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ASSEMBLY — 42ND SESSION

EXECUTIVE COMMITTEE

Agenda Item 12: Facilitation Programmes

PRACTICES TO COUNTER ILLEGAL IMMIGRATION

(Presented by the United States)

EXECUTIVE SUMMARY

Disrupting criminal networks that facilitate illegal immigration requires international, multistakeholder cooperation to include national governments, law enforcement, airport authorities, airlines, travel agencies and other service providers. This paper provides recommendations to identify high-risk travel routes, leverage passenger data for decision making, strengthen visa policies, improve information sharing and work with the private sector to counter illegal migration while supporting air connectivity and legitimate global travel. Transnational criminal organizations play a significant role in illegal alien smuggling and operate with near total impunity across multiple jurisdictions to facilitate the rapid movement of clients from origin to destination, often via circuitous routes. These well-organized groups coordinate across international borders, leverage commercial aviation routes, and have little regard for the safety of the smuggled individuals or the laws of nations.

Strategic Goals:	This information paper relates to Strategic Goal *Aviation Delivers Seamless, Accessible and Reliable Mobility for All.*
Financial implications:	N/A
References:	Annex 9 — *Facilitation*

1. INTRODUCTION

1.1 Civil aviation connects the world, driving $4.1 trillion annually in global economic activity, supporting 86.5 million jobs directly and indirectly, and preserving social and family ties. The industry carries 4.4 billion passengers on over 29 000 aircraft to 21 000 city-pairs around the world each year.[1]

1.2 Criminal networks and illegal alien smugglers use these civil aviation networks to facilitate the movement of individuals intending to immigrate illegally, profiting from their clients' desperation without regard for human rights, safety or the laws of the nations to which they smuggle.[2] Transnational criminal organizations play a significant role in illegal alien smuggling operations with near total impunity across multiple jurisdictions to facilitate the rapid transit of clients from origin to destination, often via complex and circuitous routes. They may arrange travel with fraudulent or fraudulently obtained travel documents[3] and take advantage of visa-free or permissive visa policies, enabled by countries that have weaponized migration in regions such as Eastern Europe and Central America.[4][5][6] Europol found that more than 90 per cent of the illegal aliens travelling to the European Union used facilitation services, and estimated criminal networks involved in illegal alien smuggling reaped between USD 3-6 billion in 2015.[7] More recent estimates near USD 10 billion.[8] Illegal alien smugglers may also engage in other criminal offenses including gang activity, drug trafficking, human trafficking, financial fraud and terrorism, posing public safety and security risks in source and destination countries.[9] Notably, terrorists have sought to exploit the same networks and routes as smugglers.[10][11]

1.3 The volume of Eastern Hemisphere (EHEM) individuals traveling by air to immigrate illegally into the United States has rapidly increased in the past 5 years. In addition, many of these individuals have originated from countries which are difficult for the United States Government to repatriate after being deemed inadmissible or subject to deportation. The United States Southwest Border (SWB) encounters of non-Western Hemisphere illegal aliens intending to illegally immigrate at the United States-Mexico border increased from 1 per cent of the total encounters in 2021 to nearly 9 per cent in 2024.[12] Total EHEM illegal aliens encountered along the United States SWB increased 810 per cent from

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[1] IATA. "Fact Sheet #12: Aviation Supporting the Global Economy: Vital Role Connecting the World." December 2024. https://www.iata.org/en/iata-repository/pressroom/fact-sheets/fact-sheet-benefits-aviation-statistics/

[2] "Irregular Migration vs. Migrant Smuggling – What Is the Difference?" United Nations Office on Drugs and Crime (UNODC), Accessed 16 May 2025, https://www.unodc.org/unodc/en/frontpage/2025/January/irregular-migration-vs--migrant-smuggling--what-is-the-difference.html

[3] UNODC, Issue Paper: Migrant Smuggling by Air, 2010.

[4] U.S. Department of State, "Alert: Disrupting Irregular Migration," Accessed 7 July 2025, https://www.state.gov/alert-disrupting-irregular-migration/#:~:text=President%20Daniel%20Ortega%20and%20Vice,towards%20the%20U.S.%20southwest%20border.

[5] International Court of Justice, "Lithuania Institutes Proceedings against Belarus," Press Release 2025/28, 19 May 2025.

[6] Tatiana Ashurkevich, "Inside Belarus' Secret Program to Undermine the EU," *Politico*, Accessed 7 July 2025, https://www.politico.eu/article/alexander-lukashenko-belarus-secret-program-to-undermine-the-eu/

[7] Europol, "Facilitation of Illegal Immigration," Accessed 7 July 2025, https://www.europol.europa.eu/crime-areas/facilitation-of-illegal-immigration

[8] Migration Data Portal, "Smuggling of Migrants," Accessed 7 July 2025, https://www.migrationdataportal.org/themes/smuggling-migrants

9 U.S. Immigration and Customs Enforcement (ICE), "Human Smuggling," Accessed July 7, 2025, https://www.ice.gov/about-ice/hsi/investigate/human-smuggling

[10] National Criminal Justice Reference Service (NCJRS), "U.S. Targets Individual Smuggling Organizations Linked to Terrorists," Accessed 7 July 2025, https://www.ojp.gov/ncjrs/virtual-library/abstracts/us-targets-individual-smuggling-organizations-linked-terrorists

[11] Financial Action Task Force (FATF), "Money Laundering and Terrorist Financing Risks Arising from Migrant Smuggling," Accessed 7 July 2025, https://www.fatf-gafi.org/content/dam/fatf/documents/ML-TF-Risks-Arising-from-Migrant-Smuggling.pdf

[12] U.S. Customs and Border Protection (CBP), "Nationwide Encounters," https://www.cbp.gov/newsroom/stats/nationwide-encounters

Fiscal Years 2021 to 2024, according to United States Customs and Border Protection data. Their multimodal journeys from EHEM have included scheduled or chartered flights through Central and South America and the Caribbean before making their way by ground to the United States SWB.

1.4 Illegal alien smuggling via charter flights has increased substantially starting in 2021, relying on a network of travel agencies and charter companies with smaller fleets. United States government reporting and flight tracking data revealed that between 2021 and 2024 hundreds of regional charter flights and dozens of intercontinental charter flights from Europe, Africa, and Asia arrived in Western Hemisphere countries with many passengers who were eventually encountered at the United States SWB attempting to enter the United States without authorization. In another example, two individuals facilitated the travel of more than 3 500 people in 52 chartered flights as part of a United States-bound illegal alien smuggling operation.[13]

1.5 Disrupting transnational criminal organizations and stemming the flow of illegal immigration requires multistakeholder, international cooperation to include national governments, law enforcement, airport authorities, airlines, travel agencies and other service providers. Multi-pronged approaches have greatly reduced the numbers of charter flights and individuals leveraging commercial airlines with the intent to immigrate illegally to the United States. These practices may apply to other modes of transportation in a holistic approach to countering illegal immigration. Criminal networks adjust their tactics frequently in response to countering measures; therefore continual monitoring, communication, flexibility and adaptation are critical to mitigate criminal smuggling.

1.6 Airline and stakeholder support to counter illegal immigration has significant benefits for governments and industry. For industry stakeholders, identifying and stemming illegal immigration closest to the point of departure greatly reduces costs incurred for the repatriation of travelers determined to be inadmissible at the arrival location. Additionally, as the responsible party for addressing border threats, governments must reallocate resources, including human and financial capital, to counter increasing volumes of illegal aliens. Industry partnership in these government efforts can lead to less disruption to carriers' plans for expanded landing rights and decrease wait times for arrivals.

2. DISCUSSION

2.1 Below are recommendations for governments to detect and deterring illegal alien smuggling while supporting air connectivity and legitimate global travel.

2.2 **Assess Patterns:** The United States works with governments along problematic routes and segments to identify unusual travel patterns and complex routes, sharing high-risk indicators and increasing passenger vetting. The United States requires Advance Passenger Information (API) for both scheduled and non-scheduled (charter) flights, providing officers with pre-arrival and departure manifest data on all passengers and crew members consistent with the Standards and Recommended Practices (SARPs) of Annex 9 — *Facilitation* to the Convention on International Civil Aviation. Airport liaison programs facilitate government-to-government information sharing in key regional transit hubs. Border security information sharing mitigates public safety and national security threats prior to a passenger's attempted illegal entry to the United States. We encourage the International Civil Aviation Organization (ICAO)

[13] United Nations Security Council. Letter dated 30 September 2024 from the Panel of Experts established pursuant to Security Council resolution 2653 (2022) addressed to the President of the Security Council. Final report of the Panel of Experts on Haiti submitted pursuant to resolution 2700 (2023). S/2024/704. Accessed 3 June 2025 https://main.un.org/securitycouncil/en/sanctions/testing/work-and-mandate-0/reports

Member States to fully implement the use of watchlists and API and Passenger Name Record (PNR) SARPs to enhance traveller screening in accordance with United Nations Security Council Resolution 2396.

2.3 **Deter Movements:** The United States works with other governments to ensure the full enforcement of entry and transit visa requirements in key regional transit hubs and encourages the denial of take-off and landing rights for problematic flights where safety and/or security are threatened. The United States also works with other government counterparts to prevent terrorists who are looking to exploit illegal alien smuggling networks for entry into the Western Hemisphere.

2.4 **Provide Training to Industry Stakeholders:** The United States government views industry associations as partners in identifying and curbing illegal migration. The United States government shares information with and trains airline and airport personnel, associations and companies in the aviation sector to help them detect cases of illegal alien smuggling, signs of illegal immigration, fraudulent documents, and imposters and identify victims of human trafficking. Enhancing foreign partner passenger analysis units and helping them fully leverage API System transmission will aid in illuminating emerging trends, targeting *mala fide* passengers and identifying illegal immigration facilitators. We recommend cooperation between governments and air carriers as a best practice to identify existing and potential new routes, emerging trends and to inhibit travel for those who may be party to illegal organized smuggling schemes. Governments and carriers both benefit from joint training and information sharing. Such practices can enhance business operations and bolster government efforts.

2.5 **Impose Sanctions and Restrictions:** The United States has published visa restriction policies that target: a) foreign government officials, including immigration and customs officials, airport and port authority officials, and others believed to be responsible for knowingly facilitating illegal immigration to the United States, including through failure to enforce immigration laws or establishing and implementing policies and practices that knowingly facilitate the transit of individuals who intend to illegally immigrate to the United States; and b) target owners, executives, and senior officials of charter flight transportation companies, travel agents and tour operators who provide travel services designed primarily to facilitate illegal immigration to the United States. The United States has imposed sanctions on transnational criminal organizations, including illegal alien smuggling organizations, their facilitators and their support networks.

2.6 **Encourage Law Enforcement Cooperation:** The United States, working with partners, has disrupted transnational criminal organizations involved in human smuggling operations, and will continue to investigate and pursue criminal charges against illegal alien smugglers. The United States arrested and prosecuted over 18 000 human smugglers between 2021 and 2024. The United States encourages collaboration between countries' immigration services and financial intelligence units to better identify and interdict human smuggling and transnational criminal activity.

2.7 **Urge Airline Actions:** The International Air Transportation Association (IATA) has pledged to work with governments and international organizations to mitigate the risks of illegal immigration.[14] The following are recommended industry best practices, subject to applicable laws and regulations and, as appropriate according to their assessed risk, based on their role, the information available to them, and the types of transactions in which they engage.

- **Identify High-Risk Routes:** Airlines should assess emerging trends and identify flight segments or routes known to be used for illegal alien smuggling.

[14] "Airlines' Statement to Deepen Supporting Efforts to Combat Irregular Migration in the Americas," IATA, Accessed 7 July 2025 https://www.iata.org/contentassets/0b6d1c34ebb24fa390b6030be3327751/240506-iata-commitment-migration-final.pdf

- **Mitigate Deceptive Agency/Broker Practices:** Airlines can reduce risk by carrying out appropriate due diligence to protect against the exploitation of services. Scrutinize intermediary companies (for example travel agents, labour brokers, etc.) that conceal their ownership or otherwise engage in unusually opaque practices. Report known or suspicious practices to law enforcement, civil aviation authorities, and trade associations. As appropriate, consider administrative actions that restrict the ability of suspicious agencies to conduct financial transactions for reservations and ticketing.

- **Vet and Enhance Screening of Passengers Prior to Boarding:** Apply additional scrutiny to check for fraudulent visas or imposters. Alert immigration officials or airport security to suspicious behaviour that may be indicative of illegal activity.

- **Transmit API and PNR:** All airlines should comply with government regulations requiring the transmission of accurate and timely API and PNR data prior to departure, beginning at 72 hours prior to scheduled takeoff to enable proper record checks and offload recommendations. Private aircraft must transmit API data no later than 60 minutes prior to the departure of the aircraft. Charter flight operators around the world should also collect and transmit API to mitigate the risks of human smuggling.

3. CONCLUSION

3.1 The Assembly is invited to note the information and recommendations presented in this paper.

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