

Illegal immigration and trafficking in human beings seen as a security problem for EUROPE

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1. The situation

1.1. General trend

Based on information contributed by the Member States, Europol estimates that around 500.000 persons enter the European Union illegally every year. Around half of this number is believed of having been assisted in some way by organised criminal groups. The involvement of organised criminal networks continues to rise along with the level of organisation exhibited by these groups. These organisations are increasingly becoming involved with the facilitation of illegal immigration, as it is a highly profitable business, earning up to twelve billion Euro worldwide every year, with, currently, little risk of detection or conviction. Also of concern are the increasing levels of violence and risk linked with organised illegal immigration.

The most common directions for migration are north and west; from poorer, less-developed countries to the more economically and politically stable countries in the West. Motivations for migration are generally political and economic, but also include natural disasters such as floods and man-made crises such as war. These account for all of the major migration movements of the last few years, including from the Former Yugoslavia, Afghanistan, Iraq and China.

Historical, language and community links often dictate which of the Member States the migrants will attempt to reach. The huge Chinese communities in the United Kingdom make it easier for Chinese nationals to assimilate there, a common language make France a desirable destination for Algerians and Portugal desirable to Brazilian migrants. Other factors include expectations, often false, as to the chances of

employment, the generosity of the asylum system in destination countries as well as the likelihood of successful application.

Europol's most recent General Situation Report on Illegal Immigration identified the following elements of the current situation as being of special concern:

- the large numbers of Kosovo-Albanians entering the European Union;
- the extensive use of the southern coasts of Spain, Greece and Italy as entry points;
- the increased use of Central and Eastern European States as source, transit and destination countries.

The increased use of Central and Eastern European countries and particularly the Balkans as transit countries continues to be an issue both politically and in the media. Most reporting of this problem has focussed on the number of migrants arriving in Europe at Belgrade and Sarajevo airports in the Federal Republic of Yugoslavia and Bosnia Herzegovina respectively and the onward journey of these migrants to the European Union.

Most attention has been given to Chinese migrants, typically arriving in Belgrade and staying as part of the large Chinese community there before travelling on to the European Union. However, there are also large numbers of other Asian migrants using this route as well as nationals of Eastern European countries. The largest groups entering Bosnia come from Iran and Turkey.

It is currently estimated that at least 10% of all the migrants who arrive in the Member States do so through the Balkans. This extensive use of many of the Balkan countries to enter the Member States of the European Union is an issue that Europol is monitoring very closely, particularly in light of the fact that some of these countries will become part of the European Union in the future. The investment at this stage will prepare Europol for the time when these countries become part of the European Union. It is one of Europol's main priorities to help combat these problems whatever the source of the migrants or the route that they use when the result is that, with the help of organised crime networks, the migrants end up illegally in the European Union.

1.2. Involvement of Organised Crime (OC)

Illegal Immigration

OC involvement in illegal immigration is increasing into the EU. The more the Member States increase their capabilities of detection and control of illegal immigrants, the better it is for OC groups, with whom the emigrants – who lack the connections and “know how” to bypass the controls – have to deal in order to reach their destination.

Many OC groups are involved: from all Member States as well as from Afghanistan, Albania, Bulgaria, Moldavia, Iraq, various African countries, Russia, Turkey and from the former Yugoslavia. Lately even South American organisations have been seen impacting on the EU.

Illegal immigrants use a wide variety of means to reach the EU. Many arrive via land, air or sea with forged passports or visas, or hidden in cargoes. Immigrants from Asia usually travel in small groups of five to ten. In a number of cases groups of up to 40 persons have been intercepted, camouflaged as “tourist groups”. Others reach countries near to their destination, where OC groups are ready to arrange their transport, which is usually both expensive and dangerous.

Illegal immigrants are requested to pay sums of money which often result in large debts. A passage to the EU can cost between €3,500 and €11,250, with an average estimated at around €5,000.

Immigrant and drug routes to the EU are roughly the same. A northern route passes from Russia via the Baltic States to Scandinavia or Austria and Germany. Another northern one passes through Russia, Poland or the Czech Republic to Germany or Austria. The Balkan route goes via Bosnia Herzegovina or Albania to Italy or Greece. From Turkey and the Middle East, dilapidated vessels crammed with numerous immigrants sails towards Italy’s coast, while many little crafts try to reach Spain from Morocco.

Many countries outside the EU can be considered as source countries. From the Balkans to Eastern Europe, from Turkey to the Middle East, from Central to South Asia and the Far East, from Africa to South America, the global number of migrants has been estimated at some 150 million people in 2000.

The main areas involved in illegal immigration vary from Member State to Member State, but they generally include some African countries, Asia, and Central and Eastern Europe (including the Balkans). It appears that Afghans, Chinese and Kurds are the main groups of people being trafficked. Traditional push and pull factors such as ongoing conflicts or political persecution and the relative prosperity in the EU account for a large part of the explanation to illegal immigration flows, including the presence of fellow nationals and work opportunities in the Member States. In Spain, the language factor means that many illegal immigrants come from South America (Chile, Colombia, Ecuador, Argentina and Brazil). For many illegal immigrants, especially those from South Asia, the final destination is the UK.

Trafficking in Human Beings

Undeniably intertwined with the exploitation of workers, most often in the sex market, trafficking in human beings is a modern slave trade, with a wide and ever growing involvement of OC. The underlying root causes of trafficking in human beings include poverty, unemployment, lack of education and lack of resources.

Trafficking in human beings is run by a combination of foreign and local groups, operating in loose networks. The foreign OC groups, which can include naturalised citizens, tend to have their origin in the source country of the victims they traffic. They are the main organisers of the recruitment and transportation of the victims.

Domestic OC groups are well established within the local criminal environment and often engage in the sex industry and the cheap labour markets. This means that they themselves run exploitative ventures (for instance brothels or labour gangs) and have contacts with or influence over smaller, lower level exploiters (like pimps or sweatshops). They could be seen as the users of trafficked victims, and thus engaged in a supplier-consumer relationship with their foreign counterparts.

All Member States which have reported the presence of foreign OC groups have mentioned the heavy involvement of Balkan and East European OC, with Albanians playing a major role. Nigerians are also active in many Member States, while Turkish groups have been reported in Germany, Colombians in Spain, Chinese groups in the UK and Middle East nationals in Sweden.

Recruitment takes place in the country of origin, including countries in the Balkans, the Baltic States and Eastern Europe, Russia, Sub-Saharan Africa, South America and South East Asia. Taking the data contained in the Member States' contributions as a whole, three types of victims can be observed: those described either as exploited, deceived or kidnapped.

The exploited victims are those who knew that they were going to be employed in the sex industry, but would never have imagined the slave-like conditions they have to work under, or the fact that little or no money would be left for them.

The deceived victims have been recruited to work in the service or entertainment industry, often through seemingly legitimate employment agencies or brokerages, and once they arrive in the Member States they are forced into prostitution.

The kidnapped victims were unwilling from the start. Though they may already have been working in the sex industry in the source country, they had no intention of going abroad. These victims remain the property of their owners and are often sold amongst networks or individual pimps. They are sex slaves in the truest sense.

The routes for trafficking in human beings are basically the same as the ones used for drugs and illegal immigrants. The Balkan route is a notorious example. As for the methods used to gain entry into a Member State, they are also very similar to those used by illegal immigrants, with a larger use of forged or stolen travel documents. These can be official documents (passports, visas) or personal ones (marriage papers, letters of invitation, job offers or student placement).

Forgery of the personal documentation is easy, particularly in light of inadequate procedures to verify their validity. In the case of falsified identities, a second "official document" (for instance a driver's licence) showing the same false identity is often carried as corroboration if border officials question the first document which is tendered, usually the passport. Forgery of visas is harder.

The issuing of visas from some Member State embassies in certain source countries is a cause of concern. Likewise, the security of embassy premises may not be sufficient to prevent the theft of blank visas. The victims are often supplied with authentic visas from Member States embassies in the source countries, obtained through a wide range of deceitful methods, such as face invitations and hotel bookings, or overstaying after their student or visitor visas have expired.

2. Possible Action at EU level

2.1. Main objectives

- To maintain fortress Europe, but based on a democratic approach.
- To make succeed intra-European initiatives: Schengen, EUROPOL, Eurojust.
- To become more effective combining criminal networks.

2.2. The main balances

- Legal versus illegal
- Individual versus organised
- Predictable versus unpredictable
- Expected versus unexpected
- Wanted versus unwanted flows of immigration and trafficking in human beings.

2.3. The main instruments used

- The efforts to combat organised crime
- Well balanced asylum policy measures.
- Regularisation campaign for illegal immigrants.
- Naturalisation procedures.
- Repatriation efforts.

2.4. Based on

- High quality situation reports.
- Threat assessments.
- European identification of persons involved (victims and others).
- Sharing of intelligence.
- Early warning mechanisms.
- Joint investigations.
- Multi-agency approach (involving NGO's).

Especially the area's between policy meetings in Brussels and expert level have to be bridged committing at the highest level the Member States' authorities, involving all Member States subject of common phenomena.

Action plans should then cover the area's of origin, transit problems, border control, intra-European Union interests.

2.5. Specific needs

Particular interest should be given to:

- Crime indicators.
- Parameters identifying involvement of organised crime (quality of documents, communication techniques, travel arrangements).
- New phenomena such as involvement of trafficked people into underground industry, adoption procedures, trafficking of organs, etc.
- Co-operation with victims in order to identify criminal networks (e.g. via temporary residence permits).
- Multi-agency and multi-functional national and multi-national co-operation.

3. General

- Despite the growing and worrying impact of THB on the EU, various Member States do not consider it a high crime priority, as a result there is still insufficient knowledge concerning this phenomenon and inadequate law enforcement resources have been allocated to it.
- The development of political and legislative initiatives encouraged by the European Commission and by the Council, together with the fight against Transnational Organised Crime signed in December 2000, represent crucial steps towards a global approach to THB, taking into account its complexity and its international nature. However the practical response of the competent operators will be crucial to the effectiveness of this political and legislative commitment.

Today's conference will also lead to agreement on additional policy matters and initiatives contributing to better prevent and combat these phenomena.