

Smuggling vs. Trafficking

People often confuse human trafficking with human smuggling, but they are different crimes with different impacts on people's rights. Understanding the difference is essential to effectively protecting human rights and responding to each crime appropriately.

Human Smuggling

Smuggling refers to helping someone illegally enter a country where they are not a citizen or permanent resident, usually in exchange for money or another benefit. It is defined by the UN Protocol against the Smuggling of Migrants. At its core, smuggling is an illegal transportation service, and a crime against a State.

Human Trafficking

Human trafficking is an economic crime that involves the recruitment, transportation, transfer, harboring, or receipt of people through force, fraud, or coercion for the purpose of exploitation. Human trafficking is a crime against an individual.

Differences at a Glance

Stage	Human Trafficking	Human Smuggling
Legal framework	UN Trafficking in Persons Protocol (2000)	UN Protocol against the Smuggling of Migrants by Land, Sea and Air (2000)
Core Act	Recruitment, transportation, transfer, harboring, or receipt of persons Commodity is a person	Procurement or facilitation of illegal entry into a country Commodity is a service
Means	Force, fraud, deception, coercion, abuse of power or vulnerability	Typically, consensual (at least initially), with no coercion or deception involved
Purpose	Financial profit from exploitation	Financial or material profit from facilitating unauthorized migration
Consent	Consent is obtained through deception, coercion, or abuse of vulnerability	Essential at the start, although it may shift if exploitation occurs later
Movement	Can occur within or across borders	Always involves crossing an international border
Ongoing Crime	Yes — trafficking is a continuing offense with enduring exploitation	No — smuggling typically ends after the border crossing is completed

When Smuggling Turns into Trafficking



Smuggling can turn into trafficking if smugglers abuse, exploit, or coerce people during or after transport (e.g., forcing them to work to pay off "debts"). For example, a woman pays to be smuggled across a border, but, upon arrival, is held against her will and forced to work to repay an ever-increasing "debt." This becomes a situation of trafficking, even if it started as smuggling.

Definition of smuggling



Human smuggling is the procurement of the irregular entry of a person into a State Party of which the person is not a national or a permanent resident, in order to obtain, directly or indirectly, a financial or other material benefit.

UN Protocol against the Smuggling of Migrants

Facts

- In 2016, at least 2.5 million migrants were smuggled worldwide, generating between US\$5.5 to \$7 billion in illicit revenue.
- Though current global figures are hard to pinpoint due to fragmented data, the practice remains prevalent across all continents.
- Trafficking and smuggling often occur along the same migration corridors and may be carried out by the same individuals or groups.
- Smuggled people are often exposed to violence, abuse, exploitation, and other serious human rights violations. Smuggling routes consistently shift in response to border policies and enforcement, often becoming more dangerous and expensive.
- Smugglers actively advertise through social networks, diaspora communities, refugee camps, and increasingly, online platforms.
- Most smuggled migrants are young men, though in Southeast Asia women form a larger share. Increasingly, unaccompanied minors—mainly teenage boys—are also part of smuggling flows, especially on Mediterranean and North American routes.

UN News/Migration Data Portal

No Criminalization of Victims

As stated in the UN Trafficking Protocol and Smuggling Protocol: survivors of human trafficking and smuggled migrants should not be punished for acts resulting directly from being trafficked or smuggled (e.g. irregular entry, lack of documents, or involvement in unlawful activities under coercion).

Learn more at www.antitraffickingresponse.org

