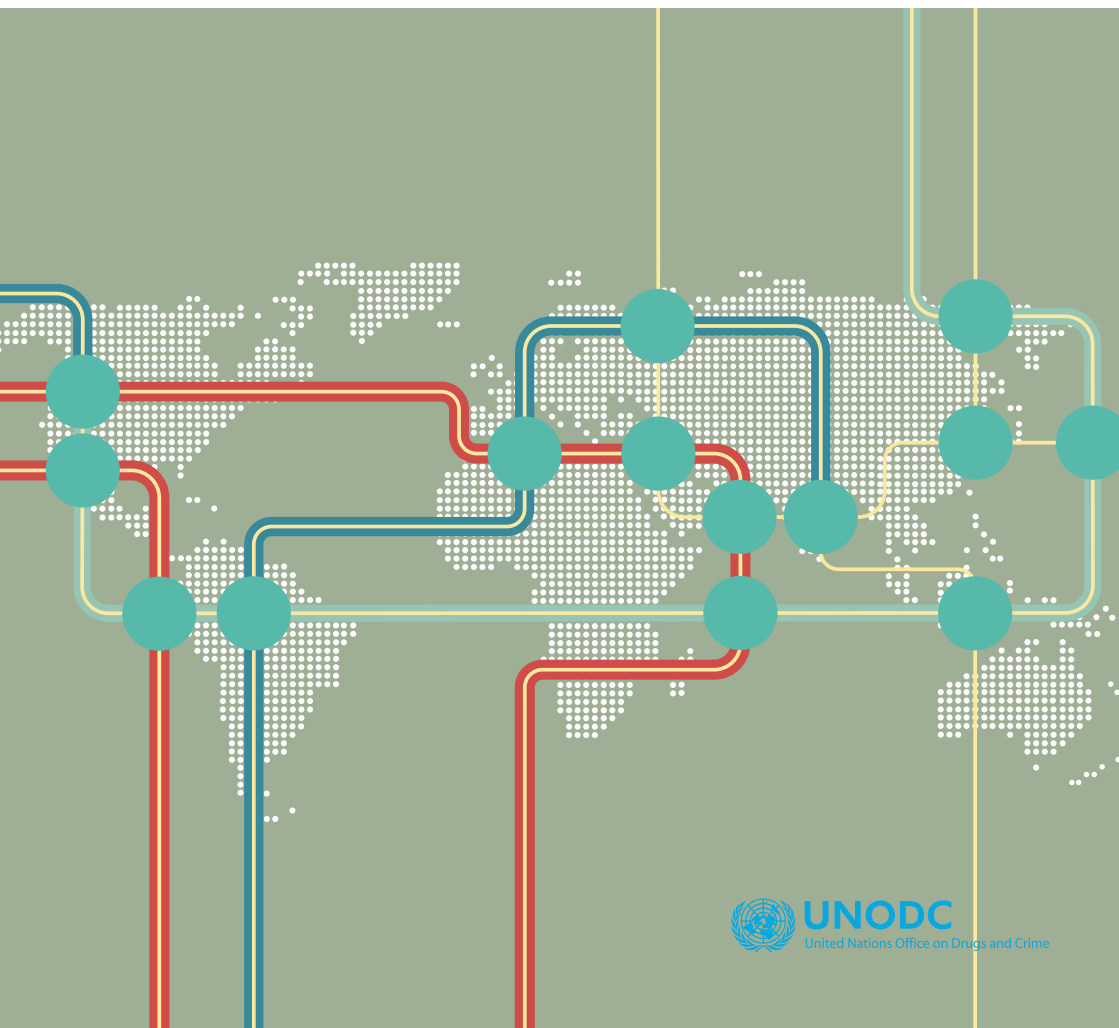


Irregular Migration and Migrant Smuggling: A field guide for frontline officers



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Irregular Migration and Migrant Smuggling: A field guide for frontline officers

This publication contributes to Sustainable Development Goal 16 that seeks to: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”



The Sustainable Development Goals are the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate, environmental degradation, prosperity, and peace and justice. The Goals interconnect and in order to leave no one behind, it is important that we achieve each Goal and target by 2030.

Migrants who enter, stay or work in a country without the necessary authorization or valid documents are irregular migrants. Criminal organisations that smuggle migrants are motivated by greed and profit, not the welfare of the migrant and risk the lives of irregular migrants. Irregular and smuggled migrants face an increased risk to becoming victims of human trafficking. Many thousands of smuggled migrants die tragically each year.

As a frontline law enforcement officer you may encounter irregular migrants or migrants being smuggled or trafficked. You will need to be able to distinguish between these cases in order to respond appropriately.

You should carry this guide with you while you are on duty. It contains quick-reference tools to address situations you will likely experience in the course of your duty.

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Migration is the movement of a person across an international border for the purpose of settlement (immigration). It includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification.

Migrants who are authorized to cross international borders and have appropriate documentation are regular migrants.

Migrants who enter, stay or work in a country without the necessary authorization or valid documents are irregular migrants.

Migrants who cross an international border legally and then overstays their visa become irregular migrants.

2. MIGRANT SMUGGLING

Migrants whose irregular border crossing is facilitated by another person and/or agency for profit are smuggled migrants. Smuggled migrants face an increased risk to becoming victims of human trafficking

Human Trafficking

Human trafficking does not require crossing of international borders, and victims can be local citizens, stateless persons, refugees, regular migrants, irregular migrants, and smuggled migrants. Human trafficking crimes involve the following three components:



Acts

- recruitment
- transportation
- transfer
- harbouring
- receipt of persons

Means

- threat or use of force
- coercion
- abduction
- fraud
- deception
- abuse of power
- abuse of position
- giving or receiving of payments or benefits

Purpose

- sexual exploitation
- forced labour
- slavery
- servitude
- organ removal

3. SOURCES OF INFORMATION

The best source of information on migrant smuggling and human trafficking is often the victims themselves. They may be able to provide information on the methodology used by the offenders, including the number of smugglers involved, routes taken, vessels or vehicles used and locations of safe houses. Additional information can be gathered from a variety of different sources. These can be divided into 5 categories:

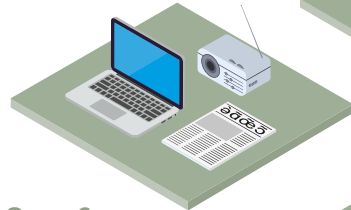
Workers

- Fishermen
- Construction workers
- Street vendors
- Sex workers



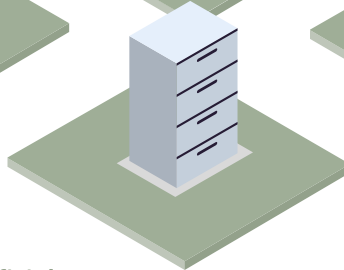
Service Providers

- Taxi drivers
- Bus operators
- Social workers
- Shipping agents NGOs



Open Source

- TV/Radio
- Print media
- Internet



Criminal Sources

- Informants
- Suspects

Official Sources

- Officers from your agency
- Other government agencies
- International agencies
- Neighboring Border Liaison Offices

4. MANAGING INFORMANTS

An informant is a person who secretly provides information to law enforcement agencies.

Informants may have different motives for giving information, including for money, for revenge, to eliminate competition, to boost their ego or for goodwill.

When meeting an informant:

- Make an official record of the meeting
- Meet in a safe, pre-determined location
- Identify a safe route to and from the meeting place
- Develop a cover story for you and the informant in case you are seen meeting together
- Have another officer present during the meeting

When communicating with an informant:

- Develop nicknames for each other
- Use a new phone or SIM card that cannot be traced or used for any other purpose
- Develop rules and procedures for contacting each other
- Ensure the informant tells no one about assisting you
- Avoid meeting at offices, police stations, bars, etc.

Remember:

- Abide by your agency's standard operating procedures on informant handling.
- Do not disclose the identity of the informant to anyone who does not need to know.
- Maintain a professional relationship with the informant. The informant is not your friend.
- The informant's safety is paramount, so develop contingency plans.
- Stay in control of the informant.
- Be available when the informant needs you.

Once you have received information from a source - whether from the community, a government agency, or an informant - it is important to complete an intelligence report as soon as possible. It should comply with your agency's guidelines and contain the following information:

- Date of the report
- Subject
- Officer making the report
- Account of the information provided (who, what, when, where, why, how)
- Your assessment of:
 - (a) the reliability of the source and
 - (b) the accuracy of the information



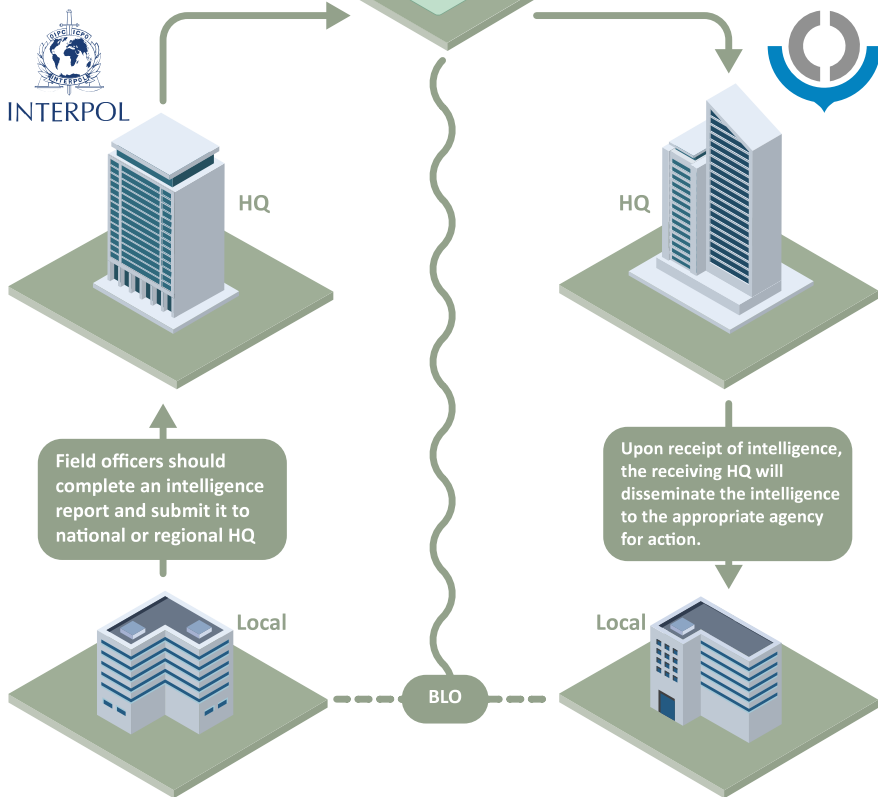
The report should not contain any information that may reveal the identity of the informant. Do not include the informant's name, alias, sex, date of birth, occupation, contact details, or clues leading to the informant's identity. Submit the completed report through authorized channels without delay so that the information can be assessed and, if necessary, disseminated.

6. SHARING INTELLIGENCE

If the intelligence report contains information that may assist a foreign law enforcement agency, then it should be forwarded to your national intelligence unit.

The intelligence unit should consider sending such intelligence through foreign liaison officers, or international or regional mechanisms (BLO).

The forwarding agency can search for and enter information into international databases and issue notices and alerts.



In addition to the systems above, some countries use mechanisms such as border liaison offices (BLOs) to assist with exchanging information directly.

When you identify a migrant smuggling or human trafficking case, your initial priority should be the welfare of the victims. They may be sick or in need of urgent medical attention.

After you have arranged for the care of the victims, your attention should then focus on gathering evidence to identify, and if possible, prosecute the offenders.

Even if your country has not yet ratified legislation criminalising migrant smuggling, the evidence you gather may be of vital importance to foreign law enforcement agencies. The evidence may help identify criminals at every stage of the migrant's journey.

Assess the welfare of the victims before gathering evidence. Remember they are victims of a crime.

8. OPERATIONAL ORDERS

You may find yourself operating in rural, urban or maritime environments, which will present different challenges and potential hazards. Take into account the safety of the investigators, suspects, and potential victims when planning operations. Raids and rescues are high-risk operations that should be a last option and conducted after systematic risk assessment and planning. While planning, considering the following points.

Information

Describe everything the team needs to know about the operation, including suspected offences.

Intention

What do you want your investigation to achieve?

Method

How are you going to achieve it? Think of resources needed, separate transportation for suspected smugglers, traffickers, and victims, and preparing medical care.

Administration

Consider all the logistical details necessary, such as timing, meals, support staff to deal with multiple suspected smugglers, traffickers, and victims, as well as media.

Risk Assessment

Conduct a risk assessment as per Section 7 on Assessing Risks in this field guide.

Communications

How are the team members going to communicate with each other?



Keep the operation secret. Only tell those who need to know, including other colleagues. Do not discuss the operation anywhere that members of the public can overhear.

Address potential risks before commencing your operation in order to:

- protect you and your colleagues from harm,
- ensure the safety of any victims,
- ensure the safety of your suspects, and
- ensure that your investigation is not hindered.

For migrant smuggling, consider the following:

- Is anyone in immediate danger? This may include migrants, friends or relatives of the migrants.
- Are there any outstanding presumed victims?
- Have the smugglers or traffickers used or threatened violence?
- The migrants may also pose a medical risk, be injured or traumatized, so you will need to address potential risks to their health and welfare.
- You will also need to ensure that you protect the identity of victims. Do not subjugate them to further undue distress by exposing them to the media.

9. ASSESSING RISKS

When planning an operation, complete a risk assessment table to prioritize which risks need the greatest attention and what measures can be taken to reduce the levels of the risks.

1. What is the hazard?
2. What is the likelihood of the hazard causing harm?
low (1) to high (10)
3. How severe are the consequences?
low (1) to high (10)
4. What is the greatness of the risk?
(Multiply the LIKELIHOOD by the SEVERITY)
5. How can the risks be mitigated?

1 HAZARD	2 LIKELIHOOD (1 to 10)	3 SEVERITY (1 to 10)	4 RISK (LIKELIHOOD x SEVERITY)	5 MITIGATION
Lightning strike	1	9	= 9	Avoid being in open areas during storms
Car accident	4	6	= 24	Ensure drivers are competent and vehicles are well maintained.
Violent suspects				
Migrants don't understand the language used by your police team				

Watching suspects can be a very useful way of gathering intelligence and evidence of a crime. You may use several types of surveillance.



Mobile

Good for covering distances and when the suspect is using a vehicle.

Use several vehicles to follow the suspect. Use nondescript vehicles of different makes, models and colors. Rotate vehicles to avoid overexposure. Use two officers per car. Motorbikes are useful too.



Marine

When following vessels, use navy or marine police vessels or aircraft

that have the ability to track vessels from a long distance away. Use unmarked or nondescript boats to get closer to the targeted vessel. You could also watch vessels from the shore using a combination of mobile, foot or static surveillance methods.

10. SURVEILLANCE



Foot

Good for following suspects who are walking or using public transport. Allows you to get closer to the suspect and observe their actions, meetings or hear conversations. Use at least three officers where possible. Rotate your positions to avoid being noticed.



Static

Good for watching fixed locations like ports, houses, businesses or areas where a specific crime occurs. Use two officers.

Be careful entering and leaving an observation post to avoid being compromised. If no buildings are available, use a vehicle or other hideout.



Technical

Good for providing real-time locations of suspects. Use covert cameras, tracking and listening devices to observe suspects if you are lawfully entitled to use them.

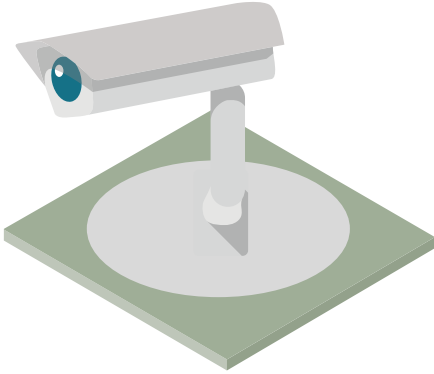


Safety first: Do not put yourself at risk. Use sufficient officers and vehicles to avoid being compromised. Make sure your equipment is charged and ready.



Remember: It is better to lose the suspect than to compromise the investigation

With lawful authority, the following technical surveillance options can provide crucial evidence and intelligence.



Video Surveillance

Video cameras allow you to collect visual evidence and intelligence.

Images can be collected by:

- Closed circuit television cameras (CCTV)
- Cameras that can monitor the subject from afar, sending images remotely
- Handheld cameras in observation posts, on foot or within a vehicle
- Body-worn cameras to covertly record meetings
- Mobile phone cameras used covertly

Listening Devices

Listening devices allow you to covertly monitor conversations. They can be installed in places where suspects will have discussions, including vehicles, vessels, premises and public places. The signal of the device can be picked up by radio or sent via phone lines.



Listening devices can be worn covertly by undercover officers and informants.

11. TECHNICAL SURVEILLANCE

Phone Interception

Phone interceptions also allow you to covertly monitor conversations. Monitoring phone conversations usually requires special authority and liaison with the telecommunications provider.



Intercepting Online Communications

The ability to monitor emails, chats, social networks, online banking, and online voice calls (such as Skype, LINE, Viber) usually requires special authority and liaison with the service provider. It may also require installing a device inside the suspect's computer.

Controlled Delivery

Controlled deliveries are a useful technique allowing you to monitor the movement of illicit goods and may help to identify the destination of contraband and people involved in trafficking. However, for ethical reasons and the primary concern of the safety of actual and potential victims, controlled delivery is not appropriate in cases of trafficking in persons or smuggling of migrants.



You should never conduct a controlled delivery of migrants.

To legally enter a country, migrants will need to produce travel documentation, such as passports and visas. Examine travel documents to determine if they are authentic or counterfeit, fraudulently obtained or are being used by an imposter.

Documents can be examined in three ways:

- **Visual examination** – no equipment necessary
- **Using basic equipment** – using a magnifying glass or ultraviolet light
- **Specialist examination** – using specialist equipment in a laboratory

In the field you may only have access to basic equipment to conduct the examination, so you should focus on some of the basic security features, which include:

Watermarks

Can you see the watermark by holding the document to a light or using transmitted light?

Professional Assembly

Passports are made professionally using advanced production techniques. Does the document appear professionally constructed? Is it well bound?



12. TRAVEL DOCUMENTS

Photos

Check for signs of photograph substitution on the bio page and visas containing the document holder's details.

Printing Quality

Passports are produced using industrial printing methods that create solid lines and solid colours. Home or laser printers use a mix of four colours to simulate real colour, appearing as a series of dots or dashes under a magnifying glass.

UV Dead Paper

Most secure documents, including passports, use paper that does not react to UV light. Most photocopy paper has a brightener added which reacts to UV light. The passport paper should not glow. Only the security markings should glow.

To access the latest examples of country-specific passports and visas, go to www.edisontd.net



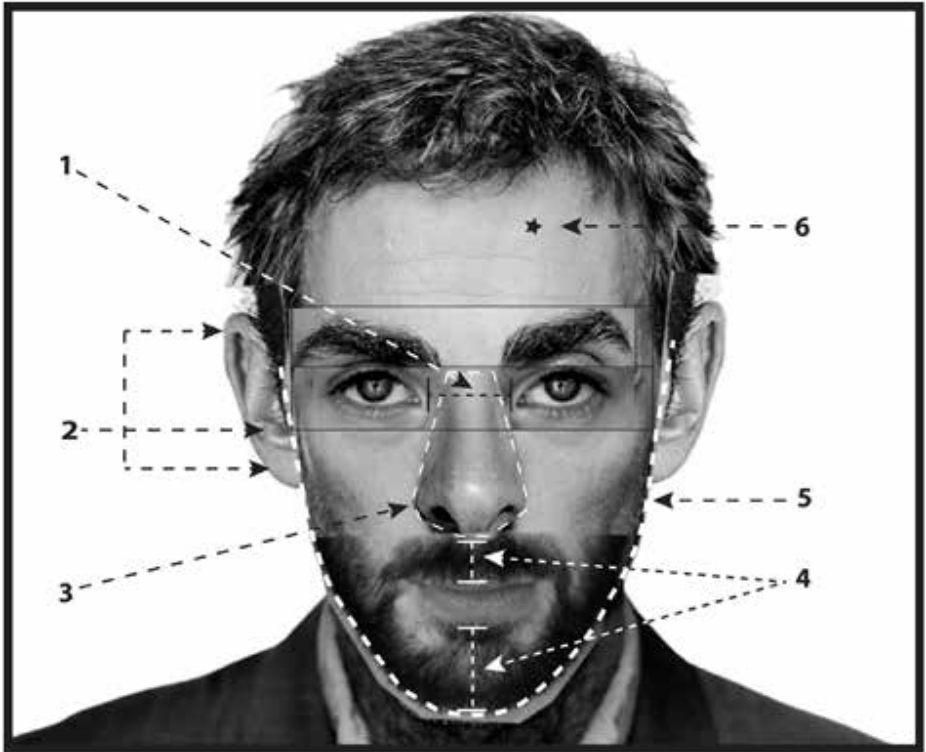
As the security features of travel documents get more complex and harder to replicate, many criminals and terrorists are opting to use legitimate documents and purporting to be the person shown in the document.

To detect imposters, divide the face into parts and undertake a systematic examination of the following six parts.

1. **The eyes** – These are the most expressive part of the face. Check the distance between the eyes, and look for different types of eyelids.
2. **The ears** – These are as unique as fingerprints and are one of the easiest ways to detect an imposter. There are three main points for comparison: the helix, the tragus and the lobe.
3. **The nose** – Check the length, width, nostril size and shape of the nose. Check for irregularities of the nose, i.e. signs of having been broken.
4. **The mouth and lips** – Look at the shape and size of the lips. Look at the distance between the lower lip and chin and the distance between the nose and upper lip.
5. **The shape of the face** – What type of face is depicted in the photograph: round, square or oval? Look at the cheekbones, jaw bone and chin.
6. **Look for any identifying features**, such as scars, marks or moles.



Remember to familiarise yourself with the person prior to looking at the document.



Secondary Identification

If you are unsure about the identity of a passport holder, ask him/ her to provide a secondary source of identification, such as:

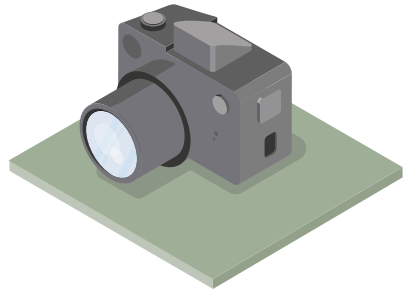
- National identity card
- Drivers licence
- Credit card
- Medical insurance card



14. PRESERVING A CRIME SCENE

As the first officer at a crime scene, you should take immediate steps to preserve the scene and protect evidence from weather or from contamination.

1. Ensure that no one is hurt and that all suspects have been secured.
2. Create a cordon around the scene. A safe bet is to identify what you think is a large enough area, and then double it. It is easier to reduce the size of a crime scene than to expand it.
3. Keep crowds or the media out of the crime scene. Establish a crime scene log of anyone entering or leaving the scene and their reasons for doing so.
4. Mark out a 'safe route' to allow access to the scene, avoiding any paths that may have been used by the suspect.
5. If you have to process the scene, take many photographs.
6. Make notes of your actions at the scene. Note what you see, hear, touch and, if necessary, smell.



- Do not allow unnecessary or unauthorised people into the scene.
- Consider how to preserve the scene to prevent weather damage.
- Beware of safety hazards at the scene, such as diseases.

15. FOLLOW THE MONEY

When persons are suspected of involvement in transnational crime, investigate their financial situation. Financial analysis can help identify the ring leaders of criminal networks.

When conducting surveillance:

1. Which banks do they use?
2. Which credit cards do they use?
3. What vehicles do they use?
4. What properties are they in control of?

When searching a crime scene, look for:

- Bank documents
- Property documents
- Business records
- Financial records
- Computers
- Cash
- Receipt books
- Invoices
- Passports



When interviewing a suspect:

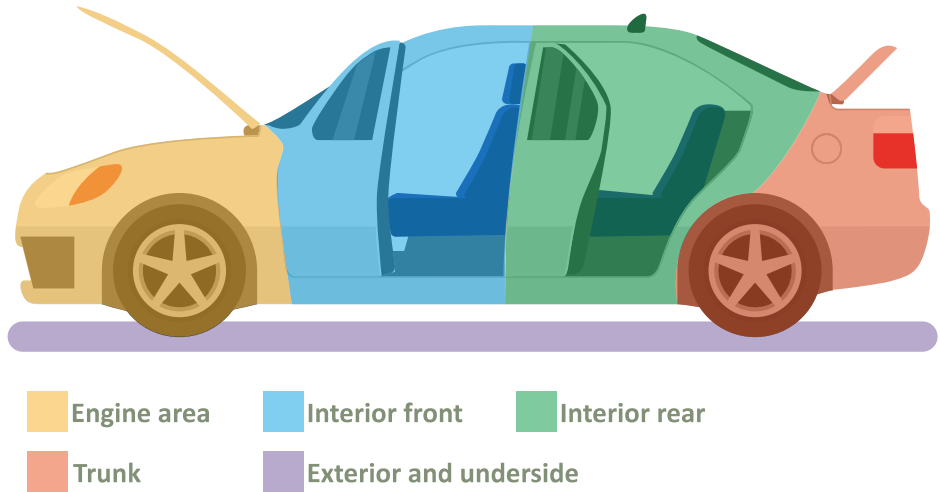
- Establish their income and expenses
- Ask them about properties and assets they own or lease and how they were funded
- Establish what businesses they own
- Establish who they work for

Also consider:

Obtaining court orders or warrants for examination of financial records, including bank records and tax returns

- Using services of a forensic accountant to examine financial records
- Conducting business and property checks
- Conducting forensic examination of computers

16.1. Vehicle Search

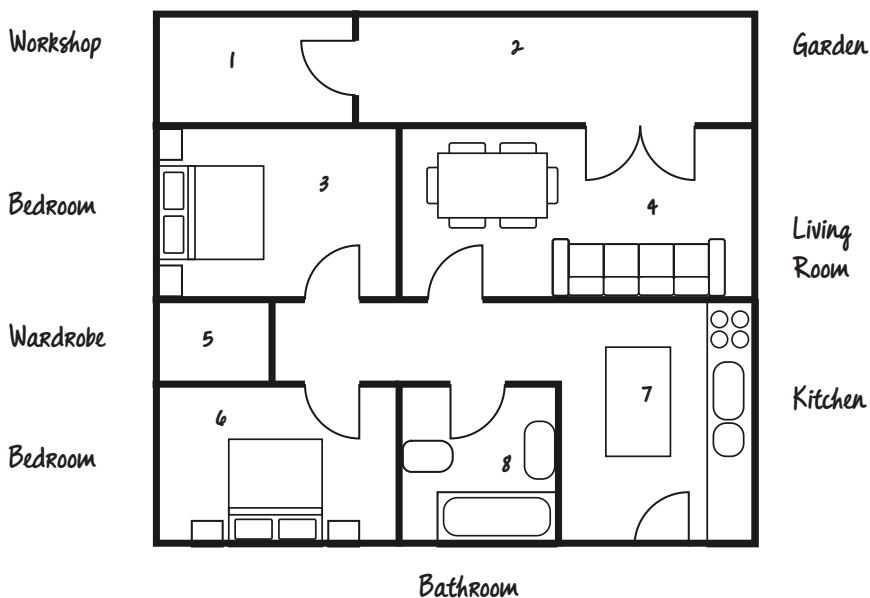


1. Draw a sketch plan of the vehicle.
2. Divide the search area into manageable parts, such as boot/ trunk, bonnet/engine area, interior front, interior rear, exterior and underside.
3. Search each area systematically and safely, overlapping where necessary.
4. Complete the search in one area before moving to the next area.
5. If you find evidence, record it in its position and seize it.

For information on seizing and packaging evidence, refer to the section on Evidence Preservation in Section 18.

16. SEARCHING A CRIME SCENE

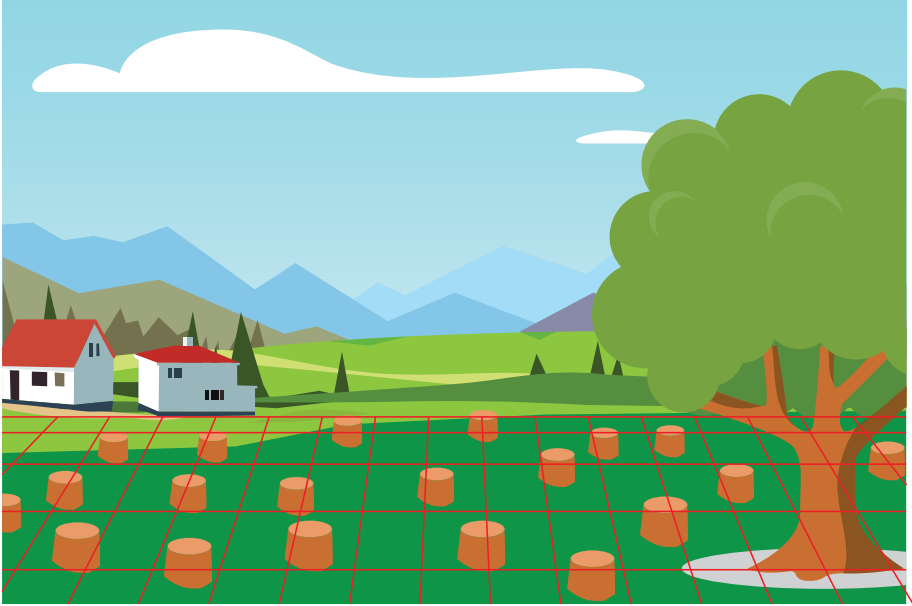
16.2. Searching a Crime Scene: Premises Search



1. Draw a sketch plan of the premises, including outside areas.
2. Divide the search area into manageable parts, such as living room, bedrooms, office, kitchen, bathroom, laundry, attic, basement/cellar, driveway, front/back yard and any outbuildings. Divide large rooms into manageable parts.
3. Search each area systematically and safely, overlapping where necessary.
4. Complete the search in one area before moving to the next area.
5. If you find evidence, record it in its position and seize it.

For information on seizing and packaging evidence, refer to the section on Evidence Preservation in Section 18.

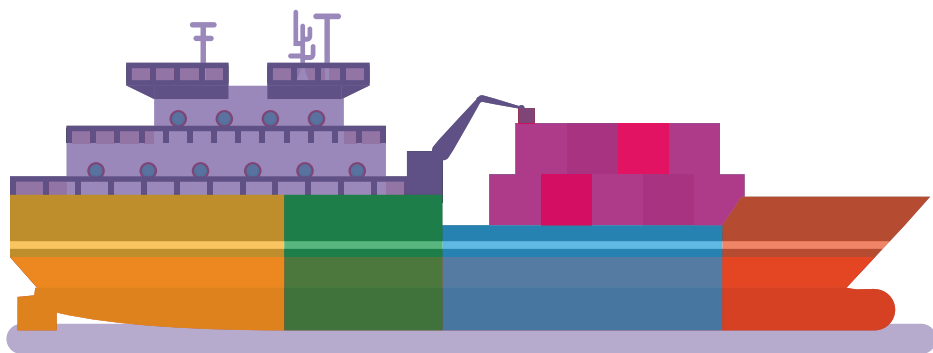
16.3. Searching a Crime Scene: Rural Search



1. Draw a sketch plan of the area or mark the area on a map.
2. Divide the search area into manageable parts using a grid system.
3. Search each area systematically and safely, overlapping where necessary.
4. Complete the search in one area before moving to the next area.
5. If you find evidence, record it in its position and seize it.
6. For information on seizing and packaging evidence, refer to the section on Evidence Preservation in Section 14

For information on seizing and packaging evidence, refer to the section on Evidence Preservation in Section 18.

16.4. Searching a Crime Scene: Vessel Search



1. Draw a sketch plan of the vessel.
2. Divide the search area into manageable parts, such as bow exterior/interior, cabin, mid-ship exterior/interior, stern exterior/interior, cargo hold, engine area, underneath the vessel.
3. Search each area systematically and safely, overlapping where necessary.
4. Complete the search in one area before moving to the next area.
5. If you find evidence, record it in its position and seize it.

For information on seizing and packaging evidence, refer to the section on Evidence Preservation in Section 18.

Remember, there are risks associated with searching a moving vessel. Only use properly trained and equipped personnel to search a moving vessel.

Many items of evidence can be subject to forensic examination. Consider the following techniques.

Fingerprints

Can be found on many objects, including smooth surfaces, paper, and people. If authorised, take the suspect's fingerprints when you arrest them, even if they have been taken before.



DNA

Can be taken from people and most animal or plant products. Good sources are blood, hair and other bodily fluids.



Document Examination

Forensic examination of travel documents, identification cards or birth certificates may reveal that they are counterfeits or have been fraudulently altered



Handwriting Analysis

Compare the suspect's handwriting to that found on documents, cheques, notebooks, diaries etc.



Computer Forensics

Laptops, SIM cards, portable storage devices and cards may hold valuable evidence of contacts, communications or financial information.



Always seek advice from a forensic specialist

18. EVIDENCE PRESERVATION



1. Before moving an object, photograph the object in the location where you found it.



2. Complete an evidence label. Place the label on the evidence bag before putting the object inside.



3. Using gloves, place the object into the labelled evidence bag.



4. Seal the bag completely.



5. Hand the item to the Evidence/ Exhibit Officer.

Certain objects must be sealed and stored in special ways. If you are unsure how to seal and store an object, consult a forensic specialist for advice before handling the object.

Mobile/smart phones can provide crucial evidence to a crime through analysing the phone. Evidence found in phones can place a suspect in the vicinity of a crime, show who their associates are and tell us about how the suspect lives.

Determine who had possession or who used the phone, as well as who the suspect was in contact with, plus any other relevant details about their lives. Record the following information.

- Phone's IMEI number
- Phone numbers and SIM cards used with the phone
- Contact list
- Contents of messages (SMS, WhatsApp, Viber)
- Calls made to and from the phone
- Photo/video/audio files stored on the phone
- Applications used/stored on the phone (including social media)
Social media (LINE, Facebook) Internet search history and download history
- Providers of Internet/social media sites
- Emails sent and received
- Bank account details
- GPS data
- Notes
- Other personal details stored

IMEI - International Mobile Station Equipment Identity number

- Unique to each phone
- Used to identify if a stolen phone is using the network
- What SIM cards have been used in a handset

How to find the IMEI number

- It is usually printed inside the battery compartment or on the case.
- If you do not want to or cannot open the phone, dial *#06#
- Criminals will try to change the IMEI number

SIM

Micro SIM

Nano SIM

SIM Cards - Subscriber Identity Module

- The phone number is attached to the SIM card
- The SIM's unique serial number: Integrated Circuit Card Identifier (ICCID)
- Two passwords: one for the user and one for the service provider (PUK code)

How to find the phone number

Sometimes a criminal will not tell you the number of their phone.

- Check their address book or contact list.
- Check in the phone settings.
- Do not dial your own phone number.

Opening or using the mobile phone automatically changes the evidence.

Extra care needs to be taken when searching people to ensure the safety of the officers conducting the search, of the suspect being searched and to prevent the disposal of evidence.

Before the search:

- Inform the suspect of the reason for the search, of the powers you are using to conduct the search and of their legal rights.
- Ask the suspect if they are armed or in possession of something that may harm himself/herself or others.
- Check the area around you for evidence or items that the suspect may have discarded or may use to harm himself/ herself or others.
- Have another officer present during the search.
- Have a female officer search female suspects.
- If not accompanied by another officer, secure the suspect, especially if the suspect is prone to being violent.

During the search:

- If possible, conduct the search in a quiet area away from direct public view.
- Search the suspect systematically from head to foot, covering all areas including inside the suspect's mouth.
- Remove outer items of clothing, such as hats, gloves, belts, shoes, from the suspect to search the items more thoroughly.
- Gently feel clothing for objects as you search.
- When searching, avoid standing or crouching directly in front of the suspect.
- Pat pockets and ask the suspect if the pockets contain harmful objects before putting your hand in the pockets.
- Put any found objects aside for later examination or seizure.
- Search bags separately after completing the search of the suspects.

20. SEARCHING PEOPLE

If you are armed, keep your firearm away from the suspect while searching.

Have a colleague present during the search.

When searching, avoid standing or crouching directly in front of the suspect.

Your colleague should watch you searching to observe the suspect's movements or if the suspect discards evidence.

Watch the suspect for any signs of aggression.

Watch the suspect's hands.

If a more thorough search is required, such as a strip search or internal examination, then follow your agency's guidelines in relation to these more intrusive searches and gender considerations.

Identifying Victims of Human Trafficking

Before conducting an in-depth interview, use your agency's screening tool to carefully question and identify whether or not the person is a victim of human trafficking.

Sample interview questions for human trafficking suspects and victims can be found in the UNODC Field Guide for Frontline Officers on Smuggling of Migrants and Human Trafficking.

When interviewing suspects:



- Have two officers present
- One officer should take notes
- Record the interview when possible
- Consider the legal rights and welfare of the suspect
- Consider the need for an interpreter
- If the suspect is a juvenile, consider the need for a social worker or other authorised support person

Follow this PEACE system for interviewing the suspect:

STEP	DESCRIPTION
Planning	Think about the evidence you have or need and the questions you plan to ask. Write down your plan and discuss it with your colleagues or supervisor.
Engage and Explain	Introduce yourself, and allow the suspect to introduce himself/herself. Assess his/her welfare: under the influence of drugs or alcohol, in need of sleep? Try establishing a rapport with the suspect. Explain the purpose of the interview.
Account	Obtain a complete account of the event. Ask open ended questions to allow the suspect to give a detailed account. Clarify the suspect's answers and challenge elements of the account. Ask colleagues if they have any questions of the suspect.
Closure	Summarise what has happened. Explain the next steps.
Evaluation	With your colleague, assess the interview in context with the other evidence. Decide your next steps.

Sample Interview Questions for Migrant Smugglers

- What is your role in the smuggling organization?
- How long have you done this?
- How many people work for you? Who do you work for?
- How do you communicate with these people?
- How many mobile phones do you use to conduct your business? What are the phone numbers?
- How do you source migrants to smuggle?
- Do you use a broker to source the migrants you smuggle?
- Do you use the internet to arrange for the smuggling of migrants?
- When discussing the smuggling of migrants over the phone or Internet, do you use codes? If yes, what are the Codes?
- Do you specialize in smuggling a particular ethnic group?
- Where do you smuggle migrants from and to?
- What methods do you use to smuggle people?
- How much do you charge each person that you smuggle?
- How much do you receive after costs per person you smuggle?
- What are the costs you incur to smuggle a migrant?
- Do you threaten the migrants you smuggle with violence?
- What methods do you use to guarantee compliance of the migrants you smuggle?
- Have you assaulted any of the migrants you have smuggled?
- Do you provide travel documents to the migrants you smuggle?
- Where do you get the travel documents from?
- How much do you pay for the travel documents?
- What do you do with the smuggled person's travel documents?
- Are the documents real or fake?
- Who owns this vessel/vehicle? How much did it cost you to hire the vessel/vehicle?
- What does the owner of the vessel/vehicle know about the smuggled migrants?
- What instructions did you give the owner of the vessel/vehicle?
- How much are you paying to use this vessel/vehicle?
- Are there any government officials assisting you to smuggle migrants?
- How many migrants have you smuggled?
- Why do you smuggle migrants?
- Do you know that you are committing a crime?

Sample Interview Questions for Businesses that Employ Smuggled Migrants

- Who owns the business?
- What is your role in the business?
- What services does your business provide?
- How do you source your migrant employees?
- What role do the migrant employees have in your business?
- How much do you pay them per week for their services?
- How do you determine the age of your migrant employees?
- Do you take any deductions from their weekly wages? If yes, what are these deductions?
- What happens to a migrant employee if they try and leave without permission?
- Do you threaten your migrant/trafficked employees with violence?
- Who moves your migrant/trafficked employees to or from the business?
- How often do you feed your migrant employees?
- Who pays for the food?
- Where do your migrant employees sleep?
- How often are they allowed to use the bathroom?
- Are your migrant/trafficked employees indebted to you?
- Are your migrant/trafficked employees allowed to buy their freedom?
- What happens to the travel documents of your migrant employees?
- Are there any government officials assisting you to employ smuggled migrants persons?
- Why do you use smuggled migrants in your business?
- Do you know that you are committing a crime?



Try to build up a complete picture of the suspect's involvement in the crime and who the suspect's associates are.

Sample Interview Questions for Safe House Operators who Hide Smuggled Migrants

- Who owns the premises?
- How much are you paid to operate the safe house?
- How are you paid?
- Who pays for the utilities of the safe house?
- How often do you house smuggled migrants/trafficked persons?
- How do you communicate with people in the smuggling/trafficking organization?
- How many mobile phones do you use to conduct your business? What are the phone numbers?
- Do you use the Internet to discuss the arrival or departure of smuggled migrants/trafficked persons?
- Do you use codes when discussing the arrival or departure of smuggled migrants/trafficked persons? If yes, what are the codes?
- Are the smuggled migrants/trafficked persons free to come and go without your permission?
- How often do you feed the smuggled migrants/trafficked persons?
- Who pays for the food?
- Where do the smuggled migrants/trafficked persons sleep?
- How often are they allowed to use the bathroom?
- Do you threaten the smuggled migrants/trafficked persons with violence?
- Are there any government officials assisting you to hide the migrants/trafficked persons?
- Do you take any money or belongings from the smuggled migrants/trafficked persons?
- Why do you house smuggled migrants/trafficked persons?
- Do you know that you are committing a crime?



Remember that the suspect should give his/her account of what has occurred.

These questions are not exhaustive and are not in any particular order. These questions can be used to identify elements of the account that have not been covered by the suspect or that need elaboration.

Use a voice recorder if allowed by law.

Before interviewing a migrant, you need to assess their welfare, which includes any requirements for food, water or medical treatment. You may also need to arrange an interpreter and, in some cases, a support person.

The migrant should be treated as a victim, not as a suspect.

- Inform the migrants of their legal rights, and ensure that the migrants and their family are not at risk.
- Have a female officer interview female victims or child victims whenever possible. Give the victim an opportunity to choose the gender of the interviewing officer.
- Smuggled migrants can be refugees.
- Remember that the victim should give his/her account of what has occurred.
- These questions are not exhaustive and are not in any particular order.
- These questions can be used to identify elements of the account that have not been covered by the migrant or that need elaboration.

The migrant may dispose of legitimate travel documentation upon reaching their end destination. It is important to clarify where the migrant has legally travelled before reaching their destination.

Are smuggled migrants referred to as victims?

A smuggled migrant is not considered to be a “victim of migrant-smuggling” because, generally, a person consents to being smuggled. However, a smuggled migrant may be a victim of other crimes in the course of being smuggled.

While a migrant is not a victim of migrant smuggling, they can be victims of other crimes as a result of being smuggled.

Sample Interview Questions For migrants:

- When did you leave your country?
- Why did you leave your country?
- Who did you leave your country with?
- Where is your intended destination?
- How did you leave your country and arrive here?
- What countries have you visited on this journey?
- How much did this trip cost?
- How did you pay for this trip?
- Who arranged this trip for you?
- Who dealt with this person?
- How did you communicate with this person?
- Where does this person live?
- What travel documents did you use?
- Where are your travel documents?
- When were your documents issued?
- Where were they issued?
- Where have you stayed on this journey?
- How many migrants have you met on this journey?
- How many smugglers have you met or dealt with on this journey?
- Were there any threats made against you or your family by the smugglers?
- What instructions did the smugglers give you during your journey?
- Have you been instructed on what to say to police or immigration officials?

Guidelines for child migrants

Frontline officers must provide assistance and protection for separated or unaccompanied children who are outside their country of nationality, regardless of their migration status. Remember that the care and welfare of the child is the primary concern.

Age

A child is a person under the age of 18. Confirm age of the child using nonintrusive, child-friendly measures, such as observations of physical, mental and emotional development.

Legal Rights

Inform the child of their rights in a language they can understand.

Child rights include:

- life
- healthcare
- education
- protection of physical integrity
- not to be arbitrarily deprived of liberty
- not be returned to a country where there is a real risk of irreparable harm to the child

Seek assistance of NGOs to aid in child care, placement and community support.

Interviewing

As soon as possible, identify, interview and register unaccompanied and separated children in an age-sensitive and gender-sensitive manner.

Child victims and witnesses should not be interviewed where they live.

Rooms where young children are interviewed should be child-friendly with a few toys.

22. INTERVIEWING MIGRANTS

The child should be asked basic questions in a language they can understand.

A support person should be provided for the child. The choice of this person will depend upon the circumstances of how the child was smuggled.

If the child's account is very brief or where limited information is provided you may wish to consider stopping the interview. You may need to review the information you have at a later stage with a prosecutor and the child's caregiver.

Separated Child:

A child who has been separated from both parents, or from legal or customary primary caregiver, but not necessarily from other relatives. This may, therefore, include children accompanied by other adult family members

Unaccompanied Child:

A child who has been separated from both parents and other relatives and is not being cared for by an adult who, by law or custom, is responsible for doing so.

If you suspect that a child has been sexually assaulted and/or molested, the child should NOT be asked to demonstrate the act to anyone but medical staff.



Regional Office for South East Asia and the Pacific
United Nations Building, 3rd Floor B Block, Secretariat Building
Raj Damnern Avenue, Bangkok 10200, Thailand
Tel. (66 - 2) 288 100 Fax (66 - 2) 281 2129 E-mail: fo.thailand@unodc.org
Website: www.unodc.org/southeastasiaandpacific