

**9th ASEM Conference of the Directors-General of Immigration  
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**Detection of irregular migrants**

It is a reality that where legal migrants take the offered opportunities to go abroad, there will also always be people who are turning to irregular ways to migrate. In this way, one smaller group is actually causing inconveniences for the majority who is respecting emigration and immigration laws. These inconveniences can be multiple from longer visa procedures to more thorough checks at the exit and entry points. Also, inside the country, police authorities have the legal duty to detect irregular people.

With this topic, we would like to touch upon ways and measures to make more efficient migration checks with on the one hand the detection of the irregular or pseudo-legal migrants but on the other hand create less problems for those people who have the right documents and the appropriate intentions to enter and stay in their country of destination. In the past, we talked during the ASEM-meetings in f.ex. Korea (2007) already about high technological means to do this selection but technology is off course not the only way and in some circumstances also rather difficult to use. But where technology has its limits, human intervention can prevail.

The main question is how to develop a control system where openness and security in this field are in balance? On European level, there are already many initiatives, mainly concentrated within the Frontex-agency<sup>1</sup>. This agency is a specialised and independent body tasked with the coordination of operational cooperation in the field of border security. The main responsibilities of this agency are risk analysis, based on the information provided by member states, joint operations aimed at strengthening external border security, establishments of common training standards for border guards, the management of pool resources and coordination of return flights.

What concerns the theme of the detection of irregular migrants and pseudolegals at borders (land, sea and air), the European member states keep their national competences but the Frontex-agency can assist member states in unforeseen situations where a sudden increase is detected and national authorities cannot react appropriately. Other member states can decide, on request of Frontex, to assist the member state with equipment, technical assistance and personnel to enhance the capacity of the targeted member state.

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<sup>1</sup> <http://www.frontex.europa.eu/>

The Frontex-agency also developed an early-warning system, with risk assessment based on information of the member states. These member states are regularly meeting and exchanging information and if necessary assist the country in taking measures. In this way knowledge can be improved on the smuggling of migrants and trafficking in persons and action can be taken.

It also coordinates the training of border guards where certain EU-countries are training the border guards of another EU-country. The aim is to improve the skills of the border guards to detect fraudulent and fraudulently obtained travel documents and to better exchange information between the inter-agency teams at ports of entry, as well as consular offices abroad.

Individual countries can also decide in cooperation with third countries, to send airport liaison officers to those countries where there is an important migration pressure. These airport liaison officers are not only there to help their own country but also to give advise to the air companies and the national police authorities in document checking and profiling. The cooperation between these three authorities is crucial since the airport police play an important role in the follow-up and prosecution of false and falsified documents that were detected. The air companies can obtain the advise of the airport liaison officers to avoid that at arrival the air company has to pay a fine on the basis of the convention of Chicago.

One important tool of these airport liaison officers (ALO), and in extension every police officer, is profiling. On the basis of general and more specific information on risk groups (from migration routes to behaviour, clothing) and own experience, these ALO's can make a quick selection of these people where additional verification is necessary. Interviews with possible irregular migrants about their future plans, documents, contacts, ... can be compared with the elements of the visa (border checks) and/or with the national databases (check inside the country).

In extension, the ALO's also can play an important role in third countries by assisting embassies in document verification. The ALO's give also feedback to the embassies about issued visa where at the airport on the basis of profiling and interview the person was refused.

Within Europe, there is already an extensive cooperation, in the exchange of information on individual cases, as well as in the exchange of strategic information. Ideal would be that border police authorities in Asian and European countries could set up an informal or formal information network where information can very quickly be exchanged or obtained on strategic level and for individual cases. This doesn't mean that the intermediary role of embassies should be reduced. It should be considered as a supplement to all other possibilities.

Another question that has to be raised in this context, is how do the participating countries detect irregular migrants inside their country. Are the migration services monitoring the exit and entry movements and are they undertaking action when necessary? Or, are irregular migrants detected more by coincidence (f.ex. economic inspection for illegal labour, prostitution,...). A third way is that the whereabouts of irregular people are detected based on information provided by other official services or civilians. What are the most appropriate ways to detect irregular migrants, combined with respecting the legal rights of the migrant, based on the international and national legislation.

There are numerous possibilities for countries to detect irregular migrants but on the other hand, we shouldn't forget that the irregular migrants should also have the possibility to contact their own authorities or the authorities of the country where they are residing for assistance and advise about their situation. The Belgian authorities took the initiative to distribute brochures for irregular migrants with information from medical assistance to tracing of family members by the Red Cross and information about reintegration and voluntary return.

**Questions:**

- does your country use ALO's (airport liaison officers) in third countries where migration pressure is important?
- Which systems are put in place in your country do detect irregular migrants at the borders and inside the country (systems other then high-tech)?
- Who is in your country competent for the detection of irregular migrants at the border and inside the country?