



## IOM AND COUNTER MIGRANT SMUGGLING

Migrant smuggling is a fast growing global crime that exposes thousands of migrants to unacceptable risks and challenges the integrity of international borders. Many migrants lacking the means to reach their destination country legally turn to criminal groups specialized in migrant smuggling. The phenomenon of migrant smuggling is characterized by high human cost and high profits for transnational criminal networks, while states face challenges in preserving the integrity of their migration governance systems and sovereign borders and fulfilling their responsibilities to protect individuals' human rights.

In the last two decades and particularly since the Arab Spring and the unleash of conflicts in the Middle East and North Africa, there has been an increase in those attempting to cross borders with the services of migrant smugglers. There are few parts of the world that are untouched by migrant smuggling. The International Organization for Migration (IOM) seeks to implement projects to address migrant smuggling wherever it exists be it in the Asia Pacific region, across the African continent, in the Mediterranean or in Central America.

### DIFFERENTIATING MIGRANT SMUGGLING AND TRAFFICKING IN HUMAN BEINGS

According to the United Nations Convention on Transnational Organized Crime and its protocol against the smuggling of migrants, **migrant smuggling** is defined as the intentional organization or facilitation of the irregular movement of persons across state borders, which is provided in return for financial or other gain by the migrants to the smugglers. Smuggling of migrants generally takes place with the consent of the person willing to move. However, the act of smuggling itself is often dangerous and violent, forcing people to unsafe and inhumane travelling conditions.

Smuggling is nevertheless **distinct from trafficking in human beings**, which does not require the crossing of international borders, involves physical or psychological violence, coercion, exploitation of position of vulnerability, and is aimed at the exploitation of the victim.

The distinction between these two types of crimes can become blurred in practice because smuggled migrants can also become victims of violence or other forms of exploitation.



## IOM'S RESPONSE TO COUNTER MIGRANT SMUGGLING AT A GLANCE

As the leading intergovernmental organization in the field of migration, IOM has prepared a comprehensive policy response to migrant smuggling addressing the multiple dimensions of the migrant smuggling phenomenon. The IOM strategy consists of four key components:

### LEGAL MIGRATION OPTIONS

- Promoting more options for legal migration such as labour migration channels, increased resettlement opportunities and quotas as well as humanitarian admission schemes.

### PRACTICAL PROTECTION FOR MIGRANTS

- Assisting states in providing humane and dignified reception services in countries of destination, including immediate assistance and referral services;
- Advocating for sufficient resources for search and rescue operations in high risk corridors.

### INTERDICTION AND PROSECUTION OF SMUGGLERS

- Supporting states to embed procedures and processes that permit law enforcement agencies to more effectively target those responsible for organising migrant smuggling;
- Building the capacity of and supporting border agencies to ensure more effective interdiction of migrant smuggling.

### DEVELOPMENT AND DURABLE SOLUTIONS

- Providing credible, up to date region specific analysis of migration and smuggling routes, including documented experiences of migrants;
- Providing more economic opportunities in key communities of countries of origin for smuggled migrants, especially for youth.

## IBM'S FOCUS: IDENTIFICATION AND PROSECUTION OF SMUGGLERS

The IBM Division supports states to embed procedures and processes that permit law enforcement agencies to more effectively target those responsible for organising migrant smuggling while at the same time ensuring that those that make up the judiciary have both the legislation in place to ensure that the offence is criminalized and the skills and procedures to effect safe prosecutions. In close cooperation with governments and relevant agencies, IOM's role is to:

- Examine and build legislative capacity to criminalize migrant smuggling and prosecute smugglers
- Build the capacity of law enforcement bodies to investigate cases of migrant smuggling
- Build the capacity of front-line border management teams and specialist anti-smuggling units to interdict migrant smuggling and to process smuggled migrants while meeting their protection needs
- Develop and strengthen IT tools to effectively combat migrant smuggling, including border management information systems, biometric capture and intelligence development
- Support the creation of an intelligence-led approach to preventing migrant-smuggling
- Enhance close regional and inter-regional cooperation among key countries
- Advocate for the exchange of best practices, trans-national and international tools that counter smuggling of migrants' activities

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### OUR OBJECTIVE

ENABLE STATES TO MORE EFFECTIVELY  
INTERDICT MIGRANT SMUGGLING AND  
SAVE MIGRANTS LIVES

FOSTER REGIONAL AND INTERNATIONAL  
COOPERATION TO FIGHT MIGRANT  
SMUGGLING

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