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Illegal Migration and Human Smuggling in Central and Eastern Europe

SUMMARY

The analytical and statistical services of border management organizations in Central and Eastern European countries have registered and accumulated a vast body of knowledge on the demographics and mechanisms of illegal migration over the last one-and-a-half decade. This paper attempts to tap this resource by summarising the results of a yearly survey among border guards of 17 countries. A set of quantitative indicators of illegal migration is developed, presented and interpreted, based on the answers of the border services to a series of quantitative and qualitative questions. This empirical material is used to evaluate the dynamics and pattern of illegal migration in Central and Eastern Europe on the one hand, and to examine the development of border management strategies on the other. The impacts of legal and institutional reforms are investigated in light of the temporal and spatial variations of border apprehension statistics. The interdependence of the two processes is reviewed from the point of view of national border management authorities, perhaps the most authoritative source of information on the issue. The results of the authors' annual survey indicate that the progressive development of migration control mechanisms at national and international levels seems to have a significant impact on irregular migration flows as most indicators of illegal migration have significantly decreased after the turn of the century. At the same time, the geographical distribution of illegal migration flows in Central and Eastern European countries has become more complex over the years.

KEY WORDS: illegal migration, Central and Eastern Europe, human smuggling, border management, irregular migration, border apprehensions, border control

Introduction

During the 1990s irregular migration to, through and from Central and Eastern European countries (CEE) has assumed massive proportions. With the beginning of the profound political and economic transformation, the region became a source of numerous migrants heading west in search of better opportunities. The opening of frontiers and improvements in communication technologies have greatly eased migration, reducing the

costs of resettlement. Moreover, as the transition was often accompanied by political instability and weakness of law enforcement mechanisms, many CEE countries additionally attracted flows of illegal migrants in transit from traditional source countries to Western Europe.

When talking about illegal migration we refer to movements of people across national frontiers in violation of existing regulations. The concept of "human smuggling" refers to an illegal migration process in which an agent is involved for payment to help a person cross a border illegally, while "trafficking in human beings" involves coercion and exploitation of the migrant person.

On the basis of available data for 2001, the total volume of illegal migration flows to Europe was estimated at 650,000 for the EU-15 and at 800,000 for the (now) EU-25 (Jandl, 2003). Other authors have estimated that each year between 400,000 and 500,000 migrants are smuggled into Europe (Mavris, 2002). Partly in response to increased migration pressures from many parts of the world, the Central and Eastern European countries have intensified international cooperation on migration and have generally drawn closer to the European Union.[1] The upsurge of illegal migration prompted the development of new migration policies in the countries of destination which, supported by the strengthening of migration control mechanisms in CEE and increasing international cooperation in border management, supposedly helped contain irregular flows of people across national frontiers. At the same time, facilitators of illegal migration have seemed to adjust to changing law enforcement strategies by making use of the considerable organizational, financial and technical resources available to them.

This paper offers an overview of the patterns and dynamics of illegal migration in Central and Eastern Europe from 2001–2003, addressing the questions of volume, directions and patterns of illegal migration, as well as that of law enforcement strategies. While seeking to provide an assessment of the phenomenon of illegal migration in the region, we rely on a comprehensive set of data gathered from national border management agencies (Futo and Jandl, 2004; Tass and Futo, 2003). We look at the data from a comparative perspective, and speculate about the factors that render border management more or less successful. After examining data on illegal migration pertinent to 2003, we place these findings in the context of a longer time series, which enables us to evaluate long-term trends.

Remarkably, the dynamics of apprehensions of illegal migrants at the border has been decreasing over the last three years. Below we discuss whether or not and how indicative this trend really is for the number of illegal border crossings. We also review the geographical sources of illegal migration flows, which show progressive decentralization: migrants arriving from the top 10 sending countries account for a decreasing share in the total number of apprehended persons. While the main direction of flows is still from East and Southeast to Western Europe, the pattern of recorded illegal migration flows no longer conforms to clear-cut "migration routes". Several border sections along major "migration corridors" record flows in both directions, often by different nationa-

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[1] Foreword by Jonas Widgren in Futo and Jandl (2004).

lities. A substantial number of irregular border crossings takes place in the form of return migration or the re-admission of migrants who may have previously travelled legally and "overstayed" their visas. Moreover, legacies of state disintegration and weak legal and institutional frameworks for migration control render certain parts of the region particularly vulnerable to illegal migration flows.

Finally, we discuss organisational responses to illegal migration on the part of border management authorities. We analyse migration policy implementation and border controls in a comparative perspective, hoping that this will enable us to single out factors of success in migration management.

The role of border management in immigration control

Irregular migration has been the subject of a growing number of studies in recent years. Much of the discussion has focused on factors leading to migration, has reflected on migration policies, and analysed the role of networks and of social contexts in migration. Despite the abundance of both empirical studies and theories, we find that one crucial dimension has not received a degree of attention corresponding to its significance – namely the implementation of migration policies at state borders. While in practice policy makers place increasing responsibility on border management authorities in controlling migration, actual border management practices have received so far inadequate attention in the literature. Here we seek to overcome this deficiency and offer an alternative perspective on illegal migration and migration control – the perspective of the national border management bodies themselves.

One can distinguish between three distinct yet related clusters of works in migration literature, focusing respectively on theoretical issues, the policy debate, and the implementation level. The first theoretical level is represented by models developed to enhance our understandings of migration at large, which are also found useful in the analysis of illegal migration. Macroeconomic explanations of migration focus on wage differentials between sending and receiving countries that trigger migration flows (e.g. Massey et al. 1993), while micro-level approaches stress the importance of individuals' rational calculations of possible costs and benefits associated with decisions to migrate. Sociological theories emphasize the role of social networks and social contexts in decisions to migrate – how information flows and how the existence of trust relations within ethnic or other groups reduces the transaction costs of migration and smoothes migrants' adaptation in the host society (see, for example, Mehlum, 2002). While this body of work helps us understand what factors shape migration dynamics, their scope is usually restricted to theoretical analysis rather than empirical research.

On the level of policy debate various policy options are designed, weighted and examined. What ought to be a set of good migration policies/regulations depends to a large extent on the values and traditions of the respective society and the existing legislative norms and practices. As far as immigration is concerned, the discussion would usually involve not only economic considerations ("protecting domestic labour markets from the inflow of cheap migrant labour"), but would also invoke issues of human rights and freedoms (freedom of movement, in particular across national borders) and past

experiences (legacies of colonialism or of state socialism, for example). In the European context one rarely finds examples of a pro-active immigration policy; migration policy is usually a mix of restrictions and cautious regulations – known as migration control.

Brochmann (Brochmann and Hammar, 1999) mentions that migration controls are exercised at different points *en route* from the country of a migrant's origin to the destination country. She identifies five major policy junctures, among which are policies at origin influencing emigration potential (usually seeking to reduce it), policies controlling the flow of migrants at the origin (visa requirements, information campaigns), control of admission to the territory of the country (such as border checks), control of the access to labour markets (issuing work permits), and return migration policies (Brochmann and Hammar, 1999: 7–8). Although these authors draw attention to more subtle and indirect aspects of migration control, such as preventive measures abroad aimed to reduce migration pressure, or (mal)-practices that hinder successful integration and adaptation of illegal migrants and push them towards the decision to return, what usually matters in the daily practice of migration control are actual border control and return policies – mechanisms of direct external control.

Thus, arriving at the level of policy implementation we find that the main agents of illegal migration control are border management bodies, simply because "control" in this case is often limited to screening out illegal migrants at the border, identifying and combating human smuggling and trafficking networks, and deportation of apprehended illegal migrants. Improved border controls reduce the success rate of irregular migration and the profitability of smuggling organizations. (Müller-Schneider 2001)

Illegal migration is bound to exist in places where freedom of movement is restricted by law, and the countries of Central and Eastern Europe are no exception. What makes the case of CEE even more interesting and challenging, however, is the *recent* history of migration in the region and the possibility to trace how it emerged after the opening of the borders and changed over the years. In a way, CEE countries have always been a buffer zone between Western Europe and the East, bridging different civilizations economically, institutionally, and culturally. Yet, until 1990 the region was separated from the West and migration was limited to intra-block movements of people. The opening of the borders in late 1980s – early 1990s together with general improvements of communication technologies brought about a massive increase of migration in the region. Migration of Central Europeans to the West increased manifold, as well as transit migration and immigration to CEE from traditional migration countries further East and South. Given that Western European counties had already introduced sophisticated migration restrictions, much of the newfound migration was destined to be illegal.

The challenge of illegal migration spurred the development of a migration policy debate both on the national and international level. Migration policy takes into account such diverse considerations as national security, the state of the national economy (labour markets, public budgets), demographic factors (age structure, fertility rates), as well as concerns of social and cultural cohesion (Brochmann and Hammar, 1999: 298). International factors also influence the making of domestic migration policy, which is particularly true of the EU and her prospective members.

Trying to identify the factors of success in migration management, Brochmann singles out the history of handling migration flows as possibly having a positive effect on the ability of the state to regulate migration (Brochmann and Hammar, 1999: 3).[2] Indeed, a long tradition of managing immigration presupposes the existence of organizational structures and procedures that can be expected to facilitate migration management tasks. Another factor possibly conducive to efficient migration management is the existence of developed legislative regulations. Yet, it may present both an asset and a barrier from the point of view of the authorities' ability to handle immigration. On the one hand, well-established legal regulations may be easily activated once the need arises; on the other hand, they may be difficult to change when new circumstances call for it.

Brochmann and Hammar also point at the adoption of a comprehensive approach to migration management where traditional border control is complemented by long-term preventive measures in origin countries, such as development aid (1999: 305). As for controlling illegal migration, they stress the importance of internal control mechanisms. Internal migration control, along with external control, plays an important role in screening out immigrants who managed to enter the territory of a country or, having entered legally, overstayed. Among the mechanisms of internal control are controlling access to various facilities, such as ID cards, housing and social benefits, which make illegal stay more difficult, as well as sanctions for hiring undocumented migrants ("employer sanctions"). Brochmann goes as far as to claim that the efficiency of immigration policy is a question of the ability to supervise the labour market rather than of policing national borders. By and large it depends on the capacity of the state to prevent employers from hiring undocumented workers (1999: 323).

While much of the above-mentioned control mechanisms might be relevant in the Western European context, one should be cautious when generalizing these findings. Speaking of Central and Eastern Europe it is easy to observe that countries of the region lack experience of migration regulation due to many years of having had a closed system. Yet, these countries were quick and flexible in adopting restrictive migration regulations originally developed by more experienced receiving countries. As for active migration policies in the countries of migrants' origin this hardly applies to CEE countries for the time being. We believe that this lack of active migration policies is related to the absence of migration management experiences in CEE and to the fact that migration management systems are still in the making.

As for control of illegal migration, the distinction of internal methods of migration management (e.g. labour market control) and external (e.g. border control) mechanisms is also important in the case of CEE. While understanding that illegal migration may only be contained by eliminating its structural preconditions, such as the demand for illegal labour, we also have to acknowledge that this process has a long way to go in CEE. Institutionalisation of labour market control mechanisms is a long process which, although currently underway, will only bear fruits in the medium-term future. For the time

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being, border control remains the main mechanism of immigration management in the region.

Apprehension statistics in the years 2001 to 2003

In 2003 altogether 160 thousand apprehensions, due to migration-related offences, were recorded at the borders of the responding 17 countries of Central and Eastern Europe. Thus, in 2003 the volume of border apprehensions has decreased by almost 20%, when compared to the respective data of the previous year. This is the second consecutive year that such a significant decrease can be observed.

Geographical patterns of illegal migration. The geographical distribution of illegal migration flows in Central and Eastern European countries has become more complex over the years. Illegal migrants and their facilitators constantly develop new routes and ways in response to changes in laws, visa regulations and stricter enforcement measures. As a result, "classical" routes of illegal migration have become more blurred and migrants often take wide detours in order to reach their final destinations. While the main direction of flows is still from East and Southeast to Western Europe, the pattern of recorded illegal migration flows does not conform any longer to clear-cut "migration routes". Several border sections along major "migration corridors" record flows in both directions, often by different nationalities. A substantial number of irregular border crossings takes place in the form of return migration or the re-admission of migrants who may have previously travelled legally and "overstayed" their visas.

Illegal migration flows are subject to constant change as illegal migrants and their facilitators show great flexibility in reacting to changed circumstances (in migration and asylum laws, visa policies and enforcement measures). A few examples serve to illustrate this point:

– Since Bosnia and Herzegovina has introduced a stricter entry regime for Turkish citizens through the airport in Sarajevo, an increasing number of Turkish citizens, mainly of Kurdish nationality, have used other routes to Western European countries.

– In Serbia, the application of a stricter visa regime for Chinese citizens together with the discontinuance of direct flights Belgrade-Peking have quickly led illegal Chinese migrants to use alternative routes to enter Europe.

– The lack of a visa policy in the UN-administered Kosovo region has prompted a significant number of illegal migrants to enter Europe directly via Priština airport (Kosovo).

– In Cyprus, the lifting of travel restrictions across the cease-fire line, together with the approaching accession of the southern part of the island to the EU, have resulted in a five-fold increase of border apprehensions in 2003.

Year-to-year change of apprehension numbers by countries. In the year 2003 most of the responding Central and Eastern European border services have registered a decreasing number of illegal migrants, as compared with the previous year. In some cases this is the combined result of improved border management and in others it is to be attributed to more liberal visa regimes, as was the case for Romanian travellers since 2002. However, some countries have reported an increase in apprehensions, such as Cyprus, Bosnia and Herzegovina, Armenia and Poland.

Table 1: Number of border violation related apprehensions* by place of apprehension, 2001, 2002, 2003

Place of apprehension	2001	2002	2003	Change 2002/ 2001, %	Change 2003/ 2002, %
Armenia	n.a.	15 765	18 990	n.a.	20
Azerbaijan	7 640	8 299	3 846	9	-54
Bosnia and Herzegovina	n.a.	390	957	n.a.	145
Bulgaria	5 962	6 451	5 133	8	-20
Croatia	17 416	5 861	4 214	-66	-28
Cyprus	182	725	3 726	298	414
Czech Republic	23 834	14 741	13 206	-38	-10
Hungary	16 637	15 976	13 533	-4	-15
Latvia	7 838	9 737	8 566	24	-12
Lithuania	1 355	797	803	-41	1
Poland	5 219	4 269	5 063	-18	19
Romania	31 992	3 084	2 133	-90	-31
Serbia and Montenegro	1 278	823	855	-36	4
Slovakia	15 548	15 235	12 493	-2	-18
Slovenia	20 883	6 896	5 018	-67	-27
Turkey	92 364	82 825	56 219	-10	-32
Ukraine	12 558	9 600	9 602	-24	0
Total	260 706	201 474	164 357	-23	-18

*Based on reports of 17 Central and Eastern European responding countries in 2003 and on the reports of 18 responding countries to the 2002 survey. Apprehended own nationals included.

Countries with a high level of apprehensions. In 2003 the scale of illegal migrant activity as reflected by the number of apprehensions was comparatively high in the following countries: Turkey (more than 50,000 apprehensions), Armenia (more than 18,000 apprehensions), Hungary (more than 13,000 apprehensions), Czech Republic (more than 13,000 apprehensions), Slovakia (more than 12,000 apprehensions) and the Ukraine (more than 9,000 apprehensions). These countries are either near to the countries of origin, or near to the destination of the migrants.

Source countries of illegal migration. In 2003, the main regions of origin of illegal migrants were as follows.

– *Former Soviet Union*. In 2003, the single largest group of illegal migrants who were apprehended in the 17 responding countries originated from the territories of the former Soviet Union. In particular, the number of illegal migrants of Russian citizenship has increased by three-quarters. A substantial share of migrants arriving from Russia is of Chechen origin, as a reaction to the armed conflict and the subsequent unresolved problems of that region.

– *Rest of Asia*. The second largest group of illegal migrants arrived from countries of the Middle East, Central Asia, China and the Indian Subcontinent. It is to be noted that migration from these regions can be attributed only to a decreasing extent to armed conflicts. In particular, the number of migrants from countries that have been stricken in

recent years by armed conflicts – including civil wars – is still high, but it has decreased by a large margin (Iraq, Afghanistan, Śri Lanka).

– *Rest of Central and Eastern Europe*. A third, comparatively smaller group of illegal migrants has its origins in the former Socialist countries of Central and Eastern Europe. While formerly large numbers of Romanian citizens and citizens of Post-Yugoslav countries have been apprehended, in the year 2002 and 2003 this was observed to a much lesser extent.

Table 2: Illegal migration in Central and Eastern Europe. The most important 20 countries of origin in 2003*. Number of apprehensions related to border violation by country of origin, 2002 and 2003

Country of origin of apprehended persons	Apprehensions in the 17 responding countries, 2002	Apprehensions in the 17 responding countries, 2003	Change 2002 to 2003, %
Georgia	20 553	21 324	4
Moldavia	14 308	12 646	-12
Russia	6 949	11 976	72
Turkey	10 207	8 524	-16
Ukraine	8 306	7 514	-10
Pakistan	4 958	7 172	45
Iraq	27 729	5 607	-80
China	6 229	5 273	-15
Afghanistan	11 890	4 527	-62
Poland	4 368	3 930	-10
Bulgaria	6 776	3 729	-45
Romania	3 472	3 590	3
Latvia	6 126	3 514	-43
India	4 713	3 185	-32
Serbia and Montenegro	2 714	2 825	4
Belarus	646	2 678	315
Czech Republic	2 683	2 645	-1
Bangladesh	1 862	2 562	38
Azerbaijan	2 520	2 500	-1
Somalia	668	1 905	185

* Based on reports of 17 Central and Eastern European responding countries. Apprehended own nationals included. The numbers in the above table have been computed the following way. The responding 17 countries have submitted a "Top ten nationalities and citizenships apprehended" table. For each sending country the figures in these tables were collected and summarised.

Short distance illegal migration. It is to be noted, that a substantial part of migrants appearing in the above table has been apprehended while crossing the border to a neighbouring country. The significance of short distance migration is characterised also by the following observations:

– Most of the apprehended people of Georgian citizenship were reported by neighbouring Armenia,

– and most of the apprehended citizens of Serbia-Montenegro were reported from successor countries of the former Yugoslavia.

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The decentralisation tendency among the sources of illegal migration has continued during 2003. For measuring decentralisation, an indicator has been developed: the share of the top five sending countries among all apprehended migrants presented by the responding countries in their "Top 10 countries of origin of apprehended migrants" tables.

– While in the 2001 survey the first 5 sending countries accounted for almost 60% of such apprehensions (Iraq, Romania, Afghanistan, Moldova, Russia);

– in 2002 the first 5 sending countries accounted for 52% of apprehensions (Iraq, Georgia, Moldova, Afghanistan, Turkey);

– and in 2003 the share of the first 5 sending countries has further declined to 49% of all apprehended illegal migrants featured in the "Top 10 countries of origin" tables (Georgia, Moldova, Russia, Turkey, Ukraine).

Long-term trends. Long-term variations of indicators of illegal migration are of great interest. However, only a few Central and Eastern European countries are able to provide longer consistent time series on border apprehension statistics.

Table 3: Number of migration related border apprehensions including foreigners and citizens of the reporting country

	1995	1996	1997	1998	1999	2000	2001	2002	2003
Cyprus	122	229	60	52	231	224	182	725	3 726
Czech Republic	19 172	23 705	29 339	44 672	32 325	32 720	23 834	14 741	13 206
Hungary	16 446	13 912	15 764	22 906	19 213	19 717	16 637	15 976	13 533
Turkey	11 362	18 804	28 439	29 426	47 529	94 514	92 364	82 825	56 219

The observed long-term trends are as follows:

– *In Turkey* the number of apprehended illegal migrants has grown from a relatively low level to reach the peak of almost 100,000 persons in 2000. In 2003, Turkey's apprehension numbers still surpass all other countries of the region. This is a clear indicator of the fact that Turkey is not only an important country of origin of illegal migrants, but also an unavoidable transit country for many migrants travelling from Asia to Europe, and a target country itself. Since 2000, the number of apprehensions has decreased, which is partly attributable to the fact that the Iraq conflict gave rise to a much smaller wave of migration than the longer conflict in Afghanistan.

– *Both Hungary and the Czech Republic* share an immediate border with the target countries of many migrants. In these two countries illegal migration has shown a growing tendency until 1998, and a decrease afterwards. Among other things, this is to be attributed to the stabilization of the Post-Soviet and Post-Yugoslav states, and to improvements and refinements of migration policy measures.

– For many years the Mediterranean island of *Cyprus* has been avoided – in fact, by-passed – by the bulk of illegal migrants. However, in 2002 and 2003 within the time span of just a few months, more illegal migrants have arrived from poor countries (such as Bangladesh), than in the 5 previous years taken together. Migration policy should be prepared for such unexpected developments.

Demographic characteristics of illegal migrants. The reports of border management organisations show that most illegal migrants are still single male individuals in

their best working years (from 20 up to 40–45 years of age). Cases of complete families with young children are observed less frequent than five years ago. In 2003 approximately one-fifth of the apprehended illegal migrants was female, and one in 12 apprehended persons was a minor. These proportions have increased since the previous years. However, the share of women as an indicator of the family pattern of migration has to be interpreted cautiously. Female illegal migrants arriving from the source countries of Central and Eastern Europe are increasingly travelling alone, in search of a job. On the other hand, most female migrants arriving from Asian countries travel with their families.

Table 4: Demographic characteristics of illegal migrants according to the apprehension statistics of 7 responding countries. Proportions in %

Countries	Share of women		Share of minors	
	2002	*2003*	*2002*	*2003*
Azerbaijan	15.00	15.00	n.a.	n.a.
Bosnia and Herzegovina	1.03	2.61	3.59	2.30
Bulgaria	29.53	23.14	5.46	4.79
Cyprus	5.66	3.68	5.24	5.26
Czech Republic	22.47	27.19	7.13	15.21
Hungary	14.29	24.50	n.a.	n.a.
Ukraine	17.39	17.05	2.32	3.07
Total	18.62	20.69	5.26	8.06

The changing strategies of smugglers in humans

Today already the majority of illegal migrants resort to the help of organised human smugglers. For example, the Hungarian border guard noted that, while in the middle of the 1990s only about 20 to 25% of the illegal migrants were assisted in illegal border crossings by human smugglers, by now this proportion exceeds 70%. In response to changed circumstances such as new migration regulations and changes in the visa regime as well as in reaction to more efficient border control measures taken by many states, human smugglers constantly change routes and their *modus operandi*. It has been observed that human smugglers, after the detainment of only a few groups, change methods and routes, or even countries. As it is increasingly difficult to invent new ways of human smuggling, older smuggling methods are innovated and reappear in changed forms.

Modes of border crossing. In general, illegal migrants and their facilitators use a wide variety of ways for illegally crossing state borders. In 2003, several countries have recorded a noticeable increase in the use of official road border posts for illegal crossings. This has been the case in Azerbaijan, Bosnia and Herzegovina, Bulgaria, Hungary and Poland, even in cases where overall apprehension figures have fallen. In these cases, more individuals and groups attempted to avoid border controls by concealing or hiding themselves in vehicles travelling in legal cross-border traffic, or by using falsified documents or documents of another person. This tendency may be due to stricter surveillance measures on green borders and is linked to the increasing use of false or falsified travel documents. Although illegal migrants use all possible ways of transport, in some coun-

tries (e.g. in Croatia) the dominant way of illegal border violation is still the crossing of the green border on foot.

Forged travel documents. Several countries in our survey have reported a significant increase in the use of false or falsified documents for illegal border crossings (for example, Hungary noted a 42% increase compared to 2002, other countries noting this trend were Latvia, Poland and Romania). Smuggling organisations often supply illegal migrants with passports of countries whose citizens do not need a visa to enter Western Europe or with false or falsified Schengen visas. The most general way to forge documents is to replace the picture in a passport or to replace a few pages. False stamps of border crossings are also used in order to deceive border guards.

Increasing abuse of the asylum system. Several responding services, especially new EU-Member States like Hungary, Poland, Slovakia and Slovenia, have reported an increasing abuse of their asylum systems. According to their information, smugglers increasingly advise smuggled persons on submitting applications for refugee status in case of apprehension. Often, smugglers bring the smuggled persons to points near to asylum centres, where they can submit asylum applications. After staying at asylum centres for a few days, illegal migrants again get in contact with members of smuggling networks who assist them in moving on. Thus, detention centres have become a part of the migrants' routes, and they are being counted on when planning trips. These are places where migrants can stay for a while, get food, medical assistance and rest, before continuing their journey.

Organisation of long distance smuggling. As a rule, smuggling organisations have an international structure and have trans-border ties with each other. There are instances of migrant smuggling being organised by persons whose activity is based on family or friendship ties, or in the framework of loose groups organised to conduct a single smuggling operation, but more often smuggling groups cooperate in network-like structures or, in some cases, even in hierarchical structures. As individual smuggling groups and networks have grown over time, using the high profits generated through their operations, these organisations have progressively specialized and have further improved their international ties.

The division of work of smuggling organisations can be characterised as follows:

– *Recruiters* of smuggling groups work in regions stricken by political or economic crises. Recruiters in source and transit countries are often disguised as travel agencies.

– *Organisers* develop migration channels, by creating contacts and working out new methods of transport.

– *Consigners* create links between recruiters and the organisers. These people usually do not take part in any concrete action, but control and guarantee the movement of money.

– *Transporters* – often taxi drivers – are also important members of the circle of perpetrators; with their own, or with rented vehicles, they assure that the border area is approached, or quickly evacuated.

– *Guides* effectively lead the migrants through the border. They need local expertise and are often recruited from the local population.

– *Falsifiers* of passports and residence permits are often in touch with several criminal groups.

– *Hosts* and hiders offer accommodation, hiding places and telephone services for arriving migrants.

– *Guards and watchers* help in fleeing, transporting, resting, and supervising the migrants at resting-places.

– *Bribed officers* among border guards or in police organisations provide information on weak points in border zones and regimes.

Within this division of tasks, the operation of human smuggling is usually performed through the co-operation of individual autonomous groups in loose and flexible networks. Thus, the organisational structure characteristically resembles an octopus, rather than a pyramid scheme.

The main organisers of large-scale smuggling operations, usually do not live in transit countries but direct and co-ordinate smugglers operating regionally and locally from either the country of departure or from the target country. In a large smuggling network, international organisers co-ordinate the activities of national and/or regional organisers, who in turn co-ordinate the activities of stage organisers, who oversee drivers, guides, persons providing means of transport, accommodation, food, etc. Their relationships are usually based on a loose network of ties between group members or separate groups who also co-operate with other groups. Only the lowest level of facilitators and guides operate at or near the borders. Investigations have shown that the leading organisers of smuggling operations (on national or regional levels) are often foreign citizens who live in the country permanently or with long-term visas for business-, study- or family re-union purposes. It should be noted that this tendency has been detected independently in several responding states (Azerbaijan, the Czech Republic, Hungary, Poland, Romania, Slovenia and Ukraine). On the other hand, the medium or lower levels of smuggling operations are often made up of nationals of the country of residence or of other co-ethnics of the smuggled migrants. Therefore, large smuggling networks are usually made up of various different nationalities of smugglers, especially at the lower levels, and they are also equipped to smuggle migrants of various nationalities. In contrast, strict conspiring activities between the organisers and the smuggled persons based on ethnic ties are invariably characteristic of Chinese and Asian illegal migration and, to a certain extent, also of Albanian and Serbian smuggling rings.

Payment techniques and smuggling fees. In case of long distance smuggling the payment for carrying out illegal border crossings is separated from the action itself. This means that illegal migrants do not directly pay the transporter or the guide, but the payment is either pre-arranged in the country of origin (and paid out in instalments after each successful step of the journey) or the person who receives the migrants in the final country pays the organisers of illegal crossings, based on kinship ties or on the subsequent work of the smuggled person in the target country. Payments are usually executed via the Western Union system or via money couriers. Some smuggling organisations employ certain members exclusively to transfer money or to hand over the "wages" of the perpetrators working at lower levels of the hierarchy, such as transporters and recruiters.

Border management services have registered a wide range of fees charged for smuggling services. The amount depends on the smuggled migrant's country of origin and destination, the length of the route (full route or only partial route), the type of smuggling services (border crossing modes, document provision, etc.), the risks involved, and is also linked to smuggling-related expenses. Typical smuggling fees from a country of origin to a Schengen country are:

– From China to Europe from 10,000 to 15,000 USD
– From Pakistan and India up to 8,000 Euro,
– From Afghanistan between 4,000–6,000 USD,
– From Iran between 3,000–5,000 USD,
– From the Ukraine, depending on the way of transfer, between 5,000–10,000 Euro,
– For Tunisians from Turkey to the EU between 2,000–4,000 Euro,
– From Moldavia to a West European country between 2,000–3,000 Euro,
– From Serbia and Montenegro through Slovenia up to 3,000 Euro.

Technical facilities of smugglers. As a rule, smuggling organisations are well organised and technically well equipped groups, whose activities are veiled with increasing secrecy and whose methods of smuggling are constantly adapted to changing circumstances and stepped-up enforcement measures. Smugglers make extensive use of modern communication equipment. Communication is maintained among others through cellular phones purchased especially for this purpose. The whole process of transport from the rear regions to the border, the harbouring and transfer of migrants from one smuggler to another, is co-ordinated in cell phone conversations. After the operation SIM cards are exchanged. Increasing use is also made of the Internet as a means of communication. For transport, smugglers often use rented cars or taxis, vans, minibuses, trucks, cargo space, containers or refrigerator semi trailers, motorboats and other means of transport. Along the borders, smugglers extensively use night vision gadgets, surveillance gadgets, and radiophones. The forgers continuously update their equipment for forging passports and visas and other documents of different countries. Modern computer technology is used to improve the quality of document falsifications.

Organisation of small-scale human smuggling. Many smuggling organisations or individual persons serve illegal migrants from geographically closer countries. These organisations are much less complex and make smaller profits, than organisations specialised in long distance smuggling. Occasional guidance or transport services offered for a simple illegal border crossing are often performed by a single person acting on his own or relying on the help of a few others. Small-scale smuggling often takes the following forms:

– Following the mobile phone call of the contact person, a taxi driver transfers the migrant over the border.

– Persons approaching individual migrants at railway and bus stations offer paid services for illegally crossing the state border.

Small-scale smuggling is usually a pre-paid service. Short border crossings on foot can cost as little as €30–€40 for a crossing from the Czech Republic to Germany or €50–€100 for transportation by passenger car from Budapest to the other side of the Aus-

trian border. Such relatively simple ways of smuggling are typically perpetrated in the border regions of former Yugoslavia. Frequently the smugglers are ethnic Albanians of various citizenships, serving the needs of various illegal migrants of Central and Eastern European origin.

Increasing risk for smugglers. A significant observation emerging from this year's survey of illegal migration is that, while the overall number of border apprehensions has declined in most responding countries, the number of human smugglers caught has remained high or has even increased. There are two basic explanations for this:

– First, enhanced enforcement measures and a greater efficiency of border guards and police authorities have led to higher success rates in the detection and apprehension of human smugglers.

– Second, a greater proportion of the illegal migrants transiting through the area use the services of facilitators.

Public policies against organised smuggling in humans and their enforcement

Changes in the legislation. In Central and Eastern Europe the legal basis of migration policy currently is undergoing significant reform. While the legal conditions for successfully fighting human smuggling and trafficking have improved, on the other hand important steps have been taken to safeguard the human rights of migrants.

In 2002 and 2003, laws, law amendments and decrees have been adopted in the following areas.

– The legal status of aliens has been newly regulated in Armenia, Croatia, the Czech Republic, Hungary, Poland and Romania,

– Laws on Immigration have been adopted or amended in Armenia and Latvia.

– Laws and decrees on asylum have been passed in Croatia, Hungary, Latvia, Poland, and Romania.

– Important readmission agreements have been signed with neighbouring countries and with countries of origin of illegal migrants in Croatia, the Czech Republic and Lithuania.

– Laws and decrees on human trafficking were accepted in Armenia, Bulgaria, Cyprus and Turkey.

– Laws on the State Border and on its protection have been passed and programs of border management were adopted in the Czech Republic, Latvia, Romania and the Ukraine.

– In some countries, as a consequence of entering the European Union, visa obligations were introduced for countries whose population previously had enjoyed the right of visa-free travel. E.g. Hungary has introduced visa obligations for citizens of Serbia-Montenegro and the Ukraine.

– The Police Law has changed the administrative procedures in regard to foreigners in Slovenia.

– The administrative system of work permits for foreigners was modified in Turkey in order to reduce the number of foreigners working illegally in the country.

– The Citizenship Law was amended to close loopholes of illegal stay in Turkey.

The development of border management organisations. In 2003 border management organisations have reported significant improvements in efficiency in terms of better international co-operation, more and better trained personnel and better equipment. The following are some selected examples of the development of border services in Central and Eastern Europe:

– The Aviation Department of the State Border Service has been re-organised (Reported by Azerbaijan).

– Building of temporary lodgings, detention, reception, and removal centres for illegal foreign migrants (Reported by Azerbaijan and Turkey).

– The human trafficking problem was put into the focus of public awareness campaigns and of police training curricula (Reported by Croatia).

– Installing radar surveillance systems, patrolling vessels and helicopters with radar systems, night vision devices and other technological development (Reported by Cyprus, Hungary and other services).

– Border co-operation with neighbouring states was improved, joint committees were set up, the network of official places of joint border management was extended to new border sections (Reported by the Czech Republic, Hungary and Latvia).

– Information systems on visas, invitations and persons were developed (Reported by Latvia).

– Co-operation with qualified interpreters was enhanced (Reported by Latvia).

– New border patrol stations on the external EU border were built and planned (Reported by Poland).

– Surveillance of border traffic and of "green border" sections was merged and integrated border checkpoints have been created (Reported by Poland).

– An inter-ministerial task force on border management was created (Reported by Turkey).

– Organisational reform of the Border Guard. Transition from military methods of border management to police-based methods (Reported by the Ukraine).

Methodology

The data presented in this paper are based on a unique annual survey of border services of Central and Eastern European countries (Tass and Futo, 2003; Futo and Jandl, 2004). Each year, national border management authorities are asked to answer detailed questions pertaining to illegal migration, human smuggling and trafficking. At the same time, the survey questions have investigated the development of national border control institutions and mechanisms as seen through the eyes of the main policy implementers – border management bodies.

The territories of the responding countries constitute a continuous belt between the main sending and the main receiving countries of illegal migration in Europe. All of the

responding countries serve as transit countries of illegal migration, some of them are mainly source countries (e.g. Armenia), while others can be regarded as source, transit and target countries at the same time (e.g. Turkey).

– *Quantitative parts of the contributions*. The surveys seek to cover the many features of illegal migration in the region, placing it into the broader context of the contemporary migration situation. The main indicators covered by the annual survey are as follows: The number of (a) persons legally crossing the border, (b) persons claiming asylum, (c) border violators by age groups, gender and places of apprehension, (d) people being smuggled into the country, (e) apprehended "human smugglers", (f) people being trafficked into the country, (g) apprehended "traffickers in humans", (h) persons rejected at the border, (i) persons to whom residence was refused.

– *Qualitative parts of the contributions*. The planners of border management and asylum procedures are excellent observers of the phenomenon of illegal migration. Besides apprehension statistics, the responding border services have sent their qualitative reports, observations and judgements regarding the strategies of border management services and that of smuggling organisations. In particular, the qualitative questions of the questionnaire focused (a) on the legislation and on the institutional development of law enforcement institutions combating illegal migration and (b) on the revealed organisational set-up and technical facilities of smuggling organisations.

Although, due to its very nature, the survey cannot purport to answer all possible questions relating to illegal migration in Central and Eastern Europe, it is certainly the most authoritative source providing an overview and an estimation of the main trends.

The interpretation of law enforcement statistics and its limits

Border apprehension statistics are an important indicator of the volume, directions and patterns of illegal migration, but their interpretation should be performed carefully, for the following reasons. Data collection on illegal migrants faces the problem of identifying and counting people who have intentionally made themselves unobservable. It is assumed that for every one person caught entering the EU illegally two to four others pass unhindered – depending on the effectiveness of border control (Salt, 2002).

On the other hand, border apprehension data usually refer to cases rather than to distinct individuals. Thus, if an individual is apprehended more than once while trying to cross an international border illegally, he or she will be counted more than once in apprehension statistics.[3] Many apprehended illegal migrants will hide important personal data on their status to avoid removal. Information that may establish a person's illegal status is frequently dispersed between different government agencies. Legal problems may also prohibit the counting of cases. In some countries, for example, irregular entry itself is not a criminal offence, therefore criminal statistics may not sufficiently cover

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[3] However, our data indicate that, at least in the European context, this conceptual problem with using apprehension data can be assessed to be a rather marginal one. For example, data provided by the Czech border police show that the share of repeated apprehensions out of all border apprehensions was only 11.5% in 2003 (after 12.2% in 2002).

the phenomenon. Country-specific variations of legislation and definitions on legality and illegality result in a lack of internationally comparable data on illegal immigration (Futo and Tass, 2002).

Year-to-year differences of apprehension numbers in the case of an individual country must be analysed bearing in mind the following factors:

– An increase in the number of apprehended migrants is not necessarily the consequence of increasing illegal migration activity: it may just as well reflect an improvement of border management practices. For the interpretation of decreasing apprehension numbers analogous statements could be formulated, although they currently appear less likely.

– Illegal migration trends are significantly influenced by migration and visa policies. A decrease in apprehensions may be caused by a change in visa policy, which renders formerly illegal border crossings unnecessary.

The following examples show how the impact of visa measures have been immediately reflected in apprehension statistics:

– Since 2002 Romanian citizens have enjoyed visa-free entry into the Schengen Area, which has substantially reduced border apprehensions of Romanian citizens.

– Chinese citizens need visas in Serbia since 2001, which has led to a significant decrease of Chinese migrants transiting through Serbia-Montenegro.

Between-country differences in apprehension numbers may reflect differences in the volume of migration flows, but may also be the result of still existing differences between statistical systems. In particular, there is still no agreement on what exactly is to be considered illegal migration. In counting border violations, the statistical systems of most border services still have problems when it comes to properly dealing with:

– cases of readmission,

– border violation cases of their own citizens

– and with cases of law-abiding travellers having lost their documents.

Regarding the above issues, the statistical systems of border services still have far to go until full harmonisation is achieved.

Other indicators. Border apprehension statistics are only one of the possible sources of indicators on illegal migration. Empirical investigations on illegal migration should rely not only on enforcement data, but also on many other sources such as:

– Sociological surveys;

– Calculations based on entry and exit statistics;

– Visa statistics, including refused visas;

– Statistics on asylum applications and grants;

– Residence and work permits, including statistics on violations thereof;

– Other administrative files on foreigners.

Conclusions

This paper has looked at the dynamics and patterns of irregular migration in Central and Eastern Europe, drawing on a unique collection of quantitative and qualitative data

on the phenomenon. The data are drawn from an annual survey of the border services of 19 Central and Eastern European states, which has been carried out by the International Centre for Migration Policy Development (ICMPD) for the last eight years. The results of the surveys, published in an annual Yearbook, provide a unique compilation and overview of irregular migration trends in the region.

Perhaps the most remarkable, and somewhat surprising feature of irregular migration trends in the region has been that, overall, the dynamics of apprehensions of illegal migrants at the borders has been sharply decreasing in the years 2001–2003. This follows a decade of steep increases in border apprehensions during the 1990s. There are several factors that may account for this observed decrease of border apprehensions.

First, there are some purely statistical factors that play a role. For example, since 2002, nationals from Romania and Bulgaria have been visa-exempt in the countries of the Schengen area, but also in many countries of the region under survey, removing the need of these groups of migrants to cross borders illegally.

Second, there are some geo-political factors that may have led to lower volumes of irregular migration flows in the region. For example, during 2002–2003 the conflict in Afghanistan has gradually stabilized and the war in Iraq in 2003 has led to lower volumes of irregular migration flows emanating from that country than in any of the preceding years.

Third, the observed decreases in border apprehensions may be the indirect result of higher border control standards that have been instituted throughout the region over the last years, as border management agencies have gone to great lengths to improve their efficiency, which may have had a targeted deterrent effect on irregular migration.

Finally, fourth, a decrease in apprehensions may also result from new, and as yet unknown, strategies and tactics on the part of human smugglers, which may have led to the effect that a larger share of illegal border crossings has remained undetected.

In the final analysis, this survey convincingly demonstrates that the struggle for better border protection throughout the region is far from over. The actors facilitating irregular migration for their own profit – the human smugglers – have reacted predictably to changes in migration laws, visa regulations and stricter enforcement measures and have constantly developed new ways and means to carry out their business. As a result, the geographical distribution of illegal migration flows has become more complex and the "classical" routes of illegal migration have become more blurred. At the same time, border management authorities have developed new migration and border control strategies as well, and have increased their efforts of countering human smuggling activities. It is the interdependence of these two processes that will define migration control efforts for many years still to come.

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ILEGALNE MIGRACIJE I KRIJUMČARENJE LJUDIMA U SREDNJOJ I ISTOČNOJ EUROPI

SAŽETAK

Analitičke i statističke službe graničnih kontrola u zemljama Srednje i Istočne Europe zapisale su i skupile veliko znanje iz demografije i mehanizama ilegalne migracije tijekom posljednjih petnaest godina. U radu se pokušava iskoristiti taj izvor sumiranjem rezultata godišnjeg pregleda koji su obavili graničari sedamnaest zemalja. Razvijen je set kvantitativnih indikatora ilegalnih migracija koji se prikazuje i interpretira na temelju odgovora graničnih službi na niz kvantitativnih i kvalitativnih pitanja. Em-

pirijski materijal je, s jedne strane, upotrijebljen za procjenu dinamike i uzoraka ilegalne migracije u Srednjoj i Istočnoj Europi, a s druge za ispitivanje razvoja strategija upravljanja granicom. Djelovanje pravnih i institucionalnih reformi ispituje se u svjetlu vremenskih i prostornih varijacija statistika uhićenja na granici. Međuzavisnost tih dvaju procesa promatra se s gledišta nacionalnih graničnih organa upravljanja koji su možda najmjerodavniji izvor informacija. Rezultati godišnjeg pregleda koji su sačinili autori pokazuju da, kako se čini, progresivni razvoj kontrolnih mehanizama migracije na nacionalnoj i međunarodnoj razini značajno utječe na neregularne migracijske tokove budući da je većina pokazatelja ilegalne migracije značajno smanjena na početku ovog stoljeća. Istodobno, geografska distribucija ilegalnih migracijskih tokova u Srednjoj i Istočnoj Europi postala je složenija tijekom godina.

KLJUČNE RIJEČI: ilegalna migracija, Srednja i Istočna Europa, krijumčarenje ljudima, upravljanje granicom, neregularna migracija, uhićenje na granici, kontrola na granici

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MIGRATION ILLÉGALE ET TRAFIC D'ÊTRES HUMAINS EN EUROPE CENTRALE ET ORIENTALE

RÉSUMÉ

Les services d'analyse et de statistiques des organes de contrôle aux frontières dans les pays d'Europe centrale et orientale ont acquis une très bonne connaissance de la démographie et des mécanismes de migration illégale au cours des quinze dernières années. Cet article puise à cette source pour résumer les résultats du suivi sur un an mené par les gardes-frontière de 17 pays. Une grille d'indicateurs quantitatifs des migrations illégales a été élaborée. L'auteur la présente et l'interprète en s'appuyant sur les réponses données par les services des frontières à une série de questions quantitatives et qualitatives. Ce matériau empirique est, d'une part, utilisé pour évaluer la dynamique et les modèles de migration illégale en Europe centrale et orientale, et d'autre part pour envisager le développement de stratégies de gestion des frontières. L'impact des réformes juridiques et institutionnelles est examiné à la lumière des variations temporelles et spatiales des statistiques sur les arrestations à la frontière. L'interdépendance de ces deux processus est révisée du point de vue des organes nationaux de contrôle des frontières, qui sont sans doute la source d'informations la plus fiable. Les auteurs font ressortir des résultats du suivi d'un an que l'évolution progressive des mécanismes de contrôle de la migration au niveau national et international semble influer notablement sur les courants migratoires illégaux, car la plupart des indicateurs de migration illégale sont nettement en baisse au début de ce siècle. Parallèlement, la répartition géographique des courants migratoires illégaux en Europe centrale et orientale est devenue plus complexe au cours des dernières années.

MOTS CLÉS : migration illégale, Europe centrale et orientale, trafic d'êtres humains, gestion des frontières, migration irrégulière, arrestation à la frontière, contrôle des frontières