

# ARE THERE GOOD SMUGGLERS? SOLUTIONS TO MIGRANTS SMUGGLING INTO EUROPE

*Daniela DRUGAŞ\**

**Abstract.** *According to the data provided by Europol there are around 40 000 migrant smugglers suspected of being involved in migrant smuggling networks. Nine out of ten refugees now in Europe admit that they used the services of a smuggler to get here. The article refers to the process of decision-making of migrants and refugees and the organizational structure of smuggling networks. Potential immediate actions and solutions and obstacles hindering the process are considered.*

**Keywords:** *irregular migration, migrants smuggling, traffic of human beings, solutions*

The instability in North Africa and the Middle East after the Arab Spring, in particular the Libyan political and security degradation, has created favourable conditions for the emergence and multiplication of operationally illicit smuggling networks that facilitate the North African migration movement towards Europe. (Swing, W.J, 2016:116).

Organizing this crossing is done by networks of smugglers, given that nine out of ten refugees now in Europe have arrived on the continent through these networks.

The cost of travel for each refugee varies between two to six thousand Euro, which means a profit for terrorist networks estimated between 5 and 6 million Euros only in 2015, a year with a high migration flow.

Payment of these initial sums does not guarantee safe crossing nor is it a final value. International organizations report that smugglers are requesting additional payments along the way, which, if not carried out, lead to violence and abuse of migrants in the form of torture or rape. In addition, there have been cases where migrants were seized or sold as slaves during the crossing (Drwiega, A. 2015:8).

According to data provided by Europol, over 40,000 individuals are suspected of being involved in migrant smuggling (EUROPOL, 2016:7), which is a fulminating figure.

## **Migrants smuggling**

Migration smuggling occurs when a person facilitates the transportation or illegal entry of a person in another country in order to make a profit (United Nations Protocol Against Smuggling of Migrants by Land, Sea and Air, Art. 3a). It is different from trafficking in human beings, but in practice the two types of traffic interrelate. Contrary to trafficking in human beings, migrant smuggling does not involve migrant's coercion, it is done with the consent of the trafficked person. Once the two sides have finished the business, their roads are separated. Smuggling does not involve a new relationship or the continuation of the relationship once the destination is reached.

---

\* *PhD candidate, Faculty of History and Philosophy, Babeş-Bolyai University, Cluj-Napoca, Romania, E-mail: danadrugas@yahoo.com*

Differently to smuggling, trafficking in human beings is not necessarily transnational and a central element of the definition of trafficking in human beings is that they are committed through fraud, deception and coercion for the purpose of exploitation. Once the destination has arrived, traffic involves a new relationship or its continuation. It violates the human rights of trafficked persons, the right not to be held in slavery or servitude, the right to freedom and security of the person, the right not to be subjected to inhuman and cruel treatment, and so on

Sometimes it happens that what started as migrants smuggling turns into trafficking in human beings. For example, a tax to enter illegally into a country - once the border is crossed turns into a toll that the migrant cannot pay. In order to pay this increased tax, and under the threat of being reported to the authorities, the migrant may end up in forced labour or sexual exploitation, becoming a victim of trafficking in human beings.

Even though migrant smuggling does not always turn into trafficking in human beings, the underlying factors and factors that favour it are intersecting so that measures to reduce smuggling can also apply to trafficking in human beings and vice versa.

Smuggling can take many forms and involve a large number of intermediaries. It can be structured in the form of trans-national networks and, more often, includes more or less organized informal individuals or organizations. It can be organized from home to destination or can be shorter travel routes. It may involve irregular border crossings or the use of fraudulent documents.

Trafficking in human beings is, by definition, transnational and always illegal. Smuggling is helped by corruption.

Migration traffic is on the rise - in Europe, migrants smuggling has increased significantly, especially on the Eastern Mediterranean route. Other Asian routes continue to exist, even if they are not growing. Smuggling is also present in Central America, with many trafficked migrants wishing to travel to the United States.

The flow of boats along the Mediterranean has become a symbol of the European Union's difficulty in controlling the borders and despair of individuals using these dangerous traverses, leading to death or physical and mental injuries to many of them. Besides the disaster humanitarian crossings have led to increased border management costs and have exacerbated the political tensions surrounding migration. To respond to the problem, it is necessary to better understand the dynamics and motivation of these migratory movements on each side of the journey. Political debates on improving maritime border controls show how little policymakers know about how migrants decide on these actions, receive information, interact with smugglers, and calculate risk.

Good well-informed strategy to respond to traffic services such as those facilitating the crossing of the Mediterranean will have to understand both the "customer" and the "supplier" (Townsend, J; Oomen C, 2017: 7).- Unfortunately, there are great shortcomings on the part of the policymakers on both sides.

We will first examine the decision-making process of the migrant, the perception of risk and access to information.

### **Decision making by migrants and perception of risk**

Understanding the motivation of migrants by political factors is incomplete. Specialty literature suffers from three limitations (Townsend, J; Oomen C, 2017:7):- concentration on push-pull factors instead of better understanding of the choices that migrants make in different phases of their journey, a biased perspective, stemming from focusing on gathering information in the countries of destination and potential over-

generalizations of the interpretation of certain cases, and a fixed analysis of a fluid phenomenon - for example, changing motivations over time, and evidence of the initial motivation of movement not applicable to later migration

Most studies list the push-pull factors that underlie migration in a static, one-dimensional form. For example, cited pull factors usually include economic advancement, education, family reunification, protection and language, while push factors usually include violations of human rights. A little attention has been paid to the dynamics of decision-making, both before and after departure. In fact, while the motives, constraints and opportunities of those who consider migration may be different, even migrants who migrate forcibly make active choices about migration. Moreover, the "forced" nature of migrant movement may become a less useful predictor of their course of movement once they have left their home.

In addition, many studies are limited by a "destination bias". Most relevant research is completed in the destination countries, which means by definition it is based on the experiences of migrants who have managed to reach the destination. To learn more about migrants' motivations, more research is needed in countries of origin and transit.

There are several recent contributions in this regard, such as a recent study by UNHCR, which conducted 92 interviews with migrants from six different countries and a study by the RMMS – (Regional Mixed Migration Secretariat, 2014, :11) which focused on migrants from the Horn of Africa. These contributions are informative in mapping different sub-Saharan routes in Africa through Libya and highlight the various types of hazards that migrants can encounter. However, these studies do not show the reasons for hundreds of thousands of migrants, and do not mention those who changing plans, failing or abandoning plans to reach Europe.

Migrants' ambitions and motivations to migrate change as they leave, travel and arrive, due to numerous reasons. In the case of individuals fleeing the conflict, it is assumed that they are looking for safety but often embark on dangerous crossings - such as Somali, Syrians and Eritreans crossing the Mediterranean. Moreover, those traveling from transit countries - such as the Syrians fleeing the new conflict in Iraq - are often hoping to move to a place that offers long-term opportunities not only in the most secure country. In other cases, the difficulties of the route can push migrants to change their plans or review their initial reasons. For example, the Africans who explained before they left to work for a few years in Europe, recalibrated their declared ambitions and plans after having endured many misfortunes along the many months of their journey, a journey they expected fast and simple. Finally, ambitions are not always achieved - sometimes on the contrary - and some people fail in their attempts to migrate or are forced to make decisions that they do not want.

Quantitative studies of migrant flows vary in their attention to the motivation of migration such as poverty, conflict and human rights violations. Even though carefully designed, these general patterns are imprecise tools to understand how migrants - both individuals and families, those who succeed and those who fail - choose the course of the next place to migrate. Policy makers continue to rely on studies that generalize migrants' motivations and do not view major differences along migratory waves.

### **Risk assessment and decision making**

Thousands of people trying to cross the Mediterranean have died or suffered multiple wounds. We have asked ourselves why migrants continue to embark on these dangerous crossings. A frequent explanation is that they do not understand the risks and do not know less dangerous alternatives, especially those who appeal to unscrupulous

smugglers. For example, the European Union's Mediterranean Task Force recommends "information on extreme hazards and hazards accompanying irregular migration", suggesting that poor information and lack of knowledge are important factors in increasing the number of deaths at sea.

In fact, poor information does not explain migrants' decisions to endanger, for a variety of reasons. In general, people are not very skilled in calculating risk and give up its consideration in day-to-day decisions, the risk of dying or being hurt is worth considering, especially when compared to the immediate threats of personal security.

Long-term risks are compared to short-term risks and seem more important at a given moment - for example, migrants are more concerned about future barriers to finding a job and supporting their family than in related to life and language risks.

Even when individuals estimate the risk correctly, it seems insignificant compared to immediate threats.

Everyday life provides many examples of poorly calculated risk. Driving a motorcycle instead of a car illustrates how people do not take well-known risks when making choices for themselves. Likewise, many who want to cross the Mediterranean can explain, in general terms, the inherent physical risks. When they talk about their plans, they conclude that whatever the risks, the future benefits outweigh them.

Moreover, even when individuals properly assess the risk, it seems insignificant compared to immediate threats. An NGO report on Syrian refugee families indicates that once migrants have decided to embark, they feel that there is no way to return, even if they do the gravity of the danger (Save the Children, 2014: 9). For migrants, the possibility of death or injury in transit may seem more abstract than the concrete threats they face at home. Understanding how migrants perceive the potential risks and rewards of travel and weighing them in the face of their present situation is essential in any analysis of the clandestine movement.

Generally, most research on human risk perception focuses on short-term risks such as exploitation and injury. However, they do not take into account a central issue of migrant motivation - the potential value of long-term migration. Thus, major threats derive from European laws and policies, as migrants take into account the probability of engaging, integrating and helping their family members. Indeed, when future migrants go from risk assessment to discussing the expected benefits, it has become clear during interviews that many are very interested, but not necessarily, in assessing threats to their objective - long-term stay in Europe. Once migrants have left their homes, their long-term tolerance to reach their purpose increases as long as they can maintain their confidence that their ultimate goal is safe. A more sophisticated risk assessment method could determine how migrants are weighing short-term physical risks against their long-term goals - and both types of risk, in turn, against possible benefits.

When potential migrants switch from risk assessment to discuss possible benefits, it is clear, during interviews, that most are very interested, but not necessarily precise, in assessing threats.

### **Information and processing networks**

Risk assessment and decision-making are processes that result from the interaction of experience, beliefs, emotions, and environmental information. Migrants' efforts to access and evaluate information seem to vary significantly. From interviews that analyse migration to Europe, many say they have looked at the situation in depth to choose options and risks. Answers to questions indicate that many have searched for active but sporadic information over the course of several months or years without paying much attention to

the quality of the sources. A minority of migrants had alarmingly few sources of information and advice (J. Townsend; C. Oomen, 2017:6).

Moreover, migrants can get different information at different points in the migration process, and may consider them more valuable as they are in transit for a long time. At the transit points, migrants exchange information on security, transport opportunities and job opportunities. Some postpone the trip because they need time to assess risks and options. The comparison between those who postpone and those who move quickly through transit points can provide useful information to policy makers. Another possibility of research would be to compare the influence of different sources of information encountered in transit. Of these, we will only analyse three of the most important: information received orally received mainly from family and friends who have already made the trip, official awareness campaigns, including the online platforms of international organizations, intermediaries and traffickers, who can use social media, among other channels, to promote their services. Many potential migrants receive information from family and friends, from home and abroad. Social media can play a role in dispersing current information along irregular migration routes. More is known about using media to find smugglers in Mexico and the United States than in Europe, but reports show that Facebook is also a source of information. It is certainly easy to find online social networks in languages such as Arabic, Kurdish and Somali, which are dedicated to distributing information on migration. When interviewed, members of these online groups have shown that social media facilitate but do not replace face-to-face discussions, only a few have used online networks to organize direct negotiations with smugglers. The major impact of social media is to increase the volume and speed up updates on migration, policies and incidents. To communicate effectively in this amalgam, governments in Europe must support accurate, accurate, accurate, timely, and trustworthy contributions to these conversations.

Media can play a role in dispersing current information on irregular migration routes.

On the whole, the most important influences are divided into three categories.

In the first place, those who have already done the journey transmit information, advice and encouragement to those who take this step forward. Secondly, even in saturated areas with migration agents and facilitators, the oral approach is the most common way to approach someone about a traffic network. Third, and perhaps most importantly, the existence of a diaspora in certain destinations creates and normalizes the interest in migration in general and in those destinations in particular. For example, a teenager in Somalia has strong links and opportunities in the UK. Certain communities in Syria are considering Sweden, given the country's current openness to Syrian refugees. However, we can argue that social networks and historical links play a greater role in influencing the choice of destination than intake and asylum policies, especially with regard to long-term settlement.

### **Recruits, intermediaries and traffickers**

Interviews with migrants who consider traveling to Europe suggest that they understand that smugglers operate a business, and that the information received should be interpreted in this respect. But how much migrants rely on smugglers' advice differs from case to case. People who have personal relationships in Europe, providing them with encouraging advice and examples, may be vulnerable to increased confidence in local facilitators in terms of costs, risks and conditions at the destination. Close relationships

broke when migrants, who left references and pink pictures offered by family members already in Europe, are deceived by smugglers or have accidents along the way.

#### Migrant understanding of migration policies

Interviews with migrants in sub-Saharan Africa indicates that their understanding of migration policy in Europe varies accurately. Given the variations in migrant education and access to resources, this is not surprising - it can also indicate that information is interpreted to support ambitions rather than to get informed about decisions. For example, migrants who have heard of the growing patrol in the Mediterranean can imagine that it involves a safer journey because they will be saved faster. The same migrants, hearing that Europe has reduced patrolling, would conclude that this is in their favour, as the chances of detention are reduced. While both hypotheses have a meaning, taken together, they highlight the fact that there is a mental scheme that can justify the decision to migrate, and through which contradictory events are interpreted in the same direction.

Some studies have shown that there is a link between harsher asylum policies and a lower rate of applicants in some countries. For example, in the 2000 years, the Netherlands initiated a procedure according to which the determination of the asylum was made within 48 hours - the demand rate decreased by 75% in just four years. When faced with a large influx of Eritrean asylum seekers in 2014, the Netherlands used a series of emergency measures to significantly reduce the flow in a few months. (Focus Migration, Netherlands, 2016:4).

However, the European Union as a whole has limited capacity to increase or decrease migration flows as it wishes. Migrants continue to find different spaces to reach and stay in Europe. At present, it is a challenge for Member States where the best thing states can get is to move unwanted migrants to another. Understanding in detail how migrants receive and react to policy change could help to support a mutually beneficial approach that strengthens protection standards (both in terms of results and appropriate access), could improve efficiency and create consistency between agencies and countries.

#### **The mode of operation of trafficker's networks**

We note a lack of longitudinal research of the organizational structures of migrant trafficker's networks that facilitate the crossing of the Mediterranean. Several points are quite clear, however - trafficking is not centrally coordinated, involves corruption and leads to different routes for different nationalities. Networks differ among national groups and there may be discrimination against outsiders. Different nationalities can travel in groups to specific destinations depending on a number of variables, including the amount they are able to pay for travel. Perhaps even more important, migration histories from one place to another can reinforce links that vary in turn nationalities and ethnicities. While traffic operations are diverse and can involve many links in the migration chain, they are not particularly sophisticated.

Traffickers do not facilitate the passage of the Mediterranean from goodwill, studies have shown that their relationship with migrants is "short and distant" (Staring, R, 2004: 276). Traffic is a commercial transaction and traffickers can become brutal in their efforts to maximize profits and minimize risks for themselves, sometimes to the detriment of migrants. Faced with the search and rescue patrols of the Mare Nostrum operation, smugglers reacted in order to have uncovered and saved boats. They launched overloaded boats with limited amounts of food and water, considering that they would be discovered by the Italian navy or other commercial vessels.

The trafficking-migrant relationship may be unpleasant. Officers who have heard the traffickers' phone conversations reported that they are talking about cargo calculations

in cynical, even tough terms. Recent testimonies, mainly of Syrian refugees, describe how smugglers rob, abuse and even kill migrants. The media highlighted a series of shocking stories such as the July 19, 2014 incident when five smugglers stabbed 60 migrants on a boat. (ANSA, 2014:3). However, once they arrive in Europe, many migrants protect the identity of the smugglers. Perhaps the fear of repercussions, to avoid engaging in a trial, or because they know how other potential migrants need their help.

### **Organisational structure**

The term "smuggler" refers to unauthorized movement of individuals across the border for financial or other benefits of the trafficker.

According to the definition, the smuggler should not be on board with migrants and asylum seekers, the definition including both situations - when smugglers only provide the equipment for migrants and asylum seekers who want to enter Europe at sea or when smugglers are located themselves on board, helping migrants and asylum seekers to enter Europe illegally.

Organized crime groups are able to move faster than law and governments, with the simple advantage of not having to wait for new policies, legislative changes, and budgeting. Smugglers have adapted their routes and methods in response to EU border control, which has led to longer and potentially more dangerous travel for migrants. In addition, diversification of routes has led to an unintended increase in the area that European Union countries have to monitor. (Duvell, F ; Vollmer B., 2009:4). The growth of the covered geographical area attracts more individuals involved in the traffic industry.

Most of the traffic area is via networks that are fluid and change over time. Recent studies on migrant traffic report that professionals providing transport, immigration, translations or jobs are often used to facilitate the process. In some cases, the peak level of a traffic network is occupied by someone active in a legal business, such as a travel agency or a transport company. (Staring, R., 2004:276) Interviews with 199 Iranians trained to travel irregularly in December 2014 and January 2015, for example, included a common pattern of relying on legal travel agents who also provided fraudulent documentation and who could arrange the bribe on the transit pass. (J.Townsend; C.Oomen, 2017:6)

On the one hand these are useful remarks. Experience shows that it is difficult to combat such lax networks because each of their members can easily be replaced in the case of arresting one of them.

On the other hand, focusing on the difficulty of the task can hide the vulnerabilities that can be achieved. Trafficking networks, even if they are fluid, involve hierarchical relationships and long-term arrangements between individuals who know each other. A better understanding of these hierarchies - and of outside accomplices - could help direct law enforcement efforts.

Secondly, any network has nodes that vary in importance - the best connected metro system can be seriously affected by problems in some central stations. Research shows that only a detail of a print does not provide everything that is needed - an over-all-time vision that reveals the most important vulnerabilities in a given network, and which takes into account the fact that those who make it possible for migrant trafficking are not always in the most obvious positions (J.Townsend; C.Oomen, 2017:11) .

Relatives and friends can have an overwhelming importance in financing and training individuals for trafficking, which is not necessarily taken into account when we focus on criminal networks.

In law enforcement institutions that include corrupt officers, removing only a small number of senior officers may have a big impact.

According to an OECD report, unlike other regions, migrant trafficking in West Africa has not generated enough profit to establish adequate transnational criminal networks (Lacher, W., 2012:12).

These pay-as-you-go smugglers are part of lax networks that disperse and re-form according to the transaction. These operations operate on the basis of cash payments paid directly to smugglers who spend them in local economies. The traffic is also facilitated by free movement within the Economic Community of West African States (ECOWAS), poor border controls and the fact that some of West African countries do not apply for a visa for West African citizens.

Interviews with migrants from reception centres in Italy indicate the total cost of their trip. Compared with the Syrians (who pay 2000 Euros for a boat), Africans pay around 600-800 Euros. Therefore, they are treated much worse, being locked up in the bottom of the stalls, not allowed to come to the deck, and are so busy that sometimes they ask.

There are two forms of migrant traffic - full-package and pay-as-you-go.

Smugglers offering a full package work almost like a transport agency: the migrant pays a large amount (sometimes several thousand euros per person) to the home country of a smuggler who solves a few services. Only a few sophisticated groups can offer such services because they involve complex coordination and financial capital to arrange transportation and pay bribes. Payment can be made in several stages. This type of trafficking often involves corruption at different levels of the process, as smugglers need to control the entire logistics chain across states. The high cost of the entire package on certain routes means that large debts can be contracted, increasing the risk of exploitation and coercion (human trafficking) to force the migrant to pay his debt once he arrives in the country of destination.

The other model - pay-as-you-go - the dominant model in many parts of the world (especially in West Africa) means that the final destination can not be predetermined and the speed and direction of the trip will depend on the funds the migrant has for each step. A migrant can work for several days, weeks or months in locations along the journey to pay different parts of it. For fear of robberies, migrants have only the amounts they need for the next step of the trip and use operators for the international money transfer to access their savings.

Among the people currently trafficked, namely the Eastern European route between Turkey and Greece, there are many potential refugees. Most of those coming from Syria use the pay-as-you-go system to get to Greece and then get in touch with other brokers to organize their trip through the Western Balkans or travel independently. In the first months of 2015, according to data provided by Frontex, 580,000 people used this route, including 370,000 Syrians.

Migrants from Afghanistan (130,000 only in the first ten months of 2015) belong either to the group who paid the entire travel package and come directly from Afghanistan or belong to less wealthy families or are individuals working to pay for each part of the their trip. Some of the Afghan asylum seekers in Europe come from refugee camps in Iran where living conditions have deteriorated much in recent times. There are a large number of juvenile Afghan refugees.

Smuggling has different forms and may involve a large number of intermediaries. It may take the form of structured transnational networks or, more often, informal organizations and individuals, less interconnected. Depending on the migration route,

certain types of methods and services may predominate, but the following forms tend to coexist.

Smuggling is a specialized industry that requires local knowledge and specific skills. Migrants are turning to this service to map spaces that they can not navigate alone - desert or sea - or because they have to travel through different cultures - and do not speak the language, for example.

The techniques used by migrants take many forms depending on geography, border controls, enforcement choices, legal migration routes and the existence of trafficking networks. However, it is possible to distinguish between two different forms of illegal entry.

The first is illicit crossing of the border. This happens when someone, for example, tries to get through the border crossing points (airports, ports, and border crossings on land) hidden in the closed compartments of cars, trucks, buses, trains and containers. Migrants can try to cross the border illegally between the border crossing points, whether land or sea. In the European Union, this is a category of illegal entries that has recently increased: in 2014, more than 280 000 illegal border crossings have been registered between official border crossing points. In the first ten months of 2015 this number has reached to 1.2 million. By comparison, the number of clandestine entries recorded by Frontex at official border crossings was around 3000 in 2014 and 800 in the first 6 months of 2015.

The second type of fraudulent entry is the attempt to enter with fraudulent documents (e.g. fake or counterfeit passports, stolen identity cards or visas). This type is associated with corruption in either obtaining documents or using them. It is quite expensive to travel to the countries of the European Union that have high security standards for travel documents. In 2014, Frontex registered around 11,000 people who were refused entry because of fraudulent documents. It represents less than 10% of the total number of annual refusals either because they do not qualify for entry (e.g. absence of valid documents or visas, insufficient means of subsistence, lack of return ticket, lack of justification for entry) or because they are identified as posing a threat to public security.

### **Smuggling network organization**

Coordinators are in charge of networks and assume overall responsibility for operations, especially in full-package offers. They are very well connected and able to communicate with different types of facilitators in countries of origin, transit and destination. They have different names such as "coyotes" in Mexico, "snakeheads" in Asia, "burgers" or "tchaga" in Nigeria.

At a lower level, recruiters advertise migrant trafficking services and establish contacts with potential migrants. Smugglers must have a certain number of migrants before concluding their business with a carrier. In some cases, migrants have to wait at a traffic-controlled connection point until the required number of migrants arrives to organize a convoy or load a boat.

Carriers and guides perform the operational part of the traffic. They are responsible for domestic transportation and illegal border crossing. Often they treat inhuman migrants or exploit the people they are guiding, and this is the most risky part of the journey. Guides are generally people of the place who operate relatively short distances. Carriers or guides operate on their own and only occasionally. In other cases, carriers have well-structured transport business (e.g. bus companies, taxi drivers)

Service providers provide services such as accommodation and food, vehicles or boats, false documents, etc. Cashiers are responsible for surrendering migrants' money to smugglers at the successful completion of the operation. Presidents are migrants who have settled in critical locations and are recognized by their own community. They have developed local contacts and can corrupt local authorities. They advise migrants about behaviour in transit countries, contact them with local facilitators and in some cases supervise traffic operations for the next part of the trip.

There are different levels of coordination between these different actors. It is possible to distinguish between organizational structures or lax networks between local organizations that are occasionally aligned, between groups or individuals to inter-state pyramidal criminal organizations. On the whole, chain organizations without transnational hierarchies seem to predominate, but different organizational structures and traffic techniques usually co-exist. Because communication and trust between facilitators are key factors, trafficking usually takes place within homogeneous ethnic groups.

It is interesting to note that on some routes migrants from some countries of origin are treated separately. Migrants use different facilitators. Some people facilitate the illegal crossing of the border for reasons other than profit, such as helping families or humanitarian motivation. In this case, it is not about migratory traffic as defined by the United Nations, even though facilitators are generally exposed to sanctions in the countries of destination or transit.

It is important to note that migrants smuggling and trafficking of human beings would not be so widespread if there was not a certain degree of corruption. Collaboration with international police is important, but not enough. Trafficking may be abolished in the short term, but new organizations are emerging very quickly to replace them. Other types of action are needed to complement police work and respond to the deeper causes of the phenomenon.

For some authors, trafficking is a risk-based, reputable and trust-based industry where competition is high (Bilger, H.; Jandl, 2005:21). Smugglers operate in a market with imperfect information. Reputation is a risk factor for them when they have to hide from the police. Smugglers have to carry out their services if not, they are not paid, but the reputation and future of their business is in jeopardy. We note that the higher the price paid to smugglers, the higher the level of security and the guarantee of reaching the desired destination. This explains the co-existence on the same routes of the whole, relatively secure package and the pay system as you advance where migrants are treated as goods or worse.

Even if there are no clear figures on the profit made by smugglers, this is undoubtedly a very profitable business. It is very profitable, but it is also profitable for migrants who send home funds. Some migrants and their families consider the cost of irregular migration as an investment in future incomes. Obviously, these calculations do not apply to those who escape from war zones or whose lives are threatened in the country of origin.

### **Networks and entrepreneurs**

According to data provided by Europol, over 40,000 individuals are suspected of being involved in smuggling. In 2015 Europe had information on 10 000 suspects, which brought 1551 investigations into networks active in the European Union (EUROPOL, 2016:10) . A significant proportion of these suspects operate as part of migrant networks. Their nationality, from the countries of origin, is Bulgaria, Egypt, Hungary, Iraq, Kosovo, Pakistan, Poland, Romania, Serbia, Syria and Turkey. 44% of networks are made up of

individuals outside the European Union, 30% of EU nationals and 26% both from EU and non-EU nationals.

Networks operating in the Scandinavian countries, Belgium and source countries are generally composed of members of the same nationality, networks in the rest of Europe are more heterogeneous in composition.

13% of suspects known by Europol operate in their home country. The Hungarian and Swedish suspects seem to live and operate in their home country. These suspects already live at key migration or destination countries and therefore provide home-based services.

Some EU-based suspects are resident in the country of origin, such as Bulgarians, Romanians and Poles, but are primarily active in other Member States that are usually near their home country or in countries with a final destination such as Germany, the Netherlands or the UK. Most of these suspects work as drivers, transporting Eastern European migrants to Western Europe, or are members of organized groups seeking opportunities in larger migration centers.

Suspects without EU citizenship are particularly active in transit or destination countries. They are often organizers orchestrating migrant trafficking activities across the entire route and are based in destination countries. In other situations, they work as local coordinators and are located in transit countries.

Networks can vary in size. Smaller regional networks operate autonomously and rely on freelancers who act as drivers, document falsifiers, or organizers. In many cases, these freelancers provide services to multiple networks at the same time. Greater networks usually operate internationally and offer the whole package taking migrants from source to destination countries.

Networks are generally composed of a few key individuals.

The average age of traffickers arrested in 2015 was 36. Smugglers in Syria, Pakistan and Iraq tend to be younger than Western Balkans or EU states. The members of the Romanian networks are the youngest in networks with members with EU citizenship. The age of the suspects also depends on the role they play in the network. Romanian suspects arrested last year were generally drivers. Iraqi, Syrian, and Afghan suspects tend to be irregular migrants themselves and are involved in arranging facilitation services for their co-nationals.

### **Link to diaspora**

Smuggling networks in source or transit countries exploit ethnic and national ties with EU diaspora communities. Certain irregular migrants often choose certain destination countries because there are communities with which they have national, linguistic and cultural links. Diaspora communities in these countries offer support and opportunities for irregular migrants to extend their stay in the EU. Members of the diaspora communities that are part of trafficking networks provide support for finding accommodations, arranging travel, or finding a job on the black market.

### **Smugglers and the media**

Certain smugglers rely on the media to publicize their services. In the European Union, smugglers also use media platforms to recruit drivers. These platforms are used by smugglers and irregular migrants to share information about what is happening along migratory routes, including law enforcement activities, changes in asylum procedures, or unfavourable conditions in destination countries. This type of information allows other migrant traffickers to adapt to the changing conditions. Traffickers adjust their prices in

response to increased border control demanding higher prices for alternative and safer routes.

### **Linking to other crimes and terrorism**

The rising flow of migrants to come into the EU generated concern that smugglers networks are being used to infiltrate potential terrorists into the European Union. There is also concern that terrorist organizations rely on migrant traffic as a source of funding.

In 2015, the authorities identified a few isolated cases in which terrorist actors used migratory routes. Two of the suspects of the Paris attacks of 13 November 2016 travelled to Europe as irregular migrants.

Members of terrorist groups generally rely on real or fraudulent documents to travel to the European Union and typically do not rely on facilitation services provided by smuggling networks.

### **Conclusions**

Anna Triandafyllidou in the article "Migrant Smuggling: Novel Insights and Implications for Migration Control Policies" considers that border closure policies have important implications, but in the opposite direction to what they want. Instead of discouraging migrants and dissipating migrant trafficking networks, these policies cause migrants to invest more money and face even more risks - sometimes even death - along the journey, while networks become more professional. Confidence and community-level relationships are only replaced by an attempt to achieve profit, which leads to even greater risks.

The same author believes that border control and the fight against migrant traffic must take into account regional economic and political processes. For example, the author shows, Gaddafi regime's fall in Libya and the abolition of the Libyan economy based on oil have left the Libyans and migrants you are already here without means of subsistence. Also, the war in Syria, the oppressions in Eritrea, the lack of security in Afghanistan, the treatment of Afghans in Iran are elements that have led to a strong motivation to migrate.

The author draws attention to the monetary value of border control. The European Union and the United States are spending millions on border protection by not only border guards, but also purchasing expensive equipment for border control such as infrared, thermal or radar cameras. This money does not help local or national economies and does not help solve the cause. They only lead to the exacerbation of police violence and the lack of scruples of traffickers while migratory flows are routed to other routes.(Tryandafyllidou, A., 2017:12)

With regard to measures to eradicate migrant smuggling, some authors believe that a first step would be to increase the costs they have. Financial costs, but also the risk of being punished. Tax increases that smugglers have to pay to intermediaries can be achieved by reinvigorating anti-bribery policies by improving technologies to prevent document falsification and increased detection, or increasing sanctions against carriers, and providing them with more profitable, alternative business options. Traffickers' profits can be reduced by increasing sanctions and improving identification of money laundering and traffickers themselves.

With regard to money laundering, it is necessary to understand the nature and purpose of financial transactions involved in traffic. In West Africa it seems that payments are made in small, informal amounts, making them difficult to control. In other cases, the costs are higher and the benefits concentrated on a limited number of beneficiaries. Improvements in financial investigations against traffickers are necessary.

Better identification of traffickers can be achieved not only by better border control and international police cooperation, but also through the involvement of trafficked migrants. In some countries, special visas are granted to migrants without documents participating in the identification of their traffickers. Many countries provide temporary permits to those cooperating in investigative or judicial processes. However, those who have benefited from the services of a smuggler and have successfully arrived in the destination country are unwilling to participate in this process.

One challenge is that smugglers quickly adapt to change, having three options - to leave the market and devote themselves to other illicit activities, increase prices or increase the number of smuggled people to achieve the same profit. The first option is unlikely, although migrants use the same routes as other types of illegal trade (drugs, weapons, artefacts, endangered species), human smuggling is different. Unlike supplies of drugs and weapons, human beings can transit from one smuggler to another, so migrant traffic is based more on interconnected networks than on the logistics of international criminal organizations. The prices could increase, but migrants have limited resources so that smugglers will only increase the low-cost offer, high risk with more people involved and resulting in increased deaths.

Preventing and informing such campaigns in home countries can affect demand by reducing the risk that potential customers are being cheated by unrealistic promises in destination countries. The pressure can also be reduced by promoting employment opportunities in countries of origin and reinvigorating security and stability in countries of origin.

The question is if legal migration can replace illegal migration.

The link between the existence of legal channels of economic migration and the persistence of irregular migration can appear to be very logical at first glance.

Some economists (Auriol and Mesnard, 2012: 3) proposed selling work permits to compete with the illegal offer of smugglers. In order to exhaust the offer of smugglers, the price of a legal visa must push smugglers to reduce their offer at marginal costs so that their business is no longer profitable. At the same time, Auriol and Mesnard show that this policy - without any other measures additional migration will generate a higher migration influx and some individuals with a variety of skills. If visa sales are used in combination with stricter border controls and employers' controls, then migratory flows could be controlled by lowering traffickers' selling visas and increasing their operating costs through more stringent controls. In addition, these resources from the sale of visas can be used to finance tighter border controls and employers.

Some of the above mentioned measures have already been taken. However, the fact that actions have not been implemented in a coherent manner suggests that there is still no clear understanding of the key determinant factors that characterize traffic routes.

Over the last 15 years, some steps have been taken at international level to combat trafficking in human beings and human trafficking. Here we include the United Nations Protocol Against Trafficking in Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. This Protocol entered into force in 2004 and was signed by 130 countries.

The European Commission has also taken concrete measures against migrant trafficking by adopting an Action Plan to prevent migrant smuggling: increasing the gathering and dissipation of information, migrant smuggling prevention and assistance to vulnerable migrants, reinforcing cooperation with third countries

The issue of migrant smuggling has also been analysed at regional level in the Bali, Budapest, Khartoum, Puebla or Rabat process.

Strong legal bases are needed as a fundamental starting point to address the issue of migrant smuggling and human trafficking, and they have about the same DNA.

Efforts must also be made in sectors and industries employing illegal migrants or victims of trafficking such as the construction industry, agriculture, fishing, and textiles. Transparency and integrity standards should be developed for officials most at risk of being involved in corrupt business in relation to migrant smuggling or person trafficking, such as border control and migration agencies. The collection and use of data on migrant smuggling and human trafficking in relation to corruption needs to be improved.

Migrant smuggling has been categorized as a criminal act, but its causal roots are poverty and aspiration for a better life. Even if traffic is technically a transnational crime organized in many regions or countries of origin, it is not perceived as being against the law nor stigmatized. This is especially true in regions where the population is accustomed to moving freely across borders and in pastoral societies, especially in West Africa. Migrants are not considered to be victims or participants in a criminal act, and smugglers do not think they would do something illegal. Rather, they feel they are service providers in terms of migrant aspirations.

Therefore, migration, even when smuggling is involved, is a matter of development involving economic disparities and the challenge of providing a sustainable lifestyle. Criminalization of migrants smuggling is necessary. However, law enforcement must be accompanied by strategies that respond to basic causes if the goal is to end migrant smuggling.

## BIBLIOGRAPHY

- Auriol, E.; Mesnard, A (2012), *Sale Of Visas: A Smuggler's Final Song?*, CReAM Discussion Paper Series 1217, Centre for Research and Analysis of Migration (CReAM), Department of Economics, University College London, <https://ideas.repec.org/p/crm/wpaper/1217.html>
- Bilger, H.; Jandl, (2005), *Human Smuggling as a Transnational Service Industry*, in *International Migration*, Special Edition on Human Smuggling
- Castles, S; De Haas, Hein; Miller, M.J.(2014), *The Age of Migration. International Population Movements in the Modern World* (fifth edition), New York, Palgrave Macmillan
- Duvell, Franck; Triandafyllidou, A.; Vollmer, B.(2008), *Ethical Issues in irregular migration Research* Clandestino, October 2008
- De Haas, Hein (2017) *Euro-Mediterranean migration future: the cases of Morocco, Egypt and Turkey* in M. Bommers, H. Fassman & W.Sievers (editors) *Migration from the Middle East and North Arica to Europe*, Amsterdam, Amsterdam University Press, 2017
- Drwiega, A. (2015), *Tragedy in the Mediterranean*, Armada International , 39 (5)
- EUROPOL (2016) *Migrant smuggling in the European Union* , February, p.10 <https://www.europol.europa.eu/publications-documents/migrant-smuggling-in-eu>
- Huysmans, Jeff (2006), *The Politics of insecurity: Fear, migration and asylum in the EU*. The New International Relations Series, Oxon, New York, Routledge
- Lacher, W.(2012) *Organised Crime and conflict in the Sahel-Sahara Region*,The Carnegie Papers Middle East, Washington, Carnegie Endowment for International Peace, September 2012
- Last,T., Spijkerboer (2010), *Tracking Deaths in the Mediteranean*, in T. Brian and F. Laczko(editors), *Fatal Journeys. Tracking Lives Lost during Migration*, Geneva, IOM

- Regional Mixed Migration Secretariat(RMSS)(2014),*Going West: contemporary mixed migration trends from the Horn of Africa to Libya and Europe*, Nairobi, RMSS
- Staring, R. (2004), *Facilitating the Arrival of Illegal Immigrants in the Netherlands: Irregular Chain Migration versus Smuggling Chains*”, Journal of International Migration and Integration, number53,2004
- Swing, W.I.(2016), *Innovative Approaches on Migration Governance*, International Organization of Migration, 2016
- Townsend, J; Oomen C(2017).-*Before the Boat-Understanding Migrant Journey.EU Asylum: Towards 2020 Project*, Migration Policy Institute, Europa, <https://www.migrationpolicy.org/research/boat-understanding-migrant-journey>
- Tryandafyllidou, A(2017).-*Migrant Smuggling-Novel Insights and Implications for Migration Control Policies*  
<http://journals.sagepub.com/doi/abs/10.1177/0002716217752330?journalCode=anna>
- Wolff, S.(2017) *The Mediterranean Dimension of European Union's Internal Security*, Hampshire, United Kingdom, Palgrave Macmillan