

## 2. Human Smuggling: A Serious but Constantly Growing Transnational Organized Crime

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### ABSTRACT

This research article focuses on the issue of human smuggling as a contemporary transnational organized crime which, despite being a heinous transnational crime and a serious human rights issue, is getting structurally stronger and more established with each passing year. Starting with the problem analysis, it defines and explains the phenomenon of human smuggling from criminal, humanitarian and commercial perspectives. It also highlights some principal reasons for the growth of the enterprise of human smuggling, such as, political and social unrest, violence and persecution carried out in the state of origin, the economic inequalities caused by globalization & strict immigration policies and border controls by the developed states. Lastly, while highlighting the main challenges faced by the migrants, the article also mentions some crimes and social evils that flourish along the smuggling routes and the countries of destination.

### 1. INTRODUCTION

**H**uman smuggling – also called alien smuggling or migrant smuggling - is a growing transnational crime that, on the one hand, puts thousands of illegal migrants to unacceptable risks, and, on the other hand, challenges the

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integrity of international borders.<sup>4</sup> It is a highly secretive and illicit activity controlled by organized transnational criminal groups<sup>5</sup> and facilitated by corrupt public officials especially in border police, immigration, embassies and police at ports, who turn a blind eye to such activities in return for bribe.<sup>6</sup> According to different news reports and governmental agencies, the world witnessed a considerable growth in human smuggling across international borders since the 1990s as a result of strict immigration policies introduced by the developed countries,<sup>7</sup> but the subject has gained international prominence in the recent years.<sup>8</sup>

## 2. THE SCALE OF THE PROBLEM

Albeit a very serious issue by its very nature and a huge challenge for the international community, it is difficult to assess the actual size of the problem because it takes place underground and often goes unidentified or misidentified.<sup>9</sup> The clearly distinguishable lines between human smuggling and human trafficking are often confused in the reports of law enforcement and intelligence

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<sup>4</sup> “International Office of Migration”, The International Office for Migration and People Smuggling, available in <http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/ibm/10-IOM-IBM-FACT-SHEET-People-smuggling.pdf>

<sup>5</sup> Bhabha Jacqueline, (March 1, 2005). Trafficking, Smuggling, and Human Rights. Migration Policy Institute, para 3-4 <http://www.migrationpolicy.org/article/trafficking-smuggling-and-human-rights>

<sup>6</sup> United Nations Office on Drugs and Crimes, (2010). Toolkit to Combat Smuggling of Migrants, Pp. 5-8. [http://www.unodc.org/documents/human-trafficking/Toolkit\\_Smuggling\\_of\\_Migrants/10-50812\\_Tool2\\_eBook.pdf](http://www.unodc.org/documents/human-trafficking/Toolkit_Smuggling_of_Migrants/10-50812_Tool2_eBook.pdf).

<sup>7</sup> Kyle David & Zai Liang, (2001). “Migration Merchants: Human Smuggling form Ecuador and China. Working Paper 43”. The Center for Comparative Immigration Studies, University of California, San Diego. [https://ccis.ucsd.edu/\\_files/wp43.pdf](https://ccis.ucsd.edu/_files/wp43.pdf)

<sup>8</sup> Antonopoulos, G. A. and Winterdyk, J. (2006). “The smuggling of migrants in Greece: an examination of its social organization”, *European Journal of Criminology*, 3 (4), pp.439-461.

<sup>9</sup> Financial Task Force Action, (2011). “Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants”, <http://www.fatfgafi.org/media/fatf/documents/reports/trafficking%20in%20human%20beings%20and%20smuggling%20of%20migrants.pdf>

agencies as well as open sources.<sup>10</sup> According to UNHCR<sup>11</sup> around 123,300 people crossed Mediterranean illegally in 2021 to arrive in Europe with the possibility that many may have died or gone missing on their way. According to some estimates, as of January of 2022 the illegal immigrant population in the US stood at 11.35 million.<sup>12</sup> Regardless of the accuracy or otherwise of the reports that quantify the scale of human smuggling, the fact remains that it is a constantly growing business due to the increasing number of people aspiring to travel illegally to the developed countries.<sup>13</sup> Paradoxically, with the introduction of new measures by States to prevent illegal entry, the criminal groups become more organized as they regularly adapt to such situations.<sup>14</sup>

### 3. DEFINITION OF HUMAN SMUGGLING

Human smuggling is a recent term linked to the transformation of illegal migration into a commercial enterprise by organized groups, who assist migrants in a coordinated way, in exchange for high monetary gains.<sup>15</sup> Article 3 of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention Against Transnational Organized Crime (2000), defines the smuggling of migrants as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a

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<sup>10</sup> Human Smuggling and Trafficking Center, (July 1, 2013). “Human Trafficking Vs. Human Smuggling. Fact Sheet.”, <http://www.state.gov/documents/organization/226276.pdf>

<sup>11</sup> United Nations High Commissioner for Refugees (UNHCR), (February 11, 2015). <http://www.unhcr.org/54db82536.html>

<sup>12</sup> Britannica ProCon.org, (June 22, 2022). US undocumented immigrant population estimates. Retrieved from <https://immigration.procon.org/us-undocumented-immigrant-population-estimates/>

<sup>13</sup> Aronowitz Alexis A., (2001). “*Smuggling and Trafficking in Human Beings: The Phenomenon, the Market that Drive it and the Organizations that Promote it.*” European Journal on Criminal Policy and Research 9: 163-195. <https://link.springer.com/article/10.1023/A:1011253129328>

<sup>14</sup> Ollus Natalia, (n.d.). “*Transnational Organized Crime: A Tool for Criminal Justice Personnel. Resource Material*”, No. 62. 31-43. Retrieved from [https://www.unafei.or.jp/english/publications/Resource\\_Material\\_62.html](https://www.unafei.or.jp/english/publications/Resource_Material_62.html)

<sup>15</sup> Zhang Sheldon X., (2007). *Smuggling and Trafficking in Human Beings: All Road Lead to America.* Praeger, Connecticut.

State Party of which the person is not a national or a permanent resident”.

Smuggled persons are parties, at low leverage though, to the commercial contracts by willingly paying or promising to pay money for the illegal travel to the country of destination.<sup>16</sup> While some illegal migrants seek out smugglers’ services, many are tricked by the smugglers/traffickers<sup>17</sup> and may be subsequently exploited at different stages of the travel.<sup>18</sup> All going well, they usually manage themselves after arriving in the final destination. Nevertheless, in many cases when they fail to make payment to the smugglers, they are forced into sex trade or debt bondage and threatened with severe consequences if they speak or complain to anyone about it.<sup>19,20</sup>

#### 4. THE PHENOMENON OF HUMAN SMUGGLING

Human smuggling is not just illegal transportation of persons from one country to another. It is a complex phenomenon and a lucrative industry which is supported by various market forces and traffickers/smugglers in the countries of source, transit and final destination.<sup>21</sup> Most of the smuggled persons are usually the most disadvantaged in their countries of origin who aspire to immigrate to developed countries for economic reasons. However, refugees/asylum seekers from Syria or those fearing political, religious or ethnic persecution in their home countries see it as a useful tool to travel to safer places seeking international protection. So, human smuggling can be looked at

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<sup>16</sup> Iselin Brian and Adams Melanie, (10 April 2003). “*Distinguishing between Human Trafficking and People Smuggling*.” UN Office on Drugs and Crime, Regional Centre for East Asia and the Pacific, Bangkok. [https://www.embraceni.org/wp-content/uploads/2006/06/Distinguishing\[1\]1.pdf](https://www.embraceni.org/wp-content/uploads/2006/06/Distinguishing[1]1.pdf)

<sup>17</sup> Shaw Mark and Mangan Fiona, (July 2013). “Profits and Losses: Illicit economies and emerging patterns of organized crime as obstacles to peace and state consolidation in Libya”, United States Institute for Peace (USIP). <http://www.usip.org/sites/default/files/PW96-Illicit-Trafficking-and-Libyas-Transition.pdf>

<sup>18</sup> Ibid 7

<sup>19</sup> Ibid 10

<sup>20</sup> (n6) 1

<sup>21</sup> Ibid 13

from different angles – a commercial activity, a transnational criminal activity or a humanitarian response.<sup>22</sup>

## 5. REASONS FOR THE GROWTH IN HUMAN SMUGGLING

It is difficult to comprehend all factors and patterns behind the enormous growth of the human smuggling industry. However, it can be safely said that political and social unrest, persecution and discrimination in the countries of origin, and conflicts are the main reasons pushing people to move abroad.<sup>23</sup> Those fleeing their countries of origin mostly look for travelling to the countries in which the principles of freedom of expression, democracy, human rights and the rule of law are upheld.<sup>24</sup> Many people from the *Hazara Shia* ethnic community—a minority Shia sect in Balochistan province of Pakistan, for example, are at extreme of risk of being perished at the hands of extremist *Sunni* militants who regularly persecute members of this community.<sup>25</sup> It is impossible for them to get valid visas for other countries or to be granted refugee status straight away by the UNHCR. Therefore, they resort to the services of human smugglers/traffickers who illegally smuggle them to New Zealand or Australia where they can live in peace.<sup>26</sup>

Globalization has resulted in enormous economic growth but it has also bred an ever-widening gap of wealth between countries. The increased global inequality has affected socio-economic and

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<sup>22</sup> John Salt, (2001). “*Trafficking and Human Smuggling: A European Perspective*”, International Migration, Special Issue 2000/1, 31-56. <http://lastradainternational.org/lsidocs/538%20pdf.pdf>

<sup>23</sup> United Nations Human Rights Office of the High Commissioner, 2014, Factsheet 36, [http://www.ohchr.org/Documents/Publications/FS36\\_en.pdf](http://www.ohchr.org/Documents/Publications/FS36_en.pdf)

<sup>24</sup> Parliament of Australia, (February 5, 2013). “Destination anywhere? Factors affecting asylum seekers’ choice of destination country”. Research Paper no. 1 2012-13

<sup>25</sup> The Diplomat, (April 12, 2019). “*Hazaras Gripped by Religious Extremism in Balochistan*,” <https://thediplomat.com/2019/04/hazaras-gripped-by-religious-extremism-in-balochistan/>

<sup>26</sup> “We are walking dead – Killings of Shia Hazara in Balochistan, Pakistan”. Hazara Asylum Seekers. July 15, 2014. <https://hazaraasylumseekers.wordpress.com/category/hazara-persecution/page/2/>

political domains in the form of inadequate healthcare and social/public services, poor standards of living, and the maintenance of political power in the hands of a few powerful families in the countries that have failed to show economic progress.<sup>27</sup> This has also led to disappearance of jobs in many third world countries, thus, propelling many to seek escape in the more developed and affluent countries in search of better employment opportunities.<sup>28</sup> There are many 'pull' factors in the developed countries, such as high wages, dual labour markets with shortage of labour for the low level jobs, and the benefits of welfare systems etc. that attract many people from the developing and underdeveloped countries.<sup>29</sup>

With the developed countries tightening their border controls, many of the illegal migrants fall into the hands of smugglers and traffickers. Strict migration policies and border controls in the developed countries, especially in the aftermath of 9/11, based on xenophobic feelings of some local population, popular misperception of the negative impact of immigration flows on employment, and political expediency have triggered the formation of increasingly sophisticated smuggling and trafficking networks<sup>30,31</sup> who have converted irregular migration and asylum to a successful and opportunistic criminal business. Smugglers, exploiting the miserable situation of the migrants, make huge profits by providing illegal services to arrange illegal entry into the destination countries.<sup>32</sup>

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<sup>27</sup> John R. Barner, David Okech and Meghan A. Camp, (2014). "Socio-Economic Inequality, Human Trafficking, and the Global Slave Trade. *Societies*," 4, 148-160. [www.mdpi.com/journal/societies](http://www.mdpi.com/journal/societies)

<sup>28</sup> Janie, Chuang (2006). "Beyond a Snapshot: Preventing Human Trafficking in the Global Economy" *Indiana Journal of Global Legal Studies*. Volume 13, Issue 1, Article 5. 136-163

<sup>29</sup> Edward R. Kleemans and Monika Smit, (2014). "Human smuggling, human trafficking, and exploitation in the sex industry". In L. Paoli (ed.), *Oxford Handbook on Organized Crime*. Oxford: Oxford University Press (draft). 1-21.

<sup>30</sup> (n28) 136.

<sup>31</sup> International Council on Human Rights Policy, (n.d.). "Policy Brief on Irregular Migration, Migrant Smuggling and Human Rights: Towards Coherence." [http://www.ichrp.org/files/summaries/41/122\\_pb\\_en.pdf](http://www.ichrp.org/files/summaries/41/122_pb_en.pdf)

<sup>32</sup> Ibid 32

## 6. ISSUES (SOCIO-ECONOMIC, CRIMINAL, HUMAN RIGHTS) RELATED TO HUMAN SMUGGLING

The smuggled persons take all possible risks including sale or mortgage of their properties to pay the smugglers' fees, which put them and their families in severe financial difficulties.<sup>33</sup> Depending on the routes and transportation methods, they are exposed to a wide-range of real physical risks, including drowning in unsafe boats, suffocating to death in overcrowded truck compartments and ships, and being caught up in the middle of conflicts. When arrested in transit countries, they are often victimized in detention centers for disclosing information about the smugglers and are detained for prolonged periods without any judicial guarantees.<sup>34</sup> There is less exposure to physical risks in smuggling by air, but the smugglers often subject the migrants to provide sexual services or carry drugs to pay for the services rendered by them.<sup>35</sup> They are also exposed to some forms of psychological vulnerability, such as isolation from their families and social network or separation from their country and culture.<sup>36,37</sup>

Human smuggling affects almost every country whether of origin, transit or destination.<sup>38</sup> States are the actual victims of this crime as their economy, international relations and security is adversely

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<sup>33</sup> The Effective Administration of Criminal Justice to Tackle the Smuggling of Migrants. Resource Material Series No. 62. Pp. 167 – 180, [http://www.unafei.or.jp/english/pdf/RS\\_No62/No62\\_2ORC\\_Group2.pdf](http://www.unafei.or.jp/english/pdf/RS_No62/No62_2ORC_Group2.pdf)

<sup>34</sup> Ibid 5

<sup>35</sup> (n6) 8.

<sup>36</sup> International Committee of the Red Cross, (November 21, 2014). “*Efforts to restore family links bring some relief to migrants held in Libya*”. <http://familylinks.icrc.org/en/Pages/NewsAndResources/News/RFL-brings-some-relief-to-migrants-in-Libya.aspx>

<sup>37</sup> Office of Attorney General, (n.d.). State of California Department of Justice. <http://oag.ca.gov/human-trafficking/what-is>

<sup>38</sup> United Nations Office on Drugs and Crime (UNODC), (Feb. 3, 2012). Promoting a Criminal Justice Response to Smuggling of Migrants and Trafficking in persons Anchored in Human Rights Approach. A Contribution to the Security and Safety of Migrants. UN/POP/MIG-IOCM/2012/08. <http://www.un.org/en/development/desa/population/migration/events/coordination/10/docs/P8.United%20Nations%20Office%20on%20Drugs%20and%20Crime.pdf>



affected.<sup>39</sup> Like other organized crimes, it undermines the efforts of the law enforcement agencies, adversely affects economic growth, and disrupts the transition to a market economy. It also poses great threats to the management of States' regular migration policies and affects their capacity to protect their borders and regulate migration.<sup>40</sup>

Determined by the laws of supply and demand, human smuggling is a service industry where the market dynamics tend to play a crucial role in the equation. There would be less need for the services rendered by human smugglers if there are low barriers for migrants to overcome during their journey and the need for smugglers becomes greater where the barriers are high.

Strict border control management, with no rescue and life-saving response measures, can lead to migrant deaths as human smugglers easily divert to treacherous traffic routes showing no regard to the safety of the migrants.<sup>41</sup> Thus, States are put under extra financial burden to take more law enforcement measures and/or hire extra personnel. Although States may want to reduce clandestine entry of illegal migrants at ports, it is quite difficult for individual States to do it without international cooperation.<sup>42</sup>

On the recipient side, most of the law enforcement measures are aimed at interdiction of the migrants instead of 'reducing demand for illegal migrants', such as mandatory verification by the

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<sup>39</sup> (n16) 8.

<sup>40</sup> Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime: Co-Chairs' Statement (26-28 February 2002). Retrieved from <http://www.baliprocess.net/files/ConferenceDocumentation/BRMC1.pdf>

<sup>41</sup> Guerette Rob T., (2007). "Immigration policy, border security and migrant deaths: an impact evaluation of life-saving efforts under the border safety initiative". *Criminology and Public Policy*. Volume 6, No. 2, pp.245-266. <http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9133.2007.00433.x/pdf>

<sup>42</sup> Koslowski Rey (2008). *Global Mobility and the Quest for an International Migration Regime*. In Joseph Chamie and Luca Dall'Oglio (2008). *International Migration and Development: Continuing the Dialogue: Legal and Policy Perspectives*. Center for Migration Studies (CMS) and International Organization for Migration (IOM). [http://publications.iom.int/bookstore/free/International\\_Migration\\_Development.pdf](http://publications.iom.int/bookstore/free/International_Migration_Development.pdf)



employers of the eligibility of the workers. Most of the illegal migrants use the services of remittances agents to send money back home to their families,<sup>43</sup> which raises concerns about money-laundering and financing terrorist activities.<sup>44</sup> They often disturb the local economy and employment markets, as most of them work for low wages without paying taxes. Since they do not have access to public funds and resources, they can engage themselves in criminal activities to support themselves and their families. They are also a source of continuous security concern for many recipient States - illegal migrants from politically polarized and conflicts backgrounds may trigger communal tensions or spread militant beliefs,<sup>45</sup> while many terrorists can make their ways illegally to the countries of destination.<sup>46</sup>

Organized crimes, such as human smuggling, thrive easily in the countries with weak governments.<sup>47</sup> In countries hit by violence or natural disaster, it is often difficult for the governments to exert their authorities.<sup>48</sup> Human smugglers, benefiting from such situations, rapidly increase their activities as there are minimum chances of intervention from the law enforcement agencies or immigration authorities. A good recent example is the unrest in Libya and the general instability in North Africa and Sahel, which

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<sup>43</sup> Wuebbels Mark, (n.d.). "Demystifying Human Smuggling Operations Along the Arizona-Mexican Border", Pp. 25-27, available in [http://tracc.gmu.edu/pdfs/publications/human\\_trafficking\\_publications/wu\\_ebbe01.pdf](http://tracc.gmu.edu/pdfs/publications/human_trafficking_publications/wu_ebbe01.pdf)

<sup>44</sup> Maimbo Samuel Munzele, (2004). "The Regulation and Supervision of Informal Remittance Systems: Emerging Oversight Strategies. Seminar on Current Developments in Monetary and Financial Law." Retrieved from <https://www.imf.org/external/np/leg/sem/2004/cdmfl/eng/maimbo.pdf>

<sup>45</sup> Graycar Adam & Tailby Rebecca, (August 14, 2000). People Smuggling: National Security Implications. AUSTRALIAN INSTITUTE OF CRIMINOLOGY  
[http://www.aic.gov.au/media\\_library/conferences/other/graycar\\_adam/2000-08-smuggling.pdf](http://www.aic.gov.au/media_library/conferences/other/graycar_adam/2000-08-smuggling.pdf)

<sup>46</sup> McGee Sibel, Joel Michael, Edson Robert, (2009). "Mexico's Cartel Problem: A Systems Thinking Perspective. Applied Systems Thinking Institute, Analytic Services, Inc." Retrieved from <http://www.anser.org/docs/asyst-doc/Mexican.Cartels.pdf>

<sup>47</sup> Bagley Bruce, (2005). "*Globalization and Latin American and Caribbean Organized Crime. In Mark Galeoti*" (Ed.), (2005). *Global Crime Today: The Changing Face of Organized Crime*. Routledge, Taylor & Francis, London.

<sup>48</sup> (n6) 98.

have resulted in an unprecedented flow of illegal migrants to Europe in recent years.<sup>49</sup>

Human smuggling promotes several other parallel crimes such as forging of documents, prostitution, theft, fraud, and drug trafficking,<sup>50</sup> and erodes social values. More and more people become part of the smuggling chain as it fetches good and easy money.<sup>51</sup> Different layers of corrupt public officials including immigration directors and visa-issuing authorities, border guards or airports staff can be involved in the smuggling business.<sup>52</sup> Police officers, prosecutors, judges and other public officials in many countries are reportedly being bribed with the goal to avoid proper investigation, prosecution and get favourable court decisions.<sup>53</sup> The smugglers sometimes coordinate their activities with other criminal groups (e.g. with drug cartels in case of US-Mexico border) to benefit from their safe smuggling routes. The overall effect of such activities is the development of black-market economies along the 'illegal migration' routes, and the increase of many social evils and crimes.

The effects of human smuggling do not end upon the arrival of illegal migrants in the country of destination. They are confronted with many unexpected challenges upon arrival into the desired destination. Most of them live in unhygienic conditions and have no access to the healthcare services, which

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<sup>49</sup> Global Initiative against Transnational Organized Crime, (2014). Smuggled Futures The dangerous path of the migrant from Africa to Europe. <http://www.globalinitiative.net/download/global-initiative/Global%20Initiative%20-%20Migration%20from%20Africa%20to%20Europe%20-%20May%202014.pdf>

<sup>50</sup> (n6) 46.

<sup>51</sup> Johnson Scott, (August 10, 2014). "Busy "Pipeline" Migrant Route Makes Texas Town Hub for Human Smuggling, Easy highway access and a frontier lawlessness has transformed Falfurrias". National Geographic News. <http://news.nationalgeographic.com/news/2014/08/140810-immigration-minors-smuggling-central-america-texas/>

<sup>52</sup> United Nations Office on Drugs and Corruption (2013). "*Corruption and the Smuggling of Migrants.*" [http://www.unodc.org/documents/human-trafficking/2013/The\\_Role\\_Of\\_Corruption\\_in\\_the\\_Smuggling\\_of\\_Migrants\\_Issue\\_Paper\\_UNODC\\_2013.pdf](http://www.unodc.org/documents/human-trafficking/2013/The_Role_Of_Corruption_in_the_Smuggling_of_Migrants_Issue_Paper_UNODC_2013.pdf)

<sup>53</sup> *ibid* 22

expose them to various health problems.<sup>54</sup> They face continuous discrimination, exclusion, exploitation and abuse,<sup>55</sup> which makes it difficult for them to integrate in the community.<sup>56</sup> The separation from family with almost no possibility of coming back for many years, place them and their families under a considerable emotional and psychological stress. There are reports of children of illegal migrants ending up using drugs, family breakdowns and break-ups, and weakening of social ties etc.<sup>57</sup> In case of migration by a whole family, the children are also affected by the education system in the destination country as it is not tailored to their needs and they are often stigmatized as illegal migrants which affects them psychologically.<sup>58</sup>

## 7. THE CHARACTERISTICS AND MODUS OPERANDI OF SMUGGLING ORGANIZATIONS

The routes and *modus operandi* of the smuggling operations depend on the geographical challenges, the location of the operation, nationalities of the smuggled persons, and the history of smuggling in the relevant areas.<sup>59</sup> The smugglers accomplish their business by avoiding immigration check-points in the countries of transit and destination or by deceiving, through forged documents, or involving, by paying bribes, the immigration authorities.<sup>60</sup> The potential illegal migrants usually want to go to

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<sup>54</sup> Arslan Gökçe, (2013). "Migrant Smuggling – The Impact of the Turkish Highway to Europe". Thomson Reuters. p. 1 Retrieved from [http://accelus.thomsonreuters.com/sites/default/files/GRC00714\\_MigrantSmuggling\\_TurkishHighway.pdf](http://accelus.thomsonreuters.com/sites/default/files/GRC00714_MigrantSmuggling_TurkishHighway.pdf)

<sup>55</sup> Ibid 23

<sup>56</sup> Levinson Will , (January 22, 2014). Illegal Immigration: Let's begin integrating – rather than ostracizing the U.S' illegal migrants. Point of View, para 1. Retrieved from <http://www.bbnpov.com/?p=1393>

<sup>57</sup> D'Emilio, A.L., B. Cordero, B. Bainvel, C. Skoog, C., D. Comini, J. Gough, M. Dias, R. Saab, & T. Kilbane, (2007). "*The Impact of International Migration: Children left behind in selected countries of Latin America and the Caribbean*". Division of policy and planning, UNICEF, New York. p. 9. [http://www.childmigration.net/UNICEF\\_2007](http://www.childmigration.net/UNICEF_2007)

<sup>58</sup> Illegal Immigration and Education, (November 7, 2012). The National Law Review, para 4, <http://www.natlawreview.com/article/illegal-immigration-and-education>

<sup>59</sup> Ibid 42.

<sup>60</sup> (n33) 167.

those countries, which offer favourable conditions to fulfill their migration goals. The network of human smugglers in the countries of origin provide them with information about different countries, explain different modes and aspects of the journey including travel costs, connect them to their friends or communities, and promise to help in accommodation, healthcare support, and employment etc. upon arrival in the destination countries.<sup>61</sup>

Human smuggling can be carried out in different ways, ranging from academic institutes bringing in fake students<sup>62</sup> and families inviting fake tourists, to low level smugglers belonging to the same ethnicities or a loose chain of smugglers in different locations who pass on the smuggled persons from one to the other.<sup>63</sup> Petty smugglers with simple operational capacities may offer low-cost services, which could be extremely dangerous to the health and life of the migrants. The more complex and organized groups of smugglers involve an assortment of people offering illegal services at various stages. According to Ko-lin, the big chain of human smugglers resembles a dragon, which though lengthy in creature, has all its organic parts tightly linked.<sup>64</sup> Small scale entrepreneurs provide transportation while some agents supply various basic services such as shelter and food. The big networks of smugglers also provide complex products such as forged travel and identity documents, coaching with immigration interviews, and links to employers and immigration lawyers against a large initial down-payment.<sup>65</sup> They adapt their moves according to the changing situations on the ground and at the international borders or ports. Sometimes the initially planned

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<sup>61</sup> Bilger Veronika, Hofmann Martin & Jandl Michael (2005). “*Human Smuggling as a Transnational Industry: Evidence from Austria*”. Retrieved from [http://www.net4you.com/jandlftp/Human\\_Smuggling.pdf](http://www.net4you.com/jandlftp/Human_Smuggling.pdf)

<sup>62</sup> The Pie News, (June 24, 2014). “UK: Exam fraud fallout hits 57 private colleges, 3 unis”. <http://thepienews.com/news/57-colleges-suspended-45000/>

<sup>63</sup> Neske, Matthias, and Jeroen Doomernik (eds.), (2006). “Comparing Notes: Perspectives on Human Smuggling in Austria, Germany, Italy, and the Netherlands—Cluster Introduction.” *International Migration* 44(4): 39–58. <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2435.2006.00379.x/pdf>

<sup>64</sup> (n31) 20.

<sup>65</sup> (n31) 21.

chain of smugglers is broken *en route* (due to policing operations for example), and other individuals or groups take over the operation.<sup>66</sup>

There are no fixed routes for human smuggling, but a few common ones amongst others are: i) South-North America (by land), ii) Asia-Central Asia-Russia-Western Europe, iii) China/Philippines/Asia-Indonesia-Australia (by sea), and iv) Middle East/Turkey/North Africa-(Libya/Algiers)-Italy/Greece/Spain (by land and sea)<sup>67</sup>.

## CONCLUSION

Human smuggling is a highly profitable and organized transnational criminal business run by underground criminal groups. Though it puts thousands of humans' lives in risky situations and challenges the integrity of international borders, it is still a constantly growing business due to the increasing number of people aspiring to travel to the developed countries due to poverty, political instability, discrimination and persecution, and conflicts in the countries of origin. Quantification and verification of data about human smuggling is very difficult as the crime takes place underground. Illegal migrants are law offenders and are somehow partners in the crime, but they often become victims as the smugglers have no regard for human suffering. Upon arrival in the destination countries through illegal ways, the sufferings of most of the migrants continue which put them under severe physical and psychological stress for many years. Although they contribute to the improvement of the financial conditions of their families and communities back home, they adversely affect the local employment markets and raise considerable security concerns in the country of destination. Human smuggling, a serious crime in

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<sup>66</sup> (n8) 439.

<sup>67</sup> Gaziarifoglu Yasemin, (2012). "Risk Factors of Smuggling of Migrants by Land. RTM Insights", 24.  
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