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The heterogeneity of human smugglers: a reflection on the use of concepts in studies on the smuggling of migrants

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Abstract

The use of a broad conceptualization of human smugglers fosters their stereotypical representation. Moreover, the lack of attention to the heterogeneity of smugglers, to their purposes, methods, and organisational choices, leads to the design of unfair and ineffective migration policies. Relying on previous empirical studies on human smuggling and other officially documented instances of the smuggling of migrants, this study investigates the heterogeneity of migrant smugglers and their activities with respect to six dimensions: target/victim, purpose, geopolitical scope, intensity, operational scale, organisation. The results confirm that it is misleading to provide one single definition of a human smuggler; on the contrary, different characterizations exist. In marked contrast to the public conception of human smugglers, they are often motivated by empathy, are active for short periods, and coordinate themselves through loose local networks. Nonetheless, the evidence indicates that there are also profit-oriented groups stably conducting large-scale operations that may end in the victimization of the migrants. The adoption of a vocabulary able to account for the diverse characteristics of human smugglers is recommended in the academic, political and policy debate.

Keywords Securitisation · Irregular migration · Organised crime · Human smuggling · Migration facilitator · Professional smuggler

Introduction

Despite the emergence of empirical studies proposing alternative views on migrant smuggling, there is still a dearth of research on migrant smugglers' characteristics, *modi operandi*, and interaction with migrants; a lack due to the limited availability of data on these aspects (Achilli 2018; Campana 2018; İçduygu 2020; Sanchez 2018a, b; Siegel 2019; Zhang et al. 2018). In turn, the scant attention paid to the figure of the migrant smuggler in research leaves room for misconceptions about that figure in public opinion, as well as among policy makers and other stakeholders. Media and law enforcement agencies frequently depict migrant smugglers as ruthless members

of large-scale criminal organisations and support a narrative that sees such smugglers as the “most immoral people of our time” (Achilli 2018, p. 77). The joint use, and even confusion, of the concepts of human smuggling and human trafficking further reinforce the image of human smugglers as violent criminals (Campana 2020; Neske 2006). Police corps, international institutions, and journalists often emphasize also the lucrative nature of human smuggling. For instance, according to Europol (2021), in 2015 alone and with respect solely to migration flows directed to Europe, networks engaged in human smuggling are estimated to have had a turnover of EUR 3 to 6 billion. The same document continues asserting that: “[a] knock-on effect could be an increase in the exploitation of labour, where migrants may be forced to work to pay off their large debts with the smugglers” (Europol 2021, p. 1). This representation of human smugglers as greedy criminal organisations is counterposed to the portrait of migrants as undefended victims. The apparent dynamic is one whereby the former exploit the vulnerabilities of the latter (Siegel 2019; Zhang et al. 2018). Human smuggling is more multifaceted than that depiction, however, and its complexity should not be neglected (Baird and van Liempt 2016; İçduygu 2020; van der Leun and Staring 2014).

The negative connotation given to the term ‘human smuggler’ is not irrelevant; on the contrary, it provides support for law enforcement operations and activities (Achilli and Sanchez 2021; Massari 2021). An example of this dynamic is provided by the externalization of the EU border security: i.e., the process by which EU Member States integrate their measures to control migration across their borders with initiatives that exercise such control extra-territorially and through other countries and bodies rather than their own (Moreno-Lax and Lemberg-Pedersen 2019; Üstübici and İçduygu 2019). Related to this, the negative representation of smugglers, combining with already-existing hostility toward migrants, increases the support for political parties that seek to impose strict nation-state border controls and xenophobic immigration policies (Zhang et al. 2018). For instance, empirical evidence indicates that the arrival of refugees on Greek islands in 2015 induced a greater number of voters to cast their ballots for the Greek extreme-right party Golden Dawn (Vasilakis, 2018). Similarly, the presence of Syrian refugees in Turkey had an impact on the incumbent party’s chances of winning the local elections (Fisunoğlu and Sert 2019). In this respect, the dominant representation of smugglers fosters xenophobic sentiments, weakening societies and aggravating their divisions.

In line with an emerging branch of research proposing nuanced perspectives on human smuggling and smugglers of migrants (e.g., Achilli 2018; Campana 2018; İçduygu 2020; Maher 2018; Neske 2006; Sanchez 2014; Siegel 2019; Zhang et al. 2018), this study examines the variety of actual behaviours behind the label ‘human smugglers’. It is argued that the label ‘human smugglers’ is not fully functional to investigating and understanding the actual phenomenon it is intended to denote. This is because it emerges from a too general definition unable to grasp the complexity of the different attitudes and behaviours of the smuggler. The term ‘human smugglers’ is used to indicate both individuals assisting the entry into a country of their relatives who are not nationals of it, as well as groups providing migration services in a more structured manner to hundreds of migrants. While infringements of the nationals’ laws regulating the entry and stay in a country are usually envisaged in both

situations, these behaviours have significant differences from a sociological and criminological standpoint. Having been incorporated into the widely ratified United Nations Protocol Against the Smuggling of Migrants, this misalignment between the reality and the concepts used to interpret it reverberates on the capacity of criminal codes to make fair justice.

Consequently, researchers in different disciplines should provide regulators and policy makers with greater understanding of human smuggling. This study seeks to support this objective by proposing a more critical reasoning on the multifaced and evolving nature of what has so far been labelled ‘human smugglers’. Examples of migrant smuggling activities referring to six dimensions (i.e., target/ victim, purpose, geopolitical dimension, intensity, operation scale, organisation) are related to two ideal extreme poles –the ‘migration facilitator’ and the ‘professional smuggler’, to use terminology like that already adopted by authors such as Sanchez (2015) and İçduygu (2020). The former expression refers to individuals who perform migrant smuggling services on a small scale and on an occasional base and who are motivated, at least partially, by empathy. The latter concerns more stable –small– groups which manage larger operations across a broader geographic area, whose sole goal is economic gain, and who may victimize migrants to increase their profits. While the two archetypical figures serve to characterize ideal extremes among people assisting irregular migration, data indicate that there is a multidimensional continuum between the two. Scientific literature and judicial cases are used as sources of evidence to illustrate the heterogeneity of smugglers. Since the two archetypical figures – migration facilitator and professional smuggler– have a dynamic relation –in particular, professional smugglers may replace migration facilitators–, the proposed schematization promises to support the efforts of those scholars that investigate changes in migrant smuggling in response to migration control policies.

This paper is structured as follows. The next section reflects on the lack of specificity of the most widely used definition of human smuggling and, in turn, of smugglers. The second section presents the aim of the study and outlines its methodology. Examples of ‘migration facilitator’ and ‘professional smuggler’ are presented in the third section and then referred to the different dimensions adopted to analyse human smugglers. The discussion compares the findings from judicial cases and previous literature, supports the interpretation of the proposed taxonomy, and outlines the links between enforcement actions and the different typologies of human smugglers. The conclusions summarise the main points of the study and advocate the adoption of a more specific vocabulary with which to discuss human smugglers and regulate international migration.

The definition of human smuggling

Although there have been important advances since the first generation of studies on people’s movements across borders in the 1990s, the definition of human smuggling is still complex and politicized (İçduygu 2020; van der Leun and Staring 2014). Today, the most used definitions of ‘human smuggling’ or ‘migrant smuggling’ usually revolve around the one adopted by the United Nations Protocol Against the Smuggling of Migrants by Land, Sea and Air (2000, Article 3), which states that the “[s]muggling of migrants shall mean 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”. Since its introduction, the definition by the United Nations has been successful in the legal and institutional spheres (Campana 2020; İçduygu 2020). As of June 2021, 112 states have signed the protocol and adopted sanctions against human smuggling relying on its definition of the phenomenon. Similarly to what happened with the United Nations’ (2004) definition of organized crime (see Paoli 2002; Varese 2017), part of the success of this definition has been due to the fact that it can be applied to multiple contexts and situations. Moreover, the emphasis on the criminal dynamics of the smuggling, underlined also by the very fact that the protocol supplements the United Nations Convention Against Transnational Organized Crime, and the adoption of a broad definition to conceptualize and describe this social phenomenon are functional to the building of a narrative that attract the attention to the topic. The more general the definition is, the more governments and other institutions can agree on it and cooperate to solve what is perceived as a pressing issue. In turn, this may bring more resources to those institutions dealing with the matter.

Despite its effectiveness in directing attention to the topic, this interpretation of migrant smuggling has its downside. Firstly, the protocol strictly links the smuggling of migrants to the aim of obtaining financial or other material benefits from the illegal entry of a person into a state. This emphasis on the criminal dynamic is crucial for guiding the design of national laws, but it limits the use of this definition to conceptualize human smuggling. Indeed, because it excludes helping a person to cross borders for humanitarian reasons, this definition gives the smuggling of migrants an intrinsically negative connotation. In response to this point, scholars have propounded definitions that avoid referring to financial gains and see human smuggling as comprising those activities that facilitate the illicit crossing of national borders with the consent of the individuals smuggled (van der Leun and Staring 2014; van Liempt and Doomernik 2006). Secondly, this definition is limited in terms of specificity; it allows a “wide variety of clandestine migration facilitation activities” to be labelled migrant smuggling (İçduygu 2020, p. 4). As such, the interpretation provided by the United Nations, despite its importance from an international law point of view, is not of much help for the criminological understanding of human smuggling because a plethora of very different actors, motivations, organisations, and experiences are condensed under a single label.

Consequently, the formal conceptualization of migrant smugglers is also problematic. In a tautological manner, smugglers are usually assumed to be criminals that commit the crime of migrant smuggling. The close connection between a broad legalistic definition of a crime and the conceptualization of the actor behind it hides important nuances and, in turn, restricts understanding of the underlying phenomenon (Baird and van Liempt 2016). It is striking that, also with respect to simpler crimes, there is a closer focus on the different types of actors engaged in them. Consider, for example, cigarette trafficking, which involves the introduction of illegal cigarettes into a market. The literature distinguishes between ‘largescale traffickers’, who manage the movement of container shipments exploiting sophisticated schemes, and ‘individual bootleggers’, who purchase unlawful quantities of cigarettes in a jurisdiction and carry them in bags or cars to markets where they are more expensive (Antonopoulos 2006; Aziani et al. 2020; Joossens et al. 2000). Because these

phenomena are different, also the strategies to cope with them, and eventually the criteria to criminalize them, should be different, and the use of specific terms helps in distinguishing between the concepts.

Current study

This study investigates the complexity of the figure of the human smuggler by exemplifying and analysing distinctions among different smugglers in terms of six dimensions that together schematically describe human smugglers in terms of attitudes, *modi operandi*, and activities. Starting from a review of the literature on the topic, the selected dimensions are: 1) the target/victim; 2) the main purpose of the smuggling activity from the smugglers' standpoint; 3) the geographical dimension of the operation conducted by the smuggler(s); 4) the frequency of the smuggler(s)' involvement in smuggling; 5) the operational scale of the smuggling activity (e.g., number of migrants, economic revenues, means employed in the provision of the service); 6) the level of organisation of the smuggler(s). The boundary between one dimension and the other is functional to creating a conceptual structure in which to frame human smugglers. It is essential to bear in mind that the boundaries among these dimensions are artificial. The six dimensions manifest together, and they reciprocally influence each other. At the same time, the proposed dimensions do not cover all the possible operational characteristics of smugglers, and other aspects could be included in the analysis. In particular, this analysis considers neither the heterogeneity of the tasks performed by smugglers (e.g., recruitment, transportation, document forgery) nor their socio-demographic characteristics (e.g., gender, age, education, religious belief, cultural norms).

For each of the six dimensions, smugglers' behaviours and attitudes are presented. The combination of different behaviours (e.g., non-victimisation of migrants vs. victimisation of migrants) and attitudes (e.g., solidarity-driven vs. profit-driven) across the six dimensions produces two archetypical figures of smugglers: at the one extreme, the 'migration facilitator'; at the other extreme, the 'professional smuggler' (Table 1). For instance, the 'migrant facilitator' tends not to victimize migrants (target/victim dimension), to be motivated, at least partially, by solidarity (purpose dimension), to perform migrant smuggling services on an occasional base (intensity dimension), etc. 'Professional smugglers' tend to organise themselves in small

Table.1 Schematic conceptualization-matrix of migrants smugglers

Dimension	Migration/facilitator		Professional smuggler	
	Pole	Fictional example	Pole	Fictional example
1 Target/Victim Sole infringers of the national law on entry and stay of foreigners or also victimization of themigrants (e.g., fraud, violence, exploitation)	Offence against state	The manager of a travel agency instructs a migrant on how to elude migration controls while entering the country	Offence against state & Offence against the migrant	A truck driver hides a family of migrants in his lorry. Once arrived at the destination, he robs them, claiming reimbursement for his fictitious extra-costs
2 Purpose The provision of smuggling services is primarily motivated by empathy or is primarily driven by economic incentives	Solidarity	A migrant hosts a mother and her children while they are waiting to start the next stage of their journey	Primarily economic profit	A functionary at the prefecture facilitates the fraudulent issue of administrative documents necessary for unknown foreigners to enter his country. Depending on the migrants' means, s/he charges the maximum possible price for his/her service
3 Geopolitical scope The services relate to local and short-distance journeys or to long transnational or transcontinental movements	Local and short distances	The smuggling of a migrant across Slovenia, from the Croatian border to the Austrian border	Transnational long distances	A girl is taken by plane from the capital of a developing country to another one; then, by land from there to a border town where she is taken to her destination pretending she is a citizen of that country
4 Intensity The provision of smuggling services is occasional and limited in time or recurrent over a longer period	Occasional	A fisherman occasionally takes migrants to a local foreign shore to integrate his income	Recurrent/stable	A broker regularly provides fake documents to refugees intent on reaching the Global North

Table.1 continued

Dimension	Migration facilitator		Professional smuggler	
	Pole	Fictional example	Pole	Fictional example
Operational scale These services are provided investing small capital, to a small number of migrants and generates small economic revenues, or they are provided to a larger number of migrants, require larger investments, and produce larger revenues	Small-scale	A man walks his cousin across the desert border with a neighbouring country	Large-scale	The organisation of boats carrying two hundred migrants across the ocean
Organisation These services are provided by individuals through the coordination of independent individuals or by groups of providers that act together	Individual or a network of individuals	A single man drives a family off four across the national border to the next stage of their journey	Small group	A coordinated group of 15 people act in concert and with specific roles to enable migrants to enter and traverse a country

groups (organisation dimension), to be motivated by economic interests (purpose dimension), to provide their service continuously (intensity dimension), etc. But this

taxonomy is a simplification of the reality. The reality of smuggling often takes the form of a continuum between extremes. Or better, it is a collection of continua, one for each dimension: a smuggler may be close to the ideal figure of the ‘migration facilitator’ with respect to a certain dimension and to that of the ‘professional smuggler’ with respect to another dimension.

Methodological approach

The conceptual distinctions between the two ideal figures of ‘migrant facilitator’ and ‘professional smuggler’ and the heterogeneity of smugglers in respect to each dimension is detailed and exemplified by referring to i) actual smuggling cases described and commented upon in the recent empirical literature, which are integrated by means of a purposive selection of ii) fifteen judicial cases labelled ‘human smuggling’ by the law enforcement and judicial authorities (Table 2). The combined analysis of these cases provides evidence of smugglers’ attitudes and behaviours that are attributable to one or the other ideal figure thus detailing and backing the conceptualization proposed in Table 1. Both the selected judicial cases and the cases retrieved from previous studies refer to smuggling episodes that took place in different regions of the world to have a higher degree of generalizability of the results. In the same vein, to have a comprehensive perspective on smugglers, they were considered smuggling episodes occurred in the last 20 years and which involved both individual smugglers and groups of smugglers, male and female migrants, adults and minors. At the same time, the proposed classification of cases has a qualitative nature. The numerosity and the selection criteria of the smuggling episodes emerging from the literature and the judicial cases prevent quantitative understanding of the figure of the smuggler; in particular, they allow neither to produce a complete picture of human smugglers nor to estimate with which frequency smugglers present a certain characteristic. Furthermore, there are no clear cutting-points between ‘migrant facilitator’ and ‘professional smuggler’ with respect to certain factors such as the scale of the services or their geographic scope. Consequently, certain empirical manifestations of smuggling fall in between the two quintessential characterizations.

The smuggling cases provided by the literature come from published empirical works; ethnographic methods are the most commonly adopted approach by these studies. The judicial cases used in this study were instead retrieved from the Case Law Database hosted by the Smuggling of Migrants Knowledge Portal of the UNODC (United Nations Office of Drugs and Crime) SHERLOC, which provides case summaries on officially documented instances of smuggling of migrants. Together with a description of the case, the database provides details on the nationalities, genders and age of migrants and smugglers, the county and location of the described episodes, procedural information, charges, claims, and court decisions as well as the date of the events, and the source of the information—often a sentence ordered by a trial court, whose text is sometimes attached to the case summary. The

Table 2 Summary of the considered judicial cases

Case N	Involved countries	N. of reported migrants	N. of reported service providers	Year of the events	Source Reference
1	France	3	1	2016	UNODC 2021
2	China, Hong Kong	1	1	2003	UNODC 2021
3	Ghana, the UK	1	1	2007	UNODC 2021
4	Morocco, Spain	1	1	2004	UNODC 2021
5	El Salvador, Mexico, US	1	1	2015	apparently UNODC
6	Haiti, France	1	1	2021	
7	India, Canada	1	1	2004	UNODC 2021
8	Taiwan, Malaysia, New Zealand	1	1	2011	UNODC 2021
9	Vietnam, Australia	25	3	2012	UNODC 2021
10	Greece, North Macedonia, Serbia	60 (not simultaneously)	17	2008	UNODC 2021
11	Sri Lanka, Thailand, Canada	492	6	2010	UNODC 2021
12	Tunisia, Italy, France, Belgium	Several, 14 specifically mentioned	16	2016	UNODC 2021
13	Libya, Italy	239	7 ⁸	2013	UNODC 2021
14	Dominican Republic, Argentina	7	8	2008/10	UNODC 2021
15	Bulgaria, Belgium	10	7	2010	UNODC 2021

selected judicial cases are then investigated in phenomenological terms. As discussed in the previous section, the international legal framework deriving from the United

Nations Protocol Against the Smuggling of Migrants provides a broad definition of smuggling that does not distinguish between ‘migrant facilitator’ and ‘professional smuggler’. Therefore, for the purpose of this study, it is the description of the cases to matter; not its legal framework, which is always human smuggling.

While most judicial cases contain enough information to assess whether in the specific circumstance the provider of smuggling services was acting more as a migrant facilitator or as a professional smuggler, with respect to each considered dimension, this is not always the case. In particular, the overall aim of the involvement in the provision of smuggling services is neither always reported nor always clearly emerges from the context. To a lesser extent also the frequency with which the smugglers provide their services is not always possible to deduce because the investigation may refer to a specific episode without providing details about the past behaviours of the people under investigation. Likely, the lack of this information is due to the fact that investigators were unable to determine whether the suspect had an history of smuggling activities or not. In particular, the nature of small-scale migrant smuggling, which does not require large investments in means, does not generate large revenues, relies on personal contacts, makes it difficult for investigators to assess its duration.

Migration facilitators and professional smugglers in previous empirical research and in judicial cases

The analysis of i) evidence of smuggling provided by previous empirical studies and ii) officially documented cases of smuggling of migrants makes it possible to exemplify the figures of the migrant facilitator and the professional smuggler with respect to the six considered dimensions of smuggler’s behaviour. Table 3 schematically summarizes the characteristics of the providers of smuggling services encountered in the judicial cases. Each characteristic is linked to the figure of the migration facilitator or to the professional smuggler as conceptualized in the previous section. Evidence of the multiplicity of smugglers’ behaviours and attitudes clearly emerges for all six dimensions from both extant literature and judicial cases, as described in the following subsections.

Target/victim

From the legal point of view, human smuggling is an offence against a state. Nonetheless, the victimization of migrants by their own smugglers is often emphasized by the media (Achilli and Sanchez 2021; Gregoriou et al. 2021; Sanchez 2018b). The emphasis on this dynamic is reinforced by the fact that migration journeys are dangerous, and an alarming number of migrants along different routes die because of the hardship of the journey. These deaths impact on public opinion and cast a dark shadow on all those involved in human smuggling activities, although many

Table 3 Summary of the analysis of judicial cases

Case N.	Involved countries	N. of reported migrants	N. of reported service providers	Year of the events	Target/Victim	Purpose	Geopolitical scope	Intensity	Operational scale	Organization
1	France	3	1	2016	Offense against a state	Solidarity	Local and short distances	Occasional	Small-scale	Individual or a network of individuals
2	China, Hong Kong	1	1	2003	Offense against a state	Unknown	Local and short distances	Occasional	Small-scale	Individual or a network of individuals
3	Ghana, the UK	1	1	2007	Offense against a state	Unknown	N.A.	Occasional	Small-scale	Individual or a network of individuals
4	Morocco, Spain	1	1	2004	Offense against a state	Primarily economic profit	Local and short distances	Occasional	Small-scale	Individual or a network of individuals
5	El Salvador, Mexico, US	1	1	2015	Offense against a state	In between Solidarity and Primarily economic profit	In between Local and short distances and Transnational long distances	Occasional	Small-scale	Individual or a network of individuals
6	Haiti, France	1	1	2008 (apparently)	Offense against a state	Unknown	Transnational long distances	Occasional	Small-scale	Individual or a network of individuals
7	India, Canada	1	1	2004	Offense against a state	Unknown	Transnational long distances	Unknown	Small-scale	Individual or a network of individuals
8	Taiwan, Malaysia, New Zealand	1	1	2011	Offense against a state	Primarily economic profit (apparently)	Transnational long distances	Unknown	Small-scale	Individual or a network of individuals
9	Vietnam, Australia	25	3	2012	Offense against a state	Unknown	Transnational long distances	Unknown	Large-scale	In between Small-scale and Large-scale
10	Greece, North Macedonia, Sri Lanka	60 (not simultaneously)	17	2012	Offense against a state	Primarily economic profit	Local and short distances	Recurrent/stable	In between Small-scale and Large-scale	Small group
11	Thailand, Canada	492	6	2010	Offense against a state	Primarily economic profit (apparently)	Transnational long distances	N.A.	Large-scale	Small group
12	Tunisia, Italy, France, Belgium	Several, 14 specifically mentioned	16	2016	Offense against a state	Primarily economic profit	Transnational long distances	Recurrent/stable	Large-scale	Small group
13	Libya, Italy	239	7/8	2013	Offense against a state & Offense against the migrant	Primarily economic profit	Local and short distances	Recurrent/stable	Large-scale	Small group
14	Democratic Republic, Argentina	7	8	2008/10	Offense against a state & Offense against the migrant	Primarily economic profit	Transnational long distances	Recurrent/stable	In between Small-scale and Large-scale	Small group
15	Belgium, Belgium	10	7	2010	Offense against a state & Offense against the migrant	Primarily economic profit	Transnational long distances	Recurrent/stable	In between Small-scale and Large-scale	Small group
	Closer to the migration facilitator 'pole'									
	Closer to the professional smuggler 'pole'									
	In between two poles									
	Unknown or not applicable									

of these deaths and acts of violence are not perpetrated by the smugglers (Donnelly and Hagan 2014). Nonetheless, whilst receiving disproportionate attention from the media, the victimization of migrants by smugglers is also documented and described by scholars (e.g., Campana and Varese 2016; Yıldız 2020). It follows that when the target or victim of the smuggling activity is examined, there emerges a spectrum of smugglers' behaviours that spans from the mere infringement of migration laws to the exploitation of migrants.

Migration facilitator: offence against a state

Both the literature and the considered officially documented cases are rich with testimonies indicating that most smugglers do not victimize the migrants that they assist in their journeys; rather, they limit the illegality of their behaviours to infringement of the law against irregular immigration. Sanchez (2018b) reports the case of Marilu, a woman relying on the services of a facilitator to travel from Mexico to Salt Lake City. Marilu had travelled with a smuggler, who was arrested in the process of transporting her together with other migrants. In response to the arrest, Marilu volunteered to stay at the safe house for a few days, assisting the facilitator's wife with her tasks because the smugglers had treated her well: “[the facilitator's wife] got a call that her husband had gotten caught [by Border Patrol]. I did not feel at risk so I told the lady I could stay there and help her. I cooked and cleaned for the groups” (Sanchez 2018b, p. 35).

This characterization of the facilitator emerges also in other contexts. For instance, Maher (2018), who focused on boat migration out of Senegal between 2006 and 2008, reports that migrants or refugees often view smugglers as friends, ‘amis’, rather than exploiters. İcduygu (2018), in providing an overview of migrant smuggling in the Middle East, indicates that also in that area, the relation between migrants and smugglers is often characterized by trust. These characteristics should not be surprising because supportiveness, honesty, trustworthiness are all characteristics sought in a smuggler by a migrant faced with uncertainty and insecurity at multiple stages of her/his journey (Campana and Gelsthorpe 2021; Campana and Varese 2016). Migrant facilitators are often migrants' relatives (Sanchez 2018b). In these situations, migrants tend not to be victimized by facilitators. The case of Lawrencia, a 32-year-old Ghanaian woman, who registered her daughter as the daughter of Joseph, a British citizen, although he was not the real father is one example. The false declaration of paternity was intended to allow Lawrencia's daughter to remain in the UK without the child being victimized in any way (Case 3; UNODC 2021m). Most judicial cases reinforce this understanding of migration facilitators. In particular, in judicial cases 1 to 12 there is no indication that the providers of smuggling services victimize the migrants (Table 3). The provision of a service without forms of exploitation emerge both when the provider of the services is an individual, as in case 1 to 8, and when the smugglers are organized in groups, as in case 10 to 12; when the scale of the operation is small –i.e., case 1 to 8– and when it is large –i.e., 9, 11, 12; when the smugglers operate locally –i.e., case 1, 2, 4, 10– or on large areas –i.e., case 6 to 9.

Professional smuggler: state and migrants

At the other extreme is the situation in which, in addition to the offence against a state, the smuggler commits offences against the migrants to whom s/he is providing her/his service. The victimization of migrants by smugglers often emerges when an assisted border crossing degenerates into an episode of trafficking. Campana and Varese (2016) conceptualize this dynamic shift from migrant smuggling to human trafficking as a ‘failure of smuggling’. The forms of victimization are various and

range from fraud to exploitation. For instance, Campana and Gelsthorpe (2021, p. 10) report a case of “an entire family paying 11,000 USD to a smuggler who then immediately disappeared after claiming that he was going to get a taxi for them”. Two investigations, similar to each other, conducted in Argentina and Belgium revealed cases of sexual exploitation of migrants by professional smugglers. Initially, the professional smugglers helped the victims in leaving their countries of origin and entering into Argentina and Belgium. However, in the countries of destination, the smuggling transformed into trafficking. In both cases, the smugglers forced migrant women to prostitute themselves to repay the debt generated by their travel arrangements, as well as penalties, fines, and costs fabricated by the smugglers (Case 14 and 15 in Table 3; UNODC 2021d, e).

An array of crimes targeting migrants lies between fraud and exploitation. For instance, among the migrants interviewed by Yıldız (2020) in Izmir in Turkey between the end of 2016 and the spring of 2017, some declared that they had been treated with brutality; others equated smugglers to criminals, mafia, and ISIS, thus strongly suggesting the conflictual nature of their relationship with them. Similar observations were collected from Nader, a smuggler based in the Turkish coastal town of Elgar: “Not all [the smugglers] are good. Some of them have no good manners with people [the customers]. They forg[e]t that these people are human beings like them” (Achilli 2018, p. 88). Violence perpetrated by professional smugglers emerges also from the words of a 43-year-old man migrating from Eritrea and reported by Whittle and Antonopoulos (2020, p. 182): “No, I wouldn’t because the smugglers who were taking us to Egypt were treating us bad, they were pushing us around, shouting at us, when one female replied back and told him to be polite, he slapped her”. Similarly, Mahmud a 37-year-old Syrian man travelling from Libya to Italy, while referring to his smuggler declared: “[he] threatened me with the use of weapons and deprived me of my freedom; moreover, he removed all my belongings contained in my luggage, consisting of 1,000 Euros, my passport issued by the Syrian authorities and various documents concerning members of my family” (Case 13; UNODC 2021i).

Purpose

The relationship between smugglers and migrants is primarily based on an economic agreement, and smugglers’ goal is to make money (Zhang 2007). However, the relationships between migrants and the facilitators of their journeys are usually complex and have a symbiotic dimension in which solidarity and non-monetary rewards are important (Achilli 2018; Zhang et al. 2018). Finally, in different contexts and along different migration routes, researchers have found evidence of individuals who perform tasks in exchange for pay or in exchange for the services necessary for their own migration (e.g., Palmer & Missbach 2017; Sanchez 2017; Whittle and Antonopoulos 2020). Overall, the available studies and cases indicate that the goals and motivations of smugglers are not uniform, and that not distinguishing among them causes severe misunderstandings.

Migration facilitator: solidarity

The paradigmatic solidarity case is easily represented by those circumstances in which the migration facilitators did not ask for any direct recompense. In an extreme case, whose related trial resulted in an acquittal, a French man took three Eritrean women to his house, and he would have given them a ride to a nearby train station the day after if they had not been intercepted by French authorities on the night of 18 October 2016. The trial showed that the man acted out of solidarity and did not receive any recompense for his support (Case 1; UNODC 2021j). The provision of services for free emerges also with respect to longer journeys. For instance, two migrants who were moving from Eritrea to Europe reported they had been able to benefit from free smuggling services (Whittle and Antonopoulos 2020).

The provision of free services is an extreme form of behaviour that nonetheless occurs in a broader supportive relation between facilitators and migrants. For instance, along the coast of Turkey, most Syrian smugglers and migrants considered smuggling as a moral, social, and religious duty towards their fellow citizens (Achilli 2018). In this regard, Siegel (2019) collected the testimony of a migrant whose attempts to reach Greece were thwarted by the Turkish Coast Guard, which three times intercepted the boat on which he was travelling and returned him to the Turkish shore. “The smuggler never asked for more money, even when the boats were confiscated each time they were caught and he actually lost money on the venture. Instead he kept trying to smuggle the migrants until he succeeded” (Siegel 2019, p. 114). The empathy of migration facilitators towards migrants finds partial explanation in the fact that acquaintances, relatives, family members, and friends frequently have an important role among human smugglers, especially when political crises and wars are the factors driving the migration process. Examples of this emerge from the analysis of smuggling into Germany by Neske (2006) or from Senegal to Europe by Maher (2018).

This empathetic connotation of the relationship between migrant and facilitator does not impede their agreement from also having an economic dimension if the price is fair. A case of smuggling from El Salvador to the US that was intercepted in the Federal District, Mexico, in 2015 exemplifies this. A 63-year-old man, whose name does not appear in the documents, used to work as a bricklayer in a family home in El Salvador in 2015. A Salvadoran woman was employed as a domestic worker in that same home. The two developed a friendly relationship and started to talk about several topics, among which was their tough economic circumstances. Faced with this, the man told the woman that he could take her to the US in exchange for payment so that she could settle in that country and earn a larger income. After many hesitations, the woman agreed and paid the man USD 2,000 to cover the costs of his service. The two, together with the man’s son, were intercepted by the Mexican federal authorities while traveling from Puebla to Mexico City (Case 5; UNODC 2021a). Episodes like the one just outlined indicate that there are intermediate situations between the altruistic one and the pure-profit one, also with respect to the dimension of the smuggler’s reason for taking part in smuggling activities.

Professional smuggler: primarily economic profit

At the other extreme of the spectrum are smugglers who are driven primarily or exclusively by economic profit and see human smuggling as solely a business (Costantino and Di Nicola 2020; Zhang 2007). Neske (2006), for instance, identifies providers of smuggling services whose only aim is economic gain in the context of migrant smuggling into and across Germany. Neske (2006) specifies that smugglers exclusively motivated by financial gain emerge within those situations in which ‘stage coordinators’ mediate between migrants and the providers of smuggling services. When the smuggling services are coordinated by ‘stage coordinators’, it is often the case that smugglers neither know the migrants in person nor they have direct social ties with them. As Hassan Ali, a 33-year-old migrant in Mogadishu, said: “A smuggler is a smuggler, wherever he is, the main concern is money. If you don’t give them money they won’t help you so their behaviour and action depend on whether you give them money” (Majidi 2018, p. 107). As such, market principles of profit maximization rule individual participation in the smuggling activities.

A smuggling case that occurred in Italy in the winter of 2013 also evidences the exclusive concern with economic profit of certain professional smugglers, as well as the close interconnections among the different dimensions considered in this study. On 15 October 2013, the Italian Navy rescued 211 migrants mostly of Syrian nationality adrift in international waters. Three weeks later, 29 migrants from Libya (26 Palestinians, two Syrians and one Eritrean) were also rescued by Italian authorities. All the migrants were taken to a reception centre on Lampedusa, the southernmost Italian island. When the two groups of migrants met, six of the migrants who had arrived on 15 October started to inveigh against one of the new arrivals. They explained to the authorities that he was the professional smuggler whom they had paid for the voyage to Italy. They had contacted him via phone, receiving instructions on how to pay (around USD 1,600–2,000). The smuggler, assisted by men armed with machine guns, had kept the migrants in hiding, feeding them only with bread and water (Case 13; UNODC 2021i). When migrants are victimized, smugglers’ motivations tend to be profit, as exemplified also by the aforementioned cases of migrant women that latter became victims of sexual exploitation (Case 14 and 15; UNODC 2021d, e). However judicial cases show that economic gain often guides the actions of smugglers, regardless of whether they victimize migrants (Case 4, 8, 10, 11, and 12; UNODC 2021g, h, k, o, n).

Geopolitical scope

The centrality of trust in the provision of smuggling services; the costs of managing operations over long distances; the importance of knowledge about the specificity of a route: these factors induce most smuggling operations to assume a local dimension (Campana 2018; Majidi 2018; Neske 2006; Zhang et al. 2018). Nonetheless, the often long distances between the origin and destination of migration journeys entail that certain smugglers also provide assistance over long journeys from Afghanistan to Europe, from China to the US, or from Sub-Saharan Africa to Scandinavian countries.

Migration facilitator: local and short distances

Migrant smuggling often assumes a very local dimension, as exemplified by a series of smuggling cases recorded between 2011 and 2012 along a route that enabled migrants from Afghanistan, Pakistan, Sudan, Somalia, and other countries to move from Greece to Serbia traversing North Macedonia. The network of smugglers arrested by the Macedonia police organised and managed the passage of migrants across Macedonian territory by monitoring whether the police were patrolling the roads when migrants had to move from one shelter to the next one and by taking the migrants from a shelter to another one. The network operated between the Greek-Macedonian border passage located south of the Macedonian village of Bogorodica and the border passage of Tabanovce that connects North Macedonia to Serbia (Case 10; UNODC 2021g). The two crossing points are about 160 kms apart and it takes less than two hours to drive from one to the other. Nevertheless, some of the members of the network were hired to transport migrants for no more than 10 kms from the village of Romanovtse to the village of Dobroshane, both located northeast of Skopje. Smugglers might operate on a small geographical scope not only along land routes, but also via sea. This is the case, for instance, of the connections between the adjacent shores of Turkey and Greece or Morocco and Spain as testified by both previous studies and judicial cases (Pallister-Wilkins 2017; Case 4; UNODC 2021o; Üstübcü and İçduygu 2019). Even outside the Mediterranean, there are cases of short voyages such as the one in which the migration facilitator had to sail for about two hours from mainland China to Hong Kong through Shenzhen Bay (Case 2; UNODC 2021f).

Professional smuggler: transnational long distances

Cases of the provision of smuggling services over long distances are exemplified by the notorious episode of the arrival of the Sun Sea vessel on the coast of British Columbia. On 12 August 2010, 492 Tamil migrants reached Canada after a threemonth voyage from Thailand (Case 11; UNODC 2021h). More common is the situation in which long intercontinental journeys are pre-organized so that the migrants themselves do not have to conduct separate negotiations with local smugglers they meet during their journey. This is possible because ‘stage coordinators’ carry out these negotiations for a commission (Neske 2006). Sometimes, a restricted number of these coordinators interact with smugglers along the entire smuggling route (Campana 2018). As such, these professional smugglers actually coordinate longdistance transnational migration movements. Finally, there are smuggling schemes based on the fraudulent obtainment of residence permits and other administrative documents through false declaration of paternity (Case 6; UNODC 2021b), organisation of sham marriages (Case 3; UNODC 2021m), use of forged documents (Case 7; UNODC 2021i). These *modi operandi* are based on the illegitimate obtainment and use of travel documents, which allow migrants to use flights and thus make long journeys in one go.

Intensity

Even if longitudinal studies on smugglers' careers are not available yet and it is hard to assess the average duration of smugglers' activities, scholars have observed a certain degree of heterogeneity also in the duration of the provision of smuggling services (Campana 2020; Sanchez 2015). Besides individuals that act as migration facilitators a few times in their lives, there are smugglers who operate in transit countries along routes that become stable and thus provide them with earnings over the course of many years (Soudijn and Kleemans 2009; Zhang and Chin 2002).

Migration facilitator: occasional

Fluctuations in migration flows suggest that smuggling is often a short-term occupation (Campana, 2020). Indeed, unstable demand and sporadic business opportunities due to changes in migration push factors and in the time necessary for migrants to save for the journey make it hard to develop stable and continuous business operations (Campana, 2020; Neske 2006; Zhang 2007). The evidence that many facilitators tend to run also legitimate businesses during their careers supports the argument that the smuggling of migrants is often considered a transitory means to earn extra money (Campana 2020). For instance, among the 66 migrant facilitators operating in the Southwest of the US and interviewed by Sanchez (2015) between 2009 and 2011, more than 95% (63) had full-time employment in a legal business.

In addition to facilitators that provide their services intermittently or for a brief period, there are cases in which the facilitator appears to have taken part in a single smuggling episode. In 2007, Joseph, a British man, agreed to enter into a sham marriage with Lawrencia a 32-year-old Ghanaian mother of three, who had initially entered the UK on a student visa, with the intention of extending her stay in the UK (Case 3; UNODC 2021m). Similarly, a French citizen falsely declared that he was the father of a Haitian child to trigger the issue of the administrative documents necessary for the child to enter and stay in France (Case 6; UNODC 2021b).

Professional smuggler: recurrent/stable

There are also professional smugglers who remain in the market for a long time. Zhang and Chin (2002), focusing on the smuggling of migrants out of China, explain that those smugglers who are well connected with governmental institutions, who have a reliable network of contacts in transit countries, and who can rapidly enter and leave China –thus reducing risks of apprehension by enforcement agencies– are more likely to run large-scale and continuous operations. Other studies also underline the importance of connections between the origin and transit countries for establishing a smuggling route and, in turn, increasing the scale and duration of the smuggling operation. For instance, the importance of crossing the English Channel to move from continental Europe to the UK leads to the appearance of professional smugglers “carrying out the same tasks over a long period of time (i.e. several years)” (Soudijn and Kleemans 2009, p. 467). Evidence of the longevity of certain professional smugglers also emerges from the judicial cases. In cases 12 and 13, which refer to

smuggling groups operating along the notorious routes linking Libya and Tunisia to Italy, the Italian authorities explicitly mention the systematic nature of the activities of the groups, even if the activities mentioned unfold over the course of only a few months (UNODC 2021i, k).

Operational scale

Cases of smugglers organising the journey of a single family, a mother and a daughter, a couple, or even a single individual are documented around the world. Likewise, single cases in which hundreds of migrants jointly arrive in a country are ubiquitous. The extent to which these large-scale cases are managed by a single group of smugglers or by multiple ones is sometime debated. Nonetheless, the fact that there are smugglers who run large activities (in terms of number of involved migrants and revenues) is not much questioned.

Migration facilitator: small scale

The facilitation of smuggling may involve only a single migrant. For instance, in the early hours of 26 December 2003, an unlit wooden watercraft was stopped in the waters of Hong Kong as it headed in the direction of Lau Fau Shan. On board were a man and a young woman who was nine months pregnant. The man was sentenced to four years imprisonment (Case 2; UNODC 2021f). In another case, Chen was accused of facilitating the illegal entry of Liu into New Zealand by providing him with a forged Taiwanese passport; the two were intercepted together in the airport of Christchurch in 2011. The case against Chen was finally dropped and he returned home to Taiwan, after much of the evidence against him was ruled inadmissible. However, he had spent nine months in custody, showing that also investigative authorities do not rule out the possibility of smuggling cases involving a single migrant (Case 8; UNODC 2021n). The practice of smuggling a single migrant at a time emerges from another case in which an Indian child was coached by his facilitator to provide a false name and present a forged passport to Canadian immigration officials. The two were stopped at Toronto airport in 2004 (Case 7; UNODC 2021i).

Professional smuggler: large scale

The numerous arrivals of boats transferring hundreds of migrants together to the South European coasts, to the US and Canada or to Australia provide immediate evidence that professional smugglers can provide their services on a large scale. A global analysis of migrant boats lost at sea between 1980 and 2015 indicates that the sample of 218 boats considered were transporting an estimated total number of 25,832 migrants when the incident occurred. This means that, on average, 118 passengers were on board; the larger cases involved more than 900 migrants (Williams and Mountz 2018). Case 11 and case 13 reported in Table 3 are examples of this *modus operandi*. The aforementioned Sun Sea vessel landed in Canada with

492 migrants onboard (Case 11; UNODC 2021h). Case 13 refers to the interception of a vessel with 211 migrants aboard. Each of the migrants was estimated to have paid between 1,600 and 2,000 USD for the Mediterranean crossing from Libya to Italy (Case 13; UNODC 2021i). In all these cases, distinct groups of smugglers may have their clients on board the same vessel. For instance, Soudijn and Kleemans (2009) report that in the case of a failed sea crossing from the Netherlands to Dover, at least fifteen different organizers were having their clients (60 in total) transported across the Channel. Yet, it is often the case that only one group manages the voyage. In the aforementioned Dutch case, a single group based in Rotterdam was overseeing the journey (Soudijn and Kleemans 2009).

‘Large scale’ may also refer to the economic aspect of the operation. In a smuggling case occurred in 2012, human smugglers received between USD 11,000 and 14,000 from each of the 25 passengers to take them from Vietnam to Australia. The gross revenues amounted to between USD 275,000 and 350,000 for a single journey (Case 9; UNODC 2021c). A ring of professional smugglers instead demanded between GBP 3,500 and 14,500 in exchange for the provision of forged documents, travel from Turkey to the UK, and temporary accommodation upon arrival in the UK. The UK police force estimates that this group of smugglers led in UK around 20,000 migrants in total. Five members of the group were sentenced to prison and received confiscation orders totalling GBP 1,260,000 (Costantino and Di Nicola 2020).

Organisation

Like most criminal activities, human smuggling is not a monopolized business; available evidence indicates that there is no single, centralized, power providing operational or logistical support to migrants along an entire route from an origin to a destination country (Campana 2020). The lack of monopolistic powers appears to be a constant among different routes connecting the South and the North of the world: from the Horn of Africa to Northern Europe, across the US-Mexico border, or the Chinese irregular migration route to the USA (e.g., Campana 2018; Izcara Palacios 2015; Sanchez 2014; Zhang 2007). It seems that structured organized crime groups levy a fee on the right to smuggle migrants across the territory that they control, rather than being directly involved in the smuggling (Campana 2018; Izcara Palacios 2015). Nonetheless, the fact that neither structured criminal organisations nor other actors exert monopolistic control over smuggling activities not mean either that a single type of coordination structure is present in human smuggling or that there is no organisation at all. Indeed, the evidence indicates that actors taking part in human smuggling have diverse levels of organisation: from single individuals to criminal networks.

Migration facilitator: individuals and networks of individuals

More often than not, migrant smuggling exhibits low levels of organisational complexity; most of the people convicted for smuggling are in fact independent operators, who tend to coordinate with each other on the basis of their social

proximity and for short periods (Achilli 2018; Campana 2018; Sanchez 2018a). More extreme cases of individuals operating completely alone have also been observed: on the night of the first of August 2004, a 29-year-old Algerian man was intercepted by the Spanish Guardia Civil while he was swimming from the coast of Morocco towards Ceuta with a Cameroonian in tow. The Algerian man was later sentenced to six years of imprisonment (Case 4; UNODC 2021o). Also in judicial cases 1 to 3 and 5 to 8, a single migration facilitator was providing smuggling services alone (Table 3). The adoption of these simple organisational structures relates to the fact that migrants often easily identify smugglers in their own social networks and communities, and that long journeys make inefficient to manage migrants' travel from origin to destination (Campana 2020). Evidence that a small network of individuals is the principal structure for migrant facilitators emerges wherever research on migrant smuggling is conducted: China (e.g., Zhang and Chin 2002), Middle East (e.g., İçduygu 2018; Karaçay 2017), Eastern Africa (e.g., Whittle and Antonopoulos 2020), Western Africa (e.g., Maher 2018), North America (e.g., Sanchez 2015).

Professional smuggler: small groups and networks of groups

Although no large mafia-type organization is directly involved in human smuggling and loosely connected networks of individuals are often observed, indications of the involvement of criminal groups are also available. These are small and mostly independent groups which have a core of three or four individuals brought together by business arrangements. The level of coordination among distinct groups operating at various stages of a migration route tends to be minimal because the long distances, fluctuation in the demand for smuggling, and the instability of criminal opportunities make small and flexible organizations more efficient (Campana 2018, 2020; Neske 2006; Zhang 2007). Nonetheless “relationships between criminal individuals can be relatively stable”. Indeed, “[t]o handle [...] continuous flows, the largescale human smuggler needs a reliable crew to take care of matters” (Soudijn and Kleemans 2009, p. 471). The review of judicial cases provides some examples of groups of professional smugglers (i.e., Case 10–15). In particular, an international investigation conducted in 2017 revealed the activities of a group operating between Tunisia, Italy, and from there to France and Belgium. Fourteen men and two women, who had a functional division of tasks within the organisation (e.g., recruitment, reception of migrants, obtainment of means of transport, economic management), were part of the group. The bonds among the members of the group were described as stable, and the members were aware of each other's role and contribution (Case 12; UNODC 2021k).

Discussion

Evidence confirms that the providers of smuggling services differ from each other in many ways. In this respect, analysis of judicial cases referring to cases of migrant smuggling in various regions of the world confirms previous research stressing the heterogeneity of smugglers (e.g., Achilli 2018; Baird and van Liempt 2016; Campana

2020; İçduygu 2020; Soudijn and Kleemans 2009; Zhang et al. 2018). The analysis of judicial cases and of the academic literature on smuggling underlines that differences among smugglers do not pertain exclusively to their specific role in the provision of services (e.g., driving, recruiting, forging documents, cooking, collecting money) and socio-demographic characteristics such as their gender, sociocultural background, age, ethnicity, citizenship, etc., as already stressed by previous studies (e.g., Campana 2020; Izcara Palacios 2015; Sanchez 2017). Their purposes, *modi operandi*, organisational structure, ways of coordinating themselves, the scale and frequency of their activities have also a significant degree of variability. In the same way, on some occasions, migrants have been victimized by the professional smugglers; on other occasions they have not. These differences are not strictly related to differences among regions and routes; they also emerge within the context of the same route. For instance, there is variability in the scale of the services provided to migrants wanting to travel from South and South-East Asia to Canada (Cases 7 and 11). Similarly, different forms of relation between professional smugglers and migrants have been observed along the route between Libya and Italy (Case 12 and 13). In this regard, future studies could conduct comparative analyses of smugglers operating on different routes to assess the degree to which, depending on the context, they are characterized by a greater or lesser degree of heterogeneity.

The evidence emerging from judicial cases does not align with previous literature only overall, indicating that providers of smuggling services are diverse, but also with respect to each of the six dimensions. Indeed, examples of both migration facilitators and professional smugglers emerge from judicial cases as well as from previous literature with respect to all six dimensions. While certain aspects like the organisational structure of the smugglers or the motivations for their participation in the smuggling of migrants have received a great deal of attention, studies on other dimensions –such as the intensity with which smugglers provide their services– are less numerous. However, also with respect to these dimensions, the available empirical studies indicate that the actors involved in smuggling are multifaced with respect to their attitudes and behaviours. For instance, although most scholars agree that smuggling can hardly be a long-term occupation (Campana 2020; Neske 2006; Sanchez 2015; Zhang 2007), previous studies have identified also contextual conditions under which professional smugglers might be able to operate for long periods (e.g., Soudijn and Kleemans 2009; Zhang and Chin 2002). The judicial cases analysed also reveal both long- and short-term forms of involvement in smuggling activities. Cases 1 to 6 concern the occasional provision of services; case 10 and cases 12 to 15 concern professional smugglers, who operate on a recurring basis. Even regarding political scope of smuggling activities, previous literature provides indications that smugglers organize themselves in several ways. Most authors explain how the very nature of smuggling services and the pressure exerted by law enforcement tend to favour schemes in which smugglers provide their services over small areas (Campana 2018; Majidi 2018; Neske 2006; Zhang et al. 2018). Although this is likely to be the norm, several of the judicial cases investigated by this study refer to the provision of services over long distances (Case 6–9, 11, 12, 14, 15).

Dimension by dimension, it has then been possible to link smugglers' attitudes and behaviours to two archetypical figures: the migration facilitator, and the professional smuggler. Facilitators tend not to be organised in groups, to perform migrant

smuggling services on a small scale and on an occasional basis. Additionally, from smuggling cases reported in the previous literature and, to a lesser extent from the considered judicial cases, migration facilitators are motivated, at least partially, by empathy. Professional smugglers are more often organized in small groups which manage larger operations and for which the economic return is the principal reason for engaging in smuggling. Finally, a fundamental distinction between the two figures consists in the willingness of professional smugglers to victimize migrants to increase their profits. Schematic representations of both these figures emerged from the cases considered (Table 3). That said, information retrieved from the literature and the judicial cases also indicates that the two figures are not antithetical; on the contrary, smugglers' actual behaviours and attitudes may be nuanced with respect to multiple dimensions. In the real world, smugglers often range along a continuum between the facilitator of irregular migration and the professional smuggler. For instance, emphatic and economic motivations frequently coexist in the same individual. Moreover, given the complexity of irregular migration and human smuggling, smugglers may exhibit certain characteristics of facilitators together with ones pertaining to professional smugglers. In the cases considered, this aspect emerged in particular with respect to the geopolitical scope of the migration services provided. Indeed, episodes of individual smugglers operating across continents (e.g., Case 6, 7) emerged alongside cases of more stable groups operating in small geographic areas (e.g., Case 10, 13).

Although human smugglers can be conceptualized along a continuum, this does not mean that they are uniformly distributed along it. The examples provided show that several types of smugglers exist, but they do not provide direct information about the frequency with which these types are manifest. Despite the difficulties in identifying representative samples of smugglers operating along a given route, further studies analysing may evaluate the frequency with which migration facilitators and professional smugglers appear both in absolute terms or with respect to a specific dimension. Nonetheless, recent research suggests that irregular migration facilitators are more common than professional smugglers, as described in the previous section of this study. The interaction between migrants and those who support them in their long journeys in foreign countries are shaped by the experiences of previous migrants and their communities (Achilli 2018; Maher 2018; Majidi 2018; Zhang et al. 2018). Coherently with the relevance of the personal relations between migrants and facilitators, smuggling services are often furnished by small-scale networks featuring a flexible structure with part-time partnerships between small smuggling businesses of horizontally integrated individuals who are not otherwise criminal (Campana 2018, 2020; İçduygu 2018; Sanchez 2017, 2018a; Zhang et al. 2018). These networks are flexible and able to respond readily to the change in the environment or even to cease their activities in the case of a fall in demand for smuggling services (Campana 2020; Neske 2006). However, the predominance of migration facilitators over professional smugglers should not induce neglect of the latter category, given the impact that its behaviour may have on the safety of the migrants themselves. Finally, not to be overlooked is the impact of enforcement and migration policies on smugglers' characteristics and behaviours.

Indeed, the specificities of the interaction between migrants and migration services are not independent from both the regulatory framework in which migrants leave their countries of origin and reach their destinations and the level of enforcement against the international movement of migrants. The fewer the legal channels for international migration, the more the need of migrants to rely on more sophisticated smuggling services, and the greater the risks to their lives (Moreno-Lax and Lemberg-Pedersen 2019; Sanchez 2018b). Indeed, increased enforcement requires more sophisticated *modi operandi*. The closure of the Eastern Mediterranean route between Turkey and the EU provides an example. The series of agreements intensifying border controls between the EU and Turkey, and in particular the EU Joint Action Plan which entered into force on March 20 2016, on the one hand displaced migrants towards more dangerous routes and perilous journeys; on the other hand, it forced migrants to rely more on professional smugglers (Achilli 2018; Karaçay 2017). Similarly, augmented enforcement against migration is identified as one of the causes of the increased victimization of migrants entering the US via sea and land, in the Mediterranean, or in the Middle East (Donnelly and Hagan 2014; Karaçay 2017; Soto and Martínez 2018). This dynamic can be conceptualized in terms of displacement of crime: enforcement is likely to cause a displacement of actors and *modi operandi*. In consideration of the frequent observation of the shift from migration facilitators to professional smugglers, more rigorous studies on the tactical and target displacement of human smuggling should be conducted to expand our understanding and support more fair and effective policies.

Conclusions

This study has investigated the complexity and heterogeneity of human smugglers presenting two archetypical types of smugglers, the migration facilitator, and the professional smuggler. Analysis of previous empirical studies and judicial cases made it possible to identify actual behaviours and attitudes characterizing the providers of smuggling services attributable to one or the other ideal figure. The distinctions between migration facilitators and professional smugglers, and more importantly between their behaviours, are often neglected in the public debate, as well as in the design of migration policies, in enforcement of the law, and in judgements. Because the behaviours of facilitators and professional smugglers may be nuanced, it is sometimes hard to distinguish between the two figures. Nonetheless, the observation of such different *modi operandi*, motivations, and organisational schemes calls for reflection on the opportuneness of using a single term to describe and interpret the heterogeneity of people who provide smuggling services. Hence analytically reasoning on the heterogeneity of people involved in migrant smuggling is crucial for understanding this important phenomenon. In turn, whether restrictive policies on migration will be maintained, it is desirable that the legal frameworks regulating international migration make it possible to distinguish between facilitators of migrants and professional smugglers in consideration of the different social harm that the two categories of smugglers can cause and the different nature of their activities.

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