Illegal Migration and Migration smuggling

Why in News?

Recently, US government has deported many Indians as they were migrated illegally.

What are Illegal migration and Migration smuggling?

- **Migration** - Migration is the movement of people away from their usual place of residence to a new place of residence, either across an international border or within a State.

  Total number of international migrants at mid-year 2024 was 304 million.

  The largest migration flows tend to be from developing countries to larger economies, such as the United States, Germany, Saudi Arabia or France.

- **Types of migration** - Migration can be categorized as regular or irregular.
- **Regular migration** – It is the movement of people across borders in line with the relevant countries' rules and procedures.
- **Irregular migration** - It is the movement of people that happens outside these legal frameworks.
- This can include, for instance, entering or staying in a country without proper documentation.
- **Migrant smuggling** – It is when an individual or a group helps migrants enter a foreign country irregularly in exchange for money or another material benefit.

Irregular migration	Migrant smuggling
• Actions of the migrants themselves	• Smuggling refers to those who facilitate illegal entry for profit.
• Irregular entry is not smuggling when migrants cross international borders on their own without authorization.	• Smugglers arrange transport, provide false documents such as fake passports or visas or help migrants cross international borders without proper authorization – for profit.

What are the reasons for irregular

migration?

- **Economic factors** – Employment, livelihood and higher income.
- **Political Instability** - Conflict, persecution, violence

According to UNHCR, more than 117 million people were forcibly displaced globally at the end of 2023, including refugees, asylum seekers and internally displaced people.

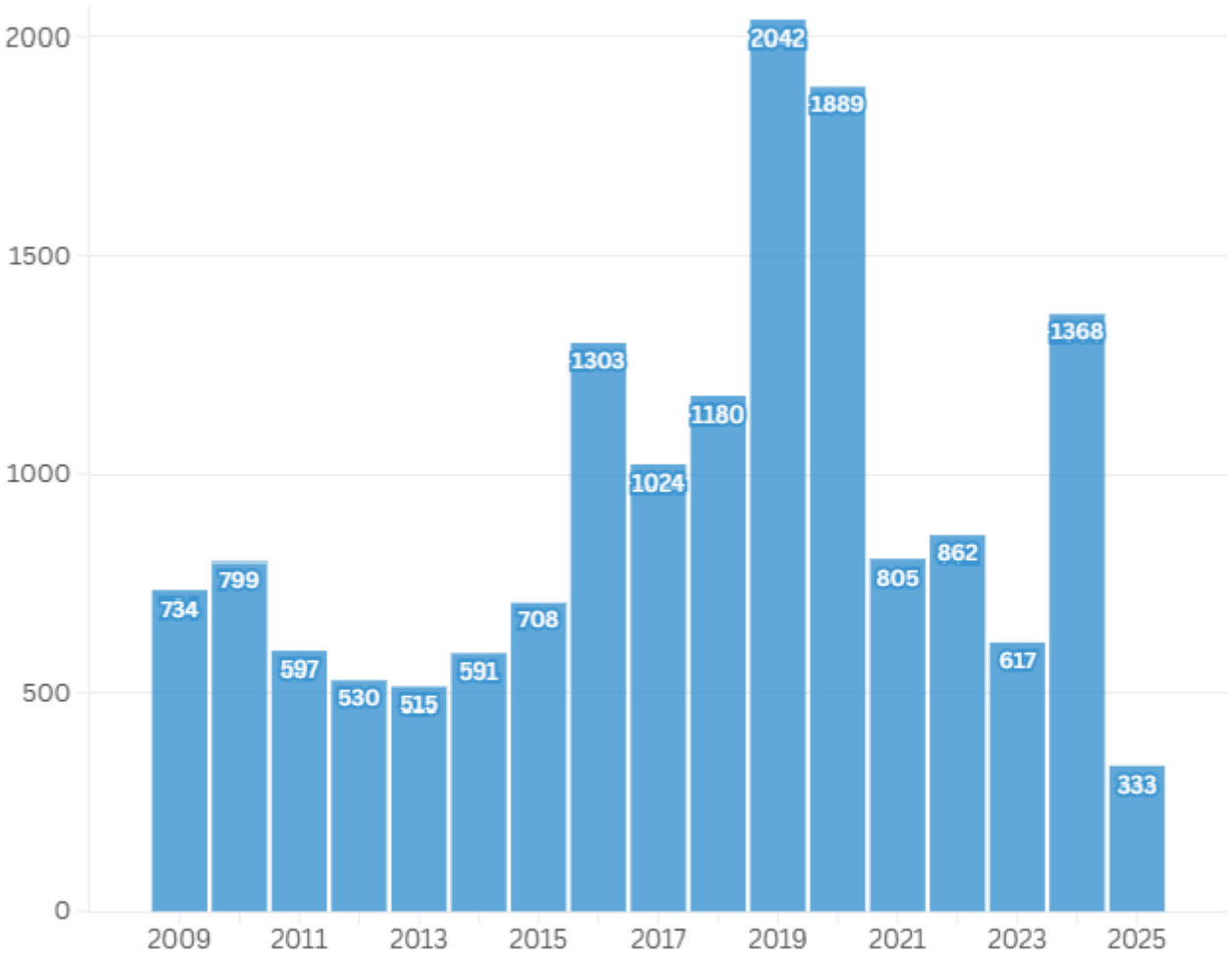
- **Lack of legal migration options** - Restrictive immigration policies and the lack of legal avenues for migration compel people to migrate irregularly.
- **No eligibility conditions** - It requires no technical skill, no educational or professional qualifications, no financial investment.
- **Flourishing rackets** - The tradesmen human smuggling thrive on gullible youth who fantasise about making it big with dollar-fuelled dreams.

What are the problems faced by irregular migrants?

- **Exploitation** - Irregular migrants and refugees, especially those who are smuggled, often find themselves in fragile situations.
- **Lack of security** - They may not have travel documents, may not speak the local language and may be unsure of their rights in the new country .
- **Life risk** - Smuggled migrants suffer various forms of violence, abuse and exploitation , ranging from beatings, extortion and rape to disease, detention and even death.
- **Journey risk –** They travel being suffocated in containers, perish in scorching deserts, drown at sea or be herded into slave camps to work as forced labour.
- **Economic hardships** - Irregular migrants often work in low-paying, informal jobs with little job security and poor working conditions.

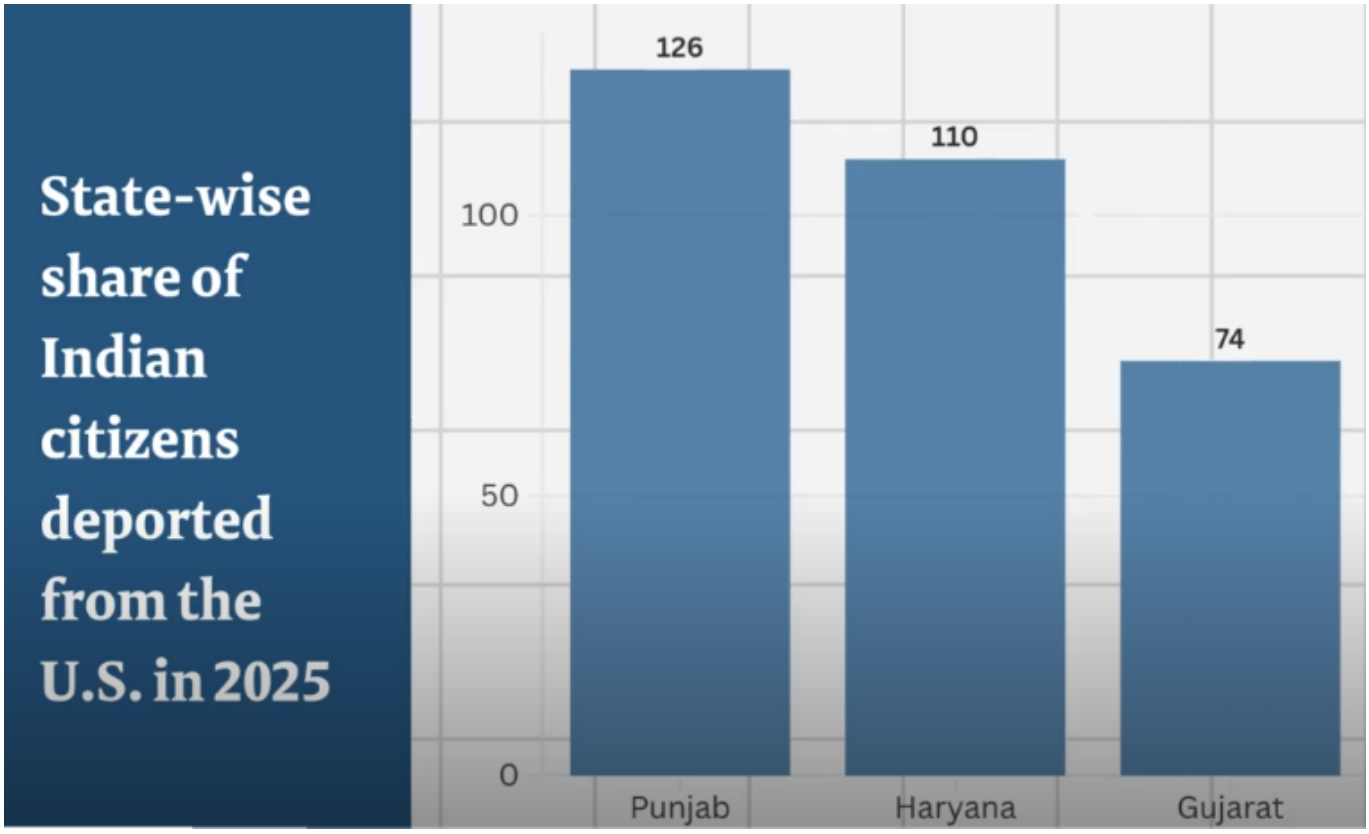
What is the situation in India?

- **Illegal Indian immigration to the U.S** - As of February 17, the United States has deported 332 undocumented Indian immigrants.
- **Recent trend** - Most deportations occurred in 2019 (2,042), followed by 2020 (1,889), and 2024 (1,368).



Number of undocumented Indian immigrants deported from the U.S. since 2009

- **Prone regions** - In India, rural Punjab, Haryana, Himachal Pradesh, Jammu and Kashmir, Kerala and Gujarat are prone for migrant smuggling and irregular emigration.
- Nearly 40% of the illegal Indian immigration to the U.S were from Punjab, followed by Haryana and Gujarat .



Existing measures in India to control illegal emigration
Emigration Act 1983 • It consolidates and amend the law relating to emigration of citizens of India. • **Emigration clearance** - The act requires obtaining emigration clearance (also called POE clearance) from the office of Protector of Emigrants (POE), Ministry of External Affairs for people emigrating from India for work. • As of 2017, this requirement applies only for people going to one of 18 listed countries. • **Protector General of Emigrants** - PGE under Ministry of External Affairs is the authority responsible for protecting the interest of Indian workers going abroad. • PGE is also the registering authority to issue Registration Certificate to the Recruiting Agents for overseas manpower exporting business. • **Protector of Emigrants** - They are responsible for granting emigration clearance to the intending emigrants.
Punjab Travel Professionals Regulation Act, 2012 • It provides for the regulation of the profession of travel agents to organised human smuggling in the State of Punjab. • **Features** – It creates a licensing regime for travel agents. • It has some regulatory functions to check human smuggling along with penal provisions. • **Travel agent** - It means a person who is doing a profession which involves arranging, managing or conducting affairs related to the sending of persons abroad. • **Human smuggling** - It includes illegally exporting, sending or transporting persons out of India by receiving money from them.

What needs to be done?

- Parliament must seriously contemplate enacting a national law to control Indian borders to regulate the human smuggling industry and deal with irregularities with an iron hand.
- Emigration (Overseas Mobility Facilitation and Welfare) Bill shall be enacted.

References

1. The Hindu | Human smuggling must engage Parliament’s attention
2. The Hindu | Deportations to India from the U.S.
3. UNODC | Irregular migration vs. migrant smuggling

