

# **Migrant Smuggling Data and Research:**

**A global review of the  
emerging evidence base**

Volume 2

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IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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# **Migrant Smuggling Data and Research:**

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## FOREWORD

The smuggling of migrants across international borders on routes crossing land, sea and air continues to pose a challenge to migration governance and impedes safe and orderly migration. Migrant smugglers are increasingly becoming a central part of the irregular migration journey, resulting in enormous profits for criminal smuggling networks while reducing the ability of States to manage their borders. Given that it is often a clandestine undertaking, migrant smuggling may only become visible when tragedies occur or emergency humanitarian responses are required, such as we have seen intensify in recent months in Libya. In 2017, for example, the International Organization for Migration (IOM) arranged for the return home of more than 19,000 migrants who had become stranded or detained in Libya, many at the hands of smugglers and traffickers.

Events involving people drowning or perishing inside trucks or caught up in modern-day slavery networks regularly capture the media's attention, but the headline-grabbing stories are likely to be just the tip of the iceberg. The recorded number of migrant deaths or missing in four years (between 2014, when IOM started the Missing Migrants Project, and 2017) is more than 25,000 – 2016 being the deadliest year with 8,067. Reliance on smugglers makes migrants particularly vulnerable to abuse and exploitation, and heightens the possibility that they could become trafficked. Migrants who have experienced abuse by smugglers have little effective recourse to justice. In this ever more pressing situation, States are being severely tested in the fulfilment of their responsibilities to protect migrants' rights and manage their borders.

Against this backdrop, and building on the contribution of the initial volume published in late 2016, it is timely that we complete a review of current data and research on migrant smuggling. The report builds on the first volume by covering geographic areas that could not be included in volume 1, while also delving into migrant smuggling in specific countries seriously affected by this transnational phenomenon.

Volume 2 is again the result of a collaboration between IOM and researchers from a range of backgrounds and academic disciplines, and was supported by the Government of Turkey. As a host country of some 3.5 million Syrian refugees and a transit country of significance, Turkey – along with many



other countries – experiences first-hand the considerable challenges in combating migrant smuggling while at the same time supporting refugees in need.

This report is part of a broader project to counter migrant smuggling, of which research is one key pillar. As we respond to Member States and Organizational priorities, including in the context of the current negotiations on the draft global compact for migration, we hope that readers will find this second volume as useful as volume 1. Both reports are aimed at policymakers, researchers, analysts, students and practitioners working on the complex topic of migrant smuggling. The work undertaken and presented here provides a solid base to build upon and reassess in the years ahead in order to gauge progress on the increasingly important collection, analysis and reporting of data and research on migrant smuggling globally.

  
**William Lacy Swing**  
*Director General*



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The opinions, comments and analyses expressed in this report are those of the author and do not necessarily reflect the views of the department or any of the organizations or institutions with which the author is affiliated.



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# 1

## REPORT OVERVIEW

Anna Triandafyllidou and Marie McAuliffe

Globally, migrant smuggling receives a considerable amount of media, policy and public attention, and is the focus of law enforcement activities and operations around the world. It has also become an increasingly significant focus of international cooperation between States, as well as examination by academic researchers. It is widely acknowledged that much more needs to be understood about migrant smuggling processes and changing dynamics, especially as they relate to negative consequences for migrants, including refugees and asylum seekers, who have few or no options to reach safety. This report – the second volume of the International Organization for Migration’s (IOM) *Migrant Smuggling Data and Research: A global review of the emerging evidence base* – aims to further add to the existing evidence base on migrant smuggling by building on the first volume.<sup>1</sup> It does so in two main ways. First, it includes chapters on regions and countries that were not included in the first volume, such as Canada, Central Asia, Middle East, the Russian Federation and Southern Africa. Second, it provides more detailed discussions on countries and subregions that were included in much broader chapters in volume 1. For example, the discussion of Mexico and Ecuador in the volume 1 chapter on Latin America has been expanded in specific individual chapters on the two countries in this volume.

In the project from which the two volumes stem, we set out to review the evidence base by working with researchers and analysts to review the current data and research on migrant smuggling in key locations. We did so for several reasons. First, migrant smuggling matters increasingly to migrants, enormously to States and is clearly critical to a great number of non-State actors, including unfortunately the smugglers and agents who operate in this illicit sector. It also matters to a range of others including non-governmental organizations (NGOs) that support migrants, international organizations working on migration, transnational crime, development and human rights, as well as the media. Enhancing our understanding of migrant smuggling improves our ability

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<sup>1</sup> In order to ensure, to the extent possible, that this chapter provides a comprehensive “stand-alone” overview and background, we have drawn upon the introductory chapter of volume 1 (McAuliffe and Laczko, 2016).



to combat inequity, exploitation and abuse by helping craft effective responses aimed at supporting safe and orderly migration policies and practices. In this context, the consultation phase of the UN global compact for migration, which is due to be finalized in late 2018, included a focus on migrant smuggling, and one of the thematic sessions was devoted to smuggling, trafficking and slavery.<sup>2</sup>

Second, as with irregular migration processes and movements (IOM, 2017a; Kraler and Reichel, 2011), there is currently no data available on the extent of migrant smuggling globally. The lack of global data on migrant smuggling hinders comparative analysis, as well as the ability to inform the development of effective responses. That said, and as shown in this volume, some subregions and countries have more data and research on migrant smuggling available than others. While difficult to fully gauge, it is evident that the extent of collection and reporting is highly variable across the world, including because of varying capacities of States to systematically monitor smuggling and collect data.

Third, recent media coverage of irregular migration highlights that the various conceptualizations of migrant smuggling, including in relation to its related form of irregular migration “human trafficking”, sometimes lead to confusion and misunderstandings of the nature and effects of the phenomenon. Equally, “bad news” is often only heard when it comes to smuggling, and yet there have been constructive advances and productive initiatives on smuggling data and research in recent years (see, for example, chapter 5 on Southern Europe) while acknowledging that more needs to be done.

Fourth, the report provides a useful benchmark with which to gauge progress in 5 to 10 years from now. The last decade has seen radical changes in technology that are affecting migration in important ways, and that we are only beginning to understand (McAuliffe and Goossens, 2018; Sanchez, 2017; Zijlstra and van Liempt, 2017). Many policymakers, academics and analysts have long recognized the importance of conducting research and analysis of aspects of irregular migration, including migrant smuggling, but indications of subtle shifts in smuggling practices in recent years render this an important addition to knowledge on smuggling practices. Given the changes in technology over the previous decade, it is difficult to imagine what the technological landscape might bring, including those that directly affect smuggling (such as newer forms of communications) and those that will have an impact on underlying migration drivers (such as artificial intelligence and the future of work, as well as defence/military technological advances).

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<sup>2</sup> Thematic session on “smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims”, 4–5 September 2017, Vienna.



Fifth, this report aims to inform IOM’s own response to migrant smuggling, including the Comprehensive Approach to Counter Migrant Smuggling (IOM, n.d.). The approach recognizes that combating migrant smuggling involves a multifaceted set of responses, which can be broadly grouped into four key areas: (a) provide protection and assistance to smuggled migrants; (b) address the causes of migrant smuggling; (c) enhance States’ capacity to disrupt the activities of migrant smugglers; and (d) promote research and data collection on migrant smuggling.

## Report background

This project has brought together researchers and analysts working on migrant smuggling throughout the world in order to review the current state of data and research on the topic. Together, the authors who contributed to this and the previous volume bring a diverse set of experiences in migrant smuggling expertise and academic disciplines, including anthropology, law, demography, international relations, economics, political science and criminology. Authors from academia, IOM, government, private sector organizations and policy think tanks contributed.

Consistent with volume 1, each chapter covers three broad areas: (a) review of data on migrant smuggling; (b) review of migrant smuggling research; and (c) overview of smuggling in the region/country. Suggestions and recommendations aimed at further building the emerging evidence base are also provided in each chapter (and summarized at the end of this chapter). The geographic coverage of the two volumes is summarized in the table below.

Volume 1	Volume 2
East Africa	Central Asia
Europe	Middle East
Latin America	Southern Africa
North Africa	Southern Europe
North-East Asia	Canada
South Asia	Ecuador
South-East Asia and Australia	Mexico
West and Central Africa	Russian Federation
Afghanistan	
Turkey	
United States	



## Concepts and definitions

While there is no single agreed definition of migrant smuggling globally, the Protocol against the Smuggling of Migrants by Land, Sea and Air (the Protocol) sets out the international legal definition in the context of the overarching United Nations Convention against Transnational Organized Crime. With almost three quarters of all States being party to the Protocol, it provides the most widely recognized definition of migrant smuggling internationally. The Protocol defines migrant smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident” (article 3). Other definitions are broader. The English Oxford Dictionary, for example, defines smuggling as to “convey (someone or something) somewhere secretly and illicitly”.

Notwithstanding its clandestine nature and the related attempts by smugglers and agents, as well as migrants to evade detection before, during and often following arrival in a transit or destination country, the way in which migrant smuggling is conceptualized also contributes to the difficulties in understanding the nature and scope of this phenomenon. Naturally, there are differences within the academic sphere, but likewise there are some differences within the policy sphere, most notably between national (and regional) jurisdictions, which may or may not be consistent with the concept of smuggling set out in the Protocol.

Salt and Stein’s seminal work on migrant smuggling in 1997 involved the depiction of smuggling as one aspect of the illicit side of international migration business. Smuggling is conceptualized as a profit-driven activity within a broader business system, whereby the smugglers’ main motivation is profit, and the common point of intersection with migrants is financial (Salt and Stein, 1997). Salt and Stein’s model heavily favours the depiction of smugglers who are involved in delivering a service through the “exploit[ation of] legal as well as illegal methods and channels of entry” (ibid., 484). Smugglers are described as “helping”, “servicing”, “facilitating”, “providing”, although Salt and Stein (ibid., 479) note that “little information is available on whether it is more common for migrants to seek out [smugglers] or vice versa”.

Financial motives are central to the business model concept proposed by Salt and Stein (1997), and are consistent with the final formulation of the Protocol. This has the effect of excluding those who assist people to gain illegal entry into a country without financially (or materially) benefiting. Indeed, some argue that a broader definition of smuggling incorporating those who operate without personal gain is required to adequately encompass refugee smuggling



(Doomernik, 2001; van Liempt and Doomernik, 2006). Rather than a law enforcement framing or the business model concept, this broader definition also incorporates the altruistic smuggler who helps people to safety (Salt and Hogarth, 2000). The “altruistic” smuggler is a common theme in the literature, especially in so far as it relates to the smuggling of asylum seekers and refugees. This became particularly pronounced during and following the mass migration events of 2015, which saw hundreds of thousands of refugees and asylum seekers use smugglers to travel from Turkey to Greece by crossing the Aegean Sea (see Sánchez-Montijano and Arcarons in this volume).

Broadly then, migrant smuggling can be conceptualized in a variety of ways, including:

- Transnational criminal definition of smuggling for financial or other material benefit – this appears to be a commonly understood definition, and one that applies in international law as per the Protocol;
- Altruistic smuggling that does not involve gaining financially or in other ways, and may be construed or interpreted as a manifestation of irregular migration social processes;
- Smuggling for humanitarian reasons, including of refugees, which may or may not involve financial or material gain; and
- “Self-smuggling”, whereby migrants smuggle themselves in order to enter a country without prior permission as a stowaway, for example, on a vessel or aircraft.

There is also increasing recognition of shifts in smuggling processes that further blur the line between human trafficking and migrant smuggling, acknowledging that it has never been clear cut (Carling, Gallagher and Horwood, 2015). While human trafficking involves coercion<sup>3</sup> (whereas migrant smuggling does not), there is increasing awareness of the potential for coercion and exploitation of smuggled migrants who may find themselves in highly exploitative conditions during or after the event. What starts out as a simple transaction involving a person seeking the services of a smuggler may end up with the migrant being deceived, coerced and/or exploited somewhere along

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<sup>3</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children defines human trafficking 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 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” (article 3).

the line, given the often unequal power relationships between smugglers and migrants – a smuggled migrant may quickly and unwillingly become a trafficked person. Recent events in Libya have highlighted that migrants who have been smuggled and/or who may have intended to use smugglers to reach Europe by sea have been imprisoned against their will, with some reportedly being sold into slavery (IOM, 2017b).

## Complexities of smuggling

Part of the difficulty in fully understanding migrant smuggling processes and practices, as well as how they are evolving, is due to the number of actors involved. In a 2011 report, the United Nations Office on Drugs and Crime (UNODC, 2011) highlighted the dynamics and complexities involved in migrant smuggling and the key actors involved:

- Adaptability of smugglers and smuggling organizations is high, and organizers shift routes in response to law enforcement countermeasures (ibid., 37);
- Smuggling relies on corruption (in varying degrees), and a limited amount of information is currently available about the role of corrupt government officials in the smuggling process (ibid., 81);
- Vulnerable migrants (such as women and children) likely make up an ever-growing proportion of migrants smuggled worldwide (ibid., 54);
- There is a striking lack of information on smuggler–migrant relationships; access to information is particularly difficult since smugglers (and migrants) are often reluctant to be interviewed (ibid., 66); and
- Increasingly sophisticated networks have replaced small-scale businesses in regions where anti-smuggling law enforcement strategies are particularly robust (ibid., 81).

Despite the media’s tendency to portray smugglers as evil characters, it has become clearer over time both from research and intelligence gathering that it is more accurate and useful to think of individual agents or smugglers as being somewhere on a “smuggling spectrum”.

At one end of the scale are the (irregular) migration agents, who may be legitimate travel or migration agents providing lawful services to travellers/ migrants, with perhaps occasional assistance to those seeking to travel

irregularly (such as fraudulent documents, contacts and information/advice). At the other end of the spectrum are the “apex” smugglers/traffickers, who oversee sophisticated transnational criminal syndicates and networks that deal with large-scale operations, often involving different types of smuggling and/or trafficking.

The diversity of smugglers has been examined in the academic and grey literature. There have been various enquiries into the breadth of the concept of “smuggler”, with empirical research and analysis largely concluding that there are many types of people involved in smuggling networks ranging from organizers, recruiters, transporters (such as crew), aides and suppliers (Andreas, 2011; Schloenhardt, 2003; UNODC, 2011). Discussion of “mom-and-pop” smugglers was also present in the literature, referring to the small-scale smuggler who may not be connected to larger networked operations (Kyle and Liang, 2001).

Migrants are the primary non-State actors involved in the processes of irregular migration and smuggling. In many situations, they are able to exercise agency, although the extent to which this is possible is circumscribed by a range of structural, security, economic and social factors (de Haas, 2011; Triandafyllidou, 2017). There is also recognition, including from empirical studies, that the drivers underpinning migrant decision-making in relation to irregular migration pathways and smuggling are complex, and include protection, security, family, economic and other factors (Jayasuriya, McAuliffe and Iqbal, 2016; McAuliffe, 2013). Migrants (along with their families), however, bear much of the brunt of the negative consequences that irregular migration journeys involving smuggling can bring: increased risks of exploitation, significant physical and mental harm, and sometimes death. Increasingly, more vulnerable groups of migrants are moving irregularly, including women and children, raising a raft of complex issues for State and non-State actors alike.

One of the more challenging issues for State actors is that of corrupt officials who can play critical roles in smuggling and trafficking networks (McAuliffe and Koser, 2015; Organisation for Economic Co-operation and Development (OECD), 2015). The UNODC (2011:3) has highlighted the significant role corruption plays in migrant smuggling, noting that:

Migrant smuggling could not occur on the large scale that it so often does without collusion between corrupt officials and criminals. Corruption seriously undermines national and international efforts to prevent and control the smuggling of migrants ... [it] may occur in countries of origin, transit, or destination. It may be systemic, institutional or individual.



In some circumstances, the distinction between “corrupt officials” and “criminals” may in fact mask more dire and entrenched behaviour in which smugglers/traffickers can themselves be corrupt officials holding positions within law enforcement, justice, immigration, customs, passport offices, border police and other related government agencies. In environments of endemic corruption, people movement is just one area of regulation that can be exploited for personal gain. In some societies, extracting a bribe in exchange for a fraudulent document, a stamp in a passport, entry to or exit from a country are likely to be commonplace. Even in less corrupt societies, the opportunities perceived by some officials may be considered greater than the risks of being caught.

The media is also an important non-State actor, including as a contributor to the grey literature as a result of investigative reporting on smuggling. The media is also peripherally involved in smuggling and irregular migration indirectly. First, the media plays a role in the provision of information to migrants (and potential migrants) in a range of situations: when they are considering their migration options, when they are assessing where to migrate, in determining the safest and best way to travel, and so on. Second, the media also serves as a vehicle in the polarization of the public discourse on aspects of migration, and irregular migration and smuggling in particular. This becomes problematic particularly when smuggling and trafficking are used interchangeably, often further confusing complex issues of movements and depicting an overly simplistic view of migrant smuggling.

## Overview of migrant smuggling data

Smuggling like irregular migration more widely is an illicit phenomenon and as such it cannot be either properly quantified or registered and measured. Data on migrant smuggling are actually at best data on related phenomena (usually enforcement-related) and at worse mere guesstimates produced by the media without a clear evidence base.

One of the main aims of both this volume and volume 1 has been to check what kind of data exist on migrant smuggling and who collects them, as there are important national and regional variations in different world regions. First and foremost, most countries collect data on border crossings (see for instance Molodikova or Maher in this volume) and calculate their net migration, as well as their estimate of overstayers (people who entered for a short period but did not leave) or for instance the number of people apprehended near the border or inside the country for unlawful entry or the number of smugglers apprehended and/or convicted (see for instance Sanchez in this volume or also Sánchez-



Montijano and Arcarons). Clearly though these data relate more to possible irregular migration flows and stocks than to the phenomenon of migrant smuggling as such.

In recent years, policymakers and also media and politicians can take advantage of the plethora of qualitative fieldwork research in different world regions that has produced important information and relevant data on specific routes. While such data do not provide for an overview of the phenomenon overall nor allow to quantify its volume, they do give important information on the routes travelled, the money paid by the migrants to the smuggling networks (the “fees” for their services), the duration of their journeys, the paths and detours followed, information on corruption and money paid to corrupt officials (see Sengupta, and also Majidi and Kasavan in this volume). Such information is precious for understanding the local and regional dynamics of migrant smuggling, as well as analysing the interaction between enforcement efforts and reorganization of smuggling routes. For instance, qualitative research can show how some routes lose importance because border controls are strengthened and journeys shift to other locations, fees go up or volumes of people travelling fall or increase. However, such data do not allow for an overall quantification of the phenomenon and may often seem to policymakers as piecemeal evidence, insufficient to buttress policy design or policy reform.

Contributions to this volume point to a lack of effective cooperation and coordination, as well as administrative capacity in many countries that would allow for the systematic collection of migrant smuggling-related data. Such data and information, if collected systematically by both origin, transit and destination countries, would allow for a better understanding of the phenomenon and its fluctuations, the responses to policies and relations with wider processes, such as political upheaval or war, economic downturns and unemployment, other criminal activities and networks, and even trade and local/regional production systems. İçduygu in this volume points to governments’ lack of focus on collecting such data, which springs from historical realities of close interconnections and permeable borders in a given region (such as for instance the Middle East, or the wider Eurasian migration system; see Molodikova in this volume).

In addition, efforts for collecting data may have been discontinued as Álvarez Velasco explains in her chapter on Ecuador. Álvarez Velasco also shows indirectly how migrant smuggling data cannot be collected by a single country but rather require cooperation among countries along a given corridor. Understanding better movements and smuggling networks across the Central American corridor to the United States require cooperation and exchange between a number of origin and transit countries along the route. A single



government can do little in producing useful data in this respect. The need for enhanced cooperation among countries and exchange of information is an issue that comes up in several of the contributions to this volume.

Last but not least, the chapter on Southern Europe (by Sánchez-Montijano and Arcaron) and on Mexico (by Sanchez) show that efforts to gather data have increased in recent years and particularly in Southern Europe and in relation to Mediterranean maritime crossings. International organizations like IOM and United Nations High Commissioner for Refugees are playing important roles in registering a variety of data, including those that shape the contours of migrant smuggling. Thus, in Southern Europe, there are data on migrant arrivals, apprehensions of smugglers, search-and-rescue operations, deaths at sea and on enforcement efforts (border guards, equipment, collaborative operations through the Frontex Agency) that provide a useful framework within which to then develop more in-depth research. Indeed, the role of international organizations and the need to collaborate with governments on data gathering and data analysis cannot be overestimated.

## Overview of research on migrant smuggling

Studies on migrant smuggling have proliferated in recent years but can be of very different character and scope. There is a plethora of media reports on migrant smuggling in the regions in which it has attracted political and public attention, such as North America (see Sanchez and Álvarez Velasco in this volume) or Southern Europe (see Sánchez-Montijano and Arcarons), which however are often reproducing selectively some newsworthy information, usually centring on tragic incidents of loss of life. Alongside this media attention, the role of NGOs and consultancies has grown as the policy interest on migrant smuggling has created an academic and policy market for them. Last but not least, there has been a growing scholarly literature on the phenomenon exploring also the most recent developments, such as the use of new technologies (smartphones and related apps) in migrant smuggling, or critically revisiting the role of migrants, their own networks, the smuggling networks and enforcement authorities in such an interconnected and mobile world.

What is striking in the review of the relevant literature in the different countries and world regions covered in this volume is the fact that a lot of research on migrant smuggling in a region or country is produced by researchers that are funded by another country or agency. There is a gap between where smuggling happens and who funds and who conducts research on the phenomenon. The role of grey literature, notably of reports produced by large NGOs with different

objectives – some focusing on issues of protection and vulnerability, others seeking to map the routes and local dynamics or find information about the costs – has increased during the last few years.

This report has also confirmed a finding of volume 1, notably that there is more interest and more research on migrant smuggling in the destination countries rather than at places of origin or transit (see also İçduygu in this volume). This comes as no surprise but remains a matter of concern, as unavoidably the findings produced will be guided from and reflect the concerns at destination and might overlook the realities on the ground and the concerns of the origin and transit regions.

Significant ground has been however covered in recent years, pointing to the complex character of the phenomenon and the need to go beyond simplistic accounts of migrant smuggling as either an illicit business or as a criminal phenomenon. Studies produced both by research centres and NGOs or international organizations, and particularly the increase of comparative studies, have pointed to the complexity of the phenomenon and its close connections with socioeconomic and ethnic realities on the ground. Thus, contributions to this volume highlight the ethnic organization of networks and flows (smugglers and clients belonging to the same nationality or ethnic group), the “ethnicization” of smuggling networks (specific ethnic groups or tribes or local communities near a border specializing on this type of economic activity), and the more or less strict and hierarchical organization of the networks (ranging from large informal organizations to petty smugglers and loose local contacts along a route). Most importantly, the overview of findings on migrant smuggling in the different chapters included in this volume point to the interaction between border control and wider enforcement efforts and the shifts in smuggling routes and modus operandi. While quantitative data may be scarce, qualitative data on the mechanisms and dynamics abound and can be fruitfully used by governments at destination countries when seeking cooperation with countries of transit in particular. Today, we have achieved a better understanding of how migrant smuggling relates to local socioeconomic realities (e.g. demographic growth and related unemployment, meagre employment opportunities for specific population cohorts, e.g. young men with little formal education) and ethnic relations on the ground (ties between cross-border communities, specialization of some ethnic communities in the smuggling business, speaking of a common language), as well as the combination of the two (for instance wider economic and cultural ties in wider Southern Africa, in Latin America and in Eurasia).



The review of both relevant data and relevant research on migrant smuggling in different countries and world regions in this volume points to the importance of both for appropriate policy design, implementation as well as reform. Most urgently, they point to the need for transnational research that covers routes and regional dynamics rather than single countries, cooperation and exchange of data, and an interest in the side effects of migrant smuggling-related policies and “markets” that takes into account the viewpoint not only of destination but also of transit and origin countries.

## Conclusion

Migrant smuggling is a dynamic and evolving phenomenon, and research and data collection are critical to informing more effective responses aimed at combating smuggling and protecting migrants. As many of the chapters in this and the previous volume show, important research has been undertaken on the transnational crime aspects of migrant smuggling. There is an emerging academic literature on migrant smuggling, particularly on the economic and social processes involved in smuggling, which has largely been based on small-scale qualitative research, mostly undertaken by early career researchers. There continues to be, however, a sizeable gap in research and data on changes in migration patterns and processes related to smuggling, most especially its impact on migrants (particularly vulnerability, abuse and exploitation). The chapters in this volume confirm the overall findings of volume 1 and further underpin the suggestions put forward in that volume, as follows:

### (a) Strengthening research and analysis partnerships

- Greater attention to linking knowledge about the social and economic processes of migrant smuggling with knowledge of migrant smuggling policy and practice in order to better understand how one impacts the other. Ideally, this would involve forging partnerships between policymakers and researchers on aspects of migrant smuggling, including in specific (sub)regions or in relation to particular groups of migrants or at-risk migrants (such as unaccompanied minors), including those who have experienced abuse and exploitation.
- Employing partnerships and multidisciplinary research methods to further explore the complex dynamics between irregular migration, migrant smuggling and human trafficking – the sharp distinction drawn in international and national laws risks masking the blurring that occurs across all three overlapping forms of migration.

- Encouraging greater access to data to facilitate deeper analysis of existing statistical data and other information that may be held by States, either through trusted partnership arrangements or through open access.
- (b) Supporting capacity-building
- Much of the research undertaken and highlighted in the report was conducted by people from outside the actual region, and there is recognition that much more needs to be done to strengthen research capacity and institutions within regions. The establishment of regional monitoring and analysis units or hubs focusing on smuggling within the broader context of irregular migration could play a useful part in regional capacity-building approach while enhancing data collection efforts.
  - A greater focus on smuggling from transit and origin country perspectives, including on the role of corruption in facilitating movement and shaping the experiences of smuggled migrants. Assisting transit countries better manage the entry and stay of people, including through the development of effective migration policies and practices underpins counter-migrant smuggling efforts.
  - Broader and more consistent use of transnational data reporting tools such as UNODC's Voluntary Reporting System on Migrant Smuggling and Related Conduct and IOM's Displacement Tracking Matrix (DTM). By gathering data through large-scale rapid surveys of migrants on the move, the DTM has been able to gather a considerable amount of information about migrant smuggling in real time, and enhancements of DTM have begun to offer insights into markers of trafficking (see, for example, Galos et al., 2017), and have potential for providing further insights on smuggling.
  - This report has identified a huge number of studies on migrant smuggling. This evidence is currently scattered across several countries and regions. Bringing this information together into a global database of research and data on migrant smuggling, which is regularly updated, could help policymakers to draw on the emerging evidence in a more timely fashion in the future.
- (c) Focusing on emerging and priority topics for research and data collection
- Striking a balance between timely data on irregular migration flows involving smuggled migrants and methodological rigour needs to be pursued as a priority. Capturing and reporting data that is not

sufficiently rigorous risks potentially adding to misinformation on migrant smuggling. Non-traditional sources of migration data – especially big data – offer new insights into the smuggling process that have yet to be fully explored. While a growing number of migration studies have used big data to measure population movements and remittance flows, studies on irregular migration using big data are in their infancy.

- More recent efforts to combat migrant smuggling involving military-led operations, and the deployment of tactical and strategic elements is likely to open new lines of thought and add an extra dimension to research and analysis. Of particular focus is likely to be the effectiveness or otherwise of such efforts at curbing or stopping smuggling, although the impact on operational staff as well as migrants is also relevant.
- The increase in recent years in humanitarian non-State actors who may unintentionally be assisting organized criminal smuggling networks, such as those involved in the development of apps to help irregular migrants travel, needs to be further explored through targeted research, as does the potential for assistance to refugees in avoiding exploitation and abuse at the hands of smugglers.
- Migrant-centric research offers different perspectives on smuggling compared to research and analysis undertaken with a transnational crime focus, which places greater emphasis on smugglers' operations and practices and less emphasis on migrants' experiences. Assuming an understanding of how (potential) migrants think about smuggling and irregular migration, as well as how they may behave is foolhardy but perhaps more commonplace than is readily admitted. Robust research is able to support or refute such assumptions, but there are many aspects that remain under-researched, including on migration decision-making, migrant abuse and exploitation, smuggler marketing and recruitment practices, the role of transnational connectivity in smuggling, the risks of smuggled migrants becoming trafficked victims, as well as the multifaceted reasons why people seek to migrate irregularly.

Finally, it is worth highlighting a very new and potentially powerful and useful partnership – the IOM-UNODC Joint Platform on Countering Migrant Smuggling – which is at the first stages of informal consultations following discussions in Vienna in late March 2018. The joint platform is to include a

component on research and analysis, including with a focus on capacity-building, forging sustainable networks and the provision of online tools and resources for practitioners.

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# 2

## MIDDLE EAST

Ahmet İçduygu

### Introduction

The main objective of this chapter is to provide a brief overview of what is currently known about the data and research on the scope, nature and dynamics of migrant smuggling in the Middle East. Geographically located in south-western Asia, the region of the Middle East is known as the “crossroads of the world” because it is the region in which the three “old” continents – namely Asia, Africa and Europe – come together. In addition to its geography, the recent political history of the Middle East and of its neighbourhood exposes it to extensive irregular politically or economically driven border crossings, and consequently makes it vulnerable to migrant smuggling activities. In the context of these geographical and historical realities, millions of people are being displaced from their lands due to conflict, persecution and economic depression, and find themselves, mostly in irregular movement through smuggling networks, to move into and out of this region. As the region becomes subject to mixed flows of immigration, emigration and transit (Baldwin-Edwards, 2005; Fargues, 2009 and 2010), irregular migration and migrant smuggling become more complicated. In addition, the diversity of countries in the region with a variety of different migratory systems and regimes further adds complexity to this picture. While numerous studies are devoted to regular migratory movements in and out of the Middle East (Baldwin-Edwards, 2005; Suter, 2005; İçduygu and Sert, 2011; International Organization for Migration (IOM), 2015; Jain and Oommen, 2015), and some to irregular movements (Fargues and Fandrich, 2012; Shah, 2013), human trafficking (Calandruccio, 2005; Jureidini, 2010; Harrof-Tavel and Nasri, 2013), asylum and refugee flows (Zaiotti, 2006; Al-Khalidi, Hoffman and Tanner, 2007), few studies directly focus on migrant smuggling in the Middle East (Baird, 2013 and 2017).

What is meant by the Middle East region, and which countries and territories does it include? A direct answer to these questions is to define the Middle East as a geographical and cultural region located primarily in Western Asia, and also in parts of Northern Africa and South-Eastern Europe. With this

perspective, this chapter tends to include the following 16 into its discussion: Bahrain, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Palestinian Territories, Qatar, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Yemen as the core Middle East countries and territories, and Egypt, Islamic Republic of Iran and Turkey as the Middle East's peripheral countries. The approach in this paper is selective and purposive, and does not treat each of these countries similarly. The absence of data related to smuggling prevents from covering each country in the region in similar depth in all sections of this paper.

By their very nature, borders and border crossings in the Middle East constitute areas of unresolved issues of governance within and between the region's countries and territories, as well as with countries in the region's neighbourhood. Administrative and legal infrastructures of the countries and territories in the region are not devised to deal with the extensive presence of irregular border crossings, and human smuggling and trafficking. The whole region thus experiences vulnerabilities in terms of the governance of border crossings and the collection of data on these border crossings. It is difficult to claim that human smuggling issues have been entirely under the radar of official authorities of all the Middle East countries and territories. Indeed, only half of the 16 in the region (Egypt, Iraq, Kuwait, Lebanon, Oman, Saudi Arabia, Syrian Arab Republic and Turkey)<sup>4</sup> are signatories of the Protocol against the Smuggling of Migrants by Land, Sea and Air, adopted by the United Nations General Assembly in 2000.

To a certain extent, almost all countries and territories in the Middle East are faced with mixed flows including emigration, immigration and transit flows of regular or irregular migrants of different kinds, including refugees and asylum seekers. Within this context, smuggling emerges as an intrinsic element of border crossings in the region. While both nationals and non-nationals living in the region could be crossing the borders within the region with the facilitation of smugglers, they could also use the region as a transit zone, as it is located between Global East and Global West, and Global South and Global North, to move into their preferred destination countries in the West or East. In this sense, two main migratory corridors, which connects the region to neighbouring regions, emerge as significant smuggling passageways: the first extending from east to west, passing through India, Pakistan, Afghanistan, Islamic Republic of Iran, Iraq, Syrian Arab Republic, towards Turkey (İçduygu and Toktas, 2002); and the second from south to north, moving from Somalia, Sudan, Ethiopia, towards

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<sup>4</sup> See the webpage at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-b&chapter=18&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-b&chapter=18&clang=_en)

Egypt and Israel, and in another direction towards Yemen<sup>5</sup> and Saudi Arabia (Regional Mixed Migration Secretariat (RMMS), 2013). In addition, there are also some secondary smuggling routes within the region (Shah, 2014).

Given the fact that many of the countries in this region and in its connected peripheries are war-torn or so-called fragile States, irregular border crossings and smuggling activities in the Middle East goes hand in hand with the flow of asylum seekers and refugees. This is one of the main reasons behind the long-established history of irregular border crossings and smuggling activities in the region, a product of the protracted conflicts over the last several decades. The fact that asylum and refugee flows and smuggling are intrinsically connected to each other is one of the main characteristics of the migratory system in the Middle East.

### Overview of migrant smuggling data

In contrast with the abundance of anecdotal evidence and media coverage, there is a paucity of reliable data on the smuggling cases in the region of the Middle East. The availability of reliable data at the level of individual countries in the region is also limited. It must be noted that information on smuggling, similar to that on irregular migration and trafficking, is by nature difficult to collect, collate and present in a statistically, or scholarly processed form (Salt, 2000; Laczko and Gramegna, 2003). A coherent and comprehensive analysis of human smuggling requires, above all, the adoption of common indicators collected and provided by the government authorities. For instance, in every apprehension case where if there is a direct evidence of smuggling, related officials can collect some detailed information including very basic demographic characteristics of the smuggled migrants, their nationalities, departure and planned arrival points, amount of the payment to the smugglers, location of the apprehension and some other related elements. Currently, if governments collect some information, rather than being a direct measure of human smuggling, these indicators mostly represent a proxy measure, and are often used in the field by referring to the following: (a) detections of irregular border crossing through various borders; (b) detections of irregular stay; (c) detections of facilitators; (d) detections of fraudulent documents; (e) return decisions; and (f) data on asylum applications.<sup>6</sup> Almost all countries and territories in the region suffer from the lack of a well-functioning data collection system that defines the above-mentioned indicators.

<sup>5</sup> In recent years, there have been some changes in this passageway: the outbreak of conflict in Yemen in 2015 has resulted in large-scale displacement of people from the country; many Yemenis, using smuggling networks, sought refuge in neighbouring countries in the Horn of Africa and Gulf States.

<sup>6</sup> As an example of the use of these indicators in data on irregular migration (and migrant smuggling and trafficking), see Frontex, 2017:12.

However, beyond the technical difficulties involved in collecting this type of data, there are several other reasons that explain the lack of reliable data about migrant smuggling in the region. These include political reasons, issues in terms of administrative capacity and the sensitivity involved in collecting this type of data. Needless to say, in some of the war-torn countries of the region, such as Iraq, Syrian Arab Republic and Yemen, it is difficult to expect the governments to have the administrative capacity or the political will to deal with these data issues. In some other countries, human smuggling is not a key priority for the governments and for public policymaking, as such, little effort is invested in data collection on this issue. Indeed, as noted above, half of the countries and territories in the region did not adopt the UN Smuggling Protocol; this further demonstrates the lack of political interest over the smuggling question in the region. In the case of some other governments in the region, there is little or no careful approach to the issue of data collection on smuggling; it is often common to combine data relating to trafficking, smuggling and irregular migration. For instance, in Kuwait and Oman, the respective ministries of Interior collect and compile figures on foreigners in irregular status in the country including the cases of irregular border-crossings mostly through smuggling.<sup>7</sup> These figures are provided as total numbers of irregular migrants in the country without distinguishing smuggling cases from the others.

Indeed, only three governments in the region are able to provide some indirect information on migrant smuggling, by referring to irregular migration through apprehension cases – the governments of Israel, Turkey and Saudi Arabia. These governments supply figures referring to the detection cases of irregular migrants and thus allow for some limited estimates of the smuggling phenomenon, including its volume and the origin of the smuggled migrants over the years. The Population and Immigration Authority in Israel, with the collaboration of various State agencies, provides the annual figures of apprehended “infiltrators”, mainly based on the irregular border crossings, with details about their nationalities (Nathan, 2012). Similarly, the General Directorate for Migration Management of Interior Ministry in Turkey, again with the contribution of various government departments, compiles annual apprehension figures of irregular migrants by their nationalities, and offers estimates of migrant smuggling in and out of the country (İçduygu and Yükseser, 2012). In addition, unlike the other five Gulf countries (Bahrain, Kuwait, Oman, Qatar and United Arab Emirates), Saudi Arabia has also reported some indirect data on migrant smuggling (Shah, 2014). The only data published by the Ministry of Interior in Saudi Arabia are the total monthly apprehension figures on smuggled persons reflecting the total number of “infiltrators” who were apprehended each year.

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<sup>7</sup> See Gulf Labour Markets and Migration (GLMM) Programme website: <http://gulfmigration.eu/glmm-database/demographic-and-economic-module/>



Scarcity of official data on smuggling is not exclusive to the Middle East region. Relatively few governments collect and process smuggling data systematically. This is mainly due to the fairly recent formulation of the international definition of human smuggling. Indeed, one of the reasons for the unavailability of official quantitative data on human smuggling is linked to the conceptual and definitional problems related to the notion of human smuggling. As can be observed globally, great confusion still prevails in the region about what smuggling of migrants is. While 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 irregular 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, from a wider sociological perspective, smuggling of migrants may include every act on a continuum from altruism to organized crime. Interestingly, smuggling in the Middle East emerges closer to the “altruism” side rather than to the “organized crime” one (Achilli, 2015; Baird, 2017). Indeed, smugglers are not always embedded in vast criminal networks, but could easily be found in migrant social networks and local communities (İçduygu and Toktas, 2002; Karacay, 2017).

Human smuggling in the Middle East is mostly related to the border crossings of asylum seekers and refugees, and therefore is a common characteristic of mobility patterns in the region. Since a vast majority of the smuggling migrants in the region are asylum seekers or refugees who escape from violence and repression, this also reinforces the positive impression of altruism in the process of smuggling. Certainly, this context is a significant element that may explain the underestimation of the criminal aspects of smuggling, and consequently it is taken for granted, ignored, and this also makes the data collection perceived as uneasy and unnecessary. In short, enormous magnitude, and large and ambiguous meaning of human smuggling should be taken into account while evaluating the difficulties in data collection on human smuggling in the Middle East.

In the absence of macro-level official data produced by governments, knowledge in the field human smuggling in the Middle East is based on desktop research (secondary data) commissioned or produced by intergovernmental<sup>8</sup> or non-governmental organizations<sup>9</sup> (IGOs or NGOs), as well as small-size

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<sup>8</sup> Various IGOs such as International Organization for Migration (IOM), [United Nations Convention against Transnational Organized Crime](#) (UNODC), Organization for Economic Cooperation and Development (OECD) and International Centre for Migration Policy Development (ICMPD) are active in collecting data and conducting research in the field of migrant smuggling.

<sup>9</sup> There are some NGOs that contribute to the knowledge production in migrant smuggling issues through their various activities; in this context, Helsinki Citizens Assembly and Human Rights Watch are visible examples.

qualitative research projects, conducted by universities and independent researchers.<sup>10</sup> However, the main shortcoming of these studies is their inability to pinpoint the area of human smuggling, as they frequently merge information relating to trafficking, smuggling and irregular migration. Nevertheless, these studies offer some quantitative and qualitative accounts of smuggling in the region or in individual countries of the region. These include various incomplete statistical data on movements (magnitude, flows, routes), limited demographic data on smuggled migrants, information on smuggler–migrant relations, migrant exploitation, abuse and/or deaths, cost of the travel and data on migrants’ views on smuggling (awareness, attitudes, feelings). As far as the activities of collecting and compiling data on smuggling outside the national government circles are concerned, despite the growing literature on smuggling in the Middle East, relatively few studies are based on extensive research, and information on the actual dynamics and mechanisms of smuggling migrants and the characteristics of these migrants still remains partial.

As will be further elaborated in the next section, interestingly, a significant attempt of data collection and dissemination on smuggling in the Middle East, though often reflecting indirect measurements of the phenomenon in the region, comes from outside of the region, to provide some insights with regards to the smuggling issue in the Middle East. This includes collecting data and conducting research on Middle East-originated smuggled migrants, smugglers and smuggling networks in Turkey, as well as Greece and other European countries, and even in distant lands, such as Australia, Canada and the United States of America.

## Overview of research on migrant smuggling

Although migrant smuggling has always been a very conspicuous issue in the Middle East, academic and political awareness of this issue in the region has remained limited over the decades. Interestingly, there has been a growing interest in research on smuggling in the Middle East, as occurred in the last couple of years (Baird, 2017; Tinti and Reitano, 2017), due to the significant role of the smuggling networks in the Syrian refugee flows that drew the attention of public, academic and policy circles. As far as the main characteristics of related research on migrant smuggling in the Middle East is concerned, some of the general observations are as follows. First, as noted earlier, it is often the case that smuggling issues are often indirectly or implicitly discussed in the wider context of irregular migration and human trafficking research. Second, over the

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<sup>10</sup> A large number of researchers and scholars in International Migration, Integration and Social Cohesion Network and in some universities in Europe, such as University of Amsterdam, University of Oxford, European University Institute and Koç University have specific interest on migrant smuggling in the Middle East.

past few decades, there has been a gradually developing academic interest in the studies of migrant smuggling (often together with irregular migration and human trafficking), often triggered by the funding initiatives of IGOs and NGOs). Third, most of the research on human smuggling in the Middle East are being conducted outside the core region by researchers who do not live in the region – often collecting and analysing data based on the interviews and narratives of already smuggled migrants in their destination countries. Fourth, while most studies are descriptive and based on secondary data, few are analytical, explanatory and based on original first-hand data. Fifth, there is often a generic mention of the Middle East as a region rather than pinpointing specific countries; and if a specific country is mentioned, it is often treated as an isolated instance, without mentioning the larger context of the issue in the Middle East.

The main focus of the research on migrant smuggling in the Middle East, often linking it to irregular migration and trafficking, has been about the routes of the flows (van Liempt, 2007; Crawley et al., 2016; Karacay, 2017), structures of smuggling networks (İçduygu and Toktas, 2002; van Liempt, 2007) and security and criminology (Sirkeci, 2005; İçduygu, 2007) aspects. The other main lines of research are related to the causes of migrant smuggling often referring to economic globalization (Fargues, 2009), refugee flows (Chatelard, 2003; Mason, 2011), demand for irregular labour (Shah, 2013), restrictive immigration policies (İçduygu and Yükeker, 2012), role of transit countries (Fargues, 2009; Wissink, Düvell and van Eerdewijk, 2013), development of smuggling industry (Bilger, Hofmann and Jandl, 2006; van Liempt, 2007) and human rights (Heyzer, 2002). In these studies, scope of the available research mostly covers smuggled migrants and smugglers, communities who are hosting smuggled migrants, main destination and transit countries targeted by the smuggled migrants and officials who are dealing with border managements and policies. Another important characteristic of these studies is that there is a spillover effect with research on migrant smuggling/irregular migration and asylum-seeking flows directed to Europe, hence there is an important interest in the region as it is a crossroads. This leads however to the result that most research is Euro-centric and there is a paucity of research that focuses on the region and for the region (and for the different parts of the region).

Over the last decades, irregular migratory flows coming through the Middle East and arriving in Europe revive the research interest on smuggling in the Middle East. This research interest has often been coupled with the funding initiatives of various IGOs. In this regard, for instance, organizations such as



IOM<sup>11</sup> and ICMPD<sup>12</sup> have funded or initiated several research projects that focus on the smuggling issues (often in the larger context of irregular migration) in the Middle East, similarly, some similar projects have been conducted through the funding schemes provided by the European Union.<sup>13</sup> These attempts are mostly undertaken as fact-finding descriptive studies, but they also directly or indirectly contribute to the theory-building and policymaking processes in the related fields.

Given the interdisciplinary nature of migration and border studies, research on migrant smuggling in the Middle East has also often carried this legacy of intersection across various scholarly fields. However, there exists single-discipline studies that originate from one of the following social sciences disciplines including sociology, geography, anthropology, demography, economics, political science and international relations. In terms of the research methodologies used, qualitative perspectives, ethnographic and archival approaches heavily dominate this field. There are also a group of studies that use mixed methods, involving both qualitative and quantitative research methodologies.

It is generally argued that assessing irregular migration flows and smuggling routes is not easy; as by their nature, they are not easily documentable. These flows and routes are dynamic and fast changing, continuously affected by a range of factors, such as competing smuggling networks, government policies and border controls. The flexible and adaptive nature of smuggling, with both migrants and smugglers doing their best to stay “undocumented”, makes it very hard to provide a fully accurate account of its routes, volume, dynamics and mechanisms. There are no reliable statistics available, and most of the studies naturally do not aim to provide more than indicative numbers on how many people are affected by smuggling in the region. In the absence of reliable data, it seems that media (and sometime art representation) of the migrant smuggling also contributes significantly to the knowledge production in this field. Investigative journalism has widely gained ground in capturing information on human smuggling that is unavailable to State authorities or researchers due to the clandestine nature of the field. Along these lines, a generation of ambitious

<sup>11</sup> See, as the most recent example, IOM project conducted in 2017 titled Counter Migrant Smuggling Initiatives in Turkey Project, available from [www.turkey.iom.int/sites/default/files/sitreps/Perception%20of%20Smuggling%20Business%20and%20Decision%20Making%20Processes%20of%20Migrants.pdf](http://www.turkey.iom.int/sites/default/files/sitreps/Perception%20of%20Smuggling%20Business%20and%20Decision%20Making%20Processes%20of%20Migrants.pdf)

<sup>12</sup> See, as the most recent example, ICMPD project titled Study on smuggling of migrants: characteristics, responses and cooperation with third countries, conducted in 2015, available from <http://research.icmpd.org/projects/irregular-migration/study-on-smuggling-of-migrants/>

<sup>13</sup> Within this context, for instance, one of the well-known projects funded by the European Union, CLANDESTINO: Undocumented Migration: Counting the Uncountable Data and Trends Across Europe – conducted in 2007–2009 – provides a wide range of data related to Middle East-originated migrant smuggling.

investigative journalists focusing on human smuggling in the Middle East has emerged.<sup>14</sup> As a result, various media reports are often used in the study of migrant smuggling in the Middle East. However, these naturally and mostly reflect anecdotal evidence, and might give a distorted picture of “reality”; as such, their use should be reviewed with caution. There also exists a wide range of grey literature on smuggling in the Middle East, which include reports (such as annual, research, technical and project), working papers, government documents, white papers and evaluations. These documents are produced by various organizations, including government departments and agencies, civil society or non-governmental organizations, academic centres and departments, and private companies and consultants. These documents may be difficult to discover, access, and evaluate, and require the formulation of sound research strategies. The standard of quality, type and production of these documents vary considerably.

Although a decade ago, the scholarly literature on migrant smuggling in the Middle East was characterized by a lack of attention, more recently, there has been a rise in interest in the subject: three important capacious examples in the form of a book are works of Triandafyllidou and Maroukis (2012), Baird (2017) and Tinti and Reitano (2017), while the former develops discussion not only on this region but also on Europe, the latter two mostly focus on the Middle East and North Africa region with a strong reference to the Middle East. There are also considerable number of studies – many of which incorporate discussion not only of human smuggling but also of irregular migration and trafficking (see Table 2.1). Moreover, whereas there was almost no study directly focused on the migrant smuggling issues in the Gulf countries within the larger context of the Middle East, the Islamic Republic of Iran, Iraq and Turkey have been subject to several studies referring to their roles as countries of immigration, emigration and transit for the irregular migratory flows where smuggling networks are largely in operation. Geographically located on the migratory corridor lying from East to West, both Islamic Republic of Iran and Turkey are important stations that connect the smuggling networks coming from the South-Western Asian countries such as Afghanistan and Pakistan to the South-Eastern European geography. Similarly, Turkey functions as a transit zone at the south–north direction linking the core of the Middle East region, through its borders with Iraq and Syrian Arab Republic, to South-Eastern European geography. Consequently, there exists a bulge of long-established literature on the smuggling issues involving the countries at the northern part of the Middle East region (see Table 2.2).

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<sup>14</sup> Any quick investigation in a search engine on the Internet reflects that there are numerous examples of news on the smuggling cases related to the Middle East.



**Table 2.1:** Selected studies elaborating migrant smuggling, together with irregular migration and trafficking, in the Middle East region

Researcher/Author	Publication year	Content
Beydoun	2006	Trafficking and smuggling of domestic workers in Lebanon
Chatelard	2002, 2003, 2005	Smuggling, refugee flows and irregular migration in and out of Jordan with special emphasis on Iraqis
Chatelard	2009	Refugees and smuggling from Iraq
De Regt	2008, 2009, 2010	Smuggling and trafficking of domestic workers in and out of Yemen
Fargues and Bonfanti	2014	Various aspects of the smuggling of Syrian refugees to Europe
Hamill	2011	Trafficking and smuggling of domestic workers in Lebanon
Kallius, Monterescu and Rajaram	2016	Various aspects of the smuggling of Syrian refugees to Europe
Mason	2011	Smuggling, mobilities and immobilities of Iraqi refugees in Jordan
Reitano and Tinti	2015	Various aspects of the smuggling of Syrian refugees to Europe
RMMS	2013	Migrant smuggling from East Africa to Yemen with its implications to wider Middle East
Sirkeci	2005	Refugees and smuggling from Iraq
Smith	2010	smuggling and trafficking of female migrants to Lebanon with emphasis on the sex industry
van Liempt	2007	The smuggling process from Iraq to Europe (the Netherlands)
van Liempt	2011	The gendered dimension of smuggled migrants (Iraq, Europe, the former Soviet Union, the Horn of Africa)
van Liempt and Doomernik	2006	The smuggling process from Iraq to Europe (the Netherlands)
Zohry	2006, 2007	Transit migration and smuggling in Egypt, Iraq, Jordan and Lebanon

**Table 2.2:** Selected studies elaborating migrant smuggling at the northern part of the Middle East region

Researcher/Author	Publication year	Content
Brewer and Yüксеker	2006	African migrants in Turkey with some reference to their smuggling experiences
Danış	2006, 2007	Irregular migration from the Islamic Republic of Iran and Iraq and its link to smuggling
İçduygu	1996, 2000, 2003, 2004	Various aspects of smuggling in Turkey mostly linking it to flows between the Middle East and Europe
İçduygu and Toktas	2002	Smuggling and trafficking that operate via irregular border crossings from the Middle East to Turkey
İçduygu and Yüксеker	2012	Irregular migratory flows and the smuggling phenomenon in Turkey linked to the European migratory system
IOM	1996	Transit migration in Turkey
Karacay	2017	Changing human smuggling routes along Turkey's borders
Koser-Akcapar	2006, 2007, 2010	Transit migration of Iranians in Turkey, their social and smuggling networks
Wissink, Düvell and van Eerdewijk	2013	Turkey as a transit migration hub, migration intentions of transit migrants and their connection with smuggling
Wissink and Mazzucato	2017	African migrants in Turkey with some reference to their smuggling experiences

## What does the existing evidence base tell us about migrant smuggling in the Middle East?

In order to reflect the realities of migrant smuggling in the Middle East, this section compiles the most recent information about estimates, or actuals, of flows and trends; it scrutinizes the existing evidence about smuggling routes, types of people being smuggled, such as categories (refugees, asylum seekers, migrant workers, those with mixed motivations, others), nationalities, demographic characteristics, types and profiles of smugglers, financial and other costs to migrants, and estimated profits being made, and indications of the extent of exploitation, abuse or deaths of migrants.

The *main smuggling routes*. There are four groups of smuggling corridors that operate in the Middle East region (see Map 2.1): the first one runs through the south–north direction at the south of the Middle East, originates mainly from East Africa, and mostly targets the Middle East countries and territories as the main destination zone, and partly utilize the region as a transit zone to arrive to the Eastern Mediterranean region, and then to Europe. The second one



again runs through the south–north direction, starts from the core countries of the region and moves to Turkey, and gets connected to Europe. The third one covers the east-west direction at the north of the Middle East, through Afghanistan, Islamic Republic of Iran, Turkey (occasionally including Iraq and Syrian Arab Republic), and reaches to the Eastern Mediterranean region, mainly Greece and the Balkans. The fourth one operates among the core Middle Eastern countries, often moving towards relatively safer locations in both economic and political terms within the region. There are also some secondary routes within or between these corridors. Various historically determined political, economic, social and cultural factors have affected the formation of these corridors and routes over the decades; the most important factor has been the environment of civil wars, political unrest and “fragile States”.

**Map 2.1: Main smuggling routes in the Middle East region**



Source: İçduygu, 2018.

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.



Over the last decade, strikingly, not only have the number of countries that are affected by the smuggling phenomenon increased, but also the number of smuggled migrants. In combination with geographic shifts on these expanded routes, the smuggling network became much more complex and diversified. However, given the geographically large, extremely heterogeneous and rapidly changing nature of the region covered, it is an overwhelming task to summarize and pinpoint the details. Hence, based on the existing evidence of the recent years about migrant smuggling in the Middle East, some of the general observations are as follows.

*Estimates, or actuals, of flows and trends; types of people being smuggled such as categories, nationalities.* Since the late 1970s, as Afghanistan and Islamic Republic of Iran have become major origin countries of refugees, asylum seekers and economically mobilized migrants, a significant route of migrant smuggling has formed in the east-west direction at the north of the Middle East, through Afghanistan, Islamic Republic of Iran, Turkey, and partly including Iraq and Syrian Arab Republic. Flows through this route have always been very active, having some ups and downs in the number of people moving over the decades and carrying diversified profiles of mixed flows. Recent years have also witnessed an active use of this pathway: for instance, in 2016, there were nearly 174,000 apprehended irregular migrants in Turkey, most of whom had irregular border crossings in the hands of smugglers, and nearly one third of them were moving along the east-west direction, from Afghanistan (31,000), Pakistan (19,000), Bangladesh (2,000), Islamic Republic of Iran (2,000) and Myanmar (1,000).<sup>15</sup> Most of these migrants moving in the east-west direction were heading to Europe. According to the figures of Frontex, the European Union's Border Agency: in 2016, Afghans (56,000) and Pakistanis (20,000) made 11 per cent of the detections of "illegal" border crossings (511,000) at the European Union's external borders.<sup>16</sup> At this point, one must cautiously note that all of these figures cited here as "apprehensions" or "detections" only indicate the irregular border crossings and do not necessarily reflect the smuggling cases, they must be read only as proxy indicators of smuggling networks.

The nationality breakdown of the above-mentioned figure of 174,000 apprehended irregular migrants in Turkey in 2016 indicates that a larger proportion (58%) of them were from the two "war-torn" countries of the Middle East, moving along the south–north smuggling, or irregular migration, corridor: Syrians (70,000) and Iraqis (31,000). Again, Frontex's 2016 figures also indicate

<sup>15</sup> These figures, indicating the apprehension cases by the Turkish Law Enforcement Authorities, are compiled by the authors through their regular reporting for the OECD Continuous Reporting System on Migration. See İçduygu and Aksel, 2017.

<sup>16</sup> Frontex, 2017.



that almost a quarter of the detections of “illegal” border crossings (511,000) were Syrians (87,000) and Iraqis (30,000). The other corridor of smuggling that operates is in the south–north direction. It is located at the south of the Middle East, starting from East Africa, and arriving to either Egypt or Yemen, and has two main trajectories: (a) mostly carrying the migrants to the labour markets in the region, via Yemen mainly to Saudi Arabia (and other Gulf countries), and partly to Egypt and then to other countries in the region, such as Israel or Jordan; and (b) getting migrants to Egypt, and then through sea journeys to European soils. On this route, for instance, it is estimated that from the second half of the 2000s to the early 2010s within a period of seven years, more than 500,000 Ethiopians, Eritreans and Somalis have crossed the Red Sea or Gulf of Aden and arrived in Yemen (RMMS, 2013:14). In this migratory context of mixed flows that often runs through smuggling networks, Yemen has a strategic position and is generally not a highly preferred final destination (particularly in recent years, because of the civil war), hence many migrants continue onwards towards Saudi Arabia often again through smuggling networks. Moreover, as noted earlier, there have been some changes in this passageway in recent years: the outbreak of conflict in Yemen in 2015 has resulted in large-scale displacement in which many Yemenis, using smuggling networks, sought refuge in neighbouring countries in the Horn of Africa and Gulf States.

Recent years have also witnessed an active operation of smuggling networks at the junction of the Middle East with Africa. In this context, Egypt has been both a country of destination and transit in which smuggling networks continuously operate on its borders to bring many Syrians, Ethiopian, Eritreans and Somali migrants to the country. In 2015, there are around 150,000 registered Syrian refugees in the country together with nearly 50,000 Sudanese, Somalis and Iraqis, a vast majority of them tend to carry out secondary movement using smuggling networks (IOM, 2015). Through this route, while some of these migrants move from Egypt to Cyprus, Greece or Italy through hazardous sea journeys in the hands of smugglers, other migrants also travel with the help of smugglers to north towards Israel, Jordan, Lebanon, Iraq and Turkey, some finding employment there, and most maintaining the ultimate goal of reaching Europe. Nearly 60,000 irregular migrants and asylum seekers from Africa, for instance, used Egypt as a transit zone through smuggling networks, and managed to cross Egyptian–Israeli border in the period of 2006–2012 (Nathan, 2012). It must be noted that as a result of the changes in border regulations in 2012 in Israel, which view all irregular border crossers as “infiltrators”, not making any distinction between asylum seekers and irregular migrants, and applying strict deportation rules, the volume of migrant smuggling into Israel has dropped considerably to a few hundred in total over the last three years

(Nathan, 2017). It appears that as the flows of irregular migrants and asylum seekers into Egypt increased in recent years, and as socioeconomic conditions became increasingly less favourable, this led increasing numbers to depart the country with the use of smugglers to seek a better life elsewhere. It also appears that as the Egyptian authorities stepped up their efforts to combat smuggling, smuggling networks have been diverted from Egypt to other departure points in North Africa, particularly to Libya.

*Types and profiles of smugglers, and organization of smuggling.* Research on migrant smuggling in the Middle East frequently reveals that migrant smuggling networks are widely used in the flows of asylum seekers and refugees. It is argued that smugglers are often the only available option for those individuals who are in desperate need of finding a refuge. Therefore, it is often in the case for refugee and asylum seekers situations that smugglers find moral and legitimate grounds for their actions as rescuing people in difficult conditions. Interestingly, the Arabic term *muharrib* – used to refer to the “smuggler” – does not necessarily have a negative connotation, even though it often does (Achilli, 2015). Hence, there is a need to better understand the inner dynamics of migrant smuggling that often relies on a trust relation between migrants and smugglers. This relationship also often creates an environment in which migrants do not perceive smuggling as an exploitative process. Although it is observed that many migrants are deceived, exploited and mistreated by the smugglers, it is also the case that they may work as decent service providers, especially when working outside criminal organizations (İçduygu and Toktas, 2002; Baird, 2017; Tinti and Reitano, 2017). It is also often the case that some of the smugglers are indeed previously smuggled migrants themselves, so they may act as part of the community of the migrants and refugees who are on the move. In fact, it is observed that in the time period prior to the departure, which could be relatively long due to the preparation of the smuggling procedure, smugglers and migrants may spend a lengthy amount of time together, share experiences and consequently develop a trust relation.

Several studies provide insight into the organization of smuggling, the actors and their roles, the different types of smuggling and the payment modalities and methods. As far as the organizational structure of smuggling is concerned, it appears that smuggling networks are not necessarily mafia-like or organized criminal structures, but many are loosely connected chains of individual actors (criminals, as well as friends or relatives) each with their own part in the smuggling process. It is also case that ethnicity is a factor. Usually, smugglers from a certain ethnic or national background would recruit people from the same or related ethnic background (IOM, 1996). These actors play a range of different roles in the smuggling process, while their presence depends

on the size of the smuggling networks (İçduygu and Toktas, 2002; RMMS, 2013): in the chain of smuggling, they may act as “coordinator”, “organizer”, “recruiter”, “transporter”, “guide”, “spotter”, “driver”, “messenger”, “enforcer” or as various types of “service providers” including boat owner, corrupt public officer, hotel owner or taxi driver.

There is a variety of ways in which migrants utilize these actors to organize their trips. In other words, there are different types of smuggling: for instance, in some cases, the whole trip is organized and migrants are accompanied for most of it by smugglers (pre-organized and stage by stage smuggling), while in other cases, these migrants travel on their own, but occasionally use smuggling services, such as border crossings (ad hoc smuggling services); in some cases, migrants purchase fraudulent visas, passports and other necessary papers to facilitate their journey (smuggling through misuse or abuse of documents), while in other cases, migrants themselves plan and realize their irregular journeys with no or little help of any service providers (smugglers), for instance, they themselves cross the borders by walking, swimming or sailing (self-initiated irregular border crossings) (İçduygu and Toktas, 2002; RMMS, 2013; Baird, 2017; Tinti and Reitano, 2017).

*Payments.* There are different types and methods of payments used between migrants and smugglers. Some require advance payments before departure, some ask for multiple instalments at different stages of their trip, and others request some credit. For the credit type of payment, the smuggling fee is advanced by a third party whom the smuggled migrant has to pay back upon arrival: this carries the risk of debt bondage. Articulated with these types, there are also three methods of payments: cash, bank transfers and Hawala system that refers to a trust system based on post-payment (İçduygu and Toktas, 2002; Baird, 2017; Tinti and Reitano, 2017).

*Deaths of migrants.* In general, irregular migratory movements organized through smuggler networks involve dangerous journeys in which many migrants lose their lives. Although it is hard to have a full account of the lost lives of migrants, there are various attempts to collect some data, one of which is the IOM’s Missing Migrants Project,<sup>17</sup> which tracks incidents involving migrants, including refugees and asylum seekers, who have died or gone missing in the process of migration towards an international destination. The Missing Migrants Project records shows that in 2015, out of 6,281 migrant fatalities recorded around the world, 36 occurred at the Middle East and 3,783 happened in the Mediterranean Basin. In 2017, out of the total 6,002 migrant fatalities around

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<sup>17</sup> See <https://missingmigrants.iom.int>

the world, 214 were at the Middle East and 3,119 were in the Mediterranean. As far as the origin of these migrants is concerned, many of these were nationals of the Middle East; in 2015, 897 out of 6,281 were from the Middle East, compared to 98 out of 6,002 deaths in 2017.

## Conclusion and ways forward

The Middle East probably constitutes the most remarkable geographical region of the world with respect to irregular migration, asylum and refugee movements that often goes hand in hand with the migrant smuggling phenomenon. The migratory picture of the Middle East boldly exemplifies the sharp rift between the global south–north, or east–west – as a result, in the absence of orderly arrangements of border crossings between States, the smugglers take advantage by providing costly services for desperate people in need of geographical movements for their lives. History repeats itself. The main lesson one can draw about the migrant smuggling in the Middle East is the following: any comprehensive approach that tackles smuggling successfully requires legal and safe migration opportunities for all asylum seekers and refugees, as well as necessary enforcement measures. Countries and territories in the Middle East, and other countries attached to them in the context of migratory flows including European ones, are in urgent need for political and moral leadership on this issue: how to liberalize the border policies for orderly entries?

Given the persistent war-torn environment in many parts of the Middle East, it appears that it is extremely hard to take well-functioning enforcement measures to deal with the smuggling activities that not only require political and moral leadership both at national and international levels, but also necessitates various well-organized cooperation efforts between national and international actors. Hence, both nationally and internationally initiated programs that promote cooperative efforts focusing on the smuggling questions in the Middle East seem to be a matter of utmost urgency: a very simple step in this direction could be to bring the 2000 Protocol against the Smuggling of Migrants to the table of each government in the Middle East.

This chapter analyses the responses of the governmental, intergovernmental and non-governmental organizations, research institutions and individual researchers to the increasing issues related to smuggling in the Middle East. These include efforts to collect reliable data, conduct systematic research and disseminate findings to the larger public, academic and policy audiences in order to better understand the phenomenon and to get better

equipped to combat smuggling activities. This chapter concludes that much of existing perceptions and understandings, and even policymaking (in other words, various types of misperceptions and misunderstandings among the related stakeholders, as well as the existing inequalities and strong push and pull factors and migration networks) are a part of the problem and not the solution. First, for a long time, the issue of migrants smuggling in the Middle East has been out of the radar of governments in the region; although there is a recently renewed interest to tackle this problem, and collect data on it, it appears that the legal, administrative and research capacities in many of the governments in the Middle East region are limited. Therefore, it is important to have a wide range of research activities conducted by other stakeholders, such as intergovernmental and non-governmental organizations, research institutions and individual researchers, possibly often in collaborative efforts with the local governments.

There is certainly a need for well-formulated research projects that fully aim at explaining the complex nature and various dimensions of the smuggling phenomenon in the Middle East, rather than only exploring or describing them. Given the fact that each country in the larger region of the Middle East has its own particularities, country-specific research projects are needed to pinpoint the various aspects and dimensions of migrant smuggling in different contexts. In fact, there are some countries and territories in the Middle East, for instance the Gulf countries, where very little is known about migrant smuggling; hence there is an obvious research need in these countries. Similarly, the lack of comparative studies and synthesis of the major research findings on smuggling in the Middle East is also an issue as these are essential for the comprehensive understanding of migrant smuggling.

Findings of previously conducted research on migrant smuggling in the Middle East reveal that there are rather distinct results observed in the region, one of which is the quite common experience of trust relation between the migrants and smugglers. In addition to the trust matter between the migrants and the smugglers, the smuggling business in the Middle East has other distinct characteristics, namely smugglers are not always embedded in vast criminal networks, but could easily be found in migrant social networks and local communities. Of course, these findings do not ignore the presence of the well-organized criminal, mafia-type structures, together with a number of smaller, fluid, flexible and opportunist groups who seem to be active in this business. In order to better understand the operational aspects of smuggling businesses and networks in the Middle East, some neat and focused research projects are required to primarily deal with the issues of “trust and social networks” in migrant smuggling.

It is obvious that well-designed and well-conducted research can provide reliable information about a wide range of issues important to those interested in public policy. Specifically, what is also needed in addition to data collected and provided by the national governments in the region and some international organizations is the research conducted on the ground to reveal dynamics and processes that are applicable to more than one case or pair of countries or migratory corridors.

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# 3

## CENTRAL ASIA

Anita Sengupta

### Introduction

Population mobility has always been associated with the region that is now identified as stretching from Afghanistan, across Central and the Middle East.<sup>18</sup> Movements of nomadic pastoralist societies and also movements resulting from trade, pilgrimage and conquest marked the landscape of the region since time immemorial. With the colonial redrawing of the political map, these everyday movements were sought to be restricted in a variety of ways. Subsequently, sedentarization, the Soviet collectivization campaign, forced deportation of minorities during and after the world wars and the buffer status that Afghanistan had in the “great game” has traditionally been identified as the cause of irregular migration and displacement in the region.<sup>19</sup> With the disintegration of the Soviet Union and the emergence of new States, a number of other issues have assumed importance in the interpretation of irregular migration. State-building processes across the region have left people stateless as they fall outside the definition of citizens (Uzbek brides in Kyrgyzstan),<sup>20</sup> ethnic conflicts have encouraged movements across borders that have subsequently been met by resistance from the host State as upsetting demographic balance (Uzbeks who crossed the border into Kyrgyzstan after 2005),<sup>21</sup> economic imperatives have led to labour migration, in certain cases resentment among displaced peoples have encouraged them to join resistance movements like the Islamic State in other parts of the globe and environmental degradation in regions surrounding the

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<sup>18</sup> While generally defined more broadly, here Central Asia refers to the five post-Soviet Central Asian States of Kazakhstan, Uzbekistan, Tajikistan, Kyrgyzstan and Turkmenistan. Middle East refers to Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Qatar, Saudi Arabia, Syrian Arab Republic and Yemen.

<sup>19</sup> There has been detailed work on sedentarization, Soviet resettlement campaigns and its consequences on the movements of local nomadic and sedentary peoples (see for instance, Khalid, 2017).

<sup>20</sup> It was common practice for Uzbek women to be married to Uzbek men who lived across the border in Kyrgyzstan, particularly in the Fergana Valley. During the Soviet period, most did not register with the Uzbek embassy in Bishkek. As a result in the post-disintegration period, they were left without valid documentation from either State, making them stateless (see EurasiaNet, 2012).

<sup>21</sup> As an aftermath of the Andijan events in 2005, many Uzbeks fled across the border to Kyrgyzstan. However, they were encouraged to move back to Uzbekistan as the Uzbek/Kyrgyz border already has a significant Uzbek population, and there was apprehension that further additions would change the demography in favour of Uzbeks (see Marat, 2005).

Aral Sea region has led to displacement. Most of these movements cannot be comprehended through a statistical approach, since the flows escape the control of State authorities and thus remains unrecorded in official data. All of these, and Central Asia's geographical location adjacent to Afghanistan that has remains embroiled in conflict, has contributed to migrant smuggling across Central Asia's porous borders.

Central Asian States, like many others, are migrant origin, destination and transit States and both the geopolitical location of the region as well as its porous borders have made the region prone to irregular movements. While multiple terms are used by national legislature and international bodies to define smuggling of migrants, the UN Smuggling Protocol confirms: "Procurement in order to obtain, directly or indirectly, a financial or other material benefit of the illegal entry of a person into a State Party of which the person is not a national or permanent resident."<sup>22</sup> All five Central Asian States have ratified the Protocol.

The chapter begins with an overview of issues that affect irregular migration and migrant smuggling in Central Asia and the limited data that is available on the subject. It then goes on to examine the wider range of issues that have been researched, first within the broader region and then specifically in Kazakhstan. It concludes by reflecting on the way forward.

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<sup>22</sup> Article 3, Protocol against the Smuggling of Migrants by Land, Sea and Air Supplementing the United Nations Convention against Transnational Organized Crime (UN, 2000). Available from [www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM\\_Protocol\\_English.pdf](http://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf)



Map 3.1: Central Asia



Source: [https://en.wikipedia.org/wiki/Central\\_Asia](https://en.wikipedia.org/wiki/Central_Asia)

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

## Overview of migrant smuggling data

Smuggling of migrants is not a widely researched subject in Central Asia, and smuggling of migrants within the Central Asian States is not a widespread activity because of visa-free travel for limited periods being legal except in Uzbekistan and Turkmenistan (Gembická et al., 2006:20). However, Central Asia is the route through which migrants from South and South-East Asia or Afghanistan travel further west.<sup>23</sup> While there is a general acceptance of the fact that it requires critical analysis, data on migrant smuggling remains underreported. Most of the data is either based on the few interceptions that happen at borders or in narratives about migrant lives that have been collected through ethnographic

<sup>23</sup> See details of the routes they take in Gembická et al., 2006.

studies and/or in the media and Internet.<sup>24</sup> There are also a few interviews and studies conducted by organizations such as the International Organization for Migration (IOM), United Nations Office on Drugs and Crime and World Bank.<sup>25</sup> Also when irregular migrants are intercepted at the borders, there is little information about whether their movement was supported by facilitators. In the Central Asian situation, the facilitators are in most cases a complex network of people who support the entire process from irregular entry to extended stays and provision of accommodation and employment and can include officials.<sup>26</sup> In any case, most of the focus of State and non-State actors remains on trafficking of persons, and little attention is paid to identifying networks that facilitate the process of migrant smuggling.

Collection of reliable data about migrant smuggling is also challenged by the fact that in most cases, the migrants themselves are accomplices and neither the migrant nor the smuggler wish to be detected. The multiple networks and complicated routes along which this movement happens, given the difficult terrain on the one hand and established routes on the other, also prove to be a hindrance. Salt and Stein (1997) argue that while migrant smuggling – like trafficking – is a profit-driven business, it carries with itself the assumption that there is a commercial relationship between the smuggler and the victim, and that the crime is against the State. This is what distinguishes it from trafficking. However, the differences that apply to trafficking and migrant smuggling may not apply in all cases in the region. The initial consent of the migrant may change as what often begins as a process of migrant smuggling may result in forced labour often with low or no pay.<sup>27</sup>

There are numerous stories of Central Asian migrants who pay intermediaries at borders to move them across but are subsequently faced with adverse situations beyond their control.<sup>28</sup> Trafficking and forced labour are particularly severe abuses of exceptional violation, but nonpayment of wages is rampant, by private and State employers alike. Migrant workers typically do not know when they will be paid, how much they will be paid, or even if they will be paid. Most do not have written contracts, and labour relations are governed by verbal agreements.<sup>29</sup> Since the practices of non-payment or delayed payment are so pervasive, many workers feel they have no choice but to remain at a job

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<sup>24</sup> See for instance, Human Rights Watch, 2009. See also Buchanan, 2009; Djabarova, Perez-Studer and Aminmadani, 2017; Reeves, 2011 and 2012b; and Shakirov, 2009.

<sup>25</sup> See for instance Gembická et al., 2006.

<sup>26</sup> See for instance Dave, 2012.

<sup>27</sup> See for instance, Human Rights Watch, 2009.

<sup>28</sup> See for instance, Buchanan, 2009.

<sup>29</sup> Most migrant stories repeat these abuses. For instance, see the case of Tajik migrants in Djabarova, Perez-Studer and Aminmadani, 2017. See also Reeves, 2011 and 2012b; and Shakirov, 2009.

for weeks or months in hopes of one day receiving all or some of the wages owed to them. So the voluntary nature of the movement may change upon arrival at the destination. While migrant smuggling as a transnational phenomenon is generally identified as a crime against the State in cases where the migrants are misled by the intermediaries, their rights may be violated and it becomes a human rights issue. As such, they cease to be merely cases of migrant smuggling and acquire all the characteristics of trafficking.

### Box 3.1: Case study of a Tajik migrant

Siarkhon Tabarov is a 40-year-old worker from Tajikistan. After seeing a television advertisement by a local employment agency promising good jobs in the Russian Federation, he signed an agreement with the agency and traveled with 33 others to Rostov, in the southern part of the Russian Federation, last March. Once in Rostov, the agency and employers immediately confiscated everyone's passports, then drove and later forced them to walk to a remote mountainous area. Only then did the workers learn that they would be employed in a quarry digging stones, using only hand tools. When Tabarov and the other workers initially refused to perform this job, the employment agency's representative threatened them, "Whether you want to work or not, you will work. We will deport you." Tabarov and the other workers worked for 85 days, were not paid, and for the most part, were forced to live in an abandoned refrigerator truck containing filthy mattresses and a few cots. To eat, they were given macaroni, bread and kasha and only two large containers of water for the almost three months that they were there. The workers mostly drank puddles or water that they managed to collect from a nearby swamp. When the workers protested these conditions by refusing to work, demanding that they be paid or allowed to return home, the employer punished those seen as the initiators by refusing to give them food for two days. Tabarov and the others were eventually freed when he managed to contact some relatives who alerted an international organization and the Government of Tajikistan to the case (Buchanan, 2009).

In the Central Asian scenario, the story may be complicated by the fact that in addition to the "smuggler" intermediaries like people who organize work permits, accommodation and others are often involved in the process. The United Nations Protocol identifies producing fraudulent travel or identity documents, enabling a person who is not a national or a permanent resident to remain in the State without necessary documents and acting as an accomplice in migrant smuggling as falling within the purview of migrant smuggling. In the Central Asia scenario, all of these are involved, and migrant smuggling is a complex process with interrelated layers operating at various levels. Most migrant stories bring to the forefront the fact that there are well-established systems of acquiring fraudulent documents and aiding migrants in overstaying their visa periods. Bhavna Dave in "Getting by as a Gastarbeiter in Kazakhstan" talks about Gulnara whose husband is a police officer and who owns three retail outlets at Barakholka (a large market in the outskirts of Almaty). One is leased to a Kyrgyz woman, who together with members of her extended family (shuttling back and forth between Almaty and Bishkek to manage their legal status), sells garments made

in Bishkek. Her husband drives a taxi between Almaty and Bishkek, and also carries passports of fellow Kyrgyz migrants to secure a new migration card. The other two are leased to Kyrgyz and Uzbek migrants selling fruit and vegetables. Gulnara is a “fixer” who recognizes that her business interests and the well-being of the migrants are interlinked. She also runs a marriage agency that helps migrants obtain citizenship or residency in Kazakhstan through marriage. Dave writes that “an entire informal industry of acquiring documentation has emerged: train conductors facilitate the acquisition of new migration cards for those who have overstayed their authorized term, bus and taxi drivers or other intermediaries carry documents back and forth with the necessary stamp or to facilitate the safe passage home of a person who has overstayed his registration period”.<sup>30</sup>

Given the porous nature of the borders, it is not surprising that much of the research that examines migrant smuggling through the region records this movement from South and South-East Asia through the Central Asian region and then onward to the Russian Federation and Western Europe (Gembická et al., 2006). Most of the migrants enter Central Asia on valid student, tourist and business visas where the migrants are advised to incorrectly state the reason for their travel. Smuggled migrants generally arrive in Kyrgyzstan and Tajikistan first and then travel through Kazakhstan and the Russian Federation to Europe. Very often, established routes for smuggling contraband arms and drugs are used for the transit of irregular migrants. A price is also set for this, and non-payment or fraud on the part of the smuggler means that the migrant finds himself/herself stranded between borders. However, lack of proper documentation is also a major reason for illegal transit as is the very large numbers of people who travel as labourers. Up to 27 per cent of the population of Uzbekistan, 18 per cent of the population of Tajikistan and 14 per cent of the population of Kyrgyzstan are labour migrants. Most are men, and over 50 per cent do menial work. While at one time the movement used to be seasonal due to economic crisis, the movement has become more chaotic. Since they rarely have legally binding work contracts, their movements are irregular and often unregistered in the system. The combined effect of several factors has contributed to the formation of these labour migration flows from Central Asia to the Russian Federation (Ryazantsev, 2016).

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<sup>30</sup> See Dave, 2012.

### Box 3.2: Intraregional migration routes

Migratory movements in Central Asia occur in large part out of the region, and most noticeably northward to the Russian Federation. In 2015, for example, there were just under 5 million migrants born in Central Asia who were living in the Russian Federation. In recent years, the economic slowdown and policy changes in the Russian Federation – including the imposition of re-entry bans on migrants for administrative infringements – have been partially responsible for a relative decline in migration from Central Asia. This has affected livelihoods and income generated through remittances, which are important sources of capital for the subregion. In response to changes in the Russian Federation, migrants have either returned to their country of origin, remained irregularly or sought out alternative destinations, most notably Kazakhstan. People from Central Asia also migrate to Europe and China, where work and family ties are relatively strong. Germany, for example, was home to just over 1 million migrants from Kazakhstan in 2015, second only to the Russian Federation, where 2.56 million Kazakh-born people resided. Intraregional migration is a key feature in the region and underpinned by geographic, cultural, economic, political and social links that are historical in nature. Central Asia is home to millions of international migrants, mainly from within the region, and also from further afield. Migrants primarily originate from countries of the former Union of Soviet Socialist Republics, many of which are current members of the Commonwealth of Independent States (CIS). In 2015, Kazakhstan, for example, had a substantial foreign-born population (3.55 million), of which 2.35 million were born in the Russian Federation. Kazakhstan is now predominantly a country of transit and immigration, attracting skilled workers from various countries and, increasingly, becoming a destination for migrant workers from Kyrgyzstan, Tajikistan and Uzbekistan. In recent years, Central Asian countries have revised policies regulating intraregional migration, including through the conclusion of bilateral agreements on entry and readmission. For example, the establishment of the Eurasian Economic Union in 2015 allows people from its Member States – including Kazakhstan and Kyrgyzstan – to move freely to live, work and study in other Member States of the Union. Further cooperation is currently occurring in the region on enhancing the management of mixed flows, including aspects related to border management, migrants' rights and protection and irregular migration. Both male and female migrant workers from Central Asia can be vulnerable to exploitation and abuse, particularly within informal employment, such as construction, agricultural and domestic work.

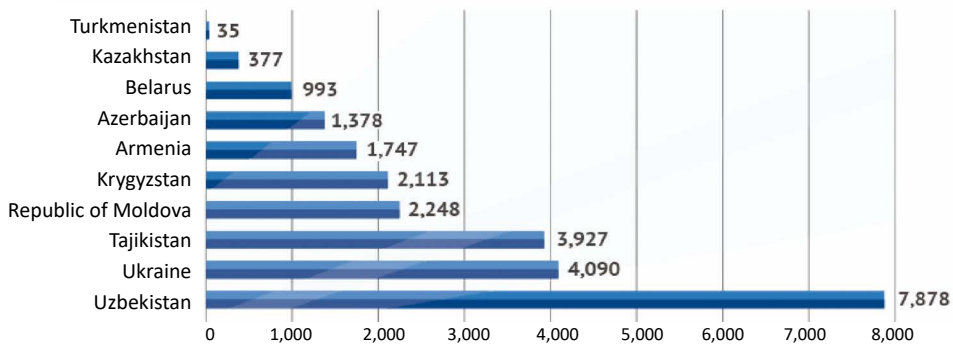
(Abridged excerpt of Central Asia section of IOM, 2017:66–67)

The migration corridor that has formed between the countries of Central Asia and the Russian Federation is one of the largest and most stable in Eurasia. Labour migration has become a substantial form of economic and political integration between countries of the former Soviet Union, contributing to the formation of the Eurasian Economic Union. It includes the Russian Federation, Kazakhstan, Belarus, Armenia and Kyrgyzstan, with Tajikistan as a potential future member. This labour corridor and the fact that both the sending and the receiving States have a stake in the movement have resulted in a network of activities associated with migrant smuggling and all its associated related problems and issues.<sup>31</sup> Migrants could also create long-lasting negative effects in the country

<sup>31</sup> For typical migrant stories, see Walker and Nardelli, 2015. Aziz, a migrant from the Ferghana, notes that “life is miserable enough anyway, the only reason to be here was the money, I think it is time to go home.” See also Schnitzer, 2004 and EurasiaNet, 2014a. Also see Shakirov, 2009.

of origin, including continuing a culture of dependence on remittances by both the beneficiary families and the country itself. There remains the possibility of remittances creating a dependency syndrome that could impede economic growth as receiving countries reduce their participation in productive activities. From a fiscal standpoint, the availability of foreign exchange incomes from remittances might postpone government-induced reforms, while at the family level, migration can create social disruptions. In addition, most studies indicate that migrants tend to spend most of their remittances on consumption of goods, and this has little positive impact on local economies.<sup>32</sup>

**Figure 3.1:** Personal remittances from the Russian Federation to CIS countries, 2013 (in millions of USD)



Source: Ryazantsev, 2016.

## Overview of research on migrant smuggling

In the former Soviet space, the Russian Federation and Kazakhstan are the principal receiver States, while labour migration in significant numbers takes place from Uzbekistan, Kryrgyzstan and Tajikistan. As elsewhere in Central Asia, labour migration has come increasingly to figure as a livelihood strategy in rural Kryrgyzstan, and the primary destination for Kryrgyz migrant workers is the Russian Federation with Siberia and the Far East increasingly becoming popular. Their experience, once they arrive at their destination, is a very typical example of the fact that migrant smuggling in the region is not only confined to cross-border activities. In fact, since travel is visa free, the borders do not pose a problem. Facilitators and intermediaries are involved once the migrant has crossed the border in the process of obtaining authorization and documentation for work

<sup>32</sup> A substantive body of literature has examined this in the Central Asian context (see for instance Isabaeva, 2012; Reeves, 2012a; and Laruelle, 2013: part 4).

and residence. Moscow has the advantage of significantly higher salaries and dense and well-institutionalized Kyrgyz migrant networks that can help in locating and obtaining work and accommodation. The first challenge, however, is getting registered. A citizen of Kyrgyzstan can enter the Russian Federation without a visa, and is entitled to stay for up to 90 days in the country before being obliged to leave and enter again, and there exists a rich local economy in fake border stamps and migration cards to help in the process since the journey back home is too expensive to undertake every three months. He or she must register with the Federal Migration Service, however, within three days of arriving in order to avoid fines and potential deportation. This system for registering internal residence is nominally designed to keep track of the city's temporary population. However, migrants tend to live in accommodation that is invisible to the State's systems of accounting, such as railway wagons, construction sites, shipping containers, the basement of apartment buildings or sharing a two- or three-room apartment with up to 30 other migrant workers.

In the course of her ethnographic survey, Madeline Reeves records that the biggest challenge for migrant workers, however, is of finding work and securing documentation that allows one to retain it.

### Box 3.3: Problems experienced by migrant workers

The pressure to find and accept work quickly is enormous: most Kyrgyzstani migrant workers incur debts to reach their destination, and have little in the way of reserves to support them while they look for work. In such a situation, many first-time migrants, especially those with limited knowledge of Russian and dependent upon acquaintances to find work will accept work that is informal, un-contracted, untaxed and hence invisible to the State. Many employers are reluctant to register employees because of the higher taxes they are liable for hiring migrant workers. Also, quotas for migrant work have been reduced as a result of financial crisis and pressure not to give "local" jobs to foreign hands. Work permits, legally required if a migrant is to remain in the country beyond the three months permitted without a visa, have thus become costly commodities, obtainable on the open market at the price of an average monthly wage. Many migrant workers, unsurprisingly, get by with none; or resort to fakes. Others rely on intermediaries or commercial firms to obtain documents that are, at least formally, "authentic". As with the residence registration, there are few independent ways of telling whether the permit that has been issued is "clean" or "fake". "Fake" work permits often look uncannily like the real thing, and migrant workers are often unaware of the real status of their document, since it has been obtained through one or more intermediaries. Moreover, a document often starts out as one thing, but then "becomes" the other, as commercial companies increase their share of a limited quota of work permits by issuing what ought to be a unique identifying number to multiple permit holders. The unfortunate employees only find out that their document has been ascribed to a different person – if it carries a different "identity" – if and when they are stopped by the police and find that their permit no longer documents them.

(Abridged excerpt from Reeves, 2011).



Reeves notes that many migrant workers speak of having specific and highly coordinated routes and routines: knowing parts of the city that are “safe” and districts in which their own unfamiliarity and the lack of acquaintances among the local police force render them vulnerable to arbitrary document checks (Reeves, 2011). Deportations, while not common, are frequent enough for every migrant worker to know someone who had been deported from the Russian Federation. They thus represented a very real risk, particularly at times when terrorist threat gives “securitization” a distinctly racial twist.<sup>33</sup> Lemon and Heathershaw (2017) have noted that many young men from Central Asia who have migrated for work spend their late adolescence away from their homes; they are subject to daily economic hardship, are undervalued in their jobs, suffer racial abuse and sometimes State harassment. This can make them more vulnerable to extremism.<sup>34</sup>

Migrant smuggling is thus a larger issue than just the transit of migrants across porous borders in the region. It involves formal and informal arrangements at borders, an intricate network of facilitators at various points along the border and within the States and finally transborder arrangements that move beyond the Central Asian region. The process also involves attitudes of people who live along the borders, as well as those of border guards on each side. A study on the Tajik Afghan border demonstrates smuggling and trafficking along the borders as an everyday affair, and very often customs agents and border guards tend to follow informal institutional norms or unwritten agreements rather than written rules. On the other hand, most of the States have legislation that deal with the issue of irregular migrants, and the chapter goes on to examine this complex relationship between legislation and practice in Kazakhstan as an example.

### What does the existing evidence base tell us about migrant smuggling in Central Asia?

Kazakhstan ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime in 2008.<sup>35</sup> The Kazakh migration scene has in recent times seen an increase in irregular migration. The geographical position

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<sup>33</sup> See Stobdan (2014) where he notes that the possibility of Central Asian migrants joining the ISIS remains significant. Concerns in the region are less today about the return of the Taliban and more about the return of trained ISIS jihadis. However, no common strategy exists to deal with them. Also see Balci (2014), who argues that it is mostly Uzbeks of the “diaspora” that is Uzbek migrants from the Russian Federation, and also Uzbeks from Kyrgyzstan who are getting involved in jihad action in the Syrian Arab Republic.

<sup>34</sup> See chapter 9 of IOM, 2017.

<sup>35</sup> See list of countries that have ratified the Protocol against Smuggling of Migrants. Available from [www.whatconvention.org/en/ratifications/311?sort\\_by=signature&order=asc](http://www.whatconvention.org/en/ratifications/311?sort_by=signature&order=asc)



of the Republic, the permeability of its borders and the absence of a coherent policy and legislation all contribute towards facilitating the process of irregular migration. Kazakhstan is also host to refugees from neighbouring States and a signatory to the United Nations Convention on the Status of Refugees (1951) and the 1967 Protocol. There is also significant migratory movement internally from rural to urban areas. While the legislation on migration is based on the Constitution of the Republic of Kazakhstan, a number of agencies are responsible for the implementation:

- (a) The Ministry of Justice that keeps a record of the population;
- (b) The Ministry of Interior Affairs that is in charge of collecting information on international migration, monitoring and compliance of rules of residence of foreigners;
- (c) Migration Services that takes note of internal and external migration and registration of foreign citizens;
- (d) The Ministry of Labour and Social Protection of Population that accounts for labour migration;
- (e) Agency of Statistics that takes note of the inflow and outflow of the population in terms of gender, age, ethnicity and education;
- (f) Border Services that accounts for movement and transit of border nationals through the use of migration cards approved within the Eurasian Economic Union space; and
- (g) The Ministry of Foreign Affairs that regulates population flows through the issue of visas.<sup>36</sup>

Smuggling of migrants is not a separate criminal or administrative offence within the Kazakh national legislature and is penalized only indirectly based on criminal offences of irregular border crossing, organization of illegal migration, forgery of documents and use of illegal labour force. Besides criminal law, there are other presidential decrees that deal with the irregular entry, stay and exit of foreign citizens and statelessness (Gembická et al., 2006:23). The Almaty Procession Refugee Protection and International Migration was established in 2011 by the Government of Kazakhstan, IOM and the United Nations High Commissioner for Refugees.<sup>37</sup> The first regional conference on Refugee Protection and International Migration was held in Almaty on March 2011, which led to the adoption of the Almaty Declaration.<sup>38</sup> The Declaration acknowledged the need to

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<sup>36</sup> For details, see International Centre for Migration Policy Development (ICMPD), n.d.

<sup>37</sup> For details, see IOM, n.d.

<sup>38</sup> IOM, 2011.

address the issues arising from multiple migratory trends and mixed movements in the region. The recommendation of the Almaty Declaration was translated to policy recommendations, which served as the basis for the development of a Regional Cooperation Framework, endorsed in September 2012 by the Central Asian States. In June 2013, the participating States (Kazakhstan, Kyrgyzstan, Tajikistan, Afghanistan, Azerbaijan, Turkey, with Turkmenistan, Pakistan and the Islamic Republic of Iran as Observer countries) reaffirmed their commitment to address challenges resulting from migratory movements in the region. Among the issues that the Almaty Process focused on was migrant smuggling. There is also acknowledgement of the fact that immigration, irregular migration and border management are related issues. Much of the ineffectiveness of the policies emerges from an incomplete understanding of border and inadequate infrastructures at borders.<sup>39</sup>

In Kazakhstan, most of the irregular migration happens in cases where migrants do not comply with registration rules for foreigners, and most of these pertain to labour migrants who come from neighbouring States and happen in the case of labour migrants.<sup>40</sup> In the post-Soviet situation, it is common to think of migration as a “westward” process where the movement is from the Russian Federation to southern and western Europe, the United States or even Israel. There is however another kind of migration out of the former Soviet space into the Russian Federation and Kazakhstan inspiring the use of the term *gasterbaitery* (the Russianized plural form of the German word *Gasterbaiter*, meaning unskilled or semi-skilled migrant labourer). Kazakhstan’s resource-fuelled economic boom and thriving market economy have turned it into a flourishing migrant-receiving State. This image of Kazakhstan as a receiver has benefited from a consistent State policy to encourage the return of the ethnic Kazakh diaspora referred to as the *oralman* under a State-sponsored repatriation programme. However, unlike the *oralman* programme, migrant workers from other Central Asian States remain unaccounted and invisible to State authorities due to lack of appropriate legal framework and labour policies that dooms them to an irregular status.

Despite lower wages, many migrant workers from Central Asia choose Kazakhstan to look for jobs since it is closer to their home countries and easier for them to adapt to local cultural norms. Since most work illegally, there are few correct estimates with numbers varying widely. About two thirds are from Uzbekistan, some 25 per cent from Kyrgyzstan and the rest from Tajikistan and other CIS countries (Alpysbaeva, Abylkasimova and Kalimova, 2015). At least

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<sup>39</sup> See ESCAP, n.d.

<sup>40</sup> See ICMPD, n.d.

half of them work in construction and in work that is shunned by the locals. Several others work in the expanding service sector, catering, transportation, delivery, retail and sales, and the rest work as seasonal labourers in agriculture, in tobacco and cotton fields, and in food stuff packaging and processing. The Central Asian migrant labour movement had traditionally been a seasonal one, where most travelled as unskilled labourers with no intention to settle.<sup>41</sup> While most of this movement was driven by economic issues, conflict situations in the post-Soviet States also led to labour movement. The Tajik civil war and the condition of the Tajik economy after the war remains a principal reason why large numbers of Tajik men moved to the Russian Federation and Kazakhstan for work and continue to do so despite the fact that in 2013 alone, 942 guest workers returned to Tajikistan from the Russia Federation in coffins.<sup>42</sup>

This ready availability of cheap semi-skilled and short-term migrant labour has contributed significantly to spurring rapid growth in construction and the service sector in Kazakh cities like Almaty, Astana, Shymkent and Aktau. However, no official statistics or data is available on the role of the migrant workers in the labour force or in the informal economy. It is evident that though the State authorities continue to combat irregular migration, regarding it as a security threat or as promoting criminal activities, they covertly allow influential recruiters or employers to hire the *gastarbeitery*. The only change is a December 2013 law that allows individual Kazakh citizens to hire foreign migrant workers with work permits. The law clearly states that it is intended to make it easier for Kazakhs to hire household help not for profit by private businesses (Weitz, 2014). Migration policy of the emerging Eurasian Union has also been the focus of attention. On 1 January 2012, an agreement on the Legal Status of Migrant Workers and Members of their Families came into effect between the Russian Federation, Belarus and Kazakhstan as part of the Customs Union. The intention was to establish a legal framework necessary for the emergence of a common labour market within a single economic space supported by the Customs Union (ibid.).

Most of the entry is through borders along Kyrgyzstan and Uzbekistan and migrants then move on to Russian cities like Altay, Orenburg and Astrakhan. Another case of irregular migration through Kazakhstan is from South and South-East Asian countries. Most arrive via India and Kyrgyzstan to Kazakhstan crossing borders at night. Travel and temporary accommodation are provided by the

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<sup>41</sup> There have been exceptions. In the aftermath of the Osh conflicts in 2010, the profile of the Uzbek migrant from Kyrgyzstan changed dramatically. Entire families, including women and children, were seen to be on the move for good (see Abdurasulov, 2012).

<sup>42</sup> See EurasiaNet, 2014b. See also Olimova and Bosc, 2003 and Chioyenda, 2013.

smugglers, and most of the migrants move further to the Russian Federation.<sup>43</sup> A new Concept on Migration Policy for the Republic of Kazakhstan 2017–2021 was considered on September 2017 in order to take note of changes concerning labour migration. It has been argued that the main strategic object of the concept was to determine the improvement of the democratic and economic balance of the country's regions; formation of an open market of qualified specialists on the basis of temporary and long-term migration and ensuring national security of the country in the context of threats associated with migration. In particular, the draft concept envisages the development of the legal framework that suppresses of organized channels of irregular migration, the further removal of labour migrants from the shadow, as well as the continuation of international cooperation and the conclusion of readmission agreements.<sup>44</sup>

## Conclusion and ways forward

Central Asia has a long history of multilayered movements that continue to shape migration even today. The current process includes individuals with different profiles and motivations and therefore different protection needs. While irregular migration remains a common concern for all the States in the region, it is by definition difficult to measure or control and in the Central Asian region, complicated by the limited period visa-free regimes that exist among the States. Research on the theme remains limited, and data is practically non-existent. Trafficking is seen to be of more critical concern, and most measures taken by States is to reduce human trafficking. Research is mostly restricted to individual ethnographers who collect narratives of migrant lives, and there is little attempt to quantify the research. Regional cooperation, which becomes crucial in combating smuggling, has also been limited and complicated by geopolitical equations. The main instrument enhancing regional cooperation in irregular migration issues in the region is the Agreement on Cooperation of CIS Member States in Combating Illegal Migration, signed on 6 March 1998 by all CIS countries with the exception of Turkmenistan. This agreement includes cooperation and coordination in the area of immigration control, harmonization of legislation, harmonization of the deportation process and exchange of information on irregular migration. In addition, there was agreement to create a common database on irregular migrants, and the Russian Federation is responsible for the database's functioning and input. Although this agreement is operational and the common database has been established, effective exchange of data has not taken place so far (Gembická et al., 2006). The solution seems to lie in the development of a viable system of regional data sharing. There is

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<sup>43</sup> For details of routes, see Gembická et al., 2006.

<sup>44</sup> See *Kazinform*, 2017.

also the necessity of developing a network of local researchers who would work closely with the migrants themselves to develop some data on trends and flows. Closer involvement between researchers and officials engaged in combating smuggling would also lead to better data collection and the development of a policy framework to reduce smuggling.

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# 4

## RUSSIAN FEDERATION

Irina Molodikova

### Introduction

After the dissolution of the Union of Soviet Socialist Republics (USSR) in November 1991, the Russian Federation faced a situation of massive migration to, across and out of the country, and became part of the global system of population movements. Bordering 16 countries, including 5 European Union, 5 Commonwealth of Independent States (CIS) and 8 other countries, the Russian Federation ranks among the top three immigration-receiving countries in the world, hosting 9.6 million foreigners in 2016. The majority of them are labour migrants from the CIS (Ministry of Interior of Russian Federation (MIA), 2016).

The geographical position of the Russian Federation between the European Union and some countries with high numbers of potential migrants, the existence of some “porous” border sections and a visa-free regime between the majority of CIS countries allow irregular migration inside the CIS. Some other factors, like the legal absence of border controls between the Russian Federation and Belarus as Union States since 1995, have facilitated irregular westward migration flows. The former Soviet Union countries form various alliances that have different border regimes between them. Inter-ethnic conflicts after the collapse of the USSR complicated the border regimes between some countries, but the Russian Federation’s migrant-dependent economy induces labour flows from the remittance-dependent economies of CIS countries. And, last but not the least, international mafia networks play a significant role in organizing smuggling and human trafficking.

Immediately after the dissolution of the USSR, the Council of the Commanders of the Border Troops of CIS countries (SKPW) was formed in 1992 to control the borders. The processes of globalization and the development of virtual networks, however, render the regimes of migration control by national States less effective. Furthermore, they perceive migration and migrants as threats to their security (Içduygu, 2000:359), which supports the creation of a discourse that criminalizes migrants. For this discourse, criminal activities like

smuggling and human trafficking, and the often-blurred lines between them, play an important role (Sahin-Mencutek, 2012:145; McAuliffe and Laczko, 2016). Consequently, irregular migration and related security issues have become a constant topic among high-ranking politicians, scholars and the media in the Russian Federation.

In the Russian Federation, similar to the Western countries, discussions started with figures ranging around 1.3 million irregular migrants, and over the years, the numbers gradually increased several folds (Mukomel, 2005). In May 2017, for example, the Commissioner for Human Rights in the Russian Federation, Tatiana Moskalkova, talked about 8 to 10 million irregular migrants,<sup>45</sup> deploring a lack of State funds for their expulsion (Vaschenko, 2017).

The real number of irregular migrants is unknown, but the majority of Russian scholars agree that a restrictive migration policy and inconsistencies in Russian migration legislation pushes migrants into irregularity (Mukomel, 2015; Ryazantsev, 2015; Vorobieva, Ribakovski and Ribakovski, 2016; Molodikova, 2018).

This situation changed when the first Chechen war erupted in 1994, and numerous fighters from the Middle East and Asian countries outside the CIS area crossed the porous borders of the Caucasus region. In that time, the Russian Federation initiated the process of building up a collective responsibility of the CIS countries for combating irregular migration. The Treaty on Cooperation in the Protection of the Borders of the CIS Member States with States that were not included in the Commonwealth was signed on 26 May 1995, and on 6 March 1998, the Agreement on Cooperation between CIS Member States in Combating Illegal Migration was signed as well.

This securitization policy created the basis for the irregularity of new foreigners (Molodikova and Düvell, 2009). In 2004, the Border Service became part of the Federal Security Service (BSFSS) in the Russian Federation and Belarus. In the same year, the Soviet system of borderland control, which had been abolished in 1991, was restored in the Russian Federation and Belarus (Gyl'ko, 2007).

The Russian Federation became party to the UN Convention against Transnational Organized Crime and two Protocols,<sup>46</sup> adopted in Palermo on

<sup>45</sup> In contrast to the Western approach that persons cannot be illegal but irregular, the majority of politicians and media in the Russian Federation use the word “illegal” for irregular migrants.

<sup>46</sup> The Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UNODC, n.d.).

12 December 2000 and ratified by the Russian Federation on 26 May 2004. Soon thereafter, in 2004, article 322.1 on “the organization of irregular migration”<sup>47</sup> was included in the Criminal Code and stipulated punishment by imprisonment for up to seven years, with an additional fine for the facilitators. In the same year, the Concept on Cooperation of the CIS Member States in Countering Irregular Migration was adopted by the decision of the Council of the Heads of State of the CIS on 16 September 2004. The text of the Concept refers to the Agreement on Combating Illegal Migration of 1998. It mentions the acquisition of fraudulent and fake documents and the searching of illegal channels of transfer to other States with the support of organized criminal groups to assist in the entry and exit of irregular migrants.

Since the beginning of the 2000s, the Russian Federation has been participating in the work of international organizations, such as International Organization for Migration (IOM), International Labour Organization (ILO), United Nations Development Programme (UNDP), United Nations High Commissioner for Refugees (UNHCR), UNICEF and United Nations Office on Drugs and Crime (UNODC) that organize research in the field of irregular migration, including the role of facilitators (IOM, 2004 and 2005; ILO, 2004).

The concept of the coordinated frontier policy of the CIS Member States was adopted on 26 August 2005, as well as model laws (framework laws) on border issues for the development of the unified border policy of CIS States (SKPW, 2017). A programme of cooperation in combating irregular migration in CIS countries was adopted. Since 2006, Russian cooperation agreement with the European Union on readmission exists as one of the forms of a policy of securitization and externalization of border control.<sup>48</sup> Since 2007, the Russian Federation has signed readmission agreements with some countries of origin of transit and irregular migrants (CARIM East, 2013:7–8).<sup>49</sup> Law enforcement

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<sup>47</sup> Article 322.1 (FZ N187 28.12.2004) “On the organization of irregular migration” has no special definition of “smuggler” but uses the notion of “organizer of irregular migration”, which includes a broad list of different definitions:

(a) The organization of unlawful entry of foreign nationals or stateless persons, or unlawful stay or unlawful transit through the territory of the Russian Federation punished by imprisonment for up to five years.

(b) The same acts committed: (i) by a group of persons by prior agreement or by an organized group; (clause “a” in the amendment of the Federal Law on 06.07.2016 N 375-FZ); (ii) for the purpose of committing a crime on the territory of the Russian Federation, punishment by imprisonment of up to seven years, with a fine of up to RUB 500,000 or in the amount of the salary or other income of the convicted person for a period of up to three years, or without it and with restraint of liberty up to two years, or without it (amendment to Federal Law No. 377-FZ on 27.12.2009, on 07.03.2011 N 26-FZ, on 30.12.2012 N 308-FZ).

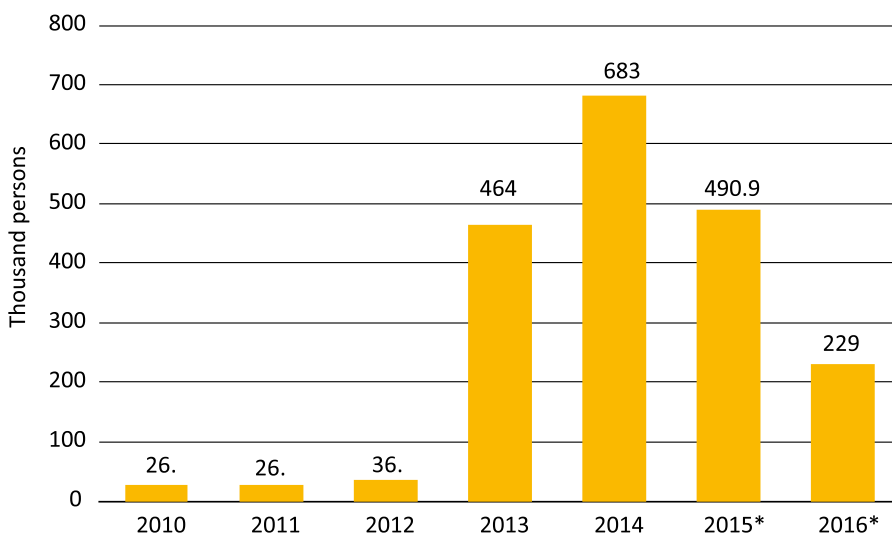
<sup>48</sup> Since 2006, the Russian Border Service established the Joint Operational Cooperation with Frontex, and the Russian Federation signed a bilateral visa facilitation agreement with the European Union and special Local Border Traffic Agreements with Latvia (2010), Norway (2010) and Poland (2010) (CARIM East, 2013).

<sup>49</sup> With such countries as Armenia, Kazakhstan, Kyrgyzstan, Mongolia, Turkey, Viet Nam, Ukraine (not yet ratified) and Uzbekistan.

bodies of CIS countries were also created in 2007 in order to coordinate efforts regarding migration policy and data exchange. So, since 2000, the Russian Federation has treated migration, particularly irregular migration, as a serious security threat and has pushed for deeper collective efforts by CIS countries to combat irregular migration.

The formation of the Eurasian Union (EAEU) from 2010 to 2015 created a new hierarchy among migrants from CIS countries by restricting privileged access to the Russian labour market for migrants from the EAEU. In addition, the Law on Administrative Violations introduced in 2013 an entry ban for three to five years for its repeat violations. More than 1.6 million migrants, mainly from CIS countries, were placed on the ban list during 2013–2016 (Figure 4.1). The main violation was overstaying (MIA, 2016).

**Figure 4.1: Ban on entry in 2010–2016**



\* The decrease in number of banned migrants is related to the bilateral negotiations between the president of the Russian Federation Vladimir Putin from one side and the presidents of the Republic of Moldova and Tajikistan on the other side.

Source: Eurasian Economic Commission, 2016; MIA, 2017.

The Russian Federation’s “ban” policy induced irregular transit migration from Central Asian countries through Kazakhstan into the Russian Federation (Molodikova and Mnatsakanian, 2017; IOM, 2016). About 100,000 persons, who were not allowed to enter because of the new entry ban, tried to enter the Russian Federation irregularly in search of work. Some argue that the number of migrants who try to enter the Russian Federation unlawfully, and to travel through the Russian Federation to Western Europe, is increasing every year



(Telegraph Agency News (TASS), 2016). But this statement is questionable because the majority of irregular migrants who were stopped at the Kazakhstan border were citizens of visa-free CIS countries who wanted to reach the Russian Federation. A 2011 analysis based on 1,100 cases of court practices regarding the application of article 322.1 on the organization of irregular migration allowed Filippov (2014) to draw the conclusion that “in 99 per cent of cases Russia is not a ‘transit corridor’ but the final destination country for irregular migrants from Asian countries.”

The professional journal *Border Guard of the Commonwealth* presented the results of 25 Special Joint Border Operations of the Commonwealth (SJBO) in 2016 (Gritsan, 2017), including figures on drug smuggling and other illicit activities that were detected at the border. There were about 60,000 violations of border legislation,<sup>50</sup> over 17,000 irregular migrants, more than 1,700 weapons, 76,000 pieces of ammunition, 16.5 tons of drugs and confiscated goods valued at USD 23 million. The SJBO “West 2016”,<sup>51</sup> for 45 days stopped 380 irregular migrants, and confiscated goods valued at USD 450,000 (ibid.). The figures on confiscated goods and drugs show that migrant smuggling can be only a side business on the Eastern European Union and on the Southern Russian Federation’s borders. The business of smuggling goods and drugs can be much more profitable for regional and international criminal smuggler groups.

This introductory section presented an overview of the main legal points and efforts of the Russian Federation in border protection. The second section provides a review of existing State data on border migration, and available information on irregular migration. The third part presents the available literature in this field. The fourth part provides an overview of the current situation concerning smuggling and smuggling routes in the 2010s, the main factors and categories of irregular migrants trying to pass through the borders. The conclusion provides recommendations for future statistics development and discusses the gaps in data collection on migration smuggling in the Russian Federation.

## Overview of migrant smuggling data

The weak side of studying irregular migration and smuggling in most countries is the lack of reliable statistics. The Russian Federation is not an exception. Russian scholars also note the inconsistencies of official statistical data especially on transit migration, the scale of international migration and the

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<sup>50</sup> These cases counted foreigners and local population violations as for example, absence of passport in border regime zone.

<sup>51</sup> Gosudarstvennaia informatsionnaia Sistema migratsionnogo ycheta (GISMY).

background of migrants. Expert Chydinovskikh (2005) argued that “Russia does not have any normally functioning national system for recording migrants, which would give a correct and complete picture of the magnitude of the flows and their structural characteristics...” This opinion is shared by other Russian experts (Chydinovskikh, 2008; Zaiionchkovskaya, 2009; Ryazantsev, 2015; and Vorobieva, Ribakovski and Ribakovski, 2016).

A series of publications of international organizations (UNODC, 2016; UN, 2011; Organization on Security and Cooperation in Europe (OSCE), 2014; CARIM East, 2013; Di Bartolomeo, Makaryan and Weinar, 2014) try to highlight the migration statistics issues in the Russian Federation, and clearly indicate a lack of information on irregular migration, apprehensions at the border and other border violation statistics. Migration statistics from the Statistical Committee, the BSFSS and MIA are the only regular statistics.

The merging of Federal Migration Service (FMS) with MIA in 2016 deteriorated the access to their data. For example, MIA does not provide information on the number of applications for asylum to the Central Statistic Committee any more. The Databank of State Information System of Migration Register (GISMY)<sup>52</sup> and the Central Databank on Registration of Foreign Nationals (SBDYIG)<sup>53</sup> of MIA are not accessible to experts any more after the liquidation of FMS.

### *The statistics on border crossings*

Since the second half of the 1990s, the statistics on individual border crossings are collected by two organizations: the BSFSS and MIA. The BSFSS takes into account border crossings by Russian citizens and foreigners, but statistics on violations of border rules and other unlawful cases are not reported publicly.

Data on the purpose of travel collected by BSFSS and MIA varies by category and in some positions duplicates each other but in some is different. The MIA General Directorate for Migration collects information from migration cards. Only foreigners who have entered the Russian Federation are required to fill out these cards to provide date of birth, sex, citizenship, length of stay and purpose of the trip, including official, commercial, study, private, tourism, work and transit. BSFSS statistics on the citizens of the Russian Federation and foreigners have such categories as “service”, “service personnel” or “private” that are very vague.

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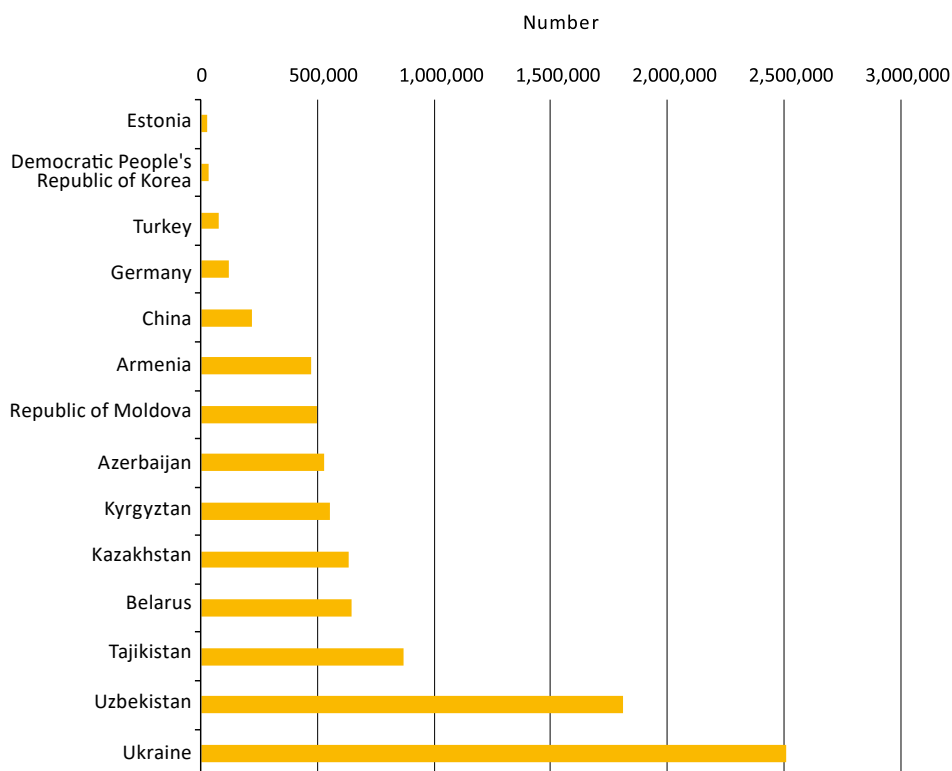
<sup>52</sup> Gosudarstvennaia informnatsionnaia Sistema migratsionnogo ycheta (GISMY).

<sup>53</sup> Sentralnii bank dannig ycheta inostrannih grazdan (SBDYIG) FMS and later of MIA (SBDYIG).



The largest number of migrants (57%) are from visa-free CIS countries (see Figure 4.2). The main motivations to go to the Russian Federation are “private” and “work”. They declare their reason for entry without documentary confirmation. Some migrants have a dual (including Russian) citizenship, so the degree of reliability of travel information is low.

**Figure 4.2:** Countries with maximum number of migrants in the Russian Federation, 2016



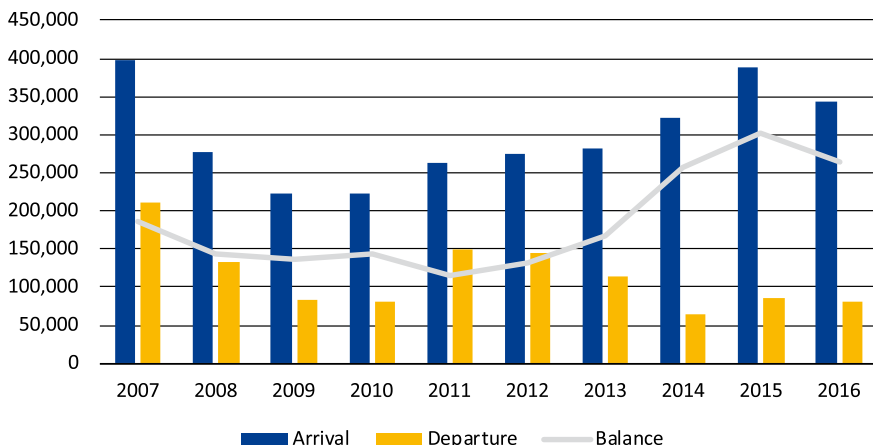
Source: MIA, 2017.

Migrants passing the Russian–Belarusian border were not registered and checked. In addition, irregular migrants use local passages to avoid border control.

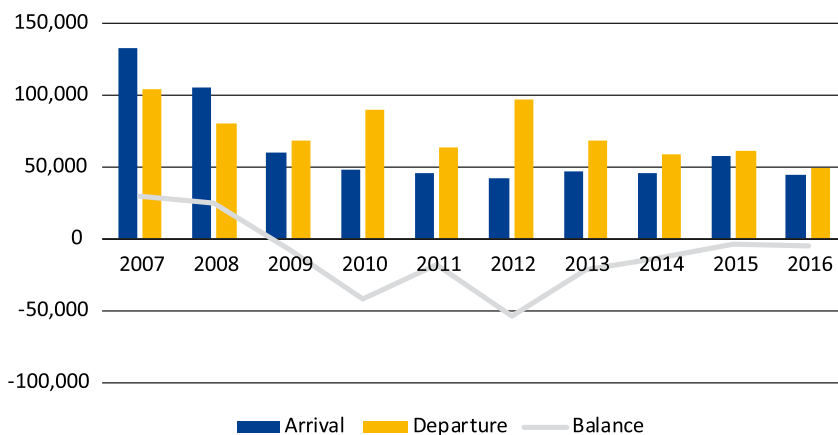
The percentage of persons who indicated transit as the main reason for staying in the Russian Federation is small. In 2007, it was 2.7 per cent for visa-free and 1.6 per cent for visa countries, and in 2016, only 1.6 and 0.4 respectively.

The statistical issues on transit migration are clearly demonstrated in the data for visa-regime countries (see Figures 4.3 and 4.4). Puzzling trends are observable from 2009: the number of persons exiting is considerably higher than those entering. Opposite trends are usually observed, because some persons overstay while others can irregularly cross borders elsewhere.

**Figure 4.3:** Transit, CIS countries, 2007–2016



**Figure 4.4:** Transit, non-CIS countries, 2007–2016



Source: FSSS, 2008–2016.

There are few State sources that include data on irregular migration, apprehensions and operations against smuggling. Since 2011, some information can be obtained from the CIS countries' intergovernmental portal (CIS Countries governmental portal, 2016a and 2016b). Annual reports on the migration



situation in every CIS country is presented by the Council of the Heads of Migration Authorities there. Some results of SJO against border violations, apprehensions and facilitators that were organized by the Russian MIA and BSFSS together with some CIS States (Gritsan, 2017) can be found in the professional journals of these organizations.

In these reports, there is no direct mention of smugglers but data on criminals and criminal groups who organize irregular migration. News information from the portal of the Belorussian Border Committee (GPK, 2016 and 2017a), Russian BSFSS (2017a), the Council of the Heads of Border Service of CIS countries (SKPW, 2017) and MIA news on migration (MIA, 2016) do provide such information, albeit in an unstructured way. An indirect evaluation can be drawn from monthly MIA statistical information, such as the ban on entry, number of deportations and fines due to administrative code violations (ibid.).

### ***Research on migrant smuggling in the Russian Federation***

In contrast to a growing number of studies and interest of European researchers in smuggling over recent years (Triandafyllidou and Maroukis, 2012; Baird, 2013; Baird and van Liempt, 2016), the smuggling of people is only a peripheral topic for Russian researchers. The same is true for Russian research on irregular migration in general. An annotated bibliography of all Russian publications on migration between 1992 and 1999 (Zaionchkovskaya, 2000) counted 1,298 publications grouped into 11 topics. The topic of irregular migration was merged with that of refugees and asylum seekers from non-CIS regions into one topic and accounted for only 2.6 per cent of all research. The situation is similar nowadays.

But the topic of irregular labour migration from visa-free CIS countries is among the main topics of research. Hence, 84 per cent of migrants in the Russian Federation are regional who enjoy a visa-free regime. The majority of those with a visa also entered the Russian Federation legally. Hence, irregular transit migration makes up a very small part of the flow of mainly non-regional migrants (IOM, 2002).

Research in the Russian Federation investigates mainly those who opt to live and work irregularly, discussing the likely real number of irregular labour migrants in the country (Ivakhnyuk, 2005; Heifets, 2006), the influence of migration policy on irregularity (Zaionchkovskaya, 2009; Vorobieva, Ribakovski and Ribakovski, 2016; Ryazantsev, 2015; and Molodikova, 2009) and involvement of migrants in the grey economy (Tyuryukanova, 2008).

An important aspect in research on irregular labour migration is the sociodemographic characteristics and ways of integration of some ethnic groups. Usually, research on non-regional migrants discusses several main communities, such as Afghans (Ivanova, 2004), Chinese (Gelbras, 2002), Koreans and Vietnamese (Ryazantsev, 2015; Dinh, 2015), the development of their diasporas and information on the involvement of ethnic migrants in organizing irregular migration and smuggling routes.

IOM was the first to address and provide major input into the research of smuggling, trafficking, irregular migration and irregular routes in the Russian Federation. Reports of the 1990s are among the main sources of information on this topic even now. The 2002 IOM report outlined the main routes of irregular migration through the CIS countries and the Russian Federation to the West. A large-scale survey (IOM, 2004:510) evaluated the number of irregular migrants in the Russian Federation<sup>54</sup> between 0.5 and 3 per cent of the total Russian population and about 10 per cent in Moscow. Almost 90 per cent of them entered the Russian Federation from CIS countries. Afghan, Vietnamese, Korean and Chinese irregular migrants used diaspora firms in the Russian Federation for invitations or the pretense of tourism as a new criminal business.<sup>55</sup> Only 3 per cent of the migrants crossed the border irregularly (IOM, 2004:516; IOM, 2005).

Detailed information, on border apprehensions and other incidents along the border of the European Union was provided in the publications in connection with the Söderköping Process (Pribytkova and Gromovs, 2007; Leončikas and Žibas, 2009), and the International Centre for Migration Policy Development yearbooks (ICMPD, 2009 and 2013). Unfortunately, they have no direct reports on the Russian Federation, but other countries' reports listed the apprehension of some Russian nationals and some migration routes through the Russian Federation.

A comprehensive monograph edited by Golunov (2008) collects information on transborder activities between the Russian Federation and Kazakhstan, China, the Caucasus countries and along the Russian Federation's western borders for 20 years until 2007.

<sup>54</sup> The IOM survey (2004) was unique in scale because they questioned more than 3,000 irregular migrants, including 1,200 non-regional and 1,834 CIS irregular migrants in 9 regions (including Moscow and St Petersburg). The interviews were taken on the borders (with apprehended persons), in trains to and from the Russian Federation, in dormitories and markets, in transportation, agricultural and construction businesses, night clubs and restaurants. Additionally, irregular migrants of the main non-regional groups (Afghans, Vietnamese, Koreans and Chinese) were interviewed with the assistance of diaspora members.

<sup>55</sup> The large majority of non-regional illegal migrants enter the Russian Federation as guests (39%), tourists (31%) or students (11%), 16 per cent of the respondents entered the Russian Federation without a visa, using the visa-free regime with CIS countries.

The topic of transit migration, including irregular transit, was also highlighted by IOM research (2002, 2004, 2006), and later in a book (Molodikova and Düvell, 2009) that mainly contained articles on transit migration in CIS countries and the Russian Federation. Their other book (Düvell, Molodikova and Collyer, 2014) is more focused on the Western experience, and also includes an article on the Russian Federation and the Republic of Moldova.

An analysis of the legislation on irregular migration in the Russian Federation is presented in a few publications (IOM, 2009; Filippov, 2014). The latter analysed the practical implications of article 322.1 of the Criminal Code for more than 1,000 cases on organization of irregular migration in 2011. The author comes to the conclusion that 99 per cent of cases are those who overstayed in the Russian Federation after entering the Russian Federation legally.

**Literature on asylum seekers.** These sources are mainly concentrated on forced migrants from CIS and internally displaced persons in the Russian Federation (Vitkovskaya, 2002). After the flows dried up in the 2000s, this topic has become peripheral with the exception of some publications on Afghans (Ivanova, 2004). It was revitalized by Chechen flows to the European Union and their problems as asylum seekers (Human Constata, 2016; Molodikova, 2015).

This research is conducted in the Russian Federation by mainly non-governmental organizations. A comprehensive picture was painted in the book *Russia as a Country of Asylum* (Refugee, 2015). Cases present asylum seekers' routes of travel, places of entry and their journeys through the Russian Federation in search of asylum. The research indicates the unwillingness of Russian authorities to assume responsibility for the asylum of non-regional migrants, pushing them into irregularity and out of the Russian Federation.

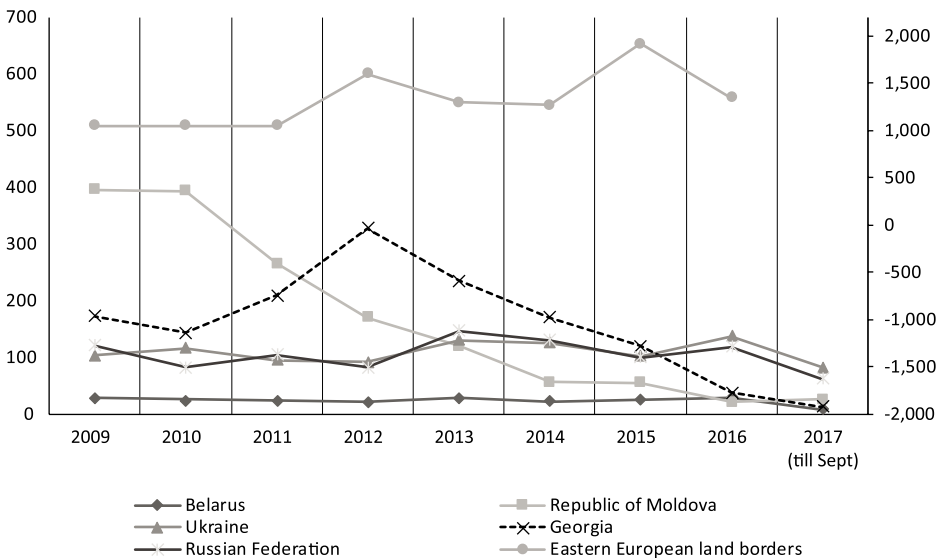
For a better understanding of smuggling and irregular transit migration, one should include, in addition to Russian sources, research publications related to the Russian Federation in neighbouring countries as Belarus (Maslenkova and Tihonova, 2010), Central Asia (IOM, 2016), Finland (Virkkunen and Piiponen, 2017) and others. They show strategies of migrants to find a solution for their difficult situation, including migration to territories controlled by Islamic state or to the European Union.

## Overview of human smuggling in the region

Based on Frontex (2017a) information, Danai and Triandafyllidou (2016:107) argued that among the eight main routes of irregular migration into the European Union, the eastern border is less attractive for irregular migrants. This flow constitutes 0.1 per cent of the total European Union border crossing (Frontex, 2017a). Similar to the European trends (Triandafyllidou and Maroukis, 2012), the main migration nexus in the region are south–north to the Russian Federation and east–west to the European Union (Molodikova and Mnatsakanian, 2017).

Frontex data provides information on the irregular border crossing (IBC) of eastern border zone of the European Union without a division of the countries' border sectors. The number of detected IBCs along the 6,000 km Eastern European land borders with the European Union has been stable and showed a tendency of decline from 2009 to 2016 (Frontex, 2016 and 2017b). Only trends among the 10 main regional nationalities show a gradual decrease in IBC, while the fluctuation is relatively high for the non-regional top 10 nationalities (see Figures 4.5–4.6).

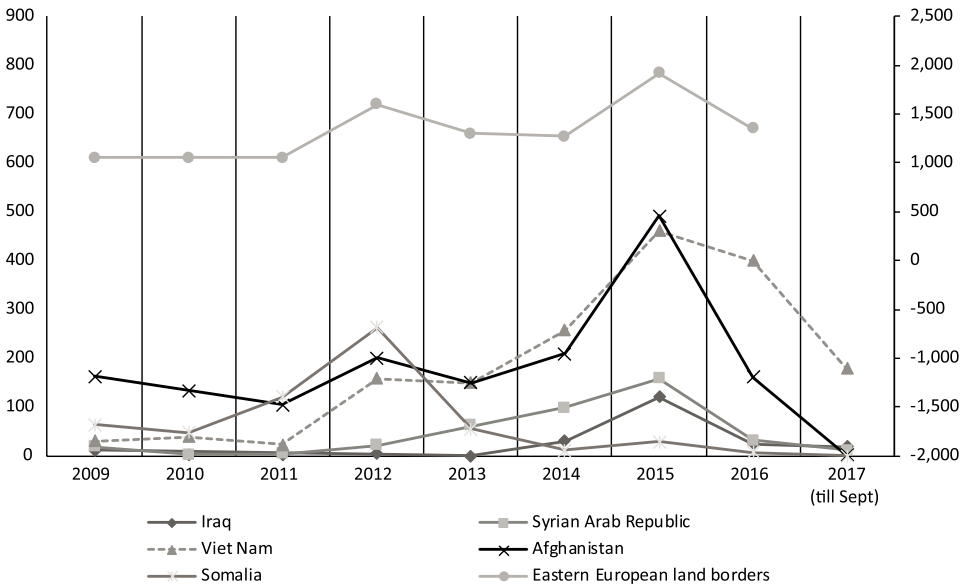
**Figure 4.5:** Number of IBCs, Eastern land border, 2009–2017, leaders among CIS countries (by nationality)



Source: Frontex database from 2009 to September 2017.



**Figure 4.6:** Number of IBCs, Eastern land border, 2009–2017, leaders among non-CIS countries



Source: Frontex database from 2009 to September 2017.

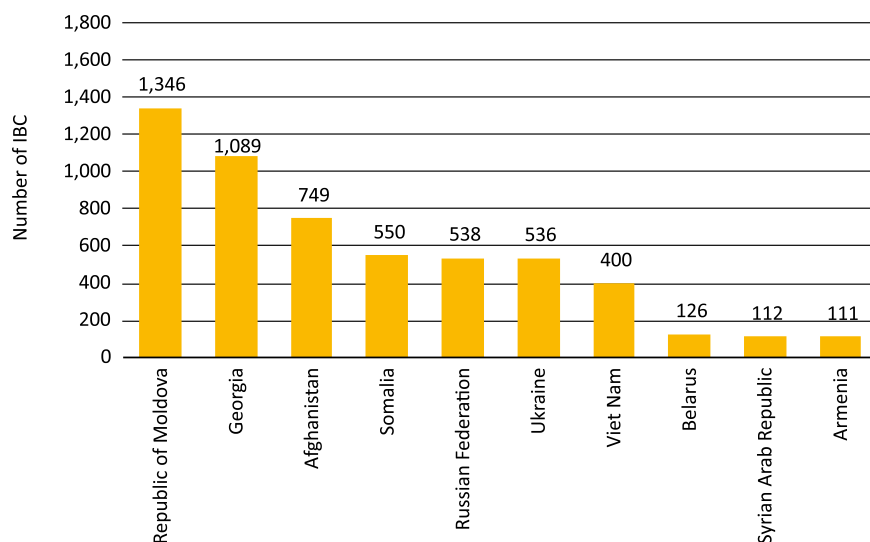
The national composition of migrants has changed during 2009–2013 and 2014– September 2017 periods (see Figures 4.7–4.8) (Frontex, 2017a), partly because in 2014, Moldovans, and in 2017, Georgians<sup>56</sup> and Ukrainians<sup>57</sup> obtained a free-visa regime with the European Union that reduced their number among IBCs.

<sup>56</sup> In April 2017.

<sup>57</sup> In June 2017.



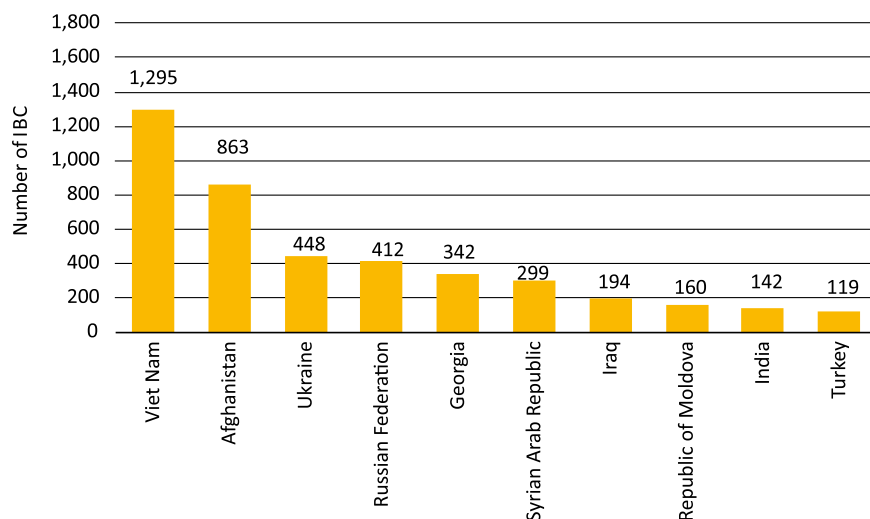
**Figure 4.7:** Top 10 countries on Number of IBC through Eastern Land Borders of the European Union, 2009–2013 (people)



Source: Frontex database from 2009 to September 2017.

From 2009 to 2013, Afghans were in the third and Vietnamese in the seventh position (Figure 4.7), and since the beginning of the Ukrainian and European crisis moved to the first and second position respectively (Figure 4.8).

**Figure 4.8:** Top 10 countries on number of IBCs through Eastern land borders of the European Union, 2014–2017 (People)



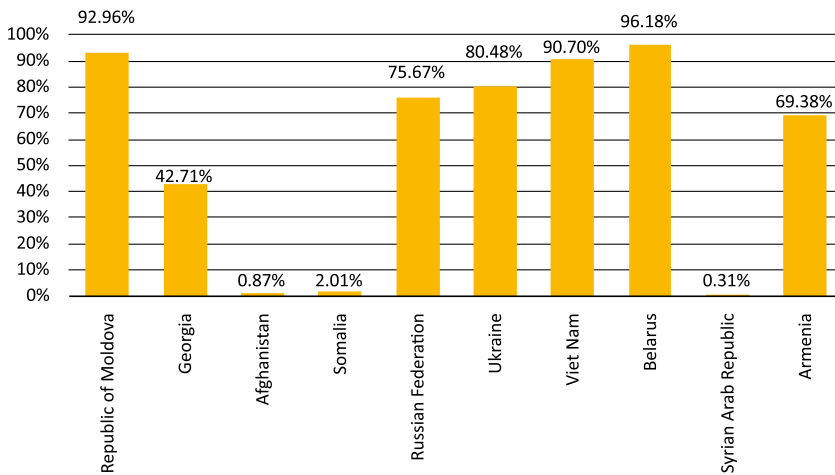
Source: Frontex database from 2009 to September 2017.





But the Index of Border Preference on IBC<sup>58</sup> for Afghans, Somalians, Syrians and Iraqi nationals shows that the eastern border is a marginal choice for them (less than 1%) for both periods of time, whereas this index is high (from 75% to 96%) for all regional nationals and Vietnamese (Figures 4.9 and 4.10).<sup>59</sup> The eastern border is their main route to the European Union.

**Figure 4.9:** Index of Border Preference on IBC through Eastern land borders, 2009–2013

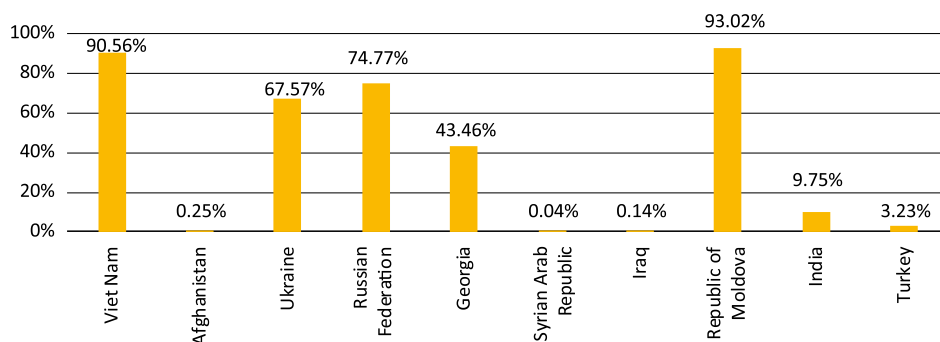


The last years observed tendency on replacement of regional nations by Iraq, India and Turkey nationals among the top 10 IBC nationals (Figures 4.9 and 4.10).

<sup>58</sup> The calculation was done for such periods, including September 2017, because of the beginning of the Ukrainian crisis in 2014.

<sup>59</sup> The Index of Border Preference would be the percentage of IBCs of nationals of a particular country, apprehended at the eastern European Union border, if the total number of IBCs by those nationals to the whole European Union equals 100 per cent.

**Figure 4.10:** Index of Border preference on IBC through Eastern land borders, 2014–2017



Sources: Frontex data on IBC for 2009–September 2017 (Frontex, 2017b).

### **Smugglers and their activities**

Regional facilitators are typical for the eastern European Union border sections. Russian citizens were ranking first, followed by Belarussians and Ukrainians. But along the Finnish border, smugglers were mainly citizens of Afghanistan, India, Cameroon, Pakistan and Bangladesh (Frontex, 2017a:11).<sup>60</sup> The existence of established diasporas creates an informal “migration infrastructure” (ethnic and/or criminal smugglers’ networks) that facilitates many types of irregular movements in the world through ties of kinship, friendship and common origin. The Russian Federation is not exceptional. This chapter will show that diasporas of Afghans, Vietnamese, Syrians and Chinese also contribute to smuggling activities in post-Soviet space.

Criminal groups of different ethnicities from the region play a leading role in the creation of smuggler networks across the Latvian–Russian border, according to the opinion of Latvian border guards (Eadaily, 2017a). They are mostly Russian citizens or have refugee status in the European Union (GPK, 2017c). They constituted 57 persons among 311 detected smugglers in the eastern borderland in 2016 (Frontex, 2017a:22). Many of them participated in the North Caucasus conflicts and are well prepared to hide both themselves and groups of irregular migrants in forests near the border (GPK, 2017b).

International criminal networks can control most of the legal and semi-legal employment agencies abroad, marriage agencies, visa brokers and other intermediary organizations involved in one way or another in the “business of

<sup>60</sup> It is explained by their migration in 2015–2016 on the Polar route guided by members of their diasporas in the Russian Federation.

international migration”, which includes both legal and irregular border crossing (IOM, 2002).

Despite the fact that it is mainly regional groups formed by Georgia, Armenia, the Russian Federation and Belarus nationals that engage in smuggling, they are greatly facilitated by the cooperation between smugglers of sending countries<sup>61</sup> (like Viet Nam, China or Afghanistan) and their ethnic diasporas in the European Union (such as Poland, Austria and Latvia) (GPK, 2017d). For example, one criminal group included citizens of Poland and the Russian Federation, the latter resided permanently in Austria with refugee status (Spatkai, 2016a).

In 2016, the activities of 68 organizers of clandestine migration channels were thwarted (Interfax, 2017). Most migrants from South-East Asia, the Middle East and North Africa entered the Russian Federation legally in the 1990s, 2000s and 2010s. They obtained visas, but later used the Russian Federation for unlawful transit to Western Europe with fake or forged documents or by secretly crossing the border (TASS, 2016).

Part of them travel through Belarus by minibuses and cars to the European Union border and cross it illegally. Often two cars are used. The first is a “pioneer” car (without migrants), the driver observes the situation and informs the second car with clients (GPK, 2017d and 2017e). The border strip is usually crossed by groups of 2 to 10 persons. Further transportation to Europe is carried out also by cars or minibuses (Eadaily, 2017a).

In cases that involve air or train travel with or without a forged passport, the smugglers negotiate with an acquaintance from BSFSS or waiters in trains or the local population, since they are familiar with the local surroundings and remote paths (Filippov, 2014).

### *Diversity of factors for smuggling*

All irregular migrants can be theoretically divided into the categories of transit, labour migrants and asylum seekers, but they are not as distinct as media discourse and migration policy may suggest (Virkkunen and Piiponen, 2017). The decision-making process, the movements of people and their motives for migration often change when circumstances are altered, and migrants react to

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<sup>61</sup> BSFSS divides smugglers into three groups (IOM, 2004:228): (a) those who facilitate the exit from the home country and entry into the transit country; (b) those that provide the exit from the transit country and entry into the country of destination; and (c) those that provide the exit from the home country into the destination country.



new situations. Here are four examples that show multiplied categorization of reasons for regional and non-regional migrants that, depending on the situation, can resort to one or another strategy to reach a goal.

*Central Asian labour migrants on the Russian ban list:*

These migrants try all possible ways to enter the Russian Federation or find other opportunities using facilitators for:

- (a) Seeking asylum in the European Union. If these migrants do not find a job in Kazakhstan or in Turkey, they use the Balkan, Ukraine and Belarus routes to reach the European Union;
- (b) Buying forged passports in Kyrgyzstan and Tajikistan (Sputnik, 2016);
- (c) Unlawfully crossing the Russian Federation–Kazakh border with the help of smugglers for KGS 45,000 (about USD 500) using Moscow–Bishkek train personnel, or passing unlawfully the Kazakh–Russian Federation border) (Beishenbek gizi, 2015); and
- (d) Buying a real Kyrgyz passport by Uzbek or Tajikistan nationals (Sputnik, 2016).<sup>62</sup>

Nowadays, smugglers use corruption and modern technologies. For example, in the Novosibirsk region, a criminal group was arrested that organized irregular migration into the Russian Federation. They had real passports of CIS citizens, work licence papers, high-quality faked migration cards and certificates of passing Russian language exams. They “legalized” up to 100 foreigners monthly (BSFSS, 2017b).

*Vietnamese:*

They form one of the largest and the only group of irregular non-regional nationals that use the eastern border route as their main inroad into the European Union (see Figures 4.9 and 4.10). According to some sources, their destination is Poland or Czechia. There are speculations that their bosses come from Vietnamese clans that were established by former employees of the Vietnamese embassies in the European Union (Galimski and Krzyżak, 2012).

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<sup>62</sup> Kyrgyzstan is a member of the Eurasian Economic Union, and its labour migrants enjoy preferential treatment on the labour market. The ID card of a Kyrgyz citizen is difficult to counterfeit, but it is “possible to buy a real passport in law enforcement institutions for three thousand dollars” (Sputnik, 2016).

One third of the Vietnamese come to Poland through Belarus. The starting point is the Russian Federation, and they cross into Lithuania, Latvia or Estonia as second step (Spatkai, 2016a and 2016b), travelling by organized groups, led by smugglers. Vietnamese irregular labour is often used for secret plantations on cannabis processing, controlled by criminal groups (Galimski and Krzyżak, 2012).

Latvian border guards reported that the flow of irregular migrants from Viet Nam on their section has decreased, but the one from Afghanistan increased, because Vietnamese migrants are looking for another safer route. So, smuggler networks have quickly reacted to changes of the border situation (TASS, 2017).

### *Afghans:*

Afghans are the largest group of transit migrants and asylum seekers in the Russian Federation after the withdrawal of Russian troops from Afghanistan in the 1980s. About 150,000 Afghan asylum seekers have arrived since 1994 (Ivanova, 2004). Only 491 of them received refugee status since the beginning of registration until the end of 2001. The majority continue to be irregular migrants in the Russian Federation. Their diaspora facilitates the transit of newcomers through the Russian Federation. Most Afghans were assisted by co-ethnic and regional smugglers who organized their trip and helped them along the way. About 5,500 refugees from the Syrian Arab Republic and Afghanistan left the Russian Federation through the Arctic checkpoint with Norway in the Murmansk region in 2015 by bicycles or old cars. Norway has since tightened its migration legislation, limited the entry of foreigners to the country through this checkpoint, and built some fences with the Russian Federation. Nevertheless, the new pass still works: “On the border with Norway a group of Moroccans were captured who tried to unlawfully cross the Russian-Norwegian border” (Sputnik, 2017). The strengthening of Norwegian border controls led to a reorientation of the flow to the Finnish border.

About one third of Afghan asylum seekers in Finland consist of those Afghan migrants who decided to remigrate from the Russian Federation, even though the average stay there was eight to nine years. Lacking prospects for children and poor living conditions became new push factors for them during the time of the European refugee crisis (Virkkunen and Piiponen, 2017:183).

From December 2015 to February 2016, about 1,500 transit migrants passed through the Lotta and Salla automobile border points. Since April 2016, both checkpoints have temporarily suspended their activities (Virkkunen and Piiponen, 2017). Criminal groups also pass the Saima canal by boats (Rambler, 2017).

Some have insisted that Afghan migrants crossing the Tajik border have been a threat for decades (SKPW, 2017). The Afghan border is well protected by the Russian Federation's 201st Division and by minefields in Uzbekistan along the Uzbek–Afghan and Uzbek–Tajik border. Afghan scholars also support this conclusion (Majidi and Danziger, 2017:180). But the situation on the Turkmenistan–Afghanistan and other borders is unknown.

#### *Russian North Caucasus migrants' outflows:*

North Caucasus asylum seekers flow into the European Union started since the second Chechen war in 1999 but have not stopped after its end (Molodikova, 2015). In the 1990s and mid-2000s, the Caucasus borders were the focus of different terrorist groups from Arab countries – Afghanistan and Pakistan – that supported the Chechnyan war and the North Caucasus Khalifate.

The Government of Chechnya has imposed collective responsibility for a “terrorist” family in order to combat terrorism. As a result, Chechen opposition now tries to either join *daesh* in the Middle East or migrate to the European Union.<sup>63</sup> Poland is their main gateway. They take the train from Moscow, go to Brest and use the local train from Brest to Terespol across the Polish border without a visa to apply for refugee status in Poland. Austria, France, Belgium and Germany are their main destination countries (Frontex, 2017a:22). Some settle down in Belarus, creating their own infrastructure for smuggling to the West and beyond. Facilitators demand EUR 5,000 for a family of four, or EUR 10,000, promising assistance with residence permits in European Union. The head of the MIA of the Brest Oblast (Belarus) said that these people from Chechnya and Dagestan are now mostly economic migrants (Lavnikovich, 2015). Others have argued that the flow of refugees from Chechnya remains high because of human rights violations there (Refugee, 2016).

In 2011, the Syrian war and the rise of *daesh* created reverse migration by volunteer fighters from the North Caucasus region to the Middle East. Russian *daesh* fighters travelled mainly through Azerbaijan and Turkey. In 2017, the number of *daesh* fighters from the Russian Federation in the Syrian Arab Republic was estimated to have increased from 3,500 to 10,000 (Eadaily, 2017b).

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<sup>63</sup> Of the 150 persons from Austria that were involved with ISIS in the Syrian Arab Republic in 2015, 50 per cent were Chechens with asylum status (Vaydahar, 2015).

**Table 4.1:** The comparison routes in IOM report (2002:42) with the situation in the middle of the 2010s. References

Routes in the beginning of the 2000s (IOM, 2002)	In the mid-2010s (author compilations)	Main routes to the European Union from the Russian Federation
1. The Moscow–Murmansk (Russian Federation) – Norway	Afghanistan*–Pakistan–Islamic Republic of Iran–Azerbaijan–Russian Federation	a. Belarus–Baltic States–West European Union (by foot, cars);
2a. Georgia/Armenia/Azerbaijan–Moscow/St Petersburg –Estonia/Latvia–Poland	2a. n/a for Georgia**	or
2b. Georgia–Belarus***–Russian Federation		b. Belarus–Poland/Baltic States (by foot, cars);
3. Afghanistan–Turkmenistan–Guriey (Kazakhstan)–Volgograd (Russian Federation)– Ukraine/ Belarus–Poland–Germany	3. Situation is unknown, since 2000	c. Ukraine****–Central and Eastern Europe–West European Union (cars, trains, by foot);
4. Afghanistan–Tajikistan–Bishkek (Kyrgyzstan)–Almaty (Kazakhstan)–Aktobe (Kazakhstan)–Uralsk (Kazakhstan)–Saratov (Russian Federation)–Samara (Russian Federation)–St Petersburg–Scandinavia	4a. Afghanistan–Tajikistan****– Russian Federation Afghanistan–Pakistan–Islamic Republic of Iran–Azerbaijan–Russian Federation 4b. Afghanistan–Pakistan–Central Asia/Kazakhstan–Russian Federation	or
5. Afghanistan–Tajikistan–Bishkek–Pavlodar (Kazakhstan)–Russian Federation	5. Exists	d. Baltic States (by foot, cars);
6. Atirau (Kazakhstan)–Astrakhan (Russian Federation)–Krasnodar (Russian Federation)–Stavropol (Russian Federation)– Ukraine/ Belarus–Poland–Germany	6. Central Asia (banned migrants)–Kazakhstan–Russian Federation	or
7. Central Asia–Russian Federation–Ukraine–Republic of Moldova–Romania–Hungary–European Union	7. Central Asia–Russian Federation 7a. Central Asia–Turkey–Balkan route–the European Union (asylum)	e. Scandinavian countries (cars and boats);
8. Middle East/South-East Asia–Turkey–Ukraine/ Belarus–Poland/Baltic States–Germany	8. Exists	or
		f. West European Union/ United Kingdom (flight, cargo ships, lorries, cars).

Routes in the beginning of the 2000s (IOM, 2002)	In the mid-2010s (author compilations)	Main routes to the European Union from the Russian Federation
Not presented but existed in 2000s		
9a. China–Central Asia–Russian Federation– European Union 9b. China–Far East (Russian Federation) –Moscow–Ukraine/Belarus–European Union (IOM, 2004; Gelbras, 2001)	9a. Does not exist***** 9b. Exists (Sadovskaya, 2016)	
	10. Viet Nam–Russian Federation	
11. Fighters’ migration to the Russian Federation: Middle East/Afghanistan/Pakistan -Azerbaijan/Georgia–North Caucasus*****	11a. Fighters’ migration from the Russian Federation: North Caucasus–Azerbaijan–Turkey–ISIS 11b. North Caucasus–Moscow–Belarus–Poland; asylum to the European Union	

- \* Afghans, engaged in commercial activities in Moscow, are recruiting groups and drawing up documents to cover their further movement.
- \*\* Georgia, since March 2017, has visa-free regime with the European Union.
- \*\*\* Migrants from Georgia legally arrive to Belarus, and smugglers replace their Georgian passports with Abkhazian passports to enter the Russian Federation unlawfully.
- \*\*\*\* Irregular border crossing is almost impossible.
- \*\*\*\*\* Now the Ukrainian route is problematic.
- \*\*\*\*\* The agreements of the 1990s on visa-free travel between China and Kyrgyzstan, China and Kazakhstan do not work anymore in 2017.
- \*\*\*\*\* In the 1990s to the beginning of 2000s, groups of up to 40 people were regularly detected who are trying to cross the Kazakhstan border into Russian in order to join the insurgents in Chechnya (IOM, 2004:258).





A comparison of irregular migration flows in Table 4.1 shows the growing variety and complexity of routes, some reverses, disappearing and constricting of new networks. The Russian Federation and other CIS countries have undertaken enormous efforts to combat irregular migration. In response to tightening border controls, however, migrants have been trying to find new routes and are increasingly attempting border crossings with the help of smugglers in other than eastern border sections. As a result, the geography of transit migration flows is constantly changing following world tendencies.

## Conclusion and ways forward

This review of research and existing data on migration in general shows the marginal place of the topic of smuggling in the Russian Federation. The understanding of migrant smuggling in the Russian Federation clearly shows huge gaps in data as well as methodology. The absence of complex research for the last decade is related to the difficulty of accessing information from BSFSS, a lack of funds for research and of access to border regime zones.

The harmonization of BSFSS and MIA methodologies and information is urgently needed.

In the 1990s and to the 2000s, all the main publications on the topic of smuggling that were put forth in the Russian Federation were only made possible with the support of international organizations, such as IOM, ILO, OSCE and UNODC. Nowadays, Russian scholars can find some information in international resources, such as Europol, International Centre for Migration Policy Development, UNHCR, IOM, Eurostat and Frontex, or in reports such as the CIS countries' intergovernmental portal (CIS Countries governmental portal, 2016a), which provides information on the migration situation in every CIS country. They can also search for news on the Belarus Border Service portal to get information about their own country.

The merging of the FMS with MIA in 2016 deteriorated the access to their data. After the liquidation of the FMS, two MIA databanks (GISMY and SBDYIG) are no longer accessible to researchers, not even information on the number of asylum applications. The only data of the Russian BSFSS that is available is the one concerning transit migrants. Ideally, information that is transferred to Frontex could be made available, including of the terminology and methodology used, especially for occasional public information on apprehensions in border regime zones and SJBOs.

The Russian Federation and other CIS countries have undertaken enormous efforts combating irregular migration and their organizers. Over the years, the number of annual SJBO operations has increased, as well as their geographic areas and the number of countries involved in detecting irregular crossings. In response, the eastern route to the European Union has become less attractive for irregular migrants in recent years. Migrants have been trying to find new routes, crossing the border with the help of smugglers in other places. But the sources of push factors are still strong, and under different circumstances, these passages can any time become profitable for human smuggling again.

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# 5

## SOUTHERN EUROPE

Elena Sánchez-Montijano and Albert F. Arcarons

### Introduction

Since the peak of 2015, the number of irregular border crossings in Europe's external borders has reduced significantly. From the 2015 high of 1.8 million, in 2016 over half a million crossings were detected, a figure that reduced by a further 60 per cent in 2017 (Frontex, 2017). Most of these detected crossings took place in Europe's southern coasts, and so this chapter focuses primarily on maritime smuggling, the principal migrant-smuggling method (Frontex, 2018), into five Southern European countries: Greece, Italy, Malta, Portugal and Spain. The first two – Greece and Italy – are among the top five European destinations for migrants who use smuggling services, with the highest concentration of smuggling hotspots in the European Union (Europol and INTERPOL, 2016), followed closely by Spain (Shelley, 2014). These three countries, together with Portugal, are also among the major hubs of organized crime in Europe (Peixoto, 2009). Malta, on the other hand, is considered by migrants to be a dead-end destination, especially since its accession to the European Union in 2004, as it does not have a mainland territory (United Nations Office on Drugs and Crime (UNODC), 2011) or “hinterland” (Lutterbeck, 2009). Southern Europe represents a unique subregion for research on migrant smuggling, being the Mediterranean smuggling routes, particularly the central one, the riskiest in the world. They accounted for about two thirds of migrant deaths and missing migrants worldwide in 2015–2016, and almost 60 per cent in 2017 (International Organization for Migration (IOM), 2017). This trend is not abating, rather the opposite, to judge from the available figures for 2018 so far (IOM, 2018a).

The connection between irregular migration and migrant smuggling as a criminal activity is relatively recent in Europe. It was established as a result of the first major refugee crisis in the mid-1990s (Angeli and Triandafyllidou, 2016). The five countries studied in this chapter have signed (in 2000) and ratified (between 2002 and 2011) the Palermo Protocols against the Smuggling of Migrants by Land, Sea and Air (UN, 2000), which, together with the UN Convention against Transnational Organized Crime (UNTOC), serve as an international legal framework to counteract trafficking, smuggling and exploitation practices. At the

European level, the countries studied also take part in the European Union effort in response to irregular migration. Fighting irregular migration, and migrant smuggling in particular, is a key priority of the European Agenda on Migration (2015–2020), in which a common Action Plan against Migrant Smuggling was adopted.<sup>64</sup> As part of this, in 2016, Europol launched the European Smuggling Centre to support police and border authorities in coordinating complex anti-smuggling operations.

While European Union counter-smuggling measures and initiatives have a European scope, most of them also focus on smuggling in the Mediterranean, as well as in transit and origin countries. The European Union Action Plan against Migrant Smuggling is based on three main pillars: Frontex, Europol and the military operation EUNavFor MED (also known as Sophia), which is approved by the European Union foreign affairs ministers in 2015 with the objective of dismantling smuggling networks offshore. Frontex, which also operates outside of the European Union, elaborates quarterly risk analyses on migrant smuggling routes. Europol, on the other hand, through the JOT Mare team and the focal point on migrant smuggling, serves as the European Union's information hub for cases of migrant smuggling by sea. At the international level, in 2016, NATO defence ministers, in cooperation with the European Union's border management agency Frontex, decided to deploy ships to the Aegean Sea. Moreover, the European Union also holds joint initiatives such as for instance the GLO.ACT (2015–2019) with the UNODC, and the cooperation between Europol and its international counterpart INTERPOL (Europol and INTERPOL, 2016). On top of this, the European Union also provides technical and financial assistance, as well as information and prevention campaigns, in third countries, such as Ethiopia or Niger, to counter migrant smuggling at origin or transit.

The purpose of this chapter is twofold. First, it seeks to provide an overview of available migrant smuggling data sources in Southern Europe, and assess the scale and characteristics of the phenomenon in the region. Second, it provides a review of the academic and more applied research on migrant smuggling in the region, identifying the main assumptions upon which this work is based, and how this has affected both methodological approaches and knowledge that has been generated. The chapter contributes to a broader discussion on migrant smuggling by identifying potential gaps and limitations of the available evidence in the region, and also by pointing out good research and data collection practices, and how these could be applied in other regions.

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<sup>64</sup> European Commission, 2015c.



The first section of the chapter provides an overview of migrant smuggling data in the region. In this part, the authors identify the main organizations collecting the data, comment on the type and characteristics of the data being collected, and the way in which they are collected, used and made available. The next section then provides an overview on the research on migrant smuggling in Southern Europe. It identifies first the main challenges for smuggling research, and then assesses to which extent the studies conducted in the region are able to provide a response to them by discussing their scope and methodology. The chapter then brings together existing data and common research findings to provide both an overall picture of the characteristics of the smugglers and the migrants, as well as a description of the main routes used, and the personal and economic costs and profits involved in the smuggling process into the region. Finally, the authors conclude by summarizing the main points raised, and discussing the main gaps while also proposing possible ways forward.

### Overview of migrant smuggling data

The Mediterranean area has one of the most systematic and varied compilations of data on irregular migration in the world. There are several national and international institutions and organizations collecting quantitative data on irregular movements (arrivals), sea rescues, migrant deaths and apprehension of smugglers in the area. Despite the considerable efforts to collect, compile and analyse the available data, three main challenges related to the collection and categorization of data on smuggling can be identified. The first one, and the most important, relates to the illegal and clandestine nature of the phenomenon. There are only available data on those cases that are failed (i.e. migrants detected at borders or apprehension of smugglers). Secondly, smuggling is criminalized in many countries, which means that some data are sensitive and classified, including as it relates to counter smuggling law enforcement operations and prosecutions. Both issues hinder the provision of a clear picture on migrant smuggling in Southern Europe; and so proxy data are often relied upon, such as irregular arrivals, deaths or smuggler apprehensions.



### Box 5.1: United Nations data on irregular migrants and smuggling in the Mediterranean

At the international level, the main providers of data are the largest migration agencies from United Nations, which mainly focus on irregular migrant flows. Although these agencies make data available all over the world, the so-called refugee crisis has brought special attention to the Mediterranean area. Both the United Nations High Commissioner for Refugees (UNHCR) in the Operational Portal/Refugee Situation<sup>65</sup> and IOM<sup>66</sup> through the Missing Migrants Project and “Migration Flows” compile and analyse data on sea arrivals and deaths in the Mediterranean in a specific manner. In the same vein, the recent global Migration Data Portal, launched on 15 December 2017 by IOM’s Global Migration Data Analysis Centre (GMDAC), includes analyses of the Mediterranean region as a whole, and also disaggregated by country, including Southern European countries. Both international organizations offer raw data and also analysis through reports, where data of the Southern European countries are included.

UNODC<sup>67</sup> is the only UN agency with the specific mandate on smuggling worldwide. Despite several projects and actions carried out by this office, and in collaboration with others, the agency does not provide smuggling data publicly. The only available figures are on trafficking in persons<sup>68</sup> by country (including Greece, Italy, Malta, Portugal and Spain) from 2010.

The European Union is investing significant effort to improve the data collected, particularly since 2015 and specifically in the Mediterranean area. The two main European agencies compiling most of the data on smuggling in the Mediterranean Sea are Frontex and Europol. Although Frontex<sup>69</sup> is mainly focused on irregular migration, main routes and trends, it also collects the number of individuals detected, facilitating irregular migrants in Southern European countries. The main publication in which the data can be obtained is the *Annual Risk Analysis*. Since 2015, Europol has been publishing in-depth analysis of the smuggling situation in the Mediterranean. As one of these publications mentions the findings collected in all these reports “emerge from the thorough analysis of a broad range of sources” (Europol and INTERPOL, 2016:14) such as debriefings of migrants collected by Frontex and European Union Member States, social media analysis, reports from partner agencies (Frontex, European Asylum Support Office, UN agencies) and National Central Bureaus, among many others. From the information in their reports, it is possible to extract data in the Mediterranean about the following: (a) how much money smuggling networks make; (b) how many migrants are using facilitation services; (c) how much an immigrant has to pay for this service; (d) how many people are suspected of

<sup>65</sup> UNHCR, Operational Portal (Mediterranean Situation). Available from <http://data2.unhcr.org/en/situations/mediterranean> (last accessed March 2018).

<sup>66</sup> IOM, Missing Migrants Project (<http://missingmigrants.iom.int/region/mediterranean>) and Migration Flows – Europe (<http://migration.iom.int/europe/>).

<sup>67</sup> UNODC, UNODC on human trafficking and migrant smuggling. Available from [www.unodc.org/unodc/en/human-trafficking/index.html?ref=menuaside](http://www.unodc.org/unodc/en/human-trafficking/index.html?ref=menuaside) (last accessed March 2018).

<sup>68</sup> UNODC, Statistics. Available from <https://data.unodc.org/#state:2> (last accessed March 2018).

<sup>69</sup> Frontex. Available from <http://frontex.europa.eu>



being involved in migrant smuggling (by nationality); (e) how many of them are also involved in other types of crime; and/or (f) how many smuggling hotspots there are and where (Europol, 2016; Europol and INTERPOL, 2016).

The main providers of data on how many people are suspect of involvement in migrant smuggling, or how many people have been apprehended, are States, through their respective national law enforcement agencies. The five countries covered in this chapter collect official data on smuggler apprehensions. How the data are presented and analysed vary from one country to another. As mentioned, all the Southern European countries in this chapter have ratified the UN Convention and its supplementary protocol on smuggling, which means that all of them identify migrant smuggling according to the agreed definition, as the data provided by national law enforcement agencies show.

In contrast to the European Union level, where there is an in-depth analysis through some publications regarding the issue, the primary data at the national level are reported by the State law enforcement agencies (mainly national police and coast guards). In this regard, in most of the countries when data are available, they are on the website without any kind of analysis or explanation. A good example is the presentation of data from the Government of Greece. The data, from 2006 to 2017, are published on the Hellenic Police website in Greek. The website has a specific section titled “Migration and refugees” with an “Illegal immigrants” subsection, which reports data on “Arrested immigrants for illegal entry and stay by Police and Port Authorities” through to “Apprehended traffickers of illegal immigrants by Police and Port Authorities”. The statistical data are presented in a primary form for the first six years of analysis; while from 2010 onwards, the data are also represented graphically, which provides the possibility of conducting trend analysis (from 2006 to 2017).

The Italian Ministry of the Interior collects and publishes data on irregular arrivals by nationality, port of arrival and relocation in the European Union.<sup>70</sup> The National Italian Police,<sup>71</sup> as in the previous case, reports data on smuggling arrests. Frequently, the police department publishes news on specific smuggling cases, where data on people arrested and their nationalities are included. In any case, the most systematic data on arrivals, rescues and facilitators arrested are not accessible publicly, and they must be requested by means of a petition. The data are provided quickly through internal publications, although the primary data are not presented by calendar year (mainly from August to August), which

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<sup>70</sup> Ministero dell’Interno, Dipartiment per le libertà civili e l’immigrazione. Available from [www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto\\_31-10-2017.pdf](http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto_31-10-2017.pdf)

<sup>71</sup> Polizia di Stato. Available from <https://poliziamoderna.poliziadistato.it>

makes it difficult to conduct comparative analysis with other countries. Most of the available data can be obtained through secondary sources, such as the European Commission (2015a and 2015b) or the European Migration Network (2014).

The European Parliament identified Malta as the European country with the greatest migratory pressure compared with its capacity (European Commission, 2015b). Accordingly, Triton operation has had an important impact in preventing arrivals from reaching its coasts mainly because migrants rescued are landed in Italy (European Commission, 2015a). The collection of data is undertaken by the Malta Police Force, supported by the Armed Forces of Malta (Ministry for Home Affairs and National Security), and are not available publicly and should be requested by petition. As in the Italian case, some data can be analysed through secondary sources.

Portugal is the most unexplored country of the selected cases. The most common entrance for irregular migrants is via airports, with very few sea arrivals reported. As in the previous countries, there are no available primary data, but some data can be obtained through secondary sources. In this regard, two annual publications should be highlighted: (a) *Immigration, Borders and Asylum Report* (Foreign and Borders Service, 2016); and (b) *Internal Security Report* (Internal Security Service, 2016). These publications collect data on irregular entries and apprehension of facilitators.

Finally, the Ministry of Home Affairs of the Government of Spain does not have data available on its website, but they can be obtained with a petition by e-mail. In fact, primary data are provided quickly and in a comprehensive way. The data about the pasantes de migrantes (migrant smugglers) make reference to crimes, apprehensions and investigations conducted by the national law enforcement agencies from the period needed. In any case, the ministry publishes arrests in a news section in its website. An in-depth and systematic analysis of all these news items might also provide analysts with reliable data. Furthermore, the maritime rescue agency also reports on its website data on rescues at sea of irregular migrants.<sup>72</sup>

The complexity of the smuggling phenomenon, and its nature as an illegal activity, makes it necessary to complement quantitative data with other types of analysis. The qualitative data can support multifaceted explorations of these complex issues and uncover in-depth insights into the smuggling phenomenon

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<sup>72</sup> Salvamento Marítimo. Available from [www.salvamentomaritimo.es/sm/que-hacemos/estadisticas/evolucion-de-actuaciones-de-inmigracion-por-centros-2014/?ids=354](http://www.salvamentomaritimo.es/sm/que-hacemos/estadisticas/evolucion-de-actuaciones-de-inmigracion-por-centros-2014/?ids=354)

by providing detailed analyses of changes in routes, current trends in exploitation or the costs of a trip. A unique qualitative analysis in this regard is the research carried out in 2015 by a consortium of three European organizations, commissioned by the European Commission's Directorate General for Migration and Home Affairs (European Commission, 2015a). Through a hundred interviews, the study explored smuggling activities in Greece, Italy, Malta and Spain, among many other countries. The data provided by this publication cover the duration of a smuggling process, and financial aspects such as costs of operations, prices, fees and payment modalities. Other initiatives such as the CLANDESTINO Project (2005–2009), which made an effort to estimate irregular migrant populations in 12 European countries through a unique database, or the Global Detention Project,<sup>73</sup> which documents and monitors the detention of migrants, should be also considered. Finally, data generated by non-governmental organizations or media are also important, particularly to discover changes in smuggling patterns and processes, and to raise awareness in public discourses. In any case, most of these data are more anecdotal rather than analytical, with a high degree of reliability deficit.

## Overview of research on migrant smuggling

The 2015 migration crisis led to an increase in the number of studies on migrant smuggling in Southern Europe, although the vast majority of them were completed about a decade ago as a result of the previous migration crisis in the 1990s (Baird, 2016). Despite the emerging body of research on migrant smuggling in Southern Europe and elsewhere, the theoretical understanding of the phenomenon lags behind the interest of governmental and international organizations and the media (Salt, 2000; UNODC, 2011). The main explanation for this is that in migrant smuggling research, it is difficult to achieve an inside perspective due to the clandestine nature of the object of study, which poses great methodological and ethical challenges. More concretely, research on the topic in Southern Europe faces three main challenges. First, it suffers from a double disadvantage, as difficulties in data collection challenge the theoretical understanding of migrant smuggling practices, which at the same time hampers data collection in itself (Baird and van Liempt, 2016). Moreover, and to a great extent as a consequence of this double disadvantage, research on migrant smuggling is still scattered between countries and academic disciplines (McAuliffe and Laczko, 2016). Second, even if there is an increasing degree of complementation between the more conventional criminological approach – in which most States and international organizations operate – and the so-called sociological one, there is still a clear dominance of the former over the

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<sup>73</sup> Global Detention Project. Available from [www.globaldetentionproject.org](http://www.globaldetentionproject.org)

latter. Third, and related to this second point, there is a lack of correspondence between more recent research findings and established counter-smuggling policy practices in the region (Crawley et al., 2016). Despite these challenges, research in Southern Europe makes important contributions to the field.

Overall, applied research on migrant smuggling in Southern Europe has focused more on the description and changing nature of smuggling methods and migrant flows and routes –following in general terms a more conventional or criminological approach. Academic research from different disciplinary traditions has aimed instead at tackling the complex relationship and dynamics between smugglers’ practices, policy responses and migrants’ decisions (Abdel Aziz, Monzini and Pastore, 2015). The target group of the academic studies reviewed is however mostly migrants from different nationalities who use smuggling facilitation services. Smugglers and asylum seekers or refugees are less often defined as target groups, although the latter have received more attention since 2015.

Some researchers have also conducted case studies on the smuggling experience of specific co-ethnic groups in either one or several transit and destination countries. This is the case for instance of Belloni (2015), who studies the use of smuggling services of Eritrean refugees to reach Italy and beyond. The study takes a sociological perspective and contributes in theorizing what the author defines as high-risk forced migration. It focuses on decision-making and risk-taking and perceptions at different stages of the migration process, accounting for the context in which these decisions and perceptions occur. In her work, the author also calls into question the notion of smuggler as criminal, arguing that in the Eritrean context migrant smuggling includes a wide array of professionals (middlemen, drivers and guides) with very different responsibilities (Belloni, 2016).

The fact that by definition, according to the UNTOC Convention and the Palermo protocols, migrant smuggling is a transnational phenomenon, which involves the crossing of at least one national border, influences the geographic scope of research on the topic in Southern Europe. However, internal migrants might also be smuggled within countries with strict internal controls. Even if the studies reviewed are mostly conducted in, or make reference to, one of the five countries of interest of this chapter (mostly Greece and Italy), they tend also to either focus explicitly on, or refer to, origin and immediate transit countries, especially Turkey (Içduygu, 2004 and 2007; İçduygu and Koser Akcapar, 2016), and also Libya (Lutterbeck, 2013) and Morocco (Carling, 2007).



More applied studies have often a wider geographical scope, describing in aggregate terms, using data from national (e.g. ministries of interior) and international sources (e.g. Frontex), the main migration routes to Southern Europe or the Mediterranean region more generally. The *Joint Europol-Interpol Report on Migrant Smuggling Networks* (2016) is a clear example of applied research following a criminological perspective. The study is mostly based on secondary data, using for instance a criminal profile analysis and a comparative analysis of the composition and structure of a sample of smuggling networks. Another type of applied research – the Altai consulting report (2015) on *Migration Trends Across the Mediterranean* – combines however the secondary analysis of data with original data collection through in-depth interviews with migrants in different locations and countries. Nevertheless, and notwithstanding the Altai example, applied research tends to refer to smuggling as a unified industry, and less often directs its attention to the relationship between smugglers and migrants.

Migrant smuggling research in Southern Europe uses a rich variety of research designs, instruments of data collection and methods of analysis. In several studies, more than one instrument and/or methodological strategy is used. A large number of research designs are based on a dynamic approximation by reconstructing ex post or retrospectively, or more rarely documenting en route and/or in transit (i.e. prospectively), the migration experience from the point of view of the different actors involved. The most common methods used are semi-structured in-depth interviews. Even if the target group are mostly migrants, in the review of the literature, other methods such as interviews of police officials, border authorities, refugees (at origin, en route or in transit, and at destination), smugglers (ex-convicted, inactive or active), experts, government officials, Frontex analysts and stakeholders are also identified (Içduygu, 2004; Triandafyllidou and Maroukis, 2012). Demir, Sever and Kahya (2017), in their criminological study on the social organization of migrant smugglers in Turkey, conduct for instance face-to-face interviews with 54 convicted smugglers, with different years of experience and ranks in the organization, in eight Turkish provinces. The authors argue that the fact that smugglers have already been convicted reduces their likelihood to conceal the truth. Içli, Sever and Sever (2015) follow a similar strategy and interviewed 262 irregular migrants and 174 smugglers captured in Istanbul from 2007 to 2013.

It is also common to conduct secondary analysis of statistical data/ estimates of apprehended persons (both smugglers and migrants). These data come mostly from governmental sources (ministries of Interior), research centres and international governmental and non-governmental organizations. Several authors point out, however, that data on apprehensions are biased towards

non-successful smuggling practices with lower means, as the successful ones are, by definition, not observed in this kind of research design. Acknowledging the limitations of the use of only one method of analysis, especially given the complexity of the object of study, some studies combine both interviews and secondary data analysis. Antonopoulos and Winterdyk (2006), for example, combine interviews to policemen, middlemen (drivers) and migrants with statistics on arrested smugglers to analyse the social organization of smuggling in Greece. In his study on human smuggling in the Eastern and the Central Mediterranean routes, Campana (2017) also combines the secondary analyses of Frontex data with semi-structured interviews with Frontex analysts in order to, among other aspects, unfold potential biases in the data collection practices of Frontex and European Union Member States.

Other studies also use surveys or closed questionnaire-based interviews (Galos et al., 2017; Herman, 2006), reconstruct life histories with a multi-method strategy (Mandic and Simpson, 2017), conduct single (Schapendonk, 2017) or multi-sited ethnographies (Belloni, 2015), analyse police transcripts and court files on smuggling-related trials (Coluccello and Massey, 2007; Pastore, Monzini and Sciortino, 2006) or systematically analyse media reports and “grey” literature (Carling, 2007). Due to the hard-to-reach nature of the population of interest and the high sensitivity of the topic, data collection strategies have recently begun to rely also on Internet-based tools (e.g. web-based surveys and online interviews), as well as GPS technologies to track migrant journeys (McAuliffe et al., 2017).

Among the studies reviewed, the recent work of Mandic and Simpson (2017) on Syrian refugees along the Balkan route is a paradigmatic example of a good research practice that could be applied elsewhere. The authors analyse both the role of smuggling and anti-smuggling policies on en route risk-taking. The main finding, based on 409 coded risk events, is that both government-induced and shifted risk events – the latter defined as the unintended consequences of government repression or policy against smugglers – are significantly more common causes of harm for Syrian refugees in the Balkan route than smuggling-induced risk events. Apart from its innovative research question and rather unconventional findings (with respect to purely criminological approaches), the study contributes to the literature also by focusing specifically on refugees and proposing a transnational perspective. The authors use a cross-country design in which a destination country (Germany) is defined, even though the emphasis is placed on the early (Jordan and Turkey) and mid segments of the route (Serbia and Greece). Moreover, the within-country diversification of site selection (e.g. formal and informal camps, urban and rural settings and border crossings) for data collection is a good strategy as it prevents from ending up with a highly selected sample of migrants. Another strength of the study is that

it gathers original data through a multi-method strategy, including interviews to refugees (n=123) and experts (n=75), surveys (n=100) and ethnography in order to reconstruct migration histories by specifically quantifying and qualifying risk events.

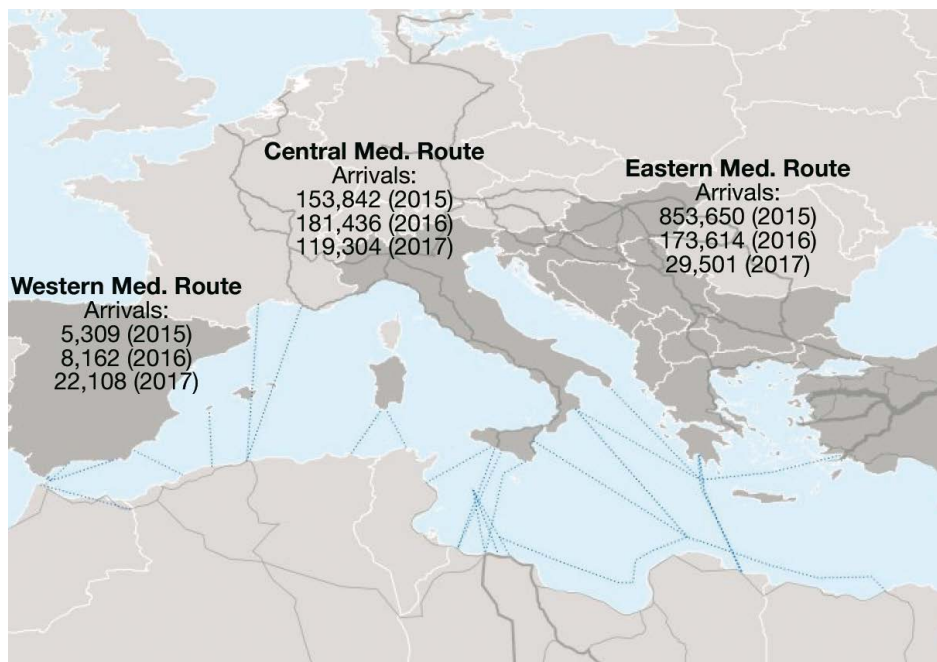
In sum, there is heterogeneity in several dimensions in the study of migrant smuggling in Southern Europe, with good research practices that make important contributions to the literature and could be exported to study the phenomenon in other regions. In terms of the line of inquiry followed, the overview of the literature on migrant smuggling in Southern Europe shows that this is aligned with the more general sociological shift in the field. This turn has occurred mostly in the last decade, and it has been driven primarily by academic research. In terms of research scope, despite being migrants usually the main target group of study, there are different studies that also focus on, and elicit data from, border officials, experts, smugglers and refugees among other actors. Often research designs include more than one research method, and in most occasions, this multi-method strategy is justified by the complexity of the object of study. Finally, research on migrant smuggling in Southern Europe reaches relevant conclusions for the advance of the field despite the main problems exposed at the beginning of this section. The following section discusses these findings in detail.

### **What does the existing evidence base tell us about migrant smuggling in Southern Europe?**

Between 2015 and 2017, about 1.6 million migrants reached the European Mediterranean coasts irregularly through the three main established routes according to IOM (2018b). The Eastern Mediterranean was the main route in 2015 with 853,650 irregular border detected crossings, but the European Union–Turkey statement and the closure of the Balkan route resulted in an abrupt drop in arrivals to Greece. Meanwhile, the Central Mediterranean has become the major route by sea in the last two years with 181,436 crossings in 2016, and 119,304 in 2017. Although there has been a generalized decrease in flows in the Eastern and Central Mediterranean routes, the western one, the least crowded, has experienced a significant increase in the last years. The number of irregular migrants detected crossing this route stood at 5,309 persons in 2015, 8,162 in 2016 and 22,108 in 2017 (see Map 5.1). Based on recent estimates, the agency predicts, on the other hand, a further increase in irregular migration flows from Maghreb countries to Spain in 2018 (Frontex, 2018).



**Map 5.1:** Smuggling routes into Southern Europe and total arrivals by sea in the Mediterranean, 2015–2017



Source: IOM, 2018b.

Note: Arrivals by sea in the Mediterranean from 1 January to 31 December (2015–2017).

This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

There has been a shift in the composition/proportion of the mixed-migration flows. If before 2015 most of the migrants arrived to European coasts for non-protection reasons, at the end of this year, 84 per cent of the people should be eligible to obtain refugee status, according to UNHCR (Clayton and Holland, 2015). But this tendency has changed again judging by the nationalities of the people arrived along the Mediterranean routes. For instance, meanwhile in 2015, more than 50 per cent of the arrivals to Greece were migrants from the Syrian Arab Republic with a recognition rate of 95 per cent in the European Union. In 2017, more than 50 per cent are from Albania, a country with a recognition rate of international protection of 5 per cent according to Eurostat.<sup>74</sup>

<sup>74</sup> Eurostat, First instance decisions on applications by citizenship, age and sex quarterly data (rounded). Code: migr\_asydcfstq. Available from [http://ec.europa.eu/eurostat/web/products-datasets/-/migr\\_asydcfstq](http://ec.europa.eu/eurostat/web/products-datasets/-/migr_asydcfstq) (last accessed March 2018).



The Mediterranean Sea has become the deadliest crossing area in the world (IOM, 2018a). Since 2014, more than 3,000 persons per year lost their lives at sea trying to reach European coasts. The higher figures were in 2016 with 5,143 migrant deaths, according to IOM. Most of these losses have occurred in the coast of Italy and Malta (Table 5.1), where the journey is more dangerous and longer. Far from a decrease in this huge amount of life losses, the figures of 2018 (414, from 1 January to 23 February) are very similar to the data of 2016, with 425 deaths. Although there has been a slight decrease in absolute terms, in 2016, the proportion of deaths with respect to the number of arrivals was 1.2 per cent, while in 2017, it reached 1.5 per cent.

**Table 5.1: Migrant deaths by main Mediterranean routes**

	2014	2015	2016	2017	2018
Central route	3,165	2,877	4,581	2,834	316
Eastern route	59	806	434	62	0
Western route	59	102	128	223	98
<b>Total</b>	<b>3,283</b>	<b>3,785</b>	<b>5,143</b>	<b>3,119</b>	<b>414</b>

Source: Missing Migrants Project, IOM, 2018a.

Note: For 2018, data are available from 1 January to 23 February.

From the review of the data and literature, three main substantive findings on Southern Europe emerge. First, migrant smuggling into the region is a demand-driven market with relatively low barriers of entry and a high degree of competition among rather autonomous and independent smugglers. In this context, smugglers respond to the trade-off between business opportunity and economic and personal costs (Campana, 2017). Data show that about 80 to 90 per cent of the migrants who are trying to reach European coasts use facilitation or smuggling services. The value generated by migrant smuggling in 2015 was estimated to be USD 6 billion, and the average amount per person approximately paid to smugglers for the journey was between USD 3,200 and USD 6,500 (Abdel Aziz, Monzini and Pastore, 2015; Europol and INTERPOL, 2016).

Second, to be responsive to both demand and policy changes, smuggling networks are mostly decentralized and based on loose connections between their different components, involving more or less specialized services (e.g. transportation, accommodation, provision of illegal documentation and bribing of border officials among other) offered by different professionals along the routes who do not always involve per se in any criminal activity (Ambrosini, 2017). These findings reconfirm the current knowledge that smuggling networks are fluid, agile and based on relationships that involve different degrees of illicit



behaviour (see also for instance the notion of “smuggling spectrum” in McAuliffe and Laczko (2016:8)). Migrant smuggling practices in the region are therefore heterogeneous. On one hand, studies show that the line between smuggling and trafficking is thin as a consequence of the increase and complexity of the flows, and the intensification of competition, particularly in some countries such as Libya (Abdel Aziz, Monzini and Pastore, 2015:61–62). Moreover, in many cases, smugglers are involved in other areas of crime. In 2015, 220 smugglers were identified as being involved in more than one crime area in the European Union (INTERPOL, 2017:9). Drug trafficking, property crime and document forging are among the most common. On the other hand, even if several studies report abuse and exploitation, others find that some smugglers also follow an ethical code and hold responsibility for their actions. Ultimately, smuggling practices use marketing strategies and are based on reputation and trust between intermediaries and clients in a context of illegality and uncertainty (Belloni, 2015 and 2016). In addition to being service providers in the black market, smugglers are also trusted sources to which migrants and refugees refer to obtain information and guidance, although often the former induce risky migratory decisions for their own benefit (Mandic and Simpson, 2017:11). This trust-based relationship rests therefore on weak grounds, as the changing dynamics of the business model of migrant smuggling in origin and transit is likely to break it without any reputation harm for smugglers. On top of this, evidence points to an additional level of complexity. The boundary between smugglers and smuggled is blurred, as the latter might also become part of the smuggling network (Papadopoulou, 2004). In this context, migrants’ informal social networks (e.g. relatives and co-ethnics) in transit or destination countries, and information and communication technologies, are also of key importance for smuggling practices to operate and succeed (Içduygu, 2004).

Third, European and national anti-smuggling policies and operations in Southern Europe and immediate transit countries – including the bilateral agreements between the European Union and origin and last transit countries such as Turkey or Libya – target the supply side (i.e. smugglers). The needs and characteristics of the demand (i.e. the migrants), as well as the social context in which these arise, are afforded less emphasis. Some evidence points in the direction that the anti-smuggling policies in place, which limit legal channels of entry (Papadopoulou, 2002), are ultimately favouring the supply by fostering both the incentives for and the necessity of smugglers in detriment of the demand – i.e. the security of migrants and asylum seekers (Antonopoulos and Winterdyk, 2006; Mandic and Simpson, 2017). In this vein, Monzini (2007) remarks how State policies and actions have, as a direct consequence, an increase of the complexity of smuggling networks. Belloni (2015) adds to this debate by arguing that asylum seekers are more likely to suffer the negative consequences of the

anti-smuggling policies in Southern Europe than other migrants, due to their more adverse migration conditions. In any case, and despite the increase of flows, the detentions of smugglers have not proportionally increased in all the countries analysed where there is available data. While in Spain or Portugal the detentions for this crime remained stable, in Greece and Italy, there was an important increase during the refugee crisis, as Table 5.2 shows.

**Table 5.2:** Number of detentions of smugglers in Greece, Italy, Portugal, Spain and the European Union, 2012–2016

	2012	2013	2014	2015	2016
Greece	726	843	1,171	1,501	950
Italy	389	402	629	793*	210*
Portugal	33	65	55	84	70
Spain	776	620	647	637	663
European Union	7,700	7,252	10,234	12,023	12,568

Source(s): For Greece: Hellenic Police website.

For Italy: EMN (2014) for 2012–2014; several documents from Ministero dell’Interno (2015–2016).

For Portugal: Internal Security Service 2012–2016. Assembleia da República.

For Spain: Foreign and Borders Service, Ministry of Home Affairs for Spain.

For European Union: Frontex (2013) for 2012; Frontex (2016) for 2013–2016.

Note: No data available for Malta.

\* The data available for Italy to 2015 and 2016 are as follows: 2015 collects data from 1 August 2015 to 31 July 2016; 2016 collects data from 1 January 2017 to 31 July 2017.

## Conclusion and ways forward

The Mediterranean is a unique setting for the study of migrant smuggling. This chapter provides an overview of the data and research on migrant smuggling in the region. Although many efforts have been made in these two areas, particularly since 2015, the illicit character and the sensitive nature of the phenomenon hinder its understanding. In this chapter, four main challenges and different ways forward are identified. First, the available data on the Mediterranean are spread among the several institutions that provide them, which makes access complex. To improve this, some initiatives have been put in place. The recent global Migration Data Portal, launched on 15 December 2017 – with the aim to create a unique access point to timely and comprehensive migration statistics, that “are currently scattered across many

different organizations and agencies”<sup>75</sup> – acknowledges this issue is pertinent to migration data in general, including beyond smuggling.

Second, due to the complexity of smuggling, sophisticated analyses should continue to be done in order to understand the phenomenon in a comprehensive way. The efforts of organizations, such as Europol (2016) or the European Migration Network (2014), which use mixed methods and complement and contrast data from different sources (e.g. interviews, surveys, official data to media analysis), contribute in increasing the knowledge on how smuggling works. These organizations place a special focus on the Mediterranean. Both studies provide disaggregated figures on migrant smuggling by, for instance, type of activity, sociodemographic characteristics of smugglers and victims, or heterogeneity of smuggling practices.

Third, the overview of the research on Southern Europe has shown an increase of the so-called sociological approach to migrant smuggling. This approach challenges the reduction of the object of study as a solely business-oriented or criminal activity coordinated by hierarchical international networks, and contextualizes it in its immediate social and geographical contexts. However, the criminological approach is still predominant, contributing to the double-disadvantage problem discussed in the chapter. Thus, the main data providers are ministries of Interior, border control agencies and international security forces, which offer an important but partial understanding of migrant smuggling. More evidence based on sociological accounts is therefore necessary to fill the existing knowledge gaps and complement criminological approaches.

Fourth, better coordination between policy and research findings would be desirable. Many studies point to the fact that anti-smuggling policies in the region do not correspond with the heterogeneity and complexity of migrant smuggling practices, resulting in a higher burden for migrants. Migrant smuggling is largely portrayed by the Commission and the different Member States as a cause of unauthorized migration, being rarely depicted as an effect of the tightening of border control policies and unavailability of legal channels of entry (Ambrosini, 2017). The fact that, despite the reduction of flows, the number of deaths in the Mediterranean is not decreasing; together with the consolidation of alternative routes to the Eastern Mediterranean one, raises questions about the effectiveness of anti-smuggling policies. Several authors propose a policy change as a way forward, which would primarily consist first on the recognition of the heterogeneity of smuggling practices in the region; and second on a shift from repression to strategic preemption of smuggling practices.

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<sup>75</sup> GMDAC, Migration data portal. Available from <https://migrationdataportal.org/about>



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# 6

## SOUTHERN AFRICA

Stephanie Maher

### Introduction

This chapter focuses on the state of research on contemporary migrant smuggling practices in the Southern African region. This brief introduction includes an examination of the concepts and context surrounding the current state of research on migrant smuggling, as well as State responses to migrant smuggling in Southern Africa. The second section provides an overview of migrant smuggling data before turning to an examination of the state of research on migrant smuggling. The fourth section explores what the evidence tells about the prevalence and structure of migrant smuggling in the region and is divided into subsections. The first subsection explores how researchers have studied the regional push and pull factors associated with migration and smuggling. The second subsection elaborates on the transnational networks involved in migrant smuggling within and to the Southern African region. The third subsection moves to issues of official corruption that are associated with the smuggling of migrants across borders, and the final subsection provides information on South Africa's response to irregular migration and migrant smuggling across its borders. The chapter concludes by making some brief recommendations for continued research on migrant smuggling in the region.

### *Concepts and context*

Approaches to migrant smuggling in Southern Africa vary among scholars, journalists and policymakers. On the conceptual level, migrant smuggling and trafficking are frequently conflated in both the grey and scholarly literature (Torkelson, 2011), as well as in media coverage. The United Nations Office on Drugs and Crime (UNODC, 2010:14) defines trafficking as a coerced movement of people involving “fraud or deception”, and smuggling as facilitating voluntary “illegal entry” of a non-national migrant into a State where they are ostensibly without a right to reside. Despite this purported clarity in definition, conceptual difficulties remain.

Analytical framing often depends on who or what is seen as the cause of smuggling operations. For some, it is the border. Within this framing, migrant smuggling proliferates, in part, because of increasingly militarized borders and progressively restrictive immigration policies (Araia, 2009). Most African migrants are not “recruited” by smugglers; rather, they hire knowledgeable agents to facilitate passage across especially difficult frontiers (Minter, 2011). Borders are also not equally rigid nor are they uniformly policed (Klaaren and Ramji, 2001). The Zimbabwe–Mozambique–South Africa borders became qualitatively more dangerous in 2010, when the Government of South Africa decided to re-deploy military troops to the region (*The Zimbabwean*, 2010). By contrast, South Africa’s borders with Lesotho, Namibia and Botswana are less patrolled, and therefore easier to cross (*News 24*, 2010). Not surprisingly, then, smuggling practices are often dependent on enforcement efforts at the border.

Others see history as the driver. Because South Africa has been such a magnet for labour migrants in the past, some scholars see generational connections, such as having family members who previously migrated for work, as a motivator for illicit cross-border movement today (Crush, Williams and Peberdy, 2005). Moreover, as Pophiwa (2010) points out, the criminality associated with smuggling glosses the extent to which people along the Zimbabwe–Mozambique border have engaged in cross-border facilitation for generations as a way to survive. For others, criminality is at the heart of smuggling practices (IOM, 2005; Minnar, 2001; Torkelson, 2011). Here, people are coerced into departure and then face exploitation along the route to their destinations. In a rather uncomplicated calculus, profit-seeking villains – not securitized borders – are blamed for population movements. For those smuggled into South Africa, for example, exploitation, bondage and criminality are seen as the likeliest outcomes (Minnar, 2001).

### ***State responses***

Various Southern African countries have signed and/or ratified the UN Palermo Protocol Against the Smuggling of Migrants by Land, Sea and Air. Both Malawi and Zambia accepted the Protocol in 2005, and Botswana, Eswatini, Lesotho, Mozambique, Namibia and South Africa ratified the Protocol between 2002 and 2012. In this way, States in the Southern African Development Community (SADC)<sup>76</sup> are aware that migrant smuggling is a global issue. At the same time, countermeasures to combat smuggling are not necessarily

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<sup>76</sup> SADC States include Angola, Botswana, Democratic Republic of the Congo, Eswatini, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe.

forthcoming. Individual SADC Member States seem committed on paper, but unable (or unwilling) in practice to protect migrants.

In May 2016, the UNODC convened a regional workshop on migrant smuggling, which included representatives from 11 SADC States. In response to the workshop, the SADC Secretariat drafted a Regional Strategy to Combat Illegal Migration, Smuggling of Migrants and Trafficking in Persons.<sup>77</sup> Yet, regional approaches to joint-patrol initiatives within SADC continue to struggle over border control initiatives. Fragmented approaches, uncoordinated systems, a lack of cooperation and individual States' sovereign interests make it difficult to harmonize policies and procedures. Moreover, while most SADC States have passed laws that criminalize migrant smuggling (IOM, 2015:9), enforcement is lacking. One of the things to come out of the UNODC meeting was the sense that weak national legislation against migrant smuggling in most SADC States makes it difficult to prosecute offenders (*The Diplomatic Society*, 2016).

The case of South Africa is exemplary. Despite the establishment of the National Interdepartmental Structure for migration control in 1997, South Africa's borders remain relatively porous due in part to inconsistent regulations and a lack of inter-agency cooperation (Klaaren and Ramji, 2001; Minnar, 2001). What this means for immigrants and refugees on the ground is that increasingly restrictive immigration regimes at the national level – coupled with sporadic and unpredictable policies at the border – make the need for smuggling services all the more urgent.

South Africa's relative stability and economic strength are still powerful attractors for immigrants and refugees. Though it had been an important destination for labour migrants in the mining and agriculture sectors from the nineteenth century (Crush, 1999), the end of apartheid in 1994 saw more regional migrants seeking political and economic security in the Republic. As a response to the egregious past of apartheid, the Constitution of 1996 enshrined human rights, such as the right to education, health care and safe housing, as a fundamental policy promise for nationals and, to some extent, non-nationals alike (Republic of South Africa, 1996, section 27; see also Crush, 2000a). For this reason, most research focuses on migration flows to the Republic.

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<sup>77</sup> See [www.unodc.org/unodc/en/human-trafficking/Webstories2016/smuggling-of-migrants-in-southern-africa-developing-a-regional-response.html](http://www.unodc.org/unodc/en/human-trafficking/Webstories2016/smuggling-of-migrants-in-southern-africa-developing-a-regional-response.html)



## Overview of migrant smuggling data

Primary organizations that collect publicly available data on migrant smuggling in Southern Africa include UNODC, the International Organization for Migration (IOM), the Southern African Migration Project (SAMP) and the regional Office of the High Commissioner for Human Rights in South Africa (OHCHR – ROSA). Because of the dominance of South Africa as a political and economic force in the region, most irregular migration to, and thus studies on, migrant smuggling tend to be focused on inflows to the Republic.

Of the organizations providing analyses of migrant smuggling in the Southern African region, IOM has provided the bulk of research reports that are widely available to the public via the Internet. Despite this, reliable data on migrant smuggling in the Southern African region are both “insufficient” (IOM, 2014:12) and extraordinarily hard to come by. This is due, in part, to the difficulty of studying illicit industries. In addition, according to the UNODC, the lack of communication across agencies is another stumbling block for compiling, analysing and reporting data on migrant smuggling (IOM, 2015:25). Some insightful studies do exist, which provide rich empirical evidence of smuggling in the region (Araia, 2009; Horwood, 2009; Munakamwe and Jinnah, 2014). Yet, such studies tend to be decidedly qualitative in nature and are often more than five years old, which, given the shifting nature of migrant smuggling operations, represents a significant gap in the research.

By contrast, quantitative assessments of legal entry and exit are more readily available, though even here the figures can sometimes be misleading at best and contradictory at worst. Whereas IOM has reported over 2.4 legal immigrants in South Africa (IOM, 2013), others argue that based on figures provided by the Statistics Agency of South Africa (STATS SA), there are only 1.2 million foreign-born residents in the Republic (Landau and Kabwe-Segatti, 2009:6). In a place like South Africa, where issues of immigration have become highly politicized, numbers like these matter because they are used to support increasingly restrictive immigration regimes, and could arguably be tied to rising xenophobic attitudes in the country (Crush, Chikanda and Skinner, 2015; Dixon, 2015; Landau, 2012; Nyamnjoh, 2006; Igglesden, Monson and Polzer, 2009).

Such discrepancies notwithstanding, mixed migration flows to the region do appear to be on the rise. Many “new” immigrants coming to Southern Africa originate from the Horn of Africa and East Africa, and frequently use smuggling networks to reach their destinations. As IOM has recently reported, as many as 20,000 migrants transit through the Great Lakes and SADC regions on their way to South Africa each year (IOM, n.d.; see also IOM, 2014:7). Kalitanyi and Visser



(2010:385) argue that most African immigrants in South Africa are actually refugees originating from the Democratic Republic of the Congo, Burundi, Rwanda, Angola and Somalia (see also Hunter and Skinner, 2003).

Costs for smuggling services across the Zimbabwe–South Africa border range from R 100 to R 800, or roughly USD 7 to USD 60 (Araia, 2009:22, 28). For those leaving from the Horn of Africa and East Africa, prices can range from USD 2,500 to USD 5,000 (United Nations High Commissioner for Refugees (UNHCR), 2014). Payment can be made in cash up front, instalments or arranged with someone in the destination country. “Professional smugglers”, who often charge more for their services, can provide packages that include bribes, transport and permits. Additionally, many of these operators have direct relationships with police and border officials, as well as low-level officials at the Department of Home Affairs (DHA) in South Africa (Araia, 2009:31).

## Overview of research on migrant smuggling

As mentioned, reliable data on migrant smuggling in Southern Africa is difficult to come by.<sup>78</sup> With few exceptions (Frouws and Horwood, 2017; IOM, 2013), most studies are substantially outdated, with many being published not fewer than 10 years ago. In addition, most studies do not make a distinction between labour migrants, undocumented migrants and refugees or asylum seekers. Crush (1999) has done extensive scholarly work on regional migration patterns over the last decades, from Lesotho and Mozambique, Zimbabwe (Crush and Tevera, 2010), and South Africa (Crush, 2000b). However, much of this scholarship is devoted to understanding labour mobility and not necessarily migrant smuggling.

Scant though it may be, existing research on migrant smuggling in the region generally falls within one of three broad categories: (a) academic research being conducted in independent university settings; (b) grey literature commissioned by non-State organizations; and (c) investigative journalism produced in specific locations or along specific routes.

Much of the academic research is funded by European States, including Germany, Denmark, the Netherlands, Norway and Sweden (Hübschle, 2010). Other studies are sponsored by research institutes, such as the Danish Refugee

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<sup>78</sup> An IOM official recently explained the dearth of current scholarship in Southern Africa on donor interests. According to this official, the issue was one of funding objectives. “Today, donor attention is turned towards the Med [Mediterranean], and so people don’t really think about smuggling or migration down here [in Southern Africa]” (Personal communication, Johannesburg, 15 November 2017).

Council (Frouws and Horwood, 2017), the Refugee Rights Project at the University of Cape Town (Khan, 2007) and the Forced Migration Studies Programme, which is now the African Centre for Migration and Society (Araia, 2009). Sponsors include supranational bodies like the United Nations Development Programme (Landau and Kabwe-Segatti, 2009) or the UNHCR (Long and Crisp, 2011), charitable agencies such as Atlantic Philanthropies (Araia, 2009) or academic research institutions such as the South African Migration Programme (Crush, 2000b; Crush and Tevera, 2010). Some research institutes partner with a variety of academic, government and international organizations to produce reports on regional mobility (Munakamwe and Jinnah, 2014). In addition to academic journals, publicly accessible platforms, such as the Institute for Security Studies (Ewi, 2017; Torkelson, 2011) and Oxford University (Araia and Monson, 2009), also host various commentaries on migrant smuggling in the region.

Grey literature on migrant smuggling in Southern Africa comes primarily out of organizations such as IOM (Horwood, 2009; IOM, 2005, 2013, 2014, 2015 and n.d.) and the Institute of Security Studies (Hübschle, 2010; Oucho, 2007). UNODC's recently launched Knowledge Portal on the Smuggling of Migrants<sup>79</sup> has no literature on migrant smuggling streams for any of the countries covered in this chapter.

Media reports on migrant smuggling in the Southern African region tend to unequivocally categorize smugglers as absolute criminals and smuggled migrants as absolute victims. Some stories highlight the inherent risks associated with migrating across the Zimbabwe–South Africa border (Dzimwasha, 2014), while others underscore the extent to which smugglers exploit and abuse refugees and asylum seekers from East Africa (IRIN, 2012).

More nuanced approaches emphasize the unexceptional, everyday quality of smuggling in the region. Although government officials tend to frame smugglers as part of organized gangs, smugglers are more often “ordinary” people (Crush and Tevera, 2010:36). In the case of the Mozambique–South Africa border, border communities share the same language and even social networks (Muanamoha, Maharaj and Preston-Whyte, 2010), such as family and friends, and are thus experienced with the quotidian practice of border crossing. In this way, smugglers are able to help people from outside the district to cross while supplementing their income (Pophiwa, 2010).

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<sup>79</sup> See [www.unodc.org/cld/v3/som/](http://www.unodc.org/cld/v3/som/)

## What does the existing evidence base tells us about migrant smuggling in Southern Africa?

As mentioned, obtaining quantitative figures on smuggling operations in the Southern African region is far from straightforward. However, one can make some very broad estimates by examining the presence of irregular immigrants in a given country and weighing that against deportations. In South Africa, between 1994 and 2008, 1.7 million undocumented immigrants were deported back to Mozambique, Zimbabwe and Lesotho (Crush, 2008). While most of these immigrants entered South Africa legally and became undocumented as a result of overstaying their permits or visas, one can infer that at least some proportion of these 1.7 million deportees entered the country by using human smugglers.

Such an inference is geographically relative. As Flahaux and de Haas (2016) have recently pointed out, size sometimes matters. Whereas smaller States like Lesotho experience significant flows to neighbouring States, larger, more populated countries such as South Africa demonstrate lower levels of intracontinental emigration intensity (*ibid.*, 9). What this means is that someone from Lesotho is significantly more predisposed to emigrating to South Africa rather than the other way around. For example, 83 per cent of people in Lesotho have parents who have worked in South Africa at some point (Crush, 2008). As Crush (1999:129) points out, cross-border movement from Lesotho to the Free State and Western Cape is motivated by seasonal labour opportunities in the agricultural sector.

Similarly, Torkelson (2011) argues that migration to South Africa is primarily economic in nature, and can thus be defined as voluntary (IOM, 2015:9). At the same time, political crises in the Democratic Republic of the Congo, the Horn of Africa and East Africa have also impacted migrant flows and thus complicate the strictly economic portrait of southward movements (Khan, 2007). Despite such typological ambiguity, the fact remains that many of these people on the move require some degree of assistance along the way. While there seems to be some consensus that migrant smuggling exists in the region, what is less understood is the extent to which such assistance is available, accessible and utilized by people on the move. Although migrant smuggling is not new to the Southern African region (MacDonald, 2014), the levels of professionalization and organization within migrant smuggling networks appear to be on the rise, in part due to the increasing difficulty of crossing borders.

In order to understand the dynamic nature of migrant smuggling in Southern Africa, the following two subsections focus on determining the scale of smuggling practices. Part of this focus entails exploring some of the regional push–pull and transnational network factors that feature in smuggling research. The third subsection examines the scale of corruption involved in migrant smuggling, and the final subsection provides information on South Africa’s response to irregular migration and migrant smuggling across its borders.

### *Push–pull factors among regional undocumented migrants*

There seems to be some disagreement among scholars when it comes to the frequency with which migrants use smuggling services. For example, some argue that the majority of immigrants from Zimbabwe hire smugglers both for assistance with documentation and to cross the border to South Africa, either on foot, by taxi or cargo truck (Munakamwe and Jinnah, 2014:32; see also Araia, 2009). For those seeking passage through the countryside, multiple layers of barbed wire fences and a landscape heavily patrolled by police and defence forces separate South Africa from Zimbabwe. In addition, rumours frequently circulate about the presence of *amagumaguma*, or border bandits, who prey on smugglers and migrants alike. According to some, these *amagumaguma*, whether real or fictional, are used by smugglers to justify their services (Araia and Monson, 2009). For those not willing to face police patrols or the *amagumaguma*, the border post of Beitbridge, in the northern region of Limpopo province, is another major crossing point into South Africa.

Others argue that cross-border migrants coming to South Africa from neighbouring countries such as Zimbabwe actually rely less on the services provided by human smugglers because, in large part, the social geography, including languages and cultures, as well as the physical terrain, are already known quantities. The border between Zimbabwe and South Africa is relatively porous, in part because the 200-km frontier separating the two countries follows the Limpopo River, which, depending on the seasonal rainfall, can be navigated. As one Zimbabwean migrant put it: “Everyone knows that you just cross when the Limpopo [River] is dry”.<sup>80</sup>

Contemporary smuggling along the Mozambique–South Africa border seems more pronounced. Of those who crossed the land border in 2009, 42 per cent reported having used a smuggler for access (Araia, 2009). This is in part because the economic pull of South Africa is significant. As many as 80,000 Mozambican seasonal labourers work periodically in border farms in the

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<sup>80</sup> Personal communication, Johannesburg, 21 November 2017.

Mpumalanga province (Crush, 1999:130). While many of these labourers engage in seasonal migration, and return to Mozambique voluntarily after the season is over, others work on these farms as a way to repay their debt to smugglers before moving on to more urban centres in Gauteng and KwaZulu-Natal.

Country-level findings suggest that East African migrants transiting through SADC States access entry through a variety of means. In Mozambique, interregional migrants will often enter through airports in Maputo and Pemba, and then continue their way south via ground transport from there. In Malawi, the Dzaleka refugee camp has become an important crossroads for migrants transiting to South Africa (IOM, 2013:15). Other major transit countries for smuggled East Africans appear to be the United Republic of Tanzania, Zambia and Zimbabwe, where irregular migrants from Dzaleka will most frequently enter through Zimbabwe's Nyamapanda border post and then head south to Beitbridge at the border with South Africa (IOM, 2013:19).

However, this is not to suggest that smuggling is not dangerous for migrants. As Frouws and Horwood (2017) argue, violence and exploitation along the route is a growing phenomenon (see also Long and Crisp, 2011). Combined with restricted routes to legal passage, migrants and refugees are also often faced with exploitative human smugglers who rely on migrants' desperation and ignorance to extract payments, sometimes through violent means (Araia, 2009).

### *Transnational networks among refugees and asylum seekers*

In addition to drawing on local networks, migrant smuggling practices are also becoming progressively transnational in nature. This subsection explores how scholars have examined the internationalization of smuggling operations across the African continent and into the southern region. Whereas most studies that examine smuggling of undocumented migrants within the SADC region tend to highlight local connections, those that examine refugee and mixed migration flows from outside SADC are necessarily focused on cross-border networks that help facilitate undocumented mobility. In particular, reports on smuggling operations from the Horn of Africa and East Africa are both more recent and plentiful than regional studies. A recent report commissioned by the Danish Refugee Council, for example, explores the extent to which immigrants and refugees from the Horn of Africa use smugglers to conduct their cross-border journeys to Southern Africa (Frouws and Horwood, 2017). In many cases, the implicit assumption is that highly organized migrant smuggling services are more frequently required for those who come from farther abroad, and thus are not familiar with local languages, customs and physical terrain (Araia, 2009; Frouws and Horwood, 2017; IOM, 2013 and n.d.; Long and Crisp, 2011).



An IOM report from 2013 reveals that refugees from the Horn of Africa and East Africa utilize a wide array of services to access the Southern African region of the continent, including air, sea and land-based travel (IOM, 2013). As brokers become more networked across national boundaries, it is frequently the smuggler and not the refugee who decides which route to take (UNHCR, 2014). Following a preliminary study conducted in 2009 (Horwood, 2009), the 2013 report also reveals that smuggling services from the Horn of Africa to Southern Africa are becoming more expensive, more organized and more advanced in terms of payment methods (Hübschle, 2010; IOM, 2013; UNHCR, 2014).

As discussed above, Zimbabwe is a significant origin country for those smuggled into South Africa. Yet, it also serves as an important transit node for refugees, especially those coming from the Horn of Africa and East Africa. In fact, the majority of asylum seekers trying to reach South Africa enter via Zimbabwe (Araia and Monson, 2009), and of those, 22 per cent of refugees transiting through Beitbridge identified themselves as being “smuggled” (Araia, 2009: 14). Assistance often entails obtaining fraudulent Section 23 permits, which provide protection for asylum seekers in South Africa (ibid., 33–34). Importantly, smuggling networks at this location tend to be transnational, flexible and responsive to border controls (ibid., 15). While trust is an important component of these networks that can span multiple countries, interactions with migrants can often be contested (ibid., 25).

As Horwood (2009) explains, in 2009, between 45,000 and 50,000 Ethiopian immigrants were living in the Republic of South Africa. Of those, 95 per cent had entered South Africa through “irregular means” (ibid., 32). Primarily young and male, Ethiopian migrants sometimes wait years to bring their families to join them, often first by flying wives, children and female relatives to Mozambique or Zimbabwe before arranging for them to be smuggled into South Africa. The case is similar for Somali refugees. As of 2008, 25,000 Somalis had moved to South Africa, and the overwhelming majority (95%) had been smuggled (Horwood, 2009:34) through multi-country facilitation networks.

### *Determining the scale of corruption*

The previous sections examined some of the local and transnational push–pull and network factors associated with migrant smuggling within and to the Southern African region. This section moves to issues of official corruption that are associated with, and actually help to facilitate, the smuggling of people across borders.

Reports of official collusion in smuggling practices are widespread. As Frouws and Horwood (2017) point out, government officials are often directly involved in smuggling operations from the Horn of Africa and East Africa into the Southern African region. Zimbabwean smugglers allegedly pay regular “stipends” to a variety of border guards, police officers, detention camps workers and immigration officials in order to facilitate passage for clients (Araia, 2009:47). Malawian immigrants enter South Africa multiple times by paying corrupt officials both in their home country and at the border (Torkelson, 2011). In Mozambique, government officials at the Department of Immigration are often involved in issuing fraudulent passports to irregular migrants (Hübschle, 2010:75). In certain cases, police or government collusion is less obvious, and tends to look more like inefficiency than outright corruption. Migrants from Botswana, for example, frequently cross the border into Zimbabwe by “blending into” the mass of people making their way east (Hübschle, 2010:78).

Borders in the Southern African region are frequently described as “revolving doors”. In a conversation with a Zimbabwean immigrant, he described the flow of undocumented immigrants across South Africa’s borders as one of “perpetual motion”: “When you are arrested and deported, they send you back to Zim [Zimbabwe]. Then, you wait for a few days, weeks, and come back. Give a little something to the [border] guard and he lets you in.”<sup>81</sup> What this suggests is that corruption only exacerbates already high levels of financial and physical insecurity for migrants and refugees seeking safe passage.

Asylum seekers are often unaware that they can access a Section 23 permit at the South African border. Both smugglers and border officials have been found to deliberately mislead immigrants and asylum seekers about these permits and procedures in order to extract payment. Further, preferential treatment is common, as border officials grant Section 23 permits more easily to some nationalities than others (Araia, 2009).

Such evidence contradicts the official policy stance of the South African State, which has ostensibly committed itself to combating corruption. Nevertheless, as some scholars suggest, encounters at the border are not necessarily discrete, but are instead reflective of normalized attitudes towards corruption at the highest levels of government. Indeed, as Ewi (2017) argues, corruption at the South African border is the direct result of systemic corruption at the centre of the State. In order for States like South Africa to combat forms of international crime such as migrant smuggling, he suggests that they must first restructure their own internal policies to fight forms of political crime and corruption at the heart of the government.

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<sup>81</sup> Personal communication, Johannesburg, 18 October 2017.





## *Policies and practices: The case of South Africa*

South Africa's attitude towards immigrants and refugees is ambivalent at best. On the one hand, the State recognizes that South African business owners need a cheap and flexible workforce. Plantation owners in the north, for example, require a steady inflow of "irregular" Mozambican and Zimbabwean workers (Crush, 1999:131; see also Munakamwe and Jinnah, 2014). As such, the State allows farm owners to control the status of immigrant farm labour through the distribution of corporate permits (De Gruchy, 2018).<sup>82</sup> The State is also aware that immigrant and refugee entrepreneurs frequently create jobs and training opportunities for South African citizens (Kalitanyi and Visser, 2010). Moreover, the shortage of highly skilled workers in the medical, senior management and scientific and innovation sectors has compelled the State to encourage skilled migration. On the other hand, both State officials and traditional leaders have employed increasingly xenophobic rhetoric towards "outsiders" (Sonke Gender Justice, 2015) in an effort to deflect public attention from State corruption and a poorly managed economy (Evans, 2015; *National Post*, 2015). Many South African nationals also protest the presence of immigrants and refugees, who are seen as "stealing jobs" and overburdening already strained municipal budgets to provide basic services such as electricity and water to households. Rising unemployment (Trading Economics, 2017), declining earnings (STATS SA, 2017a) and increasing poverty (STATS SA, 2017b) all play a significant role in driving anti-immigrant attitudes in the Republic.

Despite this hostility, South Africa is often seen as a way station for refugees and asylum seekers who then move on to final destinations in Europe and North America. Indeed, as Flahaux and De Haas (2016:17) point out, South Africa is something of a launch pad, as it attracts both intra- and extracontinental migrants and refugees. In addition to providing economic opportunities, the Republic's international reputation as a reliable source of authentic documents makes it an attractive stepping stone to destinations overseas (Horwood, 2009:38). Immigration officials abroad are reportedly less sceptical of documents originating from South Africa than other countries on the continent. Moreover, South Africa's developed infrastructure makes air travel easy when compared to other African nations.

At the same time, gaining the means to enter South Africa legally is not straightforward. Whereas immigration laws, particularly in post-apartheid South Africa, are highly protectionist and designed to shield South African labour and

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<sup>82</sup> However, as Munakamwe and Jinnah (2014:18) point out, employers often prefer to employ undocumented migrants on short-term contracts, rather than apply for official permits, which takes much longer.



industry from outside competition (Crush, 1999), a blind eye at the border is often required to ensure the steady inflow of inexpensive labour southward. Backlogs and inefficiencies at DHA and various national embassies in South Africa, both of which process immigrant visas and refugee applications, make obtaining legal papers a protracted and expensive affair. In addition, increasingly restrictive immigration legislation makes it more and more difficult to enter and obtain legal status in South Africa (DHA, 2014, 2017). Lacking reasonable avenues to legal entry, many immigrants and asylum seekers instead opt to gain access illicitly. In this way, policies and procedures are two reasons why migrant smuggling exists in the region.

## Conclusion and ways forward

The lack of precise and reliable data and analyses on the scale and structure of migrant smuggling in the region suggests an urgent need to undertake grounded qualitative and quantitative research on this phenomenon. While studies on regional mobility do exist, they tend to be significantly out of date. More recent attention has been paid to the smuggling of refugees from the Horn of Africa and East Africa into the region, but this alone is insufficient. Today, the bulk of regional and transregional research seems to be focused squarely on human trafficking. While laudable, this reflects a significant omission in the literature as many people continue to pay facilitators, official and informal alike, to cross dangerous frontiers. Moreover, while not conflating smuggling and trafficking, more work should be done on how and under what conditions a smuggled migrant may become a victim of trafficking.

In addition to conducting both ethnographic and statistical analyses, future research would do well to broaden its scope by taking a more comparative methodological approach. Understanding how migrant smuggling in one region may differ from another would indeed be valuable information. Furthermore, research that incorporates both the local and regional politics of migration control would be welcome. One way to do this would be to look at the effects of regional integration initiatives on human mobility and smuggling practices on an international level. For example, while South Africa has its own policies with respect to undocumented migration and asylum seekers, broader regional engagements may well have an effect on future streams. The SADC approach to regional integration would be a case in point (Williams, 2002).

While the SADC's 2003 Regional Indicative Strategic Development Plan provided the policy framework for regional integration across economic markets, including mandates for the free circulation of labour across borders, many of the

early targets have still not been met (Mapuva and Muyengwa-Mapuva, 2014). Examining the often-protectionist politics behind such stumbling blocks to regional integration would be a fruitful backdrop for understanding why so many people must often resort to migrant smuggling operations to cross borders. As States like South Africa introduce increasingly restrictive immigration laws (DHA, 2017), which are in some sense based on the assumption of uncontrolled and “illegal” immigration, presumably aided by human smugglers, it becomes a matter of policy urgency to understand more accurately precisely how people move throughout the region.

It is foreseeable that increased immigration controls will likely not dissuade clandestine migrants and asylum seekers from crossing borders illegally. In fact, several related negative consequences can be reasonably forecast with respect to tightened security at the borders in the Southern African region. One potential consequence is increasing corruption within rank-and-file border officials. As migration across formal frontiers becomes more expensive – as a result of bribes that must be paid – people will increasingly seek to bypass the border altogether, often through hiring smugglers. In this way, the absence of legal pathways to mobility and growing border restrictions only increase the demand for smugglers. Consequently, the likelihood that irregular migration will become riskier – and will thus render migrants more vulnerable to exploitation – is high.

Undertaking thorough and more rigorous research on migrant smuggling in Southern Africa will provide the necessary context for policymakers to devise appropriate and humane immigration policies. Such research would both help inform policymakers on the nature of migrant smuggling in Southern Africa and protect migrants and refugees instead of exposing them to more risk.

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# 7

## MEXICO

Gabriella Sanchez

### Introduction

Mexico is an important hub in the Latin American smuggling market. Its relevance has been historically tied to its geographic proximity to the United States – the top migrant destination in the world – and to the migratory patterns that for generations have connected both countries. Yet demographic changes began to take place by the turn of the century. United States-bound migration levels from Mexico started to decline, while increasing numbers of Central American, South American and Caribbean migrants often fleeing from conditions of socioeconomic and human insecurity began to trek through Mexico on route to the United States. Combined with the increased visibility of extracontinental migrants – primarily those from Africa and Asia – and an exponential growth in asylum applications after several decades as a migrant-generating country, Mexico is now an important migrant transit and destination locale. Yet simultaneously, it also presents a series of challenges rooted in the country’s complex security dynamics connected to the presence of organized crime, documented corruption and increasing levels of socioeconomic inequality. Mexico became a signatory of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime in the year 2000, and ratified it in 2003.<sup>83</sup> This chapter provides insights into Mexico’s migrant smuggling data, an overview of the empirical research on smuggling undertaken in and on the country, an analysis of its findings, and conclusions and recommendations on how to further build Mexico’s emerging body of scholarship on smuggling facilitation.

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<sup>83</sup> In 2013, the United Nations Office on Drugs and Crime (UNODC) drafted the document titled “Inter-institutional guidelines among government authorities, autonomous entities for the promotion and defense of human rights and civil society organizations for an integral approach towards the crime of illicit smuggling of migrants and the detection of migrants subjected to smuggling”, which emerged within the framework of the Joint Programme for Migrants in Transit (implemented in the southern border of Mexico during 2013–2015) and which was promoted by five agencies of the United Nations system in Mexico: International Organization for Migration, United Nations High Commissioner for Refugees, United Nations Development Programme, United Nations Population Fund and UNODC with the goal of protecting the integrity of human life and the rights of migrants, adopting a human security approach.

## Overview of migrant smuggling data

The criminalization of irregular migration flows and the mistrust of migrants as a result of the mistreatment and abuse they often endure (Comisión Nacional de Derechos Humanos or Mexico's National Commission for Human Rights (CNDH), 2017), along with the clandestine nature of smuggling, often constrains the ability of researchers to compile data on this activity and its dynamics (United Nations Office on Drugs and Crime (UNODC), 2011). When available, data on smuggling are mostly derived from journalistic or law enforcement reports, and scattered across multiple sources whose reliability also varies. Official statistics on smuggling-related arrests and/or prosecutions are not widely available to the public (Leutert and Yates, 2017). Furthermore, migrant smuggling cases are often designated as human trafficking events, which also impacts the ability to quantify and categorize offences (Maldonado Macedo, 2018). While a source of important information, efforts by non-governmental organizations (NGO) and/or academia to contextualize the smuggling market are often small-scale qualitative projects based on specific locations, cases or populations (McAuliffe and Laczko, 2016).

In turn, it is hard to establish the size of clandestine flows or collect data on their dynamics. There is no clear consensus among Mexican demographers on the number of people who transit through Mexico seeking to migrate, but a few statistics that can be used as proxy do exist. Estimates place the number of migrants who travel through Mexico at 200,000 to 400,000 per year (Rodriguez Chavez, 2016; Paris Pombo, Ley Cervantes and Peña Muñoz, 2016). These numbers are derived from apprehension data from the northern and southern border of the country from United States and Mexican authorities, as well as from historical surveys.

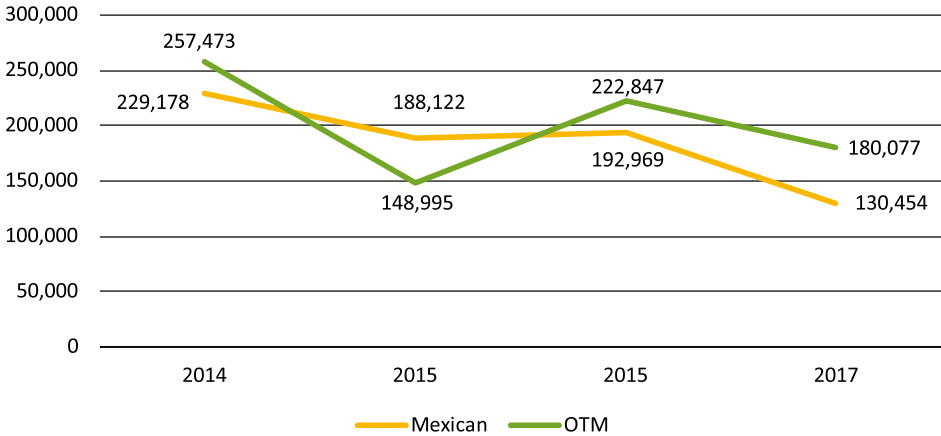
The United States Border Patrol (USBP) publishes the numbers of annual apprehensions (that is, the attempts to enter the United States without presenting oneself for inspection at an official point of entry)<sup>84</sup> that take place along the United States' southern border. USBP data (USBP, 2017) indicate that these numbers have been on the decrease since 2002, and have since 2010, reached levels similar to those recorded in the early 1970s. In addition, since 2014, the apprehensions of non-Mexican migrants have, on at least three occasions, surpassed those of migrants of Mexican origin, reversing a decades-long trend. Non-Mexican migrants are in their majority from the Central

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<sup>84</sup> Apprehensions are reflective of the number of events, not of individual people. A person could have been apprehended multiple times, and each one of his or her attempts would have been counted as an apprehension.

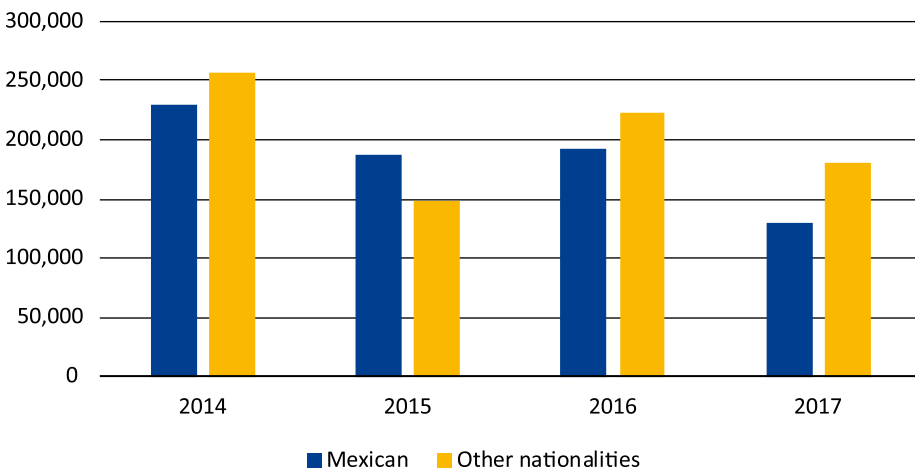
American region known as the Northern Triangle, comprised by Honduras, El Salvador and Guatemala. Figure 7.1 outlines the apprehension numbers.

**Figure 7.1:** USBP apprehensions: Mexican vs. other nationalities, 2014–2017



*Note:* Apprehensions of Mexicans vs. “Other than Mexican” or OTM nationals on the United States southern border. The acronym is the official designation given by United States immigration authorities to people from countries other than Mexico and is indicative of the decades-long pattern of migration when the majority of those apprehended by US immigration were of Mexican origin. Graph composed by author with USBP data.

**Figure 7.2:** Comparison of Mexican migrants and other nationalities, 2014–2017

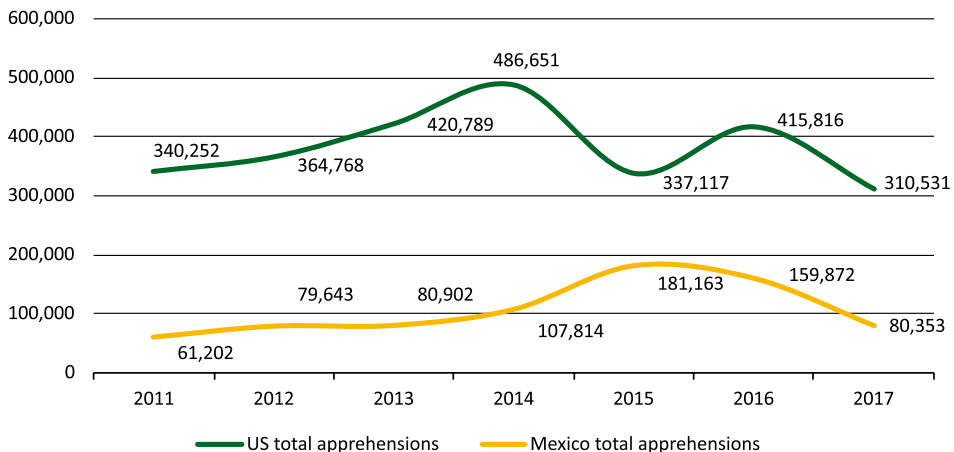


*Note:* Apprehensions of Mexican migrants vs. those of other nationalities by the USBP on the south-western border. Graph composed by author with USBP data.

The Surveys of Migration at Mexico’s northern and southern borders Encuesta sobre Migración en la Frontera (EMIF) Norte and EMIF Sur, respectively) confirm the demographic makeup of the USBP data. The results from EMIF Norte suggest the migratory flow of Mexican nationals to the United States has been on the decline for several years, while growing numbers of Central American migrants seek to reach Mexico’s northern border. According to EMIF Norte, in 2014, there were only 165,000 “displacements” towards the United States from Mexico, or only 19.2 per cent of those registered in 2007. EMIF’s analysis suggests the decrease was likely tied to the increase in cost and the insecurity of border crossings (EMIF, 2016:77). Yet on the other hand, EMIF Sur revealed that while Central American migrants constituted about 40 per cent of those interviewed between 2009 and 2011, their numbers more than doubled between 2013 and 2016 – in other words, 87 per cent of those interviewed were of Guatemalan, Honduran and Salvadoran origin (Consejo Nacional de Ciencia y Tecnología, 2017).

Along with these bodies of data, statistics from the Government of Mexico reveals a drastic increase in the number of migrant apprehensions between 2011 and 2016. Migrant apprehensions virtually tripled between 2011 and 2015 (see Figure 7.3). In 2017, 95 per cent of all foreigners returned by Mexican migration authorities were from Central American origin. The following chart compares United States and Mexico’s apprehension numbers.

**Figure 7.3:** Comparison of total apprehensions, United States vs. Mexico



*Note:* Graph compares the total number of “nationwide illegal alien apprehensions” carried out by USBP between 2011 and 2017 with the total numbers reported by Mexico’s Migration Policy Unit (Unidad de Política Migratoria de la Secretaría de Gobernación) involving foreign migrants who were detained and removed. Graph by author with data from USBP and Unidad de Política Migratoria.



Combined, the data suggest not only that migration trends to the United States from Mexico have changed, but that the numbers of migrants from Central America travelling to Mexico and through Mexico as part of their United States-bound migrations continue to grow. The predominance of Mexican nationals on United States apprehension counts had historically led Mexican authorities to focus their record-keeping almost solely on its citizens, putting less attention to the flows of migrants from other nationalities, a trend that has changed in light of the growing numbers of Central American, and most recently, Venezuelan migrants who arrive to the country seeking asylum (Comisión Mexicana de Ayuda a Refugiados, 2017). Therefore, in order to account for the presence in Mexico of foreigners, their main destinations and transits through Mexico, one must search through multiple sources that data may not be collected uniformly and/or updated periodically (Paris Pombo, Ley Cervantes and Peña Muñoz, 2016).

The increasingly diverse nature of Mexico's migrants, along with the intensification of enforcement efforts, have also complicated the mapping of its routes. While historically, Mexican migrants travelled from cities across the country to multiple locations along the United States–Mexico border, their crossings seem to have shifted to the Sonoran corridor (Mexico Migration Project (MMP), 2017), while Central American migrants tend to travel with most frequency along the Gulf of Mexico corridor, as indicated by the large number of apprehensions in the state of Veracruz and Tamaulipas (Unidad de Política Migratoria, 2016).

The following map indicates the most commonly reported routes used by migrants in their journeys across Mexico.

**Map 7.1: Migration routes through Mexico**



Source: IOM's Missing Migrants Project, GMDAC.

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

## Overview of research on migrant smuggling

### **Smuggling actors**

As noted in the prior section, smuggling-specific data sources in Mexico are scant. The information most commonly available are reports of often tragic events involving migrant-related violence and identified by law enforcement, which are in turn mobilized through mainstream media coverage. The often-dramatic nature of these events has allowed for the consolidation of perceptions of migrant smuggling as a market dominated by violent men working in concert with transnational organized crime.

While empirical data on smuggling organizations and their dynamics outside these media representations are rather scant, there are some generalizations that can be made from the research available concerning Mexico's case, which is part of an incipient but growing body of critical and empirical scholarship on smuggling worldwide and which has increasingly identified smuggling as comprised by a vast myriad of actors organized in multiple fashions (McAuliffe and Mence, 2014; Achilli, 2016).

Academic work and critical investigative journalism have identified multiple levels of organization and complexity among Mexico's smuggling markets that have often been hidden by mainstream narratives of smuggling as dominated by male facilitators or organized crime. Research shows ordinary citizens are often among those behind the provision of services for migrants and which allow for their transits through Mexico. While the majority of those charged for smuggling offences are in fact adult men (Leutert and Yates, 2017), actors also include women (Vogt, 2016; Sanchez, 2016b), indigenous people (Stone-Cadena and Álvarez Velasco, 2018; Brigden, 2016), as well as children and adolescents (Derechos Humanos Integrales en Acción (DHIA), 2017; Moreno Mena and Avedaño Millán, 2015; Hernandez-Hernandez, 2017). All facilitators appear to have high levels of socioeconomic marginalization in common, and become involved in the market in an attempt to supplement their incomes, rather than driven by criminal intention. Along these lines, the nature of their ties to criminal groups varies widely (Sanchez and Zhang, 2018; DHIA, 2017).

While their roles are often seen as peripheral, women support smuggling activities by performing tasks directly connected to the support of human life. Women often house migrants in transit, fix meals and care for injured, elderly, infant or pregnant migrants (Hagan, 2009; Vogt, 2016). They are also known to be involved in recruitment, transportation and the logistical coordination of migrant journeys (Sanchez, 2016b).

Indigenous people living along migrant trails also perform important roles in the facilitation of clandestine journeys. In states like Chiapas, Oaxaca, Tabasco and Veracruz, indigenous men and women often host migrants from across Central and South American countries in coordination with other indigenous facilitators, reportedly training migrants on how to "pass" for nationals of Mexico to avoid detection and/or harassment at the hands of Mexican authorities and/or ordinary citizens (see Stone-Cadena and Álvarez Velasco, 2018; and Brigden, 2016).

Another fundamental and highly vulnerable population involved in the facilitation of clandestine journeys is the one constituted by children and adolescents. Known as "circuit minors" by Mexican authorities, they are underage boys, girls and adolescents who work for a fee as smuggling guides, lookouts and decoys along the highly surveilled routes and checkpoints on the Mexican border with the United States (DHIA, 2017; Cavendish and Cortazar, 2011). Participation of underage people in smuggling has often been depicted as forced and/or as the result of coercion by criminally organized groups (Consejo Nacional de Población (CONAPO), 2016), but data indicate most children and their families become involved as a direct result of their economic marginalization and the economic

returns and the potential for social status derived from their participation (DHIA, 2017; Hernandez-Hernandez, 2017).

Migrants themselves become involved in the provision of clandestine journeys. Research has pointed out migrants often mobilize the knowledge they acquire in the context of their own failed journeys on behalf of other migrants, guiding them across checkpoints and dangerous routes to avoid detection or securing goods and services for them (Guevara Gonzalez, 2018; Holman, 2016; Koran, 2017). There is also research on how the precarity migrants face may lead them to engage in violent acts against other migrants in transit. Studies have identified cases of migrants who become involved in criminal activities such as drug trafficking, as well as in the kidnapping, extortion, torture, sexual assault and murder of other migrants, often as a result of different levels of coercion at the hands of criminal groups (see Izcara Palacios, 2016; Slack, 2016; and CNDH, 2011).

**Box 7.1: “Circuit minors”: Children as smuggling facilitators\***

In Mexican protection circles, the term “circuit minors” is used in reference to children between the ages of 11 and 17 who perform drug and migrant smuggling tasks along the United States–Mexico border. The term “circuit” refers to the children’s continuous, cyclical presence in smuggling activities; some of them report having been apprehended by United States authorities in an excess of 20 times as a result of their involvement in smuggling, only to rejoin the market upon their return to Mexico.

Claims concerning the recruitment of the children by criminal organizations and/or cartels are common (see Slater, 2016; and Hernandez-Hernandez, 2017). This assessment is only partially accurate. DHIA data (2017) indicate the children are aware of the financial and social benefits related to smuggling through their everyday interactions with peers, friends and even family members, who are frequently also involved in the provision of smuggling-related tasks. In fact, most children enter smuggling through these less-than-nefarious contacts and therefore are unlikely to describe their experiences as coercive or exploitative. Children instead understand their participation in smuggling as a viable, if not ideal, form of labour, especially given the lack of educational and/or employment options in their communities.

As residents of the border, children market their knowledge of the border geography and profit from it. The income potential of smuggling is an important factor of children’s involvement in the market. As guides, children are paid a commission for each migrant that they are able to cross, and receive additional compensation if the person is from a country other than Mexico. The children are aware of and proudly reflect on the impact their income has on their family’s quality of life. But the reasons they cite for participating in smuggling often go beyond financial returns. The children express a desire to help others amid the criminalization and enforcement of migration on the United States–Mexico border. Also aware of the risks inherent to irregular migration, the children often help migrants they perceive as vulnerable or in danger, like children their own age, infants or women. The testimonies of the children – who are mostly male – also suggest their participation in smuggling helps them achieve social status and recognition within their communities and households.



While much has been written about the violence children can face as a result of working for organized crime, the kinds of violence they face reflect – rather than the actions of criminal entities – the children’s conditions as marginalized young people. While the children may not specifically recognize smuggling as a dangerous job, their testimonies reveal they often find themselves in situations of extreme risk. They sustain injuries while operating heavy machinery or tools, or suffer broken bones or nerve damage as a result of falls or even beatings, often at the hands of border authorities. Their interactions with United States and Mexican authorities are contentious, and often lead to verbal and physical violence.

*\*See DHIA, 2017, for the entire report.*

## ***What does the existing evidence base tell us about migrant smuggling in Mexico?***

### *The organization and economy of smuggling through Mexico*

It is common to come across references of migrant smuggling as a sophisticated and profitable market. Reports from law enforcement agencies and international organizations have often stated the practice generates profits only parallel to those of drug trafficking and/or the sex trade; statements from UNODC officials have in fact estimated the size of the Central America–Mexico–United States migrant smuggling market in the 7 billion-dollar range (Blancas Madrigal, 2017).

Yet, monetary indicators that translate complex social phenomena like smuggling must be treated with caution (Engle-Merry, 2016), particularly in the absence of other empirical data. Research on Mexico’s smuggling economy provides a more nuanced perspective that takes into consideration the community dimensions of clandestine journeys, the organization of smuggling markets themselves, their transformations and the role of State and non-State actors. These aspects are described next.

For most migrants, acquiring the services of smuggling facilitators to embark in clandestine journeys involves consultations with and the support of friends and family members. As clandestine migration is recognized to involve significant risk and considerable finances, personal networks and their recommendations concerning smuggling facilitators are of great importance in the decision to travel. Migrants seek advice from relatives, friends and former migrants about their experiences to identify and travel with specific guides or facilitators or rely on specific routes or methods. As with any relationship or contract with a service provider, trust and reputation are of extreme importance in the decision-making process. Yet it must also be pointed out that global

conditions of insecurity lead many migrants – including women and children – to travel even while lacking social and financial resources, which not only requires them to improvise and devise mobility mechanisms on the go (Brigden, 2016), but also may determine the kinds of risks they face and the choices they ultimately make along the way to reach their destination or preserve their lives. Irregular migrants’ inability to secure documents that allow them to transit legally puts them at greater risk of exploitation and abuse, and plays a factor in the emergence of practices such as forced labour and in some instances, trafficking.

It is precisely the ranging nature of irregular migrants’ backgrounds and resources – in combination with increased migration enforcement across Mexico – that has led to the reconfiguration of smuggling markets. Several researchers have argued that Mexico’s smuggling market has experienced the virtual disappearance of the all-inclusive smuggling services that Mexican migrants traditionally relied upon, and which provided migrants with a single facilitator or team thereof during their entire journeys, alongside improved safety conditions and increased likelihood of success. Research indicates that this form of service still exists, yet its extremely high fees systematically price out the poorest or most vulnerable of migrants (Hagan, 2009; Sanchez, 2016a). This has, in turn, led to the proliferation of pay-as-you-go services – that is, to the emergence of individual providers situated along the migrant trail who provide specific segments or services conducive of clandestine transits for a fee (Sanchez and Zhang, 2018).

Research does identify the emergence of facilitators and communities across Mexico and its borders through which migrants can access goods, services and suppliers of specific mobility tasks. Along Mexico’s borders and towns, migrants encounter boat operators, drivers, guides, accommodation providers, food, equipment and/or tool vendors (Galemba, 2017; Guevara Gonzalez, 2018; UNODC, 2012). These actors – independently or in loose partnerships with one another – support the clandestine journeys of migrants. Facilitators (as discussed frequently low-income, marginalized women, children and indigenous people) charge specific, often negotiable fees for distinctive goods and services, easing to a certain degree the financial pressures faced by migrants (especially those with limited access to funds), but also their own (Guevara Gonzalez, 2018; Vogt, 2016).

Earnings are almost immediately recirculated into local economies (see DHIA, 2017; and Sanchez, 2016b). Smuggling facilitators report that while agreed-upon prior to embarking on journeys, smuggling fees vary widely and often constitute only estimates, these may increase in response to migration



enforcement operations, corruption and the growing number of State actors that must be bribed in order to ensure the passage of their clients in their journeys through Mexico and into the United States (Izcara Palacios, 2013; Soberanes, 2015; and Martinez, 2017). Data from smuggling facilitators from Central America who work within Mexico also suggest that stepped-up border enforcement along Mexico's highways and northern and southern borders often leads the Mexico-based guides or teams transporting migrants they work with to increase fees, a cost that is invariably passed onto clients (Martinez, 2017).

**Box 7.2: The shelters and casas de migrantes**

Across Mexico, there are dozens of shelters, dining rooms and casas de migrantes (migrants' homes) that welcome migrants in their journeys through the country. These institutions – set up by religious congregations, NGOs and civil society – are located in strategic points along the migrant trail and have a mandate to provide safety, care and rest for migrants as they travel through Mexico and/or provide legal assistance for those who consider Mexico as their destination. The facilities – as protective spaces for fatigued, sick, injured or harassed migrants – do not merely provide temporary and/or emergency assistance. They also provide migrants with information regarding their rights, and support them in their quest to access justice in the aftermath of a crime or an abuse at the hands of criminals, government officials and/or the general public. “In shelters, religious and men and women, assume the cause of migration and sensitize their communities about the importance of dignifying the lives of migrants and not criminalize or stigmatize” (CNDH, 2016:88).

*Sanchez and Zhang, 2018; Soberanes, 2015.*

Improved information on the make-up of the smuggling markets across Mexico also allows to better understand the challenges faced by the migrants that rely on clandestine services. Data from the Mexican Migration Project, for example, indicates that border crossing costs began to increase drastically since 1998, and that close to 90 per cent of all Mexican migrants rely on smuggling facilitators for their journeys (MMP, 2017). Yet since not all journeys – even those provided by the same facilitator(s) or originated at the same location – involve identical costs, smuggling fees and numbers circulated regarding the size of the market are not always reflective of on-the-ground dynamics. Not only the cost of some smuggling services has led some migrants and facilitators to devise more affordable options, as not all have the same purchasing power. Many in fact lack the ability to secure any kind of guidance or support, having instead to pursue independent travel, often relying on the humanitarian aid provided by Mexico's network of shelters run by the Catholic Church and/or civil society initiatives (CNDH, 2017; Amnesty International, 2017).

Many migrants work informally during their transits throughout Mexico to support themselves while saving for clandestine journey fees. Others may tap into transnational social networks of relatives and friends who can provide support. There are also those with extremely limited social and financial capital who may find themselves in situations where they perform tasks that compromise their personal safety in exchange for room, board and/or travel (Sanchez and Zhang, 2018; Sanchez, 2016a). Data from government, academia and NGOs have systematically pointed at the role of organized crime and government agencies – primarily those involved in migration enforcement – in incidents critical to the security of migrants in transit. The following sections describe their roles.

### *Smuggling and its interactions with other criminal activities*

Claims alleging the role of organized crime in Mexico's smuggling markets are commonplace. Perhaps the most oft-cited example is smuggling's alleged takeover by Mexican drug trafficking organizations (DTOs). The San Fernando Massacre – where the bodies of 72 migrants from across Latin America and Asia were found inside a warehouse in an area of high drug trafficking activity in the vicinity of the United States–Mexico border (see Slack and Campbell, 2016; and Casillas, 2010) – has been often used as evidence of the convergence of both human smuggling and drug trafficking markets (UNODC, 2012).

While empirical data on the convergence between both markets are limited, some generalizations can be derived from smuggling research. Drug trafficking and human smuggling constitute different activities (Izcarra-Palacios, 2015; Correa-Cabrera, 2017), yet share the common goal of transporting cargo across borders or highly surveilled spaces while attempting to avoid detection. In Mexico's case, both DTOs and human smuggling facilitators rely on similar routes as a result of also sharing a common destination – the United States. This in turn results in operators in both markets having extensive interactions with one another. However, data indicate that rather than solely involving encounters at the organizational and/or leadership level, many of said interactions constitute independent, personal day-to-day encounters among actors who, over time, have developed spoken and tacit rules to regulate their operations (Sanchez and Zhang, 2018).

It is well documented that DTOs impose a tax or toll known as piso or cuota to smuggling facilitators for every migrant that they transport along a DTO-controlled route (Slack and Campbell, 2016; Izcarra Palacios, 2015), in exchange receiving a clave or code that allows them to travel undisturbed (Soberanes, 2015). This practice allows DTOs to profit directly from the smuggling market without having to execute smuggling activities themselves and enables them

to know who travels within their territory. It also allows DTOs to establish their priority over smuggling facilitators on the use of specific routes or points of entry (Sanchez and Zhang, 2018).

Yet actors in both markets also seek opportunities to benefit financially independently from those they collaborate with in the context of their everyday lives (Guerra, 2015). Research has documented examples of drug trafficking actors independently transporting migrants for personal profit (Sanchez and Zhang, 2018), and of migrants who as a result of extreme precarity may opt to engage in drug trafficking activities in order to pay smuggling fees or simply to survive (Slack, 2016; Izcarra Palacios, 2016). On this last case, several scholars have argued that in the case of migrants, the practice is not always voluntary, and have cited as evidence abundant testimonies from migrants who, prior to crossing the United States–Mexico border, are forced by their guides to carry drugs, often at gunpoint or threatened with violence or death. While not questioning the experiences and the heightened precarity of migrants, this practice may instead point at the disposability of the most vulnerable of migrants – and even facilitators by their peers. Research along Mexico’s northern border shows groups of migrants – often led by children – are used as decoys to distract immigration authorities while allowing larger, more profitable groups to cross undetected, namely those whose journeys generate larger returns as a consequence of their ability to pay higher fees (DHIA, 2017).

It is also important to note that drug trafficking actors do not constitute the only criminal actors migrants encounter in the context of their journeys through Mexico. Cases of summary execution, disappearance, kidnapping, extortion, robbery, torture and physical and sexual assault of irregular migrants across Mexico have been documented extensively by Mexican and international organizations, identified as often being carried out by government officials, and condemned on the international stage (UN, 2017; CNDH, 2017; Amnesty International, 2017). While the Government of Mexico has made attempts to bring transparency to the organization in charge of immigration enforcement (the Instituto Nacional de Migración), official numbers continue to reveal large backlogs in the investigation of crimes committed against migrants (Leutert and Yates, 2017). Alongside the criminal and State-centric victimization, everyday aggressions endured by migrants at the hands of the general public must also be mentioned, as migrants – in particular those of extracontinental origin – are often subjected to acts of discrimination and racism that further limit their access to justice and to the rights they are entitled to by law (Fuentes, 2016).

## *Migrant smuggling enforcement and its impacts*

In line with global trends, Mexico has adopted a series of increasingly strict regulations, policies and ordinances to govern and restrict migration. The most specific example is a United States-funded migration enforcement programme, which has imposed specific outcomes that must be achieved for renewal of funding, creating bureaucratic and financial incentives to carry out strict migration enforcement (Danelo, 2017). Named Plan Frontera Sur (Southern Border Plan), the initiative launched in 2014 sought to “protect migrants who enter Mexico” and “manage the ports of entry in a way that promotes the security and prosperity of the region” (Wilson and Valenzuela, 2014).

The plan has reshaped the migration dynamics in the country. It led to a dramatic increase in security operations, and in the numbers of northbound migrants’ apprehensions – 85 per cent during its first two years (Isacson, Meyer and Smith, 2017). From the beginning of the plan, Mexico’s migratory authorities have arrested and deported a number of Central American migrants that has surpassed those of their United States counterparts (Boggs, 2015; Isacson, Meyer and Smith, 2017).

A 2017 report from Mexico’s CNDH also identified multiple examples of the impact of enforcement on the safety of migrants following the implementation of Plan Frontera Sur. A survey of 50 shelters across Mexico revealed migrants systematically encounter violence not only at the hands of criminal actors, but also by migration authorities and members of private security firms hired by railway companies to deter them from travelling along specific routes – in particular, atop of the Mexican cargo trains, known colloquially as La Bestia (The Beast). Security guards chase, beat and shot at migrants attempting to board the train (Rincon and Ramirez, 2017; Laczko, Singleton and Black, 2017). Plan Frontera Sur has also funded the construction of metal and concrete barriers that have been placed along the train routes in an attempt to prevent migrants from boarding the trains as they leave the stations. Neither the increased likelihood of deportation nor the imposition of physical barriers have stopped migrants from engaging in clandestine journeys. If at all, these obstacles have led many migrants to opt for more dangerous routes both on their own and with the assistance of guides, often with devastating consequences.

A survey of journalistic coverage and data provided by migrants of their smuggling trajectories through Mexico revealed that reliance on the cargo train system had dipped significantly following the implementation of Plan Frontera Sur; the data collected suggest that since 2014, more migrants and smuggling facilitators moved north via buses, trailers and private vehicles (even Uber) along

Mexico's highway system (Leutert and Yates, 2017).<sup>85</sup> While motor vehicles may constitute a more invisible form of transportation, they may also involve specific risks. Reports of migrants being found dead or rescued from inside cargo trucks hidden behind vegetables, laying under false double floors, without running air or ventilation, or under extreme cold have become commonplace in Mexican narratives of smuggling.<sup>86</sup>

Travel via cargo trucks is not the only risk faced by migrants travelling clandestinely. A 2017 report from Mexico's National Human Rights Commission (CNDH) collected testimonies on the human impact of Plan Frontera Sur's enforcement. Having to opt for more remote, distant routes, migrants reported being bitten by local fauna, including insects, snakes and other reptiles like alligators. The inaccessibility to food and/or water along hard-to-access paths leads migrants to present severe malnourishment and dehydration when eventually found by rescue teams or transported by fellow migrants or smuggling facilitators themselves to local hospitals. The lack of drinking water is a common cause of urinary tract infections and even renal failure. Lack of food can worsen conditions such as gastritis and ulcers. Changes in diet (particularly for non-Mexican extracontinental migrants) may also cause serious digestive problems. To alleviate some of their symptoms, some migrants turn to self-medication, which is also tied to poisoning and even to organ failure in extreme cases.

As Vogt (2016:366) remarks, migrants "engage in intimate economies of exchange, kinship and care as they negotiate their [migratory] movements and their lives". Fear of detection leads migrants not to report abuses committed against them. Women, children and LGBT migrants are particularly prone to endure intimidation, as well as physical and sexual violence, persecution and overall insecurity (Pickering and Cochrane, 2012). Not only is their likelihood to receive medical attention diminished while travelling along remote routes, but shame and fear of stigma may also prevent them from seeking assistance (CONAPO, 2016; Cavendish and Cortazar, 2011). Women and girls often lack financial or social capital to embark on their journeys, which may deepen the conditions of vulnerability they face during their journeys.

Combined, all of these conditions impact migrants' emotional well-being. Professionals working at shelters report post-traumatic stress disorder among migrants is widespread (REDODEM, 2016). Tensions along the journey may also

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<sup>85</sup> Similar findings have been reported by the shelters where migrants stayed and who follow loosely the same routes as the cargo train (see REDODEM, 2016).

<sup>86</sup> While reporting on these cases has increased, the practice is far from unprecedented, as multiple if now forgotten tragedies can attest, and reveals the permanent and ongoing risks migrants face while travelling through Mexico.



impact the smuggling guide–migrant relationship, eventually leading to conflict, or even abandonment of migrants at the shelters by those who were in charge of their journeys (Guevara González, 2018).

## Conclusion and ways forward

Migrant smuggling is a dynamic and evolving phenomenon, and research and data collection are critical to informing more effective responses aimed at combating smuggling and protecting migrants (McAuliffe and Laczko, 2016). In the case of Mexico, the need to support and expand the body of critical research on smuggling is imperative, especially as the migrant population continues to diversify and in light of the levels of migrant victimization that are reported in the country. Together, researchers and policymakers have the capacity to engage in a more critical analysis of the impact of immigration enforcement on migrant’s safety, given the well-documented history of State abuses carried out against people in transit.

Measures to reduce the levels of inequality that women, children and indigenous people face along the migrant trail must also be taken into consideration as part of any attempt to counter participation in smuggling facilitation tasks. The case of the circuit minors is one of the clearest examples of how the smuggling market is far from monolithic in nature, and how different actors are impacted by criminal activity and migration enforcement in different ways. Structural safeguards to protect children and their families from engaging in any kind of labour that compromises their personal safety must be put into place as part of a larger plan to reintegrate marginalized communities, alongside viable employment, recreational and income-generating opportunities.

The role of State corruption in the facilitation of clandestine journeys must also be further explored, so that better mechanisms aimed at protecting migrants and creating improved paths to demand and access justice can become available. For this, States must also offer academics and NGOs access to their numbers and cases in an effort to foster trust and transparency.

Furthermore, there have been no concerted efforts to systematically and comparatively engage with the data pertaining to migration processes across the entire migration corridor, what has often resulted in heavily localized analyses of clandestine migrations that examine only the most striking, visible or graphic of examples, rendering those that are less violent or that lack sensationalistic tones irrelevant. A clear example of this selective process involves the abundance of reporting on the most extreme examples of violence associated



with irregular migration (mass kidnappings, extortion and the discovery of mass graves containing migrant remains) against what are considered lesser dramatic journeys (for example, the journeys of transcontinental migrants through Mexico, which are to this day an understudied aspect of contemporary Mexican migration flows). Work that further explores the historical, global and comparative dimensions of the smuggling market as it occurs in Mexico, and access to official numbers concerning smuggling-related offences, as well as scholarly and policy efforts to critically engage in their analyses are therefore urgently needed.

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## ECUADOR<sup>87</sup>

Soledad Álvarez Velasco

### Introduction

Migrant smuggling has been an enduring enabling factor in the history of irregular migration from Ecuador abroad. For the past five decades, by combining regularized and clandestine paths, Ecuadorians have emigrated mostly to the United States of America. Likewise, over the last four decades, and with higher preponderance since 2008, continental and extracontinental migrants have transited through this Andean country with the intention of reaching other destinations. Were it not for *coyoterismo*, as migrant smuggling is locally known, those migratory projects would not have succeeded. *Coyoterismo* cannot be understood as something alien to Ecuador's migratory history and culture, nor to the role it has played and still does in the geopolitics of contemporary migration; it is therefore a historical ever-changing socioeconomic and cultural process that derives from systemic inequality, while being at the same time a direct outcome of deficient national policies and the reinforced global border regime.

Ecuador signed and ratified the UN Convention against Transnational Organized Crime in 2000 and in 2002, respectively. Since 2004, however, the “global moral panic” (Kyle and Koslowski, 2011) built around the trafficking of women and children reached Ecuador too. This meant that though the Government of Ecuador declared the “combat” of both human trafficking and migrant smuggling a “national policy priority”, the former monopolized public attention in detriment of the latter to the point that currently the Ecuadorian State, broadly speaking, understands and responds to migrant smuggling from a human trafficking frame. Accordingly, public conceptualization and discourse, as well as State actions, articulate human rights and criminality concerns, over-emphasizing the “human drama” around women and children victims of migrant smuggling, just as happens with human trafficking (Ruiz and Álvarez Velasco, 2016).

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Despite this, smuggling practices have undergone numerous transformations, capturing the attention of Ecuadorian and international media. In fact, whereas migrant smuggling has been visible (and in some historical periods hyper-visible) in TV and press reports, it has received scant empirical research attention. This chapter gives an insight into this historical and contemporary condition, while revising the existing data, research information and research gaps regarding both Ecuadorian migrant smuggling and international migrant smuggling taking place from and through Ecuador. Some recommendations on possible lines of research and future policy engagement are included at the end.

## Overview of migrant smuggling data

The Attorney General of the State (AGS), the Anti-Smuggling and Anti-Trafficking Unit of the Ministry of Interior (ATASMT) and the National Police Department for Children and Adolescents (DINAPEN for its Spanish acronym) are the responsible State entities producing official information on migrant smuggling (Ruiz and Álvarez Velasco, 2016).

Regarding international migrant smuggling, the only available data is contained in the official reports produced by the ATASMT about police operations to dismantle smuggling networks. When revising the information for the years 2012–2015, it can be confirmed that “international smugglers” – as they are named in those reports – from the Middle East and African countries have taken part in transnational networks to smuggle Colombian, Nepalese, Indian, Pakistani, Bangladeshi and Cuban migrants from Ecuador to the United States (Ministry of Interior, 2012–2016). Besides mapping routes and enlisting the involved illicit activities (such as forging documents or drug trafficking), the presented information is utterly descriptive, vague and is by no means systematic to the point that it does not allow for any kind of concise or deeper understating of this mode of migrant smuggling.

On the other hand, indirect international sources of official migratory data allow for rough inferences. For example, *Boletín Colombia* – a monthly bulletin produced by Migración Colombia (agency responsible of migration affairs) – reports that since 2012, irregularized migrants from China, Bangladesh, Cuba, India and Pakistan, who typically travelled from Ecuador have been detained (UNDOC and Migración Colombia, 2015). Likewise, the Unit of Migratory Policy of the Mexican Secretariat of the Interior has confirmed that between 2014 and 2015, the number of detained Asian migrants increased by 89 per cent, while the number of detained African migrants increased by 180 per cent (Secretaría de Gobernación, 2016, in Animal Político, 2016). Those figures can only be

understood as a consequence of long-transcontinental journeys that comprised Ecuador, among other transit countries (Ureste, 2016). Though this data is not primary direct evidence, deductions can be made confirming the presence of international smugglers in Ecuador who facilitate clandestine journeys north.

Regarding specific data on Ecuadorian *coyoterismo*, only in 2014 did the Ecuadorian State create the first crime criminal information system, known as *Delitoscopio*, which provides data for diverse crimes, including migrant smuggling, with a territorial approach. However, much more than an information system, it is a newsletter published by the AGS that presents clear limitations, including:

- Since 2014, it has not been reissued, which means that the only available public information is already outdated.
- Data appears under the label “Migration Scams” for it refers to legal complaints made by relatives of Ecuadorian migrants who have been swindled by *coyotes*, as smugglers are locally known, or moneylenders. This means that the existing data is not about migrant smuggling strictly speaking, but about a criminal activity associated with migrant smuggling.
- The research methodology is poorly documented, and cases are not desegregated by gender, age, ethnic origin, or socioeconomic level or any other social indicator, limiting the understanding of *coyoterismo* according to social diversity.
- Data is not comparable on an annual basis as it is a total balance for the years 2012–2014 where, at the national level, 31 cases were registered (Fiscalía General del Estado, 2015).

If there are so few registered cases, it does not mean that Ecuadorian migrant smuggling has gone down. Small figures are due to the fact that legal complaints are only made when some sort of failure takes place, which at present is not always the case. Moreover, few of the presented legal complaints actually end up in trials, for they tend to be pulled back due to private negotiations between migrant relatives and coyotes (Ruiz and Álvarez Velasco, 2016). In other words, being underreported and outdated, official data provides a limited approach to Ecuadorian migrant smuggling.

Regarding unaccompanied Ecuadorian children, official data is not of public access.<sup>88</sup> The DINAPEN is the State entity that gathers specific data from

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<sup>88</sup> Since 2009, Ecuador has positioned itself as the first South American country of origin of deported unaccompanied minors from Mexico (Álvarez Velasco and Guillot Cuéllar, 2012).

individual cases. In order to access such information, a formal request conveyed to DINAPEN's authorities must be submitted. When provided, the information shows the total balance of attended cases between 2009 and 2016 (DINAPEN, 2016). Again, the existing data surges from a law enforcement approach, with a high rate of under-recording (for that period of time, only eight cases), and without any other disaggregation by age, gender or ethnic origin with a territorial scope. It would be highly desirable to count with disaggregated data as there are recurrent cases documented by journalists about Ecuadorian indigenous children, boys and girls, who are smuggled abroad (Aguilar, 2014).

## Overview of research on migrant smuggling

Research engagement with Ecuadorian migrant smuggling has increased strongly since the mid-1990s. Coinciding with the numerous migratory outflows to the United States, *coyoterismo* captured the attention of the media, academic and non-governmental organizations much more than human trafficking, something that in later years would be the other way around. Furthermore, in the year 2000, for the first time, it was penalized as a criminal offence. From the mid-2000s until the present, in turn, this interest has clearly lessened. By contrast, the dynamics of international migrant smuggling taking place from and through Ecuador, in general terms, have not been a central part of the research agenda. This review is organized in three subsections: (a) investigative journalism; (b) grey literature; and (c) academic research.

### *Investigative journalism*

A significant part of the existing information on migrant smuggling has been (and still is) produced by investigative journalists. It is possible to identify two periods in this production: (a) between the mid-1990s and early 2000s; and (b) from the mid-2000s until the present. While the first period focused on Ecuadorian migrant smuggling, the second focused on both modes of migrant smuggling.

Such was the impact of the massive irregular departures to the United States that during the first period, a press report was published almost every week to the point that in the principal national newspapers, a special section devoted to migration was created. Journalistic research focused on the following: (a) forms of local brokerage and scams (*El Tiempo*, 2005; *El Diario de Hoy*, 2006); (b) migrant journeys by following migrants and reporting dangers and risks, such as disappearances, shipwrecks or deaths en route (*El Diario de Hoy*, 2005; *El Universo*, 2005); (c) indirect impacts of *coyoterismo* such as boosting the transfer of remittances (*El Comercio*, 2009b), family reunion (*El Universo*, 2005), escaping

from poverty (Creamer, 2006); and even (d) the popular religiosity built around it (*El Mercurio*, 2010). This is not surprising, as Carling (2016:37) suggests, “the combination of human drama and political urgency has great journalistic appeal”, and Ecuadorian coyoterismo was no exception.

Special TV documentaries were produced (Cámara en Acción, 2005), as well as international press reports. For example, in collaboration with the *New York Times*, Sandra Ochoa, a reporter for *El Tiempo*, a local newspaper, investigated coyoterismo dynamics taking the dangerous eight-day sea voyage from Ecuador to Guatemala (Thompson and Ochoa, 2004). Or, based on journalistic research, Juan Carlos Calderón wrote a book to analyse how the US military base in the Ecuadorian port of Manta was strategically used to sink boats used by coyotes for irregular migrations (Calderón, 2007). A clear limitation of the first period was that research focused merely on the southern provinces of Azuay, Cañar and Loja, neglecting other territorial experiences.

From the mid-2000s until the present, journalistic research has changed. Though Ecuadorian irregular migration and coyoterismo endure, journalistic interest has decreased. In none of the principal national newspapers is there a specific migration section, nor ceaseless reports. Only when human drama is involved do they proliferate. For instance, in 2010 when an Ecuadorian irregular migrant survived the Tamaulipas Massacre (Gamanoticias, 2010b); or in 2014 when, in the midst of the “Children migration crises”, the 12-year-old Ecuadorian undocumented adolescent, Nohemí Alvarez, committed suicide (Aguilar, 2014; Plan V, 2014). In both situations, reports regarding coyoterismo (Mella Happe, 2011; Gamanoticias, 2010a) and children migration via smuggling multiplied (Visión 360, 2014a and 2014b).

In other words, in moments of “crises” or in exceptional situations, press coverage is increased. However, currently, press reports do not focus on the causes or complexities of Ecuadorian migrant smuggling as in previous years, but much more on producing sensationalist writing that reproduces criminalist language pigeonholing migrants as victims, coyotes as threats and State forces as saviours (*El Mercurio*, 2016; *El Tiempo*, 2017).

In previous years, journalism has analysed international migrant smuggling taking place from and through Ecuador. Concentrating on diverse nationalities, information has been produced regarding routes, destinations and forms of local brokerage and scams in Cuban (*El Universo*, 2012), Nigerian (*La Hora*, 2010), Haitian (*El Comercio*, 2015), Bangladeshi (*Mena Erazo*, 2010; *El Expreso*, 2016), Senegalese (*El Comercio*, 2016) and Chinese (*La Hora*, 2009) cases. It is

worth mentioning that in the summer of 2016, during the “Cuban migratory crises”, where 121 Cubans were unconstitutionally deported from Ecuador while thousands of others clandestinely departed to the United States, press and TV reports proliferated analysing how smuggling networks operate in Ecuador (Gámez Torres and Fernández, 2016; Ecuavisa, 2016). In general terms, they reproduced a binary, oversimplified criminalistic comprehension of this social process, criticized by human rights organizations (see Colectivo Atopia, 2017).

### *Grey literature*

This type of information is not only the scarcest but the one that to a lesser degree tackles both modes of migrant smuggling. However, there are few key texts that provide some interesting information. The references are listed hereunder:

- G. Bernal Carrera, “La migración haitiana hacia Brasil: Ecuador, país de tránsito”. In: *La migración haitiana hacia Brasil: Características, oportunidades y desafíos*, Cuaderno Migratorios No.6 (International Organization for Migration (IOM), Buenos Aires, 2014), pp. 67–82. Available from <https://publications.iom.int/books/cuadernos-migratorios-ndeg6-la-migracion-haitiana-hacia-brasil-caracteristicas-oportunidades-y>
- F. Quito, *El Viaje del Pollo* (Gráficas Hernández, Cuenca, 2014).
- Human Mobility Management Unit of the Provincial Government of Pichincha (HMMUPGP). *From Africa, the Middle East and the Caribbean region, to Pichincha* (HMMUPGP, Quito, 2017).
- Since 2007, the Refugee and Migration Coalition produces documents assessing the Ecuadorian legal framework, including anti-smuggling policies, and State responses in this matter (see <https://movilidadhumana.wordpress.com>).

### *Academic research*

Much of the existing literature derives from investigations conducted during the mid-1990s mainly in the southern provinces of Cañar, Azuay and Loja, the “core” origin region and main hub of *coyoterismo*. From a socioeconomic viewpoint, some studies reflected on the causes of Ecuadorian irregular migration to the United States, while detailing local *coyoterismo* dynamics (Borrero, 1992; Astudillo and Cordero, 1990). Yet others were ethnographies that combined a historical perspective with an analysis of migrant subjectivity. These pioneer works were mostly conducted by US researchers who developed

their interdisciplinary doctoral investigations (combining anthropological, sociological, economic and human geography perspectives) (Kyle, 2000; Jokisch and Pribilsky, 2002; Miles, 2004).

Among their contributions figure: (a) a historical and economic model for explaining Ecuadorian *coyoterismo* as a “migrant merchant model” (Kyle, 2000), a model that underscored structural causes that triggered both massive international migrations and migrant smuggling; (b) a new understanding of the role that family and men played in transnational irregular transits facilitated by smugglers and middlemen in the route from Ecuador to New York (Miles, 2004; Jokisch and Pribilsky, 2002); and (c) an ethnic perspective regarding the role of *mestizos* and indigenous men in local *coyoterismo* (Kyle, 2000; Jokisch and Pribilsky, 2002).

These pioneering works have become the theoretical and methodological foundations for interpreting five decades of Ecuadorian *coyoterismo*. A number of subsequent academic publications have turned to them to produce other understandings of Ecuadorian migration (including irregular transits) from diverse perspectives (Ramírez Gallegos and Ramírez, 2005; Herrera, Carrillo and Torres, 2005; Pedone, 2006; Ramírez and Lagomarsino, 2010). Likewise, they have served for comparative studies between Ecuadorian and Spanish (Kyle and Goldstein, 2011), and Ecuadorian and Chinese “migrant industries” (Kyle and Liang, 2001), or between Ecuador, Thailand and Myanmar migrant smuggling (Kyle and Dale, 2011).

From the mid-2000s until the present, empirically based academic production has focused more on analysing the violent dynamics of irregular transits via the Ecuador–Mexico–United States extended corridor, than specifically studying new patterns and practices of smuggling (Troya Rodríguez, 2007; Álvarez Velasco, 2009; Salmón, 2017). Tangentially, those scholars have analysed migrant smuggling as an enabling historical element within a broader process of irregular transit across the Americas (Álvarez Velasco, 2016a and 2016b; Salmón, 2017).

In the same vein, other research has included Ecuadorian migrant smuggling as part of larger geopolitical and sociocultural current problematic. For instance, Hiemstra (2012) reflects on this when it comes to understanding the United States–Ecuador foreign relations. De León (2015), on the other hand, based on ethnographic data from New York and Ecuador, analyses coyotes’ role in the midst of a much more complex process where violence, death and mourning impacts families who have lost irregular migrants in transit.

Among the recent investigations is the work of Stone-Cadena (2014, 2016). Drawing on testimonials of migration journeys of indigenous people from southern highland Ecuador, she examines the strategies of mobility and social networking employed by migrants and coyotes in the human smuggling market. Álvarez Velasco and Guillot Cuéllar (2012), based on a structural and historical approach, analyse the dynamics regarding clandestine family reunion schemes from Ecuador to the United States. Ruiz and Álvarez Velasco (2016), and on the other hand, examine the Ecuadorian anti-trafficking and anti-smuggling policies. They take up pioneer historical investigations to develop an understanding of migrant smuggling as a direct product of systemic inequality and of a global control regime, and hence connected to labour scarcity and exploitation. They also alert readers to the impacts that technology and mobile communications currently have on smuggling practices.

Finally, regarding international migrant smuggling, up until now, only three scholars have provided new insights. On the one hand, Álvarez Velasco (2016b) analyses the dynamics involved in the spatial production of the Ecuador–Mexico–United States corridor, including irregular departures of Middle Eastern, African and Caribbean migrants. On the other, Correa Álvarez (2013) examines Cuban migration emphasizing the factors that pushed them to emigrate to the United States, while Ceja (2015) investigates Haitian irregular movements to Brazil.

Despite these contributions, there are significant research gaps. To mention a few, there are no investigations of the following: (a) the role of women in both modes of smuggling; (b) the impact of smuggling practices in local development and economies; (c) the sociocultural profile of coyotes; (d) the religious aspects of *coyoterismo*; (e) the political dimension, moral economy and association of *coyoterismo* with corruption; (f) the impact of smuggling practices in other Ecuadorian provinces beyond the historical origin core region; (g) Ecuadorian *coyoterismo* and its nexus with transnational smuggling networks in the Americas; (h) the technological impact on smuggling; and (i) the historical and current dynamics of international migrant smuggling taking place from and through Ecuador. Each one of these might turn into a line of investigation within the agenda of migratory studies.

### What does the existing evidence base tell us about migrant smuggling in Ecuador?

With an estimated stock of emigrants of around 1.5 to 3 million (around 10% of Ecuador's total population), Ecuador is primarily a country of origin. The United States has been its main migratory destination for at least the past five decades, largely due to the services of facilitators or brokers of migratory transits (Ruiz and Álvarez Velasco, 2016; Herrera, Moncayo and Escobar García, 2012).



The endurance of *coyoterismo* responds to two structural conditions: (a) national socioeconomic crisis and; (b) reinforcement of the global border regime. Ecuador, as a periphery dependent country, has been and still is, oriented towards supplying commodities or raw materials (such as bananas, cacao and oil) to external markets (Velasco, 1981; Pierre, 2014), and since the mid-twentieth century, it has also provided labour power through massive migrations. In fact, since the mid-1960s, a chain of socioeconomic crises emerged stimulating migratory flows from Ecuador abroad: (a) the crisis in the export of Panama straw hats at the end of the 1960s; (b) oil crises in the 1980s and 1990s; and (c) the new millennium crisis, which resulted in the dollarization of Ecuadorian economy. Between 1976 and 2007, the number of Ecuadorians that left the country varied from around 118,000 to 796,000 in total (UNFPA and FLACSO, 2008).

In response to this vast migration, visa restrictions were imposed on Ecuadorians by the United States and other countries (Velázquez Flores and Schiavon, 2008). Between the 1970s and the end of the 1990s, Mexico, Guatemala, El Salvador and Costa Rica imposed visa restrictions too. Thus, the socioeconomic crises in Ecuador and migratory control in the region mean that Ecuadorians have resorted to coyotes as a way to slip through enforced borders to fulfil migratory projects.

What is more, even though during the past decade (2007–2017) there have been improvements in Ecuadorian living conditions, they are concentrated in urban zones, to the detriment of rural areas (Instituto Nacional de Estadísticas y Censos (INEC), 2013).<sup>89</sup> Poverty continues to be confined to the countryside, and underemployment is still high: 51 per cent of the economically active population work in the informal market (INEC, 2013). It is not coincidental that between 2007 and 2016, the number of Ecuadorians residing in the United States has had a sustained augmented growth from around 533,000 to 715,000, becoming the eighth largest Latino group (US Census Bureau–American Community Survey, 2016).

Now, just as Ecuadorian migrants have historically used smuggling networks to reach the United States, the same is true for international migrants departing from Ecuador. Journalistic investigations suggest that extracontinental migrants (overall from the Middle East and Africa) have reached the United States via clandestine pathways through Ecuador facilitated by smugglers since

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<sup>89</sup> Some 15 per cent of poor people live in Ecuadorian cities while 41 per cent live in rural zones, and extreme poverty is four times higher in rural areas (17%) than in cities (4%) (INEC, 2013).



at least the 1970s (Santos, 2004). Apart from press reports, there is no academic research, nor any “grey literature” showing any historical discussion in this respect.<sup>90</sup>

The socioeconomic impact of *coyoterismo* is evident when understanding that this highly profitable activity, since its very beginnings, involved multiple local actors engaged around irregular transits. According to Kyle (2000:66–67), a “migrant export model” has operated in Ecuador where “migration merchants” have played a key role configuring social networks based on trust and usurious financing for enabling clandestine transits. In this sense, coyotes, moneylenders and other local actors (including lawyers, document forgers, intermediaries, travel agents, airline staff and even representatives of international consulates or of local government offices) have taken part in an expansive profitable social network (Ruiz and Álvarez Velasco, 2016).

Because of this, the socioeconomic impact of *coyoterismo* cannot be ignored. On the one hand, it has boosted a lucrative informal local business that has benefited (and still does) multiple actors while facilitating the departure of Ecuadorians to the United States. Moreover, Ecuadorians abroad have been sending remittances that have kept afloat not only household economies but, in certain moments, even the national economy (Kyle and Goldstein, 2011; Acosta, 2006).<sup>91</sup> On the other, for at least the past three decades, it has also facilitated clandestine family reunions by taking Ecuadorian children via irregular paths to the United States where their migrant parents dwell (Álvarez Velasco and Guillot Cuéllar, 2012).

Lastly, migrant smuggling has come to be part of local migratory culture. Albeit, there are plenty of harrowing stories regarding *coyoterismo*, thousands of successful stories equally proliferate. This explains why in the Austral region, Ecuador’s major origin region, coyotes are perceived as facilitators, benefactors or even as *padrinos* (godfathers) (Stone-Cadena and Álvarez Velasco, 2018). Moreover, in that region, there are three temples with three patron saints of migrants, where families and migrants “pray for the travellers” and indirectly for coyotes.<sup>92</sup>

<sup>90</sup> For further reading on historical aspects of irregular Ecuadorian migration and the history of *coyoterismo*, see: Astudillo and Cordero, 1990; Kyle, 2000; Ruiz and Álvarez Velasco, 2016.

<sup>91</sup> Between 1993 and 2005, remittances revenues were only surpassed by oil exports, which, since the late 1970s, constitute the most important element of total exports. During those years, remittances even surpassed sales of bananas, the second largest export product, and exceeded the combined exports of traditional products (bananas, coffee, cocoa, shrimp, tuna and fish) (Acosta, López and Villamar, 2006).

<sup>92</sup> In Azuay, the capital of Cuenca, there are two temples: the Small-Child of Prague Temple and the church of Nuestra Señora de La Merced of the Missionary Oblates, and in Guachapala, in the small rural town in Azuay, the Señor de Andacocha or Lord of Miracles temple.

## *Contemporary modalities of migrant smuggling from and through Ecuador*

Over the past decade, Ecuador has experienced diversification in its migratory patterns (Jokisch, 2014). Global and national conditionalities converge as main causes: (a) the increasing visa restrictions in many migrant European destination countries; (b) the proliferation of wars, religious and political persecutions in multiple regions; and (c) at a national level, Ecuador's dollarized economy and its alleged progressive open-border constitutional framework.

In consonance with its own migratory history and with the advent of a leftist regime, in 2008, Ecuador embraced one of the most progressive constitutions worldwide in migratory matters. Among its principles are "universal citizenship", "free mobility", "equality between foreigners and nationals" and "the right to seek asylum" (articles 40, 41 and 416). Similarly, a free-visa regime was adopted, granting a 90-day tourist visa to worldwide citizens.

The adoption of this migratory frame has played a key role in encouraging international arrivals. However, drawbacks in Ecuador's migratory policy have impacted on migratory dynamics. On the pretext of national security, in 2009, visa requirements were reimposed to the following nationalities: Afghanistan, Bangladesh, China, Eritrea, Ethiopia, Kenya, Nepal, Nigeria, Pakistan, Senegal, and Somalia (Ministry of Interior, n.d.). Also, visa costs have augmented, limiting migrants' regularization processes; the recognition of refugees has declined; a Virtual Registration Visa System only for Haitians was emplaced, together with raids, detentions and deportations, being the deportation of 121 Cubans in July 2016 an icon of these drawbacks. Furthermore, there has been a mismatch between Ecuador's progressive constitution and a repressive migratory law that in immigration matters is based on a control and security approach. All of this has coalesced with everyday forms of social exclusion, high precarious employment and triggering transits from Ecuador to elsewhere.

In fact, migrants and asylum seekers mostly from Africa, the Middle East, Asia and the Caribbean region increasingly redirect their journeys towards other destinations, seeking new life opportunities, in many cases with the aid of local smugglers (IOM, 2017; Ruiz and Álvarez Velasco, 2016). In the midst of this new migratory pattern, in Ecuador, currently there is evidence of at least two modes of migrant smuggling: (a) Ecuadorian migrant smuggling, or the use of Ecuador as a country of origin of smuggling networks; and (b) international migrant smuggling, or the use of Ecuador as a transit country by international migrants to reach other destinations with the aid of coyotes.

### ***First mode: Ecuadorian migrant smuggling (Ecuador as a country of origin)***

Though this first mode follows the five-decade historical pattern, it has undergone subtle transformations. In the 1970s and 1980s, pioneer male migrants were the main users of coyotes' services. In the 1980s and 1990s, their wives resorted to coyotes together with other young male migrants. During the 1990s and 2000s, their children departed under clandestine family reunion processes. And, since the mid-2000s, those who use coyotes' services are as follows: (a) children who continue to migrate as part of family reunion schemes; (b) young men and women between 20 and 35 who emigrate for the first time; and (c) young Ecuadorian deportees who pretend to recommence their migratory project (Ruiz and Álvarez Velasco, 2016).

This first mode has adopted new modalities. The massive access to the Internet and new technological and communicational tools, together with the reinforcement of control policies and the augmenting of violence along the Mexico–United States corridor, have triggered some changes.

Today a “relay race” modality has developed for defying controls along the route (Stone-Cadena and Álvarez Velasco, 2018). Ecuadorian coyotes have therefore been incorporated in broader transnational smuggling networks, turning into a sort of local brokers of a larger transnational migrant business. Ecuadorian coyotes are responsible for migrants (mainly Ecuadorians) only on one stretch of the route. For instance, from Ecuador to Peru, or to Colombia, or to the Plurinational State of Bolivia, or even to Mexico. Via mobile phones, Ecuadorian coyotes are connected with foreign coyotes along the route. They exchange information and even coordinate payments via Western Union or MoneyGram for the different stretches of the route (Stone-Cadena and Álvarez Velasco, 2018).

The main problem with this modality is that coyotes have become anonymous, meaning that their traditional role as guides or caregivers could be called into question. When migrants or their families in Ecuador try to face any contingency, there is no well-known responsible to turn to. This modality has therefore resulted in increasing disappearances, violence and deaths.

Another modality of *coyoterismo* emerges from the impact of the United States and the Mexican deportation regimen. As Ecuadorian deportees have their own networks and bare an accumulated knowledge of route, this modality supposes that either they autonomously resume their transits up north, meaning

that they are auto-smuggled (IOM, 2016), or/and, that they themselves become a sort of freshmen coyotes. For some local actors, they are non-professionalized coyotes who risk themselves and other migrants (Ruiz and Álvarez Velasco, 2016). Insofar as migrants access more information, they could eventually dismantle the coyotes' traditional monopoly of knowledge modifying in the future *coyoterismo* dynamics. In this modality of *coyoterismo*, Ecuador turns into a “revolving door” (De Genova, 2005) or a transit space used by deported Ecuadorians who recommence irregular movements.

Currently, coyotes offer different routes to cover the 4,600 km between Ecuador and the United States. The first route combines air and land transport. Ecuadorians fly directly to any Central American country, and continue their route by land through clandestine paths to Mexico and then to the United States. Another option is to get to Colombia, Peru or the Plurinational State of Bolivia and from there to fly directly to any Central American country, or even Mexico (sometimes using forged documents and visas), and to continue the land route. This route can take weeks or months. Migrants pay between USD 10,000 to USD 20,000.

The second route is the land route from Ecuador to the Mexico–United States border via Colombia, Central America and Mexico. It can take between one to three months to reach the United States. Its cost fluctuates between USD 8,000 and USD 15,000. A decade ago, a third route was offered – from Ecuador to Guatemala by boat, and afterwards by land (Calderón, 2007). However, the sea route – which is long and the most dangerous – has been mostly supplanted by the air route. No matter which route is selected, coyotes give three chances to cross, and the total cost includes transport services, food, accommodation, fake documents and bribes for local authorities in the countries to be crossed (Álvarez Velasco and Guillot Cuéllar, 2012).

Ecuadorians also use identity undercover strategies. If they are traversing the Mexico–United States borderland, they pretend to be Mexicans, incorporating local accents and slang, even memorizing Mexico's national anthem and key historical and geographical facts. If they are still in Mexico's southern region, they pretend to be Guatemalans or Salvadorians with the purpose of being deported to Guatemala or El Salvador and not all the way back to Ecuador. This migratory strategy is usually taught by coyotes or by other migrants.

In the same way that Central Americans face violence along the Mexico–United States corridor, Ecuadorians (adults and children) confront different forms of violence including robbery, extortions, discrimination, collective or individual kidnappings, human trafficking, tortures, rapes, accidents, disappearances

and murders. These forms of violence can be perpetrated by local authorities, migratory agents, local thieves, members of drug cartels, gangs, local border inhabitants or even by coyotes. These forms of violence remain unseen and unpunished: no responsible is identified, nor is any legal process carried out against the perpetrators.

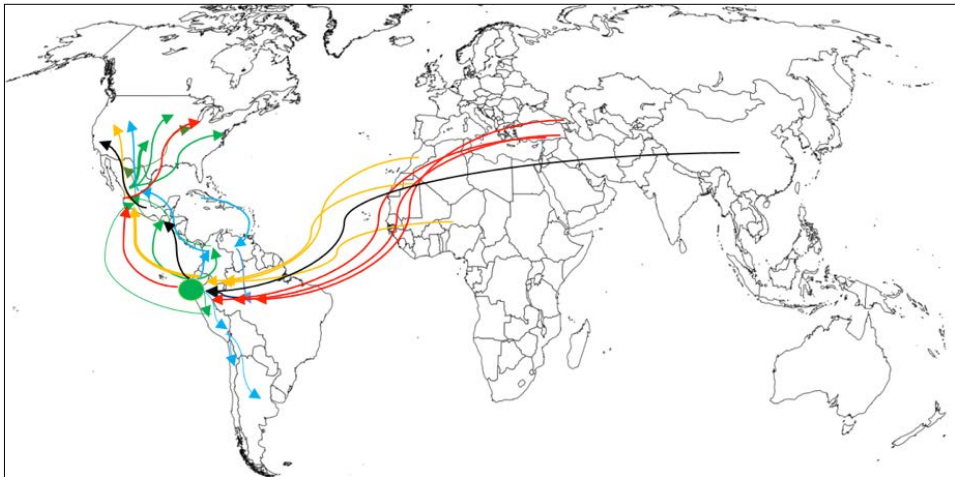
### ***Second mode: International migrant smuggling (Ecuador as a transit country of smuggling networks)***

In this modality, Ecuador is a scale within larger transnational routes where continental and extracontinental migrants (including economic migrants, asylum seekers and refugees) continue towards other destinations via smuggling networks. It can take three forms:

- (a) Migrants enter Ecuador via regularized paths with a 90-day tourist visa, and immediately they depart either by land, air or sea routes towards other destinations, sometimes with the use of forged documents. International coyotes are usually in charge of this movement, which costs no less than USD 20,000. This could be the case with Chinese, Indians, Nepalese or Senegalese migrants *en route* to the United States (Wells, 2013; Mena Erazo, 2010).
- (b) Migrants enter Ecuador via regularized paths, they stay for a while in the country, and then they contact local coyotes to continue their journeys. For instance, Haitians or Dominicans following the Ecuador–Peru–Chile–Argentina route, or Nigerians or Senegalese *en route* from Ecuador to Chile or Argentina. Depending on the destination, migrants pay from a base of USD 500 up to USD 5,000 (Correa Álvarez, 2013; Bernal Carrera, 2014).
- (c) Migrants enter Ecuador via irregular paths to reach other destinations with the aid of coyotes. For example: (i) Cubans who, after the 2015 reimposition of visa restrictions, follow the Cuba–Guyana–Brazil–Peru–Ecuador route, then they hire coyotes’ services to continue the route up north; (ii) Haitians who return to Ecuador after living in Brazil, and from there they depart to the Mexico–United States corridor with the aid of coyotes; or (iii) African migrants who arrive in Ecuador either by land routes from South American countries, or after crossing transatlantic routes, and from there, they move to Peru or Colombia via clandestine paths to reach the United States.

International migrants increasingly depart on their own too, guided by migratory knowledge exchanged between them or found on the Web. They also tend to hire coyotes' services only for some stretches along their routes. Thus, these irregular international transits from and through Ecuador surge as a combination of autonomous movements with coyotes' services.

**Map 8.1:** Ecuadorian migrant smuggling routes and international migrant smuggling routes from and through Ecuador



Source: Ruiz and Álvarez Velasco, 2016.

Note: This map is for illustrations purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

## Conclusion and ways forward

By revising the existing information regarding both modes of migrant smuggling, throughout this chapter, it has been shown that they are evolving social processes constitutive of Ecuadorian long-standing migratory history. The review has shown that, although investigative journalism and academic research – and to a much lesser extent grey literature – have made contributions, important limitations and research gaps still persist.

Among the prominent limitation is the absence of systematic and updated public information and empirical research. This has resulted in a generally accepted view regarding both modes of migrant smuggling as if they were merely criminal activities, disregarding their historical, cultural, political and socioeconomic dimensions. Also notable is the fact that official public

data primarily originates from a law enforcement approach that happens to be severely limited when facing such a complex and dynamic social process, as migrant smuggling is.

In this same vein, it has also become clear that between the different information sources, apparently there is insufficient exchange. The criminological approach of State information has little to do with smuggling complexities and multi-dimensionality, something analysed in specialized scholarship since the mid-1990s. If academic research findings are not shared with media and policymakers, comprehensions of migrant smuggling would hardly be transformed.

Another finding that stands out is the fact that the smuggling of international migrants from and through Ecuador, in general terms, has just begun to take its place in the research agenda. This confirms, more broadly, the historical and contemporary importance granted to the situation of immigrants in Ecuador, the causes of their arrivals, their daily lives, and of course, the reasons for their irregular transits abroad via smuggling networks.

To face such research limitations and gaps, it would be desirable for Ecuadorian State entities responsible for producing data on smuggling, in partnership with specialized academic centres, to make joint efforts to create a real information system for both modes of migrant smuggling. Leaving aside the current law enforcement approach, the system should provide data desegregated by gender, age, ethnic origin, socioeconomic level and nationality, with a territory-based approach.

Partnerships among academic institutions could allow for encouraging continuous multidisciplinary investigations based on a migrant-centric approach. From this perspective, migrants are seen as active decision-making subjects, with particular socioeconomic and cultural experiences, who resort to smuggling as a way to fulfil their life projects. Inquiring about migrant subjectivity could allow for acknowledging that migrant smuggling is a historical, socioeconomic, political and cultural process. By centring on Ecuadorian and international migrants' experiences, scholars could underscore gender differences, as well as the dynamics embedded in an expansive social network configured around migrant smuggling. The production of robust critical interdisciplinary research can modify criminalistic perspectives that predominate in Ecuadorian governmental and press information.





Finally, research information cannot emerge only in contexts of “crisis”. In other words, investigative journalism, academic research or grey literature cannot turn their gaze to both modes of migrant smuggling, only when any sort of “human drama” is involved. Even less, the Ecuadorian State can respond only when exceptional situations take place. Both modes of human smuggling are constantly transforming and facing new challenges derived from systemic inequality and the current global control regimen. Therefore, research information should be produced at the same pace.

Combining systematic data collection with interdisciplinary research contributes to creating timely and effective State responses that unconditionally prioritize migrant protection over State security, and overall to understanding that if structural causes are not tackled and radically transformed, migrant smuggling will persist. Strengthening the State’s control duty against migrant smuggling only stimulates its proliferation, perpetuating migrants’ exposure to transit between life and death.

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# 9 CANADA

Nassim Majidi and Camille Kasavan

## Introduction

Reaching Canada for anyone outside of the Americas can be costly and logistically cumbersome. Canada is shielded from irregular arrivals by its geography, which includes the oceans of the Atlantic, Arctic and Pacific on its eastern, northern and western borders, as well as the United States of America to the south. Movement therefore often involves flights, as well as fraudulent passports and travel documents if legal ones cannot be obtained.

As the language and policies on immigration and refugee acceptance and resettlement continue to become increasingly hostile in key developed destination countries and regions, Canada has emerged as an aspirational destination, but the routes migrants take to reach Canada are often long, expensive and circuitous. Arriving in Canada by land through the United States border is complicated, due to the 2004 Safe Third Country Agreement between the two countries, which states that those seeking asylum must claim it in whichever country they arrive first (Canada or the United States). If a person is attempting to enter Canada through the United States and is apprehended, they would be refused Canadian asylum. If, however, they are already on Canadian soil, they would qualify.

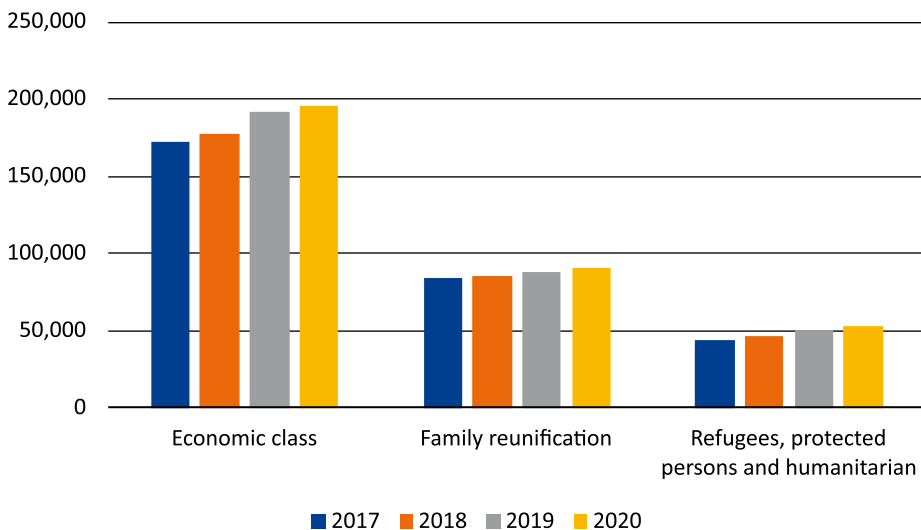
Canada is a signatory to the United Nations Office on Drugs and Crime's (UNODC) 2004 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplement to the United Nations Convention against Transnational Organized Crime, which proclaims that "smuggling of migrants and the activities related to it cost many people their lives and generate billions of dollars in profit for criminals. They also fuel corruption – through the bribery of officials – and strengthen organized crime in the countries of origin, transit or destination" (UNODC, n.d.). This definition of smuggling, while not inaccurate, reflects only part of this complex phenomenon, and does not account for the multidimensional relationships between smugglers and migrants and the intersections between smuggling, migrant vulnerabilities and the influence of outside actors and policies.

This chapter is on migrant smuggling to Canada, with a particular focus on migrant vulnerabilities, exploitation and protection needs during their journey to Canada, with particular reference to migrants from Afghanistan, Iraq and the Syrian Arab Republic.<sup>93</sup> It does so by providing an overview of migrant smuggling data and research concerned with movements to Canada, followed by an overview and explanation of the “migrant ecosystem” that informs the decision to move and cross the “migrant threshold”.

## Overview of migrant smuggling data

Movement to Canada is on the rise (Statistics Canada, 2017), supported in part by the Government of Canada (Harris, Hall and Zimonjic, 2017). The Government of Canada released its immigration plan 2018–2020, committing to raising annual immigration intake by 13 per cent by 2020 (Bascaramurty, 2017). This intake would be drawn from an increase in economic migrants, from a current 172,500 registered economic migrants in Canada in 2018 to a projected 195,800 in 2020 (see Figure 9.1). This would be supported by small growth of family reunification (with a projected increase of 7.6%) and refugee intake (with a projected increase of 18%) (Harris, Hall and Zimonjic, 2017).

**Figure 9.1:** Canadian Immigration: Projected class levels by year

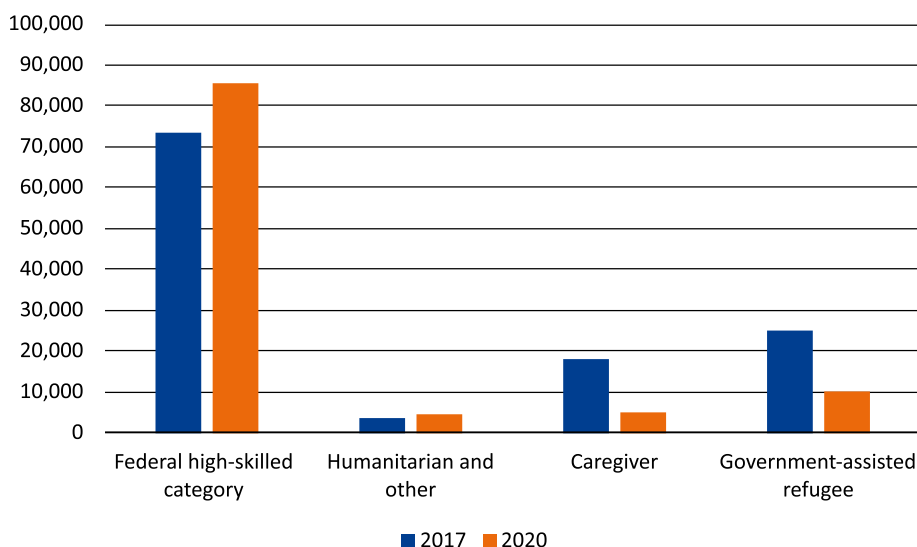


Source: Government of Canada, n.d.

<sup>93</sup> This article is based on a research conducted by Samuel Hall and commissioned by the International Organization for Migration (IOM) Ghana (IOM/Samuel Hall, 2018).

Closer study reveals that this projected increase in immigration flows to Canada is targeted mainly at highly skilled and exceptional migrants. Government immigration projected increases mainly target programs for skilled workers, people working within unique trades, and people involved in the business sector (see Figure 9.2) (Green and Spiegel, 2017). Although humanitarian and family reunification classes witness some increases through this mandate, the projected decrease in the caregiver and government-assisted refugee categories suggest that arriving in Canada via regular routes will remain a challenge for migrants who do not fall within the preferred categories.

**Figure 9.2:** Projected migrants granted permanent residence in Canada (by category)



Source: Government of Canada, n.d.

Quantitative data related to smuggling remains difficult to obtain, in large part due to its illicit nature – as well as the criminalization of smuggling – and lack of distinction between smuggling and other irregular movements by national research institutions.

Sources that have been identified as providing data on the movements of irregular migrants are included in Table 9.1. The caveats to these numbers are that they are provided by a variety of sources, producing a patchwork of data collected using different methodologies, definitions and collected over varying time periods. In some cases, data are not available for Canada or may be classified (if they are government sources).

**Table 9.1: Data sources on irregular migrants**

Data source	Short description
Enforcement data	Border, law, visa and other enforcement authorities collect information on irregular migrants' status in the course of their work (e.g. interdictions and other data gathered by border guards, police and labour market inspection units).
Regularization data	Irregular migrants may self-identify to authorities to become regular. Includes records of permanent regularization procedures and programmes.
Support service data	Irregular migrants may be identifiable in some services (e.g. health services for uninsured persons). Support service data are based on records about such services.
Administrative data	All organizational statistics that cannot be summarized under the specific headings above (e.g. demographic data, school registers).
Census/general survey	All surveys that are directed at general populations are included in this category. Census or population surveys often include a part of the irregular migrant population, although they are not always identifiable.
Expert survey	Expert surveys include the systematic collection and evaluation of estimates and indicators from institutional experts and/or key informants in immigrant communities.
Migrant survey	All surveys in which irregular immigrants are directly targeted.
Employer survey	All surveys targeting employers and requesting information on the irregular employment of foreign nationals.
Economic data	Data on production, income, demand and others that are used for indirect estimations.
Multiple sources	Studies relying heavily on several of the above data sources.

Some national statistics on flows of irregular movement to Canada are accessible, although sparse, and does not distinguish between smuggled, trafficked and other irregular crossing. In 2017, 22,140 asylum claimants were processed by the Canada Border Services Agency (CBSA) (Government of Canada, n.d.). Of these, 15,310 of them were processed at various points of entry, including those intercepted by the Royal Canadian Mounted Police (RCMP) at entry at air, land and marine entry points (see Table 9.2).

**Table 9.2: Number of asylum claimants processed by CBSA at ports of entry, 2017**

Air ports of entry	Land ports of entry	Marine ports of entry
3,885	11,400	25

Source: Government of Canada, n.d.



As can be seen on Table 9.2, land crossings far outweigh crossings by air and by boat. At some crossing points, as many as 35 to 40 people a week were apprehended. According to figures shared by the RCMP from one of the popular irregular crossing points at the United States–Canada border in Emerson Manitoba, 40 people were intercepted between 28 February and 3 March 2017, crossing without authorization, bringing the total of intercepted people in that location to 183 for 2017. Thirty-nine (39) people had been intercepted the previous week (RCMP, 2017). A Canadian news article from 6 March 2017 cites concern by the RCMP, the Canada Border Services Agency and other immigration and border security officials that “a relative winter trickle of crossings into Canada could turn into a spring flood” (The Canadian Press, 2017). One official at RCMP shared the following via e-mail, “Agencies are now saddled with the influx coming from the United States and we don’t yet have a clear picture of the routes and level of organization, criminal or otherwise, behind it.” (IOM/Samuel Hall, 2018). This further illustrates the difficulty in collecting quantitative data on smuggling, as border agencies struggle to compile accurate data in a fast-changing environment.

Travelling to Canada irregularly is expensive. Migrants from Afghanistan interviewed as part of Samuel Hall’s study noted that costs could range from USD 10,000 to USD 40,000, depending on the mode of transport (ibid.). Being smuggled by land through South and Central America is in the lower end of the price range, but the journey is longer and more dangerous (see Table 9.3). The majority of respondents emphasized that they had more frequently paid between USD 30,000–USD 40,000, often for fraudulent documents and organization of logistics allowing them to arrive by air (ibid.). According to Canadian news reports cited by the Canadian Council for Refugees in February 2017, fake passports and visas on their own could account for USD 4,000 to USD 20,000, depending on the amount of documents needed and the quality provided (Khandaker, 2017).

**Table 9.3:** Smuggling to Canada from the Middle East and Africa: Amounts paid in 2017 (USD)

	By plane	By land
Minimum amount paid	25,000	7,000
Maximum amount paid	40,000	16,000

Source: Khandaker, 2017.

Costs along the way include more than fraudulent documents and strict travel facilitation – migrants being smuggled can be subject to inflated rates for food and basic necessities along their route, as smugglers and shopkeepers strike agreements to keep a monopoly on services. One Afghan migrant interviewed highlighted this inflation; at one stop along the route, migrants had no other option but to purchase water at USD 10 for a small bottle, and a pack of biscuits at USD 15 if they wanted to nourish themselves at all (IOM/Samuel Hall, 2018). This data highlights, to a certain extent, the expensive nature of undertaking the journey to Canada. Unfortunately, there remains a data gap when it comes to tracking increases and costs of smuggling over time, which limits this analysis.

### Overview of research on migrant smuggling

In 2004, Mountz conducted an ethnography within the federal Citizenship and Immigration Canada department (CIC), observing the department’s response to human smuggling case of migrants smuggled by boat from China to British Columbia in 1999. Mountz ultimately places Canadian national attitudes towards smuggling within the context of a national anxiety that views smuggled migrants differently depending on their means of arrival, drawing a distinction in attitudes towards migrants arriving by boat (or land) and by air, the former which are seen by the State as a criminal threat to the sovereignty of the Canadian nation itself (Mountz, 2004).

In his examination of Canadian legislation surrounding smuggling, in particular Bill C-4 – which in 2011 was proposed to enhance the criminalization of smuggling and detention measures against smugglers and smuggled migrants – Perrin (2013) takes a hardline approach to smuggling that similarly views these networks and activities as a criminal threat. Perrin ultimately concludes that “[migrant smuggling] cannot be rationalized, justified, or excused. Failing to effectively respond to, and deter, migrant smuggling from both a supply and demand side will only risk emboldening those who engage in this illicit enterprise” (ibid.).





Other literature however examines and critiques this criminal approach to smuggling, putting forth instead a more nuanced vision of the migrant–smuggler relationship.<sup>94</sup> Qualitative approaches that focus on the voices of migrants and, where possible, smugglers, are crucial: in-depth interviews, conducted over several sessions, allow the gaps inherent in these fragmented perspectives to be filled, and for the complexity and multiple dynamics of the migrant–smuggler relationship to be better examined.

Unfortunately, there remains a lack of academic or grey literature on migrant smuggling to Canada. Perrin (2013) highlights this in his study, noting that “there is little literature on migrant smuggling to Canada, such that most of the information on the extent of the problem comes from criminal intelligence reports, immigration records, and high profile publicly reported cases.” Some high-profile cases do spark public media and government attention, such as the 2010 incident aboard the MV *Sun Sea*, a cargo ship that brought 492 Sri Lankan Tamils into British Columbia. Media coverage include editorials framing the arrivals of the migrants as a potential terrorist and security threat (Libin, 2010; CTV News, 2010) to criticism of the Government of Canada for keeping migrants detained for lengthy amounts of time and preventing family reunification (Quan, 2010; Carlson, 2010). Government documents released under the Access to Information Act reveal the security concerns that echo some of this coverage, as well as supporting Perrin’s approach (Canada Border Services Agency, 2010). Media coverage continues to evoke this event and highlight it as the moment where a shift in Canadian discourse and legislation towards a more security-focused approach for migrants and refugees occurred (Quan, 2015; Dhillon, 2015; Merali, 2017). There remains however a gap in academic literature examining these shifts and this coverage.

### ***What does the existing evidence base tell us about migrant smuggling in Canada?***

A migration threshold is crossed at the moment when the potential migrant makes the active decision to take her or his first step towards onwards movement. This first step is taken based on aspirations, hopes and circumstances that lead to the moment of decision. This section outlines four key contexts relevant to migrants’ decision-making process once this migration threshold (Mallett et al., 2017) has been crossed and the journey begins.

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<sup>94</sup> See the works of Collyer, 2010; Collyer, Düvell and de Haas, 2012; Sanchez, 2015; Majidi, 2018; and Baird, 2015.



## Context 1: Profitability and variety of routes to Canada

Smuggling to Canada remains among one of the most profitable destinations for smugglers, with profit margins of up to USD 14,000 using various routes (IOM/Samuel Hall, 2018). Major source countries of migrants to Canada include India, Sri Lanka, Bangladesh, Pakistan, Afghanistan and the Islamic Republic of Iran, and major transit countries and regions include the following:

- (a) **Greece and Turkey:** Migrants interviewed in Greece and Turkey have cited Canada as the most expensive and difficult to reach destination, although it remains still at the top of their desired destinations. Smugglers in Greece interviewed for this study reported sending people to Canada from Turkey in April and May 2016, resulting in profits for them in excess of USD 10,000 (ibid.). Migrants also use Greece and Turkey as transit points through which to move towards a second less-difficult destination in Europe (such as Germany), before continuing their journey onwards.
- (b) **United States:** The United States remains a key transit country for migrants going to Canada. In some cases, migrants from Pakistan are smuggled into the United States through Canada, whereas in other cases, migrants from Pakistan are smuggled in the opposite direction (UNODC, 2015). The Akwesasne region between the United States and Canada has emerged as a likely area for border crossings by irregular migrants between the two countries.
- (c) **South and Central America:** The Caribbean and Latin America have been identified as transit regions for the smuggling of migrants from the Islamic Republic of Iran and Iraq to Canada. Smuggling from the Islamic Republic of Iran through the Bolivarian Republic of Venezuela emerged as a route in the mid-2000s when the governments of the two countries developed closer ties, and flights between Tehran and Caracas started. At that time, the Bolivarian Republic of Venezuela also introduced a visa waiver programme for Iranian nationals. Europol reported that in 2009, more than half of all Iranian nationals arriving in Canada by air using fraudulent travel or identity documents had transited in Latin America and/or the Caribbean (Europol, 2010:4). In 2008, Europol reported that the Plurinational State of Bolivia, Costa Rica, Guatemala and Mexico were used as transit points for the smuggling of Iraqi nationals via land into Canada (Europol, 2008:4). This trend has now been observed in South Asian economic migrants from India and Bangladesh as well.

## Context 2: Demographic and socioeconomic

Afghan, Iraqi and Syrian migrants interviewed come from diverse backgrounds, age groups and socioeconomic profiles. They are young and old, men and women, single or married, with or without children, first-time migrants, as well as returnees and migrants stranded in transit. There are migrants who have the financial means to move forward if given the chance or provided with regular means of migration, and there are also those who have reached the limits of their financial resources and have become stranded, barely making ends meet. There are five key aspects of the demographic and socioeconomic context of Afghan and Syrian migrants trying to reach Canada through smuggling:

- Who? Men but also women decide to take the smuggling route to Canada.
- When? Smuggling as a last resort option.
- Why? Family reunification as a key aspiration in choosing Canada.
- How? Shifting destinations: choosing Canada while in transit.
- Where? Overall perception of Canada: a positive global image.

### *Female migration to Canada using smuggling routes*

Assumptions of male-dominated migrant smuggling are being challenged as more and more women make the choice to undertake perilous journeys using smugglers (UNODC, 2009). Although little quantitative data is available surrounding female movement to Canada, women seeking irregular means to enter the country is increasing, highlighted qualitatively in this study. Interviews conducted in Afghanistan with seven Afghan women who had prepared to go to Canada using irregular means shine a light on women's movements and highlight specific challenges and decisions faced by women migrants along their journey.

These interviews highlight the fact that female migrants suffer from sexual and gender-based violence (SGBV) along their route. This includes being propositioned or pressured into having sex with smugglers, agents, corrupt officials and others they face during their migration process. Incidents of SGBV have occurred in countries of transit where women have been sexually violated and not offered basic protection, safety and security (Amnesty International, 2016 and 2017). There are also familial and societal barriers that prevent women from moving beyond the cognitive threshold of migration.

It would be simplistic to reduce female migration to incidents of SGBV and exploitation and restrictions at home. Interviews with women migrants in Canada reveal that, similar to men, women choose to migrate to improve their economic and educational opportunities with agency and determination, and that they are well aware of the risks of the journey, including specific risks to them as women. These economic and educational aspirations that women nurse influence the cognitive threshold of migration. When consistently faced with obstacles from institutions at home that limit their progress and self-development, women choose to turn to opportunities abroad.

In light of these choices, defining women as mere “vulnerable individuals” risks promoting a victimhood narrative, reducing their autonomy and infantilizing their active decision-making processes. In addition, continuously grouping women with children in statistical data collection and analysis perpetuates a narrow definition of gender that fails to recognize women’s diverse needs and account for their individual identity and agency, both along their journey and once Canada has been reached (Smith, 2016).

### ***Making the decision to move: Smuggling as an option of last resort***

For all interviewees, migrating to Canada was a decision formed after a long and deliberate process, which included careful collection of detailed information from various sources. For every individual, a different combination of preferences, assets and priorities comprised the initial preparation phase.

In the majority of cases, the initial preference of movement for migrants to Canada was through legal channels rather than smugglers. All interviewees had explored or sought information regarding legal systems that could facilitate regular migration. Legal channels considered by migrants included applying for visas, registering on the Office of the United Nations High Commissioner for Refugees lists for resettlement (in the case of Syrians in Greece and Turkey) or exploring opportunities to go to Canada for education. Smuggling remained a plan of last resort when one or more of these options failed.

### ***Family reunification prospects: An influential factor in destination choice***

For most migrants interviewed, Canada came highly recommended by family members and trusted friends, who commended on its positive life prospects, ample opportunities for education and employment, and especially as an institutional environment conducive to newcomers and family reunification.

This last aspect is integral for Afghans who planned on establishing themselves in Canada and eventually bringing their families over to their new homes. Interviews revealed that the only apprehensions concerning Canada as a destination were linked to the journey and transit mechanisms themselves: namely, the near-impossible means of reaching Canada via regular routes, given the geographical distance of the country and the high cost and difficult nature of smuggling across oceans. Apprehensions surrounding Canada itself were low, and hopes surrounding family reunification, as well as aspirations for family members' future were higher.

### ***Shifting destinations: Choosing Canada while in transit***

One category of migrants set their sights on Canada as a destination while they were in transit. Canada may not have been their original choice of destination, but the difficulties faced while transiting in Europe led them to a change of route.

In light of recent political events and the conditions faced by many in Europe, Canada is increasingly being viewed as a politically safe country and less susceptible to anti-immigration sentiments and policies. As a result, migrants who have successfully entered Europe using smugglers, but are stranded or have undetermined future prospects, are now considering paying smugglers to travel from Europe to Canada.

Reasons for this are varied, including anti-immigrant, populist and nationalist sentiments against immigrants in Europe that migrants are acutely aware of, as well as the fact that migrants themselves see Europe as being “overcrowded” by migrants.

For Syrian migrants in Turkey, the multitude of significant difficulties faced have contributed to decisions to move further to Canada.

### ***Overall perception: Canada's positive global image***

When compared to the stance taken by other administrations, or the bleak situation of Afghans they had heard about or personally witnessed in Europe, interviewees praised Canada's organized, fast and well-structured asylum process and supportive immigration system once the migrants had arrived in Canada.

For returnees from Europe interviewed in Afghanistan, their next attempt to move had to be somewhere with guaranteed support from institutions that welcomed migrants and provided channels for naturalization and family reunification. Presently for Afghans, this is viewed as possible in Canada.

### Context 3: Preparedness and resource mobilization

Considering the difficulties in reaching Canada and the higher-than-average costs for smuggling, which can reach up to USD 40,000 for one migrant, all migrants interviewed had sought information from family and friends, consulted various sources, including lawyers and smugglers, and weighed their options. This is different than migration within Europe, where without proper information or knowledge, migrants transit from one country to another, trying their luck at finding support, often faced by overburdened administrations, cumbersome bureaucracy or outright rejection.

The information is obtained through social networks, close and extended family members and friends, at home or abroad using information and communications technology resources en route; and sought online, particularly by younger and more tech-savvy migrants. This provided instant connectivity with friends and family members, and access to volumes of media, from news articles to popular culture, literally at their fingertips.

Smugglers themselves are also sources of information. The smuggler–migrant relationship is a complex, dynamic and multifaceted one. While no migrant interviewed in this study revealed full trust in intermediaries, and all had at some point been exploited by smugglers and travel facilitators (either financially, physically or through coercion), they all recognized that without smugglers, their journey would not have been possible. Often smugglers along their route were their only accessible source of information, and they had to maintain that relationship and accept that a certain level of trust in the smuggler was necessary to their continued movement, even as this uneasy trust was laced with anxiety and uncertainty.

Smugglers sometimes come from well-connected families, occasionally benefiting from wide networks or backgrounds in intelligence or security, giving them a unique advantage and privileged information on most effective channels for smuggling. Their perceptions of their own work are as varied as migrants' perception of them: some smugglers view migrants as parcels/packages they must pass on, without much care for their being other than to keep them moving; this was particularly the case for the well-trodden land routes from Afghanistan to Europe. Other smugglers took their business seriously and referred to migrants

as clients, offering them guarantees and going to great lengths to provide and collect proper information and ensure migrants arrived as promised, both to get paid and for referrals.

Smugglers often perceive themselves positively as businesspersons who provide a necessary lifeline to migrants. In the case of going to Canada, many of these smugglers view “providing visas and passports” in exchange for money as a legitimate business – there is a need to be filled, and they fill it. Flying on forged visas or passports is the safest, shortest and most expensive route to Canada, and smugglers provide this possibility. They also provide lower cost possibilities: costs of the journey went down, sometimes by as much as USD 20,000, as the route became longer, more dangerous and involved land and water crossings.

### *Other actors along the way: The migrants’ diverse ecosystem*

Beyond smugglers, migrants regularly encounter police and law enforcement officials, especially at border crossings. Migrants also interacted with shopkeepers in areas where they spent prolonged periods of time during transit, bus drivers, intermediaries between themselves and the smugglers, neighbours and other migrant travellers.

These actors play a crucial role in enabling or hindering the migrant’s journey, and are central nodes in the migrant–smuggler nexus. Intermediaries and travel facilitators along the route are unavoidable contacts in order to get from one smuggling point to the next. Views of these local travel facilitators were varied, as was the nature of interactions, which ranged from derogatory, abusive and exploitative interactions and harassments, to stoic guides who simply led the way and focused on the logistics of the journey. The more positive interactions were when facilitators understood the plight of the migrants and did what they could to move the process forward, get to the next destination and set the migrant off to the next person or on the next leg of their journey, such as a flight or a ship.

Other migrants and social media are crucial means of support along the way and form one facet of the migrants’ ecosystem. Friends and family, at home, abroad or encountered along the journey, spoken with in person or via communications technology, are crucial safety nets and support mechanisms for migrants; they can link individuals to others, send money through formal and informal financial institutions when resources run low and provide encouragement when prospects seem bleak. On the other hand, these same elements can add pressure to a migrant’s fragile state, from having to send remittances, to settling debts incurred from migration, to feeling ashamed if

the migrant does not succeed in building a life abroad. Other migrants become part of the journey with familiar faces resurfacing in different locations, sharing feedback on smugglers and intermediaries, making introductions to smugglers.

#### Context 4: Vulnerabilities and exposure to exploitation

Transit constitutes one of the most significant segments of the journey to Canada, and often the segment within which migrants are most vulnerable and exposure to exploitation is at its highest potential. This is where available response mechanisms and the migrant's own ecosystem are at their weakest, as migrants are more reliant on people outside of their immediate, more trusted network.

Active exploitation by law enforcement officials and passive silence of institutional mechanisms to protect migrants play a crucial role in exacerbating migrant vulnerabilities in transit countries.

#### ***Trends in vulnerability and exploitation: The development of vulnerability and vulnerability cycles***

Vulnerability at home (the start of the journey) can play a role in pushing a migrant to cross the migration threshold and take steps towards movement. Interviews with Afghans and Syrians in Canada and in transit towards Canada revealed that safety and security at origin play a role in the decision to leave. Threats to safety and stability of the individual and their family, combined with a lack of local security contexts pushed many to contemplate leaving. Interviews with migrants indicated the decision to leave for Canada being made under personal or circumstantial duress, thereby beginning their journey with a certain level of vulnerability.

#### ***Vulnerability in transit and exposure to exploitation***

Transit is often the longest, most expensive and most dangerous segment in the journey to Canada. During this time, migrants live at the constant risk of getting arrested or deported if they do not possess the right documentation, permission to stay or continue onward. Without a clear plan for the way forward, perpetually waiting, without documentation, without work or a reliable source of income, without a purpose or a home, many migrants in transit become exposed to physical, financial and mental exploitation. Such experiences are becoming more and more common as times spent in transit are systemically increasing (Collyer, 2010).



Financial resources, social support and community integration in transit areas, a concrete plan for onwards movement, and having a sense of purpose are coping mechanisms highlighted by migrants that allow them to fortify themselves against some of these vulnerabilities. There were also more esoteric coping mechanisms cited by migrants. One was hope and faith. Hope that they would make it through the bad times and be able to look back on this one day from a better place. Hope that they would make it through, become somebody and be able to provide for themselves and their families. Hope and faith in this dream kept them going.

The absence and degradation of these coping mechanisms, loss of hope, loss of faith, loss of social support and financial resources, to varying degrees and in different combinations, can exert a great deal of suffering on migrants.

The wide-ranging challenges experienced by migrants in transit, such as lack of financial resources, lack of legal status, being away from their support network and relying on smugglers for food and water, information and communication prompts us to question the ways in which protection is presented by authorities and offered or withheld to those who seemingly need it most. Lack of familiarity with foreign systems, lack of awareness of rights and lack of access to basic services all leave migrants highly vulnerable to exploitation, and this increases the longer they are in transit.

### *Financial exploitation by smugglers and intermediaries*

It is expensive to reach Canada through smugglers. For most migrants, paying upwards of USD 35,000 means selling key assets in their country of origin, taking on debt and forgoing family savings. The initial lump sum agreed upon with the smuggler is not the only money that migrants have to pay.

Intermediaries along the route often extort money from migrants for food and shelter. Some have reported smugglers asking for a higher price once the migrant is en route, leaving them with no option but to ask for more money from home or risk being left stranded in a transit location. The situation of migrants stuck in Greece for instance, due to a lack of resources to further migrate, can lead into situations of bonded labour, when a person is forced to work to pay off a debt incurred while travelling. This is one of the most common forms of modern slavery imposed on some migrants in transit.

The financial obligations and payments made to the smuggler and other actors responsible for the migrant's journey towards Canada push them further in to cycles of debt to brokers in places of transit that go beyond initial monies owed to family and close friends. This can lead migrants to take on employment under exploitative conditions.

### *Migrant exploitation by police and law enforcement*

Intermediaries are not the only potential perpetrators of exploitation. Physical abuse and humiliation by police in areas of transit, for example, was a prevalent phenomenon highlighted in interviews with migrants. Police and other law enforcement officials are frequently cited as the people that migrants are most fearful of. Whether physically abusing and beating migrants throughout their European transit, detaining them or simply blocking their route, migrants reported having to suffer through repeated abuse that led them, sometimes, to exploring even more costly, more dangerous or more clandestine ways forward.

### *Difficulties in accessing formal support while in transit*

For many migrants, finding formal institutional support came down to chance encounters along their journey and at destination. Such organizations typically include non-governmental organizations, lawyers, practitioners and activists with the networks and resources to provide support to migrants. Interviews with migrants in Canada highlighted the important role that lawyers played in preparing cases and manoeuvring legal systems once at destination. However, such services were not available to most migrants in transit, or at least not consistently or officially.

This puts into question the extent to which service providers and institutions are able to reach, represent and assist hard-to-access and hidden populations – young migrants, women and children who have been smuggled and fear seeking assistance in case it would in some way jeopardize their prospects of reaching Canada or remaining there.

There is a correlation between what access to formal support is available, between what is understood as legal and permissible, the perpetuation of irregular means and nature of smuggling. This is particularly the case for migrants transiting through Europe to get to Canada. Migrants going to Canada who are faced with poor access to formal institutions, as well as low access to legal channels of movement and formal support are more likely to continue to choose to follow irregular paths, including making the choice to be smuggled.

This is highlighted in the case of land transits through Central America and the United States, and the Safe Third Country Agreement between the United States and Canada. Despite the difficulty of regular land travel to Canada, policies and practices in Europe and the United States have a large impact on framing Canada as a desirable destination. Whereas Europe used to be a desired destination for many Afghans transiting by land, it no longer seems so. Many migrants have decided to pay the higher costs and take the difficult journey to reach Canada because of better perceived opportunities and prospects waiting for them there, including the possibility of access to more formal and speedier support mechanisms.

## Conclusion and ways forward

Vulnerabilities for migrants travelling to Canada are heightened in transit, when their support system is at its weakest and when a number of barriers prevent them from approaching law enforcement officials to seek protection. There is a large data and literature gap surrounding smuggling to Canada; moving towards filling these gaps can go a long way to supporting policies that take an evidence-based approach to smuggling. Canada is an aspirational destination for migrants from Afghanistan, Iraq and the Syrian Arab Republic. Yet the human, financial and physical costs and exploitation along the way lead to increasing vulnerabilities for migrants. Smugglers are part of the equation but can also be a source of protection; other actors can cause harm, including law enforcement representatives along the way. Data is needed to minimize harmful practices and support protective measures.

Actionable steps towards arriving at evidence-based practices can be taken to protect smuggled migrants stranded in transit countries, as well as at arrival. In order to address these knowledge and data gaps, the following actions should be considered:

- Training and capacity development of law enforcement officials and State authorities in understanding the nuances of irregular migration, including the differences between smuggling and trafficking, in order to support more targeted national data.
- Mapping informal support channels and informal spaces for protection available to migrants in transit – such as religious spaces, schools and community centres, clinics and markets – that can be leveraged to understand the vulnerabilities and enhance protection measures.

- Supporting more and better quality of data collection: quantitative data collection on smuggling is currently insufficient, inconsistent and too ad hoc for comprehensive analysis. Disaggregated data is needed by age and gender to avoid grouping women and children under a vulnerable category that reproduces a narrative of victimization, and instead, de-grouping them will help identify harmful practices and support mechanisms.
- Supporting greater levels of research that provide a nuanced understanding of the complex migrant smuggling relationship, including a qualitative approach that takes into account all actors encountered on the journey. Such common instances of exploitation – financial, sexual and physical – call for in-depth qualitative research to uncover practices, actors and solutions.

Without stronger and more formalized knowledge of the dynamics of smuggling to Canada, including at destination and in transit, building a system of support and evidence-based protection mechanisms for the vulnerable will be difficult.

Research that recognizes migrant agency, the vast social networks that exist at origin, transit and destination, and the system of support and coping mechanisms that surround migrants and the migration process is key.

Ultimately, migration is a social process with deep roots in communities at origin, transit and destination (Majidi, 2018). Smugglers are an integral part of this process and provide a much sought-after service where structural systems and infrastructure for regular migration are absent, lacking or unequal. Solely focusing on the criminal aspects of smuggling without engaging in broader and more nuanced research does not allow for further discussion of policies and frameworks that protect and support migrant and other human rights. Research then needs to be translated into a set of revised practices that centre the response around protection in transit and upon arrival, rather than criminalization.



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