**People Smuggling & Irregular Migration**

Introduction

This entry covers address maritime people smuggling and irregular migration by sea. Both terms refer to the transit of people across maritime boundaries outside of accepted regulatory frameworks.

People smuggling 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”.[1](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-1-37)

Irregular migration is defined as: “[the] movement of persons to a new place of residence or transit that takes place outside the regulatory norms of the sending, transit and receiving countries”.[2](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-2-37)

A group of people sitting on the beach

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Both people smuggling and irregular migration are by definition transnational and illegal.[3](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-3-37) Refugees and asylum seekers may also follow these routes, in what is termed mixed migration, but are not defined as migrants and have additional protection under international law. Their entry may be defined as illegal if movement takes part outside of the receiving country’s normal procedures (for example, if they travelled through a safe country to the ultimate receiving country).

This entry does not discuss human trafficking (see [Human Trafficking](https://www.safeseas.net/evidence/2020/02/10/human-trafficking/)). While transportation methods, practices, and actors may be the same in some cases, there are recognised differences in the way perpetrators and victims are viewed and treated.[4](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-4-37) It is important to note that people smuggling can become human trafficking if those being smuggled are victims of exploitative acts such as withdrawal of passport or debt bondage etc..

The crossing of maritime boundaries by sea can occur in any type of vessel, though often takes place in small boats with migrants disembarking at unofficial border points such as beaches or jetties. Some migrants may hope to be interdicted and rescued so that they can be taken to shore safely to begin the formal migration process.[5](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-5-37) The act of stowing away (see [Stowaways](https://www.safeseas.net/evidence/2020/02/10/stowaways/)) is a form of irregular migration that usually takes place on larger vessels. Irregular migrants may also be concealed inside containers which are then placed on container ships.[6](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-6-37) On some routes, people smuggling and irregular migration predominantly takes place using aviation or across land borders.[7](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-7-37)

People smuggling is characterised by the movement of people from economically poor and politically unstable countries to those that are more prosperous and stable.[8](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-8-37) Significant people smuggling routes include those from North Africa and the Middle East into Southern Europe via the Mediterranean,[9](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-9-37) from the Philippines and Indonesia into Eastern Malaysia,[10](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-10-37) and from Western Europe into the UK.[11](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-11-37) Historically significant routes include those from China to the US and from Indonesia to Australia. In these two cases, irregular migration by maritime means has declined, with most movements now happening via air travel.[12](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-12-37)

Characteristics

*Routes* *and practices*

The illicit maritime movement of people to the EU by sea remains significant.[13](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-13-37) Overall, more than two-thirds of all border-crossings in 2019 were detected at sea in the Mediterranean and these numbers increased during the Covid-19 pandemic.[14](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-14-37) Sea crossings primarily take place using rubber boats or small fishing vessels. There are four routes which see fluctuations of arrivals: the Eastern Mediterranean route from Turkey; the Central Mediterranean route from Algeria, Tunisia and Libya; the Western Mediterranean route from Morocco and Algeria; and the Western African route from Morocco, Mauritania, and Senegal to the Canary Islands.[15](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-15-37)

In Southeast Asia, migrants are smuggled from Indonesia and the Philippines into Eastern Malaysia.[16](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-16-37) Sea crossings take place using fishing vessels and small trading vessels that often island hop around the archipelago, moving around Mindanao and Sulu into Sabah. An emerging route using similar practices into Malaysia is also from Myanmar, due to the increased persecution of the Rohingya.[17](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-17-37) Flows of asylum seekers from Southeast Asia into Australia have declined.[18](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-18-37)

In the UK case, migrants cross the English Channel from France and the Netherlands into the UK. Migrants primarily cross the channel on rigid hulled inflatable vessels. Since April 2022 the Government posts daily detections with weekly summaries.[19](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-19-37) The first update showed 1074 migrants crossing in one week – an increase from previous figures – demonstrating that it is a growing hotspot.[20](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-20-37)

*Consumers*

Irregular migrants can be delineated into three broad categories: economic migrants; refugees and asylum seekers; and stateless people.

An economic migrant is someone who crosses international boundaries to improve their economic prospects. Migration in these cases is motivated by both push and pull factors, including poor economic prospects in the country of origin and the prospect of better employment chances and higher wages in the country of destination.[21](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-21-37) Research suggests that economic migrants tend to be younger males in good health, often seeking employment in low-skilled sectors such as agriculture.[22](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-22-37)

Refugees and asylum seekers are those fleeing conflict or persecution to countries of greater political and economic stability.[23](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-23-37) The demographics of refugees differ from economic migrants. They tend to include more families, in some cases have a higher proportion of middle-class backgrounds and are generally in poorer health.

Stateless people are those who do not hold citizenship documents of any country, meaning that all cross-border travel is irregular to some degree or another. Stateless people may migrate for economic reasons, but also for reasons of kinship and cultural affinity. This may be particularly the case amongst cross-boundary communities where citizenship is less institutionalised.[24](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-24-37)

Irregular migrants are often motivated by the relative openness, simplicity, and affordability of irregular routes in comparison to official channels.[25](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-25-37) Studies suggest that complex and expensive official migration procedures provide significant barriers to entry.[26](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-26-37) There may be a total lack of access to asylum procedures.[27](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-27-37)

In some cases, migrants trust people smugglers more than official migration routes.[28](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-28-37) A study of East Java, for example, showed that the system is perceived as safer because recruiters in home villages are held responsible for the safety of their charges by the community, meaning there is some degree of accountability.[29](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-29-37)

As a result, many migrants often view smuggling is a respectable and rational process.[30](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-30-37) The COVID-19 pandemic has increased the demand for people smuggling services because it led to tougher immigration enforcement and controls, encouraging those unable to access legal migration channels into irregular routes.[31](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-31-37)

*Organisation*

People smuggling and irregular migration is variously organised, depending on geographic location and the specific route involved.

In some cases, irregular migration may be relatively ad-hoc, as is the case on the Malaysia-Philippines route.[32](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-32-37) Self-organized migrants may use people smugglers or travel relatively independently. In these cases, individual migrants may move from location to location, with various intermediary locations en route to their ultimate destination.

People smuggling can also take place though more organised networks and structures. These may include what the Organisation for Economic Co-operation and Development (OECD) calls a ‘pay-as-you-go’ model, in which migrants will use different people smugglers at different points in a long route.[33](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-33-37) The final destination might not be predetermined, and the speed and direction of the journey will depend on the funds that migrants have available at each step.[34](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-34-37) By contrast, a ‘full package’ arrangement would cover the entirety of a journey from origin to destination, and tend to be more common on air routes than maritime ones.[35](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-35-37)

*Agents and networks*

The way in which migration is organised generally structures the type of agent involved and their characteristics. Less organised maritime smuggling may only require a single individual with access to a fishing boat for example. In the Philippines-Malaysia case and Indonesia-Australia cases, individual fishers take small groups of migrants (or sometimes even just individuals) across the borders for a small fee.[36](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-36-37)

In other cases, smuggling may take place through multiple intermediaries organised through loose networks comprising more or less connected informal organisations and individuals.[37](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-37-37)The OECD refers to these as chain organisations.[38](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-38-37) Different actors specialise in different parts of the chain, and each received a payment.[39](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-39-37) They may include recruiters, transporters, and receivers. Such networks are not typically static or hierarchical, but temporary and dynamic.[40](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-40-37)

Recruiters may work in origin villages or increasingly online, where they advertise smuggling services through social media platforms. Transporters are the people who arrange the movement of the migrants, whether by piloting a vessel or providing it guiding the migrant. Receivers meet the migrants at the destination to direct them towards work.[41](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-41-37) There may also be a distinct coordinator who take overall responsibility for operations, such as the snakeheads in China and ‘agents’ in Indonesia.[42](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-42-37)

Research suggests the legitimate industry of worker agencies, travel agents and middlemen also have a role in irregular migration, as well as corrupt government officials.[43](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-43-37) Kinship can be important in these chains with smuggling usually take place within relatively homogenous ethnic groups.[44](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-44-37) Smuggling is heavily specialised and localised, requiring local knowledge, specific skills, and mutual trust between migrant and smuggler.[45](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-45-37)

More organised criminal groups may also be involved in people smuggling. Research on people smuggling into the UK has identified hierarchical smuggling networks with identifiable leaders for example.[46](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-46-37) The OECD suggests that ‘full-package’ groups are more likely to follow this model because that they need to be sophisticated enough to control the full logistical chain across different countries.[47](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-47-37)

*Profits and Risk*

People smuggling is generally a high profit activity.[48](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-48-37) According to Europol, in 2019 alone people smugglers made the equivalent of around 230 million USD from the Mediterranean routes.[49](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-49-37) In 2015, at the height of the migration crisis, criminal networks involved in migrant smuggling had an estimated turnover of the equivalent of 3-6 billion USD.[50](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-50-37)

Migrant smuggling using maritime routes can be especially profitable because more people can be smuggled at one time, reducing the cost to the smuggler of a single journey.[51](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-51-37) Even small scale smugglers can make large profits relative to their usual incomes from legitimate activities. Fishers in Malaysia and Indonesia for example charge between 35-120 USD per migrant, a significant amount given a usual monthly income of around 350 USD.[52](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-52-37) Economic precarity driven by pollution and overfishing may intensify these economic motivations in marginalised coastal communities.[53](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-53-37)

People smuggling is often a relatively low risk activity. Smuggling groups tend to facilitate the movement of people rather than carry them themselves. People smuggling can be quite low on the list of law enforcement priorities in some countries, which reduces the risk of capture and investigation. Other strategies to mitigate risk include using legitimate actors such as taxi drivers to arrange movements, as well employing harder to trace forms of payment such as cryptocurrency.[54](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-54-37)

*Securitization*

There is a growing tendency to frame migrant smuggling and irregular migration as a security issue[.](https://www.cambridge.org/core/journals/international-and-comparative-law-quarterly/article/securitization-of-search-and-rescue-at-sea-the-response-to-boat-migration-in-the-mediterranean-and-offshore-australia/A13E77F859B6A2CB8CE8A44B34FE0DFB)[55](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-55-37) In some cases, this is linked to other forms of insecurity. In Malaysia, for example, the porous maritime borders have allowed the incursion of armed of armed militants looking to claim Eastern Sabah in the name of the Sulu Sultanate.[56](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-56-37) There have also been incursions of terrorists operating from the Philippines who kidnap tourists for ransom.[57](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-57-37) In Europe, people smuggling is securitized on the basis that terrorists could also gain entry, though these assumptions has been criticised.[58](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-58-37). The securitization of migration remains controversial due to the vulnerability of many migrants and the often desperate circumstances they find themselves in (see impact below).

Scope

Due to the illicit nature of people smuggling, data collection is partial. However, some indicative figures from better-monitored routes demonstrate that it takes place at a relatively large-scale. It is estimated that more than one million irregular migrants arrived in the EU in 2015, primarily by sea.[59](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-59-37) While this was at the height of the so-called ‘migration crisis’, more than 141,846 were detected in 2019.[60](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-60-37)In the UK, detected cases rose to more than 23,000 in 2021.

Impact

While people smuggling is often regarded as a consensual act without a clearcut victim, the clearest impact is generally on the person being smuggled. There may be a danger of death due to the use of unsuitable vessels with a lack of safety equipment on dangerous sea routes. In 2019, at least1885 people went missing or died on the three main European routes.[61](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-61-37) The International Organization for Migration (IOM) updates the total number of deaths related to people smuggling in real time.[62](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-62-37) Between 2014 and August 2022, the figure stood at 24,414 deaths in the Mediterranean.[63](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-63-37)

On longer journeys, unsanitary conditions and a lack of food and water can also cause fatalities.[64](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-64-37) Some irregular migrants indicated that they had been threatened, beaten, or raped during transportation.[65](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-65-37) There may also be a risk to life when people are smuggled in containers because of poor health conditions or due to asphyxiation. In a study of Chinese migrant deaths in containers, it was found that confinement, malnutrition, and dehydration made migrants more susceptible to fatal disease.[66](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-66-37)

There is also an impact on the receiving state. Socially, large influxes of irregular migrants may pose challenges in terms of integration or even lead to anti-democratic and discriminatory behaviour – undermining social cohesion.[67](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-67-37) Economically, there is a cost to policing irregular migration. However, there is also a political impact. As a crime, irregular migration undermines the rule of law and emboldens criminal organisations.[68](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-68-37)

Linkages & Synergies

People smuggling is most often linked to human trafficking, forced labour, and labour abuse. Those being smuggled are vulnerable in ways that make them susceptible to exploitation in the destination country.[69](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-69-37)

Research suggests that many groups involved in migrant smuggling are also active in crimes with a cross-border dimension.[70](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-70-37) Criminal networks can use their existing knowledge of routes and infrastructure used to smuggle illicit goods across the borders.[71](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-71-37)

Responses

*International*

The UN Convention against Transnational Organized Crime (UNTOC) Migrant Smuggling Protocol obliges state parties to co-operate ‘to prevent and suppress’ maritime migrant smuggling ‘in accordance with the international law of the sea’. Various international bodies are involved in counter-people smuggling responses, including the UN Office on Drugs and Crime (UNODC) and IOM. The IOM, for example, has an Immigration and Border Management (IBM) Division, that ‘assists Member States to build and strengthen their capacities to directly intervene in and disrupt migrant smuggling operations, requiring coordination with legislative bodies, implementing effective border control measures and ensuring the concerted action of law enforcement agencies’.[72](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-72-37) A UN Network on Migration has been established that structures ongoing cooperation between these bodies.[73](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-73-37)

Regionally, the EU has perhaps the most comprehensive response to people smuggling. The EU adopted a specific EU action plan against migrant smuggling (2015-2020) in 2015,[74](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-74-37) and a renewed plan in 2020.[75](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-75-37) These action plans were envisaged in the European Agenda on Migration, which identified migrant smuggling as a priority.[76](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-76-37) The EU has established operational mechanisms such as the European Migrant Smuggling Centre, and Europol’s Joint Operational Team Mare (an intelligence-led maritime centre dedicated to tackling migrant smugglers in the Mediterranean).

*National*

For receiving countries, maritime responses have generally centred on detection and interdiction at sea. Countries employ monitoring such as patrols and aerial surveillance, both to interdict and deter migrant vessels but also to conduct search and rescue operations at sea.[77](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-77-37) Migrant vessels may be boarded, with the irregular migrants arrested, or shadowed to the coast where land-based agencies make the arrest.

The deterrent effect of such tactics has been questioned given that many irregular migrants may actually want to be detained in a receiving country’s waters so they are able to make it safely into that jurisdiction.[78](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-78-37) A more controversial tactic has been to try and ‘pushback’ migrant vessels to prevent them from entering a receiving country’s jurisdictional waters.[79](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-79-37) Pushbacks have occurred in Thailand for example, where Rohingya refugee boats have been prevented from entering Thai waters.[80](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-80-37) Pushback tactics can often be very dangerous due to the fragility of migrant vessels and the vulnerability of the people on board.

Other approaches aim to target the root causes of migrant smuggling. These aim to focus on ‘pull’ rather than ‘push’ factors of economic disparity. Addressing pull factors may include criminal investigation into the smuggling networks that facilitate the movement of people. There is a risk, however, of targeting perpetrators who themselves are vulnerable, as is the case of Indonesian fishermen who smuggle people on behalf of others.[81](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-81-37) Another response is the establishment of offshore processing centres that mean migrants are not able to access the country while awaiting the outcome of their immigration or asylum hearing. Australia has established processing centres in the Pacific Islands for example, and the UK has put forward a plan to do similar in Rwanda.

Such tactics have been criticised on  humanitarian grounds and there have been allegations of abuse occurring at some locations.[82](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-82-37) It has also been suggested that easier access to legitimate migration and asylum routes will stop the need to turn to illicit channels and will deprive smugglers of their profits.[83](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-83-37) This can be seen in the UK context, where people smuggling grew rapidly after the country’s refugee resettlement scheme was suspended during the COVID-19 pandemic. Indeed, some studies suggest that the regularisation of immigration policies is cheaper and more effective than enhanced border controls.[84](https://www.safeseas.net/evidence/2020/02/10/human-smuggling/#easy-footnote-bottom-84-37)

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