Research Study on Human Smuggling in Sri Lanka: windows for intervention by the International Organization for Migration (IOM)

by Danesh Jayatilaka
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### Annexes

Meetings conducted/support group list

Structured questionnaire

Semi structured questionnaire

Research strategy plan

Map of Sri Lanka
Summary

International Organization for Migration (IOM) Sri Lanka envisaged the following study because of the rising numbers of human smuggling occurrences in the country during recent years. The research consultant was recruited to prepare a study paper evaluating the depth of the phenomena in the country with recommendations for an education and information programme. The document is also intended to support the organization’s overall national anti-human smuggling programme, highlighting areas for attention at the micro and macro levels. The full time study duration was from June to end August 2003, inclusive.

The four-part paper is structured in the following order: (1) research methodology, (2) depth of air and sea smuggling problem, (3) profile of smugglees and (4) recommendations for the education/information programme. The sections on the depth of the problem and the profile include the history of smuggling, legislation, occurrences of smuggling, destinations, mapping of recruitment and route processes, causes of migration and construction of a victim profile. The section outlining recommendations for the educational programme contain mass media and grassroots level programming with messages for deterrence and behavioral change.

Annexes include questionnaires, a meeting list, support organizations and the research plan. The researcher has made an effort to approach the recommended methodologies using a scientific approach with rationales for the conclusions. Statistics, graphs and tables had been provided for the benefit of the reader. The quantitative and qualitative information provided is essentially from primary sources while the statistics and time data are secondary sources.

The nature of the problem of human smuggling in Sri Lanka is complex and multifaceted. Human smuggling touches on economics, politics, conflict, society, culture, religion, self-esteem and confidence in one’s country and its future. Hence, intervention approaches must be cross-disciplinary, using multi-pronged strategies, targeting synergy at appropriate levels. The analysis of root causes for ‘why’ individuals choose human smuggling in Sri Lanka, with mirroring remedial programmes, is an area that needs in-depth attention.
Researching irregular migration in Sri Lanka with a view towards programmatic intervention

1. Research methodology
A multi strategy approach was utilized during the 3 months for the information search including literature reviews, informal interviews, structured interviews and site visits.

The literature search was conducted for secondary data and documentation on the phenomena of human smuggling. Though some documentation regarding human smuggling at the international level was collected, the main focus remained on the problem at local level. Sources included IOM documents and resources from a number of other institutions involved in social research and data base management. Organizations contacted included:

IOM documentation center, Migration Services Center, Center for Women’s Research, University of Peradeniya, International Center for Ethnic Studies-Kandy, Center for Poverty Analysis and UNHCR

A semi-structured questionnaire was used for interviewing individuals directly involved or indirectly connected to human smuggling or trafficking. The group included government officials, academics, NGO workers, foreign embassy officials and international agency staff. IOM project staff also was interviewed on specific topics. The choice of questions from the questionnaire would occasionally change depending on relevance. Besides verbal information, feedback would at times be in the form of assistance with a site visit or field interview and providence of statistics/data. Interviews included:

Sri Lanka Police, Criminal Investigation Department, Attorney Generals Department, IOM Project Officers, Migration Services Center, National Workers Congress, Sri Lanka Bureau of Foreign Employment, University of Peradeniya – Geography Department, Center for Poverty Alleviation, Center for Women’s Research, Lawyers for Human Rights, Embassy of Italy, Australian High Commission and UNHCR

A structured questionnaire was employed for interviewing former ‘smugglees’ and victims of failed endeavors. This tool was developed by the researcher to gather information on victim profile, motivation, case process details and behavioral data for communication messages and intervention strategies. Five separate methods for sourcing of participants was arranged to maximize interview numbers and affect the in-sample breadth of victim/participants. The 5 sources were:

Migrant Services Center, Ceylon Workers Congress, IOM Assisted Voluntary programme, IOM Movements programme and Sri Lanka Police

While a target of 30 interviews was planned, all meetings did not come through in this particular category. Recent police arrests of both locals and foreigners, especially for transit smuggling, had made participants who were earlier willing, uncomfortable in taking part in the research study.
Four case studies were drawn up with the collaboration of two failed smugglees, one smuggler ship captain and one individual closely connected to the smuggling networks.

Lastly, a number of site visits were conducted to known smuggling locations to make physical observation of departure points, study and tour the types of ships used, understand facilities and equipment used, and converse with the local population involved in smuggling. The areas were Negombo, Beruwala, Kalutara, Bentota and Marawilla.

A combined information gathering approach was used to cover as many angles of the subject as possible. The literature review provided background on the topic and guidance for the interview targeting, victim samples and design of tools with particulars on framing questions. The informal and structured interviews, and case studies were a source of data and perspectives on the problem, systems and process details, from both sides of the coin. The site visits added details from an infrastructure and environmental/social perspective. For the purpose of this study, individuals who willingly adhere to illegal modes of travel (or are unknowingly part of and are victims) to other countries would be referred to as ‘smugglees’.

While a substantial amount of information was gathered, as this document is an action report with TOR for reporting on specific areas, the information provided would concentrate on depth of the human smuggling problem in Sri Lanka, profile of victims and strategy recommendations for an educational/information programme.

2. The depth of the problem

Illegal human smuggling presently takes place in the country by air and sea. Since Sri Lanka is an island, cross border smuggling cannot exist as it does in countries such as India and Nepal. The legal position in regard to countering human smuggling in the country is considered weak and ambiguous. There are no laws that address human smuggling. Trafficking and smuggling are grouped into one category, falling under the jurisdiction of the Sri Lanka Foreign Bureau Employment Act and Immigration and Emigration Act. The violation of these acts includes aiding and abetting smuggling, or leaving the country from a non authorized port. The Immigration and Emigration Act specifies Katunayake International Airport, Ratmalana, Koggala and Kankasanthurai as the airports and Colombo Harbor, Galle, Trincomalee and Talaimannar pier as the seaports for all departures and arrivals. It is necessary that movement should be only from these locations under the presence of customs and immigration and emigration officials; international departures and arrivals taking place elsewhere are considered illegal.

Interviews with law enforcement officers and legal experts with the GOSL revealed that sea smuggling is considered a technical offence which is difficult to charge and prosecute (see table 1 and figure 1). Convictions in sea arrests in comparison to those in air cases are very low. GOSL officials have indicated it is hard to build sea smuggling cases against facilitators as there is a necessity for independent corroborations and not just from the passengers (statements from smugglees, proof produced by law enforcement officials and circumstantial evidence is insufficient as there is the need for corroboration on the
‘act of smuggling’ from a completely independent person/witness). In addition passengers in those cases often changed their stories through the legal process. For reasons such as debt bondage, fear of reprisal, friendships, family connections, group cohesiveness, embarrassment to parents/siblings, pressure from corrupt officials or hopes of trying again, it is normal for smugglees to choose not to reveal crucial information.

Smugglees and facilitators occasionally claim in their defense that they were ‘going for a joy ride’, ‘going fishing’, ‘got lost’ or ‘going to big fishing ship for marine training’. They are aware of the laws and often question which laws they have violated. Since no laws had been broken, law enforcement officials would try to build cases by gathering cumulative evidence on the location, equipment, provisions, persons involved and character history. The availability of hard proof and on-the-spot obvious intentions make air smuggling cases very easy with high arrest - conviction rates. The government usually adheres to the practice of punishing the smugglers/facilitators and not the passengers.

A weak state penal system acts as a serious impediment to combating human smuggling. At present, a facilitator would face a 1 year maximum sentence with a fine of up to Rs. 150,000. Amendments are planned for the Immigration and Emigration Act with recommendations of 7 years to life in prison and up to Rs. 1,000,000 fine. Considering that a boatload of smugglees could net a sum of Rs. 30,000,000 for the facilitator, this is still a small price to pay for the risk. There were 6 successful prosecutions of facilitators during the year 2002. The figure was 2 during the year 2003 (up to July). It should be noted that all the charged were from the Negombo area (Western Province).

Table 1
Some arrests figures from 2002 and 2003 at a glance:

<table>
<thead>
<tr>
<th>Item</th>
<th>Year 2002</th>
<th>Year 2003 (up to July)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detection of forged passports at airport</td>
<td>202</td>
<td>112</td>
</tr>
<tr>
<td>Detection of forged visas at airport</td>
<td>30</td>
<td>18</td>
</tr>
<tr>
<td>Arreets of facilitators</td>
<td>52</td>
<td>27</td>
</tr>
<tr>
<td>Human smugglees arrested</td>
<td>884</td>
<td>820</td>
</tr>
<tr>
<td>(foreign smugglees)</td>
<td>0</td>
<td>723</td>
</tr>
<tr>
<td>(local smugglees)</td>
<td>884</td>
<td>97</td>
</tr>
</tbody>
</table>

Figure 1
2.1 Smuggling by Air

Informal and structured interviews revealed that smuggling by air occurs in a variety of ways from the country. Offences occur at all stages of the travel process between here and the final destination country: at the inception, midway or at the end of an air trip. Forged documents (visas, passports, sponsor letters etc.) are readily available from the Sri Lankan underground and could be purchased through proper contact channels. A common practice is to manipulate existing work permit documents granted to legitimate migrants to get a friend or family member into the country (e.g. to Italy). Also common is the use of forged invitation documents and bogus institutions/events drawn up for smuggling to countries (e.g. Japan, other East Asian countries and Eastern Europe). Karate competitions in Japan, educational programmes in Europe and NGO training meetings around the world, fabricated or real, have been used as platforms for smuggling.

![Forged passports and documents is a lucrative business](image)

The smuggling of female domestic workers primarily to the Middle East, Italy and Cyprus by use of false job contracts and employment offers is also occurring. The groups responsible for this are a number of illegal job agencies scattered across the country. While regulations state that a job agent under the supervision of the Sri Lanka Bureau of Foreign Employment (SLBFE) could charge only Rs. 10,700, these illegal agencies charge anywhere between Rs. 100,000 to Rs. 200,000 and send the unsuspecting victim, with no legitimate state protection, to a non-existent or sub-standard employment arrangement. Should the person decide to return, his/her chances of seeking redress and compensation are minimal, as the state is not responsible for protection coverage if arrangements had been with an illegal agent. Also, at times the non-registered agent would have closed shop and disappeared.

Popular free ports for single smugglees using legal air passage entries and then illegal cross-land travel departures are Moscow and Dubai. In both cases, the destinations are countries in Europe, often followed by onward air travel to countries in North America. There is an effective human overland smuggling infrastructure in place out of Moscow.
and Dubai to facilitate the smugglees. The networks include friends, family members, Sri Lankan community groups, sympathetic locals, criminal networks and organizations such as the LTTE. Bangkok and Singapore have also been used as transit centers with the use of authentic documents. These persons would subsequently depart by one or a combination of land, boat or air (with forged documents) and travel to Europe, Canada or Australia. Below are some sample travel modes and routes used by single and small groups of smugglees:

Figure 2

<table>
<thead>
<tr>
<th>Sample 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moscow (by plane legally) – walking and trucking through Ukraine, Lithuania and Poland – walking and driving to Germany – driving to UK</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Singapore (by plane legally) – to Indonesia (by plane legally) – to Germany and then Holland, by plane and car on forged documents – to UK on ferry on forged documents</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany (by plane legally) – to UK by car through border illegally to claim asylum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Switzerland (by plane legally) – to Italy illegally by car and walking across border</td>
</tr>
</tbody>
</table>

While the facilitation is done mostly by agents in Colombo, there are times when friends and family members lend support. The cost usually ranges from Rs. 200,000 to Rs. 500,000 per person with half paid up front and the balance paid latter by the smugglee or his/her friends and relatives in Sri Lanka. Victims are usually given the final instruction and travel documents only at the airport a few hours before departure. The trip is usually far more difficult than explained to them and the duration much longer than promised. Occasionally, the Sri Lankan agent or someone known to him accompanies the smugglee part of the way. The local accompaniment would usually be on the legal and comparatively easy stretch of the journey. The study revealed it is not uncommon for a person to pass through two or three couriers before reaching his/her final destination.

2.2 Smuggling by Sea

The GOSL considers that the breadth of Sri Lanka’s territorial waters extend 12 km from the coastline, while an exclusive economic zone extends 200 km from the coast. Unofficial estimates from police officials indicate that approximately 2,000 local people were smuggled out of Sri Lanka by boat during 2002. The destination was almost always Italy, and then entry into any one of the other European countries. While some attempts had been made for Australia, these had mostly failed and the smugglees returned. Travel was typically by use of converted 50-foot local fishing trawlers or by large foreign ships that picked up passengers in Sri Lankan deep waters.

Human smuggling by sea is believed to have started around 1994, with the first Sri Lankan boats leaving for Italy, Australia and New Zealand. State officials estimate that 50 to 60 percent of smuggling attempts are successful. An individual is charged anything between Rs. 200,000 to Rs. 400,000 for the trip. The payments are usually half in cash form up front with half paid afterwards, in lump sum or in installments. It is common for smugglees and their families to pawn their jewelry and mortgage their assets to raise the
required funds. A large number of cases included leaving land and property deeds as collateral with an illegal financier or the smuggler until payment is made in full. Interestingly, these people were held accountable for payment by the fund lenders irrespective of the ventures success or failure.

A modified fishing trawler, with rudimentary sleeping facilities in the storage hull and on deck, can carry up to 120 people while the large ships can ‘pick-up’ a batch of 250 people at one time as demonstrated in the recent arrest, for the first time, of a foreign ship and its foreign passengers off the Southern coast of the country. Law enforcement officers stated that, as far back as 1994, Ukrainian ships came to Sri Lanka and docked in deep waters to pick up local smugglees. The trip to Italy takes between 4-6 weeks, depending on the weather and arrangements with stakeholder officials in enroute countries. The journey, especially in the fishing boats, is exhausting and difficult. Food usually consists of rice, rohti, lentils, dried fish and noodles. Two meals are served daily with distribution of water strictly rationed. As there is inadequate medicine, smugglees are encouraged to bring on board small bottles of dextrose for consumption in case they fall sick.

The chief smugglers are usually legitimate wealthy businessman, known criminal gang bosses, fishing boat fleet owners, experienced sea captains or successfully returned smugglees. Go-between facilitation is done by the likes of restaurant attendants, shop/small business staff, boat crewmembers, local fisherman, former security forces officers and drifting, unemployed youth. The operational structure is centralized with defined, top down control, or broken up into separate individual operatives with apportioned tasks. Areas such as Negombo, in the west, have witnessed rich financier businessmen using their own boats, crews and field people for the entire operation. The effort is usually more loosely broken up in the south with a financier boat owner, a contracted ship captain, a contracted crew and a set of field agents coming together to execute the venture. The hierarchical/institutionalized structure in the west is attributed to the ten years of human smuggling in the area and local social, cultural and economic ownership of the migration business.
The departure points for the smuggling operations are all, with the exception of Trincomalee, located in the coastal belt area of the West, South West and South Provinces of Sri Lanka. Namely, the areas are:

<table>
<thead>
<tr>
<th>Western Province</th>
<th>Southern Province</th>
<th>Eastern Province</th>
<th>South West area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thoduwewa</td>
<td>Kirinda</td>
<td>Trincomalee</td>
<td>Panadura</td>
</tr>
<tr>
<td>Kalpitiya</td>
<td>Tangalle</td>
<td></td>
<td>Hikkaduwa</td>
</tr>
<tr>
<td>Negombo</td>
<td>Kudawella</td>
<td></td>
<td>Beruwala</td>
</tr>
<tr>
<td>Wennappuwa</td>
<td>Galle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chilaw</td>
<td>Dondara</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Districts for the mentioned Provinces are:

- **West** – Gampaha and Colombo
- **South** – Kalutara, Galle, Matara and Hambantota
- **East** – Trincomalee

While Chilaw, Wennappuwa and Negombo used to be the favored departure points, the activity has now shifted to Kudawella/Tangalle and Dondara in the southern area because of a string of anti smuggling police raids in the western region during 2002 and early part of 2003. Usually, smugglees are made to converge at a chosen village or town and then lodged at a collection of guesthouses or hotels. It is from these locations that they are discreetly and rapidly transported to any one of the boat points mentioned earlier. An example of the travel route can be found in the table below:

<table>
<thead>
<tr>
<th>Table 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negombo/Tangalle to Minicoy Islands along the Indian and Maldives seas – Minicoy to Socotra (Yemen) – Socotra to Suez through Red Sea – Suez to Port Said – Port Said to Italy on the Mediterranean Sea.</td>
</tr>
</tbody>
</table>

Corrupt officials in Suez involved with human smuggling and racketeering used to charge US$ 250 per head from each smuggling boat during the mid and late 90’s. The charge is now US$ 400. When probed as to why most people preferred Italy as a destination point, some replies were as follows: “plenty of Sri Lankans”, “the network is already there”, “victim (smugglee) friendlier government”, “policies are lax”, “can enter Europe from there”, “culturally compatible”, “hospitalle people” and “religiously similar”. Most who leave Sri Lanka, work in menial positions such as domestic work, agriculture, construction, labor (garbage collectors, street sweepers, etc) and the service sector (waiters, gas station workers, shop attendants, etc.).

Research revealed that the Southern coastal belt is a growing departure area as there are none or very few Navy sea patrols in the sector. The Sri Lankan government does not have an effective coast guard and a considerable portion of the Navy are presently concentrated in the war torn North and East. Also, to depart from either the North or East of the country would mean having to travel the entire coastal distance of the country not to mention vulnerability to Navy and LTTE detections and/or attacks. Lastly, the smuggling infrastructure is already in place in the southern areas, the sea conditions are much better and plenty of GPS equipped fishing boats and experienced crew are
available. Statements such as “illegal smuggling setup is already there”, “easy access”, “word gets around”, “have connected friend/agents in the area”, etc. came out from the informal interviews and case studies.

It should be noted that recently police and the Anti Human Smuggling Division of the CID arrested close to 800 Indian, Pakistani and Bangladeshi smugglees attempting to transit through Sri Lanka (see table 4). With the relaxation of visa controls (a 30-day visitor’s visa is easily obtainable by SAARC citizens at the airport), Sri Lanka’s sea smuggling infrastructure had become popular transit points for smugglees from the countries India, Pakistan and Bangladesh.

Table 4
Persons arrested during the year 2003 (up to July) on sea smuggling at a glance:

<table>
<thead>
<tr>
<th>Month</th>
<th>Local</th>
<th>Foreigner (country)</th>
<th>Total number</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>45</td>
<td></td>
<td>45</td>
</tr>
<tr>
<td>April</td>
<td></td>
<td>Pakistan 21</td>
<td>21</td>
</tr>
<tr>
<td>April</td>
<td>10</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>April</td>
<td>13</td>
<td></td>
<td>13</td>
</tr>
<tr>
<td>May</td>
<td></td>
<td>India 26</td>
<td>26</td>
</tr>
<tr>
<td>June</td>
<td>22</td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>June</td>
<td></td>
<td>Bangladesh 12</td>
<td>12</td>
</tr>
<tr>
<td>June</td>
<td>6</td>
<td>Below group</td>
<td>264</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pakistan 254</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Georgian 5</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Russian 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ukrainian 1</td>
<td></td>
</tr>
<tr>
<td>July</td>
<td></td>
<td>Indian 110</td>
<td>115</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pakistan 5</td>
<td></td>
</tr>
<tr>
<td>July 1</td>
<td></td>
<td>Below group</td>
<td>118</td>
</tr>
<tr>
<td></td>
<td></td>
<td>India 83</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pakistan 22</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bangladesh 9</td>
<td></td>
</tr>
<tr>
<td>July</td>
<td></td>
<td>Indian 85</td>
<td>174</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pakistan 75</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bangladesh 14</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>97</td>
<td></td>
<td>723</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>820</td>
</tr>
</tbody>
</table>

Table 5
Smugglees arrested by month - percentage of SLs and foreigners:

<table>
<thead>
<tr>
<th>Month</th>
<th>Total no. of smugglees</th>
<th>% of SLs</th>
<th>% of Foreigners</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>45</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>April</td>
<td>44</td>
<td>52</td>
<td>48</td>
</tr>
<tr>
<td>May</td>
<td>26</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>June</td>
<td>298</td>
<td>10</td>
<td>90</td>
</tr>
<tr>
<td>July</td>
<td>407</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL</td>
<td>820</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Figure 3

Arrest of smugglers (Jan - July 2003)

<table>
<thead>
<tr>
<th>Month</th>
<th>Number of Smuggles</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>50</td>
</tr>
<tr>
<td>April</td>
<td>20</td>
</tr>
<tr>
<td>May</td>
<td>10</td>
</tr>
<tr>
<td>June</td>
<td>150</td>
</tr>
<tr>
<td>July</td>
<td>450</td>
</tr>
</tbody>
</table>

Figure 4

Percentage SLs and foreigners arrested by month during 2003

<table>
<thead>
<tr>
<th>Month</th>
<th>% of SLs</th>
<th>% of Foreigners</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td>April</td>
<td>40</td>
<td>60</td>
</tr>
<tr>
<td>May</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td>June</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td>July</td>
<td>80</td>
<td>20</td>
</tr>
</tbody>
</table>

Table 6

Smugglers arrested during 2003 by nationality:

<table>
<thead>
<tr>
<th>Country</th>
<th>% of Smuggles</th>
<th>Number of Smugglers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sri Lankan</td>
<td>12</td>
<td>97</td>
</tr>
<tr>
<td>Indian</td>
<td>37</td>
<td>304</td>
</tr>
<tr>
<td>Pakistani</td>
<td>46</td>
<td>377</td>
</tr>
<tr>
<td>Bangladeshi</td>
<td>4</td>
<td>35</td>
</tr>
<tr>
<td>Georgian</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Russian</td>
<td>Insignificant</td>
<td>1</td>
</tr>
<tr>
<td>Ukrainians</td>
<td>Insignificant</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>820</td>
</tr>
</tbody>
</table>
3. Profiles

3.1 Some reasons why people choose to be smuggled out of the country - responses obtained from interviews, case studies and meetings with officials

According to the Central Bank of Sri Lanka there was 8.4% unemployment at the 3rd quarter of 2003. This included 6.3% males and 12.8% females from the labor population. Besides visible unemployment, underemployment of eligible individuals was a significant problem across the country. While the government sector lacked sufficient openings to absorb the yearly university graduates from the eight state universities and other training institutions, the private sector intakes were based more on practical skills in place of educational qualifications.

Due to the mentioned mismatch, with inability to find adequate employment, graduates and non graduates who attempted sole proprietorships or other entrepreneurship found it difficult to progress. Insufficient start up funds, political interference, business elitism, violence and corruption were key obstacles. Individuals who worked on a daily basis or other short term contract type jobs found the income insufficient due to rising living expenses. Wages at the daily pay and low income categories were a troubling and dangerous concern. The lack of opportunity to fair pay and income gave rise to hopelessness, powerlessness and a sense of marginalization.

Per Capita GDP at market prices stood at US$ 947 during the year 2003. Mean income in 2002 was Rs. 13,038 per month while median income for the same year was Rs. 8387 per month. The population living below US$ 1 a day was 6.6% (1995). The group below US$ 2 a day was 45.4% (1995). Crude birth and death rates stood at 19.1 and 5.8 per ‘000 (2002). Expectation of life at birth was 70.7 and 75.4 years for males and females (1996/2001). The human development index ranked Sri Lanka 99 among the 173 countries. It is generally believed that a quarter of Sri Lankas people live below the poverty line. Research institutions claim that poverty is not the problem in Sri Lanka with regard to illegal migration. It is the combination of negative factors that force people to leave the country.
Besides the chronic effects on the economy and national development, due to the two decade war, the psychological impacts of the conflict on the population meant eroding national confidence on aspects such as safety, equality, rule of law, economic security and individual and family development. The war and absence of a foreseeable prosperous future was a powerful downbeat feature. Even as foreign investors worried about making financial investments in the country the local people too questioned banking their well being and the opportunity cost in the decision.

A substantially large Sri Lankan refugee/asylum population in other countries provided an arrival support network whenever they could. While an estimated 800,000 IDPs live in and outside welfare centres in Sri Lanka, a spillover cost from the war, a large number of refugees are believed to be living abroad in Europe, North America and India. UNHCR figures state 200,000 Sri Lankan refugees live in the West and around 100,000 are in India. Sociologists claim powerful networks exist among the refugee population protecting and assisting one another.

Poor state governance, specifically weak state support, poor policies, ineffective control and enforcement, dysfunctional public institutions, politicization and corruption, was a serious reason for the common public loosing confidence and becoming anxious about their future. Furthermore the various facets of social disharmony in the country (political, ethnic, class etc) were disturbing and frustrating issues to many people. A noteworthy point is that Sri Lanka has one of the highest suicide rates in the world.

Migrating from Sri Lanka, especially to a western country, was believed a boon to the person, immediate and extended family. The remittance of foreign income to family members meant eagerly sought luxuries, property and other assets in a very short span of time. Likewise the high standards of health care, schooling, employment and other benefits in western countries meant a future and progressive environment for spouses and children.

Most saw migration to western countries as a natural (and understandable) human behavior – searching for greener pastures. Environment and peer pressure exerted powerful influences here i.e. fads and manias, and also seeing the financial progression of neighbors and friends who have gone abroad.

Lack of existing awareness combined with absence of sound information sources meant most illegal migrants were unaware of the real hardships in destination countries. They were also deceived by the attractive publicity given by facilitators. The smugglers were known to devise elaborate schemes to win the confidence and trust of the potential victims. Educating the public on facts of illegal migration by both the government and other agencies would have an impact here, especially at time of decision making for the migrant.
Combinations of economic, social and political factors are catalytic to irregular migration (human smuggling) occurring in Sri Lanka.

3.2 The person: a description of the Sri Lankan human smuggler

- The average sea smuggler is a male, around 30 years of age and could be married or unmarried.

- A secondary category would be a person who is 25 years of age and single. Those who are married would have around 2 small children.

- Both Sinhalese and Tamils equally resort to human smuggling. The numbers from the Muslim community were insignificant.

- The Sinhalese mostly use the boats to Italy. While the process for them would include economic and status reasons, Tamils would use such for penetration into other European countries, for economic, social and security reasons. More Tamils use air smuggling than Sinhalese.

- Sinhalese smugglers hailed from Negombo, Chilaw, Wennappuwa, Tangalle, Matara and Beruwala areas. It would be safe to say that most smugglers are from the very localities that boats depart from. Marawilla, also called ‘little Italy’ in the Negombo/Puttalam sector had a high concentration of those who resorted to human smuggling as a form of transport. A vast majority of the population in this area had family members and friends who had been smuggled to Italy and Europe. Sinhalese are also known to be recruited from in-district and border areas in Polonnaruwa and Anuradhapura by go-between agents.

- The Tamils come mostly from areas in the North and East, such as Vavuniya, Jaffna, Trincomalee and Batticaloa. Some Tamils from Colombo are also known to resort to smuggling by air but the figure is minimal compared to the North and East residents. Exposure to the war and sense of personal and family security is a significant reason for Tamils to resort to smuggling.
• The level of education of smugglees is usually low and only up to Grade 10 (O’ level not passed).

• Almost all smugglees spoke only their mother tongue and very little or no English. They were also poor in reading or writing.

• The typical smugglee is unemployed or holding a menial temporary (unsuccessful) job. Some examples are jewelry polisher, temporary accounts clerk, video shop assistant, bus driver, temporary day driver, gas station worker, army deserter, painter, and part time electrical worker.

• Their monthly incomes ranged from none to Rs.2,000 to Rs.10,000 per month. An average would be around Rs.5000.

• Because of their low economic and social position, the smugglees and their families are highly vulnerable and the first to face the brunt of social/institutional disruptions, increases in costs of basic needs and necessities, and governmental trial and error policy changes.

• The smugglees’ parents are typically former government servants on pension (teachers, principles, etc.), fisherman, farmers, laborers or dead. Siblings hold employment similar to the smugglees, are unemployed or living in another country (e.g. Middle East and Cyprus).

• Most had no other source of income and depended on some support from parents or siblings. They owned little or no property except for the house they live in. None would have personal or family assets exceeding a collective total of Rs.1,000,000.

• With the domestic workers segment, the young women would be mostly from poor, rural families with very little education. They are from both Sinhala and Tamil communities. These groups remain highly susceptible to crooked employment arrangements and are vulnerable to sexual and other forms of trafficking.

4. Education/Information Programme

4.1 Media:
A brief look at Sri Lanka’s available media landscape:

<table>
<thead>
<tr>
<th>Television</th>
<th>FM Radio</th>
<th>Magazines</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Terrestrial channels</td>
<td>7 English</td>
<td>4 Sinhala</td>
</tr>
<tr>
<td>2 Re-broadcasters</td>
<td>8 Sinhala (island wide)</td>
<td>4 English</td>
</tr>
<tr>
<td>3 Cable networks</td>
<td>5 Sinhala (regional)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 Tamil</td>
<td></td>
</tr>
</tbody>
</table>
Newspapers  Periodicals
9 English    1 English
40 Sinhala   10 Sinhala
8 Tamil

4.2 The personal media habits of the smugglees are as following:

Television
   Sinhalese
      Both English and Sinhala channels by some
      Rupavahini, ITN and MTV primarily
      Sirasa occasionally

      The programmes include:
      News, movies, musical shows, political and other debate talk shows primarily
      Discovery, dramas such as ‘kopi kade’ and late night programmes by some
      Almost all watched television during the evening and night

   Tamils
      ITN and MTV primarily
      Shakthi and Rupavahini by some

      The programmes include:
      News and talk shows including political debates primarily
      Musical shows, movies and dramas by some
      Most watched television during the night

Newspaper
   Sinhalese
      Divaina, Lankadeepa and Lakhima primarily
      Dinamina, Daily News, Observer and Daily Mirror by some

   Tamils
      Veerakesari primarily

Radio channels
   Sinhalese
      Sirasa, Sri FM and SHA FM primarily
      Hiru, SLBC, Lakhanda and Sun FM by some
      Most would listen to the radio all day when at home or if there was a radio on
      when traveling, or at work

      The preferred programmes were music, news and serialized story plays

   Tamils
      FM Sooryan primarily
      SLBC and Shakthi by some
Listening habits were similar to Sinhala listeners.

4.3 Recommendations for Communication Outreach

- Education on dangers and risks smugglees would undergo; describe the difficulties encountered when traveling (insufficient facilities, food, sickness, etc.)

- List the risks of taking loans/selling property and not getting a job in the destination country (or failing in the smuggling attempt)

- Highlight the dangers for women and the attacks some have faced (Middle East and Cyprus mainly)

- Being a third class citizen in SL and still ending up a third class citizen in the destination country

- Collapse of the family at home while the breadwinner is abroad

- General awareness raising of illegal employment scams and false job arrangements

- Explain conditions, realities and difficulties of life in those countries

- Describe on the ground situation in host countries when it comes to employment

- Make people aware that agents may try to deceive and trap them into a situation (do not trust the agents)

- Explain how illegal smuggling brings a tarnished image to Sri Lanka and Sri Lankans living abroad

- Show that the situation in target countries is now changing; there is less of a sympathetic view now towards illegal smugglees from Sri Lanka – firm policies and actions by host countries

- Explain the non-colorful conditions/repercussions if apprehended and the post arrival difficulties

- Explain the cost and problems incurred by other countries because of the event (e.g. it costs the Australian Government AUS$ 60,000.00 for processing and returning an illegal smugglee)

4.4 The communications methods should be:

Mass media, primary approach for influencing the wide environment
1. Graphic television documentaries portraying dangers and hardships, to be shown on national television and at awareness workshops.

2. Documentaries on hardships former smugglees are facing in host countries to be shown on national television and at awareness workshops.

3. Special discussion programmes on TV (including appearances by anonymous failed smugglees and victim returnees on their experiences). All process details to be discussed emphasizing the futilities of the effort.

4. Radio interviews of victims of false employment scams and their experiences, highlighting institutions involved, names, descriptions, charges and arrangements involved.

5. Paper articles on recommended communication messages.

4.5 On the ground/field reinforcing, specially targeting selected areas, towns, villages and groups (smuggling locations and operational areas listed and as per profile drawn up)

   1. Grassroots level trainings for counselor/support group members in the area.
   
   2. Formation and operation of support groups/monitoring committees.
   
   3. Community level awareness workshops on issues listed in recommended communication messages.
   
   4. Dissemination of graphic leaflets to include precise information on dangers, risks, scams and repercussions.
   
   5. Use of posters that illustrate messages from leaflets with greater impact – less text/highly visual.
   
   6. Monitoring and training programme on legitimate migration through relationships with churches, temples and community leaders.
   
   7. Conducting open debate and discussion forums on the subject with the support of churches, temples and community leaders.
   
   8. Training of NGO workers involved on the trafficking and human smuggling sector.
Meetings and support for the study from the following persons and organizations

1. Criminal Investigation Department (CID) – Senior Superintendent of Police D. S. Samaratunge
2. Sri Lanka Police - Senior Superintendent of Police Lucky Peiris
3. Attorney Generals Department (AGD) – Vijith Malalgoda, Senior State Counsel
4. Migration Services Center (MSC) – David Soysa, Executive Director
5. Migration Services Center (MSC) – Gerald Lodwick, Deputy Director
6. University of Peradeniya - Professor G. H. Peries, Department of Geography/International Center for Ethnic Studies Kandy
7. University of Peradeniya – Professor S. Hasabullah, Department of Geography
8. Center for Poverty Alleviation (CEPA) – Naranjana Gunetilleke, Senior Professional
9. Center for Poverty Alleviation (CEPA) – Azra Jafferjee, Senior Professional
10. Center for Women’s Research (CENWOR) – Leelangi Wanasundera, Senior Researcher
11. United Nations High Commissioner for Refugees (UNHCR) – Savithri Weragoda, Programme Officer
12. Sri Lanka Bureau of Foreign Employment (SLBFE) – Mr. Batagoda, Deputy General Manager Legal
13. Australian High Commission for Sri Lanka – Annette Keenan
14. Embassy of Italy for Sri Lanka – Massimo Darchini, First Secretary/Deputy Head of Mission
15. National Workers Congress (NWC) - Sarath Jayasekara, Project Officer Fisheries Programme
16. Sri Lanka Rupavahini - Ranjith Ferdinandez, Freelance reporter
17. Lawyers for Human Rights and Development (LHRD) – Mr. Thiranagama, Director
18. International Organization for Migration (IOM) – Mary Sheehan, Chief of Mission
19. International Organization for Migration (IOM) – Shantha Kulasekara, Project Officer Capacity Building of GOSL – anti smuggling
20. International Organization for Migration (IOM) – Chameera Desilva, Movements Coordinator
21. International Organization for Migration (IOM) – Sam Samarasinghe, Project Officer Assisted Voluntary Return
22. International Organization for Migration (IOM) – Kanthi Yapa, Project Officer Capacity Building SLBFE
23. International Organization for Migration (IOM) – Tommy Gelbman, Programme Officer Return of Qualified Nationals
Human Smuggling Structured Questionnaire for IOM Sri Lanka
(Fill all answers on questionnaire and follow set format)

Date: ..........................................................
Name of Interviewer: ........................................
Location of interview: ........................................
Participant name: ...........................................
Contact details: ...............................................

Migrant profile, motivation, case and behavioral information collection
Tick relevant category

A. Returnee / former legal migrant
B. Returnee / illegal migrant (e.g. voluntary return)
C. Failed illegal migrant (e.g. Apprehended while en route)

Interviewer briefly explain participant case situation:

________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________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13. Why did you decide to leave the country?


14. Are there many others in your village (area) who had migrated?
  
  Yes  Some  No  

15. What sort of migration was it? _____________

16. Please state if you had tried to leave the country before?
  
  Yes _______________  No _______________

17. Was leaving the country your last alternative or was it always an available option? What I mean is did you try for employment here and legal migration?


18. How did you get to learn about travel / employment abroad?


19. Who was it that first approached you or you approached about the arrangement for migration?
  
  Known agent in village / town _______________
  Discreet middleman in town _______________
  Middlemen in other town _______________
  Agent in other town _______________
  Other _______________

20. What was your destination country? ________________________________

21. Why did you choose it (not ask for another country instead)?


22. Did you reach your final destination?
   Yes   No

23. Were you aware of any legal migration options at that time?
   Yes ___________________ No

24. Would you have considered using these options?
   Yes   No (why) _______________________

25. Who were the people you discussed your plans and intentions with mostly?

   __________________________
   __________________________
   __________________________

26. How much was the payment charged for the trip? Underline below (Lakhs in Rupees).

   Less than 1
   1 – 2
   2 – 3
   3 – 4
   4 – 5
   5 – 6
   Above 6 ____________________

27. What was your occupation before leaving?

   Laborer
   Semi skilled worker ___________________
   Skilled worker ___________________
   Semi professional ___________________
   Professional ___________________
   Private business ___________________
   Government worker ________________
   Unemployed ___________________
   Other _______________________

28. What was your monthly income then? (Rs.) ______________________
29. What was your family income then? (Rs.) _______________________

30. Who did you have in your destination country?
   Friends
   Relatives
   Known associates
   Employment contacts
   Others _______________
   No one

31. How did you make payment?
   Full cash payment from personal funds
   Partial advance payment (Rs.) ___________ with balance paid later
   No payment, all payments later on installments
   Take a loan
   Sell off land, property or family valuables
   Mortgage land, property or family valuables
   Other _____________________

32. Besides the first person, who else was involved in the arrangements in getting you to your destination?
   Individuals in Colombo
   Agents in town
   Job agency
   Travel agency
   Relatives
   Friends
   Others _______________

33. Were you in any way deceived by these people on what was promised in the travel arrangement?
   Yes  No

If yes, explain how?

________________________________________________________________________
34. What was the arrangement like before the actual departure event?

________________________________________________________

35. Were you well aware of all the arrangements in the journey and also the problems and dangers involved? Were you informed about these and did you still go willingly?

________________________________________________________

36. When and where from did you leave the country? Also when did you return?

___________________ __________________________

37. Please state the countries you traveled through to get to your destination and the type of transport? State period if relevant.

<table>
<thead>
<tr>
<th>Country</th>
<th>Transport</th>
<th>Mode / status</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>e.g. Moscow</td>
<td>Air</td>
<td>forged documents</td>
<td>1998</td>
</tr>
<tr>
<td>_________</td>
<td>_________</td>
<td>_________</td>
<td>_________</td>
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</table>

38. Which country were you stranded in and how did the authorities apprehend you?

<table>
<thead>
<tr>
<th>Country</th>
<th>Apprehended</th>
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</table>

39. How many others were in your group when leaving Sri Lanka and at last point in the journey? ______________________    _____________________

40. What was your traveling condition like? ______________________
41. How long was the entire journey? ________________

42. How long did it take you to find employment once arriving? ____________

43. What form of employment did you have? ________________

44. What was your monthly income? (Rs.) ________________

45. How would you explain your living condition in that country? ____________

46. What were the main problems / difficulties you faced?

__________________________________________________________

47. Please state your favorite newspapers in Sri Lanka and the days that you purchase them?

<table>
<thead>
<tr>
<th>Paper</th>
<th>Day</th>
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48. What are your favorite television channels, programmes and the times that you watch?

<table>
<thead>
<tr>
<th>Channel</th>
<th>Programme</th>
<th>Time</th>
</tr>
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</tbody>
</table>

49. Can you tell me the radio channels, programmes and times that you listen most often?

<table>
<thead>
<tr>
<th>Channel</th>
<th>Programme</th>
<th>Time</th>
</tr>
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</table>

50. If my organization were to conduct an information / education programme through the above mediums what would you like them to talk about and tell you. What is it that you want to know?

__________________________________________________________________________
51. What ways and methods do you think are most suitable to increase people’s awareness and provide information on migration and illegal migration?

52. What information might have an impact on you to make you change your mind about illegal migration?

53. After everything, if there were another chance, would you illegally smuggle yourself again, is it worth it?

   Yes  No

Additional information

Please write down interviewers perception on participants honesty/sincerity on the answers provided and any other expressions.
Semi structured questionnaire

Discussion question format for Police Officers, AGD and other relevant persons

1. Extent of problem (outbound illegal migration)
   - Profile of illegal migrant
   - Why do the majority of IM’s come from the south sea belt area
   - What are the departure points
   - Arrest figures, how much / where / when / years
   - Destination countries
   - Travel routes
   - Methods, modus

2. Agents – who are they (profile), arrests and prosecution

3. Failure and success rates of smuggling

4. Transit smuggling – arrests statistics and prosecutions

5. Recommendations
   - What should be the message for a nationwide smuggling deterrent campaign?
   - What are the best methods to deliver this?
   - Who influences illegal migrant decisions?