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TRAFFICKING IN IMMIGRANTS: A EUROPEAN PERSPECTIVE

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Paper presented at the
Colloquium on Cross-border Crime in Europe
Prague, 27-28 September 1999

Subsequent publication: "Trafficking in migrants: a European perspective", in P.C. van Duyne, V. Ruggero, M. Scheinost, W. Valkenburg, *Cross-border Crime in a Changing Europe*, Tilburg University - Tilburg, Institute of Criminology and Social Prevention - Prague, Prague, April 2000

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1 Introduction

This essay, first of all, seeks to answer questions related to the problem of the traffic of migrants in Europe: are there organised criminal groups active in the continent who concern themselves with human trafficking and if so which groups? How do they organise their traffic? Which routes are most widely used in order to perform this criminal activity? These questions will be dealt with under a particular light: while answering them, the author will try to give a framework, though very general, of the role played in these scenarios by Western, Central and Eastern European states, sometimes as sending, sometimes as transit or destination countries. The analysis is also projected towards the comprehension of those which are the most common illicit conducts performed by organised criminals while trafficking migrants.

Since the beginning, it seems noteworthy to highlight a particular point of view under which the phenomenon of traffic in human beings can be analysed and which can explain why in this context the attention of the author is mainly focused on well-organised criminal groups. There appears to be reason to believe that this illegal traffic, when it involves organised criminal organisations, is very dangerous especially because it links an international criminal dimension to a local one. In fact, the more the traffic is organised, the more it seems to exist in illegal circuits that, starting from the traffic of migrants, come to the exploitation of these people in the local criminal markets of the destination countries. It is to say that very often trafficked people, once arrived in their host countries, are pushed by the organised trafficking groups into deviant or criminal markets, such as those of drug pushing,

prostitution, begging or theft, very often as a mechanism for repaying the cost of being smuggled.¹

The second part of this essay sets some guidelines in order to build up a feasible and comprehensive strategy, at the European regional level, to fight the international migrant trafficking. In particular, it suggests to design some country-by-country tailor-made interventions. The devising of such instruments should not only be focused on criminal law but should start from a consideration: some Central and Eastern European countries are the main sending countries or seem to be chosen as transit places from which to gather migrants before moving on towards the West; while Western European countries, on their part, are mainly receivers of illegal migration flow.

2 Organised Crime and the Trafficking of Migrants in Europe

Perceived differences between nations concerning the welfare of citizens is a main factor contributing to migration. Overpopulation, high unemployment rates, ecological disasters, deprivation of civil rights, political prosecutions, and low standards of living, all of these lead some to seek a better life elsewhere. These threats to welfare make for a mobile population and create new opportunities for criminal organisations, which are better suited for offering alternative migration services. Facing these disadvantages and others, thousands from developing countries wish to flee their birthplaces for better lives in industrialised nations. Of course, the industrialised countries are responding to these emigration pressures to suit their own needs, tightening migration policies in times of high unemployment and making them more liberal when a supply of cheap labour is desired. For example, with high unemployment rates across the continent, Western European countries have enacted legislative restrictions on immigration, and this legislation has stemmed the flow of legal migrants and asylum seekers. Unfortunately, since the desire to emigrate has not been affected by these laws, a strong market for

¹ Part of the crimes committed by immigrants in host countries can be referred to as the state of dependence and exploitation in which trafficked people are kept by traffickers who help them, at high costs, to enter the desired destination countries. In order to receive payment, traffickers may force clandestine people to engage in criminal activities. See, on this issue, TRANSCRIME, 1996; Savona, Da Col, Di Nicola, 1997: 154-229; Savona, Di Nicola, 1998.

illegal migration has developed, and criminals (particularly organised ones) have begun to service it. If opportunities have increased for criminals with respect to illegal immigration, it must also be noted that the risks associated with these opportunities have remained uniformly low. In many countries, trafficking in aliens is not even considered a crime and in others it is only lightly penalised.² The situation is verified in some Central and Eastern European nations and, even in the Western European nations, sanctions against human smuggling often do not exceed a two year term of imprisonment and sometimes they simply amount to fines. Finally, law enforcement standards are low in many countries and, combined with high levels of corruption, help to explain the spread of illegal smuggling (Savona, Lasco, Di Nicola, Zoffi, 1997: 8-9).

As a consequence of all this, illegal immigrations represent a huge source of profit for traffickers in Europe as elsewhere. The *International Centre for Migration Policy Development* (ICMPD), considering the fact that in 1993 from 100 to 220 thousand of the illegal immigrants seemed to have used traffickers' services, realistic finds to estimate the overall gain of the trafficking syndicates operating in Western Europe to a sum ranging from 100 million to 1,1 billion dollars. The global profit margin in this criminal sector for one year would have been around 5 to 7 billion dollars (Widgren, 1994: 5-6). For the year of 1996, estimates of the world business turnover for traffickers spoke of 8 billion dollars (Paiva (IOM), 1996: 382). These huge profits are due to the high prices migrants must pay for the services they require. The average cost to reach a European country, for instance, goes from 2 to 5 thousand dollars (with a maximum of 35-40 thousand for Chinese people).

The growing skill and organisation of the illegal traffickers³ is probably the most important development in illegal migration world-wide and is a trend which can also be perceived in the European continent. This does not mean affirming that «amateur» smugglers or less organised criminals do not exist in this context, but surely it means stressing the relevance of large criminal organisations in this process. This is also for the following reason. Taking advantage of the fact that trafficked aliens who make their way to a new country are often quite vulnerable

² For further treatments of this subject, see Belgium, Austria and ICMPD, 1995; Secretariat of the Inter-Governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia, 1995a; Siemens, 1996; IOM, 1998: 20.

³ As far as organisation of traffickers is concerned see Salt, Stein, 1997.

(because of their limited access to legal income and assistance), some criminal organisations make a practice of exploiting these recent illegal immigrants by introducing them into the world of drugs, prostitution, begging, theft. It is often a mechanism for repaying the criminal organisation for the cost of being smuggled. This exploitation is likely to leave the recent illegal immigrant enmeshed in the world of crime, although this involvement may be described best as induced rather than freely chosen. Thus, the high rate of illegal aliens involved in criminal activities in host countries can be understood within the context of the following circuit: trafficking leads to exploitation which leads to induced criminality (Transcrime, 1996: 53-72; Savona, Da Col, Di Nicola, 1997: 191-207; Savona, Di Nicola, 1998).

Because organisation in the traffic in migrants is of essential importance, the analysis that follows will mainly deal with an overview of major European-based organised criminal groups involved in this illegal activity.

In the European continent organised groups trafficking migrants very rarely dedicate themselves to this activity exclusively. It is more likely that they reach this illegal business as a result of the experience built up while performing other kinds of traffics. This happens for, in the European continent, the many criminal groups that can be defined as opportunistic, i.e. able to shift from one illicit activity to another spreading their operative sectors only on the basis of mere opportunistic criteria. Like legal enterprises, these illicit organisations seek to maximise profits (and the traffic of migrants can bring huge ones) minimising losses (and the traffic of migrants implies very few losses). To minimise losses means to minimise the risk of being caught and convicted and having one's goods seized and confiscated. It means, in the case of conviction, to be reasonably sure of being sentenced to a very low penalty. Organised criminals, being good international entrepreneurs, constantly monitor different opportunities and the risks connected with different crimes in the countries in which they act. They especially exploit the legislative loopholes and the low qualitative standard of the law enforcement system in some countries. As the trafficking in migrants is increasingly characterised by organisation, we can note an increased flexibility available to traffickers when choosing their logistic bases and the countries to be used as transit points to reach their destinations. In performing this choice, they draw their attention to those countries where criminal legislation are weak, where police control activity is low

and possibility of connivance with governments is high. The analysis that follows may possibly clarify this idea.

Some routes are preferred by traffickers to take their human cargoes to the economic core of Europe. Every route seems to be linked to specific countries and to some Mafia groups.

The first route was defined for a notable time period as Balkan. It is still alive though its traffickers had to modify their trails and transit countries as a consequence of the events which took and are taking place in the former Yugoslavia and of the increase in border controls along some European areas. The Balkan route crosses Turkey and the Balkan States, usually terminating in Germany. It has various possible patterns. From Bulgaria it is possible to go through Romania and Hungary terminating in Germany or to enter Macedonia or Albania and there make your way to Italy, where you can stay or continue the journey towards the Federal Republic of Germany or other Western European States. Different kinds of criminal groups act in this way; some of them individually and some in a sort of joint criminal venture. It is an area of interest for the Albanian Mafia, the Italian Sacra Corona Unita and, more recently, for the new and dangerous Greek-Turkish-Pakistanis Mafia.

Today there is great concern regarding the Albanian Mafia, for it combines the traffic in human beings with that of drugs and for its ability to keep immigrants in severe conditions of exploitation, once they reach their destination. In Italy Albanians have established contacts with the Sacra Corona Unita, which controls both the distribution and the exploitation of trafficked immigrants all over Italy and the connected drug traffics. Around 250 illegal immigrants (especially Kurds, Pakistani, Iraqi and Chinese, though Albanians are sometimes also involved) are thought to be trafficked to Italy every day. In the summer of 1997 estimates were around 5.000 per week.⁴ The average cost to be transported from the Albanian to the Italian shores is of about 800 US dollars for a foreigner and 400-500 for an Albanian. A further extension of the illegal business of these organisations is represented by the exploitation of Albanian girls in the Italian markets of prostitution⁵ and of children in begging.

⁴ See Italy: New Law, Albania. In: *Migration News. Europe*, vol. 5, n. 3, March 1998.

⁵ See, for instance, Eastern European Newsletter, vol. 10, n. 20, 26 September-12 October 1996, as cited in IOM, *Trafficking in Immigrants. Quarterly Bulletin*, n. 13, Geneva, December 1996; IOM - Migration Information Programme, 1996a; Tantalò, Merzagora Betsos, 1997.

Once again, along the Balkan route a new criminal joint-venture formed by an illegal strategic alliance among Greek, Turkish and Pakistani criminal groups appears to operate in the field of human smuggling. In Italy there have been new testimonies in recent criminal proceedings that allow us to infer the existence of this connection and it may also be supported looking at several press agencies regarding maritime disasters in connection to human traffic if one looks at trafficking routes, passengers' stories and so on. The link among the three criminal organisations can also be thought out taking a look at the increase of illegal immigration between Turkish and Greek borders, that can be illegally crossed either by land or sea.⁶ Istanbul is thought to be a gathering point for illegal migrants, most of all of Asiatic origin. From the Turkish capital some migrants are transported to coastal towns (such as Izmir, Kas, Kousadasi), where they are shipped in boats leading towards the Aegean islands, easily reachable from the Turkish coasts. Other immigrants are packed into trucks or other means of transportation and cross the land borders between Turkey and Greece. The joint-venture among Greek, Turkish and Pakistani criminals focuses its attention on particular ethnic groups (mainly Asiatic, Kurd and Mediorientale people) and it is very powerful and invasive, thanks to its ability to infiltrate the legal systems of their counties and also thanks to its relevant contacts in different European areas. The Greek-Turkish-Pakistani Mafia prefers sea shipments, very often using 'old crock' bought for the purpose⁷: traffickers get migrants to flow from many smaller boats into a bigger one, which transports them over long stretches of water. They are then regrouped into lighter boats to facilitate their landing on destination

⁶ In the last few years diplomatic contrasts between Turkish and Greek authorities have arisen right because of this question. For example, in April 1996, a Greek police patrol boat fired at Turkish fishing boat that was believed to clandestinely transport Iranian refugees towards the Greek territory. Turkey lamented that the Greek action had not taken place in Greek territorial waters, while the government of Athens accused the Greek one of "protecting slaves' dealers", turning a blind eye on traffickers (P.J. Smith, Smuggling People into Rich Country Is a Growth Industry. In: *International Herald Tribune*, 28 June 1996). See also Incidents - Turkey-Greece. In: IOM, *Trafficking in Immigrants. Quarterly Bulletin*, n. 16, Geneva, September 1997.

⁷ A boat of medium dimension costs, at the used boat market, around 50 thousands US dollars and every journey it brings in about one million of dollars (just calculating 250 passengers at an average cost of 4 thousands dollars each). Only one journey is widely sufficient to refund the price of the ship and to be safe from the risks coming from the freezing and confiscation of the good.

shores. The preferred landing points are usually based in Italy, mainly in Sicily or Calabria.⁸ Malta is also used as a sorting point.

The second preferred route is the Baltic route. It spreads from Asiatic countries, through Russia and Baltic states, to Scandinavian countries and, from there, often through Poland, to the core of the European Union. It has been increasingly exploited since the collapse of the Soviet Empire.⁹ The poverty of controls, the inability of an adequate criminal response and the high corruptibility of officers make countries such as Russia, Lithuania, Latvia, Estonia and Bielorrussia strategic crossroads to gain access to richer European countries (Ulrich, 1995). For example, according to the German government (The Government of the Federal Republic of Germany, 1994: 3), the traffic of migrants in Russia¹⁰ has been facilitated by rules on visas and those on entry permits not properly in line with Western European countries' standards and furthermore by the high corruption rate among police officers. The Russian Mafia, which is a clear example of opportunistic organised crime for its ability to adapt itself to new criminal needs and perform new activities, is taking advantage of the situation. Moscow has emerged as a transiting conduit for those illegal migrants wishing to find their way towards the West. An estimate of 300 thousand immigrants, coming from developing countries, is believed to be illegally present in the Russian capital waiting to be smuggled into Western Europe (Ulrich, 1995: 10-11). Several investigations have revealed that Russian criminal groups are also involved in the traffic of women towards Western Europe with their sites set on sexual exploitation.¹¹ As Russian organised criminals usually do for all their illegal activities, also in this case they resort to a network of corruption which includes police officers. Traffickers seem to be often protected by police, by members of KGB and the FSB (the National Investigative Agency) and they can easily falsify – also exploiting this connivance – visas and other documents.¹² There is even evidence that criminals succeed in obtaining authentic

⁸ See D. Frisullo, Buon Natale Clandestino. In: *Narcomafie*, anno V, n. 9, September 1997, pp. 3-5; D. Frisullo, La holding degli schiavisti. In: *Narcomafie*, anno V, n. 9, September 1997, pp. 6-9.

⁹ See, among others, IOM - Migration Information Programme, 1997.

¹⁰ On the traffic in migrants which involves Russia see Center for the Study of Transnational Crime & Corruption at American University, 1999.

¹¹ The traffic of Central and Eastern European women towards Western European countries is a phenomenon that, in the last years, has become more and more alarming, assuming bigger and bigger proportions. See, on this topic, IOM - Migration Information Programme, 1995; 1996; 1996a.

¹² See Caldwell, Galster (of the Global Survival Network) in collaboration with the International

passports of many countries of the former Soviet Union (The Government of the Federal Republic of Germany, 1994: 3).

Traffickers wishing to reach Western Europe also use some Central European countries (such as Bulgaria, Czech Republic, Poland, Romania, Hungary) as transit or gathering points waiting for a further movement. This might happen because of the loopholes or lack of criminal law in these countries¹³ and/or because of their light legislation in the field of visas and/or for the scarceness of border control activities. By controlling the trafficking operations from these nations, traffickers guarantee themselves a substantial impunity. Cities such as Prague and Varsavia (see Salt, Stein, 1997: 475) have become gathering points for many migrants waiting to move towards the West and centres where documents used for trafficking purposes are counterfeited (IOM, 1994: 11). If, for instance, we look with greater detail at the situation in Poland, we see that it is both a sending and transit country in the migrant trafficking scenario, especially as far as women are concerned. «Trafficking in Poland has acquired the character of organised crime proceeding according to the same principles and methods used in the traffic of weapons, nuclear material, cars and drugs, even if on a smaller scale. Criminal rings of four to five traffickers with German-Polish cross-border links sometimes also operate on beside larger trafficking rings. It is precisely the increasingly organised character of the crime that makes traffickers powerful and a threat for female victims, even upon return, dangerous and/or difficult» (Commission on Human Rights, 1996: n. 59).

The Strait of Gibraltar is another gateway towards Europe. It is exploited by African criminal groups that are certainly far less stable than the Russian Mafia or the Turkish/Greek/Pakistani version. Anyway, they represent a real threat for, other than trafficking human beings, they simultaneously dedicate themselves to drug smuggling¹⁴, by inserting trafficked people in the drug pushing markets of the destination countries.

League for Human Rights, 1997: 3-4.

¹³ See Belgium, Austria and ICMPD, 1995; M.A. Siemens, 1996; Belgium, Poland and IGC, 1996. See also IOM, *Trafficking in Immigrants. Quarterly Bulletin*, Geneva, n. 12, September 1996.

¹⁴ From 1993 Spanish officers estimate that about 1.000 people are drawn in the attempt of crossing the Strait of Gibraltar (Illegal Immigration: Spain/Marocco. In: *Migration News. Europe*, vol. 5, n. 3, March 1998). In relation to the traffic from the African continent see D.A. Kornbluth, 1998: 174-175.

At the end of this brief *excursus*, it seems noteworthy to underline the variety of illicit behaviours that can be displaced by criminal networks in the context of the trafficking of migrants. These behaviours indeed go far beyond the simple activity of transporting migrants by breaking the rules related to legal immigration. There is also the counterfeiting of documents, the corruption of public officers, the use of complaisant citizens who aid and abet traffickers by offering food and lodging to illegal immigrants, the exploitation of trafficked subjects once they have reached their destination (in the black labour market, in the prostitution rings, in the drug pushing circle, in theft, and in begging). These illicit behaviours are linked among themselves by what could be defined as «vertical interdependence». A vertical interdependence among crimes arises when organised criminals or other criminal subjects, with the aim of committing a final offence, go through a series of intermediate or instrumental crimes: in order to finalise a crime of particular importance (in terms of effects or gains), a chain of offences is used. It is the classic *modus operandi* of organised criminals: it can be recognised in illicit activities other than the trafficking of migrants and shows that a process of specialisation is occurring in criminal organisations (Adamoli, Di Nicola, Savona, Zoffi, 1998: 16-18).¹⁵

3 Building a Global Strategy at the European Level. Beyond any Harmonised Criminal Law

The analysis thus far carried out allows us to highlight that some Central and Eastern European countries represent preferred starting, transit and/or gathering points for migrants aiming - with the help of traffickers - towards a richer Europe. That is to say that in Europe there are some states - probably the poorest ones - that, more than others, can be considered weak meshes of a protective net that instead should be as uniform as possible.

It might be useful to wonder why traffickers prefer to use one country more than another in order to move migrants or in order to organise trafficking operations from it. The answer to this question is probably quite obvious and seems

¹⁵ Legislator, in the field of the traffic in migrants, such as in other organised crime activities, when using criminal law, should become aware of these interdependencies in the a view of an effective and efficient criminalisation (see next paragraph).

to be the result of a series of factors which are very difficult to analyse in depth in this essay. More specifically, a few of these factors could be: legislative loopholes in the criminal sector, very poor or lacking implementation of legislation which is only just paper, lack of police means or structures, rampant corruption among police forces, very low socio-economic standards. In other words, a country which does not have a criminal legislation regarding the traffic in migrants or which has it, but only formally, or which lacks the resources to display an accurate law enforcement policy or which is very corrupted, is certainly at risk of being exploited by criminal entrepreneurs devoted to illegal migrations.¹⁶ To sum up, in Europe there seems to be a deep gap, at the level of criminal and law enforcement responses, between Western, on one side, and Central and Eastern countries, on the other. At this point, we can also consider that the attention be assigned to the issue of the traffic of migrants by these countries - that have to face far more urgent problems - is probably small. Anyway, another issue should not to be forgotten: rich European receiving countries, on their part, are more rapidly closing their borders, enacting ever more restrictive policies with the final result of fostering the use of traffickers. Western European countries also lack serious structured polices concerning the planning of legal migration flows.

As a consequence of all this, almost every European state seems to have its own responsibilities. This is the reason why, at the European level, it should be understood that the only way to try and tackle this problem is to design a global response, agreed upon by several countries collaborating together to reach a common result. Consequently, in Europe like elsewhere, the most correct strategy against the traffic in migrants would seem to be a mix of prevention and control policies harmonised at the regional level. That is to say rich and poor European countries should perform different but important roles, realising their different responsibilities and their respective areas of intervention. In other words, it is likely that some European countries intervene in the field of criminal law or in that of law enforcement and others from the point of view of admission policies or, more generally, of the reduction of criminal opportunities. It depends on which are the

¹⁶ From the analysis on the phenomenon of the traffic in migrants above carried out, Baltic States and many Central and Eastern European countries have emerged as points of origin, of gathering or of transit of migrants. From these states traffickers control the trafficking operations for they are reasonably sure to have a substantial impunity. The same could go for countries such as Albania or Turkey.

most efficient and effective changes to be undertaken by every single country in order to build up a comprehensive European policy aimed towards reducing the overall phenomenon of trafficking of people at the European level. This assumption is based on the idea that every change in policy, concerning a European country, will influence the global scenario of the continent.

Let us try to analyse the possible European strategy.

First of all, with regard to the criminal field, as much as possible should be done to harmonise criminal legislation and law enforcement strategies among European states. Traffickers should find their roads blocked by a regional wall constructed by standardised criminal law. This means that a similar level of sanctions among all European countries should be reached, with penalties reflecting the gravity of this illegal behaviour. Also the types of crime should be similar, most of all with a look towards improving the level of co-operation in the field of judicial and police matters. This action could be simple for Western European countries, which already possess adequate rules and the main effort should be therefore only that of reaching standard maximum and minimum sanctions. On the contrary, it could be more difficult for Central and Eastern European countries, which have more legislative loopholes. Consequently, in this sector, broadly different efforts should be made by European countries, but harmonisation is the road to be followed, for, until the criminals find a weak mesh in the net, they will exploit it in order to infiltrate the economic core of Europe. Furthermore, in this context, there is another issue that deserves attention, especially when writing *ex novo* or modifying criminal legislation in this field. National legislators should try to design criminal legislation capable of considering the criminal interdependencies which take place in traffics.¹⁷ If, in order to traffic people, criminals corrupt officials, counterfeit documents and, once at destination, exploit women and children, it might be efficient, other than fair, that these further illicit conducts be considered as aggravating circumstances of the main offences, i.e. the crime of trafficking migrants. In this framework, particular attention should also be devoted to the establishment of efficient confiscation systems. In order to pursue this goal, especially in the New Independent States, financial transparency should be seen as a powerful tool to be developed (Global Survivor Network, 1997).

¹⁷ See paragraph 2 in the end.

Criminal law in the book, anyway, is useless if not implemented. Too often we witness laws which are only formally implemented. They represent mere declarations, sometimes enacted only to please the international or the national community. The problem is serious, most of all because of the likelihood that a few of the poorest European countries have little resources to be used in police activity. The only instrument to get rid of this difficulty is represented by police co-operation, first and foremost intended in a sense of material co-operation. Rich European countries should provide poorer ones with the necessary instruments (in terms of resources, technical instruments, competencies) to develop serious law enforcement policies.

In any case, you cannot stop the traffic of people across borders only resorting to criminal law. The issue should be framed in a wider perspective. Of course, the solution also lays in eradicating the causes of mass migrations. But this essay is not the right place to evaluate the effectiveness and efficiency of possible long-period policies aimed at reducing the wealth differential among different countries in the world. In this text, instead, it seems convenient to consider, though briefly, the possibility of inserting, in the various legal systems of European countries, some corrective preventive measures that could support criminal law in the fight against big criminal organisations involved in the traffic of migrants. The aim of these instruments is that of reducing the opportunities for criminals by going beyond penal legislation: in other words these interventions should work *ex ante*, before the commission of offences. It is likely that in the field of these prevention policies, unlike criminal policies, rich European countries should play a prominent role. Here below are a few examples that follow the idea of reduction of opportunities and that can help to gain a more complete understanding. In each example, the countries which should be interested in the particular effort are underlined.

Especially governments of rich European states should enact policies that make would-be migrants aware of the serious risks they face when they trust in traffickers and in alternative licit possibilities of migration they could resort to.

All the countries involved in trafficking routes should act, at the national and regional level, in an effort to reduce the infiltration of organised crime in the legal tissue, doing their best to lessen the opportunities for corruption, most possibly through a system of incentives for public officers, a constant monitoring of their activities and an increase of their qualitative standards.

All countries, but in particularly the wealthier ones which represent the demand, should ‘promote’ the morality of their employers, through tight controls over their professional activities and through incentives which push them to make use of legal work forces. All this in order to reduce the number of entrepreneurs who resort to traffickers as a means of finding low-cost black labour.

All receiving countries - so the richest ones - should try to limit those institutional behaviours which may be defined as ‘factors of social construction’ of deviance and criminality in the sector of migrations (Pastore, 1995). Every state, in fact, through its institutions and its immigration policy, may influence the dynamics of traffic and exploitation of immigrants. So these states should carefully reflect upon their changes to migration policies when they enact them. A few examples may be useful to help clarify this process.

A sudden and unconditioned closure of borders can increase the number of persons asking for traffickers’ services, because of the need for professional illegal migration services.

If a country does not provide irregular residents with a minimum standard of social assistance (an emblematic case could be that of health care), it may be noted that trafficked immigrants will ask these services of the criminal groups who trafficked them. These criminals, on their part, by offering these services, strengthen their control over the illegal immigrants and tighten their grip on them.

Very frequent policies of regulation may foster, in the proximity of every foreseen enactment, huge flows of clandestine people and heavy processes concerning the falsification of documents, with the aim of taking benefits from the regulation process. Traffickers will exploit this opportunity if it is given.

All these behaviours should be limited.

To summarise, it is up to every single country to evaluate the modifications or implementations of its criminal law, its police control strategy and its policies pointed towards reducing opportunities for criminals, but only a mix of prevention and control, thought and harmonised at the regional level, may be considered an accurate response to this, as with many other, criminal problems. So what seems to be essential is that all the necessary reforms are carried out in agreement with all the European states, attempting to design tailor-made policies for every country, such that, though the single national contributions are different, the overall framework will be effective. Given that we are facing a common problem, it is useless - other than dangerous - to play ostrich. Shared responsibility and joint

actions are, therefore, once again the keywords in the fight against the traffic of human beings.

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ABSTRACT

This essay, in its first part, seeks to give a general picture of the traffic of migrants in Europe, trying to describe the criminal organisations involved in this illegal activity in the continent. The attention is mainly oriented towards the comprehension of how criminal groups organise their traffic: the article considers the most common illicit conducts performed by organised criminals while trafficking migrants and the most widely used routes. The first part also aims at highlighting the different roles played in these scenarios by Western, Central and Eastern European states, sometimes as sending, and other times as transit or destination countries.

The second part of this essay sets some guidelines to build up a feasible and comprehensive strategy, at the European regional level, to fight the international traffic in migrants. In particular, it suggests to design some country-by-country tailor-made interventions. These instruments should keep into account the different roles played by different European countries in the trafficking process and should not only be focused on criminal law.

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