



Conference of the Parties to the United Nations Convention against Transnational Organized Crime

Distr.: General
15 July 2021

Original: English

Working Group on the Smuggling of Migrants

Vienna, 14 and 15 October 2021

Background papers of the Working Group on the Smuggling of Migrants since its first meeting

Thematic compendium prepared by the Secretariat

I. Introduction

1. For each meeting of the Working Group on the Smuggling of Migrants, background papers in all six official languages of the United Nations were provided to support the discussions of national experts on specific topics related to the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.
2. The present compendium gives an overview of the guidance and knowledge contained in the background papers prepared for the first meeting of the Working Group on Smuggling of Migrants, in 2012, to the seventh meeting, in 2020. The aim of the compendium is to facilitate related discussions of the Working Group at its meetings and, more broadly, to provide experts with quick access to existing guidance, which can be used, as appropriate, in the development of national responses to counter the smuggling of migrants.
3. To help readers navigate the available material, the compendium is organized thematically and includes a short summary of each paper and of the key topics addressed. Although the background papers may cover more than one thematic area, each paper is listed only once in the compendium, under its main topic.

II. Compendium of background papers

Criminal justice responses

Key topics

Financial or other material benefit; web-based services; financial institutions; interviews; international cooperation; organized crime; financial investigations; proceeds of crime; corruption; national coordination; multi-agency centres; multi-agency approaches; memorandums of understanding; special investigative techniques; undercover operations; undercover officers; informants; electronic surveillance; criminalization; investigations; prosecutions; trafficking in persons; witnesses.



4. In 2018, for the fifth meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on criminal justice responses, including international cooperation, in investigations and prosecutions of perpetrators of migrant smuggling operations ([CTOC/COP/WG.7/2018/2](#)).
5. The importance of criminalizing the smuggling of migrants in accordance with the definition provided in article 3, paragraph (a), of the Smuggling of Migrants Protocol is underlined, with emphasis placed on the need to include the element of "financial or other material benefit" as a requirement for the criminalization of the offence.
6. Acknowledging the specific characteristics of and challenges associated with responding to the smuggling of migrants, the advantages of using multidisciplinary approaches in investigating and prosecuting the crime and disrupting smuggling ventures in countries of origin and countries of destination are examined.
7. Specific challenges are explored that practitioners might encounter in investigating and prosecuting the smuggling of migrants, including the use of web-based services and financial service providers by smuggling networks, with collaboration among Governments, law enforcement agencies and such service providers noted as a corresponding good practice.
8. Guidance is offered on debriefing and interviewing smuggled migrants to facilitate the investigation and prosecution of smugglers. The importance of providing the necessary protective measures and other incentives to migrants in order to build trust, provide reassurance and secure their collaboration is highlighted.
9. Finally, the importance of effective international cooperation to strengthening criminal justice responses to migrant smuggling is underlined. Promising initiatives, such as the creation of practitioners' networks to facilitate the exchange of information, the development of investigation protocols and action plans at the regional level, joint capacity-building activities and exchange programmes between law enforcement agents in countries of origin and destination, are highlighted. Initiatives and activities by the United Nations Office on Drugs and Crime (UNODC) to support those efforts are noted.
10. In 2015, for the third meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on organized crime aspects of the smuggling of migrants, including financial investigations and responses targeting the proceeds of crime ([CTOC/COP/WG.7/2015/4](#)).
11. An overview is provided of the organized crime typologies that may be involved in the smuggling of migrants, including with regard to structure, actors and modus operandi, based on the limited information available. Emphasis is placed on the need to identify the full chain of perpetrators making up related criminal networks.
12. Financial aspects of migrant smuggling are detailed, including forms of financial transactions and methodologies, such as use of the hawala system. Financial investigations into illicit proceeds are recommended to establish a criminal case, as well as to unmask the networks involved. Specific guidance is provided on financial investigation techniques and how they might be specifically tailored to the crime of smuggling of migrants.
13. The role played by corruption as an enabler of the smuggling of migrants is also examined. It is noted that corruption can occur at any point of a migrant's smuggling journey and at any level, whether institutional or individual. Good practices in reducing the risk of corruption, including identifying risks of and vulnerabilities to corruption confronting relevant public officials, such as those in law enforcement, immigration control and border protection agencies, but also private actors, are highlighted.
14. In 2013, for the second meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on good practices in the establishment of multi-agency centres ([CTOC/COP/WG.7/2013/3](#)).

15. The focus of the paper is on the benefits of coordination among all relevant stakeholders in addressing the smuggling of migrants, including through the establishment of multi-agency centres or other forms of multi-agency coordination, to address what is a challenging and transnational crime.

16. Noted examples of good practices include initiatives at the regional and national levels, such as:

(a) The European Border Surveillance System (EUROSUR), a mechanism for cooperation and the exchange of operational information among national authorities responsible for border surveillance and the European Border and Coast Guard Agency (Frontex);

(b) The multi-agency port intelligence units in South-East Asia, which gather migrant smuggling intelligence from beyond their immediate locations and share it with local and international operational law enforcement entities, and the Smuggling of Migrants Coordination and Analysis Unit, which created a regional migrant smuggling database that local and international authorities can use to identify migrant smuggling activities;

(c) The People Smuggling Strike Team, which was established in 2000 in Australia and consists of investigators and intelligence and financial analysts;

(d) The Human Smuggling and Trafficking Center, which was established in 2004 in the United States of America to bring together experts from policy, law enforcement, intelligence and diplomatic functions to address the smuggling of migrants together.

17. The importance of formal protocols and memorandums of understanding between agencies, including non-State actors, as a solid basis upon which multi-agency collaboration can be built, is emphasized, and specific elements are suggested, ranging from division of responsibilities to protection of the rights of smuggled migrants.

18. Also in 2013, for the second meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on good practices in special investigative techniques ([CTOC/COP/WG.7/2013/2](#)).

19. The paper provides a short introduction to relevant special investigative techniques, how they differ from standard investigation methods and when their use can be advantageous in unmasking sophisticated organized criminal groups behind the smuggling of migrants. Related challenges that are outlined include issues regarding the admissibility of evidence in court gathered through these techniques, as well as potential implications for the rights and freedoms of the investigated persons.

20. Types of special investigative techniques examined include undercover operations, including the role of informants and undercover officers, electronic surveillance and "controlled delivery" of migrants. The main elements characterizing these techniques and their advantages and potential challenges are detailed, along with considerations and fundamental principles to be taken into account when using them. International cooperation in conducting operations involving special investigative techniques is also addressed.

21. In 2012, for the first meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on challenges and good practices in the criminalization, investigation and prosecution of the smuggling of migrants ([CTOC/COP/WG.7/2012/2](#)).

22. The paper examines the criminalization of the offence of smuggling of migrants, in particular the inclusion of the requirement of "financial or other material benefit" in the definition of smuggling of migrants, as contained in the Smuggling of Migrants Protocol, as well as ensuring the non-criminalization of migrants for being the object of the smuggling. The development of the capacity of policymakers and legislators

on smuggling of migrants and related issues, including the distinction between smuggling of migrants and trafficking in persons, is also addressed.

23. Challenges and corresponding promising practices related to the investigation of the smuggling of migrants addressed in the paper include the focusing of investigative efforts on the criminal organizations behind the smuggling, rather than on the smuggled migrants, by use of special investigative techniques and international cooperation.

24. Challenges noted related to prosecution include a perceived lack of cooperation of smuggled migrants with investigators owing to factors including cultural barriers and fear of retaliation by smugglers. The paper contains guidance on, for example, the provision of specialized training to relevant stakeholders on interviewing smuggled migrants to build trust, and on giving consideration, in appropriate cases, to mitigating the punishment of accused persons who provide substantial cooperation in investigations or prosecutions.

Impact of crises

Key topics

Coronavirus disease (COVID-19) pandemic; conflict; crises; routes; fees; trafficking in persons; international protection; international cooperation.

25. In 2020, for the seventh meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on the impact of natural disasters, conflicts and crises, such as the coronavirus disease (COVID-19) pandemic, on trends in organized criminal groups and on routes for the smuggling of migrants, as well as good practices to support effective law enforcement cooperation during such crises to detect, investigate and prosecute such cases ([CTOC/COP/WG.7/2020/2](#)).

26. The paper is focused on the impact of crises, in particular the COVID-19 pandemic, on:

- (a) Criminal activities, in general, and criminal justice systems;
- (b) Migrant smuggling services, including demand, fees and routes;
- (c) Related trafficking in persons;
- (d) Refugees, asylum seekers and related international protection.

27. Good practices in addressing the smuggling of migrants in times of crises are identified. These practices include legislation allowing for effective international cooperation between authorities along smuggling routes, comprehensive national and regional strategies against migrant smuggling and the collection of data on *modi operandi*, routes and economic models of smuggling networks.

International cooperation

Key topics

Information-sharing; international cooperation; smuggling routes; illicit flows; aggravated smuggling; Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge portal; Organized Crime Convention; Global Compact for Safe, Orderly and Regular Migration; informal cooperation; data collection and research; coordination; training and capacity-building; protection; multi-agency cooperation.

28. In 2019, for the sixth meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on information-sharing on the

smuggling of migrants as a form of transnational organized crime, consistent with article 10 of the Smuggling of Migrants Protocol and article 28 of the Organized Crime Convention ([CTOC/COP/WG.7/2019/2](#)).

29. An overview is provided of available information, as of 2019, on migrant smuggling, including:

- (a) Major smuggling routes;
- (b) Profiles of smuggled migrants and smugglers;
- (c) An overview of illicit profits, estimated as of 2016;
- (d) Crimes committed against migrants, including homicide (murder and manslaughter), assault, sexual violence, kidnapping, extortion and trafficking in persons;
- (e) Fatalities resulting from unsafe modes of transportation (with a focus on deaths in the Mediterranean region).

30. Examples are given of information-sharing mechanisms currently used by practitioners across different jurisdictions, including:

- (a) Intergovernmental forums and mechanisms at the regional and interregional levels;
- (b) Information-sharing platforms, including those provided by UNODC and other United Nations entities, such as the Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge portal, the UNODC Voluntary Reporting System on Migrant Smuggling and Related Conduct and the International Organization for Migration Global Migration Data Portal;

(c) Existing practitioner networks, such as the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and Smuggling of Migrants, the West African Network of Central Authorities and Prosecutors against Organized Crime, the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the International Criminal Police Organization (INTERPOL) Specialized Operational Network against People Smuggling and the European Migrant Smuggling Centre of the European Union Agency for Law Enforcement Cooperation.

31. Related guidance is provided on international legal provisions and policy frameworks for the facilitation of information-sharing, including article 27, paragraph 1 (e), and article 28, paragraph 2, of the Organized Crime Convention, resolution 6/3 of the Conference of the Parties to the Organized Crime Convention, and relevant objectives of the Global Compact for Safe, Orderly and Regular Migration.

32. In 2013, for the second meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on good practices in informal cross-border cooperation and information-sharing ([CTOC/COP/WG.7/2013/4](#)).

33. An overview is provided of international obligations regarding international cooperation to respond to the smuggling of migrants. The specific provisions of the Smuggling of Migrants Protocol and the Organized Crime Convention that require States to enhance cooperation efforts in specific areas, including in response to smuggling by sea, are recalled.

34. Informal cooperation between law enforcement and judicial authorities, including through international and regional networks for regular communication and information-sharing, is addressed. Related advantages and disadvantages, including informal cooperation being more cost-effective and more flexible than formal cooperation channels but presenting challenges, including issues of evidence admissibility, are discussed.

35. Good information-sharing practices that facilitate responsiveness, informal exchanges and trust-building are discussed, and existing web-based platforms and information databases that can be used by States to access relevant information on the smuggling of migrants, including the UNODC Voluntary Reporting System on Migrant Smuggling and Related Conduct and the INTERPOL colour-coded notice system, are highlighted.

36. In 2012, for the first meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on challenges and good practices concerning cooperation and coordination, including the sharing of intelligence and other information, in response to the smuggling of migrants (CTOC/COP/WG.7/2012/5).

37. The relative advantages and challenges of formal and informal cooperation mechanisms are outlined, with information provided on related best practices, including:

(a) Cross-border information- and intelligence-sharing, including on routes, means of transportation used to smuggle migrants, the identity and methods of the organized criminal groups involved and the authenticity of travel documents issued by a State party;

(b) Training and capacity-building on cross-border cooperation to harmonize understanding of the smuggling of migrants and criminal justice responses, increase understanding of challenges in different jurisdictions and foster cooperative relationships between counterparts in different States;

(c) Cooperation to investigate and prosecute the crime, on the basis that protection of smuggled migrants to ensure their safety must take precedence over investigative objectives;

(d) Cooperation in the return of smuggled migrants to countries of origin, with due regard to human rights, refugee and humanitarian law;

(e) Multi-agency cooperation at the national level, including through the establishment of inter-agency coordination bodies, for more effective investigation and prosecution of the crime and protection of smuggled migrants.

Smuggling by air

Key topics

Smuggling by air; smuggling routes; role of airports; fraudulent documents; corruption; illicit profits; regular pathways for migration.

38. In 2019, for the sixth meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on smuggling of migrants by air and its facilitation through document fraud (CTOC/COP/WG.7/2019/3).

39. Key information provided concerns factors that influence smuggling methods and routes, the role of airports, the main trends in smuggling by air and the extent of this form of smuggling.

40. In the analysis of document abuse practices in the context of smuggling by air, a range of methods encompassing the use of counterfeit and forged documents, as well as genuine documents that are fraudulently used or obtained, and the role of corruption in facilitating migrant smuggling in general and migrant smuggling by air more specifically, are highlighted.

41. A description is provided of the typical organizational structures of criminal networks involved in the smuggling of migrants by air, as well as of the fees charged to smuggled migrants and the profits generated by this specific form of smuggling.

42. A list of policy considerations is provided for States developing responses to smuggling by air, enabling a holistic approach that takes into account connected crimes such as corruption, and seeking to limit the demand for migrant smuggling through the broadening of regular migration possibilities and increasing the accessibility of regular travel documents and procedures.

Smuggling by sea

Key topics

Smuggling routes; Smuggling of Migrants Protocol; United Nations Convention on the Law of the Sea; jurisdiction over migrant smuggling on the high seas; investigations; evidence-gathering; rescue operations; disembarkation; assistance to smuggled migrants; protection of smuggled migrants; international cooperation.

43. In 2015, for the third meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on smuggling of migrants by sea ([CTOC/COP/WG.7/2015/2](#)).

44. An outline is provided of patterns of and trends in the smuggling of migrants by sea, including the *modi operandi* of smugglers. The extreme dangers associated with sea journeys along smuggling routes are described.

45. The main maritime routes used for the smuggling of migrants, as of 2015, in the Mediterranean region, South-East Asia, the Horn of Africa and the Caribbean, are also described. Recommendations are included with regard to the use of available mechanisms for reporting incidents at sea, including inter-agency platforms for information-sharing.

46. The relationship between the Smuggling of Migrants Protocol and the United Nations Convention on the Law of the Sea is addressed, including legal clarification on issues of jurisdiction related to the smuggling of migrants, drawing from relevant provisions of the United Nations Convention on the Law of the Sea.

47. Challenges in detecting and investigating this form of smuggling are also discussed, and practical guidance on evidence-gathering activities at an early stage of detection of a smuggling vessel, including on potential aggravating circumstances, is provided. Options for land-based investigations are also provided.

48. Legal obligations under international law for both States and commercial and private vessels regarding rescuing and assisting migrants at sea whose lives are in danger, are detailed. Challenges and practical issues experienced by private vessels engaged in rescue operations, including lack of permission for disembarkation and the potential of facing investigative action, as well as refusal of assistance and push-backs at sea by State authorities, are set out.

49. Also examined is the need to provide assistance and protection to smuggled migrants, including medical assistance and access to reception facilities and international protection when applicable, in line with relevant provisions of the Smuggling of Migrants Protocol.

50. The role of multilateral cooperation in countering the smuggling of migrants by sea is also detailed, including through the regular exchange of information and expertise and the provision of technical cooperation between States.

Interpretation and use of the Smuggling of Migrants Protocol and the Organized Crime Convention

Key topics

Financial and material benefit; Smuggling of Migrants Protocol; Organized Crime Convention; organized crime; humanitarian exemption; evidentiary issues; sanctions; international cooperation; civil society; organized criminal groups; money-laundering; corruption; obstruction of justice; mutual legal assistance; extradition; special investigative techniques; witnesses; protection of smuggled migrants; assistance to smuggled migrants.

51. In 2017, for the fourth meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on examination of the "financial and material benefit" aspect of the definition of smuggling of migrants ([CTOC/COP/WG.7/2017/4](#)).

52. The elements contained in the provisions criminalizing the offence of smuggling of migrants in the Smuggling of Migrants Protocol are examined. Guidance is provided, in particular, on the inclusion of the requirement of "financial and material benefit" to ensure the non-criminalization of the provision of charitable or humanitarian support.

53. The components of the criminal offence are explored, including the activities of organized criminal groups acting for profit, as well as the concept of "benefit" as included in the Protocol.

54. Examples are provided of national approaches to defining and criminalizing the smuggling of migrants, particularly regarding the inclusion of a "financial or other material benefit" element. Examples are given of how humanitarian exemptions have been provided for in law and applied in practice, including in the case of entry facilitated by family members.

55. Evidentiary issues related to proving the element of a "financial or other material benefit" are examined, as are common practices regarding sanctions for smuggling offences once the element of "benefit" is established.

56. International, especially regional, cooperation in information exchange, training and technical cooperation, is also addressed, including to enable the tracing, freezing and confiscating of assets deriving from the crime of smuggling of migrants.

57. Practical challenges experienced by humanitarian actors involved in the rescue of migrants whose lives are at risk are detailed and juxtaposed against the inclusion of safeguards in legal frameworks that ensure that faith-based organizations, civil society and individuals acting without any purpose to obtain a financial or other material benefit are excluded from the application of smuggling offences, balanced with ensuring that such exclusions are not used as loopholes to escape justice.

58. Also in 2017, for the fourth meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on the use of the Organized Crime Convention to address challenges relating to the smuggling of migrants ([CTOC/COP/WG.7/2017/3](#)).

59. The use of the Organized Crime Convention to tackle migrant smuggling is addressed, focusing on its application to effectively advance investigations into and the prosecution and adjudication of smuggling of migrants cases. Relevant provisions include:

- (a) Participation in an organized criminal group (art. 5);
- (b) Money-laundering (art. 6);
- (c) Corruption (art. 8);
- (d) Obstruction of justice (art. 23).

60. Attention is paid to the role of formal international cooperation in enhancing the investigation and prosecution of the smuggling of migrants, particularly through provisions of the Organized Crime Convention regulating extradition (art. 16), mutual legal assistance (art. 18) and law enforcement cooperation (art. 27). The sanctioning of smuggling offences, pursuant to article 11, paragraph 1, of the Convention, is also addressed.

61. The use of special investigative techniques pursuant to article 20 of the Organized Crime Convention is addressed; it is emphasized that such techniques can be particularly suitable for detecting smuggling activities, provided that human rights standards are taken into account when they are utilized.

62. Guidance is provided on the use of provisions of the Organized Crime Convention on protection of witnesses (art. 24) and assistance to and protection of victims (art. 25) to ensure that smuggled migrants' rights are upheld and that both protection from smugglers' reprisals and appropriate assistance are provided; it is noted that these can facilitate cooperation with authorities' investigations.

Protection of smuggled migrants

Key topics

Protection of smuggled migrants; assistance for smuggled migrants; Smuggling of Migrants Protocol; organized crime; human rights; international protection; trafficking in persons.

63. In 2012, for the first meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on challenges and good practices in the protection of and assistance to smuggled migrants ([CTOC/COP/WG.7/2012/3](#)).

64. The relevant provisions of the Smuggling of Migrants Protocol are outlined. These, in brief, require States parties to protect the rights of smuggled migrants (art. 16 and art. 19, paras. 1 and 2). Related good practices are detailed. These include, for example, taking smuggled migrants into consideration in crime prevention programmes, providing support programmes to nationals overseas who are smuggled migrants, and ensuring that migrants have access to justice and physical protection through law enforcement.

65. Assistance measures that States should provide to ensure the safety of smuggled migrants are discussed, including those stemming from other international human rights obligations. These range from rescuing migrants in danger to providing emergency medical assistance, access to food, shelter and consular services and legal advice.

66. Reference is made to international protection obligations for asylum seekers, and guidance is provided on the referral of smuggled migrants who become victims of trafficking in persons to protection and assistance services.

Prevention

Key topics

Unaccompanied and separated children; prevention efforts; root causes; border control and management; document integrity; awareness-raising; media; commercial carriers; international cooperation; training, capacity-building and technical assistance; regular pathways for migration.

67. In 2015, for the third meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on practical measures to prevent the smuggling of migrants and children, in particular unaccompanied children, such

as the issuance of visas on arrival, public information campaigns and training sessions on fraudulent documents ([CTOC/COP/WG.7/2015/3](#)).

68. The root causes pushing both accompanied and unaccompanied children to undertake perilous migration journeys, including poverty, crisis situations and/or a lack of social and economic opportunities in their communities of origin, are analysed. In the case of unaccompanied children, the root causes may also include the death of one or both parents, the search for family reunification, all forms of violence and lack of personal safety.

69. The need for comprehensive and multidimensional approaches to prevent the smuggling of migrants is examined. Examples of good practices include:

(a) Addressing the socioeconomic root causes of irregular migration, including through identifying positive alternatives to reduce, mitigate and eliminate structural factors that lead to irregular migration, and taking into account the specific needs and vulnerabilities of children;

(b) Sharing information on embarkation and destination points, routes, means of transportation used by smugglers, the identity and methods of smugglers and the authenticity of travel documents to provide a better overview of the phenomenon and the development of comprehensive responses with a focus on preventive action;

(c) Border protection measures that take into account the realities of migration and are undertaken before the border, at the border and even after entry, therefore involving countries of origin and transit, as well as private industry partners;

(d) Effective cooperation between border control agencies;

(e) Document integrity and control, with a particular focus on the issuance of visas;

(f) Providing capacity-building and technical assistance on the smuggling of migrants to a number of stakeholders, including law enforcement, border, immigration and coastguard officials, criminal justice officers, medical and health-care workers and other actors;

(g) Awareness-raising and public information campaigns aimed at generating knowledge about the smuggling of migrants, associated risks and human rights implications, with a view to preventing migrants from falling into the hands of smugglers;

(h) Including the media in prevention efforts, given its important role in promoting responsible reporting that can deter criminal activities and raise awareness of the dangers of smuggling among the general public.

70. In 2012, for the first meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on challenges and good practices in the prevention of the smuggling of migrants ([CTOC/COP/WG.7/2012/4](#)).

71. Comprehensive and holistic approaches to prevent the smuggling of migrants are detailed. In addition to immediate prevention measures such as strengthened border control, such approaches should include longer-term measures to dismantle criminal smuggling organizations and address the root causes of demand for smuggling services.

72. The targeting of border control efforts at the criminal organizations engaged in the smuggling, including commercial carriers used in the criminal activity, rather than the migrants, is examined, as is the role of effective cooperation between border control agencies beyond those sharing the same border in preventing the smuggling of migrants.

73. Preventive efforts in document integrity that are discussed include the use of new technologies. The important role of capacity-building and technical cooperation in preventing the smuggling of migrants is outlined, as is ensuring respect for the rights of smuggled migrants. Related good practices are mentioned.

74. The role of awareness-raising efforts in preventing the smuggling of migrants, including as facilitated by the media, is addressed. Good practices for more effective and impactful awareness-raising are noted, including the provision of information about protection opportunities for migrants, such as hotlines and other available resources.

75. An outline of the root causes that push people on irregular migration journeys and responses to those, including long-term development programmes and the availability of regular pathways for migration as a way to reduce demand for smuggling, are also provided.

Technology

Key topics

Advertising; transaction systems; fraudulent documents; evidence-gathering; behaviour detection; money-laundering; witnesses; rules of evidence; privacy and data protection.

76. In 2020, for the seventh meeting of the Working Group, the Secretariat drafted a background paper to inform the Group's discussion on successful strategies concerning the use of technology, including information and communications technology, to prevent and investigate the smuggling of migrants and to mount a robust response to the increasing use of cyberspace by criminal groups (CTOC/COP/WG.7/2020/3).

77. Points of focus regarding the use of technology to facilitate the smuggling of migrants include:

- (a) Advertising of services, routes and fees;
- (b) Communication between smugglers and smuggled migrants;
- (c) Payment processes;
- (d) Production and dissemination of fraudulent documentation.

78. The use of modern technologies in counter-smuggling responses is detailed with regard to:

- (a) Evidence collection and storage and data-gathering and analysis;
- (b) Behaviour detection and forecasting;
- (c) Tracing the laundering of revenue from illicit smuggling ventures;
- (d) Technology-facilitated testimonies in criminal proceedings.

79. Related challenges in the use of technology in counter-smuggling responses, such as admissibility of digital evidence in court, international cooperation and privacy, safeguards and data protection, are examined.