



CCPCJ

UNITED NATIONS COMMISSION ON CRIME
PREVENTION AND CRIMINAL JUSTICE

AGENDA

Strengthening international
cooperation in addressing the
smuggling of migrants

LETTER FROM THE EXECUTIVE BOARD

Dear Delegates,

Welcome to the Commission on Crime Prevention and Criminal Justice (CCPCJ) simulation at ChirecJMUN 2025.

The Background Guide will provide you with procedural context and a brief overview of the agenda item. Its only intended purpose is to provide you with enough information to commence your own research, from your assigned portfolio's perspective.

Do not worry if you aren't able to fully understand the Rules of Procedure or the Commission section yet, we'll go through them again during the conference. For now, please focus on familiarising yourself with the agenda. Understanding the issue at hand will help you engage confidently and make the most of your experience. If any questions arise, please reach out.

Best regards,

ChairPerson
D. Sai Srikanth

Vice-Chairperson
Ali Qadri

IMPORTANT POINTS TO REMEMBER

This simulation will adhere to the Economic and Social Council's Rules of Procedure, particularly those in chapters X through XII. Relevant excerpts from the rules are provided below.

Note: The dais will treat the Commission's plenary session (where all members and observers are present) and its parallel Committee of the Whole (which primarily negotiates draft resolutions for adoption by the Commission) as one and the same.

QUORUM

Representatives of at least one third of the members of the Commission must be present for the Chairperson to declare the meeting open and permit debate to proceed. The presence of a majority of the members of the body concerned shall be required for any decision to be taken.

GENERAL POWERS OF THE CHAIRPERSON

The Chairperson will have complete control of the proceedings of the Commission and over the maintenance of order.

He shall rule on points of order. He may propose to the Commission the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each member may speak on an item, and the adjournment or closure of debate.

POINTS OF ORDER

A representative may at any time raise a point of order, which shall be decided immediately by the Chairperson in accordance with the rules of procedure. A representative may appeal against the ruling of the Chairperson. The appeal shall be immediately put to vote, and the ruling of the Chairperson shall stand unless overruled by a majority of the members present. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

SPEECHES

1. No one may address the Commission without having previously obtained the permission of the Chairperson. The Chairperson shall call upon speakers in the order in which they signify their desire to speak.

2. No one may address the Commission without having previously obtained the permission of the Chairperson. The Chairperson shall call upon speakers in the order in which they signify their desire to speak.
3. The Commission may limit the time allowed to speakers and the number of times the representative of each member may speak on any question; permission to speak on a motion to set such limits shall be accorded only to two representatives favouring and to two opposing such limits, after which the motion shall be put to the vote immediately. When debate is limited and a speaker exceeds the allotted time, the Chairperson shall call him to order without delay.

CLOSING OF LIST OF SPEAKERS

During the course of a debate the Chairperson may announce the list of speakers and, with the consent of the Commission, declare the list closed. When there are no more speakers, the Chairperson shall, with the consent of the Commission, declare the debate closed. Such closure shall have the same effect as closure by decision of the Commission.

RIGHT OF REPLY

The right of reply shall be accorded by the Chairperson to any member who requests it. Representatives should attempt, in exercising this right, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

SUSPENSION OF THE MEETING

A representative may at any time move the suspension of the meeting. No discussion on such motions shall be permitted, and they shall be put to the vote immediately.

ADJOURNMENT OF DEBATE

A representative may at any time move the adjournment of the debate on the item under discussion. Permission to speak on the motion shall be accorded only to two representatives favouring and to two opposing the adjournment, after which the motion shall be put to the vote immediately.

CLOSURE OF DEBATE

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak.

Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately.

ORDER OF MOTIONS

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- a) To suspend the meeting;
- b) To adjourn the debate on the item under discussion;
- c) To close the debate on the item under discussion.

VOTING

1. Each member of the Commission shall have one vote.
2. A proposal or motion before the Commission shall be voted upon if any member so requests. Where no member requests a vote, the Commission may adopt proposals or motions without a vote.
3. Decisions of the Commission shall be made by a majority of the members present and voting.

6. Representatives may make brief statements consisting solely of explanation of their votes, before the voting has commenced or after the voting has been completed. The representative of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

7. After the Chairperson has announced the commencement of voting, no representative may interrupt the voting except on a point of order in connection with the actual process of voting.

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DIVISION OF PROPOSALS AND AMENDMENTS

Parts of a proposal or an amendment shall be voted on separately if a representative requests that the proposal be divided.

Those parts of the proposal or the amendment which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal or an amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

AMENDMENTS

1. An amendment is a proposal that does no more than add to, delete from or revise part of another proposal.
2. When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

ORDER OF VOTING ON PROPOSALS

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Commission decides otherwise, be voted on in the order in which they were submitted. The Commission may, after each vote on a proposal, decide whether to vote on the next proposal.
2. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

PARTICIPATION OF NON-MEMBER STATES

An invited State shall not have the right to vote, but may submit proposals which may be put to the vote on request of any member of the body concerned.

METHOD OF SUSPENSION

Any of these rules may be suspended by the Commission provided that twenty-four hours notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

INTRODUCTION TO THE COMMITTEE

The Commission on Crime Prevention and Criminal Justice (CCPCJ) was established by the Economic and Social Council (ECOSOC), in its resolution 1992/1, as one of its functional commissions, upon the request of General Assembly resolution 46/152.

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The Commission acts as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice. ECOSOC provided for CCPCJ mandates and priorities in resolution 1992/22, which includes the following:

- International action to combat national and transnational crime, such as organized crime, economic crime and money-laundering
- Promoting the role of criminal law in protecting the environment

- Crime prevention in urban areas, including juvenile crime and violence
- Improving the efficiency and fairness of criminal justice administration systems

CCPCJ also offers Member States a forum for exchanging expertise, experience and information in order to develop national and international strategies, and to identify priorities for combating crime. It also acts as preparatory body and as implementing body for the quinquennial United Nations Congress on Crime Prevention and Criminal Justice.

In 2006, the General Assembly adopted resolution 61/252, which further expanded the mandates of CCPCJ to enable it to function as a governing body of the United Nations Office on Drugs and Crime (UNODC), and to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund, which provides resources for technical assistance in the field of crime prevention and criminal justice worldwide.

In addition to its annual regular meeting, CCPCJ convenes intersessional meetings. Towards the end of each year, CCPCJ meets at a reconvened session to consider budgetary and administrative matters, and other matters as required, as the governing body of the United Nations Crime Prevention and Criminal Justice Programme.

CCPCJ may, in consultation with the Secretariat acting on behalf of the Secretary-General, set up committees or working groups composed of members of the Commission as are deemed necessary and refer to them any questions on the agenda for study and report.

The Commission maintains close links with the research institutes belonging to the United Nations Crime Prevention and Criminal Justice Programme Network (PNI). The network has been developed to assist the international community in strengthening cooperation in the area of crime prevention and criminal justice. Its members provide a variety of services, including exchange of information, research, training and public education.

CCPCJ is composed of 40 Member States elected by ECOSOC for a period of three years. The distribution of seats among the regional groups is as follows: 12 for African States, 9 for Asian States, 8 for Latin American and Caribbean States, 4 for Eastern European States and 7 for Western European and other States.

The Bureau of the Commission is composed of the Chairperson, three Vice-Chairpersons and one Rapporteur. The Extended Bureau also includes the Chairpersons of the five regional groups, the Chair of the Group of 77 and China, and the representative of the State holding the presidency of the European Union.

OVERVIEW OF THE AGENDA

Strengthening international cooperation in addressing the smuggling of migrants

Who is a migrant?

The UN Migration Agency, International Organization for Migration (IOM), defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of:

- the person's legal status
- whether the movement is voluntary or involuntary
- what the causes for the movement are
- what the length of the stay is

Understanding migration and migrant smuggling

Migration can be categorized as regular or irregular.

Broadly speaking, regular migration is the movement of people across borders in line with the relevant countries' rules and procedures.

Many individuals move abroad to seek education, reunite with family or take up jobs.

Irregular migration 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 is when an individual or a group helps migrants enter a foreign country irregularly in exchange for money or another material benefit.

Irregular migration and migrant smuggling are two different phenomena. Irregular migration refers to the actions of the migrants themselves, while smuggling refers to those who facilitate illegal entry for profit. Such facilitation is a business for smugglers, who profit from people's desperation.

Smugglers arrange transport, provide false documents such as fake passports or visas or help migrants cross international borders without proper authorization – for profit.

Migrant smuggling is recognized as a crime under international law, primarily through the UN Migrant Smuggling Protocol.

Irregular entry is not smuggling when migrants cross international borders on their own without authorization.

"The demand for migrant smuggling comes from people's strong motivation to migrate, for example, due to poverty or war, combined with the lack of legal channels for regular migration, and the difficulty of migrating independently," said Samantha Munodawafa, Legal Officer at UNODC.

"Corruption, obstacles to freedom of movement and security concerns also fuel demand in many regions."

The smuggling of migrants is a truly global concern, with a large number of countries affected by it as origin, transit or destination points. Profit-seeking criminals smuggle migrants across borders and between continents. Assessing the real size of this crime is a complex matter, owing to its underground nature and the difficulty of identifying when irregular migration is being facilitated by smugglers.

Smugglers take advantage of the large number of migrants willing to take risks in search of a better life when they cannot access legal channels of migration.

Smuggled migrants are vulnerable to abuse and exploitation. Their safety and even their lives are often put at risk: they may suffocate in containers, perish in deserts or drown at sea while being smuggled by profit-seeking criminals who treat them as goods. As the crime is a clandestine one, accurate global figures are difficult to come by. Nevertheless, it is estimated that two of the principal smuggling routes – leading from East, North and West Africa to Europe and from South America to North America – generate about \$6.75 billion a year for criminals. The global figure is likely to be much higher.

This crime is often perpetrated by organized criminal networks, which seize the opportunity to make large profits from an illicit activity involving little risk of detection.

The profiles of the smugglers vary widely. Full-time professional criminals are involved in smuggling migrants around the world; some of those criminals are specialized in smuggling people, and some are not. There is evidence of both smaller and larger, more organized groups and networks operating as smugglers in all areas, although this varies by region and route. There are also many smugglers who run legitimate businesses and are involved in the smuggling of migrants as opportunistic carriers or hospitality providers who choose to look the other way in order to make some extra money. Corrupt officials and other individuals may also be involved in the process.

Smugglers of migrants are becoming more and more organized, establishing professional networks that transcend borders and encompass all regions. As with other forms of organized crime, the groups concerned have increased their operations by shifting routes in a bid to expand into other markets and circumvent the responses of States. Criminal groups have merged or formed cooperative relationships, expanding their geographical reach and the range of their criminal activities.

Some criminal groups view migrants as simply one of many commodities to be smuggled, alongside drugs and firearms. Since the smuggling of migrants is a highly profitable illicit activity with a relatively low risk of detection, it is attractive to criminals.

The absence or inadequacy of national legislation to address the smuggling of migrants in many parts of the world often means that smugglers of migrants can continue to commit the crime with little fear of being brought to justice. Responses by States often target migrants, leaving smugglers, and especially organized criminal groups, which are more difficult to apprehend, at large. Only a limited number of States have specific policies and mechanisms in place aimed at countering the smuggling of migrants, and a lack of capacity to investigate and prosecute the crime means that criminal justice systems are often unable to meet the challenge of combating it.

Beyond this, failure to secure smuggled migrants as witnesses means that prosecutions are often difficult and opportunities to convict are missed.

Moreover, the smuggling of migrants is not always considered a serious crime for which a heavy penalty could be imposed. Ensuring that priority is given to investigating higher-level smugglers and taking due account of aggravating circumstances in the prosecution of cases involving the smuggling of migrants could have a deterrent effect on organized criminal groups.

Moreover, organized criminal groups turn to smuggling of migrants only for the profit that it generates. Following the money trail by launching financial investigations and freezing, seizing and confiscating assets, as well as looking for examples of money-laundering, could have a direct impact on such profits.

The smuggling of migrants is by nature a transnational crime, and the smugglers involved work in networks. Key to combating the smuggling of migrants, therefore, is the need to increase international cooperation, reinforce national coordination and ensure that the laws in the countries involved are harmonized in order to close loopholes.

Only by ensuring that actors within countries of origin, transit and destination work together can the smuggling of migrants be stopped. The United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention, are essential to addressing the crime.

REFERENCES

Rules of Procedure:

<https://www.un.org/en/ecosoc/about/pdf/rules.pdf>

United Nations Commission on Crime Prevention
and Criminal Justice:

https://www.unodc.org/documents/commissions/CCPCJ/19-10645_CCPCJ.pdf

Smuggling of migrants: the harsh search for a
better life:

<https://www.unodc.org/toc/en/crimes/migrant-smuggling.html>

Irregular migration vs. migrant smuggling - what is
the difference?:

<https://www.unodc.org/unodc/frontpage/2025/January/irregular-migration-vs--migrant-smuggling--what-is-the-difference.html>

RELEVANT INSTRUMENTS

UN Convention against Transnational Organized Crime and the Protocols thereto:

<https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers>