UNODC Activities in Support of the Bali Process

Bali Process Ad Hoc Group Senior Officials’ Meeting

Sydney, 12 October 2011

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UNODC Regional Centre for East Asia and the Pacific
Overview of the presentation

- About UNODC
- Update on UNODC’s assistance in establishing a voluntary reporting system on migrant smuggling and related conduct in support of the Bali Process
- Update on Bali Process Evidence Based Project
UNODC’s Mandate

UNODC’s Mandate

 Trafficking in Persons Protocol and Migrant Smuggling Protocol both supplementing the United Nations Convention against Transnational Organized Crime (UNTOC)

UNODC

Promote global adherence

Assist States in implementing the Protocols

Legislation

Criminal justice response

Evidence-based knowledge

Conference of Parties to UNTOC

Commission on Crime Prevention and Criminal Justice
Areas of technical assistance:
Legislative advice
Areas of technical assistance:
Policy advice

International Framework for Action
To Implement the Trafficking in Persons Protocol

International Framework for Action
To Implement the Migrant Smuggling Protocol

Being finalized in 2011
Areas of technical assistance:
Law enforcement capacity building

Institutionalizing training; face to face training; computer-based training
Areas of technical assistance:
Data collection and analysis

Organized Smuggling from Afghanistan to Europe – Course of Events
“Ministers agreed to strengthen engagement on information and intelligence sharing underscoring the high value and utility that would derive from enhanced information sharing. In this regard, Ministers welcomed assistance from UNODC in establishing a voluntary reporting system on migrant smuggling and related conduct in support of the Bali Process”.

UNODC developed a draft Online Reporting Template (ORT)

The ORT was shared with some countries for feedback

A revised version of the ORT will be reviewed at an Inter-regional Workshop taking place in Bangkok on 20 to 21 October

- The meeting will bring together law enforcement practitioners from West, South, South-East and East Asia, as well as from Australia, the Pacific, North America and Europe working in analysis and investigation of migrant smuggling

Further to the Inter-regional Workshop, UNODC will finalize the Voluntary Reporting System, and launch in 2012 the first reporting cycle

Proposal: AHG members of the Bali Process to nominate one focal point (person or unit) in preparation of launching the first reporting cycle
The Voluntary Reporting System - if used by a critical number of countries, will assist in establishing detailed data for the purpose of strategic analysis of the crime challenge.

The Voluntary Reporting System seeks to establish (non-nominal) information on the following migrant smuggling issues:

- Quantitative assessment of flows
- Major routes used
- Fees paid
- Methods used
- Profile of smuggled migrants
- Profile of migrant smugglers
Section 1.2
Establishes the total of persons detected when attempting illegal entry to the reporting country during the reporting period.

Question: During the reporting period, how many persons attempting illegal entry to the country were detected?

Please insert total number here
Please specify the source of information

Section 1.2.2
Disaggregates the total of persons detected when attempting illegal entry to the reporting country during the reporting period according to entry crossing, rail border crossing, green (land) border crossings, sea or blue sea border crossings, air border (airports) and other places.

Question: During the reporting period, out of the total number of detected persons attempting illegal entry to the country, how many were detected at road border crossings?

Section 1.2.4
Disaggregates the total of persons detected when attempting illegal entry to the reporting country during the reporting period according to citizenship.

Question: Please indicate the most frequent citizenships of detected persons attempting illegal entry and provide their respective numbers (list only countries with more than 100 persons detected)

<table>
<thead>
<tr>
<th>Country of citizenship</th>
<th>Total number of persons</th>
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Background:

- Bali Process Ad-Hoc Group Meeting in Dec. 2009: call for improving the knowledge base on migrant smuggling
- With Australia’s financial support, UNODC developed the BPEBP
- Implementation started in September 2010.

Objective:

- To establish an information base on a) migrant smuggling in West, South and South-East Asia and b) the response to it
- To make information accessible
- To inform policy making

Geographical focus:

- Afghanistan, Cambodia, China, India, Indonesia, Lao PDR, Malaysia, Myanmar, Pakistan, Singapore, Maldives, Thailand, Viet Nam, Sri Lanka (“the project countries”)
First component: thematic review of research literature on migrant smuggling

Objective:

- To identify existing knowledge about migrant smuggling with regard to the project countries;
- To summarize existing knowledge and identify knowledge gaps
- To ease access to knowledge
The bibliographic search was carried out by 4 researchers guided by a detailed research protocol.

- Identification of key databases, library catalogues and websites
- Definition of research criteria for a) the initial “meta search” and b) the in-depth review of identified sources
- Initial “meta search” to identify possibly relevant literature
- In-depth review of the identified possible relevant literature
- Review and elaboration of critical abstracts of the identified relevant literature
- Allocation of key words and recoding of the literature in a database
- Elaboration of country chapters and a regional chapter
- Systematically searched for empirically based research on migrant smuggling in the 14 countries
  - to identify actual knowledge about migrant smuggling, rather than untested points of view or political opinions
- The search was carried out in English, French and German
- 44 bibliography databases, one meta-library catalogue, three institution specific library catalogues, and 39 websites from major organization working on migrant smuggling were searched
- Despite this very comprehensive search, we located just 154 sources, only 75 of which focus on smuggling. Some are detailed studies but many include just one paragraph or two on migrant smuggling.
14 country chapters and 1 regional chapter were drafted

- All the chapters are structured in the same way and provide a content analysis of the identified literature against a given set of questions

- Annotated bibliography that contains 154 critical abstracts
What information is available that helps to quantify the size of irregular migration, migrant smuggling and trafficking in persons?

What are the main routes used in irregular migration and migrant smuggling?

What is known about the profile of migrant smugglers?

What is known about the profile of irregular and smuggled migrants?

What is known about the nature or characteristics of relationships between migrant smugglers and smuggled migrants?

What is known about the organization of migrant smugglers?

What is known about the modus operandi of migrant smuggling?

What is known about the fees charged for migrant smuggling and methods of payment?

What is known about the human and social costs of migrant smuggling?

What are the factors that are thought to fuel irregular migration and smuggling?
Information base on migrant smuggling is uneven and patchy, and insufficient to properly inform decision making.

- The quality of some research was very high:
  - Providing important insights
  - However only with regard to specific locations and contexts
  - Equivalent research has not been undertaken in other locations and contexts

- There is an apparent need for further research
Second component: mapping out actors and activities

Objective:

- For each project country and at the regional level, identify relevant actors and activities addressing migrant smuggling and human trafficking, and to compile this information

  - As a reference tool (not as an assessment report)
  - Actors: refers to state authorities, IOs and NGOs
  - Activities: refers to laws, policies, coordination mechanisms and capacity building

<table>
<thead>
<tr>
<th>Author</th>
<th>Year</th>
<th>Title</th>
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<tbody>
<tr>
<td>Tate</td>
<td>2006</td>
<td>People smuggling: defending Australia’s national interest</td>
</tr>
<tr>
<td>Moles</td>
<td>2006</td>
<td>People smuggling</td>
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Keywords:
- smuggling
- australia
- refugees
- international law
Mapping out actors and activities addressing migrant smuggling:
- Information was directly sought from key actors such as state authorities in the project countries, IOs and Donor countries (12+EC)
- Specific questionnaires were sent out to state authorities and donor countries
- Intensive consultations with 10 IOs which actively supported the project (including e.g. IOM, UNHCR, UNIAP, etc.)
- Desk research

Mapping out actors and activities addressing human trafficking:
- Information was compiled only through desk research
- Taking into account material from 2006 onwards
- Review of material provided by UNODC: information provided under UN.GIFT and responses to questionnaires issued by the Conference of Parties to UN Convention against Transnational Organize Crime
Catalogue on Actors and Activities Working to Combat Migrant Smuggling and Human Trafficking

- 14 country chapters + 1 regional chapter
- 8 out of 14 project countries replies
- Quality of responses varied
- Due to concerns, donors were asked to only share information on technical assistance that could be publicly released
- With regard to human trafficking, the accessible sources did not seem to reflect the true volume of anti-human trafficking capacity building activities
Based upon the information collected, it seems that:

- In comparison to human trafficking, the number of capacity building activities addressing migrant smuggling is very limited.
- (Significant) gaps in criminalizing migrant smuggling and human trafficking.
- Many project countries lack comprehensive policies on migrant smuggling.
- In many project countries, there is a lack of coordination mechanisms + clear responsibilities with regard to migrant smuggling.

- Confusion between the concepts on migrant smuggling and human trafficking was apparent in some questionnaires.
- Difficulties in sharing information, hamper effective technical assistance and creation of synergies while avoiding duplication of efforts.
Key finding: greater efforts are required to systematically collect and analyse information about responses to migrant smuggling.

While the compiled information, already provides a valuable reference tool, UNODC would like to propose to the concerned Bali Process members of the Ad-Hoc Group to review their respective chapters

- Within two months
- To make the verification process successful, ownership is instrumental.
- Therefore, concerned AHG members should nominate a focal point (person or unit) within 2 weeks that ensures that the verification process is completed

UNODC will then finalize the catalogues and publish them in form of a database on a secure website (linked to the Bali Process website)

- Such information should be annually reviewed
ADAM – to be adapted for the Bali Process?

Under the “Paris Pact”, UNODC has developed a secure, internet-based tool that maps out technical assistance in countries, the so-called Automated Donor Assistance Mechanism (ADAM).
Thank you!

Questions?

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