

Annex B: Annotated List of Resources - Bali Process Guide on Criminalizing Migrant Smuggling

	Title	Institution / Author	Published	Content	Target audience	Link to Publication
	Guidance on Protocols					
1	International Framework for Action to Implement the Smuggling of Migrants Protocol	UNODC	2011	<p>The purpose of the Framework for Action is to assist Member States and non-state actors in identifying and addressing gaps in their response to migrant smuggling in accordance with international standards.</p> <p>The Framework for Action unpacks provisions of the Smuggling of Migrants Protocol, drawing upon international instruments, political commitments, guidelines and best practices to enable the implementation of a comprehensive response to migrant smuggling. The framework has four key pillars: i) Prosecution of migrant smugglers; ii) Protection of smuggled migrants and their rights; iii) Prevention of migrant smuggling; iv) Cooperation to address migrant smuggling.</p>	Member States and non-state actors.	http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Framework_for_Action_Smuggling_of_Migrants.pdf
2	United Nations Convention against Transnational Organized Crime and the Protocols Thereto	UN	2003	<p>The United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15th November 2000, is the main international instrument in the fight against transnational organized crime. It opened for signature by Member States at a high-level political conference convened for that purpose in Palermo, Italy, on 12-15 December 2000 and entered into force on 29 September 2003. The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition. Countries must become parties to the Convention itself before they can become parties to any of the Protocols.</p>	UN member states.	http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf
	Model Legislation					
1	Model Legislative Provisions against Organized Crime	UNODC	2012	<p>The Model Legislative Provisions against Organized Crime aim to facilitate and help systematize the provision of legislative assistance by UNODC and facilitate the review and amendment of existing legislation and the adoption of new legislation by Member States themselves. The Model Legislative Provisions are designed</p>	States, legal departments.	http://www.unodc.org/documents/organized-crime/Publications/Model_Legislative_Provisions_UNTOC_Ebook.pdf

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				to be adapted to the needs of each State, whatever its legal tradition and social, economic, cultural and geographic conditions.		
2	Model Law against Smuggling of Migrants	UNODC	2009	The UNODC Model Law against Smuggling of Migrants has been developed to assist States in implementing the provisions contained in the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the UN Convention against Transnational Organized Crime.	Policy makers.	http://www.unodc.org/documents/legal-tools/Model_Law_Smuggling_of_Migrants.pdf
	Manuals and Training materials					
1	Transnational Organized Crime (TOC) East Asia and the Pacific: A Threat Assessment	UNODC	2013	This report is one of several studies conducted by UNODC on organized crime threats around the world. These studies describe what is known about the mechanics of contraband trafficking - the what, who, how, and how much of illicit flows - and discuss their potential impact on governance and development. Their primary role is diagnostic, but they also explore the implications of these findings for policy. The report contains several chapters focusing on human trafficking and migrant smuggling.	Policy makers.	http://www.unodc.org/documents/data-and-analysis/Studies/TOCTA_EAP_web.pdf
2	Migrant Smuggling in Asia - A Thematic Review of Literature	UNODC	2012	Migrant Smuggling in Asia: A Thematic Review of Literature, and the accompanying Annotated Bibliography, provides a systematic review of available empirical knowledge on smuggling of migrants. These resources identify gaps in what is known about the smuggling of migrants around, in and out of Asia into Europe, North America and Australia and the Pacific. The research focuses, in particular, on fourteen countries: Afghanistan, Cambodia, China, India, Indonesia, Lao PDR, Malaysia, the Maldives, Myanmar, Pakistan, Singapore, Sri Lanka, Thailand, and Viet Nam.		http://www.unodc.org/documents/human-trafficking/2012/Migrant_Smuggling_in_Asia_A_Thematic_Review_of_Literature.pdf
3	Manual on Mutual Legal Assistance and Extradition	UNODC	2012	This manual is a practical guide to facilitate the drafting, transmission and execution of requests for extradition and mutual legal assistance. It is to be used in close conjunction with the companion Manual on International Cooperation for the Purpose of Confiscation of Proceeds of Crime (see No.5).	Central and other competent national authorities, policy makers and criminal justice practitioners including lawyers, investigators, judges and magistrates who are involved international legal assistance.	http://www.unodc.org/documents/organized-crime/Publications/Mutual_Legal_Assistance_Book_E.pdf
4	Manual on International Cooperation for the Purpose of	UNODC	2012	The manual's primary purpose is to facilitate asset recovery in accordance with the provisions of the Organized Crime Convention. Its focus is national efforts aimed at successfully preventing criminals from profiting from crime. It is to be used in	National authorities, criminal justice practitioners including lawyers, investigators, judges and magistrates who are	http://www.unodc.org/documents/organized-crime/Publications/Confiscation_Manual_Ebook

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	Confiscation of Proceeds of Crime			close conjunction with the companion Manual on Mutual Legal Assistance and Extradition (see No. 4).	involved international legal assistance.	E.pdf
5	Assessment Guide to the Criminal Justice Response to the Smuggling of Migrants	UNODC	2012	The Assessment Guide provides an inventory of measures for assessing the legislative, investigative, prosecutorial, judicial, and administrative responses to the smuggling of migrants by land, air, and sea, for deterring and combating such crime, and for integrating the information and experience gained from such assessment into successful national, regional, and international strategies.	Governments, International, non-governmental, and other civil society organizations, Specialized law enforcement agencies, prosecutorial authorities, and members of the judiciary, Governmental and international entities, International and national entities, and research institutions, Donor countries and agencies.	http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/UNODC_2012_Assessment_Guide_to_the_Criminal_Justice_Response_to_the_Smuggling_of_Migrants-EN.pdf
6	In-depth Training Manual on Investigating and Prosecuting the Smuggling of Migrants	UNODC	2011	The aim of the manual is to offer its users a theoretical understanding and a practical approach to the investigation and prosecution of migrant smuggling, relevant to all countries regardless of their legal system or whether they are countries of origin, transit or destination for migrant smuggling.	Criminal justice practitioners including lawyers, investigators, judges and magistrates who are involved international legal assistance.	http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/In-Depth_Training_Manual_SOM_en_wide_use.pdf
7	Toolkit to Combat Smuggling of Migrants	UNODC	2010	The Toolkit aims to provide policy makers, law enforcers, judges, prosecutors, and members of civil society with tools on understanding migrant smuggling, actors and processes, the international legal framework, and strategy development. The Toolkit is divided in thematic areas: Tool 1: Understanding the smuggling of migrants Tool 2: Actors and processes in the smuggling of migrants Tool 3: International legal framework Tool 4: Problem assessment and strategy development Tool 5: Legislative framework Tool 6: International criminal justice cooperation Tool 7: Law enforcement and prosecution Tool 8: Protection and assistance measures Tool 9: Prevention of the smuggling of migrants Tool 10: Capacity-building and training.	Policy makers, law enforcers, judges, prosecutors, and members of civil society.	http://www.unodc.org/documents/human-trafficking/SOM_Toolkit_E-book_english_Combined.pdf
8	Basic Training Manual on	UNODC	2010	The purpose of this manual is threefold: 1. To be a reference tool for self-study that provides a basic	Central and other competent national authorities, policy	http://www.unodc.org/unodc/en/human-

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	Investigating and Prosecuting the Smuggling of Migrants			<p>introduction to the subject of investigating and prosecuting the smuggling of migrants.</p> <p>2. For use in training investigators and prosecutors in preventing and combating the smuggling of migrants.</p> <p>3. Provide a solid basis of knowledge that can be adapted to a country's specific context.</p> <p>The manual has been designed in such a way that individual modules can be adapted to the needs of different regions and countries and can serve as the basis for upgrading or supplementing the training programmes of national training institutes. UNODC stands ready to assist national institutions in this adaptation process.</p>	makers and criminal justice practitioners including lawyers, investigators, judges and magistrates who are involved international legal assistance.	trafficking/electronic-basic-training-manual-on-investigating-and-prosecuting-smuggling-of-migrants.html
9	Mutual Legal Assistance, Extradition and Recovery of Proceeds of Corruption in Asia and the Pacific	ADB/ OECD	2007	Frameworks and Practices in 27 Asian and Pacific Jurisdictions.		http://www.oecd.org/site/adboecdanti-corruptioninitiative/37900503.pdf
	Research					
1	Issue Paper: Smuggling of Migrants by Sea	UNODC	2011	The Issue Paper is based on a desk review of research carried out on the issue with particular emphasis on existing UNODC materials about smuggling of migrants more generally, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.		http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_Smuggling_of_Migrants_by_Sea.pdf
2	Issue Paper: Migrant Smuggling by Air	UNODC	2010	The Issue Paper is aimed at increasing understanding of migrant smuggling by air, with the objective of better preventing and combating migrant smuggling. The Issue Paper explores the particular method of smuggling migrants by air and touches upon the various challenges involved in addressing this issue. The paper also offers some recommendations about strengthening and coordinating the response to this issue.	Policy makers.	http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_Migrant_Smuggling_by_Air.pdf
3	Issue Paper: A Short Introduction to Migrant	UNODC	2010	This Issue Paper explains aspects of the crime as defined in the Protocol against the Smuggling of Migrants by Land, Sea and Air. The paper also explores how the crime of migrant smuggling is	Policy makers.	http://www.unodc.org/documents/human-trafficking/Migrant-

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	Smuggling			committed, the roles played by individual criminal actors in the process, and explains the difference between migrant smuggling and the distinct but related crime of human trafficking.		Smuggling/Issue-Papers/Issue Paper - A short introduction to migrant smuggling.pdf