



Side-Event

Fifth informal thematic session for the Global Compact for Safe, Orderly and Regular Migration: *Smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims*

Reflecting on the Necessity of International Cooperation and Supporting New Models of Cooperation to Counter Migrant Smuggling

Organized by **Government of the Republic of Turkey**

Co-hosted by **International Organization for Migration (IOM)** and
United Nations Office on Drugs and Crime (UNODC)

Event Date & Time: Monday, 4 September 2017 - 13:15 – 14:45

Location: Board Room A, Vienna International Centre, Austria

Context:

The large-scale smuggling of migrants across international borders is a global challenge to migration management, as well as the well-being of migrants. Even though migrant smuggling is a crime under international law as well as the domestic law¹ of most states, many migrants resort to migrant smugglers when they do not have the option to travel by regular channels. Migrant smugglers exploit the vulnerability of migrants, resulting in significant profits for criminal networks.

Migrant smuggling is a deadly crime. All too often, migrants pay with their lives: they suffocate in containers, perish in deserts or drown at sea. In 2016 alone, 7,495 migrant deaths were recorded worldwide, many of them at the hand of smugglers and by August 2017, 3,420 deaths were recorded.² Once paid, smugglers often have little or no interest in migrants' well-being, leaving them particularly vulnerable to abuse and exploitation.

Migrant smuggling has put immense pressure on States' efforts to manage migration leading to more restrictive border controls in many parts of the world. States have the sovereignty to control their borders and enhance security, as well as a responsibility to combat transnational organized crime and protect human rights. States' efforts to effectively counter migrant smuggling are often diluted by a lack of intra-agency and inter-agency cooperation, coupled with a shortage of bilateral and/or multilateral cooperation resulting in inadequate (or nonexistent) information exchange, prevention, joint investigations, and prosecutions. As migrant smugglers are often highly organized through flexible

¹ Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime, United Nations, Treaty Series, vol. 2241, p. 507; Doc. A/55/383.

² International Organization for Migration (IOM). (2017). Missing Migrants Project. Retrieved from Missing Migrants: <http://missingmigrants.iom.int/>

transnational networks, States should increasingly work together to better address migrant smuggling challenges.

The September 2016 New York Declaration for Refugees and Migrants welcomes "reinforced technical cooperation, on a regional and bilateral basis, between countries of origin, transit and destination on the prevention of human trafficking and migrant smuggling and the prosecution of traffickers and smugglers."

Background:

The New York Declaration recognizes that the Member States of the United Nations should, "with full respect for our obligations under international law, vigorously combat [...] migrant smuggling with a view to [its] elimination³". The global compact for safe, orderly and regular migration will set out a range of principles, commitments and understandings among Member States on international migration. The UN calls upon Member States to actively contribute to the preparatory process by providing concrete recommendations and other substantive inputs for the global compact for migration.

In light of the New York Declaration and given the importance of protecting the lives and rights of migrants, Turkey hosted the "Istanbul Regional Conference on Counter Migrant Smuggling," on 5 and 6 July 2017. Representatives from 17 governments, international organizations and academics gathered to discuss best practices in the field and draft concrete plans to effectively – and realistically – tackle migrant smuggling. A report of this event co-authored by Research Professor Jorgen Carling of Peace Research Institute Oslo and Professor Ahmet İçduygu of Koç University will be available at the time of the side-event.

Objectives and Expected Output:

This side event will bring together representatives of governments, civil society and international organizations to discuss counter migrant smuggling within the context of the New York Declaration and the global compact for migration. The event will serve as a platform to discuss innovative approaches to countering migrant smuggling and supporting new models of cooperation. This event will further advance discussions pertaining to the necessity of international cooperation in order to effectively and efficiently counter migrant smuggling. It will also allow the participants to reflect on the outcomes of the Istanbul Regional Conference on Counter Migrant Smuggling. It will also highlight: the role of the Protocol against the Smuggling of Migrants towards State's responsibility to criminalize the smuggling of migrants; ensuring that the migrants shall not become liable to criminal prosecution having been the object of smuggling; and the protection and assistance that should be extended to those smuggled migrants in need of it.

A concise report of this side event will be submitted to the preparatory meeting to be held in Guadalajara, Mexico on 4-6 December 2017.

Contact:

Please contact Julia de Bresser (jdebresser@iom.int) and Kei Fukagawa (kfukagawa@iom.int) for any questions.

Side Note:

- The event will be conducted in English only.
- Sandwiches and refreshments will be provided before the event.

³ United Nations General Assembly. (2016). New York Declaration for Refugees and Migrants. New York: United Nations.

Agenda

I. **Opening Remarks** (7 minutes)

Ambassador Mehmet Samsar, Director General for Consular Affairs of the Ministry of Foreign Affairs of the Republic of Turkey.

II. **Panel** (30 minutes)

Key Discussion Points:

The following questions will frame/guide presentations and discussion:

1. What actionable recommendations can be included in the global compact for migration to maximize the effectiveness of international cooperation in combatting smuggling of migrants and addressing the protection and assistance needs of the smuggled migrants?
2. How can data and research help develop more efficient and effective evidence based policies against migrant smuggling?
3. How can the role of the international community be improved to better support States in developing effective measures to counter migrant smuggling and ensure the protection and assistance to smuggled migrants?

Moderator:

Berlan Pars Alan, Senior Migration Management Policy Advisor, Department of Migration Management, International Organization for Migration

Panelists:

- Research Professor *Jørgen Carling*,
Peace Research Institute Oslo (PRIO)
"A reflection on the outcomes of the Istanbul Regional Conference on Counter Migrant Smuggling"
- Ms. *Marie McAuliffe*,
Head of Migration Research Division, IOM.
"Key findings of IOM's 'Migrant Smuggling Data and Research' report and the upcoming volume"
- Ms. *Morgane Nicot*,
Crime Prevention and Criminal Justice Officer, Human Trafficking and Migrant Smuggling Section (HTMSS) UNODC.
"Practical ways to make the Protocol against the Smuggling of Migrants more actionable"

III. **Q&A Session** (30 minutes)

IV. **Closing remarks**

This side-event will be held as part of the "Comprehensive Global Approach to Counter Migrant Smuggling and Enhanced Migrant Protection" project supported by the Government of Turkey implemented by the International Organization for Migration.