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Illegal Immigration, Human Trafficking, and Organized Crime

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Abstract

It is important to make a careful distinction between illegal immigration, human smuggling, and human trafficking which are nested, but yet different concepts. This distinction is relevant because these different categories of the illegal movement of people across borders have quite different legal and political consequences. Human smuggling and trafficking have become a world-wide industry that 'employs' every year millions of people and leads to the annual turnover of billions of dollars. Many of the routes and enclaves used by the smugglers have become institutionalized; for instance, from Mexico and Central America to the United States, from West Asia through Greece and Turkey to Western Europe, and within East and Southeast Asia. More often than not flourishing smuggling routes are made possible by weak legislation, lax border controls, corrupted police officers, and the power of the organized crime. Naturally, poverty and warfare contribute to the rising tide of migration, both legal and illegal.

In general, illegal migration seems to be increasing due to the strict border controls combined with the expansion of the areas of free mobility, such as the Schengen area, and the growing demographic imbalance in the world. The more closed are the borders and the more attractive are the target countries, the greater is the share of human trafficking in illegal migration and the role played by the national and transnational organized crime. The involvement of criminal groups in migration means that smuggling leads to trafficking and thus to victimization and the violation of human rights, including prostitution and slavery.

Keywords: illegal migration, human smuggling, human trafficking, organized crime, states, borders

JEL classification: F22, I31, J48, J83, K42

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1 Concepts and categories of migration

Human migration has been and still is intimately connected with the transformations of the world economy. Mass migrations were a common phenomenon in pre-modern world politics in which they shaped the fates of empires and entire civilizations. Only in a rather late historical phase, the rise of territorial and national states started to impose constraints on migration flows (Koslowski 2002).

The national borders continue to restrict international migration, but it may be that the process of economic globalization and the gradual decline of the territorial state are now accompanied with the growth of migration. In 2001, there were an estimated 175 million people living outside their country of birth; since 1975, the number doubled. Most immigrants were living in Europe (56 million), followed by Asia (50 million) and North America (41 million). In developed countries, every tenth person is a migrant, while in developing countries one out of seventy persons has this status (International Migration 2002; *The Economist* 2002a).

Illegal migration is a subcategory of international migration. Its distinguishing feature is the legal status that is defined by the rules adopted by national governments and intergovernmental organizations. The illicit status of migrants also has consequences for the mechanisms of cross-border movement and the personal position of migrants. In other words, illegal migration cannot be separated either from the larger dynamics of the global economy nor the policies pursued by governments. Thus, although legal and illegal immigration differ in many crucial respects, they are both located at the interface of international economic and political systems.

Licit and illicit aspects of international migration can be depicted as a set of concentric circles. The largest circle covers all aspects of international migration, including illegal migration. Human smuggling is a special case of illegal immigration, while human trafficking is a subcategory of smuggling. Official definitions of these concepts are provided by the *UN Protocol against the Smuggling of Migrants by Land, Sea and Air* and the *UN Protocol to Suppress and Punish Trafficking in Persons, especially Women and Children*. The Protocols are supplements to the so-called Palermo Convention or more specifically the *UN Convention on Transnational Organized Crime* adopted by the UN General Assembly on 15 November 2000 (UN A/55/383).

The Protocols define smuggling as ‘the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State party of which the person is not a national or a permanent resident’. In that sense, the smuggling of individuals violates the rights of the state, while human trafficking amounts to the violation of human rights. Trafficking refers to the ‘recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose exploitation’. The main forms of exploitation are prostitution, forced labour, slavery, or the removal of organs.

2 Migration, organized crime, and the illicit economy

Illegal immigration, including human smuggling and trafficking, is but an element of the larger problem of organized crime and the illicit global economy. Organized crime refers to subnational and transnational corporate agencies that operate systematically outside the purview of law with the intention to turn in profits for its members, especially the leaders. Organized crime is obviously illegal in nature, although it may have diverse connections both with the state agencies and legal markets.

It is useful to make a distinction between two key activities of organized crime groups; trafficking of illegal goods and the provision of protection and enforcement services, usually to other criminal businesses. The Russian case shows how the agencies (the 'mafia') selling the use of force for protection tend to form the core group of the criminal world. On the other hand, the position of organized crime involved in, say, marketing contraband has a more ambiguous position. The centrality of mafia-type organizations in Russia hinges on the fact that their activities compete directly with a key function of the state, the monopoly of force (Varese 2001: 4-6; Volkov 2002: 21-23).

However, even in the Russian case, one should not exaggerate the domestic protection function as the mafia is also extensively involved in transnational activities. In fact, organized crime has, in recent years, become more diverse in scope, more pervasive in its actions, and much more transnational in its reach. In sum, the 'transnational criminal today tends to be active in several countries, going where the opportunities are high and the risks are low' (Williams 2001: 58-60). Not unlike terrorism, the transnational organized crime makes efforts to benefit from the weak legal and bureaucratic capacity and flawed politics of weak or failed states (Williams 2002: 169-74).

Organized crime is a moving force of the illicit global economy that consists of transnational movements of goods or the type of activities criminalized by states touched upon by these transactions. Illicit global economy is a more narrow concept than, for instance, the underground economy or clandestine economy whose size is thus bigger and the mixture of illicit and licit elements is different. However, not even the illicit economy operates entirely on its own but it interacts in a number of ways with the licit economy and public agencies (Friman and Andreas 1999; for a descriptive analysis of the illicit global economy, see Naylor 2002).

Indeed, the illegal and clandestine movement of people across national borders cannot be separated from their governmental control and law enforcement. Migration becomes very easily a deep political issue. Politicians tend to 'securitize' migration, and in particular illegal immigration, as a risk for the state which is regarded 'as a body or a container for the polity'. Immigration is often perceived as a danger for the integrity of the state and the nation, and thus a challenge to the principle of their sovereignty (Bigo 2002: 66-68).

The sovereignty principle accords to states metapolitical authority to criminalize specific transnational activities and enforce provisions concerning them. However, states have seldom adequate capabilities to fully enforce restrictions on criminal activities, that is, their sovereignty is incomplete. This creates particular problems in areas where the market demand for illicit activities is high. 'The gap between the state's metapolitical authority to pass prohibition laws and its ability to fully enforce such laws

is the space where clandestine transnational actors operate' (Friman and Andreas 1999: 9-11; see also Williams 2002).

A political economy approach to human smuggling would regard people as commodities; people are moved illegally for a payment across borders because they have profit value for the smuggler whose start-up costs in the business are small. People in traffic are often also in demand in the recipient country, primarily to fill gaps in the employment structure that needs cheap, irregular labour. In addition, the migrants turn themselves, often voluntarily, into transportable commodities because they expect to fetch in the target country a better price for their work. This creates a growing 'migration business' that has both legal and illegal elements. In fact, one may say, somewhat sarcastically, that people are a good commodity as they do not easily perish, but they can be transported over long distances and can be re-used and re-sold (Salt and Stein 1997; Ghosh 1998: 21-23; Findlay 1999: 75-77; Williams 1999).

The focus on the economic models and business operations of illegal migration has its analytical merits, but it also distorts the reality in some significant ways. First, it abstracts the social and political environment in which the trafficking of the human beings takes place and overlooks the conditions and policies that fuel it. Second, the business or commodity approach pays inadequate attention to the exploitative aspects of human trafficking which deprives its objects of any legal protection (this aspect was explored early on by Warzazi 1986). Third, human smuggling gives routinely rise to all kinds of human rights violations that both traffickers and authorities have been known to carry out with impunity.

Obviously, in the international system of completely open borders, illegal population movements were a conceptual oxymoron. In a more specific way, one can say that the nature and degree of the border control shapes the patterns of their crossing; the more coercive and stricter the control, the more difficult it is for the undocumented migrants to enter the country (Kyle and Dale 2001: 30-31).

This does not necessarily mean that the number of such migrants is reduced as a result, but that their border crossing becomes more costly and perilous. The experiences on the US-Mexican border show clearly how enforcement and smuggling have developed almost in a symbiotic relationship; each law enforcement move has provoked a law evasion countermove, which in turn has been matched by more enforcement (Andreas 2001: 122). The result is often a cat-and-mouse game between the smugglers/traffickers and the law enforcement officers. The US-Mexican border provides also evidence on how Operation Gatekeeper and other crackdowns have put migrants in more peril as they try to enter the United States (Zeller 2001; Sanchez 2002).

In other words, illegal migration flows and state policies interact with each other; state boundaries and the intensification of their control by bureaucratic and paramilitary means increase the costs of entry to the migrants. To be able to cross the border, illegal immigrants may need the help of professional smugglers and their assistants. The rise of entry costs and the growing size of groups mean, in turn, higher profits for the smugglers.¹ In sum, both the restrictive policies adopted by states and specific actions

¹ The reality is revealed by an incident on the Mexican-US border. A truck driver sought to smuggle to the United States 94 illegal immigrants from Central America. He was caught and now serves time in

undertaken by the smugglers and traffickers affect the way in which the migration potential is actualized in international relations (Teitelbaum 2001: 26-28). On the other hand, there is a variety of proactive and preventive policies by which the immigration flows can be regulated (Ghosh 1998: 146-76).

In addition to facilitating cross-border movements, the Schengen Agreement has its own adverse effects. It has tightened up the outside borders of its parties driving some cross-border activities underground and illegal immigrants to the hands of the smugglers. At the same time the attraction of the Schengen area has increased; if a migrant is able to enter into the area, it is much easier to move around to other countries. This expands the scale in which the migrants are able to search new opportunities (*The Economist* 1999). The free mobility of people within the Schengen area has not been yet matched, however, by the EU harmonization of legislation pertaining to immigration and asylum.

3 Migration, smuggling, and trafficking

As noted above, illegal immigration, smuggling, and trafficking are nested concepts. They all share the illegal character of the entry to a country, but they are quite different in terms of the specific economic intentionality and agency issues involved. Illegal immigration concerns voluntary transactions that are supposed to benefit both the immigrant, his employer (a factory, a farm, or a shop), and the third party (a temporary employment agency, a smuggler, or a corrupted policeman).

Illegal labour flows are often countenanced by the target country as its economy needs the immigrants (and they are absorbed in the existing ethnic and family networks). There are even organizations that shelter illegal immigrants providing them with humanitarian and legal assistance. For these reasons, illegal immigration can be, in reality, semi-legal and regular, and even tacitly accepted by the authorities.

The main intentionality behind illegal migration flows is economic in nature; people move across borders because of the income differentials, in the hope of a more gainful employment. This does not mean, of course, that the regularized illegal immigration is without problems.² On the contrary, the migrant workers are often paid lousy wages, their housing quarters are overcrowded, they receive hardly any health care services, and, in the absence of unions, labour laws are routinely violated. The working and social conditions of the immigrant labour has received a lot of attention, especially in the ILO. In general, the human rights of migrants have been gaining increasing attention in international debates (Mattila 2000).

an overcrowded Mexican prison together with 4,000 other prisoners jailed on charges of immigrant smuggling. The driver was promised US\$11,000 for the one-time operation which is a considerable sum for a person whose weekly income is US\$400 which is very good by Mexican standards (Thompson 2001). If we estimate conservatively that each migrant paid US\$700, the organizers pocketed about US\$54,000 even when the operation failed. In Central America, over 300,000 migrants annually smuggled to the United States are handled by several hundred independent smugglers who often cooperate with the travel industry (US Government 2000: 47-48).

² Ghosh (1998: 1-6) speaks of 'irregular migration' when referring to various aspects of illegal immigration. A problem with this concept is that much of the 'irregular' movement of people is rather well planned and repetitive action.

As a rule, labour migration has been modelled as a market transaction determined by the supply and demand without considering the political economy of emigration (Ghosh 1998: 34-43). However, regularized labour traffic may be sponsored by ‘migrant exporting schemes’, to use the term by Kyle and Dale (2001). In such schemes there are agencies on the sending side that recruit and finance customers for the smugglers who assume the task of taking them across the border. This has been called the ‘mobilization phase’ of the human smuggling chain (Salt and Stein 1997: 479-81).

The exporting schemes may become human commodity chains that start from a local village and involve several intermediaries before the destination is reached. One careful study identifies seven different types of roles in a smuggling operation which may require several years to be completed (Icduygu and Toktas 2002: 35-45; see also Salt 2000: 44-45). These intermediaries are usually professionals, often small entrepreneurs, and they do not need to be members of any centralized crime syndicates.

The exportation of migrants is frequently initiated by the local entrepreneurs or elites who have connections with the smugglers and foreign employers. The ‘en route’ phase of migration and smuggling schemes can differ significantly in terms of its duration, mode of transportation, and the degree of control, and of responsibility, that the smugglers have over their customers (Salt and Stein 1997: 481-83). For all these reasons, it is justified to characterize at least a part of the human smuggling and trafficking as a ‘network of locals’ rather than an ‘international mafia’ (Icduygu and Toktas 2002: 45-47; Salt 2000: 42-43).

Exports of the human labour can be contrasted with ‘slave importing operations’ in which vulnerable people become a prey to big-time criminal operators. In these operations, these people are transported *en masse*, either clandestinely or by the help of the bribed officials, to work in prostitution, plantations, sweatshops, or mines. The key feature of such an operation is that the migrants lose their freedom and may become bonded labour and live in servitude (Kyle and Dale 2001). History knows several of such slave importing operations by which people are moved by the millions from, for instance, Africa to the United States and from India to South Africa, Fiji, and other places where labour force was needed in mining and agriculture (Cohen 1997: 57-79).

Both schemes described above may involve human trafficking, but their practical and moral character differs significantly from each other, the slave importation scheme being worse of the two. When in illegal migration the goal is to just find employment, the person moving has at least a modicum of freedom to decide whether he or she wants to leave the country for a foreign destination. On the other hand, in slave trade there is no such choice as it specifically targets those who are weak, vulnerable, and deprived in the society (Bales 1999: 10-11).

4 Human trafficking

The Protocols of the Palermo Convention make a clear distinction between human smuggling and trafficking. The latter refers to a process in which illegal and coercive means are used both in the smuggling of the victims and subjugating to an unfree or abusive status in the destination. Trafficking can be considered a form of international business (Salt and Stein 1997: 470-71) which means that its borderline with human

smuggling becomes blurred (Helminen and Kirkas 2002: 21-22). The dilution of this borderline underestimates, however, the human rights violations that are involved in human trafficking (UNICEF 2002: 2-4 and *passim*).

As a result, human trafficking is usually regarded as a nasty and repulsive business that receives almost universal moral condemnation, while illegal immigration, and even human smuggling, are understood because of the economic and humanitarian motives involved in them. The reason for this difference is that in human trafficking, the focus is on the smuggler who is a criminal benefiting financially not only from the act of smuggling, but also of the 'end use' of the victim. An illegal migrant is only a person who wants to improve his lot in the world, albeit by means defined as illicit by governments.

Yet, illegal immigration and human smuggling, and even trafficking, are interrelated and result in a 'terrible paradox' as Miller (2001: 321) points out. The problem is that the more strictly the laws of immigration against the illegal entrants are enforced, the more sinister forms of criminality are used in human trafficking to overcome the barriers that are needed for making a profit. Ultimately, the intensity of violence associated with the smuggling of human bodies and body parts has increased because of the 'aggressive extension of market values on the bodies of the vulnerable' (Truong 2001: 11-14).

In other words, the higher the barriers of entry to an attractive target country are, the more complex becomes the methods and morality of human smuggling. The critical variable seems to be the interaction between the governments and organized crime syndicates. Phil Williams points out that 'organized crime both threatens states and exploit states'; it undermines the legality of states, but also uses its powers by corrupting the officials and thus increasing its own profits (Williams 2002: 164-65, 174-78). Corruption is, indeed, a central element in human smuggling and trafficking because it makes it easier to get the migrants across the borders.

Illegal immigrants may, of course, enter the country on their own, but often they need assistance by the professional smugglers bringing them in clandestinely. The interaction between authorities and smugglers/traffickers is more direct and corrupt when the latter provide the immigrants with fraudulent documents – such as passports, visas, and job letters – or bribe the immigration officials. Belgian passports are notorious for their frequent use as impostor documents. There are several known cases in which the consulate officials of a country have been selling visas to the would-be migrants for a hefty fee. It is not at all unusual that travel agencies also participate in such operations.

A special case is in this context the story of children sent by their parents through smugglers/traffickers to Western Europe in the hope that they will also be provided, in the wake, with the right to asylum. This practice is particularly common in Somalia where each month some 250 children are sent out with parents paying up to US\$10,000 to get their teenagers, but sometimes only four to five year olds, out of the country. These 'unaccompanied' children may end up with a decent life with their relatives, but they may be also abandoned to prostitution and domestic slavery (www.irinnews.org/webspecials/Somalichildren, 19 January 2003). In France, young unaccompanied immigrants often evaporate from the official bureaucracy and end up in very diverse conditions. There is only one reception centre for underage immigrants (Tervonen 2002).

In 2001 a total of 461 and in 2002 a total of 550 unaccompanied children came to Sweden, while in 1999 the figure was 236. The entrants were mostly kurds from Northern Iraq, but they came also from Somalia, Serbia, and Afghanistan. Swedish documentation shows that in most cases, these children are assisted both by ethnic networks and smuggling rings whose concern is money rather than a safe journey of their 'customers' (Kihlström 2003a; Kihlström 2003b).

It is commonly assumed that the role of the organized crime syndicates is pervasive in illegal migration. However, many comments tend to confuse illegal migration and human smuggling/trafficking with each other which is less than helpful (this is done even by *Global Report 1999: 223-25*). In addition, empirical evidence points in a somewhat different direction; while organized crime is certainly involved in many illegal human transfers, they can also take place without the criminal contribution. Moreover, many smuggling rings are more like small enterprises run by a group of relatives or acquaintances.

If they are involved, crime syndicates tend to be dominant in human trafficking which often requires the control of the entire migration cycle, while in smuggling the main task is to take the person across the border for a profit. Human trafficking may combine smuggling with other types of criminal activities, such as drug trade and prostitution, which is possible because of the resources and networks controlled by the organized criminal groups. In many cases they are tied together by ritual kinship relations that reaffirm their fraternal and operational commonalities (Paoli 2001: 94-99).

For their operation, criminal networks become especially relevant in the recruitment process in which the trafficker needs local contacts to find, either personally or through media, new victims for the business. Human trafficking often involves coercion and violence that are, however, hardly effective means in the recruitment phase of the process. More important is the social access to the local communities and their willingness to provide human raw material for trafficking because without that material the business would dry up (Koslowski 2001: 347-49; Truong 2001: 16-18).

5 Transnational mobility and borders

The relatively closed nature of political borders can be contrasted with the increasingly free movement of goods, capital, and technology across borders. With the exception of the European Union and few other cases, where labour can move freely from one country to another, most people are contained by the current international regime within the national borders. This also means that most workers continue to produce for the international market primarily from their home base. Capital and technology are much more mobile than productive activities per se. This creates a stark contrast between the global mobility of the rich and the immobility of the great majority of the poor (this contrast has been stressed by Bauman 1998).

An additional factor is that much of the transnational mobility of the elite is licit by its nature; tourism, business trips, and temporary residence or even multiple residences in foreign countries. True, the masses also have an access to legal routes of migration, though such migration has now become quite limited compared with the open embrace of the immigrants for some one hundred years ago in the United States and in the

immediate post-Second World War period in Europe. In the 1950s and the 1960s, especially in Germany, Sweden, and Switzerland, the liberal immigration regime was due to the need of the semi-skilled labour force in the Fordist manufacturing system. These migration flows followed methodically the expansion of the industrial core of the world economy (Morawska and Spohn 1997: 25-38).

Thus, in recent history, large-scale migration has been associated with the expansion of the mass industrial production. Due to the demand for the labour force, immigration to Western Europe was mostly kept legal and even assisted by the recipient countries. The shift to more capital- and technology-intensive modes of production has significantly reduced the need to import labour from the (semi)peripheral countries. Instead, we find that capital is searching for new sites of production in which the combination of the costs and the productivity of labour is in the right proportion to relevant economic and political variables. These factors include the access to the global and regional markets and the character of the governmental policy. An implication of this business logic in the core is that it is everybody's interest, both for economic and political reasons, to keep the peripheral labour force where it is now, that is, in the periphery.

These observations lead to an intriguing question whether the globalization of capital is associated with the erection of economic and political barriers to the free flow of labour, especially between the periphery and the centre. The elites and masses of the core prefer to confine the exploitation of the low-paying labour force to the periphery. This barrier is often legalized and reinforced by the core governments, for instance, by closing the border for migration and imposing employer penalties (for an early analysis of this tendency, see Cohen 1987).

It has been often noted, though, that in industrialized countries, the penalties to import and employ illicit labour are weak and they are enforced in a haphazard manner. However, in recent years, the control of borders has become stricter largely because of the political backlash that the inflow of immigrants and refugees has fostered in several European countries. In reality, the issue is about the crisis of the asylum policy that represents both the complexity of the new challenges of the new immigration and the ineptitude of the EU governments to deal with it (on the British situation, see *The Economist* 2003).

In sum, the licit flow of both unskilled and even skilled workers is now increasingly regulated by the core states, although the United States continues to be a partial exception in this regard. Core economies prefer to admit specialists, primarily in information and biotechnology industries, who can add value to innovative and productive activities and thus contribute to national competitive positions in the world economy. Less skilled workers do not fit this economic image and they are excluded, to the extent possible, by the core from the present immigration regime.

Brain drain from the periphery to the core has existed for ages, but it seems to be today more pronounced, and more selective, than before. While in the past, the university students could receive their basic education in decent colonial institutions, now they have to leave much earlier for Britain, France, and especially the United States to claim their springboard for the future.

Restrictions of movements are not limited only to the core, but they are used also in the semiperiphery. Malaysia's recent crackdown of foreign workers is a good example. It

has now an estimated 800,000 legal and one million (some say 600,000) illegal foreign workers, most of them unskilled labourers from Indonesia. By now, half of the illegals have been deported and those caught after the grace period of four months will receive five years in prison and six strokes of a rattan cane. The motive of the government crackdown is mostly economic; by expelling the illegal foreign workers, it wants to save the remaining jobs for the locals and promote more capital-intensive industry instead of relying on imported cheap labour (*The Economist* 2002b; *The Economist* 2002c).

Occasional expulsion of foreign workers does not, of course, eliminate various low-paid and risky jobs in the core economies. Immigrant labour continues to be in demand simply because the prevailing polarized labour market needs underpaid workers, especially in the service sector. In addition, there are dirty and dangerous jobs that the locals try to avoid. Yet, to my knowledge, not a single industrialized country has a specific regime to admit labourers from (semi)peripheral countries for menial jobs. Immigrants and refugees may end up in working in such tasks, but this is seldom the stated purpose of admission to a country. In part, this is due to the resistance of the trade unions which, if they accept immigration at all, demand equal wages and treatment for the foreign workers.

Legal immigration and asylum are, of course, still available options, although they are in many ways restricted. UNHCR has estimated that during 2001-02 the number of asylum seekers in 28 industrialized countries dropped by 12 per cent. This reflects a common tendency to close borders, though it is by no means universal. In the EU, Austria, Denmark, France, Germany, and Sweden admitted in 2000 fewer asylum seekers than in 1990, while the absolute figure had grown in Belgium, the Netherlands, and especially the United Kingdom. This variation in national statistics cannot remove, however, the fact that in most of these countries have experienced an anti-immigrant backlash (Graff 2002).

Some countries, such as Australia, have adopted especially strict policies vis-à-vis the asylum seekers. The number of immigrants and refugees that Australia admits has steadily declined since the 1970s. The Howard government gained notoriety in August 2001 when its troops stormed a Norwegian ship 'the Tampa' transporting over 400 Afghan refugees whom the ship had rescued from a sinking Indonesian ferry.

The government refused sternly to accept the asylum seekers to the Australian territory; they became a test case for the determination of the government to keep illegal immigrants out of the country. The Afghans were turned, instead, to Christmas Islands and, later on, to New Zealand and Nauru to which Australia is providing funds to sustain the refugees. These moves were prompted by domestic politics, in which the Howard government was campaigning against One Nation, a rightist anti-immigrant party, but they reflect also a general anti-immigration tendency in Australian politics (Marsh 2001; *New York Times* 2001).

6 The European Union

In the European Union, the migration issues have recently dominated the political agenda. As early as February 1997, the Council adopted a joint action to combat the trafficking of human beings and sexual exploitation of children (97/154/JHA). A more

comprehensive process was started in the Tampere European Council in October 1999. Its presidency conclusions reflect well the duality of the EU's approach. On the one hand 'it would be in contradiction with Europe's traditions to deny freedom to those whose circumstances lead them justifiably to seek access to our territory'. This liberal principle was complemented, however, by the protective one; the 'common policies of asylum and migration' must provide 'consistent control of external borders to stop illegal immigration'. The Council paid particular attention to the need to tackle illegal immigration at its source (Tampere European Council 1999).

The Tampere decisions were followed up by the Seville European Council (2002). The meeting aimed to speed up a common policy on asylum and immigration to integrate it with the Union's policies with the third countries. By using resources earmarked to trade expansion, development assistance, and conflict prevention, the EU should aim with them at the joint management of migration flows, including compulsory return in the event of illegal immigration. The 'integrated, comprehensive and balanced policy' should also lead to the coordination of the visa regime and the establishment of repatriation programme.

In July 2002, the EU Council adopted a Framework Decision on Combating Trafficking in Human Beings that defined common guidelines for the jurisdiction, the nature of offences, penalties, and sanctions pertaining to the human trafficking. The original aim of the Decision may have been ambitious, but the results remained limited as it was confined to 'the minimum required'. The minimum standard had to be enforced by member states by 'effective, proportionate and dissuasive criminal penalties, which may entail extradition' (European Union 2002). So far, the penalties for human traffickers have varied between countries, but they have been mostly quite lenient that has drawn organized crime in the business, in part from drug trafficking in which penalties are higher (Moore 2001).

The migration issues have gained new urgency due to the decision to admit to the Union in 2004 of several new member states. Fears have been growing that citizens of the new members start moving in great numbers to the territory of the present EU. The immigration question has been also put on the political agenda by the nationalist-populist backlash against previous liberal immigration policies. In recent years, the immigration issues have shaped domestic politics especially in Austria, Denmark, France, Italy, and the Netherlands.

A coalition of EU member states has decided to make a more forceful move against illegal immigration. Starting in 2003, Britain, France, Greece, Italy, Portugal, and Spain have established two joint naval patrols; one in the Mediterranean and another around the Canary Islands. The EU Council approved Operation Ulysses in September 2002 and it may form in the future an element in the common EU border guard. The task of the patrols is to intercept vessels that are assumed to carry illegal immigrants and take them to the nearest harbour.

It is estimated that the EU countries accept annually some 680,000 legal migrants from outside the Union. Rather than promising to increase the chances of legal immigration, the EU is putting more emphasis on preventing illegal immigration and integrating existing immigrants in the society. It has also taken measures to return refugees to countries, such as Bosnia and Afghanistan, which are considered now safe for them. The level of the legal migration can be compared with the estimated half a million

illegal immigrants in the EU area who enter there each year primarily from North Africa, the Middle East, and Eastern Europe.

In a sense, the problem of illegal immigration is a result of political hypocrisy; governments ban or restrict the inflow of people who either deserve humanitarian protection or are needed to sustain current economic activities. The common idea that an economy and its labour force can survive in fierce international competition by continuously ratcheting up its productivity and innovative activities neglects the simple fact that in every industrial country there are pockets of economic activity that can be maintained only by having access to cheap labour. In addition, the demographic trends in Europe and Japan make it necessary to start importing foreign labour in increasing numbers in order to replace the graying population and provide adequate services for it.

7 The scale of human smuggling and trafficking

The exact number of illegal immigrants is impossible to know. This is not only due to the clandestine nature of the operations, but also the lack of common international standards about what does 'illegal' exactly mean. The estimates become even murkier if one adopts concepts such as 'irregular immigration'. The standard, and inexact, procedure is that the magnitude of illegal immigration is estimated on the basis of the number of border apprehensions (Salt 2000: 39-41). Official estimates indicate that in 1992 a total of 3.3 million irregular migrants have entered the United States, but the current estimates are much higher, usually between 6-7 million. In Japan, there were in 1994 some 300,000 irregular immigrants, while for the European Union a figure of three million irregulars is often quoted.

In the middle of the 1990s, an estimated 250-300,000 illegal migrants plus 700,000 asylum seekers arrived each year into Western Europe. Traffickers were used by 10-22 per cent, that is, 100-220,000, of these illegal entrants. By the end of the 1990s, the annual number of illegal immigrants entering the EU has increased to about half a million. However, the range of estimates for individual member states is usually so large that any total figure for the illegal immigrants is at best a poor reflection of the reality. One reason for the poor quality of data is that the definitions of the key concepts in illegal migration are poor; this concerns especially human smuggling and trafficking (Ghosh 1998: 9-13; Salt and Hogarth 2000: 31-34; Salt 2000: 37-39; *The Economist* 1999: 32).

The data problem is reflected by the fact that the estimates on the number of illegal immigrants in Germany vary from 0.5 to 1.5 million people (some 100,000 people are smuggled into the country each year, mostly through the Czech and Polish borders). In the Netherlands, there are an estimated 46,000 to 110,000 illegal immigrants, while in France the corresponding figure is said to be 400,000 (Cowell 2002). A recent estimate is provided by the US Department of State which has monitored human trafficking since 1994. It concludes that some 700,000 persons, especially women and children, are trafficked world-wide each year. Among them, 45-50,000 are smuggled illegally to the United States which figure seems to be on the low side.

In Europe, 1,500 women are said to be trafficked for prostitution in the United Kingdom each year and the total number of people smuggled in is, of course, much higher. In the

EU, in 1999 Belgium prosecuted 429, Germany 176, Italy 500, and Spain 1008 cases of human trafficking. Although these figures cannot be strictly compared, they reinforce the general impression that the South European countries are most exposed to human smugglers operating across the Mediterranean and the Aegean Sea (US Department of State 2001).³ Greece alone is assumed to have more than a million illegal immigrants, mostly from Turkey, Albania, Iraq, and Romania. The figure seems high and perhaps the figure of 300,000 illegal immigrants is closer to the truth (Cowell 2002).

8 The smuggling and trafficking routes

Illegal immigrants enter Europe from well-known sources where political and social structures are fragmenting, the economy is deteriorating, laws are incomplete and poorly enforced, and criminal networks involved in trafficking are permitted to operate. The routes used for smuggling and trafficking people to Europe are not exactly clandestine in nature; they can be mapped quite well combining various types of materials available. These routes overlap, in part, those used to smuggle drugs, cigarettes, and stolen cars (for maps of smuggling routes, see Fabre *et al.* 2000).

Turkey is one of the main gateways to Europe for immigrants from Iraq (especially Kurds), Iran, Afghanistan, and many other Asian countries, including China. The number of smugglers arraigned in Turkey has risen from about one hundred in 1998 to 850 in 2000, while the number of illegal immigrants detained rose from 11,400 in 1995 to 29,400 in 1998, and to 94,000 in 2000. The increase in numbers has been said to show that Turkey, as a putative member of the EU, is taking the problem of human smuggling seriously. In 2001, 23,400 of the apprehended persons came from Iraq, 8,500 from Afghanistan and Iran each, and 8,300 from Moldova (Icduygu and Toktas 2002: 26-35).

These figures hint that, in recent years, a major expansion in human trafficking from Asia through Turkey to Europe has taken place. The smuggling routes go either overland to Bulgaria and Greece, and from there to Albania, Macedonia, and Bosnia, or directly by sea to Greece. In Italy, the destination is more often than not the open coast of Apulia in its southeastern corner. This area can be easily reached by speed boats from the other side of the Adriatic Sea from which the shortest distance is some 60 miles. In 1997 alone, in the province of Lecce in Apulia some 20,000 illegal immigrants were caught by the police. Most of them came from Albania (40 per cent), from the former Yugoslavia (24 per cent), Iraq (23 per cent), and Turkey (8 per cent) (*The Economist* 1999: 32).

Previously, smugglers crossing the Adriatic Sea used small boats but the growth in the traffic has made possible for them to rent dilapidated cargo ships that can take as many as 1,000 passengers for a treacherous and sometimes deadly journey. The migrants usually pay US\$1,000 to US\$3,000 for the smugglers depending on the route used. It is not unusual that the migrants are cheated of their money and left stranded in an

³ The State Department prepared the report as a response to the Victims of Trafficking and Violence Protection Act of 2000 (PL 106-386) passed by the Congress in 2001. The report divided the countries into three tiers depending on how closely they comply with the minimum standards defined in the Act.

unfamiliar place or, even worse, in the sea (Moore 2001; Finkel 2001a). Perils for the passengers are probably even worse in other parts of the world; for instance in 2001, a small wooden Indonesian ship on its way to Australia, carrying Middle Eastern asylum seekers, sank taking some 300 people with it (Mydans 2001).

A key argument of the so-called critical geopolitics is that the nature of space has been transformed in a major way; the territorial conception of space is complemented by spaces that are defined by various economic, legal, and symbolic markers. They represent 'emerging spatial forms' that the disjuncture between the territorial system of nation states and the spatial structure of the global economy is creating (Agnew and Corbridge 1995; see also Väyrynen 2003). This disjuncture is characterized by various networks, gaps, and enclaves.

Turkey is an example of a *juridical enclave* which has lacked so far appropriate legislation and enforcement mechanisms which permit the human smuggling business to flourish. Such an enclave cannot usually exist without *social enclaves* in which ethnic and other networks help the immigrants to find right contacts and even assume new identities. Juridical enclaves are established by the governmental inaction, while social enclaves represent the societal aspect of transnational relations.

Increasingly, the business of human trafficking is conducted by the help of the internet when one can speak of a *virtual enclave*. Internet has particular importance in the recruitment of women for the sex traffic which joins drugs, gambling, pornography, and terrorism as its fast growing areas of illegal business (Sager 2002). Territoriality has not disappeared altogether, however; there are also *territorial enclaves* that smugglers can safely use for their operations (Truong 2001: 6-7). Patras in Greece, Sarajevo in Bosnia, Kiev in Ukraine, and Calais in France are examples of enclaves that are regularly used in human smuggling and trafficking (Fabre *et al.* 2000: 51-52).

In other words, there are voids and gaps in the international and national legal and territorial spaces as well as social and logistical networks that the crime syndicates can utilize in their search for quick profits from human trafficking. These enclaves are seldom connected by market-based economic ties, but they create underground a new kind of transnational system where interdependence is manifested in criminal networks. They are often more loose and informal organizations than usually alleged (Paoli 2001).

If one smuggling enclave, and routes linked to it, is closed, the interests of migrants and of intermediaries alike leads to the opening up of new routes. Thus, as the increased patrolling of the traffic across the nine-mile wide Strait of Gibraltar has intensified, the flow of illegal immigrants from North Africa has been directed to the Canary Islands. In 1999, 875 illegal immigrants were detained there, but in 2000 the figure rose to 2,410 and in 2001 to 4,112. The immigrants are held in captivity for up to 40 days after which they are formally deported, but in reality many of them find their way to Spain's mainland as illegal entrants (Daly 2002).

From Turkey and Greece, illegal immigrants aim usually at Western Europe through various intermediary enclaves, among which Sarajevo and the Bosnian countryside, as way stations to the EU, are among the most popular. Estimates vary, again, considerably, but it has been assumed somewhat conservatively that in 2000 about 50,000 illegal immigrants either stayed in Bosnia or used it as their staging post to the Union. In the first half of 2001, a total of 11,000 people were allowed in at the Sarajevo

airport from a total of 13 prime sources of migrants, while 4,000 persons were refused the entrance. Out of the 11,000 entrants only 3,000 did depart the country legally, while others were swallowed by the smuggling routes (Finkel 2001b: 9).

As Bosnia is a landlocked country, the illegal migrants must continue their journey either by flying to other countries or moving through neighbouring countries, among which Croatia is a popular throughway. Bosnia and Croatia have in all 400 crossing points on their 900-mile land border of which only 50 have been watched so far. In Croatia, more than 20,000 illegal migrants are stopped annually by the police. Taking into account the porous nature of the border, the weakness of the central government in Bosnia, and the embedded corruption in the area, it is no wonder that the illegal crossing of the border is a widespread practice.

The situation has been changing slightly since 2001 when Bosnia finally established a State Border Service. It has now under control some two-thirds of the Bosnian-Croatian border. To stem the trafficking of illegal immigrants, the Bosnian central government has received in this effort external assistance from the EU and other sources. In addition, some countries like England have established missions to Sarajevo to conduct pre-emptive monitoring of the illegal immigrants.

Those crossing the borders from Bosnia to neighbouring countries are often assisted by the 'organizers' who have established among themselves networks of delivery in which the migrants are moved from one enclave to another. The 'organizers' also often have semi-permanent relations with the local authorities. Such relations are usually rife with corruption as has been witnessed by the situation on the Bosnian-Croatian border. The infiltration to Croatia is not without risks, however; in 2000, some 30 people drowned when crossing the Sava River. From Croatia, some of the illegal immigrants continue their journey through Slovenia whose officials report that 35,000 people crossed the border without permission. Some of those people move from there further on to Eastern and Central Europe (Buric 2001; Finkel 2001b).

Another route in the Balkans has been through Belgrade. The Milosevic regime developed close ties with China whose citizens received numerous tourist visas in return for payments to the Yugoslav authorities. Many of the Chinese overstayed their visas in Belgrade or continued their journey to various destinations in Western Europe. This pressure has been felt, among other places, on the Hungarian-Serbian border where in one border section only close to 3,000 illegal immigrants were apprehended in 2002, a figure that was 7-8 times higher than in 2001 (Buric 2001; Wright 2002).

Yet another route goes directly from Croatia, Slovenia, and especially Albania to Italy whose 4,800-mile long coastline is impossible to close completely for illegal immigrants. In Italy, Rome has become a gathering place for illegal immigrants from North Africa, the Middle East, and South Asia (many of them from Bangladesh). The popularity of Italy among the illegal immigrants is not due only to its exposed geographical location, but also the needs of the economy and the governmental policy. Labour-intensive underground industries rely extensively on immigrant labour, whose wages are very low by European standards. This keeps the gray economy ticking and obviates the need to export jobs abroad. The Italian government has also issued several mass amnesties to illegal immigrants who meet some basic conditions and the illegals live in the hope that there will be again a new amnesty. It is estimated that in Italy, there are a total of 230,000 illegal immigrants (Juurus 2001).

Due to large immigrant communities and the language, France is obviously another popular destination. It is also a way station to England where the existing diaspora communities and the language also help the adjustment to new conditions. Eurotunnel ('Channel Tunnel') has become a popular, but perilous route to the wonderland of England. At any one time, about a thousand asylum seekers and illegal immigrants have waited in a Red Cross compound in Sangatte on the French side that was opened in 1999.

The asylum seekers made, night after night, an effort to enter England through the rail tunnel. Others are packed in the dozens in trucks and ferries that ply in business to the British side. In 2000, the British police and security guards intercepted about 5,000 people who tried to reach England through the tunnel, but in the first half of 2001 the figure had already risen to 18,500. In November 2002, after persistent demands by the British, the Red Cross closed the Sangatte camp for new entrants, many of whom had been Afghans.

There are harrowing stories on the risks the illegals are ready to take to make it successfully to England. Some of them fail in this effort as did over 50 Chinese who were suffocated in a metal container about three years ago. In the British view, France should tighten its policy because its authorities use now no sanctions against those who try repeatedly to cross the Channel under or above the water. On the other hand, the French have criticized the British for too lax immigration rules that need tightening (Cowell 2001; Richburg 2001).

The end of the cold war opened up the Eastern and Eastern Central European countries for migration flows to Western Europe. The most impoverished countries, such as Armenia and Romania, have become sources of immigrants, while others, such as the Czech Republic, have served more as conduits for immigrants coming from East European countries or outside Europe. Prague has become a very popular tourist city and hence increasingly international in flavour which allows also illegal immigrants to 'melt' into the cosmopolitan urban environment and find ways to continue further to the EU countries. The borders with Austria and Germany provide one possibility to cross the line to the EU. The penalty for failure is small; the immigrant is returned back to the Czech Republic where the treatment of his asylum application continues uninterrupted. (Branstein and Poolos 2000).

9 Prostitution and slavery

As mentioned earlier, a central dimension of the illegal immigration concerns its intentionality. In one case, the human smugglers only undertake the task to transport a person for a fee to a particular destination or way station to be left there or to be delivered to another agent. Traffickers may do it 'honestly' or cheat the client by leaving him or her in the lurch in an unfamiliar country without much money, documents, and contacts. These migrants tend to fall, sooner or later, in the hands of the asylum authorities in one of the countries *en route*.

If the smuggling takes place between two rather close points (say Albania and Italy or Mexico and the United States) and if the routes are well-known and tested, the traffickers may be more like family enterprises which do not need to have any deeper

connections with the organized crime. On the other hand, if the distance is long and the barriers of entry are high, organized crime syndicates are more likely to be involved as is the case in the professional trafficking by ‘snakeheads’ of Chinese illegal immigrants to the United States which started in a big way in the 1980s.

The Chinese syndicates continue to control the lives of the migrants in the destination, discipline them by force if needed, and extract heavy payment for the services rendered. The smugglers hold their clients as virtual hostages until the fees have been paid. The average smuggling for illegal Chinese immigrants to the US was US\$27,000 in 1993 and it has obviously increased since then (for a detailed analysis, see Chin *et al.* 2001: 138-47).

The second type of intentionality in human trafficking concerns the exploitation of a person in a particular end task that is usually prostitution or slavery, sometimes drug trafficking. The nature of employment is not decided by the victim, but it is done by the agent hijacking him or her to turn in profits or pleasure. The character of the job is not always known in advance or the victim has only a vague idea about it. The victim loses the personal freedom and is thus unable to leave the predicament, or can do so only with a risk. The result is often physical and emotional harm. It is not unfounded to call trafficking ‘a trade in human misery’ (*Global Report* 1999: 223).

The difference between these two different types of intentionalities is usually captured by using the concept of ‘smuggling’ to refer to illegal immigration in which an agent is involved for payment to help a person to cross a border clandestinely, while ‘trafficking’ involves coercion and victimization. This dichotomy has been emphasized in the UN-directed Vienna process on the transnational organized crime. Its main implication is that ‘smuggling’ is a migration issue that has to be dealt with by legal and bureaucratic means, while ‘trafficking’ is a human rights issue and, as a consequence, the victim deserves protection (Salt and Hogarth 2000: 20-23, 119-20).

This dichotomy is important for the reason that it removes a stigma that is associated with persons who are trafficked for prostitution. If coercion and exploitation are involved, the migrant is not a criminal, but the victim of a crime. On the other hand, it has been argued that trafficking and exploitation are not synonymous because trafficking leads to different social outcomes depending on the target country (Pomodoro 2001: 238-41).

Sex trafficking seems to be most common in Europe and South East Asia. A complete picture of the phenomenon is, of course, much more diverse; for instance, there appears to be continuing trafficking of women from the Dominican Republic to the Netherlands. Within Europe, most of the women working as prostitutes come from Russia and other countries of the former Soviet Union. The number of sex migrants in Europe is impossible to determine, but 100,000 is sometimes given as a conservative estimate.

A higher estimate is reached if one believes that 50,000 Russian women are lured every year to the sex business abroad. On that basis, one may even suggest that the number of foreign sex workers in the EU varies between 200,000 and half a million. Ukraine seems to be a major source of sex migrants as 20 per cent of the trafficked migrants from there are women, while the corresponding figure for Lithuania is 7 per cent and Poland 9 per cent (Weir 2001; Salt and Hogarth 2000: 71-73; *Global Report* 1999: 225-

27). The higher level of living and the Roman Catholic culture in Lithuania and Poland may explain the difference.

The estimation of the number of women trafficked for the sex industry is made even more difficult by the fact that women may come to a country for brief stints by a legal visa, go back home for a while, and return again. Those staying in prostitution business for longer periods of time may have originally entered the country legally to work, nominally at least, as maids, entertainers, waitresses, or secretaries (on problems to estimate trafficked migrants, see Salt and Hogarth 2000: 29-43).

In Germany's red light districts alone, there are estimated 15,000 Russian and other East European prostitutes. Moreover, according to Dutch evidence, over one-half of the women are below 21 years. Even in Europe, it is not unusual, either, that children are trafficked for pornography and sex. In addition to Europe, women from Russia, Ukraine and elsewhere are trafficked to the United States, Japan, Macau, and other places where there is local or tourist demand for sex services. For instance, in South Korea there are 6,000 illegal Russian female immigrants who make their living through prostitution (Caldwell *et al.* 1999: 44-50).

In prostitution, there is also a Balkan route, not only through the area to Western Europe, but also to Bosnia and Kosovo where women are used, in addition to satisfying local demand, by international peacekeepers and civilian experts. In Bosnia, there were in 2001 an estimated 2,600 prostitutes of whom 10 per cent were minors and 25 per cent claimed to have been trafficked. In Eastern Europe, prostitution grows out of poverty that explains why 80 per cent of the women in Bosnia came either from Moldova or Romania (Dempsey 2001).

The country origin of women working in prostitution in Kosovo is pretty much the same and they are, on average, 21 years old. Their history illustrates also another aspect of the transnational prostitution business; the women are usually sold three to six times before arriving in Kosovo (Chausy 2001). To address the problem, the Stability Pact for Southeastern Europe established in 2000 a Task Force on Trafficking in Human Beings that has developed a multiyear anti-trafficking action plan to enhance regional cooperation. Southeastern Europe provides vivid practical illustrations on how human trafficking has pervaded the zones of violent conflict and weak, flawed states in which the organized crime can operate with impunity (for a comprehensive study, see UNICEF 2002).

The trafficking of women in South East Asia tells, if possible, even a more dismal story. In particular, there are many more minors in South East Asia than in Europe. UNICEF estimates – fortunately it probably overestimates – that there are 800,000 child prostitutes in Thailand, 400,000 in Indonesia and India each, and 100,000 in the Philippines. In addition, the number is 300,000 for the United States and varies in the range of 500,000 to 2,000,000 in Brazil (Hoffmann 2001; *Global Report* 1999: 226). Another difference in South East Asia is that most of the child prostitutes are sold by their poor parents or they are abducted from rural villages to work in urban brothels in their own countries. In Thailand, for instance, the sale of young girls for prostitution is a common practice, sanctioned by prevailing religious beliefs (Bales 1999: 34-79).

Thailand is both an exporter and importer of migrant workers. In 1995, it was estimated that about 450,000 Thais of both gender work outside their own country and 60 per cent

of them, that is, 270,000, were illegal migrants. Taiwan has been by far the most common destination for Thai migrant workers who are mostly unskilled labourers (Phongpaichit 1999: 77-79, 88-89). The exportation of women for prostitution and arranged marriages has also been a major element of this outward migration.

In Thailand, foreign sex workers, whose number has been increasing quickly, come usually from Burma and Laos. There are estimated 30,000 Burmese women working as prostitutes in Thailand who are brutalized both by the Thai and Burmese authorities, in particular the military. On the unruly Thai-Burmese border, dotted by refugee camps, the smugglers work in cahoots with the Thai border police who coerce camp dwellers to recruit young girls for the traffickers and get, of course, paid for that help. These payments have become an 'informally institutionalized source of income for the police'. In the sex traffic across the Thai-Burmese border a financial premium is put on virgins that has resulted in the 'commodification of virginity' (Kyle and Dale 2001: 40-47).

As illegal entrants, the trafficked Burmese girls have no protection and they are at the mercy of the police and immigration officers. The situation is made worse by the Thai perception that the Burmese, especially the women, are culturally inferior and can be treated as if they were not even human beings. If a Burmese girl is deported back to her own country, she faces there imprisonment and hard labour. The situation of the Lao women in Thailand is slightly better because of the greater porosity of the Lao-Thai border and a smaller cultural distance (Bales 1999: 65-68; Phongpaichit 1999: 90-92).

In the sex trade, there is in Thailand a two-way street. In addition to the importation of prostitutes, many Thai women work in the sex business especially in Japan, Germany, and the United States. In Berlin, alone there are an estimated 2,000 Thai prostitutes, while in 1995 their number in Japan amounted to 23,000 out of the total 100,000 sex workers in the country (many of the rest were Filipinas). In Germany, the women have usually entered the country legally, although they seldom have a work permit. On the other hand, in Japan and the United States women have almost always been brought in illegally and they are controlled by the agents with connections to criminal gangs. In the US, these gangs are often Chinese or Vietnamese holding female prostitutes as virtual slaves (Bales 1999: 69-71; Phongpaichit 1999: 8).

In South East Asia, also Cambodia is involved in sex traffic. The local sex industry expanded in the early 1990s with the end of the war and the arrival of international peacekeepers and other officials. There are now an estimated 80-100,000 prostitutes and sex slaves in Cambodia, most of them in Phnom Penh, while in 1990 the number was only about 1,000. The value of the sex industry is conservatively estimated at US\$500 million per year. Cambodian girls are trafficked to prostitution mostly in Thailand, but also in Macau (thefuturegroup.org 2001).

Above a distinction has been made between illegal migration, including smuggling, and human trafficking on the basis on the agencies and intentions involved in the process. It follows from this distinction that the organized crime syndicates are primarily involved in human trafficking. As criminal organizations, these syndicates have no scruples to become engaged in coercive and exploitative activities because this is the way to make money.

Crime syndicates pursue both domestic and international activities that cannot be always separated from each other. Domestically, in addition to being involved in illegal

business, these syndicates also sell private protection services for companies that operate in a poorly institutionalized market economy. Mafias are not, however, only domestic organizations, but they have also strong transnational ties, for instance in financial business and smuggling (De Brie 2000). Internet has become an increasingly important instrument for shady business deals. In the United States, it has been estimated that the value of underground business conducted online amounts to US\$37 billion a year which is about the same, US\$39 billion, that US consumers spend on legitimate internet business (Sager *et al.* 2002).

A new feature on the international crime scene is the rapid internationalization and mutual cooperation of organized crime syndicates originating from different countries. In addition, to the Italian mafia and Chinese triads, the Russian, Nigerian, and Albanian crime syndicates, among others, have spread their tentacles across the world. These syndicates have also expanded their activities to new fields to the extent that they start resembling travel agencies as they provide documentation, transportation, accommodation, and other necessary tourist services. As the supply of willing migrants continues to grow, the critical resources for an effective intermediary are contacts in the target place and enough money to cover start-up costs (Shannon 1999: 30-33; Caldwell *et al.* 1999: 50-61).

Criminal gangs do, however, other things that legal travel agencies do not do. They traffic women, by coercion if needed, to brothel keepers for prostitution and are ready to seize them if there is an effort to escape. An important aspect of the mafia operations is their involvement in debt collection to make sure that the money borrowed to the trafficked person gets paid back from his or her work in prostitution or some other criminal activity. Sometimes this task is subcontracted to the local mafia in the target country. In addition to the costs of trafficking, the victims have to pay their upkeep and for these expenses they can keep only a part of the money earned from, say, prostitution (Shannon 1999: 33; Caldwell *et al.* 1999: 63-67).

Debt bondage of prostitutes and other slaves is particularly bad in South and Southeast Asia. The financial arrangements are so onerous that the slave has little chance to be released unless he or she becomes physically useless for the slaveholder. Often the debt burden accumulates over time despite all the free work the slave performs for his holder (for details, see Bales 1999).

The Albanian mafia is a good example of a criminal organization that is specialized in smuggling human beings, drugs, cigarettes, alcohol, contraband, and essentially everything that has market demand due to the legal and political restrictions on their availability. As is well known, the Albanian mafia has penetrated all levels of the country's government (Cilluffo and Salmoiraghi 1999). The Kosovar mafia has extensive operations all over Europe. In London, Albanians and Kosovars control some 70 per cent of massage parlours in Soho in which prostitutes are held as virtual slaves and are treated with increasing violence. These groups have connections with immigration and prostitution rackets across Western Europe.

10 Conclusion

The pressures to migrate from the peripheral to the core countries are growing both on the supply and demand sides. On the supply side, rampant political and economic crises, and the sheer lack of prospects for a more prosperous life, push people to move to the North where there is a need of low-paid labour force in some industries and the service sector. In fact, the present nature of the global economic competition creates the need of both high-skilled and low-skilled, expensive and cheap, labour force. The well-trained and productive component of the labour force produces for the international market, while the low-skilled part of it is more geared to meet the domestic demand that helps to contain costs and check inflation.

The demographic gap between the South and the North creates further incentives to move. The EU countries, according to a UN estimate, alone need 1.6 million immigrants annually if they want to maintain by 2050 their labour force at the current absolute level. Refugees seeking for asylum are, as a rule, families with children and in need of economic and humanitarian assistance and education before they can be gainfully employed.

‘Economic migrants’ are, in turn, usually young men who seek for a better life and money, part of which can be remitted back to their families at home and thus pay the loans taken to finance the trip to the North. These migrants seldom come from the most squalid conditions, but from families that own some land and other property. Often one of the oldest sons is financed first by the help of this property to go to the North and find his place there. Thereafter, other siblings and cousins have a better chance to follow his footsteps.

Human trafficking has been growing in tandem with the growing pressures of emigration and the closure of the borders, especially in the European Union. In effect, there seems to be a direct correlation between the increasingly restrictive policies by the EU and its member states and the level risks and fees associated with human smuggling. In other words, receiving states are creating by their policies a lucrative market for the traffickers. The destination of their ‘commodity’ is decided by the logistical ease by which it can be reached, but also by the prevailing political and legal conditions.

Usually, the countries that have lax immigration laws and small penalties for illegal immigrants and their traffickers, such as Italy and Spain, become popular targets and way stations for them. The EU has been trying to harmonize the immigration laws and asylum procedures, but so far the practical progress has been limited. Human smugglers and traffickers tend to use entry points and routes where the risk of getting caught is lowest in comparison to the amount of money that can be potentially earned by using this particular juridical, social, and territorial enclave.

Although illegal immigration and human trafficking are important political and social issues, their impact should not be overblown. First, in Europe, most illegal immigrants are not smuggled in by the traffickers, but they arrive with a legal visa and simply overstay it. Few countries in the EU, or in North America for that matter, have reliable national systems to track those overstaying their visas. These people often ‘melt’ into the local ethnic communities and the underground economy in which there is a demand for their unregulated labour force. One may even say that the highly regulated labour market in Europe has, perversely, increased the demand for illegal workers. Illegal

immigrants do not always stay permanently, but they may well return temporarily home and come back again to earn more money.

One should not give, however, too rosy a picture about illegal immigration. Many immigrants strand in desperate positions in major European cities and their flophouses, or in reception centres in the countryside. They do not get asylum, either because of the strict legislation or delays in procedures, and thus do not have a chance to work or move around. In particular, in cities they become a prey of the organized crime gangs that may have smuggled him or her in the country in the first place.

Human trafficking can result in pernicious consequences. This is evidenced by severe human-rights violations, even slavery, in cross-border trafficking of women for prostitution. Especially in Southeast Asia, prostitution involves also very young girls who are physically and mentally destroyed by their sexual exploitation, while economically they end up in debt bondage. The situation is not much better in the case of those women who toil in sweatshops on practically every continent, but in particular in Asia. Their freedom and self-confidence have also been robbed and their body exploited for a quick profit.

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