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Migrant Smuggling Patterns and Challenges for Law Enforcement

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Migrant smuggling sometime seems to receive more attention from the media, and from a public concern about illegal immigration, than from the criminal justice system. In truth, however, migrant smuggling patterns and networks are complex and pose significant challenges for law enforcement and criminal justice agencies. Given the wide variations in the scope and complexity of smuggling operations, it is imperative for law enforcement to be both flexible and strategic and to base its interventions on a good understanding of the criminal networks and illicit markets involved. The following is a tentative summary of what is known about these smuggling patterns and some observations about the particular challenges that these fast changing adaptive patterns pose for law enforcement.

I. The concept of migrant smuggling

Internationally, migrant smuggling offences refer to behaviour criminalized under the Protocol against the Smuggling of Migrants by Land, Sea and Air, which supplements the *United Nations Convention against Transnational Organized Crime* (the Protocol). The internationally agreed definition of migrant smuggling provided in the Protocol is defined 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”. The stated intention of the Protocol is to criminalize and prosecute those who smuggle others for gain or material benefit, and not to penalize the migrants themselves. Canada is a party to that Convention and its protocols. In this country, the relevant offences were enacted in the *Immigration and Refugee Protection Act* and in the *Criminal Code of Canada*.

Migrant smuggling is a highly profitable criminal enterprise. It is a business that is said to generate more than 10 billion dollars a year, with enormous profits for those involved. Low risk and comparatively low penalties attract both opportunistic criminals and organized crime groups. The current demand for smuggling services is most likely higher than ever. That demand is determined by a number of factors, including globalization, the flux of refugees from conflict and oppression, the mobility aspirations

of whole classes of citizens, the limited opportunities for regular migration, as well as the high costs of legal migration that many migrants can simply not afford.¹

II. The organizational features of migrant smuggling

It should be noted at the outset that migrant smuggling offences are generally committed by individuals and groups who constantly vary and adapt their *modus operandi* in order to defeat law enforcement and border protection efforts and avoid detection and prosecution. They respond to the evolving context of irregular or illegal migration and adapt to ever changing circumstances in order to maximise their profits and minimize the risk of detection and prosecution. The *modus operandi* of migrant smugglers is therefore diverse, fluid and dynamic. In brief, the patterns of migrant smuggling are constantly evolving and what is known about these patterns and the main features of migrant smuggling operations must constantly be reviewed and updated.

Migrant smuggling takes many forms, from very small or simple operations conducted by opportunistic individuals, to very complex ventures organized by criminal groups in which the roles of various participants are differentiated. Organizing the smuggling of migrants can involve highly sophisticated operations using different methods and many different actors, or it may involve much simpler smuggling services (such as guiding migrants over a border) negotiated on an *ad hoc* basis between migrants and smugglers. The smuggling journey itself may also be either fairly simple or quite complex, involving in some cases multiple and unpredictable detours and delays.

The number of participants and accomplices involved in an operation vary considerably and their relationships with each other take different forms. They do not necessarily know each other well; very often they don't. This is an important precaution taken by participants to avoid detection,

¹ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

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infiltration and betrayal. In fact, the migrants themselves are unlikely to know much about the smugglers and their respective roles in the smuggling operation since the smugglers normally go to great lengths to dissimulate their identity, their exact role, or the nature of their connection with other members of the criminal network.

The nature of smuggling operations is determined by the border(s) to be crossed, the smugglers' organizational capacity, the migrants' economic means and personal situation, perceived risks to the migrants, and the effectiveness of border controls and immigration enforcement.² The complexity of smuggling operations is a function of the length and the degree of risk associated with the routes being serviced and the type of facilitation services offered. For instance, air travel usually requires the provision of travel documents and often requires the involvement of counterfeiters, forgers, and guides.³

An analysis of migrant smuggling networks reveals that their operations are based on a crime-as-a-service business model. For them, human smuggling is essentially a business, albeit a criminal one, part of a market that provides services to would-be migrants and refugees.⁴ Therefore, the key factor that determines the nature and extent of a group's involvement in migrant smuggling is the maximization of profit.⁵

Smugglers are increasingly organized into loose networks that do not involve strict hierarchies. These networks can be quite sophisticated, with transnational links and the capacity to provide comprehensive and effective smuggling services, including full-service packages (or pre-organized stage-to-stage packages) for migrants who must travel long distances, using

² UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

³ European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL.

⁴ Idem, p. 42.

⁵ Vermulen, G., Van Damme, Y., and De Bondt, W. (2010). *Organised Crime Involvement in Trafficking and Smuggling of Migrants*. Antwerpen: Maklu.

multiple modes of transportation. However, the many elements of these networks are only loosely connected and tend to cooperate in the smuggling of migrants only if and when opportunities arise. Yet, some of these networks have operated for considerable periods of time.

Smuggling networks are characterized by flexibility and variable structures and relationships. They continuously modify and adapt their methods in response to fluctuations in the illegal immigration market as well as to changes in the environment in which they operate or the pressure exercised by law enforcement. They adapt to changing business demands by relying, as necessary, on different participants, service providers and accomplices.⁶

In that network model, individuals or subgroups operate relatively autonomously in distinct parts of the smuggling process. They are linked to some of the others as business relations, but the actual linkages tend to remain discreet, cautious, secretive, and limited. Individuals, groups and nodes typically perform different roles and functions within the network, but do not necessarily operate exclusively within that network. Some of them offer a specific type of service at a particular stage of the smuggling process. The services they provide can be independently contracted.

Migrant smuggling networks that move people over large distances must rely on several key individuals. The networks' *organizers* are responsible for the overall organization and coordination of the smuggling process. They operate remotely and are only in contact with a limited number of core members.⁷ Their role is key to the success of migrant smuggling operations because they are able to maintain different smuggling services within easy reach and set them in motion as and when required.⁸ The more sophisticated, long-distance smuggling operations are

⁶ Triandafyllidou, A. (2018). Migrant Smuggling: Novel insights and implications for migrant control policies, *The ANNALS of the American Academy of Political and Social Science*, 676 (1), pp. 212–221.

⁷ Idem.

⁸ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

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typically overseen by organizers who are nationals of the same country as the migrants they smuggle.

However, very few organizers control or manage an entire smuggling operation from place of origin to target destination.⁹ They tend instead to outsource or contract for various stages of the smuggling process or legs of the journey, passing clients from one local smuggling group to the next.¹⁰ While doing so, they tend to rely on *stage coordinators*. Stage coordinators represent a chain of individuals who act independently and coordinate the work of service providers and accomplices at a given stage of the smuggling process.

The stage coordinators are familiar with the local context and have the necessary language skills, contacts, and local knowledge to negotiate with local service providers and successfully manage one stage of the smuggling journey.¹¹ They themselves often rely on a number of lower-level contacts and accomplices who are part of their personal network but are not otherwise linked to the boarder smuggling network.¹² That way, they outsource the risk to lower-level accomplices. These accomplices are often involved for a limited time and are regularly changed. The stage coordinators and their local accomplices are mostly unaware of the details of the remainder of the smuggling process. They tend to have limited contact with others involved in other stages of the smuggling process. Stage coordinators typically also limit their direct contacts with the migrants; if there is contact, they do not disclose to them the exact nature of their role.

Organizers are usually careful to recruit stage coordinators with no criminal background so as to avoid drawing law enforcement attention to

⁹ UNODC (2010). *Actors and Processes in the Smuggling of Migrants*, in *Toolkit to Combat Smuggling of Migrants*. New York: United Nations

¹⁰ UNODC (2010). *Issue Paper: Migrant Smuggling by Air*. Vienna: United Nations Office on Drugs and Crime.

¹¹ Barker, C 2013. *The People Smugglers' Business Model: Research paper no. 2*, Department of Parliamentary Services, Parliament of Australia.

¹² European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL.

their operations.¹³ Organizers usually keep stage coordinators at a distance from one another and rotate them frequently to protect themselves and their business.¹⁴

Very commonly, there are multiple stage coordinators placed along the main smuggling routes who can facilitate and oversee part of the smuggling process.¹⁵ They usually are nationals or residents of the country in which they operate. Their temporary oversight of the process typically begins at a precise point in the process and comes to an end once the migrants have successfully completed a specific stage of their journey or reached their destination.

The ability of stage coordinators to improvise and make independent decisions during a specific stage¹⁶ contributes to the success of smuggling journeys and the smugglers' ability to avoid detection and disruption by law enforcement.¹⁷ This and various other aspects of the distributed, compartmentalized, rotating organizational structure in which they operate minimize the risk of detection and prosecution for everyone involved in the chain of illegal activities. It is all part of a simple but effective risk mitigation strategy that makes the investigation and prosecution of migrant smuggling offences very challenging.

Network participants easily connect and disconnect with each other. The relationships among members of a smuggling network tend to be

¹³ UNODC (2010). *Issue Paper: Migrant Smuggling by Air*. Vienna: United Nations Office on Drugs and Crime.

¹⁴ European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL, p. 44.

¹⁵ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

¹⁶ Brigden, N. (2016). Improvised Transnationalism: Clandestine migration at the border of anthropology and international relations, *International Studies Quarterly* 60(2), pp. 343-354.

¹⁷ Sanchez G. (2017). Critical Perspectives on Clandestine Migration Facilitation: An overview of migrant smuggling research, *Journal on Migration and Human Security*, 5(10), pp. 9–27.

transactional rather than collaborative.¹⁸ Individuals, particularly service providers, may work for a number of separate organizers. For example, some criminal experts in document fraud or recruitment are known to work for several different migrant smuggling networks at the same time.¹⁹

The networks rely on effective communication between various subsets of participants. Social media, pay-as-you-go phones and other forms of communication enable information to be shared quickly between smugglers, between migrants, and between smugglers and migrants. For example, once migrants have arrived at a given point in their journey, information about their arrival may be communicated to some other members of the network in both the country of origin or the transit country, as well as to family members. It may only be at that point that the migrants receive further information or instructions about their contact point in the transit country or the arrangements that have been made for the next stage of their journey.²⁰ This kind of communication also makes smuggling networks very resistant to detection, infiltration, disruption, and prosecution.

III. The roles and common features of those engaged in migrant smuggling

People from diverse backgrounds participate in the smuggling business. No special skill or training is necessarily required. The business is open to anyone with the determination and the right connections. The migrant smuggling business attracts a diverse range of opportunists seeking financial or material benefit. Some individuals do so on an ongoing basis

¹⁸ Tinti, P. and Reitano, T. (2016). *Migrant, Refugee, Smuggler, Saviour*. London: Hurst, p. 48.

¹⁹ European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL.

²⁰ Optimity Advisors, ICMPD, ECRE (2015). *A Study on Smuggling of Migrants - Characteristics, responses and cooperation with third countries. Final report*. Brussels: European Commission, DG Migration & Home Affairs/ European Migration Network.

while others only participate in an *ad hoc* manner or for a limited period. It is not possible to draw a precise profile of migrant smugglers that corresponds to all situations.

3.1 *Different roles in complex smuggling operations*

As previously mentioned, the process of migrant smuggling tends to involve many participants in a variety of roles. In large smuggling networks, there is a clear division of work among the actors involved.²¹ Individuals who may be involved in the smuggling process include intermediaries, stage coordinators, forgers, money brokers, guides and escorts who may travel with clients, sponsors in destination communities, corrupt officials, as well as various service providers and accomplices.²² Their respective roles and functions vary according to the type and scale of the smuggling network in which they participate as well as the range of services provided to migrants.²³ For example, the role of travel agencies who mix regular travelers with smuggled migrants to disguise the crime is often significant.²⁴ In other instances, corrupt officials in international education programs may facilitate the fraudulent access to student visas. When a network offers migrants a full-service package, it must draw upon a range of service providers with various specializations and from different locations along the smuggling route.²⁵

Many participants in a migrant smuggling network, particularly the service providers, are also involved in other businesses, both legitimate and

²¹ UNODC (2010). Actors and processes in the smuggling of migrants, in *Toolkit to Combat Smuggling of Migrants*. New York: United Nations.

²² Idem.

²³ Optimity Advisors, ICMPD, ECRE (2015). *A Study on Smuggling of Migrants: Characteristics, responses and cooperation with third countries. Final report*. Brussels: European Commission, DG Migration & Home Affairs/ European Migration Network.

²⁴ UNODC (2010). *Issue Paper: Migrant Smuggling by Air*. Vienna: United Nations Office on Drugs and Crime.

²⁵ European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL.

illegitimate. They tend to be from the same ethnic group as the migrants being smuggled, especially at the recruiting and destination stages. This allows them to deal with language, cultural and trust issues that might complicate the smuggling process.

The smugglers have typically lived abroad for some time allowing them to develop the knowledge and connections needed to facilitate the various stages of migration between the countries of origin and the target destination. Some of them have themselves been previously smuggled or may have successfully claimed refugee protection. Others have successfully immigrated to a target destination country and can use their knowledge and contacts to assist family and friends or to play a part in the lucrative smuggling business.

IV. How migrant smuggling networks typically operate

As previously mentioned, the dominant business model for the supply of smuggling services is network-based and opportunistic. The strength and resilience of these illicit entrepreneurial networks are the result of their core characteristics: flexibility, adaptability and resourcefulness.²⁶ Because they are based on personal connections these networks are highly fluid and resilient, adapting in particular to law enforcement - for instance by changing their routes and methods.²⁷⁻²⁸ Just like the networks themselves, the smuggling methods used are complex, flexible and adaptable to local circumstances.

²⁶ Coyne, J. and Nyst, M. (2017). *People's Smugglers Globally*. Barton (AU): The Australian Strategic Policy Institute.

²⁷ Silverstone, D. (2011). From Triads to Snakeheads: Organised crime and illegal migration within Britain's Chinese community, *Global Crime*, 12 (2), pp. 93-111; Song, J. (2017). People Smuggling in Northern Asia, in Coyne, J. & Nyst, M. (Eds.), *People's Smugglers Globally*. Barton (AU): The Australian Strategic Policy Institute, pp. 23-27.

²⁸ European Migrant Smuggling Centre (2019). *3rd Annual Activity Report – 2018*. The Hague: EUROPOL.

Smuggling networks are able to profit from the migrants' desire to reach a particular destination. They adapt their fees to migrants' demand in order to maximize revenues.²⁹ They are also concerned with building a reputation for reliability, success, and safety. They need to establish trust and credibility in the communities from which they recruit clients. Satisfied clients create a reputation that attracts new clients and, in turn, a good reputation allows smugglers to demand higher fees.

Smuggling networks often depend for their success (and profits) on the cooperation of corrupt officials. Corrupt practices linked to migrant smuggling have been reported along nearly all the smuggling routes.³⁰ Corruption at borders and within consular and migration authorities is one of the main enablers of smuggling of migrants.³¹

4.1 Taking advantage of specific opportunities

Smuggling networks also try to capitalize on various opportunities. This is made clear by the choices of certain routes and points of arrival for the migrants. Smugglers and migrants may agree on a desired point of arrival in the destination country because it makes a certain course of action possible for the migrants, such as applying for asylum and seeking refugee protection once they reach their destination. Generally, smugglers tend to select entry points where the competent authorities are more likely to grant asylum for persons with a particular citizenship. For example, smugglers may opt to travel overland, from the United States into Canada, as a means to circumvent the disadvantages of applying for refugee status at a port of entry and risking immediate refusal and denial of entry into Canada. The illegal entry of the migrants into Canada places them in a situation where they can make an inland application for asylum and stay in Canada until

²⁹ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

³⁰ Idem.

³¹ Dandurand, Y. (2013). *Issue Paper: Corruption and the smuggling of migrants*. Vienna: UNODC.

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their claim has been processed, or even longer if asylum is eventually granted.

Foreign nationals who enter Canada irregularly between designated ports of entry can make an asylum claim at an inland CBSA or Immigration, Refugees and Citizenship Canada (IRCC) office and make an asylum claim for asylum refugee protection. Once an individual has been determined to be eligible to make a claim in Canada, whether the claim was made at the border or at an inland office, he or she may have access as a refugee claimant to social assistance, education, health services, emergency housing and legal aid while a decision is pending on his or her claim. He or she may also be eligible to apply for a work permit.

In cases of migrants smuggled from the United States into Canada, the *Safe Third Country Agreement between Canada and the United States*, which came into effect in 2004, is relevant. The agreement requires that refugee claimants seek protection in the first safe country in which they arrive. The Agreement applies to those making an asylum claim at a land border port of entry between Canada and the U.S. However, it does not apply to those who arrive from the U.S. by sea, between the ports of entry or an inland port such as an airport. In these cases, their asylum claim can be heard in Canada.

In addition, another specific opportunity exists for unaccompanied children and for migrants who have family members in Canada. As would be expected, that opportunity is being exploited by migrant smuggling networks. The opportunity stems from the exceptions stipulated in the *Safe Third Country*. The Agreement recognizes the United States as a “safe third country” and requires refugee claimants who first arrive in the United States to request refugee protection in that country, unless they qualify for one of the following four types of exceptions: family member exceptions; unaccompanied minors exceptions; document holder exceptions; public interest exceptions. The family member exceptions apply when the claimant has a family member who is either a Canadian citizen, a permanent resident of Canada, a protected person under Canadian immigration legislation, or someone who has had his or her removal order

stayed on humanitarian and compassionate grounds, holds a valid Canadian work permit or study permit, or is over 18 years old and has a claim for refugee protection that has been referred to the IRB for determination.

4.2 Role of families and social networks

Smuggled migrants tend to choose a destination where there is a community with which they share national, linguistic, religious, cultural ties, or other affinities. In fact, diaspora communities in transit and destination countries and the migrants' relatives and personal social networks often play a prominent role in encouraging, facilitating and financing a smuggling journey.³² Members of diaspora communities cooperating with a migrant smuggling network provide support in arranging accommodation, travel or employment on the black labour market.³³

These communities tend to stay in contact with the smugglers and their associates, refer clients to them, and generally support the smuggled migrants during and after their journey. Despite the smugglers' infamous reputation in the media, migrant smuggling is not necessarily frowned upon within migrant and refugee communities and may be considered permissible even if it is officially illegal or criminal.³⁴ Migrant smuggling networks in source or transit countries are therefore able to take advantage of their ethnic and national ties to diaspora communities.

Migrants and asylum seekers are keenly aware of the risks and challenges involved in the smuggling journey and seek to mitigate them. Access to information about trustworthy and reliable smugglers becomes critical in preparation for the migrants' clandestine journey. Would-be migrants often conduct extensive research on their potential smuggling

³² Zhang, S. X. (2008). *Chinese Human Smuggling Organizations: Families, social networks, and cultural imperatives*. Stanford: Stanford University Press.

³³ European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL.

³⁴ Koser, K. (2008). Why Migrant Smuggling Pays, *International Migration*, 46 (2), pp. 3-26.

options. They consult with and solicit references from acquaintances and relatives who were successfully smuggled in the past, communicate with smugglers, and “shop around” until they find a suitable option.³⁵

Families and relatives may provide funds to pay the smuggling fees and are sometimes directly involved in negotiating fees, methods and routes with the smugglers. They may go into significant debt to enable the smuggling of one of their relatives.³⁶ Families are sometimes also concerned with reuniting parents and children. Some smugglers provide specialized services, at a much higher cost, for clients like children, pregnant women, and the elderly that reduce travel times and exposure to risks.³⁷

4.3 The smugglers’ reputational concerns

Smuggling is a business driven by supply and demand. Smugglers offer their services, sometimes in a competitive environment, and migrants have some negotiating power and may decide whether to engage a specific smuggler. Smugglers and their clients must come to an agreement about the terms of their business transaction and enter into a form of contract whether written or not. Some smugglers guarantee that migrants will ultimately reach their intended destination. In practice, this means that smugglers promise to undertake multiple attempts to take migrants into a destination country. These guarantees are an important tool to attract further business. They also allow smugglers to charge considerably higher fees.

³⁵ Sanchez, G. (2017). Critical Perspectives on Clandestine Migration Facilitation: An overview of migrant smuggling research, *Journal on Migration and Human Security*, 5 (10), pp. 9–27.

³⁶ UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime, p. 93.

³⁷ Sanchez, B. (2016). Women’s Participation in the Facilitation of Human Smuggling: The case of the US southwest, *Geopolitics* 21 (2), pp. 387-406. Also: Sanchez, G. (2017). Critical Perspectives on Clandestine Migration Facilitation: An overview of migrant smuggling research, *Journal on Migration and Human Security*, 5 (10), pp. 9–27.

Migrants tend to use their social networks to share information on the services available from the smugglers and on their reliability and trustworthiness. As they consider embarking or continuing on a journey, migrants are predictably influenced by the experience and advice of others who report having succeeded in migrating. They tend to trust communications from family, friends and members of a diaspora far more than information obtained from other sources.³⁸ Smuggling networks therefore often carefully protect their reputation among the communities from which they draw their clients.

The ability of a smuggling network or an individual organizer to conduct business depends in large part on the quality of referrals from past clients and smuggling collaborators.³⁹ Their reputation in terms of reliability, success, risk levels, cost, and quality of transportation are important for the recruitment of clients.⁴⁰ Together with other more subjective factors, like ethnic ties or a shared language, such factors influence the clients' decision to do business with a specific smuggling network and affect the ability of smugglers to generate new business.⁴¹

4.4 Method of transportation (smuggling by air)

Smuggling operations often involve more than one method of transportation. In some instances, a migrant is smuggled through a combination of land, sea or air transportation. Migrant smuggling by air is more expensive but in general safer for migrants. Air travel is also

³⁸ Optimity Advisors, ICMPD, ECRE (2015). *A Study on Smuggling of Migrants: Characteristics, responses and cooperation with third countries. Final report*. Brussels: European Commission, DG Migration & Home Affairs/ European Migration Network.

³⁹ Zhang, S. (2008). *Smuggling and Human Trafficking in Human Beings: All roads lead to America*. Santa Barbara, CA: Praeger.

⁴⁰ Vogt, W. (2016). Stuck in the Middle with You: The intimate labours of mobility and smuggling along Mexico's migrant route, *Geopolitics* 21 (2), pp. 366-386.

⁴¹ Sanchez G. (2017). Critical Perspectives on Clandestine Migration Facilitation: An overview of migrant smuggling research, *Journal on Migration and Human Security* 5(10), pp. 9-27.

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significantly faster than other forms of transport, making it a sought-after means of smuggling. Because migrant smuggling by air is relatively safe, efficient, and successful compared to other means of travel, smugglers can charge migrants substantially more for these services.⁴²

Smugglers may be able to arrange for migrants to board commercial flights connecting through international airports. Smuggling by air usually requires a smuggling network capable of bribing officials or providing migrants with travel documents (whether legitimate, false, counterfeit, lookalike, modified, or fraudulently obtained) to pass through border controls. Other forms of smuggling by air may involve *ad hoc* arrangements to gain legal access to a country on fraudulent grounds, such as international conferences, real or fraudulent student visas, or marriages.⁴³ Smuggled migrants are instructed (or coached) on how to present themselves to authorities and react to predictable situations and questions. Smuggling by air, however, is not always an option even for those who can afford it. The migrants must meet certain requirements which, for example, families with children may not be able to meet.

4.5 Routes

The routes like the smuggling methods are subject to frequent variations that correspond to changes in the factors that determine their availability and the risks involved. For example, if a network is disrupted by law enforcement activity, it is likely that smuggling operations will alter their routes to avoid further loss of revenue and ensure future success.⁴⁴

The selection of departure and arrival points includes a consideration of geography, safety and security aspects, the nature and strength of border controls, and the availability of trustworthy local facilitators and service

⁴² UNODC (2010). *Issue Paper: Migrant smuggling by air*. Vienna: United Nations Office on Drugs and Crime.

⁴³ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

⁴⁴ UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime.

providers. For instance, measures to increase or decrease border control with resulting increases or decreases in the risk of detection often lead to route displacement or changes in the methods used. In addition, several policy considerations such as asylum procedures and deportation practices have an impact on the selection of arrival points. As a result, arrival points tend to change according to the routes, the smugglers and the services they agree to deliver to their clients.

4.6 Pre-organized full-service smuggling packages

Comprehensive, full-service, stage-to-stage smuggling packages are advertised through word of mouth and different media, particularly social media. The higher-end comprehensive packages are usually available only to wealthier clients who can afford the associated higher costs. If one can afford it, a comprehensive package is preferable for safely reaching faraway destinations in a short time. In that model, the whole travel from origin to destination is pre-arranged and organized, including all transportation and border crossings. The selection of routes and methods is made by the smugglers but might be subject to some negotiation with the migrants. The particulars of each stage of the process (e.g., timing of movement from one point to another, the number of migrants moving together, the choice of local mode of transportation, etc.) are typically left to the local stage coordinator who can adapt them to changing circumstances. The migrants, at that point, do not have much to input into the smuggling process and are generally not in a position to ask questions or to renegotiate.

The duration of the smuggling process varies greatly, depending, among other things, on the route used and the level of organization of the smuggling network. The smugglers typically provide migrants with contact information at each step of the travel. Once they have successfully completed a stage in their journey, they may be instructed to move to a specific location and to contact or wait instructions from a particular person

who will communicate with them or facilitate the next stage of the journey.⁴⁵

4.7 Fees

Migrant smuggling is a service-based industry and the fees charged correspond to some extent to the level of service provided. Smugglers can also differentiate between customer needs, commanding higher prices from more affluent customers who want a less risky journey.⁴⁶ As a result, the type of service and treatment that migrants receive is determined first and foremost by their available funds, the depth of their pockets or those of their sponsors.⁴⁷

The fees charged by smugglers vary considerably. These fees vary widely depending on factors such as: the nationality of migrants and their reason for wanting to be smuggled; the means of transport used; the country of destination; the distance involved; the level of “guarantees” included; the kind of additional services required (e.g., provision of forged or stolen documents); whether bribes must be paid to officials along the way; whether the whole journey is organized by one provider or several; the risks of detection and arrest associated with the route; the method of payment; or, the time of the year and weather conditions. Smugglers who have invested substantial sums in the operation must also charge higher fees.⁴⁸

⁴⁵ Zhang, S. X. (2008). *Chinese Human Smuggling Organizations: Families, social networks, and cultural imperatives*. Stanford: Stanford University Press; UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

⁴⁶ Optimity Advisors, ICMPD, ECRE (2015). *A Study on Smuggling of Migrants: Characteristics, responses and cooperation with third countries. Final report*. Brussels: European Commission, DG Migration & Home Affairs/ European Migration Network.

⁴⁷ Tinti, P. and Reitano, T. (2016). *Migrant, Refugee, Smuggler, Saviour*. London: Hurst.

⁴⁸ UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime, p. 92.

Due to the nature of full-package services, only relatively sophisticated and well-established smugglers can offer such migration solutions.⁴⁹ In such instances, a large portion of the fee is typically paid in advance, paid to an intermediary who holds it in escrow throughout the voyage and who then disburses payouts in stages as each leg of the journey is completed.⁵⁰ Stage coordinators, for instance, may be paid directly by such intermediaries. The migrant escrow scheme allows migrants to protect themselves against smugglers and allows smugglers to distinguish themselves and build a reputation.⁵¹

When smuggling fees are negotiated, the migrants usually have only two main points of leverage: the amount that they can ultimately pay; and, their capacity to enhance or damage the reputation of the smugglers.⁵²

The final cost to the smuggled person may be substantially more than what was originally agreed upon. While in transit, smuggled migrants remain vulnerable to demands for extra payments on top of the fees that were originally agreed upon. Additional fees may be extracted by unscrupulous or opportunistic actors who have no interest in the reputational aspect of the overall operation. If they are abandoned by the smugglers during the journey or if the smuggling attempt fails, migrants are often required to renegotiate and pay new fees. In some cases, when migrants are known to have external sources of financing (e.g., relatives, supporters, or a political or religious group) extortion takes place in the

⁴⁹ Reitano, T. (2017). People Smuggling in West Africa, in Coyne, J. & Nyst, M. (Eds.), *People's Smugglers Globally*. Barton (AU): The Australian Strategic Policy Institute, pp. 45-48.

⁵⁰ European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL, p. 44.

⁵¹ Tinti, P. and Reitano, T. (2016). *Migrant, Refugee, Smuggler, Saviour*. London: Hurst, p. 72.

⁵² Maher, S. (2018). Out of West Africa: Human smuggling as a social enterprise, *Annals of the American Academy of Political & Social Science*, 676(1), pp36-56; European Migrant Smuggling Centre (2016). *Migrant Smuggling in the EU*. The Hague: EUROPOL, p. 46.

hope that they will be forced to contact their supporters to arrange for more money to be transferred to the smugglers.

There are also numerous cases where the agreement between the migrants and the smugglers are unilaterally “reinterpreted” or “renegotiated” during the smuggling process, once the migrants are untethered from their place of origin and have become isolated and more vulnerable. The fees are increased, the schedule of payment is advanced, additional costs are charged, or the intended destination is changed. Finally, smugglers have strategies for collecting debts when needed, sometimes using or hiring “enforcers” who intimidate or use violence against migrants or their relatives especially those who remain in the place of origin.

4.8 Payment and financing

The terms and conditions of fee payment vary between smugglers, locations, smuggling methods and routes. Shorter smuggling journeys from one country into another country usually only require a single transaction that is paid before departure from the place of origin. Fees for longer and more complex smuggling ventures are sometimes paid in full at the beginning and, at other times, are paid individually for each leg of the journey. In some rarer situations, the smuggling fee is only paid when the smuggling has successfully been completed.

Irregular migrants⁵³ use various risk mitigation strategies to avoid being duped or exploited by the smugglers. They may for example rely on a third party for withholding a final payment to the smugglers (e.g., a “banker”, as described above in relation to escrow payments). The methods of payment vary. Various local systems have been developed that aim to provide a level of protection for both the migrant and the smuggler. Such

⁵³ The term “irregular migrant” refers to a migrant who have entered a country irregularly, or a person who, owing to irregular entry, breach of a condition of entry or the expiry of their legal basis for entering and residing, lacks legal status in a transit or host country. Irregular migrants may include different types of migrants, including people seeking asylum and people who are being smuggled illegally into a country (mixed migration).

systems are intended to protect the migrants from being swindled, while ensuring that the smugglers also get paid (e.g., payment to a third party; staggered payment; payment in instalments after each leg of the trip; debt repayment over a number of years, etc.). These systems are made possible by the power of the mobile phone, the speed of the informal remittance systems and formal money transfer systems, the role of diaspora, and modern communication technology. Some smuggling networks are also involved in money lending or schemes whereby migrants repay smuggling fees through work in the destination country.

Arrangements for payment in instalments are quite common, particularly when separate or independent smugglers are responsible for individual segments of the smuggling route. Indeed, along some routes and among some migrant groups, it appears common practice to withhold payment to smugglers until it is confirmed that the migrant has successfully arrived in the transit or destination point. In some instances the migrant's family is contacted once a leg of the journey has been completed to pay the next installment to one of the organizers and the journey then continues.⁵⁴ This "pay-as-you-go" method of payment is more commonly used in multi-stage journeys to distant destinations.⁵⁵ But other models exist, particularly in the case of shorter journeys or smuggling by air.⁵⁶ In some instances, payments are due to stage-coordinators to cover their costs.

Transfers of larger sums are often done through the formal banking sector, through alternative remittance systems, or through complex underground banking systems designed to disguise the origin and purpose of the payments.

Many smuggled migrants have sold most of their belongings pre-departure. In many cases, they have borrowed money from relatives and

⁵⁴ UNODC (2010). *Issue Paper: Migrant smuggling by air*. Vienna: United Nations Office on Drugs and Crime.

⁵⁵ FRONTEX (2016). *Annual Risk Assessment 2016*, Warsaw: European Border and Coast Guard Agency.

⁵⁶ FRONTEX (2019). *Risk Analysis for 2019*. Warsaw: European Border and Coast Guard Agency.

friends or from banks, moneylenders or the smugglers themselves. Because of the high fees, many smuggled migrants incur great debts, so much so that some of them continue to pay off their smugglers for several years after they arrived at their intended destination.⁵⁷

4.9 Relationship between smugglers and migrants

The relationships between migrants and their smugglers vary and can be quite complex. The nature of these relationships depends largely on the nature and circumstances of the smuggling event:

“Some smugglers are revered by the people they transport and smuggled, others carry out their activities without any regard for human rights, treating the lives of those they smuggle as disposable commodities in their quest to maximize profits.”⁵⁸

In most instances, the relationship between migrants and smugglers is purely commercial and very brief. In other instances, there may be a closer relationship. For example, the smuggler may be a well-respected member of the migrants’ own community, diaspora, or ethnic, religious or political group.

As mentioned earlier, ethno-linguistic affinities between migrants and smugglers also play a role. Migrants may find it easier to trust people from their own ethnic and religious community. In several instances, smugglers are well respected members of their community, live among their clientele and promote their record of managing successful smuggling operations.⁵⁹

From the smugglers’ perspective, developing relationships within a community and securing its support is also an effective means to promote

⁵⁷ Kagan, C., et al. (2011). *Experiences of Forced Labour Among Chinese Migrant Workers*, York (U.K.): Joseph Rowntree Foundation.

⁵⁸ Tinti, P. and Reitano, T. (2016). *Migrant, Refugee, Smuggler, Saviour*. London: Hurst.

⁵⁹ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations.

business and mitigate the risks involved. There is often support or tolerance expressed within a community for the smugglers and the services they provide. The smugglers typically do not consider themselves criminals and neither do many others in that community.⁶⁰ Consequently, little social stigma is attached to this business. As a result, it is difficult for law enforcement to secure cooperation from members of the community impacted by, or engaging in smuggling services.⁶¹

Depending on their respective roles in the smuggling process, smugglers have different types of contacts and exchanges with the migrants. There usually is a power imbalance between the smugglers and their clients that often leads to material and other forms of exploitation. The power imbalance which may initially favour the client, at least until the client/buyer has committed to the deal, tends to shift in favour of the smugglers over the course of the smuggling process.

Though in many cases migrants may have sought out and engaged the services of smugglers, they do not necessarily have a lot of freedom to make their own decisions during the smuggling process. Yet, some migrants enjoy varying degrees of autonomy while being smuggled. In some instances, migrants choose the destination and the smuggler simply acts as facilitator. In other instances, the smuggler determines the smuggling routes, the country of destination, and the method of smuggling with little input from the migrant. There are of course also countless examples of individual smugglers (at various stages of a smuggling operation) who shamelessly exploit migrants' vulnerabilities, abandon, rob, rape, abuse or kill them, turn them to the authorities, or sell them into various forms of slavery (or debt bondage).

Smuggled migrants, once intercepted, are not necessarily able or willing to cooperate with the authorities. They fear deportation,

⁶⁰ Zhang, S. and Chin, K.-L. (2004). *Characteristics of Chinese Human Smugglers*. Washington: United States Department of Justice, Office of Justice Programs.

⁶¹ UNODC (2010). Actors and processes in the smuggling of migrants, in *Toolkit to Combat Smuggling of Migrants*. New York: United Nations.

imprisonment, retaliation by the criminals, or compromising their request for asylum. They may also fear retaliation against family members whom they left behind. They often wish to protect their sponsors or their community and they are concerned about their financial obligations to those who financed their migration attempt. Additionally, they have frequently been misled by the smugglers about what to expect in the event that they get caught by the authorities.

Law enforcement agencies must remain sensitive to the fact that many irregular migrants have often had very negative experiences of contact with law enforcement prior to their arrival to a country like Canada. Their understandable distrust of the police and their lack of confidence in the police and the justice system do not predispose them to cooperate with the authorities. Finally, irregular migrants are often very conscious of the limitations of the police in protecting their relatives against violence and retaliation back in their own country.

4.10 Smugglers' control over migrants

In many complex smuggling operations, success depends on the smugglers ability to exercise control over the migrants. Some of the methods used by migrant smugglers to keep the migrants under their control involve keeping them uninformed, isolated and disoriented and preventing them from making contact or interacting with other people outside of the smuggling operation, or developing new relationships. This is often exacerbated and facilitated by the fact that the migrants are often culturally and linguistically isolated. Isolating them makes them more obedient and easier to control through the journey and beyond. Various methods are also used to increase their fear of being arrested and to keep them in a state of psychological dependency.

V. Features or patterns associated with smuggling migrants who originate from China

China (PRC) is a significant source country for irregular migrants and migrants who are smuggled to and through other parts of South-East

Asia and to destinations in Canada and the United States. Most Chinese migrants smuggled or attempting to gain illegal entry into Canada are transported by air⁶² for at least part of the journey, sometimes through a transit country. Indeed, many Chinese nationals are known to have flown to and entered the United States before being smuggled into Canada. A similar pattern has been observed in Europe where Chinese nationals obtain visas, often through fraudulent means, to gain access to countries in the Schengen area⁶³ and then travel through continental Europe before being smuggled into the United Kingdom or another final destination.

Most irregular migrants from China to distant countries use the services of smuggling networks. The Canadian Border Services Agency estimated that 92 percent of all Chinese irregular migrants arriving in Canada had used the services of migrant smugglers at some stage during their journey.⁶⁴ It was estimated that as of January 1, 2015, some 320,000 irregular Chinese nationals were living in the United States⁶⁵⁻⁶⁶. Some of these Chinese irregular migrants living in the United States intend to be smuggled into Canada, ostensibly hoping to take advantage of the more accessible and perhaps more favourable Canadian refugee protection system.

The smuggling of Chinese migrants in the 1990s was driven by political and socio-economic factors. Socio-economic factors now appear

⁶² UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime, pp. 73-74.

⁶³ The Schengen Area (named after the 1985 Schengen Agreement) is an area comprising twenty-six European states that have officially abolished all passport and other types of border control at their mutual borders. The area mostly functions as a single jurisdiction for international travel purposes, with a common visa policy.

⁶⁴ Canada Border Services Agency, Response to questions by UNODC relating to smuggling of migrants in Asia (2014).

⁶⁵ Baker, B. (2018). *Estimates of the Illegal Alien Population Residing in the United States: January 2015*. Washington: Homeland Security, Office of Immigration Statistics, p. 5.

⁶⁶ This represented approximately 3% of the estimated 12,000 millions “illegal aliens” living in the USA.

to be the primary driver for irregular migration from China within East Asia and to other regions, such as Europe and North America.⁶⁷ Prior migration by other relatives and friends and the existence of Chinese diaspora are also important pull factors.⁶⁸ Political push factors influence some segments of irregular migration from China, especially for ethnic and religious minorities as well as political dissidents.

These days, however, a large proportion of irregular migrants from China to Western countries tend to come from relatively wealthy backgrounds. They are driven by economic ambition and attracted by the economic opportunities in Canada and other countries.⁶⁹ Most Chinese smuggled migrants apprehended in Western countries are young men, between the ages of 18 and 40. Generally, the smuggled males aspire to establish themselves in the destination country and later sponsor the migration or smuggling of relatives.⁷⁰

5.1 Methods

The routes and methods used to smuggle migrants from East Asia, China in particular, have become increasingly sophisticated and effective. Patterns fluctuate as the smugglers constantly strive to avoid detection and to find the cheapest and most effective smuggling methods.

⁶⁷ Sheng, L. and Bax, T. (2012), Changes in Irregular Emigration: A field report from Fuzhou, *International Migration*, 50 (2), pp. 99-112.

⁶⁸ Bloch, A., et al. (2011). Migration routes and strategies of young undocumented migrants in England, *Ethnic and Racial Studies*, 34 (8), pp. 1286 – 1302; Silverstone, D. (2011). From Triads to Snakeheads: Organised crime and illegal migration within Britain's Chinese community, *Global Crime*, 12 (2), pp. 93-111.

⁶⁹ Chu, C. Y (2011). Human Trafficking and Smuggling in China, *Journal of Contemporary China*, 20 (68), pp. 39-52.

⁷⁰ UNODC (2012). *Migrant Smuggling in Asia: A thematic review of literature*. Bangkok: United Nations Office on Drugs and Crime.

Chinese nationals tend to use genuine documents to leave China and switch to fraudulent documents in a transit country.⁷¹ These documents are often produced in China, but sometimes in other countries (e.g., in South Korea), and sent to smugglers in transit countries who then hand them over to migrants at the appropriate time.⁷² It is not uncommon for irregular migrants to destroy their citizenship and identity documents prior to their arrival at final destination. This is done, frequently on the advice of the smugglers, in order to hide the fact that they used forged or adulterated documents, complicate any deportation proceedings, or hinder any investigation of the smuggling operation or of their own past.

Some smuggled migrants present themselves as business people attending a conference, or as tourists. Others are disguised as students and travel with academic transcripts, language proficiency certificates and enrolment documents issued by educational institutions that are sometimes complicit or are set up as a sham to facilitate migrant smuggling.⁷³

The term “snakehead” is still being used to refer to individuals and networks involved in smuggling Chinese nationals. The term snakehead includes a range of upper-level or mid-level operators who coordinate the smuggling ventures and, in some cases, run front companies or offer travel agency services or pose as migration agents.⁷⁴ Highly structured and well-organized criminal groups were a common feature of the Chinese migrant smuggling operations in the 1990s. More recently less hierarchical structures appear to be more common, involving loose affiliations of groups and individuals who operate together in a flexible, lateral manner.

⁷¹ UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime, p. 78.

⁷² UNODC (2013). *Transnational Organized Crime in East Asia and the Pacific: A threat assessment*. Vienna: United Nations Office on Drugs and Crime.

⁷³ UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime.

⁷⁴ Chu, C. Y. (2011). Human Trafficking and Smuggling in China, *Journal of Contemporary China*, 20 (68), pp. 39-52.

These interconnected, horizontal networks include several stage coordinators who oversee and control different components of the smuggling process. These stage coordinators have a degree of seniority and autonomy and delegate specific tasks and functions to lower-level individuals, service providers and accomplices involved in the smuggling operation. The stage coordinators are connected by and report to higher level organizers who typically remain in China and maintain responsibility for the whole of the smuggling venture, including most of its financial aspects. Lower-level service providers or accomplices typically have no direct contacts with higher level organizers and relate exclusively to the stage coordinator.

There is a strong expectation that stage coordinators will refrain from charging unauthorized additional fees or branching out and starting their own business. The consequences for breaking these rules can be quite harsh. Stage coordinators must also keep and render financial and other accounts to higher level organizers. This explains why the detailed records typically kept by stage coordinators are sometimes found and seized by authorities as evidence of their role in the overarching smuggling network.

These smuggling operations typically have strong communication networks and rely heavily on the use of cell-phone, e-mail, online chat tools, and social media to keep in contact with clients, other network agents, and other information and intelligence sources.

Smuggling networks also tend to use professional sources in the destination countries who stay informed of changing law enforcement activities, immigration policies, asylum seeking procedures, and new opportunities in order to adapt their methods or routes accordingly.

Social networks and the diaspora play a very important role in the smuggling of Chinese migrants, including the financing of operations. Reportedly, the Chinese diaspora meet and receive smuggled migrants upon their arrival at their ultimate destination. Family members or members of the diaspora also provide assistance as well as support, in many

cases, during the asylum application and refugee status determination process.

A recent case in British Columbia, attracted attention to the methods used by at least one criminal network. In *R. v. Michael Kong*, Mr. Kong, a stage coordinator for a sophisticated transnational criminal group that operated a migrant smuggling network between China and Canada, through the United States, was recently convicted in B.C. Provincial Court.⁷⁵ The network had the capacity to offer comprehensive full-service packages to PRC nationals who could afford it. The migrants had first travelled by plane to the United States on a valid visitor's visa. As a stage coordinator, Mr. Kong would receive instructions from other members in the smuggling network to smuggle these migrants across the Washington-British Columbia border through Peace Arch Park, and to facilitate their journey to other Canadian destinations, notably Toronto. Mr. Kong employed and coordinated low-level service providers to arrange for accommodation, transportation, meals, and other forms of assistance for the smuggled migrants as they passed through this stage of their journey. He was also responsible for contacting travel agents, purchasing airline tickets, and acquiring boarding passes for the next stage in the migrants' journey. For his services alone, Mr. Kong charged between \$1500 and \$2000 per person – paid either by the migrants themselves or by other members of the smuggling network – and has admitted to moving an average of ten to fifteen migrants a year for over ten years. Hundreds of irregular migrants were thus smuggled into Canada and many of them if not most of them subsequently made inland refugee claims in Toronto. No one else from the criminal network, either in Canada or abroad, was prosecuted.

5.2 Fees, payment and financing

By comparison to other smuggling operations, the fees paid by smuggled migrants from China to Europe and North America are very high (on average between US \$20,000 and \$60,000). Variation in fees reflect the various routes and distances involved, the methods used, the services

⁷⁵ *R. v. Michael Kong*, 2020 BCPC.

included (e.g., the provision of fraudulent travel or identity documents), and the relative difficulty involved in entering specific transit and destination countries. The more expensive routes available to Chinese migrants, such as those to the US, Canada, or a European Union country, are primarily used by well-off migrants, allowing smugglers to charge more for their services.

Prospective clients typically make first contact with lower level recruiters who can negotiate and collect the fee or part of it. The bulk of the fees is typically paid in cash, or cash instalments, and kept in China. In some cases, outstanding fees or additional fees may be collected in transit countries. Because of the expensive fees, migrants must often borrow money from family members and moneylenders.

Migrants and smugglers tend to choose underground banks and various informal value transfer schemes to transfer money to and from China.⁷⁶ Recently, informal methods of transferring fees are sometimes replaced by regular banks. Smugglers are also known to invest their profits abroad and there have been cases of money laundering and bank fraud in various countries linked to Chinese migrant smuggling networks.⁷⁷

VI. The typical risks faced by the people being smuggled

Every year, thousands of migrants and refugees are injured, abused, or even die during smuggling activities. They are at risk of various forms of exploitation, and even human trafficking, both during their journey and after their arrival in the destination country. The irregular status they end up with in either the transit or destination countries leaves them vulnerable to threats, extortion, exploitation and abuse either by the smugglers themselves or by other unscrupulous opportunists.⁷⁸ Smugglers are more

⁷⁶ Zhao, L. (2012). Chinese underground banks and their connections with crime”, *International Criminal Justice Review*, 22(1), pp. 5-23, p. 15.

⁷⁷ Idem.

⁷⁸ UNODC (2018). *Global Study on Smuggling of Migrants 2018*. New York: United Nations

concerned with avoiding detection and prosecution than they are with the safety and wellbeing of the people they are smuggling.⁷⁹ Finally, in some instances, the migrants' obligation to repay high smuggling fees exposes them to situations of debt bondage, with periods of repayment sometimes stretching over several years and under harsh working conditions.⁸⁰

The process of smuggling can be extremely difficult for the smuggled migrants. In some situations, they are subject to inhumane conditions. Children and women are particularly vulnerable. They are highly vulnerable to becoming victims of violence and abuse during their migratory journeys. Women are sometimes also smuggled while pregnant, which creates special vulnerabilities for both the mothers and the children.⁸¹ The irregular character of the migrants' situation limits their access to the support and services they are likely to need on the way and after reaching a destination.⁸²

VII. Conclusion

Much remains to be learned about patterns of migrant smuggling in Canada and elsewhere and that knowledge must be kept current since the patterns in question are fluid, constantly changing, and adapting to law enforcement practices and strategies. The fact that in recent years very few investigations have actually led to the neutralization or dismantlement of any of the very active transnational migrant smuggling networks operating in our country suggests that there is a to reconsider present law enforcement methods and strategies and to build more effective international

⁷⁹ UNODC (2010). *Toolkit to Combat Smuggling of Migrants*. United Nations: New York.

⁸⁰ Zhang S., et al. (2007). Women's participation in Chinese transnational human smuggling, *Criminology*, 45 (3), pp. 699-733.

⁸¹ UNODC (2015). *Migrant Smuggling in Asia: Current trends and related challenges*. Bangkok: United Nations Office on Drugs and Crime.

⁸² Reale, D. (2013). Protecting and Supporting Children on the Move: Translating principles into practice. In IOM, *Children on the Move*. Geneva: International Organization for Migration, pp. 63-81.

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cooperation in criminal matters to ensure successful action against these criminal networks.

We are still lacking adequate metrics to measure the relative success of various enforcement strategies against migrant smuggling. Clearly, however, the limited disruption of the migrant smuggling activities of criminal networks by current law enforcement practices is insufficient to address the problem. Disruptions strategies are no substitute for strategic and proactive enforcement strategies based on sustained efforts to analyze and understand the structure of the targeted criminal organizations, the changing nature and modes of their operations, or the dynamics of the markets they exploit.⁸³

⁸³ Levi, M. & Macguire, M. (2004). Reducing and preventing organized crime: An evidence-based critique, *Crime, Law & Social Change*, 41: 397-469.