185), p. 37; Human Rights Watch, *Razing Rafah: Mass Home demolitions in Gaza Strip* (New York, 2004).

[187]Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 18.

Although the Central Asian route is one of the foremost, there is still little academic research on it, especially in comparison with the Mediterranean and West African regions. Most of the academic sources reviewed tend to focus on the Greek-Turkish route and the Balkans.[188]

In an extensive report about smuggling routes in Central Asia published in 2006, IOM noted that most of the smuggled migrants transiting through Central Asia come from Afghanistan, Bangladesh, China, India, Pakistan and Sri Lanka. They often enter Central Asia with student, tourist or business visas, obtained under false pretences and cross "green borders" en route. Smuggled migrants from South Asia generally arrive first in Kyrgyzstan and Tajikistan, and then with the help of smugglers travel through Kazakhstan and Russia, passing through Belarus and Poland to enter Western Europe.[189] According to the same source, smuggling of citizens of Central Asian countries to Europe is rarer, as these migrants usually enter legally and then overstay.[190]

Asia-Pacific routes

According to Zhang, another important smuggling route leads from the Middle East and Asia to Oceania, with Australia the number-one destination. Irregular migrants often enter Malaysia first and then Indonesia, where they travel on land to the southern Indonesian islands of Bali, Flores or Lombok; from there they can embark for Australia.[191]

According to the literature reviewed, in most detected cases smuggled migrants come from China, but a number of them also come from South Asian countries such as Bangladesh, India, Myanmar and Sri Lanka. The reported common routes used by smugglers of migrants are believed to start in the Philippines, the Republic of Korea, Singapore or Thailand. The Pacific islands are reported to be used as transit points before movement to Australia, New Zealand, Europe and North America.[192]

According to Lintner, thousands of Chinese migrants are smuggled through the so-called Golden Triangle into the United States, as well as into Australia, Japan, Taiwan Province of China or Europe. While migrants hope to migrate to Western countries they often end up spending months if not years in smuggling hubs run by criminal gangs in one of those places.[193]

American routes

According to Zhang, another important smuggling route leads to North America, with the United States often considered the most desirable destination. In the 1990s, the smuggling of migrants, in particular from China, on ships loaded with hundreds of people landing on the west coast of

[188] See for example, Akis Kalaitzidis, "Human smuggling and trafficking in the Balkans: is it Fortress Europe?", *Journal of the Institute of Justice and International Studies*, vol. 5, April 2005; Lejla Mavris, "Asylum seekers and human smuggling: Bosnia and former Yugoslavia as a transit region", paper presented at the WIDER/UNU Conference on "Poverty, International Migration and Asylum", Helsinki, 27-28 September 2002.

[189] International Organization for Migration, *Baseline Research on Smuggling of Migrants in, from and through Central Asia* (Vienna, IOM, Technical Cooperation Centre for Europe and Central Asia, 2006), pp. 18-19.

[190] Office of the United Nations High Commissioner for Refugees, "Asylum levels and trends in industrialized countries: second quarter 2005", cited in International Organization for Migration, *Baseline Research on Smuggling of Migrants*, p. 20.

[191] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 18.

[192] Pacific Immigration Directors' Conference, "People smuggling, human trafficking and illegal migration" (see footnote 172), p. 23.

[193] Bertil Lintner, "Illegal aliens smuggling to and through Southeast Asia's Golden Triangle", in *Globalizing Chinese Migration: Trends in Europe and Asia*, Pál Nyíri and Igor Saveliev, eds. (Aldershot, Hampshire, Ashgate, 2002), pp. 108-119.

the United States attracted a great deal of media and political attention. According to Skeldon and Sein, the case of the Golden Venture, which grounded itself on a beach to unload 286 smuggled Chinese migrants, became a symbol of this form of smuggling.[194] Because of harsher prosecution policy and stringent control measures subsequently implemented by United States border guards, such events have become less frequent in recent years and new forms of smuggling of migrants have been developed. Zhang remarks that members of migrants holding irregular travel documents are on the rise at United States airports. If they are caught, they immediately petition for political asylum. If not, they will find ways to adjust their legal status or simply overstay.[195]

As discussed earlier, most irregular immigrants enter the United States by crossing the Mexico-United States border (see section 4.2.1).

According to Thomas-Hope, smuggling by sea in the Caribbean also offers an opportunity for migrants to enter the United States or a second Caribbean country. The boats used are undocumented and in many cases operated by smuggling rings. Large boats are usually used if direct travel to the United States is intended, but to reduce the risk of being intercepted by the Coast Guard, the final leg of the journey is made in small boats, usually from archipelagos of the Bahamas or the Turks and Caicos Islands. Cuba, the Dominican Republic and Haiti are the sources of migrants for these irregular movements. Haitians travel chiefly to the Bahamas or the Turks and Caicos Islands, almost always with the intention of relocating to the United States, while Cubans prefer to travel directly to Florida. Haitians and Dominicans also travel eastward to islands having a prosperous tourist industry. The route of irregular migrants from the Dominican Republic has traditionally been across the Mona Passage to Puerto Rico, with the aim of moving on to the United States. More recently, there has been movement from the Dominican Republic to the various Eastern Caribbean islands that could, in the eyes of the migrants, later provide possibilities for entry either to the United States or the European Union. This movement is also characterized by smuggling rings involved in the trafficking of young women and girls destined for prostitution at locations in the Caribbean itself, especially in the former Netherlands Antilles, or in Europe.[196]

4.2.2 Migrant-smuggling routes from the perspective of the source and transit countries

Academics have recently focused more on interregional movements. Their research highlights the importance of migrant-smuggling routes towards countries that are traditionally considered transit destinations.

For instance, Caribbean countries are largely the intended transit stops on the way to the United States, but with the implementation of policies to intercept migrants at sea, many of these intermediary locations become final destinations. These are the nodal points of an established transnational network that sustains the process of irregular migration and smuggling of migrants.[197]

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[194]Quoted in Skeldon, *Myths and Realities of Chinese Irregular Migration* (see footnote 155), p. 7; Andrew J. Sein, "The prosecution of Chinese organized crime groups: the Sister Pig case and its lessons", *Trends in Organized Crime*, vol. 11, No. 2 (2008).

[195]Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 18.

[196]Thomas-Hope, "Irregular migration and asylum seekers in the Caribbean" (see footnote 161), p. 7.

[197]Ibid., p. 2.

On the basis of his research about migration in North African countries, de Haas questioned the validity of the transit migration theory. He believes that this concept is misleading, as it ignores empirical evidence showing that migrants' journeys may take months or years and are generally made in stages. Empirical research also shows that a substantial proportion of labour, student and refugee migrants consider North African countries their primary destination. Further, de Haas believes that the transit migration theory is inadequate, since a substantial proportion of migrants failing or not trying to enter Europe prefer to settle in North Africa rather than to return to their less safe and poorer countries of origin.[198] According to Collyer, increased migration controls have led migrants to delay or call off their departure. The time a migrant will stay in a transit country before embarkation for Europe might be estimated at 15 months.[199] On the basis of interviews with some West African migrants, Robin remarks that it is not uncommon for migrants to spend several years waiting in Morocco before actually crossing the Mediterranean Sea.[200] This analysis is confirmed by a 2009 Frontex report that points to the fact that sea crossings occur in multiple stages, with migrants spending several months travelling and/or working in different hubs along the route.[201] According to Monzini and Hamood, the Libyan Arab Jamahiriya is an attractive destination country.[202] An economy for transit migration has flourished there, especially in cities such as Kufra and Sebha, which now have sizeable established communities of sub-Saharan Africans working mostly in agriculture, allowing them to prepare for their departure.[203]

While the Libyan Arab Jamahiriya remains a preferred destination for economic migrants because of its persistent need for immigrant labour, there were significant changes in migration patterns after 2000, with the mounting xenophobia in the Libyan Arab Jamahiriya and the violent clashes between Libyans and foreign workers. This may have contributed to a diversification and partial westward shift of trans-Saharan migration routes towards Algeria, Morocco and Tunisia.[204] De Haas also observes that North African countries seem to be entering the third phase of their migration transition, characterized by decreasing emigration and increasing immigration. In 2006, the same author published a thorough study on Morocco, which he considers to have become a "labour frontier country".[205] This conclusion is shared by Pliez, who stresses that, owing to ever harsher migration controls at EU external borders, an increasing number of migrants are settling in urban peripheries of cities in the Sahara region, which has gradually become a "migratory space by default".[206]

Empirical research about West Africa carried out by Boni, Charrière and Frésia also highlights the importance of smuggling of migrants and irregular migration towards some West African countries that have relatively attractive economies, such as Côte d'Ivoire, Gabon and Senegal, as well as towards South Africa.[207]

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[198] Hein de Haas, "Irregular migration from Africa to Europe: questioning the transit hypothesis", paper prepared for the International Migration Institute, Oxford University, August 2007, available from www.imi.ox.ac.uk.

[199] Collyer, "States of insecurity: consequences of Saharan transit migration" (see footnote 65), p. 14.

[200] Nelly Robin, "L'immigration subsaharienne en Espagne vue du Sud: entre appel économique et protectionnisme politique", *Migrations Société*, vol. 21, No. 125 (2009).

[201] European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, "The impact of the global economic crisis on illegal migration to the EU" (Warsaw, Frontex, August 2009), available from www.frontex.europa.eu/gfx/frontex/files/justyna/frontex_raport.pdf.

[202] Paola Monzini, "Sea-border crossings: the organization of irregular migration to Italy", *Mediterranean Politics*, vol. 12, No. 2 (2007); Sara Hamood, *African Transit Migration through Libya to Europe: The Human Cost*, Forced Migration and Refugee Studies (Cairo, American University, January 2006).

[203] Hamood, *African Transit Migration through Libya to Europe*, p. 18.

[204] De Haas, *Irregular Migration from West Africa to the Maghreb and the European Union* (see footnote 109), p. 16.

[205] Hein de Haas, "Morocco's migration experience: a transitional perspective", *International Migration*, vol. 45, No. 4 (2006), p. 57.

[206] Olivier Pliez, "Le Sahara libyen dans les nouvelles configurations migratoires", *Revue européenne des migrations internationales*, vol. 16, No. 3 (2000), p. 170.

[207] Tanella Boni, "L'Afrique des clandestins", *Social Science Information*, vol. 47, No. 4 (2008); Charrière and Frésia, *L'Afrique de l'Ouest comme espace migratoire* (see footnote 32), pp. 13-18.

International organizations and researchers are now looking at the growing phenomenon of smuggling of migrants in East Africa (in particular in the region of the Gulf of Aden— see section 4.1.3). According to Médecins sans Frontières, and the Mixed Migration Task Force co-chaired by IOM and UNHCR, thousands of people risk their lives every year to cross the Gulf of Aden to escape conflict, violence, drought and poverty. Owing to the escalation in the conflict in Somalia and the food crisis in parts of the Horn of Africa, these organizations believe that more and more people will join the already large refugee and migrant population in Yemen. Lacking safe and legal alternatives for leaving their country, refugees and migrants have to use the services of smugglers to cross the Gulf of Aden.[208] Most Somalis arrive on the Arab Sea from the area around Bossaso, in Puntland, whereas most Ethiopians undertake the crossing from Obock, in Djibouti, and land on the Red Sea coast.[209]

According to a study published by IOM in 2009, there is an increasing number of male migrants smuggled from East Africa and the Horn to South Africa each year. Irregular migrants from Ethiopia and Somalia have a number of choices in terms of mode of travel, depending on their economic status, but also on the choices offered by smugglers at any particular time. The most direct entry into South Africa involves flying. The alternatives to direct air travel are a combination of limited air travel with additional road travel, a combination of boat and road travel or, the most common choice, overland travel the entire way. In many cases, migrants must walk certain stretches of the journey—in some cases for many days at a time.[210]

Smuggling of migrants within the Central Asian region has aroused some interest, although it is not such a frequent occurrence because of the visa-free regime, which allows Central Asian migrants to cross borders, except those of Turkmenistan and Uzbekistan, without visas. Based on information gathered in 2006 in Kazakhstan, Kyrgyzstan and Tajikistan, IOM reports that smuggling within and through the region occurs because of the difficulty of obtaining a visa and the costs of various certificates necessary for crossing the border.[211] Owing to the great differences in economic levels in Central Asia, labour is one of the most significant driving forces of migration movements in the region. Kazakhstan, for example, serves as a destination country for labour migrants from Kyrgyzstan and Tajikistan.

4.3   Conclusions

This chapter shows the lack of research methodology to accurately measure the phenomenon of smuggling of migrants. The lack of harmonized methodologies makes it very difficult to compare statistical data and get a realistic assessment of the scope of the phenomenon. The literature reviewed also reveals that there is a controversial use of statistics by media and governmental reports, which, according to some authors, tend to artificially inflate smuggling trends.[212]

Moreover, according to the literature available, the bulk of the research has so far been dedicated to the estimation of smuggling of migrants to Western Europe and North America, while very little is known about the volume of smuggling of migrants elsewhere.

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[208]Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees, Asylum Seekers and Migrants Crossing the Gulf of Aden* (June 2008); Mixed Migration Task Force Somalia, "Mixed migration through Somalia and across the Gulf of Aden" (Inter-Agency Standing Committee, April 2008).

[209]For a comprehensive description of the smuggling and migration routes see also Hélène Thiollet, "La mobilité dans la Corne de l'Afrique: entre urgence humanitaire et contrainte sécuritaire", *Migrations Société*, vol. 21, No. 121 (2009).

[210]Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), p. 41.

[211]International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189), p. 20.

[212]Monzini, Pastore and Sciortino, *Human Smuggling to/through Italy* (see footnote 84), p. 4.

Further research would be needed to fill the gaps identified. Research seems particularly needed regarding Central Asia and the Balkans; the Middle East; East and Southern Africa; Latin and Central America; and East, West and South Asia.

The literature reviewed also reveals a dual perspective about geographical trends and smuggling routes. The "traditional" view holds that all smuggling trends are converging towards high-income countries. This perspective is dominant in the literature published in the early 1990s. More recent research based on empirical evidence shows that smuggling routes are far more diverse than initially conceived and that Western-centric visions may not accurately represent the complex dynamics of smuggling of migrants. Information gathered through recent empirical research also shows the adaptability of smuggling organizations, which shift routes in response to law enforcement countermeasures.

Given the potential scope of intraregional movements of smuggled migrants in the southern hemisphere, it would be appropriate to undertake comprehensive research programmes, including an assessment of possible intraregional migrant-smuggling routes.

5. Profiles of smuggled migrants

This chapter includes a general discussion of the characteristics and profile of smuggled migrants. A profile of migrants and potential migrants who pay for services is necessary to understand the smuggling market and the smuggling process. The chapter considers in particular the following issues: the social and educational background of smuggled migrants; the role of the smuggled migrant during the smuggling process; and the presence of vulnerable groups among smuggled migrant populations—i.e. women, minors and refugees.

The migrants' profile will then be analysed with a focus on the different regions of origin, and literature on source and destination countries is considered.

5.1 General profile of smuggled migrants

5.1.1 Social and educational background

According to figures in the IOM *World Migration Report 2008*, the vast majority of migrants around the world are young people, including a great proportion of underage persons.[213] Many developing countries have very young populations: in most African countries and many in Asia, about half of the population is under the age of 14.[214] As stressed by Doomernik and Kyle, such countries encourage their young people to emigrate since they are facing severe underemployment and unemployment.[215] Some authors have considered the role of State authorities—in particular in the Philippines and Spain—in migrant-exporting schemes.[216] Although there are no consolidated global figures on the age pyramid of smuggled migrants, the figures shown by regional research tend to confirm that smuggled migrants are usually recruited from the young population.

There are diverging views about the social and educational backgrounds of smuggled migrants. According to authors such as Aronowitz, smuggled persons are usually the most disadvantaged in their own countries, with poor job skills or little chance of successful employment at home. They are often women and children, as shown by the smuggling and trafficking patterns in countries in Eastern and Central Europe and West Africa.[217] According to IOM, research on the profile of persons using the service of smugglers in Central Asia would present similar characteristics.[218]

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[213] *World Migration 2008: Managing Labour Mobility* (see footnote 58), p. 206.

[214] United States, Central Intelligence Agency, *World Factbook* (Washington, D.C.), available from www.cia.gov/library/publications/the-world-factbook/index.html.

[215] Doomernik and Kyle, "Introduction" (see footnote 28), p. 266.

[216] Christina Siracusa and Kristel Acacio, "State migrant-exporting schemes and their implications for the rise of illicit migration: a comparison of Spain and the Philippines", *Journal of International Migration and Integration*, vol. 5, No. 3 (2004); Kyle and Liang, "Migration merchants: human smuggling from Ecuador and China" (see footnote 26).

[217] Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), pp. 167-168.

[218] International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189).

However, other research shows a more nuanced picture. According to Carling, the financial cost of migration means that sub-Saharan African transit migrants are often not the poorest of the poor.[219] Collyer stresses that in many cases, the precipitating factor in people's decision to risk migrating to Europe is not absolute poverty, but a deterioration in living standards owing to job loss, political upheaval or fear of political persecution in their country of origin, or other circumstances.[220] He further argues that the lack of prospects for self-realization and the inability to meet personal aspirations are strong incentives for migrants.[221] Some authors argue that the profile of migrants has changed since the late 1990s. In the context of West Africa, de Haas notes that relatively well-off individuals and households may consciously choose to migrate in order to enhance their livelihoods.[222] This view is shared by authors who have analysed migration trends in other parts of the world, particularly in Asia and the Middle East.[223] Schematically, migration is often perceived as the best option to improve their livelihood for working poor or young skilled people without prospects in their country of origin. According to UNODC research in India, as well as authors such as Robin, Koser, Herman and Khachani, migrants have to fulfil the families' expectation, in particular where families participate in the financing of the travel.[224]

Some researchers have analysed the profile of migrants in relation to the smuggling methods used. Although scarcely used, this methodology has proved a very useful way to gain insight about smuggled migrants and the organization of the smuggling market. While the most privileged are able to afford an all-inclusive service, including travel documents, with very limited risks of interception, the poorer have to rely on low-cost options with a high rate of failure at border crossings and risks of human rights abuses.[225] The means of transport used may also reflect the degree of necessity for people to leave their country. Regardless of their social background, refugees fleeing conflicts and persecutions may have to embark on a hazardous journey in order to escape violence and destitution.[226]

5.1.2   The role of the smuggled migrant in the smuggling process

Some academics have taken great interest in the role of individual migrants in the migration and smuggling process. There are two schools of thought, as described below.

In the literature analysing smuggling of migrants as a business or as a security threat (see chap. 2), the migrants are often presented purely as objects trapped by criminal networks and moved around like parcels. The description by Salt and Stein is emblematic of this theory, by which migrants seem to have no control over the migration process. These authors divide the smuggling process into

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[219] Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 13.

[220] Michael Collyer, "Undocumented sub-Saharan African migrants in Morocco", cited in Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 13.

[221] Collyer, "States of insecurity: consequences of Saharan transit migration" (see footnote 65).

[222] De Haas, *The Myth of Invasion* (see footnote 49), p. iv.

[223] See, for example, Skeldon, *Myths and Realities of Chinese Irregular Migration* (see footnote 155); Bilecen, "Human smuggling networks operating between Middle East and the European Union" (see footnote 43); UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176).

[224] UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176); Robin, "L'immigration subsaharienne en Espagne vue du Sud" (see footnote 200), p. 87; Koser, "Why migrant smuggling pays" (see footnote 177), p. 21; Herman, "Migration as a family business" (see footnote 21), p. 198; Mohamed Khachani, "La migration clandestine au Maroc", cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[225] Paola Monzini, "Migration: human rights of irregular migrants in Italy", paper prepared for the International Council on Human Rights Policy Review Meeting, "Migration: Human Rights Protection of Smuggled Persons", Geneva 25-26 July 2006; Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31).

[226] Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208).

three stages: (1) the recruitment of migrants in origin countries, (2) the transportation of the migrants from origin to destination countries and (3) the integration into destination countries.[227] This school of thought usually describes the organization and modus operandi of the smuggling process in great detail, while little or no attention is paid to the individual migrants themselves. Van Liempt and Doomernik criticized the Salt and Stein model for presenting migrants as passive actors who simply follow the smugglers, thus ignoring their experiences, motivations and impact on decisions made during the process.[228]

Sociological research focuses on the migrant's role within the smuggling process. In this case, the process is presented as being at least partially the result of an individual choice by the migrant, or, as is most often the case, by his or her community. Some recent literature about the migrant-smuggling process in Africa focuses on the psychological condition of migrants.[229] In this type of literature, the migrant is presented as a subject of the migration process, although he or she cannot control it entirely. The financial means of the migrant—or lack thereof—have an obvious impact on the capacity to control the migration process. According to Van Liempt, individuals act strategically, but the capacity for such action is differentially distributed according to access to resources.[230] According to Van Hear, the choice of destination is very much influenced by the funds available. Migrants with little money are often guided over short distances and dangerous routes. Those with more funds may be able to buy a total package and travel in a more secure way. Besides, those migrants who have to leave quickly do not have time to prepare themselves and have little interaction with the smuggler, at least not in the first phase of the migration process.[231]

For authors such as Doomernik and Kyle, migrants' control over their destiny depends largely on how deeply they are embedded in a transnational community and whether there are ethnic links among migrants.[232] Bilger, Hoffmann and Jandl stress that information provided by migrant networks does not necessarily mean that migrants' knowledge about important aspects of their journey is sufficient. In reality, the gathering of information is often limited to loose contacts or casual telephone conversations, with rumours and hearsay playing a significant role in the decision-making process.[233] This analysis is shared by Van Wijk, who highlights that the migrants interviewed in the course of his research had chosen to go to the destination country—in that case, the Netherlands—on the rather vague basis that it was said to be good.[234]

According to authors such as Bilger and de Haas, a family's expectations seem to have a great influence on the migrants' motivation to reach their destination at any cost.[235] Coureau stresses that although the journey might be a traumatic experience in which the migrant may suffer

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[227] Salt and Stein, "Migration as a business: the case of trafficking" (see footnote 19), p. 477. Please note that the terms "trafficking" and "migrant smuggling" are used interchangeably there.

[228] Van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 166.

[229] See the analysis of UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[230] Van Liempt, "The social organization of assisted migration" (see footnote 3), p. 6.

[231] Nicholas van Hear, "'I went as far as my money would take me': conflict, forced migration and class", cited in van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 179.

[232] Doomernik and Kyle, "Introduction" (see footnote 28), p. 268.

[233] Veronika Bilger, Martin Hofmann and Michael Jandl, "Human smuggling as a transnational service industry: evidence from Austria", *International Migration*, vol. 44, No. 4 (2006).

[234] Joris van Wijk, "Luanda-Holanda: irregular migration from Angola to the Netherlands", *International Migration*, vol. 48, No. 2 (2010).

[235] De Haas, *The Myth of Invasion* (see footnote 49), p. 26; Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry", pp. 71-73.

direct abuses and witness deaths of other migrants—nothing can spoil their determination.[236] According to the report of the German Marshall Fund or authors such as Arab and Sempre Souvannavong, success stories of smuggled migrants increase community pressure: those who do not migrate not only remain poor but are also perceived as lazy.[237] Reports about West African countries support the idea that the migration process is part of the social identity (becoming someone and getting married, versus being poor and marginalized) and receives the blessing of religious and paternal figures of the community.[238]

5.1.3   Vulnerable migrants

The literature reviewed reveals a growing interest in the members of vulnerable groups that may be among the smuggled migrant population, i.e. women, children, asylum-seekers and refugees. This evolution seems to be the result of a more social approach to the issue of smuggling of migrants that has been developed over the last decade, by contrast to earlier research focusing mainly on the organized crime component of the phenomenon. However, information available about smuggling of migrants and the issue of vulnerable migrants is still scattered and limited.

Women and minors

According to the literature reviewed, the vast majority of international migrants tend to be married male heads of household, often from a property-owning class, but this profile has started to change. According to Van Liempt, there is a feminization of smuggling of migrants and a broadening of the range of ages and backgrounds.[239] However, absolute numbers of women migrants are still relatively low.[240]

It is interesting to note that the sociological profile of female migrants has greatly evolved. Research published in the 1990s and early 2000s, such as the reports sponsored by IOM and the German Marshall Fund, would usually equate smuggling of female migrants with women fleeing poverty and ending up in prostitution networks.[241]

While this remains a reality for certain countries, such as Nigeria,[242] it seems that nowadays educated female migrants constitute an ever increasing proportion of the smuggled migrant population.[243] According to Van Liempt, the growing number of smuggled women migrants coming from former Soviet republics can be explained by the fact that traditional ways of

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[236] Courau, "Tomorrow Inch Allah, chance!" (see footnote 66), p. 376.

[237] Heckmann and others, "Transatlantic workshop on human smuggling: a conference report" (see footnote 92); Chadia Arab and Juan David Sempere Souvannavong, "Les jeunes harragas maghrébins se dirigeant vers l'Espagne: des rêveurs aux 'brûleurs de frontières'", *Migrations Société*, vol. 21, No. 125 (2009).

[238] Juliette Hallaire, "La migration irrégulière au départ du Sénégal et à destination de l'Europe", Power Point presentation at an International Organization for Migration workshop, May 2007; Carling, *Migration, Human Smuggling and Trafficking* (see footnote 32), p. 29.

[239] Van Liempt, "The social organization of assisted migration" (see footnote 3), p. 5.

[240] For example, according to the 2006 UNODC report on irregular migration from Africa to Europe, fewer than 5 per cent of irregular migrants in the period 2002-2004 were women; see UNODC, "Organized crime and irregular migration" (see footnote 129), p. 3.

[241] Heckmann and others, "Transatlantic workshop on human smuggling: a conference report" (see footnote 92); International Organization for Migration Studies: "Transit migration in Romania" (Geneva, 1993); "Transit Migration in Hungary" (Geneva, 1994); "Transit migration in Poland" (Geneva, 1994); "Transit migration in Turkey" (Geneva, 1995).

[242] Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 8.

[243] UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

living together and forms of production have largely disappeared in those countries. Van Liempt believes that this evolution has caused a clear break between old and modern cultural beliefs, promoting consumerism and a strong perception of easy access to wealth and success.[244]

Literature about female migrants using the services of smugglers in conflict or post-conflict situations gives a very different analysis of the issue. The proportion of women in conflict areas is much higher, as migration may then be the only survival strategy for the whole family.[245]

Literature focusing on gender issues is revealing with regard to the extreme vulnerability and serious human rights violations experienced by women during their trip to the destination country, and sometimes even after their arrival. There are different opinions about the increasing number of pregnant women among migrants arriving irregularly in the destination countries. According to Carling, there is a belief among women that giving birth to a child in Spain will give them the right to remain in the country.[246] A 2008 report of the French Senate also includes information about female migrants smuggled to Mayotte at a late stage of pregnancy, who hoped to give birth on French territory and thus enable the child to have French citizenship at some point.[247] However, Daniel recorded testimonies of women who were sexually abused and became pregnant during their journey from West Africa to Europe. Victims confessed that smugglers would take away children and give them up for adoption. Sometimes, selling a child for adoption would pay the smuggler's fees.[248]

There is little research with a specific focus on unaccompanied minors among the sources reviewed. The information available highlights the great vulnerability of children under 18 years of age. Research carried out in Belgium and Spain shows that unaccompanied minors are extremely vulnerable to criminal groups and may be pulled into a cycle of exploitation and debt.[249] This finding has been confirmed by the research carried out by Uehling in the United States. She highlights that the debts incurred, ranging from several thousand dollars to come from Mexico or Central America to an average of $50,000 to $70,000 to come from India or China, make children particularly vulnerable to trafficking in persons and other forms of exploitation.[250] Cases reported by Daniel also show that an unintended consequence of a restrictive family reunification regime is to fuel the phenomenon of unaccompanied minors in West Africa.[251] While acknowledging the tensions and contradictions inherent in current practices, Van Wijk stresses that blanket non-removal policies implemented by the Netherlands towards unaccompanied minors from Angola had the perverse effect of fuelling the smuggling process. Another critical problem, according to him, is that migrants would keep silent about the difficulties they faced on their way to Europe and in the destination country, thus feeding the myth of a good life abroad.[252]

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[244] Van Liempt, "The social organization of assisted migration" (see footnote 3), p. 5.

[245] See in particular Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18); Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208); Mixed Migration Task Force Somalia, "Mixed migration through Somalia and across the Gulf of Aden" (see footnote 208).

[246] Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 9.

[247] Henri Torret, *Rapport d'information fait au nom de la commission des finances, du contrôle budgétaire et des comptes économiques de la Nation sur l'immigration clandestine à Mayotte*, Rapports du Sénat, No. 461 (Paris, Sénat, 2008).

[248] Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), pp. 9 and 173.

[249] Derluyn and Broekaert, "On the way to a better future" (see footnote 66), p. 33; Daniel Senovilla Hernández, "Mineurs isolés étrangers en Espagne: une réponse juridique et institutionnelle conforme à la Convention internationale des droits de l'enfant?", *Migrations Société*, vol. 21, No. 125 (2009).

[250] Uehling, "The international smuggling of children" (see footnote 66), p. 834.

[251] Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), p. 238.

[252] Van Wijk, "Luanda-Holanda: irregular migration from Angola to the Netherlands" (see footnote 234), p. 19.

Refugees and asylum-seekers

Research has established that an overwhelming majority of persons seeking asylum, particularly in Europe, use the services of smuggling networks.[253]

The literature reviewed shows that there has been an intense academic debate about the impact of anti-smuggling policies on access to international protection. Koser highlights the inherent contradictions and dilemmas of the smuggling of asylum-seekers: on the one hand, smuggling can provide a valuable service by enabling asylum-seekers to escape persecution and reach asylum; on the other hand, smuggling of migrants can make the already vulnerable even more vulnerable.[254] Koser stresses that States are facing a policy conundrum, i.e. how to protect asylum-seekers from insecurity associated with smuggling without closing the door to international protection. Authors such as Doormenik and Hathaway argue that erecting border controls undermines access to international protection, and recourse to smugglers of migrants creates perverse effects because those who are most in need of international protection cannot afford to pay.[255] Brolan, Morrisson and Klepp insist on the ever increasing danger of systematically breaching the principle of non-refoulement enshrined in article 33(1) of the Geneva Convention relating to the Status of Refugees and other international human rights instruments,[256] if smuggled migrants who are intercepted are immediately returned to places where they may face persecution without any possibility of seeking asylum.[257]

Further research is needed regarding the connections between smuggling and refugee movements.[258] As shown by Coureau in his comprehensive study about smuggling of migrants in the reception centre of Sangatte (France), traffickers in persons and smugglers of migrants recruit clients in refugee camps and reception centres.[259] Heckman et al. mention that smugglers and traffickers raided camps in Albania and the former Yugoslav Republic of Macedonia at the height of the Kosovo crisis, offering their services to refugees.[260] Similar patterns are found in refugee camps in Somalia.[261]

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[253] See table in John Morrison and Beth Crosland, *The Trafficking and Smuggling of Refugees: The End Game in European Asylum Policy?*, Working Paper, No. 39 (Geneva, Office of the United Nations High Commissioner for Refugees, 2000), p. 19; see Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), p. 169.

[254] Thomas Spijkerboer, "The human costs of border control", *European Journal of Migration and Law*, vol. 9, No. 1 (2007), pp. 127-139.

[255] Jeroen Doomernik, "Migration and security: the wrong end of the stick?" cited in Doomernik and Kyle, "Introduction" (see footnote 28), p. 269; James C. Hathaway, "The human rights quagmire of 'human trafficking'", *Virginia Journal of International Law*, vol. 49, No. 1 (2008), pp. 1-27.

[256] Article 33, paragraph 1, of the Convention relating to the Status of Refugees: "No Contracting State shall expel or return ('refouler') a refugee 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" (United Nations, *Treaty Series*, vol. 189, No. 2545).

[257] Morrison and Crosland, *The Trafficking and Smuggling of Refugees* (see footnote 253), p. 32; Claire Brolan, "An analysis of the human smuggling trade and the Protocol against the Smuggling of Migrants by Land, Air and Sea (2000) from a refugee protection perspective", *International Journal of Refugee Law*, vol. 14, No. 4 (2002), pp. 563 and 591; Silja Klepp, "Negotiating the principle of non-refoulement in the Mediterranean Sea: missions, visions and policies at the southern borders of the European Union", Working Paper Series, No. 1 (Leipzig, Research Academy Leipzig, Graduate Centre Humanities and Social Sciences, 2008).

[258] Heckmann and others, "Transatlantic workshop on human smuggling: a conference report" (see footnote 92), p. 6.

[259] Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66).

[260] Heckmann and others, "Transatlantic workshop on human smuggling: a conference report" (see footnote 92), p. 6.

[261] Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208).

5.2   Profiles of migrants: a regional perspective

5.2.1   Europe

Western Europe

Sources reviewed reveal a lack of consistent research on the profile of migrants smuggled to Western Europe. As mentioned above, the research looking at smuggling of migrants from a criminological perspective focuses on the organization and modi operandi of smugglers and largely ignores the role of individual migrants in the smuggling process. While the sociological approach to smuggling of migrants has looked primarily at smuggler-migrant relationships, it also provides some valuable information about the migrants' profile.

While insufficient in terms of quantity, it is interesting to note that the literature available on Western Europe seems to be of better quality than that of other regions, as the sources reviewed include specific information about smuggled migrants instead of relying on general information about irregular migrants. In particular, researchers such as Neske, Bilger, Van Wijk, Van Liempt and Doomernik have compiled solid information about the migrants' profile on the basis of the interviews carried out with a large number of migrants—predominantly asylum-seekers—smuggled to Western Europe.[262] It is also worth underlining Koser's research on the financing of smuggling of migrants from Afghanistan and Pakistan to the United Kingdom, which brings to light the sacrifice endured by households to pay for the journey of young male migrants.[263]

The sources reviewed highlight two main characteristics.

First, there seems to be an evolution of the profile of persons using the services of smugglers, with an increasing number of women and highly qualified professionals among the migrants. Additionally, the increasing number of unaccompanied minors is of particular concern to relevant authorities in Western Europe.

Regarding social and educational background, recent research has challenged the common assumption that smuggled migrants are uneducated young men of rural origin. Coureau carried out research in the reception centre of Sangatte (France), populated at the time predominantly by Kurds, Afghans, Iranians and Albanians (from Kosovo and Albania). While the majority had little education, Coureau points out the great diversity of the social background of the migrants, among whom were engineers, architects, lawyers, journalists and writers. Some 95 per cent of the people living in the camp were single men, and the average age was 24 years.[264]

İçduygu's detailed analysis of irregular transit migration through Turkey confirms that the migration profile has changed over time. The outcome of that study challenges stereotypes of smuggled migrants as young single men who are poor and unskilled, come from a rural background and have little formal education. Indeed, the sample of persons interviewed included both relatively young men and women, of diverse national and ethnic backgrounds, relatively well educated and

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[262] Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233); Neske, "Human smuggling to and through Germany" (see footnote 2); van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), pp. 178-179; van Wijk, "Luanda-Holanda: irregular migration from Angola to the Netherlands" (see footnote 234).

[263] Koser, "Why migrant smuggling pays" (see footnote 177).

[264] Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66), p. 375.

with some experience of living in urban areas.[265] Koser insists on the fact that even though migrants are not necessarily poor, investing in the smuggling of a family member still represents a significant sacrifice—whether in the form of drawing on savings, selling possessions or taking out loans.[266]

In a thorough analysis of smuggling of migrants to and through Germany, Neske points out that the country of origin is an important factor when it comes to the gender composition of smuggled groups of persons. From certain regions of origin with a Muslim majority or "more traditional" societies, the smuggled persons are almost exclusively male (North Africa, Bangladesh and Pakistan). Important exceptions are regions at risk of war or with ongoing wars, where whole families with children are among the smuggled migrants.[267] The increasing number of women among smuggled migrants is also stressed by Içduygu.[268] According to him, there has been a drastic change in the gender distribution of migrants smuggled to and through Turkey. According to statistics released by IOM, in 1995 the proportions were 74 per cent male and 26 per cent female. In the 2001 survey, the proportions were 60 per cent and 40 per cent respectively.

The information available shows that unaccompanied minors make up an increasing proportion of the migrants smuggled to Western Europe. This problem seems to be particularly striking in Spain, where authorities have registered the irregular arrival of a significant number of unaccompanied minors from sub-Saharan countries since 2005. According to official statistics, approximately 1,000 unaccompanied minors entered Spain through the Canary Islands in 2006, and the figures for 2007 and 2008 seem to have stabilized at about 750 minors per year. Interestingly, most of these minors stated that they came without paying smuggling fees, as they had previously worked as fishermen and thus were recruited as crew members.[269] The situation in Spain has consequences in France and Italy, as it seems that unaccompanied minors often travel across the borders. The need to adopt a coordinated strategy to prevent and fight against the smuggling and trafficking of unaccompanied minors at the EU level was acknowledged in September 2009, and EU member States are due to adopt an action plan in 2010.[270]

Second, regardless of their social background, migrants usually have a more or less sophisticated strategy before embarking on the migration process, and some might have strong preferences for the country of destination.

According to Böcker and Havinga, the migrant's decision to migrate is most of all related to networks abroad. Colonial history and language also play a role in determining preferences.[271] However, the study carried out by Herman highlights that the quality of the social and family networks in the country of destination is decisive as migrants will go where they are more likely to receive multiple forms of assistance.[272] The migrant's preference may, however, not be the decisive factor in choosing the country of destination. Monzini highlights that smugglers are careful to select the nationality of the migrants. Because of the high probability of being repatriated as soon as they land, people coming from countries that have signed bilateral repatriation agreements with Italy usually do not enter Italy by these means. Generally, migrants who travel by *carrette del mare*

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[265] Içduygu, *Irregular Migration in Turkey* (see footnote 100).

[266] Koser, "Why migrant smuggling pays" (see footnote 177), p. 13.

[267] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 153.

[268] Içduygu, *Irregular Migration in Turkey* (see footnote 100), p. 29.

[269] Senovilla Hernández, "Mineurs isolés étrangers en Espagne" (see footnote 249), p. 163.

[270] Council of the European Union, document ASIM 87, 1311/09, 11 September 2009.

[271] Anita Böcker and Tetty Havinga, *Asylum Migration to the European Union: Patterns of Origin and Destination* (Nijmegen, Institute for Sociology of Law, 1997).

[272] Herman, "Migration as a family business" (see footnote 21), p. 203.

(boats in poor condition) are those who have a real possibility of being accepted in Europe as asylum-seekers, or those who come from very distant places to which repatriation is prohibitively expensive, such as East Africa.[273]

Eastern Europe

There is a marked contrast between the quality of the literature available about Western Europe and that concerning Eastern Europe and Central Asia. Central Asia is still predominantly analysed as a migration corridor, with the main direction of flow still coming from the east and south-east to Western Europe, although this traditional vision has been challenged by authors such as Futo, Jandl and Karsakova, who insist on the complexity of migration routes and the evolution of Eastern European countries as destination countries.[274] As a consequence, little attention is paid to the profile and motivations of smuggled migrants, while the sources reviewed focus predominantly on the typology of smuggling organizations and "border management" issues.[275]

The ICMPD *2007 Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe* offers a limited description of the profile of the persons using the services of smugglers. The ethnic composition of migrants and smugglers was reported to be mixed, reflecting both the nationalities of smuggled migrants and the ethnic groups living along the migration routes. As a rule, local smugglers provide logistic support for crossing borders illegally. Very often, smugglers and local guides have the same ethnic origin as the migrants, which facilitates communication. Furthermore, common citizenship, the same ethnic origin and/or relationships formed in previous smuggling experiences are important factors promoting cohesion within smaller smuggling networks.[276] Regarding the Balkan region, a more substantive analysis—although rather old—can be found in Mavris. According to her, migrants transiting through the Balkans who use the services of smugglers have much in common. They come mostly from China, Iran (Islamic Republic of), Iraq, Tunisia and Turkey, and some are also from Bangladesh, India, Pakistan, Romania and Sri Lanka. Since the war in Kosovo, Kosovar Albanians are also a population that is often smuggled. Although the countries from which the migrants come are varied, the motivations for leaving are often similar, including human rights abuses, unstable political situations, conflict and poor economies.[277] Except in respect of the Chinese community, sources reviewed do not include any details about the educational and social background of the smuggled migrants, and further research would be needed to establish similarities and differences vis-à-vis the migrant population smuggled to Western Europe.

Interestingly, sources reviewed reveal a marked interest in Chinese migrants smuggled into Central and Eastern Europe (see also section 5.2.4). This is the only community of smuggled migrants in that region that has been the subject of specific research in the literature reviewed. According to information published by Nyíri in 2003, most of the literature is focused on Hungary and the Russian Federation, as these two countries have served as a major reception area for Chinese migration and trade to the rest of Europe.[278] Belarus, the Czech Republic, Romania and Ukraine

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[273] Monzini, "Migration: human rights of irregular migrants in Italy" (see footnote 225), p. 15.

[274] Peter Futo, Michael Jandl and Liia Karsakova, "Illegal migration and human smuggling in Central and Eastern Europe", *Migracijske i etnicke teme*, vol. 21, Nos. 1-2 (2005), pp. 35-54.

[275] See, for example, Kalaitzidis, "Human smuggling and trafficking in the Balkans" (see footnote 188); Antonopoulos and Winterdyk, "The smuggling of migrants in Greece" (see footnote 102).

[276] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 22.

[277] Mavris, "Asylum seekers and human smuggling" (see footnote 188).

[278] Nyíri, "Chinese migration to Eastern Europe" (see footnote 99).

have also been important destination countries for smuggled migrants from China.[279] According to Nyíri, migration to Eastern Europe involves mobile individuals—including a significant percentage of women—who are highly motivated and have an above-average level of education. It originates largely from the urban coastal zones of China, most of which have no tradition of chain migration. [280] It is interesting to note the contrast between the social backgrounds of Chinese migrants smuggled to Eastern Europe and those smuggled to Central Asia. According to a 2006 IOM report, the population of smuggled migrants from South and South-East Asia—including a significant number of Chinese—to Central Asia is predominantly composed of males aged between 20 and 35, from a poor social and educational background, and with little or no previous work experience.[281]

5.2.2 Africa

North and West Africa

Surveys carried out in North and West Africa provide a nuanced picture of migrants. For example, research about Morocco highlights that the profile of Moroccan migrants has changed. In addition to low-skilled persons from poor backgrounds, there is a growing number of well-educated and highly skilled young people, and the percentage of women is on the increase.[282] Research on other North African countries suggests that most migrants are between 20 and 30 years old, belong to a poor middle class, and despite a high level of education, suffer from a lack of opportunities and public health services.[283] Research also indicates that the better educated have a greater propensity to migrate.[284]

Sources reviewed allow similar conclusions to be drawn about migrants from West Africa. In a thorough analysis of smuggling of migrants and irregular migration in West Africa, de Haas argues that common push-pull models viewing poverty as the main cause of African mass migration are inconsistent with evidence that migrants are not among the poorest. Analyses focusing on "African misery" pushing migrants out of the continent tend to obscure migrants' actions and the vital demand side of this migration.[285] In her empirical survey of 321 sub-Saharan migrants in Morocco, Escoffier highlights that 64 per cent had completed their secondary education.[286] Regardless of their social background, Boni highlights that migrants tend to lose their social identity—if not their dignity—throughout the migration process and are frequently called *harraga*—someone who has burned his documents, and therefore has lost his identity and property.[287]

According to Monzini, smuggling of migrants by sea, experienced a rapid increase during the 1990s for two main reasons: it responds to the most urgent migratory pressures, and is the

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[279]International Organization for Migration, "The Chinese immigrants in Central and Eastern Europe: the cases of the Czech Republic, Hungary and Romania" cited in Nyíri, "Chinese migration to Eastern Europe" (see footnote 99), p. 242; Moore and Tubilewicz, "Chinese migrants in the Czech Republic" (see footnote 99).

[280]Nyíri, "Chinese migration to Eastern Europe" (see footnote 99), pp. 250-251.

[281]International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189), p. 19.

[282]Hassen Boubakri, "Transit migration between Tunisia, Libya, and Sub-Saharan Africa: study based on Greater Tunis", cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[283]Chadia Arab, "Le 'hrague' ou comment les Marocains brûlent les frontières", cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[284]UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[285]De Haas, *The Myth of Invasion* (see footnote 49), p. iv.

[286]Claire Escoffier, *Transmigrant-e-s africain-e-s au Maghreb: une question de vie ou de mort* (Paris, L'Harmattan, 2008).

[287]Boni, "L'Afrique des clandestins" (see footnote 207), p. 688.

cheapest sector of the market for irregular migration to Europe.[288] A major change in the ethnic composition of migrants using maritime routes to reach Southern European countries occurred after 2000, when sub-Saharan migrants overtook North Africans as the largest category of people landing in Europe.

While sources reviewed provide detailed information about the social background of migrants, little information has been collected on the decision-making process. Recent research carried out by Frontex includes some limited information about would-be migrants' risk-avoidance strategies, but elements highlighted in the report should be further researched.[289] There is also a lack of studies on ethnicity, though it is clear that the social organization of irregular migration, and partially even of smuggling activities, is based on ethnic ties. Furthermore, there is a lack of studies on gender issues, and focus on minors is almost non-existent.[290]

The literature reviewed also provides limited information about asylum-seekers and refugees. According to de Haas, a significant proportion of sub-Saharan migrants move in order to escape persecution.[291] Based on empirical research with a limited sample of migrants, Collyer estimates that the percentage of migrants in Morocco that would require humanitarian protection would range from 10 to 20 per cent under the strict definition of the 1951 Convention relating to the Status of Refugees and 70 to 80 per cent under more generous humanitarian measures. This sample, however, was not designed to be representative and may therefore be biased towards refugees and asylum-seekers.[292] In her research about smuggling of migrants at the Israeli-Egyptian border, Anteby-Yemini highlights the presence of large groups of Sudanese, Ivorians and Congolese among the irregular migrants. The influx seems to be fuelled by Israel's humanitarian policy regarding these refugees.[293] However, limited information is available in the sources reviewed, and further research would be needed in order to get more specific knowledge about the profile and characteristics of that group.

East and Southern Africa

According to IOM, there are currently large-scale, successful smuggling operations from Somalia and Ethiopia to South Africa. The information presented in this section relies mainly on the research carried out by IOM on the irregular movements of men from East Africa and the Horn to South Africa.[294]

According to IOM report, the vast majority of the smuggled migrants manage to regularize their legal status by applying for asylum. Political victimization and physical insecurity, together with poverty and lack of economic opportunities, seem to be the most important push factors for smuggled migrants from Ethiopia and Somalia. For both communities, the age range is typically 18 to 40 and most are male. Probably fewer than 2 per cent of the migrants smuggled to

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[288] Monzini, "Migration: human rights of irregular migrants in Italy" (see footnote 225), p. 12.

[289] European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, "The impact of the global economic crisis on illegal migration to the EU" (see footnote 201), p. 29.

[290] UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[291] Hein de Haas, "The myth of invasion: the inconvenient realities of African migration to Europe", *Third World Quarterly*, vol. 29, No. 7 (2008), pp. 1305-1322.

[292] Collyer, "States of insecurity: consequences of Saharan transit migration" (see footnote 65), p. 6.

[293] Anteby-Yemini, "Migrations africaines et nouveaux enjeux" (see footnote 185), p. 3.

[294] Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), p. 35.

South Africa are female.[295] According to Médecins sans Frontières, women fleeing insecurity in Somalia usually "settle" in refugee camps inside Somalia—like the ones of Dadaab and Kakuma—or at the Kenya-Somalia border (Dobley). Family reunification can take years, and women are usually flown to South Africa to spare them the hazardous land journey.[296] While the report provides details about the ethnic background of the smuggled migrants, little information is available about the social and educational background of the migrants smuggled from Somalia, but the IOM report indicates that highly educated professionals—such as doctors—fled the country in the early 1990s and settled in South Africa, Australia and New Zealand. The limited economic means of the would-be migrants explains that the vast majority of the migrants smuggled from Somalia and Ethiopia have to travel overland or by sea in extremely precarious conditions, while only 5 per cent of the Ethiopians and 3 per cent of the Somalis fly directly to South Africa, usually with forged documents.[297]

In contrast with Ethiopians and Somalis, Kenyan migrants are smuggled to South Africa primarily for economic reasons and do not seek asylum. Although recent political turmoil may be a causal factor, the majority were young, energetic and enterprising men who simply wanted to seek out better opportunities. According to IOM, most of them do not intend to stay in South Africa and wish to migrate further to the United Kingdom, other destinations in Europe, the United States, the Gulf States or neighbouring countries.[298]

According to the information available from reports by Médecins sans Frontières and UNHCR, the profile of migrants smuggled through the Gulf of Aden between Somalia—mainly the port of Bossaso—and Yemen is quite different from that of those migrating to South Africa.[299]

Although limited research was carried out regarding this region, Médecins sans Frontières estimates that thousands of persons risk their lives every year to cross the Gulf of Aden to escape conflict, violence, drought and poverty. Lacking safe and legal alternatives to leave their countries, refugees and migrants have to use the services of smugglers to cross the Gulf of Aden in extremely precarious conditions.

Based on a sample of persons interviewed by Médecins sans Frontières in 2008 after their arrival in Yemen, about two thirds of the smuggled migrants are Somalis and one third are Ethiopians. Interestingly, Thiollet notes that the number of Eritreans trying to reach Yemen has dramatically decreased since the 1990s, although the political situation of the country has deteriorated during the same time. This can be explained, according to that author, by the fact that Yemen—a traditional host country—has decided to close its doors to Eritreans following the Eritrean Government's adoption of a pro-Israeli position.[300]

Nowadays, the majority of those crossing the Gulf of Aden are men, but approximately 30 per cent are women. Most women travel with their relatives, but a significant number —27 per cent—are travelling on their own. Although most women leave their homeland because of conflict, a number leave their families behind because they have no option but to

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[295] Ibid., p. 35.

[296] Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208).

[297] Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), p. 42.

[298] Ibid., p. 36.

[299] Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208); Mixed Migration Task Force Somalia, "Mixed migration through Somalia and across the Gulf of Aden" (see footnote 208).

[300] Thiollet, "La mobilité dans la Corne de l'Afrique" (see footnote 209), p. 78.

go elsewhere to find a job to support their children. Families are frequently separated, with one or several family members taking the journey and the others staying behind, sometimes because they cannot afford to come all at the same time.

The majority of the people making the dangerous voyage are in their mid-twenties, but there are a few older migrants and also some young children. In cases where their parents have died, young children travel with their relatives.[301] Conditions are so harsh that the mortality rate is at least 5 per cent. The main causes are severe beatings, lack of food and water and suffocation in the holds of the boats. Several interviewees have reported cases where the smugglers threw passengers, including young children, overboard. Cases of suicide have also been reported, where passengers jumped overboard out of desperation and fear.[302]

5.2.3 Americas

Information about the profile of smuggled migrants in the literature reviewed is often limited to general statements about poverty as a major cause of irregular migration. There is a lack of research on migrants' profiles.

Only a few publications, such as those by authors such as Zhang, Scharf and Thomas-Hope, have looked at the breakdown by nationality of the migrants entering the United States with the help of smugglers.[303] These publications stress the variety of nationalities, with a great number of persons coming from the Middle East, Asia and South America.

The literature focusing on specific groups is composed mainly of research on Chinese migrants, and on vulnerable migrants such as unaccompanied minors. Interestingly, there seems to be more research on the profile and characteristics of Chinese smuggled migrants than on other nationalities that statistically constitute larger groups of migrants smuggled into the United States, such as those from Mexico or other Latin American countries.

Research devoted to smuggling of migrants from China to the United States offers limited information about migrants' profiles and motivations. Given the numerical importance of migrants from the Provinces of Fujian, Guangdong and Zhejiang, there has been specific research targeting these regions. According to authors such as Ko-Li Chin or Skeldon, smuggling of migrants to the United States seems to occur in the most developed parts of these provinces.[304] Thus, the root cause of irregular migration may not be poverty but, rather, better knowledge about potential opportunities in the United States.[305] Kyle and Liang stress that recently more and more women and underage individuals are involved, as smuggling is the quickest way for them to be reunited with men who have already been working in the United States for a time and have paid their debts. [306] While migrants leave primarily for economic reasons, Skeldon observes that there are significant Christian populations in coastal

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[301] Mixed Migration Task Force Somalia, "Mixed migration through Somalia and across the Gulf of Aden" (see footnote 208), p. 6.

[302] Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208), p. 4.

[303] Zhang, S*muggling and Trafficking in Human Beings* (see footnote 15); Daniel Scharf, "For humane borders: two decades of death and illegal activity in the Sonoran Desert", *Case Western Reserve Journal of International Law,* vol. 38, No. 1 (2006); Thomas-Hope, "Irregular migration and asylum seekers in the Caribbean" (see footnote 161).

[304] Ko-Lin Chin, *Smuggled Chinese: Clandestine Immigration to the United States*, cited in Skeldon, *Myths and Realities of Chinese Irregular Migration* (see footnote 155), p. 17.

[305] Skeldon, *Myths and Realities of Chinese Irregular Migration* (see footnote 155), p. 17.

[306] Kyle and Liang, "Migration merchants: human smuggling from Ecuador and China" (see footnote 26), p. 19.

parts of Fujian, Zhejiang and Guangdong Provinces. Although no direct linkage between religion and a tendency to emigrate has been established, the adoption of Christianity could stimulate emigration in two ways. First, it contributes to the creation of an identity separate from the majority in provinces that traditionally have been remote from the Chinese central Government. Second, there may be a fear, real or perceived, of persecution, which might encourage people to leave China for the United States.[307]

The literature reviewed provides only limited descriptions of the profile of unaccompanied minors and women smuggled to the United States. There is a consensus in reports published by non-governmental and governmental organizations regarding the very high probability of women being raped or sexually assaulted on their journey to America.[308]

Regarding minors, Uehling led empirical research on 280 children smuggled to the United States. According to her, minors leave their countries of origin for a variety of reasons, such as human rights abuses, armed conflict, gang or forced military recruitment, female genital mutilation, forced marriages, prostitution and life as street children.[309]

It seems that, in most cases, unaccompanied minors smuggled to the United States had been left behind by relatives who themselves had migrated earlier. Uehling's research brings to light the complex social formation that results from the fact that many families are divided by borders. The minor's departure is usually precipitated by the breakdown of the care arrangements in a process that often involves abuse, abandonment or neglect.[310] While authors such as Malkki portray these migrants as pure victims and passive subjects, Uehling stresses that unaccompanied minors have great determination and psychological strength.[311]

Sources reviewed highlight the great vulnerability of children and women to exploitation during the smuggling process and after arrival in the United States. According to Zhang, women and children are particularly vulnerable to exploitation during the smuggling process because the smugglers take advantage of their weaknesses and vulnerability. Being illegal also means they have no access to the legal job market, so smuggled women and children are forced to enter the illegal labour force.[312] According to Uehling, the level of violence against and exploitation of minors is higher among Chinese and Indian smuggling rings than in the Mexican community, and unaccompanied minors arriving in the United States benefit from special protection measures.[313] Spener, however, stresses that Mexican smugglers—called coyotes—are using increasingly violent means against migrants and that the federal system has not fully caught up with changing smuggling dynamics with respect to children and adolescents.[314]

The sources reviewed do not include any specific information about migrants smuggled from or through Latin America. The literature available focuses on the smugglers' modi operandi

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[307]Skeldon, *Myths and Realities of Chinese Irregular Migration* (see footnote 155), p. 17.

[308]United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 17; see report of the Special Rapporteur on the human rights of migrants (A/HRC/7/12).

[309]Uehling, "The international smuggling of children" (see footnote 66), p. 840.

[310]Ibid.

[311]Liisa Malkki, "Speechless emissaries: refugees, humanitarianism, and dehistoricization", cited in Uehling, "The international smuggling of children" (see footnote 66), p. 842.

[312]Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 105.

[313]Uehling, "The international smuggling of children" (see footnote 66), p. 861.

[314]Spener, "Mexican migrant-smuggling" (see footnote 47).

and the organization of the smuggling rings. While according to the 2004 IOM report on migration from Latin America to Europe, the majority of migrants are women with a fairly solid educational background, the report does not include any specifics about smuggled migrants.[315] No conclusions can be drawn at this stage, and further research would be necessary to fill the gap.

5.2.4   Asia

The literature available about East Asia and the Pacific is very limited, often outdated and covers mainly Australia.[316] Even regarding that country, there is limited information and a lack of comparative analysis. For the sake of clarity, the information related to Chinese migrants smuggled to the United States is included in section 5.2.3 (see also section 5.2.1 for information about Chinese migrants smuggled to Europe).

According to a 2008 report of the Pacific Immigration Directors' Conference, migrants smuggled to the Pacific region come primarily from China, while Bangladesh, India, Myanmar and Sri Lanka are also important source countries. According to that report, 67 per cent of those smuggled are adult males and 13 per cent are under 18. Despite the high percentage of adult males, Pacific countries commonly cited the sex industry as the reason for smuggling. This indicates some confusion between smuggling of migrants and trafficking in persons, as well as some misconception about the prime outcomes of smuggling. Work in agriculture, construction and hospitality was also cited.[317]

Among the literature reviewed, only one study provided detailed information about the profile of smuggled migrants from South and West Asia.

In India, the profile of smuggled migrants varies according to the place of origin. According to Saha, in the State of Tamil Nadu, smuggled migrants seem to be primarily low-skilled labourers from rural areas with high unemployment, failed agriculture and debt. Interestingly, he remarks that migrants who leave as unskilled labourers can acquire skills in the destination countries in plumbing, carpentry or other trades.[318] Smuggled migrants from the State of Punjab may be young people from rich agricultural families.[319] Saha stresses that in the case of both Tamil Nadu and Punjab, smuggling of migrants is considered to be a family business since the families are involved in financing the migration process and contacting the smugglers.[320] Sending someone abroad has gradually become a sign of success. The social structure of the village, which had been traditionally based on caste, landholding, family background and educational achievements, has come to be based on the distinction between families that have members in other countries and families that do not.[321]

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[315] Pellegrino, *Migration from Latin America to Europe* (see footnote 168), p. 31.

[316] For instance see William Maley, "Security, people-smuggling, and Australia's new Afghan refugees", *Australian Journal of International Affairs*, vol. 55, No. 3 (2001), pp. 351-370; Schloenhardt, "Organized crime and the business of migrant trafficking" (see footnote 26).

[317] Pacific Immigration Directors' Conference, "People smuggling, human trafficking and illegal migration" (see footnote 172), p. 21.

[318] UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), p. 27.

[319] K. C. Saha, "Smuggling of Indian citizens: preliminary findings", *Journal of Immigrant and Refugee Studies*, vol. 5, No. 1 (2007), pp. 55-69.

[320] Ibid., p. 63.

[321] UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), p. 28.

5.3   Conclusions

The literature reviewed shows great variety in the volume and quality of information about the profile and characteristics of migrants. The primary interest of researchers seems to lie in the organizational aspects of smuggling of migrants, and despite the abundance of literature—in particular regarding the United States and Europe—little has been published about the characteristics of the migrants. The information used by researchers and experts is often based on broader information about the social profile of irregular migrants, a category that may have used the services of smugglers at some point during their travels. Further research would be needed in order to have a better grasp of the profile of the persons using the service of smugglers.

It should also be noted that the literature currently available has methodological flaws, in that most studies focus on the profile of migrants from the perspective of the countries of destination. Future research should take an ethnographic perspective and look at smuggling of migrants from the perspective of the source countries or regions.

There is a lack of information regarding Eastern Europe, Latin America, Central Asia, South and West Asia, and East Asia and the Pacific.

Further research would be needed in order to gain more knowledge about trends in the social and educational background of migrants and about the impact of smuggling of migrants on the characteristics and structures of societies and families in the countries of origin.

Women and other vulnerable migrants seem to make up an ever growing proportion of migrants smuggled worldwide. Paradoxically, there is a great lack of specific research devoted to these groups. Research should have a specific focus on gender and on vulnerable populations, including unaccompanied minors and refugees.

Very little information on empirical research is available on the special protection needs and characteristics of refugees. Future research should focus more specifically on this problem.

6. Profiles of smugglers of migrants

The main objective of this chapter is to look at the social background of smugglers of migrants and their motivations. It will highlight the similarities and differences in the profiles of smugglers in different parts of the world. Because of the lack of information and the diversity of situations, the present review refrains from drawing general conclusions about the social and educational background of the persons involved in migrant-smuggling activities. Regional profiles of smugglers will be established according to analyses of law enforcement activities or information gathered directly from smugglers. Complementary information is provided in chapter 9.

6.1 Methodology applied for researching smugglers' profile

Authors tend to have strong—and often contradictory—views about the profile of smugglers. Although there is great diversity among scholars' opinions, for the sake of clarity, and to summarize the current debate, the presentation below will be schematically divided between the criminological perspective and the sociological perspective. It should be noted that information about the profile of smugglers is scattered, owing to a lack of comprehensive research; therefore, part of the literature reviewed relies on stereotypes rather than on a substantial analysis.[322]

As already mentioned in section 2.2.2, authors taking a criminological perspective tend to picture smugglers as violent criminals. These authors usually base their opinion on a detailed analysis of police files and criminal court proceedings, but also on direct observation. As illustrated in greater detail below, the criminal profile of smugglers comes out very clearly in empirical research carried out in France and Turkey and at the Mexico-United States border.[323] Some researchers argue that smugglers may be linked to terrorist organizations. This opinion, however, seems to be fairly marginal.

Van Liempt and Doomernik argue that the criminological research method has a natural bias towards "big" cases and those that have come to the attention of the authorities.[324] This opinion is shared by Neske and by Pastore et al.[325] According to Van Liempt and Doomernik, the selection of criminal investigations is based on a definition of organized crime by which groups that are interested in making a profit commit crimes with serious effects on society, and are capable of hiding crimes effectively.[326] These authors deplore the fact that, as a consequence of this bias, smugglers are depicted only as merciless criminals who are in the business only to make substantial profits.[327]

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[322]See in particular Webb and Burrows, *Organised Immigration Crime* (see footnote 14); Zhang and Chin, "Enter the dragon: inside Chinese human smuggling organizations" (see footnote 78).

[323]Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66), p. 380; Nilufer Narli, "Human trafficking and smuggling: the process, the actors and the victim profile", in *Trafficking in Persons in South East Europe: A Threat to Human Security*, Nilufer Narli, ed., Study Group Information (Vienna, National Defence Academy; Istanbul, Center for Strategic Research; 2006), p. 7; United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 16.

[324]Van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 173.

[325]Neske, "Human smuggling to and through Germany" (see footnote 2), p. 157; Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 98.

[326]E. R. Kleemans and others, "Monitor georganiseerde criminaliteit", cited in van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 173.

[327]Van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29), p. 173.

By contrast, the sociological research is more concerned with the relationship between the migrants and the smugglers, whose mutual interests make the process more complex than the traditional image of the merciless criminal and the passive victim.[328] Empirical research carried out from a sociological perspective in China, Italy, the United Kingdom and the United States has portrayed smugglers as "ordinary citizens" coming predominantly from the working class, with very diverse occupations (restaurant owners, car salesmen etc.).[329]

Beyond these very general features, there is a lack of qualitative data about smugglers' profiles in most of the sources reviewed. According to Neske, this lack of information can be explained first of all by the inadequacy of the sources of information available. Indeed, crime statistics allow the drawing of conclusions about a criminal phenomenon.[330] Second, Neske believes that interviews with migrants are of limited help, as migrants usually know very little about their smugglers; these interviews are useful mainly to gain insight into subjective dimensions of the phenomenon. According to him, smugglers are not interested in exposing themselves to publicity.[331] Bilger et al. further argue that a peculiar characteristic of the market for migrant-smuggling services is to put a high premium on the "good reputation" of smugglers. However, smugglers can never completely give out information on their identities; otherwise, the police would easily disrupt their activities.[332] As shown by Webb and Burrows, the central issue of trust explains that smugglers and migrants often belong to the same social network, if not to the same community.[333]

6.2   Profile of smugglers: a regional perspective

6.2.1   Europe

Western Europe

Generally speaking, there is an abundance of literature about smuggling of migrants in Western Europe. The literature reviewed shows a clear lack of information about the profile of smugglers of migrants, as most of it is oriented towards the organization of the smuggling process itself.

It is worth mentioning, however, the existing research, though scarce, that has focused on smugglers, such as the interview programmes conducted in 2006 by Webb and Burrows with 45 persons convicted of offences of smuggling of migrants and/or trafficking in persons in the United Kingdom. Although the prisoner sample was not representative of the whole organized immigration crime market, the study provides valuable insight into the smugglers' and traffickers' perception of their activities and their relationship with the migrants. The interviewees were predominantly male (85 per cent) and their average age was 35. There was a great diversity of nationalities involved, with a significant number coming from the Balkan region (Albania) and the United Kingdom. Others were from China and South-East Asia, the former Soviet Union, the Indian subcontinent and Africa. Some 72 per cent of the smugglers interviewed were immigrants to the United Kingdom, some of them residing there with refugee status or on humanitarian grounds. The study portrays smugglers as ordinary citizens—usually established in their countries of origin—

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[328] Ibid.

[329] Zhang and Chin, "Enter the dragon: inside Chinese human smuggling organizations" (see footnote 78).

[330] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 130.

[331] Ibid., p. 131.

[332] Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233), p. 86.

[333] Webb and Burrows, *Organised Immigration Crime* (see footnote 14), p. 8.

who run the operation behind a respectable front, such as a shop or a travel agency that can provide information and contacts to those enquiring about coming to the United Kingdom.[334]

The picture of smugglers as relatively ordinary people is supported by Pastore et al. In a thorough study of smuggling of migrants to Italy, they show that smugglers have often been previously involved in other kinds of smuggling activities; most of them are Italians with a good knowledge of the border area, or foreign residents in a Western European country who have been working in the migrant-smuggling business.[335] Interviews carried out by Içduygu and Toktas with Turkish smugglers show how smuggling—either of goods or of migrants—may be perceived as an ordinary business and a "regular" part of the economy. For the interviewees, being a doctor or an engineer was no different from being a smuggler.[336]

The study done by Coureau in the Sangatte reception centre provides a different picture. According to Coureau, agents and smugglers are part of criminal, mafia-like organizations with roots in the United Kingdom and branches in Afghanistan, Albania, Iran (Islamic Republic of), Iraq and elsewhere. The author notes the presence of alcoholics and drug users among the smugglers. While they might not be believers, smugglers are aware of Islamic customs and play on tradition in order to keep control over the refugees and secure their profits.[337] The literature produced about smuggling of migrants in Turkey also tends to provide a picture of smugglers as violent criminals. On the basis of information gathered through 18 months of field research in various districts of Istanbul, Narli concludes that "smugglers networks coexist with criminal organizations, exerting a crime multiplier for them, for militias, guerrillas and terrorists".[338] Kalaitzidis holds the view that rather than transnational criminal organizations, "smuggling networks are semi-legal businesses that thrive on internal corruption and the unwillingness of the state to prosecute human smugglers".[339]

Eastern Europe and Central Asia

While no detailed research was carried out regarding the profile of smugglers of migrants in Eastern Europe, some useful information can be found in Futo et al. According to them, investigations have shown that the leading organizers of national or regional smuggling operations are often foreign citizens who live in the country permanently or with long-term visas for business, study or family reunification purposes. On the other hand, the middle or lower levels of smuggling operations are often made up of nationals of the country of residence or members of ethnic groups similar to those of the smuggled migrants. Therefore, large migrant-smuggling networks are usually made up of various nationalities of smugglers. In contrast, Futo et al. observe that "strict conspiring activities between the organizers and the smuggled persons based on ethnic ties are invariably characteristic of Chinese and Asian illegal migration and, to a certain extent, also of Albanian and Serbian smuggling rings". [340] Research about Central Asia shows that a significant number of smugglers of migrants also work as businessmen or travel agents.[341]

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[334] Ibid., p. 14.

[335] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 101.

[336] Içduygu and Toktas, "How do smuggling and trafficking operate" (see footnote 101), p. 36.

[337] Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66), p. 380.

[338] Narli, "Human trafficking and smuggling" (see footnote 323), p. 7.

[339] Kalaitzidis, "Human smuggling and trafficking in the Balkans" (see footnote 188), p. 6.

[340] Futo, Jandl and Karsakova, "Illegal migration and human smuggling in Central and Eastern Europe" (see footnote 274), p. 46.

[341] International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189).

6.2.2   Africa

North and West Africa[342]

Information on the profile of migrant smugglers in North and West Africa is scattered and the picture that can be derived from it is incomplete. A study published by Monzini provides some information about the profile of smugglers of migrants in the Libyan Arab Jamahiriya: according to witnesses, some were former agents of the secret service or of the police, others were small businessmen (trading in fruit, household appliances or jewellery) and others had been "involved in other criminal activity in the past, as drug dealers and traffickers or members of terrorist groups hostile to the regime". In general they have spaces (garages, stables, apartments, farmhouses and sheds) in which migrants can be hidden while awaiting departure.[343]

Daniel also describes migrant smugglers as people who are well placed in social life.[344]

Throughout their empirical research about smugglers of migrants operating between Morocco and Spain, Charef and Cebrián observe that persons directly involved in the transportation of migrants are rather young—between 29 and 41 years old—and most are not married. They seem to be highly mobile and are often also involved in other smuggling activities.[345]

In her research about smuggling of migrants at the border between Egypt and Israel, Anteby-Yemini shows that, despite the market being dominated by the Bedouin smugglers who are perpetuating an old informal and illegal trade route in this area, there are indications of the presence of transnational networks, in particular Chinese networks actively involved in smuggling and trafficking Chinese women to Israel.[346]

East and Southern Africa

Owing to the significant lack of research about smuggling of migrants in East Africa, the information presented here relies exclusively on the research carried out by IOM on the irregular movements of men from East Africa and the Horn to South Africa.[347] According to that report, the movement of Ethiopians and Somalis to South Africa is facilitated by a network of smugglers who are loosely connected and whose loyalties are predominantly defined by their financial interdependency and their origins. The age range of smugglers is between 18 and 40, and they are predominantly male. The chief organizers are Somali and Ethiopian. In some border towns, such as Moyale and Mandera, the main smugglers can be Kenyan citizens of Ethiopian or Somali origin.[348]

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[342]Please note that this paragraph is based on information extracted from UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[343]Paola Monzini, *Il traffico di migranti per mare verso l'Italia: sviluppi recenti (2004–2008)*, CeSPI Working Paper, No. 43/2008 (Rome, Centro Studi di Politica Internazionale, 2008).

[344]Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), p. 241.

[345]Charef and Cebrián, "Des pateras aux cayucos: dangers d'un parcours" (see footnote 182), p. 101.

[346]Anteby-Yemini, "Migrations africaines et nouveaux enjeux" (see footnote 185), p. 5.

[347]Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18).

[348]Ibid., p. 57.

6.2.3   Americas

The review of sources found information about North America, but no information was available about Latin American and Caribbean countries.

The literature about smugglers of migrants operating in the United States is dominated by the research about Chinese smugglers. Empirical research and large-scale interview programmes offer valuable insight into their profile. By comparison, little is known about smugglers of migrants operating along the Mexico-United States border. However, it seems that unlike Chinese smugglers, traditional Mexican smugglers are being gradually replaced by people affiliated with criminal gangs.

Information about the general profile of smugglers of migrants remains scarce. According to Zhang and Chin, smugglers of migrants or "snakeheads" have remained the most elusive element in the research on Chinese smuggling of migrants.[349] They characterize Chinese smugglers as ordinary citizens whose familial networks and social contacts have enabled them to pool resources to transport migrants around the world.[350] Out of the 219 persons interviewed, only 6 claimed to have links with organized crime groups.

Empirical research highlights that participation in the smuggling enterprise required no special skills or training and was open to almost anyone with the right connections.[351] According to the sample interviewed by Zhang and Chin, most of the subjects were male (82 per cent) with a high-school education or less (87 per cent). They were generally in their thirties or forties and married (75 per cent). The vast majority (70 per cent) described themselves as either unemployed or self-employed. None of the unemployed were impoverished, and all subjects earned a regular income.[352]

There is a wide range of backgrounds for those participating in smuggling of migrants. The persons interviewed included small-business owners, housewives, handymen, masons, taxi drivers, massage-parlour owners, fast-food restaurant owners, fruit-stand owners and gang members. It is also worth mentioning that corrupt Chinese Government officials may also be involved in smuggling activities. They usually occupy low-level but crucial government positions as passport inspectors at border checkpoints, clerical staff for passport applications or officials who issue residential or marital documents.[353]

In a different study, Zhang, Chin and Miller looked closely at the involvement of women in smuggling activities. Specific studies were devoted to the most famous of them—Sister Ping—who allegedly helped thousands of persons to migrate from Fujian Province to the United States and was involved in the *Golden Venture* smuggling incident.[354] According to them, the ordinariness of smugglers of migrants and their familial networks suggests greater participation by women. However, "the existence of clear divisions of labor provides avenues for sex-typing and segregation".[355] Research by Mullins and Wright shows that women usually enter the smuggling business through

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[349] Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77).

[350] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 713.

[351] Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77).

[352] Ibid., p. 5.

[353] Ibid., p. 10.

[354] In particular see Sein, "The prosecution of Chinese organized crime groups" (see footnote 194); Kyle and Liang, "Migration merchants: human smuggling from Ecuador and China" (see footnote 26), p. 16.

[355] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 703.

their partners and may not continue that activity once the relationship had ended.[356] According to Spitzer et al., the presence of women among Chinese smugglers can be explained by two main factors. First, the increasing desire of women to migrate may create a clientele who either prefer working with female smugglers or whose women-centred social networks are likely to guide them towards female smugglers. Second, because smuggling of migrants involves a willing clientele seeking opportunities abroad, smugglers are often perceived as providing assistance to individuals and communities. Thus, women can engage in smuggling of migrants without having a conflict with the fulfilment of their "cultural role" as care givers.[357] Interestingly, women smugglers seem to be relatively emancipated, with a better level of education than males engaged in similar activities, and a significant proportion are single or divorced.[358]

Borrowing from his research on the Chinese community, Zhang believes that smugglers of migrants operating along the Mexican borders are ordinary people of diverse backgrounds who may occasionally carry out smuggling activities.[359] This analysis is endorsed by Spener. However, Guerette and Clarke have stressed that the profile of smugglers operating along the south-western border of the United States has changed with the greater involvement of drug cartels. [360] Spener argues that with the development of stricter border controls, the individuals and small-scale "mom and pop" enterprises have been driven out of business because they lack sophistication and resources and have been replaced by more sophisticated, mafia-like organizations.[361] This analysis is confirmed by United States authority reports, which include evidence that migrant-smuggling corridors are entirely controlled by drug cartels.

6.2.4   Asia

By contrast with the abundant literature about Chinese smugglers of migrants to the United States, there is a critical lack of information about smugglers operating in East Asia and the Pacific. Basically, the only—rather general—information available about smugglers of migrants to Australia and neighbouring countries can be found in the 2008 report of the Pacific Immigration Directors' Conference, which notes that the most common profile is that of a foreign national with temporary residence. Smugglers were reported to be nationals of European and South-East Asian countries, but were most commonly Chinese.[362]

Very limited information is available on the profile of smugglers operating in Tamil Nadu, India, while no information is available about other countries in West and South Asia. According to UNODC, 84 per cent of the smugglers are actually based in Tamil Nadu, and 71 per cent of the agents based in Tamil Nadu operate from the city of Chennai, which appears to be a smuggling hub. The smugglers live in good residential areas of the city, and 50 per cent of them are between the ages of 31 and 50. It is likely that most of them have been in the business for many years.[363]

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[356] Christopher Mullins and Richard Wright, "Gender, social networks, and residential burglary", cited in Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 703.

[357] Denise Spitzer and others, "Caregiving in transnational context: 'my wings have been cut: where can I fly'", cited in Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 704.

[358] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 709.

[359] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 89.

[360] Guerette and Clarke, "Border enforcement, organized crime and deaths" (see footnote 144).

[361] Spener, "Mexican migrant-smuggling" (see footnote 47), p. 299.

[362] Pacific Immigration Directors' Conference, "People smuggling, human trafficking and illegal migration" (see footnote 172), p. 22.

[363] UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), pp. 31-32.

6.3   Conclusions

There is a striking lack of information regarding the profile of smugglers. Scholars' views can be divided into a criminological and a sociological perspective. The information about the smugglers is based mainly on police and court records and, to a lesser extent, on interviews with migrants. Some recent research includes a psychological perspective, including interviews with the smugglers about their motivations and background. Research based on interviews with smugglers should be further developed, as it provides subjective insight into the migrant-smuggling phenomenon.[364]

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[364]See in particular Webb and Burrows, *Organised Immigration Crime* (see footnote 14); Zhang and Chin, "Enter the dragon: inside Chinese human smuggling organizations" (see footnote 78).

7. Smuggler-migrant relationships

7.1 General overview

Given the great diversity of relationships between migrants and their smugglers, the objective of this section is to provide a schematic understanding of those relationships. Owing to the lack of information, a regional analysis is not provided. According to the sources reviewed, analysis of smuggler-migrant relationships has focused on three elements, as described below.

Firstly, academics and experts have discussed whether elements of coercion and constraint were intrinsic characteristics of relationships between smugglers and migrants. Most of the sources reviewed highlight the great diversity, and even contradictory nature, of such relationships. Aronowitz states that although smugglers may use excessive violence against their victims to maintain control, this is not systematically the case. She mentions for instance, the case of a Chinese smuggler, the "Mother of All Snakeheads", who was a most revered figure for thousands of Chinese she helped to smuggle into the United States and was considered a saint for "reuniting families".[365] Charrière and Frésia develop a similar view throughout their analysis of the "coxers"—smugglers from West Africa—who are traditional figures in the society and are highly respected. However, the fact that smuggling of migrants is somehow embedded in tradition does not necessarily protect migrants against exploitation and violence, in particular at certain dangerous stages of the journey when they become very vulnerable.[366]

The dual nature of the relationship between smugglers and migrants is summarized by Doomernik and Kyle as follows: at one end, there is altruistic assistance from family members or those who help refugees; at the other end, there is clear exploitation based on the criminal intent of syndicates who deceive migrants into exploitation at the destination. Although news stories tend to focus on one of these extremes—mostly the latter—the empirical reality includes a mix of people with both altruistic and profit-making goals.[367]

In a comprehensive study about smuggling of migrants in the United States, Zhang stressed that smuggling has a rather benign reputation in the migrant community, and migrants often consider their handlers either philanthropists who want to help others or ordinary people who just want to make some money.[368]

In a 2009 paper, Kyle and Scarcelli also question stereotypes about smugglers of migrants and believe that the public's negative perception of them has been formed by deadly smuggling failures and abuses.[369] In contrast with this one-sided view, the two authors suggest that violence and exploitation are not necessarily intrinsic components of all migrant-smuggling operations. The authors argue that the smuggling contract exposes migrants to risk, including violence, but

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[365] Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), p. 177.

[366] Charrière and Frésia, *L'Afrique de l'Ouest comme espace migratoire* (see footnote 32), p. 28.

[367] Doomernik and Kyle, "Introduction" (see footnote 28), p. 269.

[368] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 89.

[369] Kyle and Scarcelli, "Migrant smuggling and the violence question" (see footnote 163), p. 10.

at the same time prevents violent coercion from being a central feature of a clandestine migration industry.[370] In a thorough study about Chinese women smugglers, Zhang, Chin and Miller come to the conclusion that there is a limited place for violence and turf as organizing features of smuggling of migrants. According to them, interpersonal networks have a predominant importance in defining and facilitating smuggling operations. However, these researchers have also found that physical violence and intimidation may occur at specific stages of the smuggling process, in particular when in safe houses at transit points and aboard smuggling vessels.[371]

In contrast, authors such as Daniel and reports from specialized agencies such as IOM or Médecins sans Frontières have stressed the psychological and physical violence used by smugglers—in particular against women—in West and East Africa, regardless of their structure and organization.[372] Anteby-Yemini holds a similar view, stressing that African migrants smuggled to Israel have reported harassment by Bedouin smugglers who seize all their documents and personal belongings. Rape and sexual harassment against women seems to occur frequently.[373] Reports from law enforcement authorities operating at the south-west border of the United States have provided particularly shocking details about violence by smugglers against migrants—and also against police officers—including acts of torture and decapitation.[374] Increased violence against migrants is linked to the involvement in smuggling activities of gangs that show a complete disregard for the lives under their control. Women are particularly vulnerable; they are almost systematically raped or assaulted.[375] Details about the human cost of smuggling of migrants in that region can be found in chapter 10.

Elements of constraint can also explain how the line between smuggler and migrant is sometimes blurred, as it seems that migrants may change roles in the course of the migration process or after their arrival in the destination country. Daniel has recorded testimonies of migrants who became smugglers in order to get the protection of networks while moving towards their final destination.[376] According to Zhang et al., another reason for Chinese migrants smuggled to the United States to become smugglers themselves may be their own traumatic experience during the smuggling process and their desire to offer a better service to potential migrants.[377]

Second, some researchers have looked at the importance of trust and reputation. According to Bilger et al., a decisive factor when choosing a smuggler was "good reputation". Opportunities to thoroughly assess the quality of services prior to the journey are limited, and migrants therefore have to have trust in the smuggler's ability to perform the job before they depart.[378] According to Koser and Pinkerton, most migrants rely on stories that friends, family or acquaintances tell about specific agents, information through social networks being regarded as the most reliable.[379]

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[370] Ibid., p. 3.

[371] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 724.

[372] Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), p. 157; Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208), pp. 15-16; Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), p. 61.

[373] Anteby-Yemini, "Migrations africaines et nouveaux enjeux" (see footnote 185), pp. 6-7.

[374] United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 13.

[375] Ibid., pp. 16-17.

[376] Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), p. 15.

[377] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 713.

[378] Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233), p. 83.

[379] Khalid Koser and Charles Pinkerton, "The social networks of asylum seekers and the dissemination of information about countries of asylum", cited in van Liempt, "The social organization of assisted migration" (see footnote 3), p. 6.

According to Van Liempt, trust and reputation are essential for smugglers who want to build a clientele. They are examples of agents trying to gain confidence by offering guarantees—for example, allowing as many tries as necessary for one fixed amount—or letting migrants pay upon arrival. One famous trick is having the migrant's photograph taken and tearing the photograph in half. One half is given to the guide and the migrant keeps the other half. When the final destination is reached the migrant sends his or her half of the photograph back to the family to show that he or she has arrived safely. The guide then comes to the family with the other half of the photograph to collect the agreed amount of money.[380]

Thirdly, the sources reviewed show an increasing interest in smugglers' self-perception, although very little information is currently available. Webb and Burrows stress that the smugglers they interviewed in the United Kingdom tended to express little sense of wrongdoing, although they had been convicted. Indeed, many were keen to assert that their actions had the beneficial effect of cutting down on asylum claims, assisting people in the realization of their goals, reducing labour shortages and increasing tax revenue.[381] According to Zhang and Chin, none of the smugglers they interviewed in China and the United States considered themselves to be criminals, although they were all aware of the illegal nature of their business activities. They saw themselves as upstanding businesspeople who helped their friends and neighbours. Some even claimed that their business ventures alleviated some of China's pressing social problems, such as overpopulation and unemployment.[382]

A 2009 IOM report about smuggling of migrants from East Africa to South Africa stressed that the smugglers understand that they are acting outside the law. Smugglers also know that they are operating with almost complete impunity thanks to ill-defined and weak legislation. The report noted that they do not see themselves as criminals, but rather as providers of a service that is in great demand.[383]

In her research about smuggling of migrants in West Africa, Boni highlights that smugglers perceive migrants as persons who have money to spend to achieve their goals.[384] Local *passeurs* offer services at a high price, exploiting every passable route for profit; often the trip requires that the migrant be handed over from one *passeur* to another. Essentially, these mechanisms, from the smugglers' point of view, transform the migrants into merchandise that is "moved" to make a fortune for the individual taking advantage of their vulnerable position.[385]

7.2 Conclusions

There is a striking lack of information about smuggler-migrant relationships.

Schematically, the information available focuses on three main elements: the physical and psychological constraints used against the migrants, the importance of trust and reputation and the smuggler's self-perception.

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[380] Van Liempt, "The social organization of assisted migration" (see footnote 3), p. 6.

[381] Webb and Burrows, *Organised Immigration Crime* (see footnote 14), p. 28.

[382] Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77), p. 10.

[383] Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), p. 60.

[384] Boni, "L'Afrique des clandestins" (see footnote 207), p. 687.

[385] Ibid.

Access to information is particularly difficult since smugglers are often reluctant to be interviewed. Most of the information therefore comes from testimony provided by the migrants. However, as stressed in section 3.2.3, some caution should be exercised with regard to the testimony of smuggled migrants who have a vested interest in presenting themselves as naive victims who have been cheated by smugglers.[386] Following the methodology used by Webb and Burrows, further research with convicted smugglers might be of particular interest.[387]

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[386]Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 98.

[387]Webb and Burrows, *Organised Immigration Crime* (see footnote 14).

8. Organizational structures of smuggling networks

This chapter considers typologies of organizational structures and actors involved in migrant-smuggling activities and highlight similarities and differences in the organizational structures of smuggling networks in different parts of the world. It then looks into details of how smugglers are organized in different parts of the world and reviews information about factors that influence the way smugglers are organized and elements that guide their evolution. Finally, it reviews information available to determine whether migrant-smuggling markets are increasingly dominated by transnational organizations.

8.1 General analysis of organizational structures of smuggling networks

8.1.1 Typology of structures

From a general standpoint, the literature has taken a great interest in the organizational structure of smuggling networks. Intergovernmental organizations and national administrations have published or sponsored research on this issue in order to increase the capacity to investigate and prosecute smuggling-related offences.[388]

The literature reviewed shows that smuggling of migrants can take many organizational forms, as indicated by the great diversity of concepts used to describe it. According to Heckmann, the methodology presented in the literature on smuggling of migrants is rather weak and often uses vague and ad hoc concepts, such as "the smuggling industry", "migrant merchants", "mom and pop smugglers" and "organized crime".[389]

Authors' views vary greatly regarding the hierarchical structure of smuggling networks. According to Salt and Stein, smuggling of migrants is a business dominated by hierarchically organized criminal groups who utilize existing smuggling routes (for example, those used for drug trafficking) and adapt various modi operandi to deal with a different commodity, i.e. migrants.[390]

According to the sources reviewed, the academic debate has focused on whether there is evidence that large international crime organizations are involved in smuggling of migrants, or whether this activity is largely run by networks with familial, friendship or ethnic commonalities.[391]

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[388] See for instance, Webb and Burrows, *Organised Immigration Crime* (see footnote 14); Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77).

[389] Friedrich Heckmann, "Illegal migration: what can we know and what can we explain? The case of Germany", *International Migration Review*, vol. 38, No. 3 (2004), pp. 1103-1125.

[390] Salt and Stein, "Migration as a business: the case of trafficking" (see footnote 19).

[391] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 123.

According to the sources reviewed, authors tend to have strong and often contradictory views. As summarized by Van Liempt, opinions are divided on the exact involvement of organized crime in smuggling of migrants. According to her, one of the problems is that it is difficult to come up with exact criteria for defining organized crime, and the definition of organized crime is still a source of controversy among researchers and international organizations.[392]

On the other hand, some authors, such as Van-Duyne, Passas and Nelken, argue that the concept of organized crime should be abandoned in favour of an enterprise model. This model suggests that flexible and adaptive networks can easily expand and contract to deal with the uncertainties of the criminal enterprise. The entrepreneurs are organized only to the extent that they can effectively carry out illicit activities.[393]

The empirical research carried out in different regions of the world seems to confirm the predominance of the enterprise model. In their research about networks operating from China to the United States, Chin and Zhang show that there are large numbers of smaller, flexible crime groups or individual criminals that interact when necessary. Research projects carried out in Western and Eastern Europe, and also in Africa, confirm that smuggling groups are rather flexible networks with "a post-modern criminal structure", rather than a solid pyramid as is the case of classic mafia organizations. According to the sources reviewed, the research gave no evidence of a monolithic mafia-type operation. Smugglers of migrants can be highly professional but loosely organized.[394]

However, the regional analysis (see section 8.2) shows that anti-smuggling policies of certain countries might have unintended consequences for the organizational structures of smuggling networks: small-scale networks are gradually replaced by larger, sophisticated criminal networks.[395] For instance, in the case of the Mexico-United States border, the research available includes strong evidence of the involvement of drug cartels in smuggling of migrants following the introduction of restrictive border management measures in the early 1990s.

Further, given the limitations inherent to empirical research, researchers have handled the issue of the link between smuggling organizations and traditional organized crime carefully. Limitations may exist in particular regarding the sample of persons interviewed, the credibility of the information provided by individuals involved in illegal activities and the lack of transparency of the smuggling business. Chin and Zhang, for instance, have stressed the difficulty of establishing a connection between traditional organized crime groups and the migrant-smuggling networks, given researchers' limited access to smugglers. Although, according to their sample, smugglers had no link with organized crime groups, Chin and Zhang make it clear that their research cannot completely rule out the link between traditional organized crime and migrant-smuggling operations.[396] Webb and Burrows take a similar view and stress that all convicted smugglers of migrants who took part in the research programme would systematically minimize their responsibility in the smuggling process and deny any link with a criminal organization.[397]

[392] Van Liempt, "The social organization of assisted migration" (see footnote 3), pp. 34-35.

[393] Passas and Nelken (1993), Van-Duyne (1997) quoted in Zhang and Chin, "Enter the dragon: inside human smuggling organizations" (see footnote 78), p. 740.

[394] Heckmann and others, "Transatlantic workshop on human smuggling: a conference report" (see footnote 92), p. 5; Webb and Burrows, *Organised Immigration Crime* (see footnote 14), p. 21; de Haas, *The Myth of Invasion* (see footnote 49), p. 25.

[395] UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 63; Spener, "Mexican migrant-smuggling" (see footnote 47), p. 299.

[396] Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77), p. 3.

[397] Webb and Burrows, *Organised Immigration Crime* (see footnote 14), p. 10.

8.1.2 Typologies of actors involved

The literature reviewed shows that there may be a range of actors performing a range of roles in the smuggling process. Research on smugglers of migrants shows that often those individuals at the top of migrant-smuggling networks are the most difficult to gather evidence against, but until they are brought to justice, smuggling of migrants will continue.[398]

Although each smuggling ring operates differently, authors such as Bajrektarevic and Schloenhardt have identified a typology of actors involved in providing specific services.[399] The typology developed by Schloenhardt is based on the research of Chin, as well as on the outcome of a joint programme implemented by UNICRI and AIC.[400] Schloenhardt's work has had a great influence on both academic circles and specialized agencies. Based on Schloenhardt's research and other typologies, UNODC has developed the following typology.[401]

Coordinator/organizer

The coordinator or organizer is the person with the overall responsibility for the smuggling operation, acting like the manager of an enterprise. He or she may direct, employ or subcontract other individuals participating in an operation. The organizer oversees the whole process within his or her area of responsibility and can arrange for changes in personnel, routes, modes of transport and accommodation. The organizer has many contacts. A full smuggling operation might be organized by one organizer or a chain of organizers who make arrangements with each other. Traditionally, it has been extremely difficult to gather sufficient evidence against the organizers. They often have employees who actively engage in the criminal activities and these people will report to them only when required.

Recruiters

Recruiters advertise smuggling services and establish contacts between smugglers and migrants. They will often tempt people into migrating, often misinforming them about both the process and the reality of the destination country, preying on vulnerable persons and exploiting their vulnerability. Recruiters may also collect the initial fees for the transportation. They may also use the services of persons who do not directly recruit persons to be smuggled, but will provide information about where such persons could be found. Recruiters are often not affiliated with one particular smuggler. They often live permanently in the country of origin or transit and have a good knowledge of the language of the migrants, and may even know them personally.

Transporters/guides

Transporters or guides execute the operational part of smuggling operations by guiding and accompanying migrants en route in one or more countries and carrying out border crossings.

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[398] Ibid., p. 19; Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77), p. 3.

[399] A. Bajrektarevic, "Trafficking in and smuggling of human beings: linkages to organized crime—international legal measures", cited in Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13), p. 174; Schloenhardt, "Organized crime and the business of migrant trafficking" (see footnote 26), p. 33.

[400] David and Monzini, *Rapid Assessment: Human Smuggling and Trafficking from the Philippines* (see footnote 8).

[401] UNODC, "A short introduction to migrant smuggling" (see footnote 2).

Migrants may be handed from one guide to another at different stages of a journey. Often guides are men from border regions with local knowledge. When intercepted with a group of migrants, guides will often seek to pass themselves off as one of the migrants. Because guides are often easy to recruit, their loss by a network does not necessarily represent a serious interruption in smuggling. At the same time, guides play a crucial role with respect to individual migrants' successful border crossing, and they are in a position to mistreat or exploit the people they are guiding. It is often the role played by the guide that has the most impact for the reputation of the smugglers. In some contexts, guides may not be affiliated with larger smuggling networks, but only provide services on a contract basis or loiter around international border areas looking for work.

Spotters, drivers, messengers, enforcers

Spotters, drivers and messengers are individuals who perform ad hoc jobs that are part of the smuggling process. Spotters may, for instance, have the responsibility of providing specific information about checks by the police, border guards and the army. Spotters often travel at a distance in front of the vehicle carrying the smuggled migrants and communicate with it by mobile phone to warn of possible checks.

Enforcers may resort to threats or actual violence against the migrants being smuggled to keep them under control during a smuggling operation, to make the delinquent migrants pay outstanding smuggling fees or to safeguard the smuggling business.

Service providers and suppliers

Ad hoc providers and suppliers are often individuals who have a relationship with the smugglers and are paid a share of the profits for their role in the smuggling process. They often deal with more than one smuggling group and so will provide their services to whoever is paying them. They may be used frequently or sporadically, depending upon the services offered and required. For instance, owners or makers of boats may be complicit in the use of their vessels for smuggling of migrants.

People also harbour smuggled migrants and smugglers of migrants throughout the smuggling process. These include hotel, house or apartment owners or residents who are responsible for providing accommodation to migrants en route. Hotel owners are particularly useful when groups of migrants need to be gathered together before being smuggled.

Service providers may also include other individuals who play a role in facilitating the process for a price, such as:

- Forgers of passports, visas and other travel and immigration documentation
- Train conductors
- Taxi drivers
- Airline staff
- Owners of boats or other vehicles
- People responsible for the upkeep of vehicles and supply of fuel

- Financiers/cashiers, responsible for paying the migrants' money to the smugglers upon successful completion of the smuggling operation. Cashiers may also be involved in legitimate business.

Others

Corrupt public officials, such as border police, soldiers, immigration officials, employees in embassies and consulates and port police, may be paid a bribe to turn a blind eye to or otherwise facilitate the smuggling process.

It should also be noted that some individuals facilitate the smuggling process but are unaware that they are doing so because they receive no special payment for their role (for instance, a taxi driver who unknowingly transports smuggled migrants for the normal fee). Other individuals may be aware of the indirect benefit they receive from their passive role in the migrant-smuggling process, but turn a blind eye to it (for instance, a taxi driver who receives a normal fee may be aware that he is transporting a smuggled migrant to a safe house, but may think it is not his business to interfere).

This typology does not suggest that smuggling networks function according to a pyramidal hierarchy. As UNODC stresses, there may be a range of actors performing a range of roles in the smuggling process. Small-scale smugglers would generally not employ other actors in the process but arrange all aspects of the actual operation themselves. In larger smuggling groups, there will be a division of work among the actors involved.

8.2 Organizational structure of smuggling networks: a regional perspective

8.2.1 Europe

Western Europe

The literature reviewed indicates a great interest on the part of Western researchers in organizational structure of smuggling of migrants to Europe. While much literature includes details about the organization of smuggling networks that facilitate illegal entry into Europe, this section offers only a selection of the most relevant information found in recent research. The literature reviewed has three main characteristics:

- A consensus among experts about the structure of the smuggling market in Western Europe

- A consensus about the division of tasks among the actors involved in the smuggling process

- Divergent views about the connection with mafia-type or terrorist organizations

First, research shows the predominance of the entrepreneur model in Western Europe. Smugglers of migrants often operate in a similar way across the region, with flexible transnational networks

carrying out their activities in countries of origin, transit and destination. The literature reviewed provides interesting details about the extent to which the different actors involved in the smuggling process cooperate or compete.

According to Bilger et al., in many regions there is a complex market for different smuggling services offered by a multitude of providers from which potential migrants can choose. The evidence collected from interviews with migrants, police and legal experts indicates that there is often an intense rivalry between smugglers competing for the same pool of clients. This competition is mainly horizontal, i.e. between smugglers operating out of a common smuggling hub or along the same stages of smuggling routes. Vertically, there may rather be cooperation among smugglers operating at different stages of the same smuggling route, for example, by ensuring a constant flow of new customers from source countries or by directing one's own clients to new contact points farther down the line.[402]

According to Neske, the central question relates to the prevailing coordination mechanisms among the smugglers.[403] This issue is also addressed in the work of authors such as Koser and Içduygu, who believe that smuggling structures are ordered in a network-like manner.[404] Authors such as Okólski, on the other hand, believe that smuggling structures are hierarchical.[405] Pastore et al. highlight that alliances between groups and/or individuals are influenced by the market. The bargaining power of an actor inside the coalition depends on how near he or she is to the source of potential customers. A crucial factor is the ability to make deals with organizations or operators that can recruit migrants in their country of origin, or can control the demand for journeys in places where they have settled.[406] Neske supports the view that the relationship between coordinators and local service providers is guided primarily by market conditions. Local service providers are most often nationals or residents of a transit country who carry out actual smuggling operations, whereas coordinators usually have the same ethnic background as the smuggled migrants, pre-organize the journey, conduct negotiations with local smugglers and pay them. The local service providers' different ethnic backgrounds and the lack of contacts with migrants and coordinators may make it difficult for them to become coordinators themselves. Neske argues that the service providers and coordinators are not part of a joint organization; they are rather part of a process based on the principles of the market. After successful cooperation over a long period of time, one could consider that there is a "networkization" of relationships, similar to the establishment of a circle of regular customers.[407]

Second, the sources reviewed show a clear consensus among experts that smugglers are working according to a clear division of tasks, and research projects usually refer to typologies similar to the one developed by Schloenhardt. Interviews with smugglers indicate that the principle of division of labour is strictly respected. Actors involved are often unaware of the broader structure of the smuggling network.[408] In his study on smugglers operating in the reception centre in Sangatte, Coureau notes that smuggling networks use a different person for each

[402]Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233), p. 64.

[403]Neske, "Human smuggling to and through Germany" (see footnote 2), p. 135.

[404]Khalid Koser and Charles Pinkerton, "The social networks of asylum seekers and the dissemination of information about countries of asylum", cited in Neske, "Human smuggling to and through Germany" (see footnote 2), p. 135.

[405]Mark Okólski, "Illegality of international population movements in Poland", *International Migration*, vol. 38, No. 1 (2000), pp. 57-90.

[406]Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 104.

[407]Neske, "Human smuggling to and through Germany" (see footnote 2), p. 146.

[408]Webb and Burrows, *Organised Immigration Crime* (see footnote 14), p. 19.

specific task, such as maintaining contact with the client, reaching an agreement and collecting fees. Each link in this chain receives a percentage of the total amount charged.[409] Sciortino comes up with very similar findings in a thorough analysis of 610 cases of smuggling of migrants in northern Italy.[410]

A typical description of the organization of smuggling networks operating in Western Europe can be found in Bilger et al. According to them, small-scale, self-employed smugglers are individuals engaging in migrant-smuggling activities on an occasional basis, limited to short-distance operations or single border crossings. They usually take care of all aspects of the operations themselves, including transporting the migrants across borders. Larger smuggling networks, on the other hand, are hierarchically structured and operate on the basis of a sophisticated division of labour, including organizers, intermediaries, recruiters, guides, spotters, drivers, messengers and external collaborators.[411]

Based on their field research in Turkey, Içduygu and Toktas argue that independent individuals or groups combine and coordinate their efforts at various stages during the smuggling process. They have access to the latest telecommunications technology and can change their strategies rapidly depending on border controls or the profitability of various means of transportation. Even though they are not supported by a centralized organizational system, they run their operations effectively.[412]

Third, there are diverging views regarding the existence of links with organized crime. According to Coureau, smuggling fees may be sources of income for political movements and definitely pass through mafia-like organizations.[413] According to Narli, smuggling of migrants is executed by the organized crime networks operating in Turkey and in the Balkan countries, and also by terrorist groups that need money to finance their activities.[414] Čermáková and Nekorjak hold similar views about Ukrainian middlemen facilitating the irregular entry and employment of Ukrainian migrants in the Czech labour market. According to them, it is a system closely linked to the local mafia organizations operating in both countries.[415]

This position is rebutted by Pastore et al., who consider there to be three major differences between smuggling organizations and mafia-like organized crime. The first difference is that there is no monopolistic relationship between the various actors involved in smuggling networks. The second difference is the absence of long-term agreements among these persons; even if collaboration is often repeated, there are no records of minimum guarantees or payments of salaries. The third difference from a mafia-like organization is that each person involved into the smuggling chain can refuse or accept a proposal of collaboration without fear of sanctions.[416]

[409] Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66), p. 381.

[410] Giuseppe Sciortino, "The irregular immigration industry on the North-East border" (Rome, Centro Studi di Politica Internazionale, 2004), p. 15.

[411] Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233), pp. 77-78.

[412] Içduygu and Toktas, "How do smuggling and trafficking operate" (see footnote 101), pp. 25-54.

[413] Courau, "'Tomorrow Inch Allah, chance!'" (see footnote 66), p. 381.

[414] Narli, "Human trafficking and smuggling" (see footnote 323), p. 24.

[415] Dita Čermáková and Michael Nekorjak, "Ukrainian middleman system of labour organisation in the Czech Republic", *Tijdschrift voor economische en sociale geografie*, vol. 100, No. 1 (2009), pp. 33-43.

[416] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 106.

Eastern Europe and Central Asia

Over the years, ICMPD has systematically collected information about the organizational structure of smuggling groups operating in Central and Eastern Europe. According to the 2007 ICMPD report, law enforcement authorities have reported on activities of large, medium-sized and small smuggling groups, and also of individual smugglers. Large groups acting at the international level are highly structured organizations operating on the basis of clear division of labour. Organized groups involved in smuggling of migrants in Bulgaria, for example, act as a part of bigger multinational networks managing irregular flows coming from Iraq.[417]

According to ICMPD, the enterprise model seems to be predominant in Eastern Europe, with many smugglers—up to 65 per cent in certain countries—working on their own or as members of small networks. Regardless of the size of the networks, very often smugglers and the local guides have the same ethnic origin as the migrants, which facilitates communication. As in Western Europe, reports from law enforcement authorities have confirmed an increasing professionalism in strategy, tactics and services—ranging from irregular border crossing to falsified documents. Methods are chosen according to current border controls and financial resources.[418]

IOM describes migrant-smuggling networks in Hungary, Poland and Ukraine as "chain organizations". According to this concept, the general structure of migrant-smuggling operations has three or four levels.[419] At the top are the "brains" of the operation. At the next level are the organizers located in each country along the route—either a national of the country or from the country of origin of the smuggled migrants—and who have direct contact with each other. The third level includes local bilingual people who transfer information between the organizers. At the bottom level are smugglers who are nationals of the country in or through which the smuggling operation takes place, working on a permanent or temporary basis, providing transport, accommodation, safe houses and information on the newly opened or closed routes.[420]

8.2.2 Africa

North and West Africa

According to the sources reviewed, there are some key differences in the structure of smuggling networks operating by sea and those operating by land.

As outlined by Pastore et al., the initial assumption that the greater level of investment required to carry out smuggling operations by sea would imply the presence of structured and centralized organizations. However, a detailed analysis of smuggling networks around the Mediterranean Sea shows that this initial assumption is not valid, as the networks are usually complex, flexible coalitions managed through contractual agreements and repeated interactions. These organizations respond to frequently changing problems with flexible solutions.[421]

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[417] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 22.

[418] Ibid.

[419] Frank Laczko and David Thompson, eds., *Migrant Trafficking and Human Smuggling in Europe: A Review of the Evidence with Case Studies from Hungary, Poland and Ukraine*, Research Paper (Geneva, International Organization for Migration, 2000).

[420] Mavris, "Asylum seekers and human smuggling" (see footnote 188), p. 8.

[421] Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202), p. 179.

According to the 2009 UNODC report, the Libyan route appears to be better organized than the others, based on the number of migrants transported and the diversity of their origins—they include West and East Africans, Iraqis and South Asians. It is unclear whether the groups working along this route are operating cooperatively or in competition with each other.[422]

Similar information has been provided about organizations moving migrants by sea to Spain. According to Carling, northern Morocco is home to a variety of migrant-smuggling networks, ranging from internationally organized criminal groups to individual fishermen.[423] According to Collyer, Spanish media and official discourse have referred to the smugglers as "Moroccan mafias". However, the bulk of smuggling is usually organized by fluid networks of individuals.[424] Although each smuggling network is organized in a different way, research shows that they usually include recruiters, middlemen, pilots and various categories of assistants. [425] Although these networks are not centrally organized, they are nonetheless very well organized and adapt promptly to law enforcement measures as one can see from the abandonment of the Strait of Gibraltar in favour of other routes.[426]

However, the information published in 2009 by UNODC shows an evolution of the organizational structures of the smuggling networks operating between West Africa and the Canary Islands from more fluid to more stable structures, as a result of the more stringent law enforcement strategy deployed by Spain.

Empirical research on smuggling organizations operating along desert routes has not been developed extensively. Only research based on small samples of interviews with migrants and journalistic reports is available.[427] Information on the routes and hubs within North African countries has been collected only recently, with a focus on foreign communities and ghettos entrenched in the social life of North African countries, where transit and irregular migrants live, and where smugglers find a large number of their clients.[428]

The literature reviewed has revealed the presence of smugglers of migrants and intermediaries of various nationalities and languages along the routes that cross the desert and in several large cities. The sale of passage is generally mediated during the long journey by co-nationals of migrants; the middlemen—"facilitators"—are generally of the same ethnicity as the migrant.[429] Anteby-Yemini and Daniel report that the facilitators also work in networks. They may sign their passengers over to their cross-border colleagues or receive "reservations" from distant countries. For travel by sea, there is an organizational level for advertising smuggling activities, and another level more directly tied to transport.[430] The structure of the networks of relations existing between the various actors has not been analysed in detail.

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[422]UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 63.

[423]Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), pp. 22-23.

[424]Michael Collyer, "Undocumented sub-Saharan African migrants in Morocco", cited in Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 22.

[425]Charef and Cebrián, "Des pateras aux cayucos: dangers d'un parcours" (see footnote 182), p. 103.

[426]Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 28; see also Charef and Cebrián, "Des pateras aux cayucos: dangers d'un parcours" (see footnote 182), p. 98.

[427]Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), pp. 43-49; Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15).

[428]See for example Collyer, "States of insecurity: consequences of Saharan transit migration" (see footnote 65); Pliez, "Le Sahara libyen dans les nouvelles configurations migratoires" (see footnote 206).

[429]Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), p. 50 ff.

[430]Anteby-Yemini, "Migrations africaines et nouveaux enjeux" (see footnote 185), pp. 5-6; Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), pp. 185 ff.

As stated by Heckmann, organizations that transport a large number of people require a complex form of organization—that is, a large network of organizations, not a pyramid-like hierarchical organization.[431] This seems to be the case for most of the smuggling networks in North African countries. The networks that assist illegal migration to, from and through North Africa seem to be extremely flexible. Different forms of organization and techniques coexist. In the end, smuggling networks operating on land are not hierarchically structured, and are probably even less defined than those smuggling migrants by sea.[432]

According to other sources, some West African groups—particularly the Nigerian ones—seem to be highly structured. If these networks do not control the routes themselves, they at least coordinate with other networks to which they outsource part of the transport along the route.[433] As UNODC has noted, the main nationalities of apprehended migrants do not necessarily coincide with the main nationalities of irregular migrants. In fact, it appears that migrants from wealthier countries are less likely to be apprehended than those from poorer countries.[434]

East and Southern Africa

Few of the publications reviewed provide information about the organizational structures in East and South Africa.

ICMPD publications describe the presence of a wide range of smugglers of migrants who sell their services professionally and in stages along the East African routes. Irregular migration from East Africa should then be seen in the context of a larger social framework, of which the smugglers form only a part. Relatives, friends and members of the diaspora play an important role in supporting the migrants financially and in providing them with information for the migration process. [435]

According to IOM, there are smuggling chains with Somali linchpin "managers" who reside in major capitals and at key nodes along the way (ports, refugee camps or border areas). Those who actually transport or guide the irregular migrants across the region can be hired from among the managers' local contacts. They are drawn from the local pool of opportunists or criminals and are unlikely to speak the languages of those they are handling. According to the same source, the organizational model observed is close to the "supermarket model", with relatively low costs, a high failure rate at border crossings (requiring repeated attempts) and multiple actors acting independently or in loose affiliation. The IOM report highlights that this complex structure of subcontracting transportation, guides and so-called facilitators is at the heart of the abuse and brutality that migrants face on their journey. Indeed, chief smugglers have limited control over how their clients are treated once they are in other hands.

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[431] Friederich Heckmann, "The social organization of human smuggling", Reports and Analysis, No. 7/05 (Warsaw, Center for International Relations, 2005).

[432] Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202); Carling, "Unauthorized migration from Africa to Spain" (see footnote 110); Lorenzo Coslovi, "Biglietti diversi: destinazione comune—indagine sul mercato dell'emigrazione irregolare dal Marocco centrale verso l'Italia e la Spagna", CeSPI Working Paper, No. 32/2007 (Rome, Centro Studi di Politica Internazionale, 2007); Lorenzo Coslovi, "Brevi note sull'immigrazione via mare in Italia e in Spagna", cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[433] UNODC, "Organized crime and irregular migration" (see footnote 129), p. 14.

[434] Ibid., p. 13.

[435] International Centre for Migration Policy Development, *East Africa Migration Route Initiative: Gaps and Needs Analysis Project Country Reports—Ethiopia, Kenya, Libya* (Vienna, 2008), p. 30.

From a moral perspective, chief smugglers absolve themselves of responsibility for the hardships and criminal treatment their clients may experience.[436]

With regard to smuggling of migrants between Somalia and Yemen, there is only limited information about the structure of the networks, and further research is needed on this matter. While not describing their structure in great detail, Thiollet mentions that smuggling rings involve mafia-type networks.[437] However, the report of the Mixed Migration Task Force observes that there is little evidence of linkages to major international crime syndicates. According to that report, the networks of smugglers are transnational, with migrants and refugees carrying contact details for persons within the network at each stage of the journey. Some smugglers maintain contact with individuals or groups in Yemen, with Somali refugees and with the Somali diaspora in Kenya. Only anecdotal information could be found to link Somalis living in Nairobi with the operation of the smuggling network in Somalia. In Bossaso, several hundred people are involved in the network, including boat owners, boat crews, restaurant and cafe owners, telephone centre owners, policemen, businessmen, truck owners and landlords. There are indications of strong links between individuals within the local government and the migrant-smuggling network.[438]

8.2.3 Americas

North America

The literature shows that information about the organizational structures of groups that facilitate illegal immigration into the United States is scattered. As highlighted in previous chapters, the sources reviewed cover mainly the organization of Mexican and Chinese smuggling rings. Very little information is available about other potentially important smuggling organizations, such as the Lebanese, Korean or Russian ones.[439]

The most sophisticated and most recent work was carried out by Zhang, who developed a synthesis of the organizational structures and modi operandi of the various smuggling networks operating in the United States. According to Zhang, most migrant-smuggling organizations do not have an identifiable command structure. There are multiple layers of operatives involved in the smuggling process who support one another in order to achieve the eventual goal of delivering clients to their final destination and collecting the fees.[440] Regarding relationships between smuggling networks, Zhang concludes that the enterprise of transnational smuggling of migrants has remained fragmented and dominated by groups of loosely affiliated entrepreneurs. Their temporary alliances disband when there are no clients or when a key member of the operation drops out.[441]

Operations involving a combination of methods (sea, air, land) tend to involve greater operational complexity. Zhang has established a typology of tasks that is similar to the typology identified by Schloenhardt (recruiters, coordinators, drivers, safe house operators, local guides, document vendors, corrupt public officials, enforcers and debt collectors).[442] Interestingly enough, Zhang shows that

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[436] Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), pp. 57-58.

[437] Thiollet, "La mobilité dans la Corne de l'Afrique" (see footnote 209), p. 87.

[438] Mixed Migration Task Force Somalia, "Mixed migration through Somalia and across the Gulf of Aden" (see footnote 208), p. 8.

[439] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 89.

[440] Ibid., p. 97.

[441] Ibid., p. 94.

[442] Ibid.

while official corruption occurs predominantly in sending countries, some cases have also been documented in the United States. Zhang's research highlights that corruption of government officials is present at several stages of the smuggling process, and some corrupt government officials may also be actively involved in the process.

Beyond these general features, the organizational structures of the migrant-smuggling business seem to vary greatly from one community to another. According to Zhang and Chin, Chinese smuggling networks are not structured according to a hierarchical pyramid but are rather made up of loosely connected entrepreneurs who come together because of their mutual need to make money.[443] According to those authors, smugglers of migrants have formed organizations that deviate significantly from those of traditional triad society. This view is supported by Finckenauer, who believes that there is no empirical support for the belief that there is a well-organized, monolithic, hierarchical cartel with a chain of command or coordination with other international crimes such as heroin trafficking and money-laundering.[444]

Regarding the situation at the Mexico-United States border, the individuals and small-scale "mom and pop" enterprises that formerly dominated the business of guiding and transporting migrants have largely been driven out of business.[445] Reports published by United States law enforcement authorities show evidence that smugglers of migrants belong to criminal networks and that there is increasing involvement of drug cartels in migrant-smuggling activities. Spener and López Castro identified three categories of smugglers along the Mexico-Texas border:[446]

- *Pateros* are Mexican smugglers who take migrants across the border along the Rio Grande but do not organize the travel into the United States interior.

- Coyotes are natives of interior towns and villages of Mexico who provide smuggling services to others in their communities. They operate with one or more assistants to smuggle groups of five or six migrants on an occasional basis. They have gained their knowledge of entering the United States illegally from their own experiences as migrants and generally accompany their groups to the interior destination.

- Border commercial smugglers are believed to be responsible for most smuggling of migrants along the border. These smugglers operate in groups that may be large or small, loose or tightly knit. They may work in other employment and provide smuggling services on the side. They may smuggle migrants only from specific Mexican communities or provide such services to anyone wishing to enter the United States illegally.

A unique feature of the Chinese smuggling networks is the significant proportion of female smugglers and their specific role in smuggling organizations, a characteristic that does not seem to exist in other migrant-smuggling communities, according to sources reviewed. In a thorough study of this phenomenon, Zhang, Chin and Miller explain the presence of women in Chinese smuggling networks by the increasing number of potential female migrants.[447]

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[443] Zhang and Chin, "Enter the dragon: inside Chinese human smuggling organizations" (see footnote 78), p. 738.

[444] James O. Finckenauer, "Chinese transnational organized crime: the Fuk Ching", paper prepared for the National Institute of Justice, 2001. Available from www.ncjrs.gov/pdffiles1/nij/218463.pdf.

[445] Spener, "Mexican migrant-smuggling" (see footnote 47), p. 299.

[446] David Spener, "Smuggling migrants through South Texas: challenges posed by operation Rio Grande", in Kyle and Koslowski, *Global Human Smuggling: Comparative Perspectives* (see footnote 15), pp. 115-137; Gustavo López Castro, "Coyotes and alien smuggling" cited in Guerette and Clarke, "Border enforcement, organized crime and deaths" (see footnote 144), p. 165.

[447] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling" (see footnote 78), p. 704.

While gender segregation still persists, the information reviewed shows that female smugglers of migrants do not deal only with recruitment and payment. However, women disproportionately participate in smuggling activities that pose the least risk of detection, such as arranging fraudulent marriages. Women are not involved in risky activities such as escorting migrants across borders. Women do not take part in smuggling by sea, which is one of the riskiest facets of the smuggling business.[448] Further research is needed in order to gain more knowledge about the involvement of women in smuggling organizations.

Latin America

Sources reviewed reveal a substantial lack of comprehensive research on the organizational structures of smuggling networks in Latin America, with the exception of Mexico. While no detailed information is available, some limited explanations can be found in Kyle and Scarcelli regarding the evolution of the structure of the Cuban smuggling networks in response to the new United States enforcement strategies after 11 September 2001. Kyle and Scarcelli argue that smuggling networks have evolved from a "self-service" market—where migrants could simply assemble their own craft for self-smuggling—to a mafia-type organization. According to them, the smuggling organizations now have a permanent presence in the same Mexican coastal regions that drug smugglers favour. Only a smuggling syndicate could have the resources for the force and bribes needed to operate in the violent climate of Mexico.[449]

8.2.4   Asia

The literature reviewed does not contain any relevant information about South and West Asia.

There is almost no recent literature on the organizational structure of smuggling networks in East Asia and the Pacific region, other than the studies of Chinese smuggling networks operating in the United States discussed in section 8.2.3.

The organization of smuggling networks in Australia was described by Schloenhardt in a 2002 report commissioned by AIC, using data from law enforcement authorities from 1993 onwards. According to Schloenhardt, Australian law enforcement authorities initially worked on the assumption that unauthorized boat arrivals and illegal immigration by air were arranged by independent operators who provide only limited services. However, Schloenhardt notes that more recent studies assume that much of the illegal immigration to Australia by boat is organized only at a very simple and low level. The most common example of operators is Indonesian fishermen who transport migrants from ports in southern Indonesia to Australia. Despite the local and amateur character of these operations, many of the smugglers have been found to have been hired by large smuggling organizations that operate internationally. According to Schloenhardt, there is increasing evidence that international organized crime groups actively engage in smuggling of migrants to Australia, particularly irregular immigration by air and clandestine arrival of vessels on the east coast.[450] According to the same source, these networks simultaneously engage in related offences, such as trafficking in persons and drugs.

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[448] Ibid., p. 720.

[449] Kyle and Scarcelli, "Migrant smuggling and the violence question" (see footnote 163), p. 11.

[450] Schloenhardt, "Organized crime and the business of migrant trafficking" (see footnote 26), p. 32.

Similar findings can be found in a 2000 joint report of AIC and UNICRI; there are several well-established transnational organized crime groups that operate throughout Asia.[451] The better known of these include the ethnic Chinese triads and the Japanese yakuza. According to McFarlane, ethnic Chinese organized crime groups are involved in the smuggling of migrants and trafficking of persons, particularly from China, but also from other countries in the region. Chinese triads and other forms of organized crime have taken over smuggling of migrants from smaller organizations, because of the low risk and large profits associated with the activity.[452] Members of ethnic Chinese organized crime groups are said to be stationed at transit points, such as Bangkok, and at destination points, such as the Hong Kong Special Administrative Region, Australia, Singapore and the United States.

In contrast, the research of Chin and Zhang found that most Chinese snakeheads are not part of traditional, hierarchically organized crime groups but rather are specialized individuals who come together to form temporary business alliances on an ad hoc basis. However, they also declare that their empirical research was limited by their access only to part-time, moonlighting smugglers who were prepared to participate in the study, rather than more serious and well-organized professionals. In this light, the authors acknowledge that it is impossible to discount the significance or role of traditional organized crime groups and their relationship with key snakeheads.[453]

According to Adamoli et al., Japanese yakuza have also been involved in various criminal activities, including smuggling of migrants and trafficking in persons. In addition to the high profile, well-established organized crime operations, there are numerous lesser-known criminal groups operating in every country in the region. These groups may cooperate with one another, when it is opportune for them to do so.[454]

According to the UNICRI-AIC report, there are also individuals who operate in the grey area of legality, offering travel, immigration or employment services that facilitate smuggling or trafficking, but that do not themselves constitute criminal conduct. These individuals may have varying degrees of complicity in the smuggling and trafficking processes.[455] The report thus reaches the conclusion that although it is clear that organized crime groups are involved in the smuggling and trafficking of human beings from the Philippines, the level and nature of this involvement is not clear.[456] Given that these sources are relatively old, further research is needed in order to ascertain whether this information is still relevant and to get a more detailed understanding of this issue.

8.3   Conclusions

Sources reviewed reveal a great disparity in the quantity and the quality of information about the organization of smuggling networks. Few regions have been researched, and there is often a critical

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[451] David and Monzini, *Rapid Assessment: Human Smuggling and Trafficking from the Philippines* (see footnote 8), p. 6.

[452] John McFarlane, "How to deal with transnational crimes and migration", cited in David and Monzini, *Rapid Assessment: Human Smuggling and Trafficking from the Philippines* (see footnote 8), p. 6.

[453] Zhang and Chin, "The characteristics of Chinese human smugglers" (see footnote 77), p. 3.

[454] Sabrina Adamoli and others, *Organised Crime Around the World*, HEUNI Publication Series, No. 31 (Helsinki, European Institute for Crime Prevention and Control, affiliated with the United Nations, 1998).

[455] David and Monzini, R*apid Assessment: Human Smuggling and Trafficking from the Philippines* (see footnote 8), p. 7; regarding the involvement of organized crime groups in smuggling migrants from the Philippines to Italy, see Alexis A. Aronowitz, "Illegal practices and criminal networks involved in the smuggling of Filipinos to Italy", executive summary, prepared for the United Nations Interregional Crime and Justice Research Institute (Turin, 1999). Available from www.unodc.org/pdf/crime/human_trafficking/Exec_Summary_UNICRI.pdf.

[456] David and Monzini, *Rapid Assessment: Human Smuggling and Trafficking from the Philippines* (see footnote 8), p. 16.

lack of comprehensive and up-to-date research available. Specific research has not been carried out in North and West African countries; and investigative and judicial data from European sources have been used. Further research should be developed in order to get a more comprehensive understanding of the organization of smuggling networks around the world.

Despite the fact that little research has been carried out on this matter, there is a certain consensus that smuggling networks function according to the enterprise model, with large numbers of smaller, flexible crime groups or individual criminals that interact when necessary. While the link with mafia and organized crime organizations remains controversial, the research available highlights that increasingly sophisticated networks have replaced small-scale businesses in regions where anti-smuggling law enforcement strategies are particularly robust. It is also interesting to note that where there was no empirical evidence proving the involvement of organized crime groups in smuggling activities, some researchers have stressed that this outcome could be the result of methodological limitations and the difficulty of getting access to smugglers. Further research should be carried out in order to get a better picture of the involvement of organized crime groups into criminal activities.

Most researchers have worked on the assumption that smuggling networks are exclusively or mainly composed of men, and very little is known about the involvement of women. The role of women should be more systematically researched. It might also be relevant to look into the role of minors, who may be used by smuggling networks because of the fact that under certain criminal legislation, minors cannot be held responsible and therefore are not punishable for such offences.

According to the literature reviewed, a limited amount of information is currently available about the role of corrupt government officials in the smuggling process.

9. Modus operandi and smuggling fees

This chapter reviews recent research on the following questions: What are the methods used by smugglers of migrants? How is the process of smuggling of migrants organized? How is the payment of the fees organized? What are the costs of smuggling of migrants? What determines changes in methods and routes? Do the main changes in routes and modi operandi reflect changes in institutional responses and countermeasures?

9.1 General overview

9.1.1 Typology of modi operandi

Research undertaken in different parts of the world by authors such as Içduygu, Koser and Schloenhardt shows that organized smuggling of migrants might range from pre-planned, highly sophisticated operations to very simple services.[457] Based on his analysis of hundreds of court proceedings, police files and interviews with experts, Neske identified three types of smuggling of migrants, based on a research project led by the Institute for Migration and Ethnic Studies (University of Amsterdam) and the European Forum for Migration Studies (Bamberg University).[458]

Type 1: ad hoc smuggling services

Individuals first travel on their own, mostly legally and by public transport, to a certain point on their journey. However, not being in possession of the necessary document to legally enter the country of destination (or transit), the migrant resorts to the assistance of smugglers for illegal entry. The smuggling process is not pre-organized.

According to Neske, this form of smuggling usually involves men who migrate from Eastern European countries with a low level of education and a lack of prospects in their home countries. Their general living situation means that only small amounts of money can be spent on smuggling. The services of smugglers are thus employed, if at all, only for some stages of the journey.[459]

According to Jandl, this type of smuggling of migrants played a large role from the end of the cold war until the middle of the 1990s. It still exists in the region, but to a lesser extent.[460]

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[457] Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39), p. 28; Koser, "Why migrant smuggling pays" (see footnote 177); Içduygu and Toktas, "How do smuggling and trafficking operate" (see footnote 101).

[458] The result of this project has been published in extenso in *International Migration*, vol. 44, No. 4 (2006).

[459] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 139.

[460] Michael Jandl, "Irregular migration, human smuggling and the Eastern enlargement of the European Union", *International Migration Review*, vol. 41, No. 2 (2007); Čermáková and Nekorjak, "Ukrainian middleman system of labour organisation in the Czech Republic" (see footnote 415).

Similar cases have been described by many others such as Spener regarding the Mexico-United States border, Içduygu regarding the Iranian-Turkish border and Sciortino regarding the Italian-Slovenian border.[461]

Type 2: smuggling facilitated by use of fraudulent documents

A typical example of this type of smuggling of migrants is the misuse of visas to facilitate illegal entry or stay, but it can also involve fake or fraudulently obtained passports. UNODC refers to other forms of facilitating illegal residence, such as sham marriages.[462] Cases of adoptions of convenience are mentioned by ICMPD.[463]

Visa smuggling is quite different, in that migrants and smugglers do not have any kind of personal relationship. Visas are obtained on fraudulent grounds by the connections that smugglers have with some consulate services. After having received their visas, migrants make the entire journey between their countries of origin and destination without any assistance from smugglers. For people who have been issued an individual visa (for example, a business visa), border controls do not present any problem. In the case of group visas (tourists), where the members of the so-called tourist group neither know each other nor travel together, problems could occur when checks are made (in the cases examined by Neske, it was only in this way that the obtention of visas by artifice was discovered at all). Document smuggling involves primarily migrants who have substantial financial resources, and fees are usually paid in advance.[464]

According to Zhang, a key feature of this type of smuggling is the involvement of corrupt government officials. By obtaining government-controlled services that are otherwise unavailable through legal means, smugglers of migrants can significantly improve the efficiency of their operation. Corrupt practices target crucial public officials, such as passport inspectors at border checkpoints, clerical staff for passport applications and officials issuing residential registrations or marriage certificates.[465] Research by UNODC and IOM has stressed the importance of corruption in the smuggling process.[466]

Type 3: pre-organized stage-to-stage smuggling

According to samples studied by Neske, this form of migrant-smuggling organization was used in a substantial number of cases, many of which involve smuggling from South Asia to Western Europe. In such cases, the smuggling process is pre-organized, meaning that the migrants themselves do not have to conduct negotiations with local smugglers during their journey. Despite the fact that every single case involves complex mechanisms, the following pattern was identified.

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[461] Spener, "Smuggling migrants through South Texas: challenges posed by operation Rio Grande" (see footnote 446); Içduygu, *Irregular Migration in Turkey* (see footnote 100); Giuseppe Sciortino, "The irregular immigration industry on the North-East border" in *Human Smuggling to/through Italy*, Monzini, Pastore and Sciortino (see footnote 84), pp. 3-31.

[462] UNODC, "A short introduction to migrant smuggling" (see footnote 2), pp. 20-21.

[463] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 23.

[464] Neske, "Human smuggling to and through Germany" (see footnote 2), pp. 138 ff.; Horwood, *In Pursuit of the Southern Dream: Victims of Necessity* (see footnote 18), p. 42; Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), pp. 39 ff.

[465] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 101.

[466] See, for example, UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 62; Carling, *Migration, Human Smuggling and Trafficking* (see footnote 32), p. 17.

"Stage coordinators", a chain of independently but closely interacting individuals, carry out the negotiations with the "local service providers" and pay them. Local service providers are most often nationals or residents of the transit country and change from stage to stage. Each stage coordinator outsources the actual smuggling activities to either a "local coordinator", who in turn outsources the actual smuggling to the local service providers, or directly to the local service providers. The migrants conduct most parts of the journey accompanied by local smugglers that change from stage to stage.

According to Neske, there is no mastermind or head of an internationally active criminal organization who presides over the whole range of smuggling actions, given the disadvantages of large-scale organizations. From a functional point of view, it would require far too many expenses for one organization to carry out all services along a route that usually covers several thousand kilometres.[467]

In cases of pre-organized smuggling from non-crisis regions, individual migrants, both male and female, predominate. Neske identified two subtypes:

- Migrants being smuggled in order to be able to join family or community members already established in the destination country. Those being smuggled are usually expected in the target country. The smuggling operation is usually commissioned from the target country.
- Migrants who are sent by their community without pre-existing contacts in the destination country. Usually a family or village community suffering from poor living conditions commissions the smuggling operation. The smuggling fees are often advanced to the smugglers, making the smuggled migrants particularly vulnerable to trafficking in persons and exploitation in the destination countries.

In cases of pre-organized smuggling from crisis regions, the smuggled migrants usually have international contacts and substantial financial resources. In such cases, either the whole family or part of a family moves. Countries of origin are usually those experiencing conflict. Destination countries are usually those where the migrants have a good chance of being granted asylum.

9.1.2   Fees for and costs of smuggling of migrants

The sources reviewed show that it is almost impossible to find accurate figures about the cost of smuggling of migrants and that there is a general lack of rigour when collecting such figures. The most comprehensive attempt to assess the costs of smuggling of migrants from a worldwide perspective was made in 2005 by Petros.[468] Based on the analysis of data published by expert and journalistic sources, her study aimed to determine approximate mean costs for the main interregional movements around the world, trends in costs and some of their main determinants. The study covers both smuggling of migrants and trafficking in persons. According to research findings, the cost of the journey for criminal organizations depends on the distance and complexity of the route, the degree of institutional control of the route and the reception of migrants in transit and destination countries. All these variables affect the prospects for success.

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[467] Neske, "Human smuggling to and through Germany" (see footnote 2), p. 144.

[468] Melanie Petros, "The costs of human smuggling and trafficking", Global Migration Perspectives, No. 31 (Geneva, Global Commission on International Migration, April 2005).

As acknowledged by Petros herself, this study suffers from two main limitations. First, it does not distinguish between trafficking and smuggling cases, as the sources used did not allow for such a distinction. Second, the lack of rigour in the reporting makes a cost assessment impossible in some cases.[469]

These criticisms could be extended to most of the sources reviewed. Often information about costs is presented without giving specific information such as the date and circumstances of travel. Sources of information are rarely mentioned, and when they are, experts quote figures without any proper critical engagement. Readers should bear these limitations in mind and consider the figures quoted as only illustrative. Petros believes that more scientific rigour should be developed in order to "demystify the phenomena of smuggling of migrants, combat media and popular misconceptions, properly inform policy-making and open up this important field to further academic study".[470]

9.1.3   Impact of anti-smuggling policies on the modi operandi of smuggling organizations

The sources reviewed show a consensus among experts and academics that anti-smuggling policies are legitimate and needed, while radical theories aimed at abolishing border controls and establishing universal freedom of movement seem to be fairly marginal.[471] As restated by Laczko, three main arguments are usually put forward by experts in favour of eradicating smuggling of migrants. First, smuggling of migrants challenges the capacity of Governments to manage migration. Second, smuggling of migrants undermines support for legal migration and a country's acceptance of immigrants. Last, it also involves serious risks for the migrants both during the journey and afterwards, when they may be exploited for payment of the smuggling fees.[472]

However, the literature reviewed shows a relative consensus among experts that countermeasures deployed by destination countries to stem smuggling of migrants have not been fully effective so far.[473] There is a wide range of opinions about possible alternatives to existing anti-smuggling policies. Authors such as Heckmann et al. even go as far as qualifying anti-smuggling policies as "a politically successful failing policy", since the measures taken have produced a series of unintended and even counterproductive effects.[474]

To a certain extent, this problem has also been acknowledged by international organizations such as IOM, UNHCR and the Council of Europe.[475] For instance, UNODC stresses the need to embed a criminal justice response in overall migration policies:

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[469] Ibid., p. 16.

[470] Ibid.

[471] See Jean-Yves Carlier, "Pour la suppression des visas: du pas suspendu du gitan au temps des cigognes—de la libre circulation à la circulation libre", U.C.L. Document No. 5 (Louvain, Belgium, Université catholique de Louvain, Institut d'Etudes Européennes, 1997).

[472] Frank Laczko, "Opening up legal channels for temporary migration: a way to reduce human smuggling?", *Journal of International Migration and Integration*, vol. 5, No. 3 (2004).

[473] Aronowitz, "Smuggling and trafficking in human beings" (see footnote 13); Doomernik and Kyle, "Introduction" (see footnote 28); Içduygu, "Transborder crime between Turkey and Greece" (see footnote 107); De Haas, "The myth of invasion: the inconvenient realities" (see footnote 291).

[474] Heckmann and others, "Transatlantic workshop on human smuggling: a conference report" (see footnote 92).

[475] International Organization for Migration, "Key principles for policy making on migration, climate change and the environmental degradation", available from www.iom.int/jahia/Jahia/about-migration/managing-migration/policy; Office of the United Nations High Commissioner for Refugees, "Refugee protection and durable solutions in the context of international migration", paper prepared for the High Commissioner's Dialogue on Protection Challenges", 11-12 December 2007; Sebastian Baumeister, "Preventing and combating the smuggling of migrants in Africa: new UNODC initiatives in assisting States in responding to the challenge", paper prepared for the Meeting of Experts on Irregular Migration Control Cooperation, Ouagadougou, May 2008, available from www.dialogueeuroafricainmd.net/archivos/EN_prevenir_et_combattre_le_traffic_illicite_de_migrants_en_afrique_s.baumeister.pdf; Council of Europe, Commissioner for Human Rights "The human rights of irregular migrants in Europe", ComDH/IssuePaper (2007) 1 (Strasbourg, 17 December 2007).

law enforcement measures alone cannot prevent smuggling of migrants. Where not combined with a holistic approach, increased border controls may simply have the result of diverting migrant-smuggling routes, and of increasing the demand for more risky services. Where migrants are simply returned to their countries of nationality or residence without consideration for the underlying root causes that made them migrate, they may simply attempt to migrate again, perhaps under more dangerous conditions. There are important push-and-pull factors that influence a person to become a smuggled migrant. All of them must be addressed in a comprehensive way, based on a multidimensional partnership, which has to involve States, civil society, academia, the media, state institutions and international organizations.[476]

In its 2004 report, the expert group on trafficking in human beings of the European Commission said that

states' policies in promoting restrictions and reducing opportunities for regular migration have not been effective in preventing migration. Rather, they have created a market for irregular migration, often as organized serious crime, through trafficking and smuggling of people.[477]

According to de Haas, the current border management system has three main drawbacks.

First, increasing border control has led to a diversification of smuggling routes.[478] Empirical research projects, such as the ones on the Mexico-United States border or smuggling of migrants from Albania, Morocco or West Africa, also highlight that stricter border controls often result in a displacement of smuggling routes and a diversification of smuggling methods, often at the expense of the safety and lives of the smuggled migrants.[479] The sources reviewed also frequently highlight that, as a result of more stringent law enforcement strategies, smugglers may use routes or transportation methods that expose migrants to greater physical and psychological dangers.[480]

Second, increasing surveillance has led to a greater sophistication of smuggling methods. In order to circumvent border controls, smugglers have improved their professionalism, flexibility and tactics.[481] The services to migrants have been diversified, ranging from planning their route to supplying them with necessary documents and devising successful methods of transfer. Depending on border controls and financial resources, smugglers will concentrate their activities on illegal border crossing or falsification of documents. As already stressed in chapter 8, the sources reviewed (for Africa, North America and Eastern Europe) show that small-scale smuggling networks have gradually been replaced by or evolved into sophisticated, large-scale networks that are better organized and may use greater violence towards migrants. Authors such as Heckmann, Cornelius, Spener and Väyrynen argue that, far from stemming smuggling of migrants, stricter border controls have led to the development of increasingly sophisticated smuggling networks, a view supported by a recent UNODC report about the evolution of migrant-smuggling networks in West Africa.[482]

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[476] UNODC, *Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants* (2010), pp. 11-12.

[477] *Report of the Experts Group on Trafficking in Human Beings* (Brussels, European Commission, 2004).

[478] Spijkerboer, "The human costs of border control" (see footnote 254).

[479] Cornelius, "Death at the border: efficacy and unintended consequences" (see footnote 148), p. 671; Guerette and Clarke, "Border enforcement, organized crime and deaths" (see footnote 144); UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 62.

[480] Nicholas van Hear, "'I went as far as my money would take me': conflict, forced migration and class", cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[481] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 22.

[482] Heckmann, "Towards a better understanding of human smuggling?" (see footnote 6), p. 7; Cornelius, "Death at the border: efficacy and unintended consequences" (see footnote 148); Väyrynen, "Illegal immigration, human trafficking and organized crime" (see footnote 36); UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 63; Spener, "Mexican migrant-smuggling" (see footnote 47), p. 299.

Heckmann shows that increased "networkization" and professionalization has led to a diversifica-
tion of activities, including visa smuggling and document forgery, thus allowing border controls
to be bypassed.[483]

A third consequence of border management policies mentioned by some experts is that effective
immigration control increases the demand for and the cost of smuggling services. According to
Bhabha, extra hurdles simply get passed on to the smuggled migrants in the form of increased
fees and more dangerous journeys.[484] This view is supported by Friebel and Guriev, who conclude
that while stricter border controls appear to decrease overall immigration, they may also result in
an increase in debt-financed migration.[485]According to Kyle and Liang, the price that snakehead
smugglers charge to bring migrants from China's Fujian Province to the United States doubled
from $28,000 in the early 1990s to $60,000 in 2001.[486] Similarly, according to Cornelius, the
typical charge to be smuggled from Mexico across the border to Phoenix (Arizona) in 1999 was
$150. By the summer of 2000, the fee was $800 to $1,300. By mid-2001, smugglers operating in
the San Diego (California) area were charging $1,200 to $1,500 per head.[487]

9.2   Modi operandi of smuggling networks: a regional perspective

9.2.1   Europe

Modi operandi

With regard to smuggling of migrants to the European Union, according to empirical research
undertaken by ICMPD and IOM, as well as Narli and Bilger et al.,[488] migrants usually contact
smugglers at strategic places with a reputation for such services (e.g. railway stations, bazaars,
coffee shops). The literature reviewed shows that the recruitment of migrants takes place very
openly in certain areas.

In most cases, migrants have undertaken initial land journeys to one of the major hubs
(city, harbour, refugee camp, etc.) in order to contact a smuggler. Hubs acquire a certain reputation
for providing the necessary infrastructure and services to support irregular migration processes,
such as accommodation, forged documents, job opportunities, information exchange, and contacts
with smugglers and migrant communities.[489]

According to Bilger et al., opportunities available in major hubs have a great influence on the
choice of itineraries of smuggled migrants. While research published in the early 2000s shows
the critical role of cities in the Western Balkans, such as Sarajevo,[490] as hubs for smuggling towards

[483]Heckmann, "Towards a better understanding of human smuggling?" (see footnote 6), p. 7.

[484]Bhabha, "Human smuggling, migration and human rights" (see footnote 36), p. 32.

[485]Guido Friebel and Sergei Guriev, "Smuggling humans: a theory of debt-financed migration", *Journal of the European Economic Association*, vol. 4, No. 6 (2006).

[486]Kyle and Liang, "Migration merchants: human smuggling from Ecuador and China" (see footnote 26), p. 20.

[487]Cornelius, "Death at the border: efficacy and unintended consequences" (see footnote 148), p. 668.

[488]Narli, "Human trafficking and smuggling" (see footnote 323); Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233).

[489]Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233), p. 17.

[490]Lejla Mavris, "Human smugglers and social networks: transit migration through the states of former Yugoslavia", Working Paper, No. 72 (Geneva, Office of the United Nations High Commissioner for Refugees, 2002).

Western European countries, the picture in Western Europe has evolved dramatically with the two latest enlargements of the European Union, in 2004 and 2007.[491] The 2007 ICMPD report confirms the shift of smuggling routes to the new EU Member States (Romania, Bulgaria), although there are still relatively important smuggling hubs in the Balkan region. One also notes that the Greek-Turkish border remains a major smuggling corridor, with Istanbul a major European smuggling hub.[492]

The 2009 Frontex report shows that smuggling networks have recently adapted their modi operandi in reaction to border management measures. In particular, smuggling networks have been able to increase the quality of forged documents, allowing irregular migrants to avoid detection. Second, Frontex observed that more irregular migrants are able to be smuggled to EU member States hidden in vehicles. The corresponding shift from the green border entry modus operandi to clandestine entry at border crossing points could be particularly pertinent for the external land borders between Bulgaria, Greece, the former Yugoslav Republic of Macedonia and Turkey. Given the increased likelihood of migrants being returned to the Libyan Arab Jamahiriya, smuggling networks in that country could be switching from providing boats to focusing more on commercial vessels as the way to enter EU. More smuggled migrants could be hidden in ships that are bound for ports in EU. This new modus operandi could be making apprehensions and detections more difficult for law enforcement authorities.[493]

The above information regarding the recruitment process is fully valid for the East and Central Asian region. It is worth underlining that IOM reports about Armenia, Azerbaijan and Georgia, published in the early 2000s show that smugglers recruited aggressively through advertisements in local newspapers.[494] According to Čermáková and Nekorjak, active recruitment also occurs in Ukraine, where smuggling organizations offer "a full package option" that includes opportunities to find employment on the Czech black labour market. These networks may be also involved in human-trafficking activities.[495]

ICMPD reported that smugglers creatively combine various modes of legal entry and subsequent illegal phases of the migration process. Legal entry is facilitated by the use of visas obtained under false pretences, original passports or false letters of invitation for study, business or tourism. The most important strategies for such legal entry were reported to be marriages of convenience, registration at universities, applying for refugee status and adoptions of convenience.[496] According to IOM, the issue of visas obtained in bad faith has become especially apparent in the case of Bangladeshi migrants entering Kyrgyzstan, where migrants were advised by smugglers to state a false purpose of their travel.

For illegal entry, smugglers seem to use all available forms of transport, including their own private vehicles, closed trucks, high-speed boats and public transport such as trains, buses and ferries.[497] As shown in a 2006 IOM report, smuggled migrants from South Asia generally arrive first in Kyrgyzstan

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[491] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 25.

[492] Ibid., p. 25; Narli, "Human trafficking and smuggling" (see footnote 323), p. 19.

[493] European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, "The impact of the global economic crisis on illegal migration to the EU" (see footnote 201), p. 20.

[494] International Organization for Migration, *Irregular Migration and Smuggling of Migrants from Armenia* (Geneva, 2002), p. 20; International Organization for Migration, *Away from Azerbaijan, Destination Europe: Study of Migration Motives, Routes and Methods* (Geneva, 2001), p. 20; International Organization for Migration, *Hardship Abroad or Hunger at Home: A Study of Irregular Migration from Georgia* (Geneva, 2001), p. 5.

[495] Čermáková and Nekorjak, "Ukrainian middleman system of labour organisation in the Czech Republic" (see footnote 415), p. 35.

[496] Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 23.

[497] Ibid.

and Tajikistan, and then with the help of smugglers travel on through Kazakhstan and the Russian Federation, passing through Belarus and Poland to enter Western Europe. The ease with which borders are crossed is often due to the inadequacies of technical equipment and established structures for detecting illegal border crossing, including the vast possibilities for green border crossing and the already established drug trafficking routes on the Afghan-Tajik border.[498] As shown by Mavris, the sophistication of smugglers has increased greatly over the years. They use the latest communications technology to keep informed of changing border control measures and adapt to them. They quickly change their routes in response to restrictive measures. Smugglers are also equipped with the material necessary to make fraudulent documents, such as passports, identification cards or letters from governments threatening persecution. They often bribe or threaten government authorities to allow smuggling.[499]

Information about the organization of smuggling of migrants in Kazakhstan, Kyrgyzstan and Tajikistan is limited. However, ICMPD and IOM reports include consistent information about the high level of corruption among government officials in Eastern Europe and Central Asia. Indeed, it seems that most migrants cross borders at regular checkpoints thanks to documents obtained in bad faith. Corruption plays a significant role in the facilitation of irregular border crossing, simplified visa issuance and the non-prosecution of smugglers. [500] There was no evidence in the literature that corrupt officials take an active part in the physical transportation of irregular migrants.

Pricing, mobilizing and paying fees

With regard to smuggling of migrants to EU, the sources reviewed suggest comparatively high prices with a slight rising tendency.[501] Costs vary widely depending on factors such as means of transport, the guarantees included, additional services such as forged documents and whether the whole journey is to be organized by one provider without any breaks or is to be carried out in stages. Regardless of the precise amount, it is very common for smuggled migrants to need to sell property in order to raise the necessary amount of money or have to use credit in one form or another.[502] This information is supported by the empirical research carried out by Koser with migrants from Afghanistan and Pakistan smuggled to the United Kingdom.[503]

Some smuggling organizations offer financial services so that migrants can pay their high fees. According to Pastore et al., the migrants contact an organization with a proposal for investment in their emigration. The organization then assesses whether it can realistically expect the repayment of the amount advanced, plus interest, in the time specified. If it takes on these risks, the organization also acquires the right to choose the operator that will organize the journey for the migrant.[504]

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[498] International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189), p. 19.

[499] Mavris, "Asylum seekers and human smuggling" (see footnote 188), p. 9.

[500] International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189), p. 21; see also Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 23.

[501] Petros, "The costs of human smuggling and trafficking" (see footnote 468); Futo, *Yearbook: Illegal Migration, Human Smuggling and Trafficking* (see footnote 57), p. 24.

[502] Bilger, Hofmann and Jandl, "Human smuggling as a transnational service industry" (see footnote 233), p. 70.

[503] Koser, "Why migrant smuggling pays" (see footnote 177), p. 13.

[504] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), pp. 104-105.

In other cases, according to the same author, when a migrant residing abroad wants to bring in another person from the country of origin, the credit organization establishes a fee covering its mediation service and the whole migratory journey, including stopovers in transit countries and border crossings, up to the time when the agreed amount is repaid. In that case, the customer chooses the operators who organize the journey and usually agrees to repay the agreed amount upon the successful completion of the journey, although there is also evidence of payment in instalments. The risk of non-payment exists, however, and a traditional strategy to overcome it is to hold migrants hostage after the last border crossing until the agreed amount is paid. However, this strategy may be risky for the organization, which is vulnerable during the time the migrants are kept hostage, and jailers run great risks.[505]

In Eastern Europe and Central Asia, the fee for smuggling services depends on the distance, the guarantees offered and the level of convenience of the transfer. According to Neske, in cases of non-pre-organized smuggling of Eastern European migrants, at every stage of the journey payments are made in cash, almost without exception. This means that savings in convertible currencies must be available. In many cases, the cash payers who want to be smuggled have visited Western countries before and can use their savings. In other cases, the amount is earned during the journey, e.g. by working in the fields, so that the next stage of the journey can be bought. Bank transfers are also not uncommon in smuggling businesses, especially in places with the appropriate infrastructure (e.g. in large cities).[506]

According to Pastore, a system of guarantees has been developed in order to avoid the risk of non-payment, but also to protect the migrants from being held hostage. During an investigation into some of the flows from Central Asia, it was discovered that a customer interested in bringing in a countryman would make a deal with an organization to pay the agreed amount to a third party (generally someone running a shop), who would keep the money as a deposit until the immigrant arrived, and then the money would be paid to the organization. If the journey was unsuccessful, the money would be returned to the customer.[507]

With regard to smuggling of migrants to EU, the sources reviewed show that information about smuggling costs is often incomplete. The figures mentioned below should be treated with caution, as some of them may be obsolete, and it is not always clear what sources were used or how the calculation was done.

According to Petros, the mean documented cost for movements within Europe—i.e. from Eastern to Western Europe—was $2,708. Travel from the Russian Federation to Poland was the most expensive reported, with a cost of $14,000 in 1998, and from Poland to Germany the least, at $28 (in 2000).[508] According to figures published in 2002 by Içduygu and Toktas, smuggling migrants from Turkey to Western European countries would cost about $4,000 to $6,000.[509]

Table 4 shows indicative fees paid in 2007.

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[505] Ibid.

[506] Neske, "Human smuggling to and through Germany" (see footnote 2), pp. 153-154.

[507] Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 105.

[508] Ibid.

[509] Içduygu and Toktas, "How do smuggling and trafficking operate" (see footnote 101), p. 42.

Table 4. Illustrative examples of smuggling fees in 2007

Itinerary	Approximate fee
From Albania to France, Italy, Germany or Switzerland	€3 500 to €6 000
From Albania to Greece or to Montenegro, crossing the border on foot	€1 500
From Albania to Italy	€2 500 to €5 000
From Bosnia and Herzegovina to Italy	About €1 300
From Iraq to Germany	$7 000 to $14 000
From Czech Republic to Germany or Austria	Between €1 000 and €1 500
From Kosovo or Albania to Slovenia	Between €2 500 and €3 000
From Kosovo to Italy	€2 400
From the former Yugoslav Republic of Macedonia to Slovenia	About €1 800
From Republic of Moldova to Greece	€2 000 to €3 000
From Turkey and Iran (Islamic Republic of) to Slovenia	€4 650
From Turkey to Bulgaria	Between €1 500 and €2 000
From Turkey to Italy	Between €2 500 and €5 000

Source: ICMPD, 2007 report.

According to information published by IOM in 2006, the smuggling fee usually ranges from $3,000 to $10,000 for transportation from Central Asia to Europe. This payment is divided among the facilitators in the countries of origin, transit and destination. However, if the money is not paid on time, or if the smuggler decides to keep it, the migrants end up stranded.[510]

9.2.2 Africa

Modi operandi

Regarding North and West Africa, the literature reviewed shows that the modi operandi of smuggling organizations are highly flexible and have evolved greatly since the early 1990s in order to adapt to law enforcement strategies and to serve an ever expanding market. According to Monzini, three distinct evolutionary phases can be distinguished:

- The first phase is characterized by the growth in the professionalization of smuggling organizations and the establishment of new routes
- The second phase begins with the articulation of new techniques in response to counter-smuggling strategies
- The last phase is marked by withdrawal from a route when the cost becomes too high and the process of skills transfer to other geographical areas.[511]

Smuggling of migrants by sea from Morocco and the Libyan Arab Jamahiriya has been studied in a way that allows for a depiction of its evolution. In order to understand how the smuggling market works, it is important to note its adjustments to changing institutional frameworks in the countries of embarkation. Coslovi shows how pioneer smugglers of migrants who began by organizing "single passages" from Morocco in the 1990s were subsequently able to sell

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[510]International Organization for Migration, *Baseline Research on Smuggling of Migrants* (see footnote 189), p. 19.
[511]Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202), p. 180.

"full package solutions".[512] These consisted of a complete package to go to Italy or Spain (boat ticket + documents + work permit), at a higher price, offered to urban would-be migrants already aware of the high risk of travelling with *pateras*. In parallel, the same organizations continued to offer their traditional *patera* services, which were cheaper and more dangerous, to rural and more naive people.[513]

Increasing controls in the Strait of Gibraltar led to a diversification of services and an enlargement of international and national networks of smugglers in Morocco. Other examples collected by Coslovi show how Moroccan smugglers of migrants made contacts with smugglers in the Libyan Arab Jamahiriya and with counterfeiters in response to stricter controls in the Strait of Gibraltar. According to Coslovi, Moroccan smugglers are also able to offer false documents and ferry tickets to Spain or access to Ceuta at higher costs. Cheaper trips, with migrants departing in containers or hidden in trucks, are also sold; this requires the compliance and corruption of border guards. [514]

The latest information published by UNODC shows that even boat trips have evolved recently: *cayucos* and *pateras* have been replaced by much faster inflatable rubber boats able to carry 70 passengers at a time.[515] Monzini has also reported the existence of a trip from Morocco that includes transport by car to Casablanca airport, a flight to Tripoli and transport by car to the departure point in the Libyan Arab Jamahiriya.[516]

A similar evolution of smuggling of migrants in the Libyan Arab Jamahiriya has been observed, comprising both that country's growing importance as a hub for smuggling of migrants and a process of professionalization of the smugglers. In the early 1990s, spontaneous passages to Sicily were organized from Tunisia by migrants themselves, and Italian authorities paid no attention to their arrival. As in Morocco, smugglers progressively created a market for these passages and recruited professional sailors to transport migrants to Sicily and sail the boats back. After this modus operandi was suppressed at the end of the 1990s, Tunisian smugglers moved the embarkation points to the Libyan Arab Jamahiriya. When in 2002 and 2003 the Italian police arrested dozens of sailors, mostly of Tunisian origin, on Italian shores, the smugglers began to send boats to Lampedusa without professional sailors.[517] Gradually Libyan smugglers took over the business.[518] Investigations in Italy have demonstrated that while, until a few years ago, only single crossings were sold in the Libyan Arab Jamahiriya,[519] now some smugglers are capable of offering full-package solutions, including, at times, assistance in Italy upon leaving the detention centres for irregular migrants. According to these findings, for the full-package migration trip to Italy, the sum of €3,000 is requested in two payments: €1,500 to the Libyan organizers at the moment of departure and the remaining €1,500 paid by relatives in Italy when the trip is determined to have been successful. In Milan, research based on interviews with police officers and an analysis of judicial files found important ties between smugglers and the forgers who create false documents in order to regularize a migrant's status.[520]

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[512]Lorenzo Coslovi, "Biglietti diversi: destinazione comune—indagine sul mercato dell'emigrazione irregolare dal Marocco centrale verso l'Italia e la Spagna", source cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[513]UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[514]Lorenzo Coslovi, "Biglietti diversi: destinazione comune—indagine sul mercato dell'emigrazione irregolare dal Marocco centrale verso l'Italia e la Spagna", source cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[515]UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 62.

[516]Paola Monzini, *Il traffico di migranti per mare verso l'Italia: sviluppi recenti (2004-2008)*, source cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[517]Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202).

[518]Monzini, *Il traffico di migranti per mare verso l'Italia* (see footnote 343).

[519]Pastore, Monzini and Sciortino, "Schengen's soft underbelly?" (see footnote 31), p. 112.

[520]Salvatore Coluccello and Simon Massey, "Out of Africa: the human trade between Libya and Lampedusa", *Trends in Organized Crime*, vol. 10, No. 4 (2007), pp. 77-90.

The statements of migrants recorded by the Agrigento court in Sicily confirm that contact with Libyan or Tunisian intermediaries takes place in certain bars or in the market. On the outskirts of Tripoli, migrants are crowded into houses for days or weeks, with armed guards to keep them in order and ensure secrecy while they await embarkation. Afterwards, the migrants are taken to the coast at night in small buses that have been completely emptied of seats and are thus able to carry 50 to 60 persons at a time. The passengers are then loaded onto small boats and transferred to fishing boats waiting at anchor, or taken directly onboard in small ports.[521] Descriptions included in the literature reviewed show the extremely perilous nature of such trips, as the pilot is usually one of the passengers who has been given a compass and some general directions to follow.[522]

In the case of smuggling of migrants by land from sub-Saharan Africa to North Africa, the length and complexity of the journeys mean that migration is usually divided into several stages. Each stage can involve several days of travel. Smuggling arrangements are generally described as small-scale and locally organized: the *passeurs* are always persons who know the territory well. Moreover, individual migrants typically rely on their communities living abroad for assistance.[523] According to the survey conducted in Morocco in 2002, trips are usually very long: 83.7 per cent of migrants interviewed transited through more than one country, and 21 per cent of them passed through 4 to 6 different countries. It should be noted that according to information collected by Mghari from sub-Saharan migrants living in Morocco, women tend to travel longer and to transit through more countries than men.[524] The survey commissioned in 2002 by the International Labour Organization mentions that the duration of a migrant's stay in Morocco could be up to 2 years.[525]

Literature on smuggling of migrants from West Africa to North Africa highlights that the first important step is to reach the "doors" of the desert. With this aim, migrants travel on their own, or pay for all-inclusive transportation services offered in major capitals. According to de Haas, Agadez is located at a historical crossroad of migration itineraries, which often follow revived sections of older trans-Saharan and Sahelian trade routes and which have now extended to all over the Sahel zone and deep into West and tropical Africa.[526] According to Barros et al., it is quite easy to travel in the region. Migrants from most West African countries usually travel via Niamey. Migrants from Nigeria and Central African countries cross through Nigeria, usually after regrouping in certain cities in northern Nigeria.[527] For travel by private minibus, the passage is always paid for in advance. Some passengers fix the deal with transporters in Gao or Agadez by e-mail or by telephone before their departure.[528] While some sources reviewed indicate that some refugees and migrants coming from the Horn of Africa—in particular Eritreans and Ethiopians—take a direct route from their place of origin to the Libyan Arab Jamahiriya, Hamood notes that it is now more common for them to spend a period of time in transit, usually in Khartoum, before finally arriving in the Libyan Arab Jamahiriya. During this time in transit, many work and some even marry, remaining for an average of one

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[521]Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202), p. 177; Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), pp. 49-52.

[522]Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), p. 52.

[523]Michael Collyer, "Clandestine migration in the Mediterranean in 2006", in *Med.2007: Mediterranean Yearbook* (Barcelona, European Institute of the Mediterranean (IEMed), 2007).

[524]Mghari, "L'immigration subsaharienne au Maroc" (see footnote 130).

[525]Barros and others, *L'immigration irrégulière subsaharienne* (see footnote 73), p. 27.

[526]De Haas, *The Myth of Invasion* (see footnote 49), p. 18.

[527]Barros and others, *L'immigration irrégulière subsaharienne* (see footnote 73), p. 24.

[528]Harouna Issa, *Study of Migration in the Agadez Urban Commune*, cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

to two years before moving on. In the case of Sudanese nationals, Hamood notes that many of them had moved within the Sudan, away from their home towns and villages, before deciding to leave their country of origin for the Libyan Arab Jamahiriya or Europe. [529]

The second step is the difficult and dangerous desert crossing. Here, almost all migrants have to establish contacts with middlemen so as to continue the journey and travel with drivers who know the routes and are able to avoid detection. Migrants have to trust the middlemen who arrange their travels and rely on the drivers of the trucks on which they may travel for days, usually passing through several hubs. Descriptions of migrant-smuggling operations in the desert between the Sudan and the Libyan Arab Jamahiriya show that the vast majority of trips, as described by respondents, are riddled with problems. According to Hamood, food and water are severely rationed owing to the lack of space on the truck. Usually, a convoy of two or three overcrowded vehicles travels for an average of about 10 days. Vehicles often break down and sometimes drivers get lost.[530]

In-depth research on the modi operandi of smugglers in the desert and their evolution is lacking, but some interesting information has been collected through studies on some hubs of irregular migration.[531] ICMPD has outlined the importance of hubs on the eastern routes where smugglers recruit or gather clients or transfer them to other brokers.[532] Hubs are defined as "strategic transit places along the migration routes that provide migrants with the necessary infrastructure and services to continue their migration journey".[533]

Pricing, mobilizing and paying fees

In recent years, according to sources such as Lutterbeck, Collyer and Khachani, smuggling routes have become riskier and more expensive.[534] According to Monzini, the strengthening of police and border patrols is increasing the risks of interception for smugglers, who need to invest more in corruption and means of transportation in order to successfully manage their business. As a result, prices for the services of smugglers are increasing.[535] With regard to smuggling of migrants from West to North Africa, Barros et al. and de Haas consider corruption one of the main variables in establishing prices of journeys.[536]

It is interesting to note that prices are usually standardized but can differ according to the nationality of the migrant. According to de Haas, in 2003 the price for a sea crossing from Morocco to Spain was $200 to $500 for Moroccan nationals, $800 for francophone sub-Saharan Africans and $1,200 for anglophone sub-Saharan Africans.[537] According to a survey carried out by Mghari with sub-Saharan migrants in Morocco, it appears that smuggling fees are usually higher for women than

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[529] Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), p. 44.

[530] Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), pp. 45-46.

[531] See in particular Boni, "L'Afrique des clandestins" (see footnote 207); Roberto Beneduce, "Undocumented bodies, burned identities: refugees, sans papiers, harraga—when things fall apart", *Social Science Information*, vol. 47, No. 4 (2008), pp. 505-527; Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15).

[532] International Centre for Migration Policy Development, *East Africa Migration Route Initiative* (see footnote 435), p. 28.

[533] Ibid., p. 24.

[534] Derek Lutterbeck, "Policing migration in the Mediterranean", *Mediterranean Politics*, vol. 11, No. 1 (2006); Collyer, "States of insecurity: consequences of Saharan transit migration" (see footnote 65); Mohamed Khachani, "La migration clandestine au Maroc", CARIM Analytic and Synthetic Notes, No. 2008/50, Irregular Migration Series (San Domenico di Fiesole, European University Institute, 2008).

[535] Monzini, "Migration: human rights of irregular migrants in Italy" (see footnote 225), pp. 12-13.

[536] De Haas, *The Myth of Invasion* (see footnote 49), p. 25; Barros and others, *L'immigration irrégulière subsaharienne* (see footnote 73).

[537] De Haas, *The Myth of Invasion* (see footnote 49), p. 18.

for men.[538] The survey does not provide any explanation for that phenomenon, but one explanation might be women's vulnerability and weak bargaining position.

In North and West Africa, the method of payment is generally cash.[539] Coslovi found that full payment was not always made in advance, but partially upon arrival.[540]

According to Mghari, the majority of migrants have used their personal savings to finance their trip (up to 65 per cent). While 74 per cent of men benefited from the financial support of their family, this was the case for only 58 per cent of the women. Only 23 per cent of all migrants interviewed had recourse to a proper loan.[541] Hamood mentions that there is a real sense of community and solidarity that enables the less fortunate to travel. Those without sufficient funds to pay for the trip are sometimes helped by those who are financially better off, apparently without any expectation of remuneration.[542]

Regarding North and West Africa, current literature presents some data regarding the amount of money that migrants pay in order to travel irregularly, by land, sea or air. However, data are scattered, and evidence collected on prices and on methods of payment is scarce.

According to the 2009 UNODC report, the boat trip from the West African coast to the Canary Islands cost between $600 and $1,200 in 2006. The land leg from West Africa to North Africa is said to cost about $2,500 and the sea voyage from North Africa to Lampedusa another $2,500 or so. Based on these prices and the estimated numbers of passengers on each route, the total intake in 2008 for successful migrants would be about $75 million.[543] Prices may vary enormously:

- Passage from Lagos to Gao can cost $1,000, including all expenses and the bribes paid by drivers to local police officials[544]

- A combined trip from Casablanca by air to Tripoli, by car to the departure point in the Libyan Arab Jamahiriya and by sea to Italy can cost about €4,000[545]

- A journey from an African transit point to a European airport using forged documents can cost about $7,000[546]

9.2.3 Americas

Modi operandi

The literature on North America focuses mainly on smuggling networks operating from China to the United States and networks operating across the Mexico-United States border.

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[538]Mghari, "L'immigration subsaharienne au Maroc" (see footnote 130), p. 9.

[539]Mghari, "L'immigration subsaharienne au Maroc" (see footnote 130).

[540]Lorenzo Coslovi, "Biglietti diversi: estinazione comune—indagine sul mercato dell'emigrazione irregolare dal Marocco centrale verso l'Italia e la Spagna", source cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[541]Mghari, "L'immigration subsaharienne au Maroc" (see footnote 130), p. 10.

[542]Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), p. 50.

[543]UNODC, *Transnational Trafficking and the Rule of Law in West Africa* (see footnote 108), p. 66.

[544]Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), p. 27.

[545]Paola Monzini, *Il traffico di migranti per mare verso l'Italia: sviluppi recenti (2004-2008)*, source cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[546]Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202), p. 166.

Literature published by United States authorities shows that Mexican smuggling networks may be growing in sophistication. Federal, state and local law enforcement officials are witnessing a growing nexus between the Mexican drug cartels, illegal-alien smuggling rings and United States-based gangs. The migrant-smuggling networks that operate along the border in the Southwestern United States cannot move their human cargo through drug cartel-controlled corridors without paying a fee.[547] The Mexican drug cartel Los Zetas, also involved in smuggling of migrants, reportedly includes former Mexican military officers trained by United States special forces in counter-narcotics operations. United States investigations have reported evidence that migrant-smuggling organizations have access to sophisticated military equipment, such as body armour, fully automatic weapons, night-vision equipment and encrypted radios.[548] FBI information published in 2005 indicates that Los Zetas are becoming systematically involved in the corruption of Mexican government officials. The Zetas wield their control over the movement of people across the border through an elaborate network of spies and checkpoints and the use of sophisticated technology. Some of those networks are deepening their roots in Texas cities, including Houston and Dallas, with the help of gang members.[549]

When it comes to the modi operandi of Chinese smuggling networks facilitating illegal immigration into the United States, the literature reviewed suffers from two limitations. First, the literature has been produced mainly by two authors, Zhang and Chin, through empirical research carried out both in the United States and in China (see section 3.2.2). Second, Zhang and Chin's information about the methods for smuggling migrants from China to the United States was initially published in 2002, and some of the information below could therefore be obsolete. Information published by Zhang in 2007 seems to be based on the outcome of the 2002 study and does not include any new information. Further research is needed to update current knowledge and assess recent evolutions.

According to Zhang and Chin, several unique characteristics distinguish the operational organization of Chinese smuggling of migrants:[550]

- Most, if not all, transactions in smuggling of migrants are based on verbal agreements between partners. Payment between smuggling partners is always in cash, and the amount is rarely disputed. In most cases, smuggling operations are uneventful despite sensational news coverage of botched smuggling operations and torture of irregular migrants.

- In contrast with the situation in traditional organized crime, violence towards fellow snakeheads seems to be rare.[551] As already discussed in section 8.2.3, the non-use of physical force largely explains the relatively important presence of women in this market, where connections matter more than the ability or willingness to use violence.[552]

- Because of the risk of arrest, snakeheads have developed several strategies to manage uncertainties inherent to the business. These mechanisms include ethnicity (linguistic ancestry, familial relationship), dyadic business relationships, underground banking, mobile telecommunications and spontaneous meeting locations.

- The collusion of Chinese government officials is essential to the success of the smuggling process. In most cases, corrupt officials occupy low-level but crucial government functions.

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[547] United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 14.

[548] Nuñez-Neto, Siskin and Viña, "Border security: apprehensions of 'Other than Mexican' aliens" (see footnote 41), p. 21; United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 24.

[549] United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 17; Nuñez-Neto, Siskin and Viña, "Border security: apprehensions of 'Other than Mexican' aliens" (see footnote 41).

[550] Zhang and Chin, "Enter the dragon: inside Chinese human smuggling organizations" (see footnote 78), pp. 755-758.

[551] Zhang, *Smuggling and Trafficking in Human Beings* (see footnote 15), p. 100.

[552] Zhang, Chin and Miller, "Women's participation in Chinese transnational human smuggling"(see footnote 78), p. 724.

- The system is based on temporary alliances within a limited circle of family members and acquaintances that dissolve once their purpose has been achieved. In comprehensive research on the Sister Ping case, Sein shows that smugglers usually operate within a limited, albeit well-connected, circle of associates or friends.[553]

Pricing, mobilizing and paying fees

Information reviewed shows the existence of fairly sophisticated payment systems linked to smuggling of migrants to North America. Chin and Zhang have traced the various methods designed to facilitate the transactions and avoid problems in payment and service delivery.[554] A common method seems to be the opening of a joint account that requires both signatures for money to be withdrawn. Alternatively, a snakehead can open a bank account to deposit the agreed amount of money and then give the passbook to the collaborating partner but not the associated password. Without the password, the partner cannot withdraw the money, but neither can the depository snakehead make a withdrawal without the passbook.[555] Such bank transactions rarely raise any suspicion, since China is still mostly a cash society, and its booming economy involves rapid financial activities. Furthermore, because most smuggling operations take months, if not years (such as fraudulent marriages), these deposits are usually long term and hence are less subject to official scrutiny.[556]

The actual cost of smuggling migrants from China to the United States seems to vary greatly according to the methods used. In 2002, an all-inclusive package including forged documents and a direct flight from China to New York City or Vancouver cost $55,000 per person.[557] According to interviews carried out by Chin and Zhang, smugglers would spend approximately $15,000 on bribery.

Regarding the Mexico-United States border, it seems that prices have increased considerably since the early 1990s. As shown by Cornelius, an unintended consequence of the stricter United States border policy is that the fees charged by smugglers doubled between 1993 and 1998, reaching $1,000. Prices further increased to about $1,500 per head in the aftermath of the events of 11 September 2001 and related immigration measures.[558]

9.2.4 Asia

Modi operandi

Information about smugglers' modi operandi in East Asia and the Pacific is scattered, except in respect of China (see section 9.2.3). Owing to the lack of research, this section is based mainly on a study done by Schloenhardt for AIC in 1999.[559] The information should thus be treated with caution as it could be obsolete. Comprehensive research is needed in order to update existing data.

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[553] Sein, "The prosecution of Chinese organized crime groups" (see footnote 194), p. 167.

[554] Zhang and Chin, "Enter the dragon: inside Chinese human smuggling organizations" (see footnote 78).

[555] Ibid., p. 755.

[556] Ibid., opus cit., p. 756.

[557] Ibid., opus cit., p. 751.

[558] Cornelius, "Death at the border: efficacy and unintended consequences" (see footnote 148), p. 668.

[559] Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39).

Regarding the recruitment process, journalistic sources used by Schloenhardt show evidence that smugglers actively recruit migrants, including by providing misleading information about the possibility of getting a secure job in the destination country or being granted a residence permit through regularization programmes.[560] Media sources also report that some persons smuggled to Australia were recruited in refugee camps in Pakistan.[561]

The organization of transport seems to be sophisticated, and smugglers of migrants sometimes coach migrants on how to avoid border controls, answer questions from immigration officers or law enforcement agencies and request asylum in destination countries.[562] Schloenhardt reports that violence is used to control and maintain order among the migrants and among employees.[563]

Document forgery is a central element of the smuggling process. Smuggling organizations show a high level of sophistication and have a variety of ways in which they obtain or produce the necessary documents, such as photo substitution, visa transposition and forgery of visas, residence permits and passports. Investigations have found that blank passports are also stolen from passport-issuing authorities or provided by corrupt officials. In order to meet visa requirements, smugglers also issue fraudulent business invitations from non-existent companies in destination countries.[564]

Information about smugglers' modi operandi in South and West Asia is also scattered. Of the sources reviewed, only two provide such information about that region: one about India (Tamil Nadu)[565] and another about Afghanistan and Pakistan. This section provides only information abstracted from these sources without analysis. Readers should be aware that data on Afghanistan and Pakistan were collected in 2003 and 2004 and thus may be partially obsolete, given the evolution of the situation in that region. Information about Tamil Nadu was collected in 2006 and 2007.

The sources found that the recruitment process was usually based on an agreement with the migrants' families or communities. As mentioned in chapter 5, families have a great influence on the choice of country of destination and smuggling networks. Members of the diaspora play a significant role, since families usually resort to the same smuggler or network.[566] In Tamil Nadu, it has been observed that agents operate under the guise of travel or recruitment agencies. Agents are able to carry on their business without hindrance from the local law enforcement authorities or civil society.[567]

In both cases, smugglers may forge documents to ensure successful smuggling. Evidence collected in Tamil Nadu shows that agents use many different techniques, such as forgery of Indian or foreign passports, photo and/or jacket substitution in passports, forgery of foreign visas and the

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[560]Les Kennedy and Mark Metherell, "Call to stop the people smugglers", *Sydney Morning Herald*, 12 April 1999; David Tanner and Megan Saunders, "Minister's message to China", cited in Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39), p. 40.

[561]Rory McCarthy and others, "New cargo cult produces a new entrepreneur", cited in Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39), p. 40.

[562]Salt and Stein, "Migration as a business: the case of trafficking" (see footnote 19), p. 483.

[563]Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39), p. 46.

[564]International Organization for Migration background paper prepared for the Seminar on Irregular Migration and Migrant Trafficking in East and South-East Asia, Manila, 5-6 September 1996, cited in Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39), p. 47.

[565]UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176); Koser, "Why migrant smuggling pays" (see footnote 177).

[566]UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), p. 28; Koser, "Why migrant smuggling pays" (see footnote 177), p. 15.

[567]UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), p. x.

exchange of boarding cards in security areas.[568] Law enforcement officials report that the quality of the forgery is remarkable, leading Saha to conclude that smuggling of migrants is carried out by highly sophisticated networks.[569]

In Afghanistan and Pakistan, smugglers would arrange a passport with the required visa. While Afghan and Pakistani passports were the easiest to obtain, some smugglers reported obtaining passports of other nationalities, including British. Passports and visas were reported to be obtainable through theft or bribery, or they were forged. Depending on the nationality and quality of the passport and visa, a necessary second step in departing Pakistan was often to bribe airline and airport officials. It is reported that staff at all three stages of scrutiny—at the check-in counter, upon entering the departure lounge and directly before boarding the flight—were bribed not to examine passports and visas too closely.[570]

Pricing, mobilizing and paying fees

Sources reviewed did not include relevant information about East Asia and the Pacific. Information about South and West Asia shows that sophisticated methods of payment have been developed that may include guarantees against cheating or a reimbursement system in case of failure to reach the country of destination.

In the case of Tamil Nadu, it is interesting to note that the agents have the obligation to refund money to smuggled migrants in case of failure. If not, the migrants will file a complaint with the police, who will register a case of cheating against the sub-agents and the agents. Cheating is very difficult to establish in the absence of any documentary proof of payment of money and, as a result, the sub-agents, even if arrested, are released by courts within a short period. While the law enforcement authorities manage to take action against the sub-agents, most of the agents in Chennai and other places escape any action.[571]

In the case of Afghanistan and Pakistan, payment in full is made to a third party in advance of migration, rather than directly to the smuggler himself. For instance, in Peshawar, the third party may be a moneychanger or a jeweller. The third party issues a formal receipt to the potential migrant, his or her family and the smuggler. The money is released to the smuggler only when the migrant's family confirms to the third party that the person has arrived safely—normally having received a telephone call from the destination country.[572]

Information about smuggling costs in East Asia and Pacific is old and scattered and draws predominantly on interviews with migrants. According to figures published in 1999 by UNICRI and AIC, Filipinos pay between $1,500 and $3,500 for the illegal passage and up to $500 to gain illegal entry into Malaysia or Indonesia. In 2000, migrants from Myanmar paid approximately A$ 30 for clandestine transportation to Malaysia and from $75 to $150 to get across the border to Thailand. On average, Thai migrants would pay US$ 1,240 to get to Singapore. Figures for smuggling to Australia seem to be much higher. In 1999, Somali migrants paid up to A$ 3,000 per capita to be smuggled to Australia, while in 2000 people from Afghanistan,

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[568] Ibid., p. 35.

[569] Ibid., p. 34.

[570] Koser, "Why migrant smuggling pays" (see footnote 177), p. 19.

[571] UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), p. xi.

[572] Koser, "Why migrant smuggling pays" (see footnote 177), pp. 13-14.

Iran (Islamic Republic of) and Iraq paid between A\$ 6,000 and A\$ 17,000 to fly from Pakistan to Malaysia and between US\$ 1,500 and US\$ 5,000 each to be smuggled from Malaysian and Indonesian ports to Australia. In 2001, illegal migrants apprehended in Cambodia had paid US\$ 5,000 to US\$ 10,000 each to go to Australia.[573]

Information about smuggling fees in South and West Asia is scattered. According to information published by UNODC in 2009, the cost of smuggling migrants from Tamil Nadu to Europe has increased substantially in recent years as a result of stricter enforcement, but also because the demand is far greater than the smugglers' capacity. Indeed, it seems that smugglers take only a few people at a time in order not to arouse the suspicion of law enforcement authorities. Most irregular migrants who have been smuggled to the United Kingdom have paid between \$12,000 and \$15,000.[574]

Koser offers detailed information about fees for smuggling from Pakistan in 2004 (see table 5).[575] Once payment in full has been deposited with a third party, smugglers usually obtain passports and visas from an intermediary or forger, for a price of about \$2,000 depending on the nationality of the passport and the quality of forgery. A further \$5,000 is paid to airline and immigration staff at the airport.[576]

Table 5. Costs for smuggling from Pakistan (2004)

Mode	Cost (United States dollars)
Direct flight to:	
United States and Canada	17 000-20 000
United Kingdom	13 000-14 000
European Union mainland	9 000-10 000
Indirect flight	6 000-12 000 depending on the transit country
Flight and then overland journey to:	
United Kingdom	4 000
European Union mainland	3 000

Source: field data (2004).

9.3 Conclusions

The issue of modus operandi of smuggling networks has attracted the great interest of specialized agencies and the academic community. However, the literature reviewed allows only a partial assessment of the modi operandi used by smuggling networks around the world. While there is a good deal of knowledge about North America and Europe—and to some extent North and West Africa—there is comparatively little information about the rest of the world.

The information compiled shows the complexity and sophistication of smugglers' modi operandi, in particular with respect to document forgery and parallel banking systems, allowing migrants to have access to fairly expensive services. However, according to sources reviewed, the information

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[573] Schloenhardt, *Organised Crime and Migrant Smuggling* (see footnote 39), p. 72.

[574] UNODC, *Smuggling of Migrants from India to Europe* (see footnote 176), p. 35.

[575] Koser, "Why migrant smuggling pays" (see footnote 177), p. 12.

[576] Ibid., p. 15.

currently available is very limited. Following the model designed by researchers such as Koser and Pastore, studies about payment of smuggling fees should be developed.

If feasible, further research would also be needed on the role of corrupt government officials in the smuggling process in origin, transit and destination countries. In particular, greater attention should be paid to potential cases of corruption in the consular services of destination countries.

10. Human and social costs of smuggling of migrants

This chapter reviews literature on the human costs of smuggling of migrants by land and by sea. There is no information available about the human costs of smuggling of migrants by air. Literature is also reviewed with regard to the social cost of smuggling of migrants, in particular its impact on the migrants themselves, their families and their communities.

10.1 Human costs

The literature reviewed is highly critical of the law enforcement strategy currently deployed at the maritime borders of EU, which is deemed to be both inefficient in preventing irregular migration and inhumane towards the migrants. According to Spijkerboer, increased border controls have led to the loss of more lives, and further tightening of external EU borders will intensify this trend.[577] Heckmann stresses that improved border control measures have contributed to establishing a low-cost segment of the market, in which smugglers endanger the health and lives of the smuggled migrants.[578] This opinion is shared by authors such as Carling, Monzini, Eylemer and Şemşit, to name but a few.[579]

Smuggling by sea has attracted great media attention over the last decade. While this phenomenon has decreased in the United States since the *Golden Venture* case in 1993 (see section 4.2.1) it has increased dramatically in Europe, in particular on the Mediterranean. Migrant-smuggling trends across the English Channel between Calais and Dover have also attracted great media and political attention.

Sources reviewed agree that the rising number of deaths of migrants seeking to reach Europe by sea is a serious humanitarian problem. In 2004, ICMPD estimated that almost 10,000 persons had died in the last 10 years trying to cross the Mediterranean Sea. Since the beginning of the 1990s, the Asociación Pro Derechos Humanos de Andalucía calculated that more than 4,000 migrants had drowned seeking to land in Spain. [580] Fargues argues that mortality rates on the sea route to Spain have been on the increase since 2001, and the rate is now about two persons out of every hundred. In conjunction with tightened controls, routes to Europe have become increasingly dangerous. Smugglers of migrants have therefore devised longer and riskier routes.[581] It is to be noted that the NGO United, keeps a detailed register of people who have died at the EU borders, including people who committed suicide pending deportation. According

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[577] Spijkerboer, "The human costs of border control" (see footnote 254), p. 127.

[578] Heckmann, "Towards a better understanding of human smuggling" (see footnote 6), p. 7.

[579] Carling, "Unauthorized migration from Africa to Spain" (see footnote 110), p. 23; Monzini, "Sea-border crossings: the organization of irregular migration to Italy" (see footnote 202), p. 164; Sedef Eylemer and Sühal Şemşit, "Migration-security nexus in the Euro-Mediterranean relations", *Perceptions*, vol. XII, 2007, p. 60.

[580] Source quoted by UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[581] Philippe Fargues, "Irregularity as normality among immigrants south and east of the Mediterranean", cited in UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

to United, 7,182 deaths were documented at the European borders between 1993 and 2006.[582] Testimonies of migrants smuggled by ship between African and European shores have revealed that most trips take place in overloaded and poorly equipped boats that are often not supplied with enough fuel.[583] The risk of shipwreck is increased by the fact that boats are often piloted by the passengers themselves, who receive only very basic instructions from the smugglers.[584]

While media attention and the bulk of the literature focus on the situation in the Mediterranean, it should be stressed that the human costs of smuggling of migrants by sea seem also to be very high in respect of the Gulf of Aden, by which migrants and refugees try to reach Yemen from Djibouti and Somalia. The travelling conditions are so harsh that the mortality rate has been assessed by Médecins sans Frontières to be at least 5 per cent.[585] Organizations such as UNHCR and IOM have reported numerous cases of severe ill-treatment by smugglers during the journey, including acts of homicide in which migrants, including children, have been thrown overboard.[586] Cases of suicide have also been reported to Médecins sans Frontières.[587]

In Africa, according to information collected through interviews, travels through the Sahara desert are extremely harsh. After arrival in Italy by boat, sub-Saharan African migrants often recall their journey across the desert as the most dangerous part of their odyssey.[588] Hamood wrote that journeys are carried out using convoys of large lorries holding up to 160 people, or more expensively, minibuses holding 25 to 30 people. The jeeps, vans and trucks that cross the desert are always overloaded, and it is common for someone to fall off and be left behind in the desert. At the borders, payments to corrupt officials and violence are routine. Besides having to face thirst, hunger and hypothermia, the migrants also have to defend themselves against well-organized groups of bandits. Journeys often end tragically: dozens of abandoned wrecks of lorries have been found in the desert.[589]

Similar details can be found in the literature dealing with the odyssey of migrants trying to cross the Mexico-United States border. With the launch of Operation Gatekeeper in 1994, the overall objective of American immigration authorities was that the intensified controls would discourage many migrants from attempting the journey across the border because of the additional physical difficulty and financial and psychological costs of the journey. According to Scharf, this policy has resulted in a substantial increase in deaths at the border.[590] While there are no real statistics available, it has been estimated that 1 out of 10 persons may die during their journey, and 5 out of 10 in remote areas.[591] Recent literature reveals that the human cost of smuggling of migrants has become heavier with the involvement of drug cartels. Reports from law enforcement authorities and testimonies of migrants show that most migrants suffer severe psychological and/ or physical abuse during their journey. Some are tortured, some die; sexual abuse of women seems to be almost systematic.[592]

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[582]Spijkerboer, "The human costs of border control" (see footnote 254), p. 136.

[583]Monzini, "Migration: human rights of irregular migrants in Italy" (see footnote 225), p. 14.

[584]Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), p. 52.

[585]Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208), p. 4.

[586]"Strengthening the regional approach to migration", Mixed Migration Task Force Update No. 8, August 2009.

[587]Médecins sans Frontières, *No Choice: Somali and Ethiopian Refugees* (see footnote 208), p. 18.

[588]Monzini, "Migration: human rights of irregular migrants in Italy" (see footnote 225), p. 14.

[589]Hamood, *African Transit Migration through Libya to Europe* (see footnote 202), pp. 43-44.

[590]Scharf, "For humane borders: two decades of death" (see footnote 303), p. 144.

[591]Rob Guerette, "Immigration policy, border security and migrant deaths: an impact evaluation of life-saving efforts under the Border Safety initiative", *Criminology and Public Policy*, vol. 6, No. 2 (2007).

[592]United States, House Committee on Homeland Security, *A Line in the Sand* (see footnote 44), p. 17; see report of the Special Rapporteur on the human rights of migrants (A/HRC/7/12).

Regardless of regional specificities, a common feature of the literature currently available about smuggling of migrants by land is the extreme vulnerability of women, who often experience inhumane and degrading treatment, including physical harassment, rape and sexual exploitation. As already mentioned in section 5.1.3, cases where women were offered the opportunity to give up their children for illegal adoption in order to pay their smuggling fees were documented by Daniel in West and North Africa.[593] Further research about the human costs of smuggling of migrants should systematically include a gender perspective and further explore the link between smuggling of migrants and trafficking in women and children.

Future research should focus on the fate of unaccompanied minors who use the services of smugglers in order to join their family or to migrate independently. Sources reviewed highlight the precarious situation of unaccompanied minors, who are extremely vulnerable to criminal groups of smugglers because they do not have the protection of a parent or a caregiver.[594] Testimonies consistently reveal severe abuse during the smuggling process, and this category of migrants seems to be particularly vulnerable to exploitation and trafficking once the smuggling process is over.[595]

10.2   Social costs[596]

The literature reviewed provides little information on the social costs of smuggling of migrants, except in respect of Africa. The high failure rate of internal journeys in Africa seems to indicate that, in many situations, migration can drain local resources and leave the country of origin and the communities of co-nationals abroad even more impoverished than before. Most migrants depart with the savings of their family and loans from friends, making their migration a long-term investment. If they find themselves in difficulty during the trip, they ask for more money and often have it transferred in order to pay for later stages of the journey. The sums, for the country of origin, are often very high and dry up the family economy for years. Therefore, according to Beneduce, in recent decades the geography of migration has changed, and the geography of humanitarian problems recently associated with irregular migration (poverty, exploitation, segregation and abuse) is changing as well. Many of the migrants or asylum-seekers caught between the economic demands of the smugglers and a permanent fear of being arrested and deported by the authorities, are impoverished and become "stranded".[597]

As Doomernik, Van Liempt and Dowd have pointed out, the role of smugglers seems to be an important one in the formation of a stranded population of migrants.[598] According to Dowd, most stranded migrants have engaged the services of smugglers. In many cases, smugglers steal their money, force them to pay more than agreed or abandon them with no choice but to pay other smugglers to continue their journey. Many migrants are then forced to return home to a worse economic situation than before, or are obliged to stay abroad with an irregular status. These failed migrations, combined with the cases of death, arrest and illness of the migrant, make the social costs of irregular migration in Africa significant. The higher the risk to the migrants, the higher the social costs for their community of origin.

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[593] Daniel, *Les routes clandestines: L'Afrique des immigrés et des passeurs* (see footnote 15), pp. 9 and 173.

[594] Derluyn and Broekaert, "On the way to a better future" (see footnote 66), p. 46.

[595] Uehling, "The international smuggling of children" (see footnote 66), p. 840; Derluyn and Broekaert, "On the way to a better future" (see footnote 66), p. 50; Senovilla Hernández, "Mineurs isolés étrangers en Espagne" (see footnote 249).

[596] This section is based on UNODC, *Smuggling of Migrants into, through and from North Africa* (see footnote 104).

[597] Beneduce, "Undocumented bodies, burned identities" (see footnote 531).

[598] Van Liempt and Doomernik, "Migrant's agency in the smuggling process" (see footnote 29); Rebecca Dowd, "Trapped in transit: the plight and human rights of stranded migrants", Research Paper, No. 156 (Geneva, Office of the United Nations High Commissioner for Refugees, June 2008).

10.3   Conclusions

While a new consciousness has recently become evident in literature on the increasing social and human costs associated with smuggling of migrants, the quantity and quality of information in the sources reviewed vary greatly from one region to another. There is literature about the human costs of smuggling of migrants to the United States and to Europe. By contrast, the literature about other countries and regions provides only very limited information about the human costs of smuggling of migrants. It is particularly striking that smuggling of migrants between China and the United States is described as a business relationship and little attention is paid to its human dimension.

When available, data and information on suffering and death among migrants are collected by journalists and NGOs. Other human rights issues associated with smuggling methods and irregular migration are better reflected in literature. More substantial research should be conducted on this topic. Gender-sensitive research should be further developed, as testimonies of female migrants have revealed the extreme vulnerability of women during the smuggling process.

Future research about unaccompanied minors should also be developed in order to get a more precise picture of the human costs of smuggling of migrants within that group. Similarly, more in-depth research is needed on the social costs.

11. Annotated bibliography

Andrijasevic, Rutvika. Lampedusa in focus: migrants caught between the Libyan desert and the deep sea. Center for Policy Studies Research Papers. Budapest: Central European University, Policy Documentation Centre, 2006. Available www.policy.hu/news/Andrijasevic-FA.

This article gives an overview of smuggling trends between Italy and the Libyan Arab Jamahiriya and the different proposals put forward by European Union States to stem the flows of irregular migrants and deter the smuggling of migrants. In particular, the paper looks closely at Libyan policies. It also looks at a proposal put forward by the United Kingdom, and supported by a coalition of EU member States, to process asylum claims outside EU territory in processing centres located in the Mediterranean region and in Eastern Europe. Highlighting the severe human rights violations occurring during the interception, detention and deportation of migrants, the author invites policymakers to reflect on alternatives to law enforcement strategies.

Andrijasevic, Rutvika. Renounced responsibilities: detention, expulsion, and asylum at the EU's southern border of Libya and Lampedusa. Budapest: Open Society Institute, 2006. Available at www.policy.hu/news/Andrijasevic-ps.

This paper presents an overview of events and policies implemented in Lampedusa, Italy, and the Libyan Arab Jamahiriya, and outlines the contentions surrounding these policies. It uses material provided by the Italian authorities, European institutions and non-governmental organizations and examines the schemes developed by the Italian and Libyan Governments to control the influx of irregular migrants and asylum-seekers into Italy. The paper recommends that, in guiding the EU partnership with its neighbouring States with regard to asylum, borders and immigration, transparency, accountability and legitimacy are key principles.

Anteby-Yemini, Lisa. Migrations africaines et nouveaux enjeux de la frontière israélo-palestinienne. *Cultures & Conflicts,* vol. 72 (Winter, 2008). Available at www.conflits.org/index17307.html.

This article examines how the Egyptian-Israeli border, crucial for Israel in terms of security, has become a point of clandestine passage into Israel for migrants and asylum-seekers originating mainly in Africa. The Bedouin smugglers play a role in these crossings, which generate a border economy based on the old informal and illegal trade routes still controlled by the region's Bedouin populations. After a brief discussion of border violence, the article describes how the Israeli authorities have developed systems of control, surveillance and detention.

Antonopoulos, Georgios, and John Winterdyk. The smuggling of migrants in Greece: an examination of its social organization. *European Journal of Criminology*, vol. 3, No. 4 (October 2006).

Drawing on a variety of sources, such as official statistics and interviews with police, migrants and two retired smugglers, this article examines the social organization of the smuggling of migrants in Greece. It gives some detailed information about the pull and push factors of the

smuggling phenomenon in Greece; the division of duties within smuggling groups; recruitment and payment; and the means and routes used by smugglers.

Arab, Chadia, and Juan David Sempere Souvannavong. Les jeunes harragas maghrébins se dirigeant vers l'Espagne: des rêveurs aux "brûleurs de frontières". *Migrations Société*, **vol. 21, No. 125 (September 2009).**

This article offers a sociological analysis of the harragas—the migrants that "burn the borders" by using the service of smugglers. Looking at the diverse profiles of the migrants that use the service of smugglers to reach Spain from Morocco, the article provides an original analysis of the decision-making process made by the migrants. It also looks at external factors, such as pressure from the community and the socio-economic conditions prevailing in home countries, that push people to embark on a migration journey. The authors look closely at the logistics of the smuggling process and how boat journeys are carefully prepared by smugglers. The article provides useful information on the social costs of the smuggling of migrants.

Aronowitz, Alexis. Illegal practices and criminal networks involved in the smuggling of Filipinos to Italy. Executive summary. Turin: United Nations Interregional Crime and Justice Research Institute, 1999. Available at www.unodc.org/pdf/crime/human_trafficking/Exec_Summary_UNICRI.pdf.

This research was part of a larger project on the smuggling of migrants and trafficking in human beings from the Philippines, carried out under the auspices of UNICRI and the United Nations Centre for International Crime Prevention. The research focused on determining certain aspects of the smuggling of migrants and trafficking in persons between the Philippines and Western Europe, including methods of recruitment, transportation, use of fraudulent documents, deception and exploitation, routes, corruption and the involvement of organized criminal groups.

Aronowitz, Alexis. Smuggling and trafficking in human beings: the phenomenon, the markets that drive it and the organisations that promote it. *European Journal on Criminal Policy and Research*, **vol. 9, No. 2 (June 2001).**

This article defines the concepts of smuggling and trafficking in human beings and discusses the difficulties of defining them. The magnitude and scope of the problem and its causes are examined. Trafficking in and smuggling of human beings are analysed as illegal markets, particularly with reference to their relationship with other illegal markets and the involvement of organized criminal groups. The phenomena are discussed in more depth by focusing on countries and regions where projects have been implemented under the auspices of the United Nations. The discussion closes with an overview of situations that foster smuggling and trafficking and current measures and recommendations to stem these practices.

Barros, Lucile, and others. *L'immigration irrégulière subsaharienne à travers et vers le Maroc.* **International Migration Papers, No. 54. Geneva: International Labour Office, 2002. Available at www2.ilo.org/public/english/protection/migrant/download/imp/imp54f.pdf.**

The authors analyse irregular migration trends through and towards Morocco. While the first chapter looks in detail at the push factors for immigration in sub-Saharan countries neighbouring Morocco, the second chapter provides detailed information about the migrants' profiles and motivations and the smugglers' organizations, modi operandi and smuggling routes. This chapter

is the result of a series of interviews with smuggled migrants and provides valuable knowledge about the smuggling phenomenon in Morocco. The final chapters look at the Moroccan legal framework for migration and the migratory partnership developed with the European Union.

Beneduce, Roberto. Undocumented bodies, burned identities: refugees, sans papiers, harraga—when things fall apart. *Social Science Information*, **vol. 47, No. 4 (December 2008).**

Taking an anthropological approach, the author reflects on refugees and clandestine immigrants, and in particular on the fractured structure of their narratives. He argues that the attitudes of social workers involved in clandestine migration and refugee issues reveal attitudes characteristic of meeting with the "Other", which also convey the contradictions, racism and hypocrisy of policies and Governments. The author discusses the death, violence and apartheid that characterize the day-to-day life of many undocumented immigrants, and invites academic researchers not to take for granted such descriptive terms as "clandestine" and "refugees".

Bhabha, Jacqueline. Human smuggling, migration and human rights. Working paper prepared for the International Council on Human Rights Policy Review Meeting, "Migration: Human Rights Protection of Smuggled Persons", Geneva 25-26 July 2006.

This interim research paper provides an overview of the five concept papers produced within the framework of a comprehensive project of the International Council on Human Rights Policy on the protection of the human rights of smuggled persons from the perspective of international law and a sample of destination and source countries. The author looks at the human rights issues that arise in relation to smuggling of migrants, and suggests ways in which the human rights framework should inform a comprehensive policy approach on migration in general and smuggling of humans in particular. She examines the difficulties of competent State authorities in assessing the smuggling phenomenon amid the flow of irregular migration. The paper looks at the inadequacy of policies developed for combating smuggling and at the existing gaps and challenges. In its conclusion, the report puts forwards some suggestions for a human rights-centred approach to the issue of the smuggling of migrants.

Bilecen, Basak. Human smuggling networks operating between Middle East and the European Union: evidence from Iranian, Iraqi and Afghani migrants in the Netherlands. COMCAD Working Paper, No. 62. Bielefeld: Centre on Migration, Citizenship and Development, 2009. Available at www.uni-bielefeld.de/tdrc/ag_comcad/downloads/workingpaper_62_bilcen.pdf.

This article focuses on the smuggling of migrants between the Middle East and the European Union in the context of the increasing numbers of asylum-seekers in Europe. It looks briefly at different perspectives found in the literature and then concentrates on the involvement of transnational organized crime in the smuggling of migrants.

Bilger, Veronika, Martin Hofmann, and Michael Jandl. Human smuggling as a transnational service industry: evidence from Austria. *International Migration*, **vol. 44, No. 4 (October 2006).**

This paper presents a new approach to the understanding of the processes involved in the smuggling of migrants. Based on insights gained through in-depth interviews with smuggled migrants in Austria and a broad range of other sources, the authors explain how the phenomenon of the smuggling of migrants can be understood as a transnational service industry linking service providers (smugglers) with their clients (migrants). The paper explores how certain aspects of this

service industry lead to a variety of risk-reduction strategies pursued by smuggled migrants, who put a high premium on the "good reputation" and "trustworthiness" of smugglers. These factors, together with other criminal activities such as trafficking in human beings or the smuggling of illicit goods, call for new approaches.

Boni, Tanella. L'Afrique des clandestins. *Social Science Information*, **vol. 47, No. 4 (December 2008).**

This article looks at the smuggling of migrants and irregular migration from three different perspectives. First, Boni looks at the profile of migrants and the role of their communities in the decision-making process. The author argues that emigration is not only pushed by economic constraints, but has become an ideal for younger generations, despite its physical dangers. Boni looks at the counter-smuggling strategies implemented by EU member States, in particular Spain, and argues that these policies are counterproductive. Lastly, she looks at intraregional migration flows in Africa, with Côte d'Ivoire, Gabon and South Africa being main destination countries.

Buckland, Benjamin. Human trafficking and smuggling: crossover and overlap. In *Strategies against human trafficking: the role of the security sector*, **Cornelius Friesendorf, ed. Geneva: Study Group Information, 2009.**

Buckland argues that the trafficked person described by the Trafficking in Persons Protocol represents only a small percentage of those in need of international protection. The author looks at how trafficking in persons and smuggling of migrants are currently viewed, as well as the way both State and non-State actors have sought to approach them. He then examines how the two phenomena may both cross over and overlap and looks at the possible factors that have led to crossover and overlap not being widely reflected by current policy. Finally, the author looks at the consequences of current policy and its negative effects for refugees and asylum-seekers. He also provides constructive proposals for better protection of all categories of people crossing international borders.

Carling, Jorgen. Migration, Human Smuggling and Trafficking from Nigeria to Europe, IOM Research Series, No. 23. Geneva: International Organization for Migration, 2006. Available at http://publications.iom.int/bookstore/index.php?main_page=product_info&products_id=131.

This report analyses Nigerian migration to Europe. It gives a detailed view of Nigerian society before turning to the migration issue, as both a trafficking and a smuggling phenomenon. The author argues that, although existing research and documentation on Nigerians in Europe concentrate on prostitution, trafficking and criminal activities, the great majority of Nigerian immigrants in Europe, who lead their lives without any contact with such activities, are ignored. He then describes the migration process, which for many Nigerians travelling to Europe without a valid passport and visa leads through a third country where forgeries are not easily detected. Others travel by road through the Sahara and are smuggled into Europe by ship. Many thousands of Nigerians are stranded in North Africa and elsewhere in their unsuccessful attempt to reach Europe.

Carling, Jorgen. Unauthorized migration from Africa to Spain. *International Migration*, **vol. 35, No. 4 (October 2007).**

This article examines the patterns and dynamics of transit migration towards Spanish-African borders and of unauthorized migration across them. The geography of migration is examined in detail, leading to several conclusions with implications for migration management. First, the origins of sub-Saharan African transit migrants in Morocco are remarkably diverse. Second, cities and

towns far beyond Europe play a pivotal role in the migration dynamics at Spanish-African borders. Third, the Strait of Gibraltar has lost much of its importance as a crossing point. Fourth, large-scale smuggling to the Canary Islands directly from West Africa is still marginal in numerical terms but, according to the author, it presents a worrying scenario.

Cermakova, Dita, and Michael Nekorjak. Ukrainian middleman system of labour organisation in the Czech Republic. *Tijdschrift voor economische en sociale geografie*, **vol. 100, No. 1 (February 2009).**

According to the authors, since the early 1990s, because of increasing immigration to the Czech Republic, a middleman system has been established to organize the irregular labour of migrants who come mostly from Ukraine. This system has two hierarchic levels, the first of which deals with the procurement of irregular migrant labour. The second level is based on the relations between middlemen and organized crime. The paper tries to explain the causes of the establishment of the middleman system and describe its operation.

Charef, Mohammed, and Juan Cebrián. Des pateras aux cayucos: dangers d'un parcours, stratégies en réseau et nécessité de passeurs. *Migrations Société*, **vol. 21, No. 125 (September-October 2009).**

While in general analysing irregular migration flows between North Africa and Spain, this paper focuses on the specific role of smugglers during the migrants' journey. From recruitment in smuggling hubs to the specific organizational structure of the smuggling networks and their modi operandi, the paper provides valuable insight into the smuggling process. The article provides details about the migrant-smuggler relationship. Finally, it questions the validity of existing anti-smuggling strategies and calls for better protection of migrants' rights.

Clandestino. Undocumented Migration: Counting the Uncountable—Data and Trends Across Europe. Project presentation available at http://clandestino.eliamep.gr/about and database available at http://irregular-migration.hwwi.net.

This research demonstrates that there are fewer irregular migrants in EU than assumed. While the European Commission has estimated that between 4.5 million and 8 million foreign nationals reside in its territory without a right to legal residence, a detailed review of the situation in the member States has led Clandestino researchers to estimate that it is more likely to be between 2.8 million and 6 million. The project, funded by the EU, has made available information collected in a new database on irregular migration produced by five European research centres and a European non-governmental organization.

Charrière, Florianne, and Marion Frésia. *L'Afrique de l'Ouest comme espace migratoire et espace de protection*. **Geneva: Office of the United Nations High Commissioner for Refugees, 2008.**

This report provides a detailed analysis of migratory flows in West Africa. It demonstrates that migration between West Africa and Europe remains quite limited and that a large proportion of migration actually happens within the region. Although the report looks at the issue of irregular migration from a general perspective, it devotes specific sections to the issues of smuggling of migrants and trafficking in persons and to persons in need of international protection. The report provides a detailed analysis of the legal and policy framework of West African States and points out the protection gaps in practice. It also provides an analysis of the impact of the policies aimed at fighting against irregular migration towards Europe.

Collyer, Michael. Clandestine migration in the Mediterranean in 2006. In Med. 2007: *Mediterranean Yearbook*. **Barcelona: European Institute of the Mediterranean (IEMed), 2007.**

The author criticizes the image of ever-growing numbers of illegal migrants crossing the Mediterranean Sea and provides the reader with data and information on current policies, highlighting the high degree of risk for migrants and the lack of legal channels for labour migration. The article collects and analyses data on apprehensions in Spain and explains trends in the arrivals of migrants to the Canary Islands. The efforts made by African and European authorities to approach the problems posed by irregular migration through organizing meetings and increasing cooperation in migration control are also presented.

Collyer, Michael. States of insecurity: consequences of Saharan transit migration, Working Paper, No. 31. Oxford: Centre on Migration Policy and Society, University of Oxford, 2006. Available at www.compas.ox.ac.uk/publications/working-papers/.

This paper presents new evidence from research on undocumented migrants in Morocco. Their extended stays in transit countries have increased their vulnerability to hunger, illness and racketeering by other migrants, which is all exacerbated by their treatment by border control officials. The first section considers the geopolitical context, investigating recent policy developments and the growing body of literature on immigration in Morocco. The next section relates the research sample to what is known about the total population of undocumented migrants in Morocco, and the third section examines experiences during the journey. The fourth section explores the long-term survival strategies of migrants in Morocco, who are faced with tremendous insecurity.

Coluccello, Salvatore, and Simon Massey. Out of Africa: the human trade between Libya and Lampedusa. *Trends in Organized Crimes*, **vol. 10, No. 4 (December 2007).**

This article examines the criminality involved in the smuggling of and trafficking in persons, with specific reference to the sea route from the Libyan Arab Jamahiriya to the Italian island of Lampedusa. According to the authors, major operations conducted by the Italian anti-mafia unit and the State police suggest that transnational criminal organizations are involved in these activities. The networks involved in this trade, however, do not conform to mafia-like hierarchical organizations; instead, they have smaller, more complex and more fluid criminal networks. The article aims to cast light on how people are smuggled and trafficked. The background to the rise in illegal immigration from the Libyan Arab Jamahiriya is sketched, underlining the push and pull factors involved. The article's chief objective is to provide a greater understanding of the mechanisms and processes involved in smuggling and trafficking.

Cornelius, Wayne A. Death at the border: efficacy and unintended consequences of US immigration control policy. *Population and Development Review*, **vol. 27, No. 4 (December 2001).**

This study offers an analysis of United States law enforcement strategies for stemming the smuggling of migrants. According to the author, the approach of the Immigration and Naturalization Service relies on prevention through deterrence. The study argues that this strategy has failed and has had numerous unwanted consequences. On the basis of a quantitative analysis of the number of aliens apprehended at the country's southern borders, the author provides evidence that there has been a rechannelling of the flows of illegal migrants, but no significant decrease in the smuggling of aliens and irregular immigration overall. Further, the study looks at the impact of United States law enforcement strategy on the physical risks and costs associated with illegal entry.

Courau, Henri. "Tomorrow Inch Allah, chance!": People smuggler networks in Sangatte. *Immigrants and Minorities*, **vol. 22, Nos. 2-3 (July-November 2003).**

The Sangatte reception centre near Calais (France) is the last stop before the migration journey to England. This article is based on empirical research carried out by the author in the Sangatte centre. It offers insight into the recruitment of smuggled migrants by networks, the motivation and profiles of migrants, the journey to France and how smugglers operate within the Sangatte centre to help migrants to reach the United Kingdom. Further, the author discusses the post-Sangatte situation, as the centre was closed down in 2002, while Calais remains a major smuggling hub.

Daniel, Serge. Les routes clandestines: *L'Afrique des immigrés et des passeurs*. **Paris: Hachette, 2008.**

This book reports on the smuggling of migrants and the journeys of irregular migrants from West Africa to North Africa and eventually to Europe. The author is a journalist who travelled along these routes, moving with the migrants themselves. The book depicts the migrant-smuggling process. The migrants' motivations, expectations, precarious livelihoods and relationships with smugglers are described in detail. The description of main smuggling hubs in the desert and in North African towns provides insight into the social organization of transit migration. The book presents information on smugglers and how they are able to move persons across borders and outlines the emergence of a large number of transit migrants: people who are rejected by origin, transit and destination countries.

David, Fiona, and Paola Monzini. *Human Smuggling and Trafficking: a desk review on the trafficking in women from the Philippines*. **United Nations Interregional Crime and Justice Research Institute and Australian Institute of Criminology, April 2000.**

This review discusses existing studies and documents on the smuggling and trafficking of women, as well as results from the Centre for International Crime Prevention and UNICRI. After outlining the main smuggling and trafficking issues within the region, the review considers the state of existing knowledge with respect to transnational organized crime and smuggling and trafficking activity in the Philippines.

David, Fiona, and Paola Monzini. *Rapid Assessment: Human Smuggling and Trafficking from the Philippines*. **United Nations International Crime and Justice Research Institute and Australian Institute of Criminology, November 1999.**

This document reviews studies and documents on the smuggling of migrants and trafficking in persons, as well as the results of a fact-finding mission. The document's two main parts consider existing knowledge with respect to transnational organized crime and smuggling and trafficking activity from the Philippines and institutional responses to them.

De Haas, Hein. Irregular Migration from West Africa to the Maghreb and the European Union: An overview of recent trends, IOM Migration Research Series, No. 32. Geneva: International Organization for Migration, 2008. Available at www.iom.int/jahia/webdav/site/myjahiasite/ shared/shared/mainsite/published_docs/serial_publications/MRS-32_EN.pdf.

This article discusses misconceptions about migration from Africa to Europe. The author argues that, contrary to the usual picture, the Mediterranean States are not only transit but also, to a large extent,

destination countries for sub-Saharan migrants. Further, rather than a desperate response to destitution, migration is generally a conscious choice by relatively well-off individuals and households to enhance their livelihoods. Likewise, the common portrayal of irregular African migrants as victims of traffickers and smugglers is inconsistent with evidence that the vast majority of migrants move on their own initiative. The author insists that trafficking is relatively rare and that smugglers are not usually part of international organized crime but locally based passeurs operating alone or in small networks. According to the author, increasing border controls have led to the swift diversion of migration routes and increases in the costs, risks and suffering of the migrants involved rather than a decline in migration. Irregular migration is likely to increase as long as there is a lack of legal channels for immigration to match the demand for labour and the large informal economy in destination countries.

De Haas, Hein. The myth of invasion: Irregular migration from West Africa to the Maghreb and the European Union, IMI Research Report. Oxford: Oxford International Migration Institute, 2007. Available at www.imi.ox.ac.uk/publications/reports.

This article analyses irregular migration from West Africa and presents the main changes in the Mediterranean region. De Haas argues that the alarm about irregular migration from West Africa to Europe is an overreaction: it is not a new phenomenon, and in fact more West Africans are living in North Africa than in Europe. The recent growth in the numbers of irregular migrants in this region is not seen as a result of the operations of well-organized networks of smugglers, but mainly as a consequence of the policies of migration control and management in EU and North African countries. Rather than a decline in migration, increasing border controls have led to the diversion of migration routes, increasing illegality and reliance on smuggling, as well as the risks, costs and suffering involved. The importance of police corruption is addressed: it is considered as one of the main factors influencing the prices and modi operandi of smugglers. Quantitative estimates of both regular and irregular migrants and the effects of recent policies are presented. According to the author, migrants and smugglers continuously adapt their strategies to changing policies, and the capacity to prevent their movements is limited. In short, restrictive migration policies are a cause of irregular migration.

De Haas, Hein. The myth of invasion: the inconvenient realities of African migration to Europe. *Third World Quarterly*, vol. 29 No. 7 (October 2008).

According to the author, African migration to Europe is commonly seen as a tidal wave of desperate people fleeing poverty and warfare at home trying to enter the elusive European El Dorado. Typical solutions proposed by politicians include increasing border controls or boosting African development. In order to rebut stereotypes, the author provides a detailed analysis of migration trends in West Africa, together with detailed information on the routes, methods and motivations of smuggled migrants. He also gives a quantitative analysis of migration patterns from West Africa to destination countries.

Derluyn, Ilse, and Eric Broekaert. On the way to a better future: Belgium as a transit country for trafficking and smuggling of unaccompanied minors. *International Migration*, vol. 43, No. 4 (October 2005).

This study provides insight into the population of unaccompanied minors caught in Belgium travelling irregularly to the United Kingdom. The authors use the situation in Zeebrugge,

one of Belgium's main ports, as a case study, analysing data on unaccompanied minors intercepted there and observed at the police station. The study puts forward recommendations for legal authorities and service providers about physical and psychosocial care, services provided in reception centres and the tasks of legal guardians.

Doomernik, Jeroen, and David Kyle. Introduction. *International Migration and Integration*, **vol. 5, No. 3 (June 2004).**

This article looks at the effect of restrictive migration policies on the development of a "migration merchants market". Smugglers are described as intermediary structures that link countries of origin and destination and lead to a rapid increase in the number of migrants in some areas where finding jobs is easy. Beyond the stereotype of the smuggling of migrants as a slavery industry, the article looks at the profiles of migrants who resort to the service of smugglers and at the smugglers, who have both altruistic and profit-making goals. Finally, it explores how alternative policies, such as legal migration channels and amnesties, have had an impact on smuggling.

Drazga-Maxfield, Linda, and Jocelyn Lewis. The impact of guideline increases on sentencing levels for unlawful alien smuggling. *Federal Sentencing Reporter*, **vol. 14, No. 5 (March-April 2002).**

This article examines the implementation of federal sentencing guidelines for the smuggling of aliens and pursues two hypotheses to explain the increase in lighter sentencing. The first hypothesis involves a change in the composition of the alien-smuggling caseload following the guideline amendment. A competing hypothesis is that judges' reactions to the increased sentencing ranges reflect their disagreement with the new sentences mandated by Congress. The paper thus highlights the important role of judges in the use of guideline provisions and argues for the inclusion of behaviour response models in the evaluation of policy options.

Duvell, Franck. Transit migration: a politicised blurred concept. Paper presented at the First Conference on Irregular Migration, Tripoli, 18-19 June 2008. Available at www.cespi.it/PDF/ Libia-D%C3%BCvell.pdf.

This paper presents a three-part definition of transit migration: length of stay, intentions and legal status. It observes changes in routes and the formation of hubs and nodal points for migration that result from the migration policies adopted. The paper highlights the politicized nature of the concept of transit migration and its application in international relations.

Duvell, Franck, Anna Triandafyllidou, and Bastian Vollmer. Ethical issues in irregular migration research. *Population, Space and Place*, **vol. 16, No. 3 (May-June 2010).**

This paper is concerned with ethical issues for researchers of irregular migration. In the first part, the authors define research ethics and briefly outline their development in the social sciences. They also consider the relevance of research ethics for the study of irregular migration. The next section discusses the differences between sensitivity and vulnerability and their particular implications for irregular migration research. Section three looks at the ethical challenges of fieldwork and discusses the sensitive issues involved in the relationship between researcher, irregular migrant and society. Ethical issues of data protection and the ethical challenges involved in the production and use of quantitative data on irregular migration are considered in the fourth section. Section five discusses the question of disseminating findings to wider audiences. In conclusion, the report highlights the key points that researchers should take into consideration when studying irregular migrant populations.

Fargues, Philippe. Irregularity as normality among immigrants south and east of the Mediterranean, Background Paper, CARIM-AS 2009/02. Florence, Italy: Robert Schuman Centre for Advanced Studies, European University Institute, 2009. Available at http://cadmus. eui.eu/dspace/bitstream/1814/10795/3/CARIM_AS%26N_2009_02.pdf. 2009/09.

According to the author, southern and eastern Mediterranean countries have become receivers of international migrants, without having the instruments and policies for integrating them. As a result, irregular migration has grown faster than regular migration. The paper establishes that such countries currently host more than 3.6 million irregular migrants: mostly irregular labour migrants, but also unrecognized refugees waiting for return or resettlement and transit migrants waiting for a passage to Europe. These three categories tend to merge into one group that has no legal access to labour, welfare or protection. The paper provides information about the fate of smuggled migrants who were deported or intercepted on their way to Europe and provides new perspectives on transit migration.

Finckenauer, James O. Chinese transnational organized crime: the Fuk Ching. Paper prepared for the National Institute of Justice, Washington, 2001. Available at www.ncjrs. gov/pdffiles1/nij/218463.pdf.

In this article, the author describes the structure and modus operandi of one of the most powerful Chinese gangs based in New York City. The gang is heavily involved in the smuggling of persons from Fujian Province. This article also describes political connections in the United States that allow the gang to operate with relative impunity.

Futo Peter, Michael Jandl, and Liia Karsakova. Illegal migration and human smuggling in Central and Eastern Europe. *Migracijske i etnicke teme*, vol. 21, Nos. 1-2 (June 2005).

This paper attempts to summarize the results of a yearly survey of border guards in 17 Central and Eastern European countries. A set of quantitative indicators of illegal migration is developed, presented and interpreted, based on the responses to a series of quantitative and qualitative questions. Further, the impacts of legal and institutional reforms are investigated in the light of the temporal and spatial variations in border apprehension statistics. The interdependence of the two processes is reviewed from the point of view of national border management authorities. The results of the survey indicate that the progressive development of migration control mechanisms at the national and international levels seems to have a significant impact on irregular migration flows, as most indicators of illegal migration significantly decreased after the turn of the century. At the same time, the geographical distribution of illegal migration flows in Central and Eastern European countries has become more complex over the years.

Gallagher Anne. Human rights and human trafficking: quagmire or firm ground? A response to James Hathaway. *Virginia Journal of International Law*, vol. 49, No. 4 (June 2009).

In 2008, James C. Hathaway questioned whether the elimination of trafficking was a worthy objective and an appropriate focus for international law. This article, written by a former United Nations adviser on human trafficking, provides a sharply differing perspective on the global battle to combat trafficking. In considering each of Hathaway's major concerns and discrediting the assumptions and authorities on which they are based, the author identifies a

number of serious flaws in both interpretation and application. In terms of the broader legal and political context, the author concludes that, far from damaging human rights, the issue of trafficking provides unprecedented opportunities for the renewal and growth of a legal system that, until recently, has offered only platitudes and the illusion of legal protection to the millions of individuals whose lives and labour are exploited for private profit. Gallagher seeks to identify the very real obstacles, inconsistencies and frustrations of the protection of illegal migrants and refugees that appear to be behind Hathaway's condemnation of a remarkably influential global campaign.

Gathmann, Christina. The Effects of Enforcement on Illegal Markets: Evidence from Migrant Smuggling along the South-western Border, Discussion Paper, No. 1004. Bonn: Institute for the Study of Labor, 2004. Available at http://ftp.iza.org/dp1004.pdf.

This paper analyses how enforcement along the Mexico-United States border has affected the market for smugglers of migrants. Using a unique data set that links border-crossing histories to aggregate enforcement and punishment statistics, the author concludes that the effect of enforcement on smuggling prices is small. Though enforcement has more than tripled over the past 15 years, smuggling prices have increased by at most 30 per cent. The author also shows that illegal migrants have switched from heavily patrolled areas to more remote and dangerous crossing routes.

Guerette, Rob. Immigration policy, border security and migrant deaths: an impact evaluation of life-saving efforts under the Border Safety Initiative. *Criminology and Public Policy*, vol. 6, No. 2 (May 2007).

According to the author, subsequent to United States border patrol efforts to control illegal immigration throughout the 1990s, concern arose over an apparent increase in deaths of illegal migrants as they began to take more treacherous routes to enter the United States from Mexico. In response, the Border Safety Initiative was created to increase safety along the border. This study evaluates the impact of life-saving efforts performed under the Border Safety Initiative and finds that there has been no overall reduction in the rate of migrant deaths. Analysing the evolution of United States immigration policy, the study suggests that proactive life-saving measures can have some impact in terms of saving migrants' lives.

Guerette, Rob, and Ronald Clarke. Border enforcement, organized crime and deaths of smuggled migrants on the United States-Mexico border. *European Journal on Criminal Policy and Research*, vol. 11, No. 2 (June 2005).

This article looks at the United States border enforcement strategy deployed in the 1990s in response to an ever-increasing number of irregular migrants entering the United States through Mexico with the help of smugglers. The paper looks at the main features of this strategy, which relied primarily on increasing the number of border patrol agents, the erection of walls and the use of electronic surveillance systems, and then at the consequences of that strategy, including an increased reliance on smugglers. Anecdotal evidence is presented that highlights the human costs of the smuggling of migrants across the border. Finally, implications for future border-policing strategies and research are discussed, and the authors put forward recommendations for developing research programmes and more active cooperation between governmental agencies and academics.

Hamood, Sara. African Transit Migration through Libya to Europe: the Human Cost, Forced Migration and Refugee Studies. Cairo: American University, 2006. Available at www.migreurop. org/IMG/pdf/hamood-libya.pdf.

This report seeks to shed light on the experiences of refugees, asylum-seekers and migrants temporarily residing in and passing through the Libyan Arab Jamahiriya en route to EU. It analyses the notion of protection for refugees and asylum-seekers in the Libyan Arab Jamahiriya both from a legal perspective and as understood by refugees and asylum-seekers themselves. It tracks the journeys of refugees, asylum-seekers and migrants originating in Egypt, the Sudan and the Horn of Africa to EU. Refugees and migrants find themselves at the mercy of smugglers who facilitate their transport through the desert and across the Mediterranean Sea. Finally, the report analyses the cooperation between EU and the Libyan Arab Jamahiriya on migration issues.

Hathaway, James C. The Human Rights Quagmire of "human trafficking". *Virginia Journal of International Law*, vol. 49 No. 1 (June 2008).

In this article, Hathaway criticizes the undesired consequences of the adoption of the Trafficking in Persons and Smuggling of Migrants Protocols. According to him, the criminalization of smuggling may actually increase the risk of human trafficking by driving up the cost of facilitated transborder movement and leaving the poor with no choice but to mortgage their futures to pay for safe passage. The author also argues that the requirements of the Protocols for intensified border control measures have provided a justification for generalized deterrent measures, rendering illusory the formal guarantee to refugees of immunity from immigration penalties.

Heckmann, Friedrich. Illegal migration: what can we know and what can we explain? The case of Germany. *International Migration Review*, vol. 38, No. 3 (September 2004).

This article looks at methodological problems, with special reference to Germany. Analysing the social organization of different forms of smuggling is the other main focus of the article. From a methodological point of view, literature and public discourse lack adequate concepts for describing and explaining the social organization of the smuggling of migrants. The theory of organized crime as a main actor in the smuggling of migrants is criticized. The study borrows concepts from market and network theory and applies these to different forms of smuggling and illegal migration, as well as describing how the social and technological organization of smuggling is under constant pressure to adapt to new conditions.

Heckmann, Friedrich. Towards a better understanding of human smuggling IMISCOE Policy Brief, No. 5. Amsterdam: International Migration, Integration and Social Cohesion (IMIS-COE), 2007. Available at http://imiscoe.socsci.uva.nl/publications/policybriefs/documents/PB5-Heckman.pdf.

This policy brief reports on some key results of studies on the smuggling of migrants conducted since 2001 by five research institutes as part of a European Science Foundation collaborative research project. Unique data was collected that enabled researchers to gain more insight into trends in the smuggling of migrants. The policy brief gives insight into the results by focusing on the process of smuggling of migrants and presents key factors that influence efforts to combat it. This brief is aimed at policymakers and practitioners.

Heckmann, Friedrich, and others. Transatlantic workshop on human smuggling: a conference report. *Georgetown Immigration Law Journal*, vol. 15, No. 1 (2000).

This conference report provides an overview of the state of academic knowledge and policy developments in both hemispheres. It highlights the main findings in the United States and Western Europe regarding the profile of smuggled migrants, the social organization of the smugglers and the impact of anti-smuggling responses, such as border management, which is described as "a politically successful failing policy". The report also briefly recapitulates the researchers' findings on trafficking for sexual exploitation, smuggling of asylum-seekers and the use of fraudulent documents in the smuggling process. Finally, the report presents views on possible ways to stem smuggling through law enforcement and prevention strategies.

Herman, Emma. Migration as a family business: the role of personal networks in the mobility phase of migration. *International Migration*, vol. 44, No. 4 (October 2006).

Since it was first proposed by Salt and Stein in 1997, the idea of migration as a business has transformed the perception of this phenomenon among academics and the popular media. However, the author argues that the business metaphor provides only part of the answer. On the basis of interviews with smuggled migrants who moved from Morocco and Senegal to Spain and from Egypt and Ghana to Italy, the author demonstrates the overriding significance for most migrants of existing networks of friends, relatives and acquaintances when undertaking their journey.

Horwood, Christopher. *In Pursuit of the Southern Dream: Victims of Necessity—Assessment of the irregular movement of men from East Africa and the Horn to South Africa.* **Geneva: International Organization for Migration, 2009.**

This research is part of a project investigating the irregular movement of men from East Africa and the Horn of Africa to South Africa. The key findings concern the logistics, economics and causes of, and trends in, the smuggling of migrants through the eastern corridor of the African continent to South Africa. The report emphasizes the abuse and exploitation of these irregular migrants during their journey.

Human Rights Watch. *Sinai Perils: Risks to Migrants, Refugees, and Asylum Seekers in Egypt and Israel.* **New York, 2008.**

This report outlines the situation of migrants and asylum-seekers (mainly from Eritrea and the Sudan) who are smuggled through Egypt into Israel. According to Human Rights Watch, despite the fact that illegal border-crossing is very risky, the smuggling of migrants at the Sinai border has dramatically increased, as migrants and asylum-seekers cannot find effective protection in Egypt. The report also highlights shortcomings in Israel's procedure for determining refugee status, leaving foreigners in limbo.

Içduygu, Ahmet. Transborder crime between Turkey and Greece: human smuggling and its regional consequences. *Southeast European and Black Sea Studies*, vol. 4, No. 2 (January 2004).

This article explains the dynamics and mechanisms of the smuggling of migrants from Turkey to Greece, evaluates it on the basis of empirical evidence and then shifts its attention to the question of how these two countries respond to this challenge. In seeking a proper answer to this question, the article tries to relate smuggling in the Balkan region to the wider European context.

Içduygu, Ahmet, and Sule Toktas. How do smuggling and trafficking operate via irregular border crossings in the Middle East? Evidence from fieldwork in Turkey. *International Migration* **vol. 40, No. 6 (December 2002).**

This article summarizes main trends, issues, actors and activities in trafficking and smuggling of persons in the Middle East. Evidence from fieldwork in Turkey during the last five years indicates that the pattern of trafficking and smuggling in the region is the outcome of complex interactions among locally operating individuals and groups, including relationships of trust between traffickers and smugglers and the migrants, and the existence of national, ethnic or friendship-based networks spanning countries of origin, transit and destination.

International Centre for Migration Policy Development. *East Africa Migration Route Initiative: Gaps and Needs Analysis Project Country Reports: Ethiopia, Kenya, Libya.* **Vienna, 2008.**

This report focuses on migration in East Africa, particularly in Ethiopia, Kenya and the Libyan Arab Jamahiriya. On the basis of research in the field in the three countries and consultation with a number of stakeholders on migration flows, the report provides an overview of migration trends, migration management capacities and local needs. It analyses the problem of refugees in Eritrea and explains that their confinement in refugee camps with limited rights leads to secondary movements. For each country, the report presents an overview of the migration system, regular and irregular migration, border management, refugee protection and trafficking in persons.

International Organization for Migration. *Baseline Research on Smuggling of Migrants in, from and through Central Asia.* **Vienna, 2006.**

IOM carried out baseline research with a regional focus on Kazakhstan, Kyrgyzstan and Tajikistan in order to assess the smuggling of migrants and its routes, patterns and most susceptible groups. This publication analyses general trends and patterns of smuggling before addressing the issue in the Central Asian context. Three country sections provide a comprehensive guide to the migration context, relevant legislation, smuggling routes and organization, fees, and profiles of smuggled migrants. Each country-specific chapter includes a list of recommendations from national migration authorities and local non-governmental organizations.

Jandl, Michael. Irregular Migration, Human Smuggling, and the Eastern Enlargement of the European Union. *International Migration Review***, vol. 41, No. 2 (June 2007).**

This article examines the consequences of the EU enlargement in May 2004 on irregular migration across Central and Eastern Europe. Drawing on a unique collection of both quantitative and qualitative data related to irregular migration and the smuggling of migrants, the article first presents some long-term trends in irregular migration across the region before looking at developments from 2003 and 2004. While border apprehensions have declined since about 2000, there is ample evidence of an increasing role of smugglers in facilitating irregular migration. In addition, there are noticeable changes in the modi operandi of smugglers of migrants.

Jandl, Michael. The estimation of illegal migration in Europe. *Studi Emigrazione/Migration Studies***, vol. XLI, No. 153 (March 2004).**

The author examines methods and techniques for the estimation of the phenomenon of illegal migration in Europe, illustrated by examples of research from a number of European countries

and supplemented by his own research. Following an introduction to the debate and a discussion of terms and definitions, methodologies are presented and illustrated by concrete examples of research studies. The methods and examples are then subjected to a critical discussion and review. It emerges that the analytical tools for estimating stocks are more promising than the techniques available for estimating flows. Finally, the author argues that rational policymaking needs to rely on serious estimation techniques, rather than guesswork.

Jandl, Michael. Research note. *Journal of Ethnic and Migration Studies*, **vol. 30, No. 4 (July 2004).**

According to the author, qualitative evidence on the smuggling of migrants and the asylum system in Austria suggests that there are strong links between the two. This paper examines whether there is statistical evidence to support that presumption. Using data on the asylum system and on the apprehension of illegal migrants in Austria, the question is addressed by looking at the nationalities of asylum-seekers and illegal and smuggled migrants. The article shows that apprehended illegal migrants apply for asylum quite frequently.

Jandl, Michael, Dita Vogel, and Krystyna Iglicka. *Report on methodological issues*. **Brussels: European Commission, Clandestino project, November 2008. Available at http://clandestino. eliamep.gr/wp-content/uploads/2009/10/clandestino_report-on-methodological-issues_ final12.pdf.**

This report is a background document published as part of the Clandestino project. It aims to collect, classify and analyse data and estimates on irregular migration from 12 EU countries. Chapter 1 outlines the main features of the problem and different ways to define and conceptualize irregular migration. Chapter 2 addresses the relatively weak state of aggregate estimates at the EU level. Chapter 3 compiles a wide range of estimation methods and discusses their strengths and limitations. Chapter 4 lays out quality standards for estimates.

Kaizen, Julie, and Walter Nonnema. Irregular Migration in Belgium and Organized Crime: An Overview. *International Migration*, **vol. 45, No. 2 (June 2007).**

This paper presents an overview of irregular migration in Belgium and its relationship with organized crime, with an emphasis on the smuggling of and trafficking in migrants. First, the authors review publications, expert opinion and other material on irregular migration and organized crime in Belgium. Second, some tentative policy recommendations for Belgium are formulated. Based mainly on secondary data sources, this research points out gaps in research and provides information about the methods used by smuggling and trafficking groups, together with some conclusions and policy recommendations.

Kalaitzidis, Akis. Human Smuggling and Trafficking in the Balkans: Is it Fortress Europe? *Journal of the Institute of Justice and International Studies*, **vol. 5 (April 2005).**

This article looks at the smuggling of migrants from an organized crime perspective and examines EU efforts to control both smuggling and trafficking. The paper explores both issues in the context of the Balkan region, which includes destination, transit and source countries. The first part of the article defines transnational crime, the smuggling of migrants and trafficking in persons. The second part discusses the idea of "Fortress Europe". The third and fourth parts discuss findings from the Balkans and their possible impact on EU. The concluding remarks call for the implementation of information and prevention campaigns.

Klepp, Silja. Negotiating the Principle of Non-Refoulement in the Mediterranean Sea: Missions, Visions and Policies at the Southern Borders of the European Union, Working Paper Series No. 1. Leipzig: Graduate Centre Humanities and Social Sciences of the Research Academy Leipzig, 2008. Available at www.uni-leipzig.de/ral/gchuman/documents/working_paper_series/RAL_WP_1_Klepp_081023_final_klein.pdf.

This paper is based on ethnographic research in Italy, the Libyan Arab Jamahiriya and Malta. It sheds light on the different actors' practices at sea and in the surrounding border regions. It also explores how new parameters for refugee protection are emerging in the border regions of the European Union. The paper argues that the policy of cooperation between Italy and the Libyan Arab Jamahiriya and the informal operational methods used in the Mediterranean are at the vanguard of EU refugee policy. In the long term, some of these practices will affect and change the legal basis and formal regulations of the European refugee regime. The principle of non-refoulement could first be undermined and then abolished. Using an approach that combines the empirical study of border regions with a legal anthropological perspective, this paper analyses the processes of change and decision-making in EU.

Koser, Khalid. Irregular migration, state security and human security. Paper prepared for the Global Commission on International Migration, Geneva, September 2005. Available at www.gcim.org/attachements/TP5.pdf.

This report has seven main sections. First, the key dilemmas for policymaking on irregular migration are outlined. Second, irregular migration is defined and appropriate terminology and data sources are considered. The third section provides a brief overview of recent global trends in irregular migration. The fourth section examines the ways and extent to which irregular migration constitutes a real or perceived threat to State security and human security. The fifth section deals with the contribution of non-State actors to the development of policy in this field. The penultimate section examines policies and practices concerning the return of unauthorized migrants. Finally, alternative policy approaches are explored.

Koser, Khalid. The Smuggling of Asylum Seekers into Western Europe: Contradictions, Conundrums, and Dilemmas. In *Global Human Smuggling: Comparative Perspectives*, David Kyle and Rey Koslowski, eds. Baltimore: The Johns Hopkins University Press, 2001.

The author examines asylum-seekers as another major constituency of contemporary smuggling of persons. Asylum-seekers often escape human rights violations by seeking out smugglers, but then also encounter additional human rights violations along the way, as illustrated through interviews with Iranian asylum-seekers in the Netherlands. The author discusses how reducing legal channels for labour migration drives immigrants into the asylum procedure. Far from solving problems, restrictive migration policies have driven both labour migrants and asylum-seekers into the hands of professional smugglers.

Koser, Khalid. Why Migrant Smuggling Pays. *International Migration*, vol. 46, No. 2 (June 2008).

Drawing on empirical research in Afghanistan and Pakistan, and to cast light on the financing of smuggling, this article follows the cases of 50 migrants smuggled to the United Kingdom. According to the author, the means used to raise the money to pay smugglers ranged from drawing on savings to selling property, land and jewellery. Smugglers disbursed about half of their fee to forgers, procurers of passports, airport officials and other intermediaries. Most migrants quickly

found work in their destination country and started remitting soon after arrival. On average, remittances were sufficient to repay the initial outlay and thereafter more than doubled household incomes. Smuggling thus benefited the intermediaries involved in facilitating it, the migrants themselves and their households in the home country.

Kyle, David, and Marc Scarcelli. Migrant smuggling and the violence question: evolving illicit migration markets for Cuban and Haitian refugees. *Crime, Law and Social Change*, **vol. 52, No. 3 (September 2009).**

Comparing Cuban and Haitian schemes to smuggle migrants, this article explores the relationship between violence and the social organization of the smuggling of migrants, including refugees. Levels of violence, political repression and ethnic persecution in sending States provide an important context for understanding the origins and organization of this illicit market. Examining the violent threats and acts directed at migrants en route, the authors argue that violence is not a necessary part of the illicit market for unauthorized migration.

Laczko, Frank. Opening up legal channels for temporary migration: A way to reduce human smuggling? *Journal of International Migration and Integration*, **vol. 5, No. 3 (June 2004).**

According to the author, it is often suggested that if more migrants were able to enter developed countries legally for short periods to work, fewer people would need to turn to smugglers for assistance. This article discusses some of the arguments for and against this policy approach, focusing on Europe. It suggests that there are likely to be no easy solutions to combating the smuggling of migrants, and only a comprehensive approach is likely to have any chance of success; such an approach should include a range of measures, including greater opportunities for temporary employment.

Lintner, Bertil. Illegal Aliens Smuggling to and through Southeast Asia's Golden Triangle. In *Globalizing Chinese Migration: Trends in Europe and Asia*, **Pál Nyíri and Igor Rostislavovich, eds. Aldershot, Hampshire: Ashgate, 2002.**

This article explores the fate of thousands of Chinese migrants who are smuggled into the United States, as well as into Australia, Europe, Japan and Taiwan Province of China. The article provides detailed information about the smuggling routes within the so-called Golden Triangle (Cambodia, the Lao People's Democratic Republic and Myanmar). According to the author, while migrants hope to migrate to Western countries, they often end up spending months, if not years, in smuggling hubs run by criminal gangs. In the three countries of the Golden Triangle, with their endemic poverty, generally chaotic conditions, weak institutions and corrupt law enforcement authorities, the smuggling of migrants has emerged as a very lucrative activity.

Lutterbeck, Derek. Policing Migration in the Mediterranean. *Mediterranean Politics*, **vol. 11, No. 1 (March 2006).**

According to the author, in recent years there has been growing concern in European countries over irregular migration and other, supposedly related, transnational issues from across the Mediterranean, which have come to be seen both as a security risk and a humanitarian challenge. In response, European countries have been stepping up their efforts to police their Mediterranean borders. According to the author, this has involved both an increasing militarization of migration control in the Mediterranean, with the deployment of semi-military

and military forces and hardware in the prevention of migration by sea, and an intensification of law enforcement cooperation between the countries north and south of the Mediterranean. The article discusses the evolution of these policing activities in and across the Mediterranean, as well as some of its side effects, such as the growing involvement of smugglers of migrants and the use of longer and more dangerous routes across the Mediterranean Sea.

Lutterbeck, Derek. Small Frontier Island: Malta and the Challenge of Irregular Migration. *Mediterranean Quarterly*, **vol. 20, No. 1 (Winter 2009).**

In this essay, the author offers a broad overview of migration in Malta during recent years. The essay begins with a description of the evolution of irregular immigration into Malta, followed by a description of the main trends in asylum applications and an analysis of why burden-sharing with other EU countries and the revision of the Dublin Convention has been high on the agenda in Malta. Subsequent sections deal with the country's policy responses to the growth in illegal immigration, including the challenges it has been facing in carrying out maritime patrols in the Mediterranean—another area where burden-sharing within the EU, in particular with Frontex, has been an important issue. The author also looks at Malta's strict detention policy. The essay also discusses the emerging issue of the integration of immigrants in Malta, as well as the growth in anti-immigrant movements and activities during recent years.

Maley, William. Security, People-Smuggling, and Australia's New Afghan Refugees. *Australian Journal of International Affairs*, **vol. 55, No. 3 (November 2001).**

The author argues that preoccupation with security threats has dominated Australia's response to the smuggling of migrants and that the consequences have been dire: not only is the human security of vulnerable people neglected, but the policy responses are unlikely to be effective in preventing population movements. To shed light on the complexities of dealing with those who are forced to resort to the services of smugglers, the author examines the experiences of some Afghan migrants.

Mavris, Lejla. Asylum seekers and human smuggling: Bosnia and former Yugoslavia as a transit region. Paper presented at the WIDER/UNU Conference, "Poverty, International Migration and Asylum", Helsinki, 27-28 September 2002.

According to the author, restrictive migration policies and the reluctance of Western Governments to admit asylum-seekers cause many refugees to turn to their last resort— smugglers. This paper analyses the role of smugglers in the movement of asylum-seekers into Western Europe through the former Yugoslavia region. The paper explains why this region is used, who uses it, where the smuggled people come from and where they are going. In addition, it provides a description of the experiences that asylum-seekers must endure during their journey through the region. These include the duration of the trip, modes of transport, treatment by the smugglers and the consequences of being caught.

Médecins sans Frontières. *No Choice: Somali and Ethiopian Refugees, Asylum Seekers and Migrants Crossing The Gulf of Aden*. **New York, 2008.**

According to MSF, thousands of people risk their lives every year to cross the Gulf of Aden to escape from conflict, violence, drought and poverty. Lacking safe and legal alternatives to leave

their country, refugees and migrants have to use the services of smugglers to cross the Gulf of Aden. The boat trip is fraught with danger; the smugglers are notorious for their brutality, and fatality rates are very high. This report aims to raise public awareness. It includes detailed information about the social and technical organization of the smuggling of migrants and the profiles and motivations of the migrants. It also includes a chapter about the humanitarian consequences of such a traumatic experience.

Mixed Migration Task Force Somalia. *Mixed migration through Somalia and across the Gulf of Aden*. **Geneva: Inter-Agency Standing Committee, 2008.**

This strategy paper outlines the dynamics and challenges of the migration routes that converge in Puntland, on the sea journey to Yemen and on arrival in Yemen. Other routes (such as through Djibouti) are also briefly analysed. It looks at the profile of the migrants and refugees and gives an overview of the modi operandi used by smugglers of migrants. Finally, it provides recommendations for a strategy to address these challenges.

Monzini, Paola. Migration: Human Rights of Irregular Migrants in Italy. Paper prepared for the International Council on Human Rights Policy Review Meeting, "Migration: Human Rights Protection of Smuggled Persons", Geneva, 25-26 July 2006.

This paper is part of a research project that examines the provisions that protect undocumented and smuggled migrants under international human rights law and suggests how they might be integrated into migration policies, alongside economic and law enforcement considerations. It presents an overview of the situation of migrants smuggled into Italy. Literature was reviewed, with a special focus on the human rights of migrants. Widespread assumptions were investigated through empirical research involving a series of in-depth interviews with key actors (irregular migrants) and observers (journalists, social workers, experts and police officers) in Sicily and Rome.

Monzini, Paola. Sea-Border Crossings: The Organization of Irregular Migration to Italy. *Mediterranean Politics*, **vol. 12, No. 2 (July 2007).**

This article reconstructs the routes across the Mediterranean Sea to Italy. Different migration flows and their evolution are presented: short crossings from Albania at the beginning of the 1990s; departures from Lebanon, the Syrian Arab Republic and Turkey at the end of the 1990s; the passage from the Suez Canal; the long-distance journeys from West Africa; and the voyage to Lampedusa from the Libyan Arab Jamahiriya. The article focuses on the organizations that run the illegal entry routes and on the institutional reactions aimed at stopping these irregular movements. It considers both the Italian and international perspectives.

Monzini, Paola, Ferruccio Pastore, and Guiseppe Sciortino. *Human smuggling to/through Italy*. **Rome: Centro Studi di Politica Internazionale, 2004.**

This report offers a comprehensive overview of the smuggling of migrants in Italy, with a special focus on the north-east border and maritime routes. According to the authors, the most widespread image of illegal immigration into Italy is that of the boat landings on the southern coast. However, they argue that there are also many illegal land border crossings. More specifically, the authors look at the strategic importance of the north-east region and highlight the long history of the business of the smuggling of migrants. The report offers detailed information

about migration flows, routes and smugglers' modi operandi and organizational structure. The second part of the report looks at specific features of the migrants smuggled through maritime routes and provides details about the routes between Italy and the Libyan Arab Jamahiriya and Turkey.

Moore, Marketa, and Czeslaw Tubilewicz. Chinese migrants in the Czech Republic: perfect strangers. *Asian Survey*, **vol. 41, No. 4 (July-August 2001).**

According to the authors, the topic of Chinese migration to former communist countries remains largely under-researched. This article contributes to broader understanding of the changing patterns of Chinese migration in the 1990s and their specific characteristics in eastern Central Europe. Specifically, it examines Chinese migration to Czechoslovakia and later the Czech Republic. It aims to cover four areas: the general features of Chinese migration to eastern Central Europe and, more specifically, its smuggling component; migrants' motivations and their business strategies; the nature and identity of the Chinese community in the Czech Republic; and the dynamics of the social interaction between Chinese newcomers and Czech society, and its economic and political consequences.

Morrison, John, and Beth Crosland. The trafficking and smuggling of refugees: the end game in European asylum policy?, Working Paper, No. 39. Geneva: Office of the United Nations High Commissioner for Refugees, 2000. Available at www.unhcr.org/3af66c9b4.pdf.

This report analyses the response of European Governments to the increasing problems of trafficking in persons and smuggling of migrants and concludes that existing policymaking is part of the problem and not the solution. Refugees are now forced to use illegal means to enter Europe. Any comprehensive approach to tackling trafficking and smuggling successfully requires legal and safe migration opportunities for all refugees, in addition to necessary enforcement measures. Europe urgently needs political and moral leadership on this issue, and the recommendations in the final chapter are intended to encourage such leadership.

Narli, Nilufer. Human Trafficking and Smuggling: the Process, the Actors and the Victim Profile. In *Trafficking in Persons in South East Europe—A Threat to Human Security*, **Nilufer Narli, ed. Vienna: National Defence Academy; Istanbul, Center for Strategic Research, 2006.**

In this paper, the author argues that one crucial factor in the illegal trafficking of humans is organized crime. Organized crime cells facilitate trafficking in persons by providing illegal employment. Smuggling of migrants, trafficking in persons and illegal migrant work are interrelated. Smuggled and trafficked people work illegally in destination and sometimes transit countries. The paper looks at irregular migration to Turkey and focuses on refugees, the smuggling of migrants, trafficking in persons and illegal migration of labour. The paper takes account of the global distribution of the demand for labour and the impact of informal globalization in shaping the undocumented and illegal labour market.

Neske, Matthias. Human Smuggling to and through Germany. *International Migration*, **vol. 44, No. 4 (October 2006).**

This paper provides insight into the processes involved in the smuggling of migrants on the basis of expert interviews, court proceedings from Germany, police reports, court judgements, interviews with smugglers and smuggled persons and transcripts of smugglers' telephone conversations. The author discusses the coordination mechanisms—or lack thereof—at the different stages of the smuggling process and the impact of market conditions on these criminal activities.

Neske, Matthias, and Jeroen Doomernik. Comparing Notes: Perspectives on Human Smuggling in Austria, Germany, Italy, and the Netherlands. *International Migration*, vol. 44, No. 4 (October 2006).

This article highlights the main features and findings of a major research project on the smuggling of migrants led by the Institute for Migration and Ethnic Studies at the University of Amsterdam in the Netherlands and the European Forum for Migration Studies at Bamberg University in Germany. The project investigated differences and similarities between smuggling processes in Austria, Germany, Italy, the Netherlands and North Africa. It provides an overview of findings with regard to the identity and character of the smugglers, their modi operandi and organization, routes commonly taken, the images migrants have of their smugglers, and the trust between them. It also provides a critical analysis of the criminalization of the smuggling of migrants and the need for law enforcement to be complemented by policies in other domains.

Obokata, Tom. Smuggling of Human Beings from a Human Rights Perspective: Obligations of Non-State and State Actors under International Human Rights Law. *International Journal of Refugee Law*, vol. 17, No. 2 (April 2005).

According to the author, although trafficking of human beings has been widely regarded as a human rights issue, little attention has been paid to the human rights aspects of the smuggling of migrants. The purpose of this article is to demonstrate that such smuggling raises human rights concerns. It explores the definitions of trafficking and smuggling and their policy implications and analyses human rights obligations imposed upon State and non-State actors.

Ollus, Natalia. Protocol against the smuggling of migrants by land, air and sea, supplementing the United Nations Convention against Transnational Organized Crime: a tool for criminal justice personnel. Paper presented at the 122nd international training course, European Institute for Crime Prevention and Control, affiliated with the United Nations, Helsinki, 2000. Available at www.oas.org/juridico/MLA/en/Treaties/en_Prot_Smug_Migr_Land_Air_ Sea_Suppl_UN_Conve_Trans_Orga_Cri_Tool_Crim_Jus_Pers_2000.pdf.

This paper discusses the Smuggling of Migrants Protocol. It focuses briefly on the phenomenon of the smuggling of migrants, highlighting the differences with trafficking in persons. The author provides an overview of the structure of the Protocol and comments on the main provisions, in particular those dealing with smuggling by sea and States parties' obligations regarding prevention, transnational cooperation and humanitarian safeguards. Finally, the article discusses some implications for implementation, stressing the need to look at the smuggling of migrants not only from the perspective of organized crime, but also from the perspective of human rights protection and migrants' security.

Pacific Immigration Directors' Conference. *People smuggling, human trafficking and illegal immigration in the Pacific: a regional perspective—January to December 2007*. **Suva, 2008.**

This report analyses trafficking in persons and smuggling of migrants in the Asia-Pacific region and the identity fraud that can underpin them. It also looks at other forms of immigration crime. The purpose of the report is to provide an evidence base to assist Pacific Immigration Directors' Conference members and agencies in developing robust policy and operational responses.

Pastore, Ferrucio, Paola Monzini, and Giuseppe Sciortino. Schengen's Soft Underbelly? Irregular Migration and Human Smuggling across Land and Sea Borders to Italy. *International Migration***, vol. 44, No. 4 (October 2006).**

According to the authors, irregular migration to or across Italy is usually associated with the idea of hundreds, sometimes thousands, of migrants crossing the Mediterranean in rickety boats. Such journeys are often taken as evidence of the existence of hierarchical, centralized and sophisticated criminal cartels that operate throughout the world. The authors argues that this depiction is at odds with the available evidence on irregular migratory systems. The paper reviews a number of Italian court files concerning a variety of organizations operating across both land and sea borders.

Petros, Melanie. The costs of human smuggling and trafficking, Global Migration Perspectives, No. 31. Geneva: Global Commission on International Migration, 2005. Available at www.gcim.org/en/ir_gmp.html.

This paper is based on the analysis of over 500 secondary sources on trafficking in persons and smuggling of migrants. It focuses on the costs of these activities and looks at how the costs vary around the world, how they have changed over time and what factors other than origin and destination determine their level. Petros argues that more scientific rigour in research on these phenomena would help to demystify them, combat media and popular misconceptions, inform policymaking and open up this important field to further academic study.

Robin, Nelly. L'immigration subsaharienne en Espagne vue du Sud: entre appel économique et protectionnisme politique. *Migrations Société***, vol. 21, No. 125 (September-October 2009).**

This paper focuses on the evolution of immigration from the sub-Saharan region to Spain between 1998 and 2008. It then looks at the related migration control policies and dialogue with African countries at the European and Spanish levels to stem irregular migration. The paper provides a detailed analysis of the process involved in the smuggling of migrants, based on interviews with smuggled migrants coming, in particular, from the Casamance region of Senegal. It provides information about the profile of the migrants and the smugglers' modi operandi and highlights the impact of restrictive border controls, in particular how smuggling countermeasures developed in Ceuta and Melilla have led smuggling rings to further develop their activities in Mauritania and Senegal. Finally, the author provides a critical analysis of forced returns and the need for balanced and comprehensive migration policies, including economic development in source countries.

Saha, K. C. Smuggling of Indian citizens: preliminary findings. *Journal of Immigrant and Refugee Studies***, vol. 5, No. 1 (April 2007).**

This study examines the smuggling of Indian citizens to other countries and provides insight into the modi operandi of the smugglers. It is based on an empirical study of deportation cases of Indian citizens from other countries. The study shows that smuggling of aliens is carried out by professional organizations with links in the source, transit and destination countries. The study concludes that, as long as opportunities for legal migration are limited, there will always be a demand for smugglers.

Salt, John. Trafficking and Human Smuggling: A European Perspective. *International Migration*, **vol. 38, No. 3, Special Issue No. 1 (2000).**

This article reviews the empirical evidence for trafficking in persons and smuggling of migrants in Europe. It argues that a market for irregular migration services has emerged, in which the mechanisms and forms of organization are still relatively unknown. The article begins with a discussion of the main issues confronting researchers and politicians. This is followed by an assessment of the main theoretical approaches that have been developed and an evaluation of current statistical knowledge. Information on the organizational structure of trafficking organizations is then reviewed, followed by a summary of the characteristics of migrants involved, based on empirical studies. The article concludes by indicating some of the main priorities for research.

Salt, John, and Jeremy Stein. Migration as a Business: The Case of Trafficking. *International Migration*, **vol. 35, No. 4 (December 1997).**

This article suggests treating international migration as a global business that has both legitimate and illegitimate sides. It describes the migration business as a system of institutionalized networks with complex profit and loss accounts, each part of which stands to make a commercial gain. The article focuses on trafficking in persons and smuggling of migrants as the core of the illegitimate business. Viewing trafficking and smuggling as a business has important implications for the study of migration. For policymakers, trafficking presents new challenges for the management and control of migration flows across borders. In particular, the article suggests the need to look at immigration controls in new ways, placing sharper focus on the institutions and vested interests involved rather than on the migrants themselves.

Sarrica, Fabrizio. The Smuggling of Migrants. A Flourishing Activity of Transnational Organized Crime. *Crossroads*, **vol. 5, No. 3 (2005).**

This article analyses the worldwide phenomenon of the smuggling of migrants from an organized crime perspective, looking both at the modi operandi and the offences connected to the smuggling of migrants, such as money-laundering and document forgery. Looking at examples in Europe, the Middle East and North America, the author questions the assumption that smuggling networks have an extremely hierarchical and vertical structure. He also criticizes the idea that, unlike trafficking, smuggling is a crime without victims.

Scharf, Daniel. For Humane Borders: Two Decades of Death and Illegal Activity in the Sonoran Desert. *Case Western Reserve Journal of International Law*, **vol. 38, No. 1 (2006).**

This article provides an analysis of United States law enforcement strategy. It first discusses the measures deployed by the United States to secure its borders, then examines the effectiveness of this border control strategy. Finally, the article explores alternative strategies aimed at both improving security and border controls and preventing deaths in the desert.

Schloenhardt, Andreas. Organized crime and migrant smuggling: Australia and the Asia-Pacific, Research and public policy series, No. 44. Canberra: Australian Institute of Criminology, 2002. Available at www.aic.gov.au/en/publications/current%20series/rpp/41-60/rpp44.aspx.

The aim of this study is to explain the organized crime aspect of the smuggling of migrants in the Asia-Pacific region. In order to develop appropriate and effective countermeasures, it

seeks to identify and investigate the structural patterns of the smuggling of migrants and to highlight the significant differences between it and traditional concepts of organized crime. The first two chapters discuss organized crime and how it can be best approached. It examines why, when and where organized crime and the smuggling of migrants emerge. The next chapters provide a detailed analysis of the smuggling of migrants in Australia and the Asia-Pacific region.

Schloenhardt, Andreas. *Organised crime and the business of migrant trafficking: an economic analysis*. Paper prepared for the Australian Institute of Criminology, Occasional Seminar Paper. Canberra, 10 November 1999.

This paper seeks to examine organizations that smuggle migrants in the light of the most recent theories and interpretations of organized crime and economic analyses of transnational criminal organizations. With respect to the elaboration of future countermeasures at the national, regional and international levels, the aim of the paper is to identify more precisely the major organizational and operational features of the smuggling of migrants. The paper begins with an introductory discussion of the economic approach to organized crime. The next part analyses the illegal market in which criminal organizations, in particular smugglers, operate. This provides the working basis for the examination of the organization of the smuggling of migrants in the last part.

Sein, Andrew J. The prosecution of Chinese organized crime groups: the Sister Ping case and its lessons. *Trends in Organized Crime*, vol. 11, No. 2 (May 2008).

This article analyses the investigation and prosecution of Chinese criminal organizations through the study of one major case: the trial of Sister Ping. Data were obtained from media reports, court documents and interviews. It is argued that groups involved in the smuggling of migrants, such as the one run by Sister Ping, are informal and decentralized organizations with no link to organized crime networks.

Senovilla Hernández, Daniel. Mineurs isolés étrangers en Espagne: une réponse juridique et institutionnelle conforme à la Convention internationale des droits de l'enfant? *Migrations Société*, vol. 21, No. 125 (September-October 2009).

This article looks at unaccompanied minors smuggled to Spain from or through North African countries, in particular Morocco. The author looks at the profile and nationalities of this special category of smuggled migrants, the role of their relatives in the decision-making process and the way they are smuggled into Spain. After a brief quantitative and qualitative analysis of this phenomenon, the author provides a critical analysis of the legal and institutional policy framework developed since 1996 to protect these minors. While acknowledging that some important tools have been developed by the Spanish authorities, the author deplores the fact that the policy is guided primarily by migration control objectives rather than by child protection.

Siracusa, Christina, and Kristel Acacio. State migrant-exporting schemes and their implications for the rise of illicit migration: A comparison of Spain and the Philippines. *Journal of International Migration and Integration*, vol. 5, No. 3 (June 2004).

This article explores the connection between State-sponsored exporting of labour and the rise in the smuggling of migrants and trafficking in persons. The cases of Spain and the Philippines are analysed. The authors describe how and why each State has engaged in labour export and

what the ramifications have been. The creation and operation of the Spanish Institute of Emigration from 1956 to 1973 is thoroughly examined. In the case of the Philippines, the authors look at the country's overseas employment programme, instituted in 1974, which later evolved into the Philippine Overseas Employment Administration. Historical comparisons are used to demonstrate how State migrant-exporting schemes can lead to illicit migration. Although there are no definitive conclusions on the State influences on illicit migration, the authors discuss the role of States as possible agents for smuggling or trafficking.

Skeldon, Ronald. Myths and Realities of Chinese Irregular Migration, IOM Migration Research Series, No. 1. Geneva: International Organization for Migration, 2000. Available at http:// publications.iom.int/bookstore/index.php?main_page=product_info&cPath=2_3&products_ id=287.

This paper reviews research on trafficking in persons and smuggling of migrants from China. It also discusses some of the policy measures that have been taken by China and other countries to combat trafficking from China.

Spener, David. Mexican migrant-smuggling: A cross-border cottage industry. *Journal of International Migration and Integration*, **vol. 5, No. 3 (June 2004).**

The author argues that, despite the rise of larger-scale smuggling organizations, the smuggling of migrants across the Mexico-United States border is still undertaken by small-scale and/or part-time smugglers from the Mexican migrant community. Moreover, he suggests that predictions about the elimination of small-scale smugglers from the market are flawed because they are based on an unrealistic assessment of the requirements for mounting a successful smuggling enterprise.

Spijkerboer, Thomas. The Human Costs of Border Control. *European Journal of Migration and Law*, **vol. 9, No. 1 (2007).**

This article outlines the relationship between irregular immigration, increased border control and the number of casualties at Europe's maritime borders. It shows that both member States and EU itself have increasingly adopted a technical, quasi-military approach to border control. The paper presents data on the human costs of external border control. It offers strong reasons to believe that increased controls have led to the loss of more lives and foresees that further tightening of external borders, as envisaged by the member States and EU, will intensify this trend. The final section of the paper examines the fundamental policy question of whether the human costs are relevant to the current debate about the control of EU external borders. The author argues that States have a positive obligation under international law to address this issue and he formulates concrete proposals to monitor and reduce the number of border deaths.

Staring, Richard. Facilitating the arrival of illegal immigrants in the Netherlands: Irregular chain migration versus smuggling chains. *Journal of International Migration and Integration*, **vol. 5, No. 3 (June 2004).**

This article aims to explore the role that organizations involved in the smuggling of migrants play in facilitating the arrival of illegal immigrants in the Netherlands and their further incorporation into Dutch society. Based on empirical research on illegal immigrants living in the Netherlands, the question of how illegal immigrants succeeded in entering the European Union and settling in the Netherlands is addressed.

Thomas-Hope, Elizabeth. Irregular Migration and Asylum seekers in the Caribbean, WIDER Discussion Paper, No. 2003/48. Helsinki: United Nations University, World Institute for Development Economic Research, 2003. Available at www.wider.unu.edu/publications/working-papers/discussion-papers/2003/en_GB/dp2003-048/.

This paper argues that irregular movements are part of the wider Caribbean migration process, which is rooted in political, socio-economic and, increasingly, environmental factors. Locations in the Caribbean largely provide transit stops on the way to the United States, but with the implementation of policies to intercept migrants at sea, many of these intermediary locations become final destinations and, ultimately, marginalized communities of migrants. According to the author, these locations are part of an established transnational network that sustains the ongoing process of irregular migration. The paper looks at the organization and modi operandi of smuggling rings operating the region. It also discusses how irregular migration and the question of asylum greatly affect diplomatic relations between Caribbean source and destination countries. Lastly, it calls for better and more thoughtful policies to address irregular migration.

Torres, Ariadna. Human smuggling: policies, practices and legislation (Mexico 2000-2003). Paper prepared for the International Council on Human Rights Policy Review Meeting, "Migration: Human Rights Protection of Smuggled Persons", Geneva, 25-26 July 2006.

The first part of this report describes the root causes of the migration flows through Mexico, and the origin of the border policies with which the Mexican Government combats immigrants and smugglers. The second part examines the national legislation that aims to control, deter and sanction undocumented migration and the smuggling of migrants. It contrasts the results of the application of this legislation with the objectives of the United Nations Convention against Transnational Organized Crime and the Smuggling of Migrants Protocol. The report discusses whether the Mexican Government has created mechanisms and applies effective measures to protect migrants from abusive actions by the State or individuals.

Uehling, Greta Lynn. The International Smuggling of Children: Coyotes, Snakeheads, and the Politics of Compassion. *Anthropological Quarterly*, vol. 81, No. 4 (2008).

According to the author, each year over 100,000 unaccompanied minors are apprehended while entering the United States without valid immigration documents. Based on interviews with policymakers, programme officers and the children themselves, this article explores the politics of compassion surrounding these migrants. Looking at migration from Central America, China, India and Mexico, the paper challenges the system that protects some children more than others. It argues that, rather than dismantling the politics of compassion, what is needed is a clearer understanding of the children's paths to the United States and a system without the ethical hierarchies that are currently in place.

United Nations Office on Drugs and Crime. *Organized Crime and Irregular Migration from Africa to Europe*. Vienna, 2006.

This document explores the extent to which irregular migration from Africa to Europe is facilitated by organized crime. It incorporates the findings of a UNODC mission to the Gambia, Mauritania, Mali, Senegal and Sierra Leone in June 2006. It looks at the size of the potential market for organized crime, the number of irregular migrants, the nations most affected and the specific routes used by the smugglers. It then looks at the smugglers themselves: their identities, their motivations and the

abuses they are willing to inflict on their human cargo. While the true extent of the profits to be made by smuggling human beings from Africa to Europe is known only to the smugglers themselves, the report includes an attempt to gauge the potential turnover of this market.

United Nations Office on Drugs and Crime, Regional Office for South Asia, *Smuggling of migrants from India to Europe and in particular to the UK: A study on Tamil Nadu*. **New Delhi, 2009.**

This report analyses the scope and magnitude of irregular migration in the southern State of Tamil Nadu in India. Four districts—Tanjavur, Thiruvarur, Pudukkottai and Namakkal—were chosen because of the large number of cases of irregular migration reported from there. Analysis of the data and the information available suggests that irregular migration from Tamil Nadu is substantial and can be broadly categorized as follows: irregular migration of unskilled migrants to the Middle East and South-East Asia; and irregular migration to EU, in particular, the United Kingdom. The study reveals that the smugglers are able to carry out their business with relative impunity. The relationships with the smuggled migrants are mostly based on mutual agreement, with refunds available to migrants who fail to reach the destination State. The final chapter puts forward recommendations for future technical assistance programmes.

United Nations Office on Drugs and Crime. *Transnational Trafficking and the Rule of Law in West Africa: A Threat Assessment*. **Vienna, 2009.**

According to UNODC, West Africa is affected by a number of transnational trafficking flows, which are attracted by and aggravate the vulnerability of this region. This report examines these flows and looks at their potential impact on the rule of law. The report examines different forms of organized crime (such as trafficking in cocaine, small arms, oil, cigarettes and toxic waste) and includes a chapter on the smuggling of migrants. The report demonstrates that some smugglers are also independent facilitators who do not belong to sophisticated criminal organizations and offers detailed information on the migrants, smuggling routes and smugglers. Further, it provides a critical analysis of the impact of the various forms of trafficking and organized crime—including the smuggling of migrants—on human rights and the rule of law in West Africa.

Van Liempt, Ilse. Inside Perspectives on the Process of Human Smuggling, IMOSCOE Policy Brief, No. 3. Amsterdam: International Migration, Integration and Social Cohesion (IMISCOE), 2007. Available at http://imiscoe.socsci.uva.nl/publications/policybriefs/documents/PB3-Liempt.pdf.

This policy brief is aimed at policymakers who deal with irregular migration and asylum. It analyses the smuggling of migrants into the Netherlands from Iraq, the Horn of Africa and the former Soviet Union and looks at the impact of the smuggling of migrants on the evolution of the migration process. It also analyses the choices that are available to the migrants within this process.

Van Liempt, Ilse. The social organization of assisted migration. Paper presented at the Eighth Metropolis Conference, Vienna, 2003.

This paper analyses the smuggling of migrants. The relations between the migrant and the travel agents (including recruitment methods and kind of services sold) are considered and described in detail. The author's conclusion is that using a travel agent has become a very common migration practice; however, the smuggling of migrants is not necessarily linked to organized crime, and different strategies can coexist.

Van Liempt, Ilse, and Jeroen Doomernik. Migrant's Agency in the Smuggling Process: The Perspectives of Smuggled Migrants in the Netherlands. *International Migration*, **vol. 44, No. 4 (October 2006).**

This paper focuses on migrants who have been smuggled to the Netherlands from Iraq, the Horn of Africa and the former Soviet Union. It attempts to answer the following questions: to what extent do smugglers give direction to migration and how much autonomy do migrants themselves have in deciding where they want to travel? According to the authors, the common assumption is that smuggled migrants are recruited by criminals and have little say in the migration process. But the relationship between the smugglers and the smuggled seems more diverse. The paper then addresses how this process is related to, and interacts with, Dutch migration policies. The authors conclude that the increased crackdown of the past decade on unsolicited migration in the Netherlands has not reduced the number of irregular migrants, while the involvement of human smugglers has increased.

Van Liemt, Gijsbert. Human Trafficking in Europe: an Economic Perspective, Working Paper, No. 31. Geneva: International Labour Organization, 2004. Available at www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/ wcms_081992.pdf.

According to the author, though global concern about human trafficking has grown in recent years, there have been few systematic attempts to comprehend and document its underlying economic dimensions. This paper does not attempt financial estimates of the business of trafficking in persons and smuggling of migrants; it is more of a broad mapping survey, placing trafficking and smuggling within broader migration analysis (including the role of irregular migration). It then comments on the financial flows involved in trafficking and smuggling and on the different patterns of financing trafficking and smuggling services. It also contains a brief review of the evidence on the extent to which organized crime is involved in trafficking in persons and the smuggling of migrants.

Webb, Sarah, and John Burrows. Organised immigration crime: a post-conviction study, Research Report, No. 15. London: Home Office, 2009. Available at http://rds.homeoffice. gov.uk/rds/pdfs09/horr15c.pdf.

This report outlines the findings of an interview programme conducted in 2006 with 45 prisoners convicted of offences related to the smuggling of migrants and/or trafficking in persons. The research was commissioned by the United Kingdom Home Office to provide a fuller understanding of the market dynamics of facilitated entry into the United Kingdom. According to the authors, while most studies have focused on victims, there is a significant gap in research that attempts to understand the trade in smuggling and trafficking from the perspective of the offenders themselves. A key aim of the study is therefore to shed light on issues that have not been explored in previous assessments. The study describes the trafficking and smuggling process, sets out details gathered on trafficking and smuggling operators and their perceptions of the market, and outlines the information given about the victims of trafficking and the smuggled migrants. Finally, it addresses attitudes towards the perceived risks of actions taken by the regulatory authorities. Although the prisoner sample was not representative of the whole organized immigration crime market, the study provides insight into the smugglers' and traffickers' perception of their activities and their relationship with the migrants, together with some information about their organization and modi operandi.

Zhang, Sheldon. *Smuggling and Trafficking in Human Beings: All Roads Lead to America*. Westport, Connecticut: Praeger, 2007.

This book describes how smuggling and trafficking activities are carried out and explores policy challenges in combating the problem. It provides a criminological analysis of the illicit venues and strategies employed by groups of entrepreneurs and criminal organizations in gaining unauthorized entry into the United States. It focuses on activities, organizational profiles and operational patterns related to the smuggling of migrants and concludes with recommendations for combating this phenomenon.

Zhang, Sheldon, and Ko-Lin Chin. Enter the dragon: inside Chinese human smuggling organizations. *Criminology*, vol. 40, No. 4 (November 2002).

This paper examines the inner workings of the smuggling of migrants by Chinese groups. The authors argue that, contrary to widely held conceptions about Chinese organized crime, most smugglers of migrants are otherwise ordinary citizens whose familial networks and social contacts have enabled them to transport human cargo around the world. They come from diverse backgrounds and form temporary alliances to carry out smuggling operations. With the exception of a shared commitment to making money, little holds them together. The smuggling organizations mostly resemble ad hoc task forces and are assembled for specific operations. These organizations have clear divisions of labour, with limited hierarchical structures. The authors discuss the theoretical implications of these unique organizational characteristics.

Zhang, Sheldon, and Ko-Lin Chin. Snakeheads, mules, and protective umbrellas: a review of current research on Chinese organized crime. *Crime Law and Social Change*, vol. 50, No. 3 (October 2008).

This paper reviews knowledge about Chinese organized crime. The authors highlight that empirical studies have dispelled the notion that traditional Chinese crime syndicates dominate transnational criminal activities. According to the authors, most of those involved in transnational crimes (in particular the smuggling of migrants and drug trafficking) were found to be otherwise ordinary individuals who use their social or familial networks to take advantage of emerging opportunities. According to the authors, the criminal underworld in China appears to be growing along two separate tracks, with transnational organized criminal groups operating on one track and locally based criminal organizations on the other.

Zhang, Sheldon, Ko-Lin Chin, and Jody Miller. Women's participation in Chinese transnational human smuggling: a gendered market perspective. *Criminology*, vol. 45, No. 3 (August 2007).

According to the authors, despite extensive sociological research on gender and organizations, criminologists have paid insufficient attention to the extent and nature of women's participation in illicit enterprises. This study uses an organizational framework to examine the smuggling of migrants by Chinese groups to the United States. Drawing from interviews with 129 smugglers, the authors propose a gendered market perspective for understanding the place of women in the smuggling enterprise. They argue that the limited role of violence and territory in the smuggling of migrants, the importance of interpersonal networks in defining and facilitating smuggling operations, gender ideologies about work and care-giving, and safety as an overriding concern for clients combine to create more of a role for women in the smuggling of migrants than in other criminal endeavours.