

Trafficking and Human Smuggling: A European Perspective

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ABSTRACT

The article reviews the empirical evidence for trafficking and human smuggling in Europe. It argues that a market for irregular migration services has emerged, in which the mechanisms and forms of organization are still relatively unknown. Irregular migrants using these services are exposed both to unscrupulous service providers and to the immigration and policing authorities, thereby generating a dependence on safeguards provided by the trafficking networks. Thus a symbiosis has developed between trafficker and trafficked.

The enormous interest and concern for trafficking and human smuggling in governmental, inter-governmental and non-governmental organizations, in the media and popular opinion, is running ahead of theoretical understanding and factual evidence. This has implications for policy measures designed to combat trafficking and human smuggling, which may not work and also have unintended side effects.

The article begins with a discussion of the main conceptual and definitional issues confronting researchers and politicians. This is followed by an assessment of the main theoretical approaches that have been developed and an evaluation of current statistical knowledge.

Information on the organizational structure of trafficking organizations is then reviewed, followed by a summary of the characteristics of migrants involved, based on empirical studies that have been carried out. The article concludes by indicating some of the main research priorities.

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INTRODUCTION

Trafficking in migrants has become a global problem which affects a complex matrix of origin, transit and destination countries, their international relations and security and their economies. A number of axioms have emerged which provide a generally accepted framework for the evolution of trafficking, although many details have yet to be empirically verified. The usual starting point is that migrants are driven by a range of home conditions to seek the services of traffickers and that push conditions are dominant. In view of some survey findings that many trafficked migrants are reasonably well off in their home countries, such a generalization should be approached with care.

Trafficking is also assumed to occur because the possibilities for regular migration have declined, as more stringent entry controls force migrants into using illegal channels. A different view is that lax entry controls have made it easier for trafficking to thrive, because anti-trafficking legislation is scarce and its enforcement frequently weak. Whether either (or both) of these views holds, the consequence is the emergence of a market for irregular migration services, in which the mechanisms and forms of organization are still relatively unknown. Irregular migrants using these services are exposed, both to unscrupulous service providers and to the immigration and policing authorities, thereby generating a dependence on the safeguards provided by the trafficking networks. Thus a symbiosis develops between trafficker and trafficked.

Such a schema provides only a starting point, since each step in the analysis presented attracts a number of caveats. Although the existing literature provides broad support for the framework outlined, many of the mechanisms in the trafficking process and empirical knowledge of their effects remain in the realm of (variously informed) speculation.

The purpose of this article is to review the operation of some of these mechanisms and the outcomes in Europe. It is largely derived from a review of the empirical evidence on trafficking and human smuggling carried out for the International Organization for Migration (IOM, 2000). What is revealed is that the enormous interest and concern for trafficking and human smuggling in governmental, inter-governmental and non-governmental organizations, in the media and popular opinion, is running ahead of theoretical understanding and factual evidence. This has implications for policy measures designed to combat trafficking and human smuggling, which may not work and also have unintended side effects.

The article begins with a discussion of the main conceptual and definitional issues confronting researchers and politicians. This leads to an assessment of the main theoretical approaches that have been developed, followed by an evaluation of current statistical knowledge. Information on the organizational

structure of trafficking organizations is then reviewed, followed by a summary of the characteristics of the migrants involved, based on the empirical studies that have been carried out. The article concludes by indicating some of the main research priorities.

Inevitably, in such a brief survey some themes concerned with trafficking and human smuggling in Europe today are hardly touched upon. These include methodological and ethical issues, the degree to which those involved are deemed to be criminalized, legislative issues at a range of scales and the relationship between trafficking, smuggling and the asylum regime. Little space is given here to what is a major element in the literature, notably trafficking in women (for example, the number of items dealing specifically with trafficking in women account for almost half of the bibliography of IOM, 2000). Some of these themes are picked up in other papers in this volume.

DEFINITIONS OF THE CONCEPTS OF TRAFFICKING, SMUGGLING AND ORGANIZED CRIME: CONSENSUS AND DISAGREEMENT

The debate over precise definitions for the concepts of “trafficking”, “smuggling” and “organized crime” has come to a head only in the second half of the 1990s (IOM, 2000). Contributing to the confusion is the fact that different competent institutions (governments) use a range of descriptive terms: alien smuggling; trafficking of aliens; illegal immigrant smuggling; human trafficking; trade of human beings. Individual research studies have thrown up a few additional terms: “human commodity trafficking” (Williams, 1999); “human trade”, “trafficking in human beings” and “trafficking in persons” (Meese et al., 1998). The potential differences of approach to dealing with trafficking depend on how terms are used (Budapest Group, 1996).

In recent years, European states have moved nearer to a consensus on the definition of trafficking. There is growing awareness of a dichotomy between the concepts of smuggling and trafficking. At the global level, the on-going Vienna process is insisting on the differences between the two, and identifying two types of migrant as a result. The main basis for the dichotomy is linked to the purpose of trafficking and the concept of exploitation. This difference has been well expressed in a recent paper by Graycar (1999) who suggests that smuggling is clearly concerned with the manner in which a person enters a country, and with the involvement of third parties who assist him/her to achieve entry. Trafficking is a more complicated concept, in that it requires consideration not only of the manner in which a migrant entered the country but also his/her working conditions and whether he/she consented to the irregular entry and/or these working conditions. Trafficking and more voluntary forms of undocumented migration are best thought of as a continuum, with room for

considerable variation between the extremes. It is frequently difficult to establish whether there were elements of deception and/or coercion, and whether these were sufficient to elevate the situation from one of voluntary undocumented migration, to trafficking.

There appears to be a growing acceptance that the main purpose of trafficking is to place persons in situations where their labour can be exploited under conditions which often involve human rights abuses. Trafficking, according to many recent definitions, involves severe forms of labour exploitation. By contrast, the main purpose of smuggling may be simply to facilitate the illegal crossing of a border. However, this is not to say that human rights abuses do not sometimes occur during the course of smuggling operations. Smuggling is a risky activity and migrants often undergo very hazardous journeys which sometimes result in tragedies occurring.

Thus, in effect, trafficking is now associated largely with exploitative work at the destination accompanied by human rights violations. There is an assumption that this work is generally at a location and in a type of employment chosen by the traffickers, although there is evidence too that migrants are often at least partially aware of the circumstances in which they are placing themselves. However, trafficking may sometimes involve an element of what has come to be defined as smuggling, particularly when it uses the same routes, forged documentation and organizational networks as the smugglers. Further, those who are being smuggled frequently have little idea of the degree and nature of exploitation that awaits them. In consequence, it may in certain circumstances be more appropriate to use the term “trafficking” generically to include “smuggling”, leaving “abusive exploitation” to describe those employment conditions that contravene human rights and are usually illegal.

The failure to agree on precise definitions is not surprising in what may still be described as a novel migration issue, still under-researched, and where no comprehensive typological studies have been carried out. Thus, for example, the particular human rights issues and special needs of trafficked women have led some researchers to call for a separate definition of this aspect of illegal migration. A clear analysis and agreed statement of the different types of trafficking and trafficked migrants has become essential. The current uncertainties about concepts and definitions will hinder reaching a consensus on legislative and judicial frameworks to combat trafficking at national and international levels.

THEORETICAL DEVELOPMENTS

These conceptual and definitional uncertainties present analytical difficulties to researchers accustomed to existing migration theories. Traditionally, inter-

national migration has been conceived of as a relationship between, on the one hand, an individual or household moving for purposes of permanent settlement or work and, on the other, a government acting as gatekeeper for entry into a country and acquisition of its citizenship. Most explanatory theoretical frameworks are based on this notion. Trafficking and smuggling challenge traditional migration theories in a number of ways. They blur the boundaries between forced and voluntary movements and between legality and illegality; they question the degree of choice able to be exercised by the migrant (notably whether and where to move and work) and by the state (how to manage entry and conditions of employment) and they affect (and may determine) the geographical pattern of flows. They require a theoretical approach which encompasses the system of institutionalized networks, consisting of organizations, agents and individuals, which are part and parcel of modern trafficking and human smuggling. Each of these stands to gain some form of remuneration from irregular movement and consequently has a vested interest in promoting migration.

There are two overlapping theoretical approaches towards trafficking currently in vogue. One approaches the subject from an economic perspective, emphasizing trafficking as a business; the other regards it as essentially a criminal activity and takes a legalistic view. Other perceptions do exist, for example, viewing trafficking as a response to humanitarian requirements (Morrison, 2000), but coherent theoretical constructions are absent.

The main theoretical developments have emphasized trafficking/smuggling as an economic activity. Such an approach places trafficking and smuggling within the broader concept of migration as a business in which institutions (which may include all or part of trafficking organizations) seek to make profit. Salt and Stein (1997) have produced a hypothetical model of trafficking as a business which presents it as an intermediary system in the global migration business facilitating movement between origin and destination countries. Trafficking networks are presented as business organizations. The IOM studies on Poland, Hungary and Ukraine (Okólski, 1999; Juhász, 1999; Klinchenko et al., 1999) successfully applied the model.¹

An extension of the business approach is proposed by Kyle and Liang (1998) who suggest that trafficking should be viewed as a consequence of the commodification of migration, from which organizations are able to make profits from peoples' mobility. They propose that such commodification, upon which there is a distinct lack of theoretical and empirical research, is a feature of global transnational migration in which there are roles for diverse institutions, of which traffickers comprise one set.

The relationship between the economic and the criminal is frequently referred to in the literature on trafficking and human smuggling, attention being paid

especially to the nature of the work in which trafficked migrants often find themselves. Flexibilization of employment in the service sector across Europe has provided many opportunities for illegal working. This, combined with the marginalization of certain groups in society as a result of rising unemployment in parts of the Central and Eastern European (CEE) region, has led to the suggestion that a “re-feudalization” of the service sector is occurring, in which traffickers can play an active role (Omelaniuk, 1998).

A similar idea has been explored by Ruggiero (1997) who compares modern trafficking with the historical concept of slavery. He analyses trafficking in humans today against a background characterized by the growth of hidden sectors within European economies – sectors which include a variety of legal, semi-legal and illegal activities. Thus he places trafficking in migrants in the realms of both business and criminal activities. His conclusion is that there is a link between conventional organized crime and a range of activities which have an entrepreneurial character being carried out in the market economy. When trafficking is geared to the provision of jobs, the beneficiaries are found to be those within the hidden economies which commission the smuggling operations and employ the smugglers. The businesses involved range from the quasi-legal to the overtly criminal and may overlap. The trafficking process may also be seen as one which satisfies a set of labour demands, some of which may be for illegal employment through a supply controlled by organized crime (Savona, 1996).

The emergence of international criminal organizations has been linked to changes in global politics and economies, leading to interdependence between nations, ease of travel and communications and economic globalization (Williams, 1994, quoted in Heikkinen and Lohrmann, 1998). Transnational criminal organizations are defined as “mobile, well organized, internationally adaptable and can be involved in multiple activities in several countries” (Heikkinen and Lohrmann, 1998: 3). However, the degree to which trafficking as a whole is part of or synonymous with large-scale organized crime is debated (Finckenauer, 1998; Ruggiero, 1997). A crime like trafficking can be organized and complex, operating over long periods of time and requiring sophisticated arrangements. However, once the criminal activity is carried out the organizational structure that supports it may be dissolved. In contrast, international criminal organizations continue to exist after the criminal activity and may be involved in multiple criminal activities at the same time (Finckenauer, 1998).

Neither of these theoretical approaches is fully inclusive, particularly from the standpoint of their treatment of human rights issues. Juhász (1999) draws attention to the importance of non-economic push factors, in that different migrants (like asylum seekers and economic migrants) should not be regarded as interchangeable homogeneous commodities. Others argue that placing trafficking firmly within the bounds of criminality, and thus illegality, makes it

difficult to apprehend those elements of migration that are associated with trafficking but which have a quasi-legal status and those cases where the status of the migrant drifts in and out of legality during the process as a whole (IOM, 2000). What we can say is that theoretical developments in the field of trafficking and human smuggling still require much attention.

STATISTICAL DATA

To the theoretical gaps must be added those in basic information. It is almost axiomatic for papers reviewing trafficking/smuggling to lament the statistical void and to call for research to fill the many *lacunae*. Often the statistics produced by countries experiencing trafficking are held by numerous services and organizations there, collected in different ways at different times, use diverse terminologies and so are not comparable within the country let alone from one country to another. The absence of statistics transcends the whole field of trafficking/smuggling.

The conceptual and definitional problems referred to earlier in this paper are linked to the availability – or rather lack – of statistical data on trafficking and human smuggling. How can we define what we are not sure how to measure and vice versa? Not only is it unclear what data might be collected but under whose auspices. One review of the statistics on trafficking collected by governments produced a list of reasons for their current inadequacy (IOM, 1998).

First, unlike other migrations, trafficking is a covert activity and most data are for operational purposes within the criminal system. However, trafficking crimes are not specifically defined in many countries and so they have no readily available database. Some countries reported no trafficking legislation, while in others institutions responding to the questionnaire gave divergent opinions. Thus it would appear that trafficking is a new problem and national legislative (and therefore data) systems have not caught up. Second, the lack of trafficking legislation means that cases may be dealt with under associated legislation and so trafficking cases are not defined as such. Third, methods of data collection in individual countries are ad hoc rather than systematic. Individual authorities collect statistics using their own definitions and for their own purposes. Fourth, in most countries no single agency acts as a focal point for collection, collation or harmonization of statistics on trafficking. Finally, sharing of information between states is on an ad hoc basis, particularly with respect to countries of origin of trafficked migrants.

General problems associated with statistical data on trafficking

Despite a steady improvement in the availability of statistics on international migration in Europe during the last decade, there are still enormous gaps.

Numerous researchers and organizations have pointed particularly to the situation in Central and Eastern Europe and the former Soviet Union where inadequate methods of data collection and the absence of appropriate legislation mean that official statistics on legal migrations are only slowly becoming available (see, for example, OECD, Annual; Salt, 1999; UNESCO, 1998). Statistics on illegal migration which have any degree of reliability are especially hard to come by even in those countries with good statistical sources and systems (Delaunay and Tapinos, 1998). They are normally based on border apprehension data or court records and it is unclear how far revealed trends are a reflection of changing detection systems and methods of recording rather than of real flows of illegal migrants. Attempts to calculate true levels of illegal migration normally use some estimate, usually based on the views of officials, of the proportion of illegal migrants who are apprehended. Linking these to trafficking is even more difficult and attempts to do so usually require heroic leaps of faith.

At the heart of the data issue is a matter of concept. Intuitively we might seek data on numbers of traffickers but that presupposes that it is possible to establish the organizational and spatial parameters within which they work. Do we wish to know the number of trafficking businesses or their numbers of employees? Operating within individual countries or across several? Whether migrants are trafficked, individually or in groups? What their characteristics and motivations are? A major difficulty is to distinguish between illegal migration and trafficking. Often the two terms are used interchangeably instead of one being regarded as a subset of the other.

Discussions about data availability – or rather the lack of it – mostly focus on the scale of trafficking/smuggling as measured by the number of migrants involved. Statistical data on the characteristics of those trafficked are in even shorter supply and almost without exception are derived from surveys. The most detailed information comes from the succession of IOM surveys during the 1990s (see, IOM, 2000), most notably those in Poland, Hungary and Ukraine (Okólski, 1999; Juhász, 1999; Klinchenko et al., 1999). The lack of hard data, combined with the fact that many commentators on trafficking repeat estimates derived from interviews with officials, means that many of the statistics quoted are in (often large) round numbers, are uncheckable and are frequently rehearsed.

While most countries in Western Europe can provide some statistics on illegal border crossings, we as yet have little information in any detail on trafficking and smuggling in individual countries in the region. No in-depth, survey-based studies, similar to those in Hungary, Poland and Ukraine have been carried out in any Western European country. There is some irony in the fact that for trafficking and human smuggling our main empirical knowledge comes from

that part of the continent – the CEE countries – where statistics on legal migration are still relatively weak.

Estimates of the scale of trafficking

Most statistical data on numbers trafficked are at best crude estimates. Sometimes assumptions are made based on estimates of illegal migration which are themselves usually highly flawed. The only official data come from apprehensions, court records and deportations, but these are partial and in any case refer to migrants who have been picked up and not necessarily to those trafficked or to the traffickers themselves.

Most data used in the trafficking and human smuggling literature refer to illegal migrants, with built-in assumptions that the estimated numbers are a surrogate for trafficked or smuggled migrants. In consequence, there are very few studies which actively link illegal migrants and trafficking. A notable exception is that of Lederer (1997).

The most widely accepted and quoted figure for the scale of trafficking in Europe was produced in 1994 by Jonas Widgren. He estimated that in 1993 there were 250-350,000 illegal migrant entries into Western Europe. The figure was calculated on the basis of extrapolations of how many illegal migrants reached their goal as a reflection of the known numbers of migrants apprehended when seeking to transit through the green borders of intermediate countries on their way to their final goal. Analysis of border control data showed 60,000 apprehensions. Widgren then estimated, based on discussions with border control authorities, that at least 4-6 times that number got through undetected. In addition to illegal migrants there were, at the time, 690,000 asylum seekers in Western Europe of whom he suggested about half were not in need of protection. He further suggested that 15-30 per cent of illegals “could be estimated” to have used the services of traffickers during some part of their journey, although again there is a speculative element in the proportion. Between 20 and 40 per cent of asylum claims were estimated to be unfounded, about 300,000. Thus, 40-100,000 illegal migrants and 60-120,000 asylum seekers were estimated to have used traffickers in 1993, a total ranging from 100,000 to 220,000.

Sometimes estimates are presented from confidential, usually operational, sources. For example, a US government report in 1995, based on a nine-month study by officials of the State and Justice Departments, Immigration and Naturalization Service, CIA, FBI and Coast Guard, came up with a figure of 500,000 illegal aliens entering Western Europe each year, with a similar number waiting in Central and Eastern Europe and the former Soviet Union (Branigin, 1995). Moscow was estimated to have 200,000 illegal aliens temporarily resident

at any one time. However, it is not clear how many of these people went through the hands of traffickers.

A more recent attempt to estimate numbers trafficked between the CEE countries and Western Europe was also based on border apprehensions and the assumption that at most one in three migrants who attempt to cross CEE borders illegally is ever caught (IOM/TCC and ICMPD, 1999: 42). It proposed a figure of 100-300,000 migrants entering Western Europe illegally from CEE countries, of whom perhaps 25-75,000 were estimated to have been smuggled by traffickers.

The principal assumption in such estimates is that of the proportion of total illegal, trafficked or smuggled migrants who are apprehended. Appropriate figures are normally derived from interviews with officials and border guards. What is not known is how accurate these are. Interviews with border guards and officials in Hungary by Juhász (1999) revealed that estimates of the proportion of cases discovered were many and varied even within the organization most qualified to make them, the border guard service itself. At senior levels there was a high degree of optimism and a belief that the majority of those illegally crossing the border were caught. However, from the central bodies down to the operative units this optimism decreased dramatically, while those actually patrolling the border judged their own effectiveness to be only ten per cent. Differences of opinion regarding the proportions caught were also evident from interviewees in the Ukraine study (Klinchenko et al., 1999). The officials and border controllers said that less than one per cent of those trying to cross the country's western border illegally succeeded, but migrants themselves put the proportion between a third and a half. Similar problems beset attempts to calculate the scale of illegal migration. In Ukraine, the Ministry of Internal Affairs estimated there were 20-30,000 illegal foreigners, whereas some of the experts interviewed suggested that half- to one million was more realistic, a calculation based on border guard statistics of numbers entering and leaving. For Poland, too, estimates need to be treated with caution. Individual border guards gave wildly different figures, ranging from 20 to 90 per cent, of the proportions of apprehended migrants who were trafficked (Okólski, 1999).

A further problem is what is actually to be measured. Juhász's study (1999) used an "illegal crossing event" as the unit of measurement in creating a database of illegal migration to and from Hungary. Such an event occurs each time an individual is arrested. Creating a statistical record to fit the variety of potential situations soon makes the complexity apparent. Multiple events can occur for a single person who is arrested, sent back, tries again and is recaptured. Someone simply turned back at the border or arriving in a refugee camp is not recorded in the database, whereas someone caught by the border guard of a neighbouring country and sent back to Hungary is recorded. Additional complications arise because crossings may be in or out and both should be included.

Estimating how many illegal crossings are trafficked or smuggled presents additional difficulties. Almost certainly, incidences of trafficking are severely underestimated in illegal border crossing data since the involvement of a smuggler is registered only if the immigrant admits to this being the case upon being caught or if the smuggler is caught. One illustration provided by Juhász (1999) of the under-estimation of smuggling was that only one-third of the apprehended migrants from Asian countries was recorded as having received any kind of assistance, despite the unlikelihood that they would have had sufficient local knowledge to cross the borders of the many countries on their route on their own.

The number of illegal migrants and smugglers recorded depends not only on how many attempt a crossing but also on the effectiveness of the border guards, which can affect comparisons of data pertaining both to periods of time and sections of the border. Official estimates may sometimes be used to justify more resources. For example, in 1997 the 30,000 plus illegal migrants caught in the vicinity of the Czech-Slovak border were estimated by the Interior Ministry of the Czech Republic to be only 10 per cent of those crossing illegally. To conform to EU requirements, the Interior Ministry reckoned that another 1,000 border police were needed at a cost of US\$ 26 million (Jakl, 1998).

THE ORGANIZATION OF TRAFFICKING

Types of trafficking organizations

As trafficking has risen up the political agenda and knowledge of its operations has spread, so the initial, rather simplistic, views have metamorphosed into an appreciation of something more complex. Two common assumptions are that trafficking and smuggling are growing and becoming more organized (Europol, 1999). Growth is assumed because the “raw materials”, in the form of potential illegal migrants, are regarded as almost unlimited, the business is already big with a high turnover and is also one of low risk, since the threat from law enforcement agencies is low, especially as most trafficking organizations seem to be based outside Western Europe. There is also an assumption that trafficking is growing because it is becoming more organized, though the evidence for this trend is not clear.

The degree of organization might reasonably be reflected in the size of the groups smuggled. In recent years, “event-related” information has provided a wealth of facts about individual situations, normally based on official reports relating to cross-border apprehensions. There is a lack of systematic analysis of such information, increasingly available through official sources but as yet not brought together. Where such information has been examined it does not always tell the same story. Austrian data, for example, suggest that a trafficking

organization typically consists of a group of 20-30 individuals and that at present around 25 such groups are running illegal immigration operations in Austria (Europol, 1999). However, the Hungary study by Juhász (1999) indicates that the majority interviewed (60 per cent) crossed into Hungary alone or with no more than two other persons. Not all of these were trafficked/smuggled. Forty per cent of those entering Hungary and 30 per cent who were continuing West and who were assisted by traffickers were in groups of 20 or more. Juhász relates these differences to whether migrants were assisted by “smugglers” or “helpers”. The former were paid, the latter provided their assistance seemingly upon humanitarian grounds, with no financial benefit proved. Those who were “helped” typically moved in smaller groups. However, there is no clear distinction, since group sizes were found to be flexible, changing according to route and time.

Organizational structures

Only recently has systematic empirical information on the structure of trafficking organizations become available. The organizational model produced by Salt and Stein (1997) divided the trafficking process into three consecutive stages: first, the process of mobilization by which migrants are recruited in origin countries; second, the requirements en route as migrants are transported from origin to destination countries; and third, the processes by which migrants are inserted and integrated into destination countries. Each of these is characterized by a set of trafficker roles and there are varying degrees of centralization. The model was based on reported events rather than the study of specific trafficking organizations.

Recent evidence is providing a sounder empirical basis for determining how trafficking and smuggling operations are organized. Quoting Hungarian intelligence, Juhász (1999: 36) describes the majority of smuggling organizations operating in Hungary as “well-organized, linked together across many countries, professionally structured and highly disciplined”. They typically have a cellular and hierarchical structure where executive units are left in the dark about a higher level control that is well organized and difficult to penetrate. They began when a set of initially isolated individuals involved in trafficking began to cooperate and eventually developed into international businesses no longer coordinated from Hungary.

The structure is flexible. The trafficking organization as a whole is more likely to consist of several loosely interconnected and competitive networks where the market is continuously being re-shared than to be a single core. As any one network grows it may incorporate others and recruit more international staff with different ethnic origins, allowing it to specialize. Thus, according to the Hungarian border guards, foreign and not Hungarian networks run the trafficking market in Hungary.

The evidence from Poland confirms many of the findings from Hungary, but at the same time significant differences emerge in how trafficking is organized (see the paper by Okólski in this volume for details of organizational structures in Poland). Interviewees in Poland confirmed that the trafficking business there is conducted with a high degree of informality, adaptability and flexibility. The organizational structure is again hierarchical. At the top is a “brain”, a leadership that is thought to look after the entire route and its security. At the next level are found internationally linked “Mafia” bosses in each country through which a route runs. Only those in the top two strata have direct international connections. Next down are bilingual teams organizing trafficking in specific border areas, a similar situation to that found in Hungary, then local collaborators with specific tasks. The bottom level is occupied by, often freelance, individuals who occasionally perform specific tasks like letting a car or driving. However, for many organizations, trafficking is a supplementary or marginal area of business. Many of those supervising trafficking routes (at the second level) are foreign-born persons with Polish citizenship or a permanent residence permit in Poland. Many belong to an ethnic group, live in large cities and have extensive underworld connections.

Quite how trafficking organizations are reacting to changes in their business environment is an important issue. There is an underlying assumption that recent integration and transition processes in Europe present new market opportunities (ICMPD, 1999) though the empirical evidence is either lacking or scattered. The business development literature suggests that what can reasonably be expected is that groups will merge or takeover, with small, non-powerful organizations being absorbed or pushed aside by bigger ones. The latter will then divide up the market, perhaps on the basis of cultural, historical or ethnic considerations. Already there is some evidence of this, with references to “turf wars” between rival organizations. For example, rivalry between ethnic Albanian and Roma traffickers has resulted in them shooting each other in Varnsdorf in the Czech Republic, a town on the German border which is a focal point for illegal migration and a major transit centre (Jakl, 1998).

Organized crime and organized criminal activity

A common view is that trafficking and organized crime are closely related, although good information is scarce. Europol (1999) believes that there is evidence to substantiate a link based on the following indications: different nationalities are smuggled on the same transport; travel over great distances needs organization on a considerable scale; travel in groups needs organization; large amounts of money change hands; routes are changed quickly and easily when necessary which implies a high level of organization; immediate legal assistance is available when things go wrong; there is swift reaction to counter measures taken by the authorities. However, the report goes on to note that despite these indications there is no clear proof that illegal immigration is

organized by internationally acting criminal groups. In a subsequent report, Europol (1999) states that there are links between migrant trafficking and other forms of crime even though there are no reliable data to support this. It distinguishes between criminal groups and organized crime. The latter is structured with a strict internal division of tasks, but there is a “grey zone” when attempting clear-cut definitions.

Adding to the debate, ICMPD (1999) questions whether organized crime is actually expanding its activities into human trafficking, pointing out that criminal groups rely on expertise, skills and means acquired in the old activities. When expanding to new criminal areas (like trafficking), the new activity is often incorporated into the old pattern. It goes on to argue that the linkages between organized crime and trafficking may be described as horizontal or vertical: horizontal because of the chains of individuals involved in different forms of activity, and vertical because of the sequence of crimes.

The “multi-crime” nature of these organizations has attracted considerable attention. Ruggiero (1997) suggests that there is a link between organized crime and a wide range of activities of an entrepreneurial character which are being carried out in market economies. The same point is made by Savona (1997) who argues that in organized crime “businesses” range from quasi-legal to overtly criminal in nature and may also overlap, and that criminal organizations seek business opportunities in those contexts where law enforcement is weaker or less effective. For example, money laundering may be effected where banking officials are open to corruption and offshore systems may be used where anonymity is the rule. At their Moscow conference in 1997, the Global Survival Network and the International League for Human Rights identified “multi-product” criminal organizations which deal in a range of goods and activities, namely, drugs, stolen vehicles, transport of illegal aliens, organized prostitution and gambling, together with legitimate enterprises (GSN/ILHR, 1997).

Who are the traffickers?

Information on the characteristics of traffickers and smugglers is sketchy and derived from scattered and often case/country specific sources. A key issue is the degree to which trafficking is in the hands of nationals of destination or origin countries. Europol (1999) notes that members of the criminal organizations engaged in sexual exploitation are often of the same nationality as the women they control. Statistics from Poland and Germany show that 60-70 per cent of organized crime as a whole is in the hands of foreigners, although no indication is available from this source specifically for trafficking. However, it is suggested that people smuggling operations are overwhelmingly in the hands of foreigners, with citizens of Balkan countries, the former Soviet Union and

China being highly represented in the smuggler population (North Atlantic Assembly, 1996).

Statistics compiled in the Netherlands by the Stichting tegen Vrouwenhandel (STV) over a two-year period 1994-1996 showed that in 1996 23.1 per cent of those apprehended for trafficking came from East European countries. About one-third were of Polish origin and almost half came from the former Soviet Union. These percentages correspond to the percentages of trafficked migrants from these regions, which confirms the suspicion that trafficking organizations require the cooperation of nationals in the victims' countries of origin. Overall, about 30-40 per cent of traffickers apprehended in the Netherlands originated from there. In Germany, the equivalent proportion was 40 per cent (Meese et al., 1998). In Poland, Siron and Van Baeveghem (1999) also found that traffickers are mostly Polish by birth: in 1995, 72 per cent of traffickers apprehended were of Polish origin; by 1997 this had risen to 79 per cent. Some of the operators in Poland, however, were conducting their activities from Ukraine, Belarus and Russia, with each stage of the route managed by the nationals concerned. In Hungary, Juhász (1999) noted that the nationality of traffickers had evolved. Before 1995 only 12 per cent were Hungarian, but in 1997-98 the figure had increased to over two-thirds. In contrast, proportions of Romanians and Slovaks had declined. However, echoing the Polish experience, Hungarian border guards reckoned that the trafficking market in Hungary was ruled by foreign-based organizations. As a general rule, it seems that as the networks grow they become composed increasingly of ethnically diverse personnel.

Some information is emerging on the age and sex of traffickers. Bruinsma and Meershoek (1999) record that of those traffickers arrested in the Netherlands, 90 per cent were male of average age 34 and with a history of criminal activity in their home countries. In Poland, traffickers were mostly male aged between 15 and 55 and trafficking for the sex trade was mostly undertaken by younger men in the 20-25 age group (Siron and Van Baeveghem, 1999).

CHARACTERISTICS OF TRAFFICKED AND SMUGGLED MIGRANTS

Lack of empirical studies means that there is a paucity of information in the literature concerning the characteristics of trafficked migrants. For the most part, the studies that have been carried out have been with small and unrepresentative samples (IOM, 2000). They provide snapshots rather than a comprehensive picture and thus far no study has tried systematically to bring the various findings together. The emphasis tends to be on age and gender and there is very little on their socio-economic status and other aspects of their lives

in their home countries. Much of the information relates to women in the sex industry and is often derived from the casebooks of concerned NGOs.

Nationality

Information on nationality is limited, though a common thread during the 1990s seems to have been a widening of the field away from Central and Eastern Europe to encompass origins in Asia, Africa and the Middle East (IOM, 2000). All studies indicate a wide range of origin nationalities. In the Ukrainian survey of Klinchenko et al. (1999), the 108 trafficked migrants interviewed were from twenty-three different nationalities. The nationalities apprehended frequently reflect geographical location. The most significant nationalities among migrants trafficked to the Baltic States have been Kurds, Afghans, Somalis, Chinese, Iranians, Iraqis, Ethiopians and Sri Lankans (Ulrich, 1995). The nationalities of migrants trafficked into Europe generally had further expanded to include parts of Eastern Europe (former Yugoslavia, Romania, Bulgaria) and most of the former Soviet Union (Salt and Stein, 1997). Other examples are Tamils being trafficked into Russia to camp around Moscow (Morrison, 1998) and Kurds leaving Turkey for Sarajevo (Kuci, 1998). In most of these studies the numbers of the individual nationalities involved and their significance in migrant flows overall are not represented. Generally, information from NGOs, other support agencies and detention centres in Belgium, the Netherlands and Germany shows a steady increase in trafficked migrants from the CEE countries since 1993 (Meese et al., 1998).

Europol (1999) has drawn up some very general observations on the nationalities of women being trafficked into some of the states of the European Union. In France, the numbers of foreign prostitutes (presumed trafficked) are rising and nationalities include those of the Maghreb, Sub-Saharan Africa, Eastern and Western Europe (mainly the Iberian peninsula), Latin America and East Asia. Germany reported that the trend in trafficked women has swung from South America, Africa and the Far East in the 1970s to CEE countries since the end of the 1980s. Women trafficked into Italy came mainly from the CEE region and Africa. The Netherlands reported an increase in women from Hungary, the former Yugoslavia and the Baltic States. In Spain, prostitutes were brought in from the Dominican Republic and Africa. In Sweden the women came in from the Baltic States and the CEE countries. The Metropolitan Police in the UK reported rising numbers of women from Central and Eastern Europe and large-scale trafficking from Latin America, particularly Brazil.

Within the sex trade in Western Europe, the literature suggests there has been a shift in migrant origins away from the developing countries in Africa and Asia towards new sources in Central and Eastern Europe, although no detailed breakdowns are available (Shannon, 1999; IOM/TCC and ICMPD, 1999; Beare, 1999; Siron and Van Baeveghem, 1999). There is a trend for young

women and girls to be trafficked from countries where socio-economic conditions are difficult and from post-conflict areas. Recently, Kosovars and females from other parts of the former Yugoslavia and Albania have been especially at risk (OSCE, 1999).

Demographic characteristics

Information on the demographic characteristics of trafficked and smuggled migrants comes from a diverse series of observations and studies. Migrants interviewed in the three IOM studies in Eastern Europe were predominantly male, around 90 per cent (see the paper in this volume by Okólski). Between half and two-thirds are in their twenties and a few are over 40 (Okólski, 1999; Juhász, 1999; Klinchenko et al., 1999). Proportions married varied, depending upon origin. A different gender balance has been shown for Western Europe. More women than men are being trafficked into Belgium, the Netherlands and Germany from Poland and Hungary. The women are generally in their early twenties (Meese et al., 1998).

Economic skills and education

Details of the levels of education and what skills trafficked migrants possess are beginning to emerge from surveys. Illegal transit migrants through Lithuania were generally well educated. Only a small minority were illiterate with over 60 per cent having received secondary education and 25 per cent college or university education. Over 50 per cent possessed language skills, with just over 16 per cent being able to speak two or more foreign languages (IOM, 1997). Many migrants entering Ukraine had enjoyed high social status at home. Of the sample interviewed by Klinchenko et al., (1999), one-third had run their own businesses, 11 per cent had had stable jobs, 9 per cent had been temporarily employed and only 11 per cent had been unemployed. Migrants trafficked into Poland tended to polarize into two categories of attainment: 23 per cent had achieved post-secondary education and 29 per cent had received vocational training (Okólski, 1999). According to Siron and Van Baeveghem (1999), women trafficked into Poland from Ukraine, Belarus and Russia are more likely than others to be highly educated, often with university degrees.

Motivation

A range of motives for migrants to place themselves in the hands of traffickers and smugglers has emerged from the literature. Partial as these findings are, they indicate the complexity of these forms of illegal migration and the futility of addressing them with a narrow range of policy solutions. Motivations vary according to demographic characteristics, nationality and country of origin, geographic location and personal circumstances.

Studies carried out for the Ludwig Boltzmann Institute of Human Rights in Vienna have explored female trafficking and forced prostitution in the Czech Republic, Slovakia and the Ukraine. They conclude that the post-communism economic vacuum before stable market economies could be established has hit female socio-economic conditions hardest so that women and girls of working age have every incentive to seek to improve their lot by migrating further west (Hybnerová and Scheu, 1999; Knaus and Reiter, 1999). Women trafficked into Austria (IOM, 1996) were motivated without exception by economic reasons. Austria was reported by friends and acquaintances as a very prosperous country where good money could be earned quickly. The same motivation was found among Czech women who had naive ideas of easy earnings abroad (Hybnerová and Scheu, 1999). Similarly, in Ukraine adverse economic conditions and the exclusion of women from the formal and regulated labour market combined to form a strong push factor (Klinchenko et al., 1999).

Of those migrants trafficked or smuggled into Ukraine, a third named armed conflict as the major reason for migrating; 27 per cent cited political reasons; 21.3 per cent gave economic reasons. An additional incentive was found to be relatives abroad (40 per cent). Younger women often embarked on the journey to the West with the permission of their husbands and parents (Klinchenko et al., 1999). Amongst the sample interviewed in Hungary by Juhász (1999), the primary reason for emigrating was war, notably from Kosovo, Afghanistan, Sierra Leone and Liberia. Most migrants left their homeland for good because their lives were directly threatened or because living conditions (economic and cultural) had become intolerable. Long-term ideas of employment or asylum were unclear since their immediate (short-term) goal was survival. Among the Algerians, there was fear and a feeling of insecurity on the streets of the towns they came from. Embassy officials regarded them as economic migrants and this was in part true. Migrants from Eastern Europe, Romania particularly, were often motivated by a thirst for adventure and the pursuit of irrational aims. These states had been cut off from the West for so long that a distorted picture, fed by banned western radio, had fed the dream of the “legendary Western welcome”. Many others were urged on by the impossibility of maintaining a decent standard of living in some states of the former Soviet Union. Apart from women travelling with their husbands and children, most females were trafficked for the sex trade.

WHERE DO WE GO FROM HERE?

There is much that we still do not know about trafficking and human smuggling as they affect Europe. This is, perhaps, not surprising in view of the covert nature of the phenomena. However, given their high profile on the political agendas of both the European Union and individual states, the lack of basic

knowledge is sobering at the least. The research agenda set out here should be seen as only the beginning. It is presented for debate and not for prescription.

Business and market development

Most commentators agree that trafficking and human smuggling are best analysed in business terms. There are some fundamental aspects of the business organization of trafficking that require investigation. First, further research is needed into how the trafficking industry is evolving. It is reasonable to assume that it will share many features with legitimate businesses although it is unclear how far this analogy should be taken. It is probable, for example, that there are differences between legitimate and illegitimate management structures, particularly given the need for tight security within trafficking organizations. At present, trafficking consists of both large and small businesses but there is as yet no information on how these interact and how far rationalization is likely through franchises, take-overs and cooperation. As new niche businesses develop we need to know whether they are independent or part of larger operations. It is also possible that new and distinctive trafficker roles may develop.

The nature of the markets being developed and served by traffickers and illegal migrants need to be investigated to determine whether new ones are emerging within Europe and how their potential is being tapped. For example, niche markets, such as prostitution, trafficking into manufacturing sweatshops and ethnic economic enclaves need to be identified and analysed in business terms.

The relationship with organized crime

The concept of organized crime needs to be more sharply defined and a closer look taken at how far it is involved in trafficking. Okólski's paper in this volume, for example, indicates strongly that the relationship is anything but straightforward. Trafficking may be only one of a series of nefarious business interests within the portfolios of organized groups and there may be competition between these interests. We have little idea how far trafficking in people is the dominant business for such organizations. Furthermore, information communication and technology (ICT) is clearly being used by these organizations but it is not yet known how and to what extent the World Wide Web is being used for recruitment, communication and management.

Implications for migration policy

Trafficking and illegal migration may generally interact significantly with broader migration policy and research needs to be undertaken to determine whether this interaction itself initiates change in national immigration policies

and, if so, in what direction. As part of this process we need to ascertain more clearly how far the priority to ensure national security (the state controlling its borders and citizenship) conflicts with the promotion of the security of the individual (ensuring basic human rights) and with the achievement of successful integration of all migrants and their host societies.

At the inter-state level, it is by no means clear how migration relations between European states are affected by trafficking and human smuggling, whether they are actually harmed or if constructive dialogue occurs and whether there is a spillover into other areas of relations. International agreements are urging the need for exchange of information, but it is as yet unknown how freely states engage in this and how inter-state cooperation compares in efficiency with cooperation within and between trafficking organizations. It could be that states are at a disadvantage because they operate mainly as discrete units with collaborative (and slow) response structures.

Migrant outcomes

Most of the research on trafficking focuses on how migrants get to their destinations. With the exception of those working illegally in the sex trade, there is a dearth of information on the outcomes for most of the migrants involved. Little is currently known about how most trafficked migrants earn a livelihood, how the migration cycle ends for the trafficked/smuggled migrant, both in and out of debt bondage and what the relationship is between the apprehended individual and the criminal system at the destination.

In order to obtain answers to these questions, the old academic chestnut “we need more research” applies *a fortiori*. In particular, comprehensive surveys are urgently needed for Western European countries similar to those carried out further east and using the same methodology. In that way, the experiences of individual countries, geographically located in different parts of Europe’s trafficking/smuggling system, can be used as lenses to allow us to see more clearly what is going on.

NOTE

1. These three studies are due to be published by IOM in the summer of 2000 in a book entitled *Migrant Trafficking and Human Smuggling in Europe*.

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TRAITE ET INTRODUCTION CLANDESTINE D'ÊTRES HUMAINS: UNE PERSPECTIVE EUROPÉENNE

Cet article examine l'évidence empirique de la traite et de l'introduction clandestine d'êtres humains en Europe. Il affirme qu'un marché est apparu pour des services de migration illégale, dont on ne connaît pas encore très bien les mécanismes, ni les formes d'organisation. Les migrants illégaux ayant recours à de tels services s'exposent autant aux prestataires peu scrupuleux des services en question qu'aux services de police et d'immigration des pays concernés, ce qui engendre une dépendance à l'égard des protections offertes par les réseaux de trafiquants. Il en résulte une symbiose entre le trafiquant et celui qui en est victime.

L'intérêt et l'inquiétude considérables que suscitent ces questions de traite et d'introduction clandestine d'êtres humains dans des enceintes gouvernementales, intergouvernementales et non gouvernementales, comme dans l'opinion publique et les médias, ont une bonne longueur d'avance sur l'appréhension du phénomène et sur les témoignages concrets qui devraient le documenter. Cela se répercute sur les mesures politiques destinées à lutter contre ce phénomène, qui de ce fait risquent d'être non productives d'effets et qui peuvent aussi avoir des effets secondaires non souhaitables.

L'article commence par un débat sur les principales questions conceptuelles et théoriques auxquelles sont confrontés les chercheurs et les hommes politiques. Viennent ensuite une évaluation des grandes approches théoriques qui ont été adoptées, ainsi qu'une appréciation des connaissances statistiques actuellement disponibles.

L'auteur passe ensuite en revue l'information existante sur la structure organisationnelle des filières de trafic, puis dresse un tableau récapitulatif des caractéristiques des migrants concernés, sur la base des études empiriques qui ont été faites sur le sujet. L'article se termine par la présentation de quelques-unes des principales priorités en matière de recherche.

TRÁFICO Y CRUCE CLANDESTINO DE PERSONAS: UNA PERSPECTIVA EUROPEA

Este artículo examina la prueba empírica del tráfico y del cruce clandestino de personas en Europa. Sostiene que ha surgido un mercado de servicios de migración irregular con mecanismos y formas de organización pocos conocidos. Los migrantes irregulares que recurren a estos servicios se exponen a proveedores de servicios inescrupulosos y a las autoridades de inmigración y policía, por lo cual dependen en gran medida de la salvaguardia que ofrecen las

redes de traficantes. Por tanto, se desarrolla una relación de simbiosis entre el traficante y la persona objeto de tráfico.

El enorme interés y preocupación a que dan lugar el tráfico y el cruce clandestino de personas en organizaciones gubernamentales, intergubernamentales y no gubernamentales, en los medios de comunicación y en la opinión pública, va más allá de la comprensión teórica y de la evidencia factual. Ello tiene repercusiones en las medidas políticas destinadas a luchar contra el tráfico y el cruce clandestino de personas, que probablemente no funcionan y que también tienen efectos secundarios imprevistos.

Este artículo inicia el debate sobre las principales cuestiones conceptuales y de definición con que se enfrentan estudiosos y políticos. Luego analiza las principales perspectivas teóricas que han sido desarrolladas y evalúa los conocimientos sobre las estadísticas actuales.

También examina la información sobre la estructura orgánica de las organizaciones de tráfico de personas y ofrece un resumen sobre las características de los migrantes concernidos, basado en estudios empíricos realizados. Este artículo concluye enumerando algunas de las principales prioridades en materia de investigación.