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‘DONKEY FLIGHTS’ ILLEGAL IMMIGRATION FROM THE PUNJAB TO THE UNITED KINGDOM

By Nicola Smith

‘DONKEY FLIGHTS’

Illegal Immigration from the Punjab to the United Kingdom

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Executive Summary

The facilitation of illegal immigration is big business in India. Despite some attempts to open additional legal pathways between India and Europe, many individuals rely on intermediaries to cheat the system. One method being used to exploit immigration loopholes are so-called “donkey flights”—the practice of Indian migrants obtaining a tourist visa for a Schengen-zone country in order to enter the United Kingdom through the back door via other European countries.

Because of its clandestine nature, little is known about the scale or organization of the Indian illegal immigration business. The Migration Policy Institute (MPI) commissioned this report from journalist Nicola Smith of *The Sunday Times* (UK) to shed light on the operations of unscrupulous travel agents helping individuals from the Punjab region in northern India reach the United Kingdom. This report is based on an undercover exposé of Punjabi agents by *The Sunday Times*, and from interviews conducted with migrants, law enforcement officers, and senior officials in India and Europe.

The report identifies the following trends:

- ***Thousands of visa agencies operate in the Punjab region alone, with varying degrees of legality.*** Some agencies, while breaking no rules, charge disproportionate fees for visas that could be obtained directly from the relevant embassy. Some operate in legally grey areas, such as by advising migrants on how to bend the rules. More underground operations have links to criminal smuggling networks across Europe.
- ***The scale of this migration challenge facing the UK government is considerable.*** Push factors such as low wages and high unemployment combine with the lure of vast earnings overseas. Many are desperate to migrate, whether legally or illegally, and are attracted by word of mouth “success stories.” Even migrants who have been deported look for alternative ways to return.
- ***Developing effective policies is difficult.*** The illegal immigration industry is flexible and adaptable, responding quickly to legislative changes. By contrast, government bureaucracy can only slowly change its rules and practices. Closing one loophole can mean another is opened elsewhere.

In reflecting on these findings, policymakers may wish to consider:

- ***The adequacy of legal migration systems.*** Even where legal options exist, individuals turn to local, informal sources of help. While these providers sometimes operate in good faith, the existence of a parallel system that circumvents official routes provides considerable opportunities for corruption.
- ***The challenges of changing mindsets.*** Such is the desperation of many migrants that even being deported fails to deter their future migration attempts. This has implications for policies designed to increase the perceived risks of taking illegal routes as it suggests that information campaigns have little impact.
- ***The future of the Schengen system.*** While the United Kingdom is outside the Schengen area, the country still experiences high numbers of secondary movements. The phenomenon of “donkey flights” that this research uncovers represents an additional pressure on the Schengen system.



I. Introduction

European governments are facing unprecedented levels of illegal immigration from India. While the numbers of the illegally-resident Indian population in Europe are difficult to measure, estimates from several countries, as well as data on asylum applications and removals, help to form a picture of the situation. For example, in Italy, unauthorized Indian migrants were about 30 percent of the total estimated Indian population of 170,000 in 2012. In Germany, the irregular Indian migrant population is several thousand people, and estimates of irregular Indian migrants in the Netherlands are between 3,000 and 4,000.¹ In terms of asylum applications, Indian nationals submitted 2,785 asylum applications in the European Union (EU) in 2011, many to avoid immediate deportation.²

The United Kingdom has the highest numbers of illegally-resident Indians. Two estimates that the UK Home Office labels as “robust” place the population at 430,000 and 618,000; although actual numbers may be significantly lower or higher.³ In 2010, 7,135 Indian nationals were removed from the United Kingdom.⁴ In terms of legal migration, Indians are the largest group of non-European Union migrants in the United Kingdom. The other top sending countries are Nigeria, Pakistan, China, and Bangladesh.⁵

The illegal flows from India are facilitated by well-funded illegal immigration rackets that employ creative methods to exploit every possible loophole in existing policies and visa systems. In India’s Punjab region, thousands of young people each year dodge immigration checks to head to Europe, using schemes devised by so-called visa “agents:” unscrupulous middlemen who prey on would-be economic migrants for quick financial gain.

Box 1. “Donkey Flights”

Indian immigrants refer to a popular route to the United Kingdom as “donkey flights.” The term is based on a Punjabi idiom meaning to hop from place to place. It describes a common ploy that would-be immigrants would use, in which they apply for a tourist visa for a European Union Schengen country. This visa allows them to roam freely in Europe’s border-free zone, with the intention of “leapfrogging” over into the United Kingdom.

The signs of the lucrative nature of the immigration business are everywhere in Punjab, in northwest India, especially in the notorious hotspots of the Doaba region, or in the dusty villages and towns surrounding Jalandhar, which has become a hub of illegal operations. Even the most remote Punjabi village is likely to have a row of “travel agencies” in the middle of sprawling agricultural fields. Many of these are fronts for illegal immigration scams, and all promise “guaranteed” visas at cut-price rates. Lampposts, walls, and billboards are littered with offers of fast-track visas for the United Kingdom, Australia, Canada, New Zealand, and the United States.

These agencies operate at different levels of legality. While some are legal and legitimate, their methods are not entirely above board, as the visas they offer could be obtained by applying directly to the relevant

- 1 K.C. Saha, *Irregular migration from India to the EU: Punjab and Haryana Case Study*, CARIM-India research report 2012/28 (San Domenico di Fiesole, Italy: Robert Schuman Centre for Advanced Studies, European University Institute, 2012): 3, www.india-eu-migration.eu/media/CARIM-India-2012-28.pdf.
- 2 Eurostat, “Asylum Statistics,” updated June 3, 2013, www.epp.eurostat.ec.europa.eu/statistics_explained/index.php/Asylum_statistics#Further_Eurostat_information.
- 3 Hannah Toms and Katharine Thorpe, *Practical Measures for Reducing Irregular Immigration* (London: UK Home Office, 2012): 3, www.ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/irregular-migration/uk_20120402_practicalmeasuresforreducingirregularmigration_final_en.pdf.
- 4 Ibid, 61.
- 5 Ibid, 70.



embassy. Agencies step in as middlemen because that message is slow in penetrating the local population. Others skirt around the boundaries of the law, although they do so out in the open on Punjabi main streets, under the pretense of being a legitimate business. But some agents operate in a more overtly clandestine manner and are embedded within criminal networks.

Using the services of an agent comes at varying degrees of human and financial cost. Lured by the prestige of foreign travel and a large paycheck to send to relatives back home, thousands of young people are willing to pay high fees charged by agents in the hope of bypassing regular visa applications. But many families are duped, selling land and possessions to fund a trip abroad, only to be conned out of their life savings. While thousands of others cross into Europe every year, success is sometimes short lived. Statistics released by the UK government have shown that around 150 Indians who reach the United Kingdom illegally are deported back every month.⁶

The scale of the oversight required for the visa system is enormous. Excluding transit and visitor visas, the United Kingdom issued 77,130 visas to Indians in 2012. Of all admissions—including visitors and tourists—almost 7 percent (about 880,000 people) were Indians.⁷ While estimating the scale of illegal immigration is much more challenging, a 2009 United Nations study estimated that 20,000 young people from the Punjab alone attempted illegal routes, and that the United Kingdom was the desired destination in one-quarter of cases.⁸

*Using the services of an agent comes at varying degrees of
human and financial cost.*

This report examines the illegal passage of Indian Punjabis to the United Kingdom, often via other European Union countries. It is based on investigative reporting and research carried out for *The Sunday Times* of London between 2009 and 2012.⁹ The next section summarizes the business operations of the visa agents, and the following section turns to the migrants' perspectives, covering the potential pathways they may use to emigrate. Finally, the report evaluates the policy responses from the UK and Indian governments.

II. The Business Model of Visa Agents

Local experts estimate that several thousand visa agencies operate in the Punjab, a populous agrarian North Indian state with a large diaspora. These agencies have links to a network of "consultants" spanning from Delhi through Russia, continental Europe, and the United Kingdom. They also claim to have contacts in European embassies, through their Delhi associates, although no substantive evidence supports this. Agents charge fees of up to 1,200,000 Indian rupees (or an average of about US \$21,500 in 2012) to arrange a passage to Britain, and around 900,000 rupees (or about \$16,000) to procure a Schengen tourist visa through offices in Delhi.¹⁰

6 Author's background briefing with UK government official, under grant of anonymity. November 2010.

7 UK Home Office, "Immigration Statistics, July to September, 2013," November 28, 2013, www.gov.uk/government/publications/immigration-statistics-july-to-september-2013/immigration-statistics-july-to-september-2013.

8 United Nations Office on Drugs and Crime (UNODC), *Smuggling of Migrants from India to Europe and in particular to UK: A Study on Punjab and Haryana* (New Delhi: UNODC, 2009), www.unodc.org/documents/southasia/reports/SOM.pdf.

9 Nicola Smith, "'Donkey Flights' sneak migrants into UK," *The Sunday Times*, December 19, 2010, www.thesundaytimes.co.uk/sto/news/world_news/Asia/article484554.ece.

10 *Sunday Times* interviews and author's research, December 2010. Average currency exchange rates here and throughout the report are calculated from the U.S. Internal Revenue Service, "Yearly Average Currency Exchange Rates," updated September 27,



Malpractice, fraud, and crime are widespread in the unregulated world of immigration agencies. But not all of the agencies' operations are illegal. There are several large and reputable visa agencies with strict operating procedures that would not condone illegal activities. Others operate in legally gray areas, such as by bending the rules to help migrants meet certain visa requirements. Some of these have offices on city main streets, and maintain the appearance of reputability. The more explicitly criminal agents, by contrast, operate in underground or in smaller offices, and delve into the realms of fraudulent documents, bribes, and human smuggling.

*Punjabi agents take considerable precautions to avoid
incriminating themselves.*

Prospective migrants employ the services of agents to assist with both legal and illegal methods of reaching their destination. In the case of migrants with a strong, legitimate case for migrating, the use of an agent is costly and superfluous, but not automatically against the law. Many people simply do not realize the vastly inflated cost of using an agent, compared to pricey but much more reasonable visa fees. Others know that they would not meet the requirements for a regular visa and thus see no other option but to risk paying large sums of money to agents operating outside of the law.

Punjabi agents take considerable precautions to avoid incriminating themselves. Most have “godfathers” in Delhi, so they are not directly linked to embassies. Instead, the role of the Punjabi agents is to make initial contact with the migrant. They take a cut of the money, and then pass on the rest of the fee to the main agents in Delhi. One way of attracting customers is through advertisements in local newspapers for “visa consultants,” providing only the middleman’s cell phone number. Deals are never done on the phone, but only through face-to-face meetings, and the masterminds of the schemes only speak to people who come with references from their own contacts. They proceed with careful negotiations, wary of being caught in a police sting. One tactic is to say at first that they cannot help, before being brought around by gradual persuasion.

Vulnerable would-be immigrants are often conned. Unscrupulous agents charge a significant fee and take possession of documents such as passports in order to provide visas. Agents can then either blackmail would-be migrants by withholding these documents, or dupe them with fake visas and keep their cash.

III. The Migrant’s Perspective

Punjab is India’s most populous state, and industry is largely dominated by the agricultural sector. Daily laborers could hope to earn between 73 and 95 rupees per day in 2007 (roughly \$2).¹¹ For the educated, the picture is clearly more favorable: a decent start salary in an office would begin at about \$250 a month. But unemployment is high. Since over 90 percent of Indian workers are employed in the informal sector, government figures on unemployment (which were reported as 3.8 percent for the country and 1.8 percent for Punjab in 2012)¹² often do not tell the whole story. In 2012, the *Times of India* reported

2013, www.irs.gov/Individuals/International-Taxpayers/Yearly-Average-Currency-Exchange-Rates.

11 Ranjit Singh Ghuman, Inderjeet Singh, and Lakhwinder Singh, *Status of Local Agricultural Labour in Punjab* (Patiala, India: Punjabi University, Department of Economics, 2012), www.fao.org/fileadmin/templates/ERP/uni/SLPJ.pdf.

12 Government of India, Ministry of Labor and Employment, *Report on Second Annual Employment and Unemployment Survey* (Chandigarh, India: Ministry of Labor and Employment, 2012), www.164.100.47.134/plibrary/ebooks/EUS%20Report-Vol%201.pdf.



that while about 30 million of India's labor force is unemployed, another 26 million people are officially underemployed, 40 million want additional work, and 35 million are looking for other alternatives of livelihood.¹³ Although the unemployment rate in Punjab is among the lowest in India, there is significant discontent. For example, in 2013 unemployed youth in Punjab held ongoing protests for jobs, jobless linemen held a 35-day long hunger strike, and there were several suicides (including self-immolations) related to joblessness.¹⁴

By contrast, migrants expect that they will have significantly higher earnings and more opportunity in the United Kingdom. For would-be immigrants in all sectors of society, the prospect of working abroad also holds the lure of attaining greater prestige in the local community. Others are simply driven by desperation, as the local police described. "People want to go abroad, legally or illegally," said Surinder Kumar Kalia, a former Additional Deputy Commissioner of Police in Ludhiana. "Those who are not well-placed [wealthy] and who want to go abroad by any means will try to find an agent to fulfill their wish. There are many people working in this business."¹⁵

Box 2. Case Study of a Local Truck Driver

One truck driver in Punjab who requested anonymity as he was trying to emigrate again, first entered the United Kingdom illegally in 2001 and was only caught and deported in 2008. The 39-year-old father said he first traveled to Austria on a Schengen visa after paying three lakhs to a local travel agency, which got the document through an agent in Delhi. When he reached Austria he snuck aboard a train bound for France and locked himself in a small cabin. "The ticket collector was knocking on the door for some time and then he decided to forget about it," he said.

He reached Calais, a "hub" for travel agents who also have regular jobs for cover, and there he met an English couple in their mid-thirties. His uncle in Southhall had paid them GBP 1,800 (about US \$3,175 in 2008) to smuggle him back into the United Kingdom in their car. "The couple put me in the boot of their car, offered me Famous Grouse [whisky], then I fell asleep and woke up in England," he said. His motive for going was clear. "I went because I wanted to have a good living. I earned a killing in England, twenty times more than I would earn here," he said.

In one construction company he worked in, only two out of 16 laborers had legal papers, a situation he saw across the United Kingdom, he said. "There were many illegal people there, many thousands." His final job was in a shoe-making factory, where the authorities eventually caught up with him. But even a stint in jail was no punishment, he said. "Jail was good. We got meals, including chicken, so it was luxury. We also made our own liqueur."

Source: Author's interview with a truck driver, under grant of anonymity.

The strong compulsion to seek fortune abroad is tangible across the "Doaba" belt of Punjab, the region of origin of many Indians already settled in the United Kingdom, and where it is a matter of great honor to have a relative working abroad.¹⁶ Rakesh Kumar Jaiswal, Senior Superintendent of Police in Jalandhar, said many con men were preying on the "craze" among young people to emigrate. "It's very tempting for the youth to want to go abroad and settle there but they don't know what the visa procedure is and they get trapped in a vicious cycle of racketeers," he said.¹⁷

13 Atul Thakur, "Why India is not on the job," *Times of India*, October 22, 2012, www.timesofindia.indiatimes.com/india/Why-India-is-not-on-the-job/articleshow/16908904.cms.

14 I. P. Singh, "Punjab Congress blames SAD-BJP govt for suicide by unemployed lineman," *Times of India*, July 14, 2013, www.articles.timesofindia.indiatimes.com/2013-07-14/india/40568906_1_unemployed-youth-unemployed-linemen-sad-bjp.

15 *The Sunday Times* interview with Surinder Kumar Kalia, a former Additional Deputy Commissioner of Police in Ludhiana.

16 See also UNODC, *Smuggling of Migrants from India to Europe and in particular to UK* which notes that illegal immigration is "not at all a stigma amongst the families of the migrants, provided it is successful."

17 Interview with Rakesh Kumar Jaiswal, November 2009.



The starting points for an illegal route to the United Kingdom are spread across the tiny villages and major cities of Punjab. Well-known centers for agents include Tanda, Lubana, Bhagwara, Dasua, Kapurtala, and Jalandhar, which is considered the epicenter. In the small Punjabi village of Phillaur, the situation is particularly desperate as the job market is poor, and many young men make the decision to seek their fortunes in the United Kingdom or other European countries. In these areas the idea persists that a migrant can still make a fortune in the United Kingdom, despite the recession. Here, an agent working for Sethi Travel told an undercover *Sunday Times* reporter that he could arrange for the reporter's younger brother to get to England at a price, and that it would be "no problem," even though he had no qualifications or job to go to.

The reporter told the agent that his 23-year-old brother, who had only a school-leaving certificate, wanted to reach the United Kingdom illegally in a container ship leaving from Mumbai. "What you are talking about was a tactic ten years ago. Now nobody is talking about that tactic," the agent said. "The only thing you need is money. He can go to [a Schengen country] for 8 to 9 lakhs¹⁸ [between \$16,700 and \$18,800 USD at the time of this conversation], but we can send him directly to England. We'd need to see his passport and the work would be done, but you need to pay 12 lakh rupees [about \$25,000]." And he warned against the temptation to use an agent offering a cheaper deal. "It is not worth taking a risk at 3 lakh rupees [\$6,300]. He would risk being left in a container... if you pay 3 lakh your man would be left in Russia and calling you for help... if you are ready to spend money then we can get the thing done." Another customer in the shop was also applying. "Why sit in a container from Bombay when it is worth taking the risk from France or Belgium?" he piped up.¹⁹

A. The Schengen Route

The first option available to migrants is the Schengen route. A widely held view among both migrants and agents is that other EU embassies are a "softer touch" than the British High Commission, even with little evidence to support this assertion. They therefore explicitly aim to use their base on the continent—often France, Belgium, or Germany—to transit on to the United Kingdom using illegal or dubious means. While the notion of the Schengen Zone has to be taught to European children, inhabitants of even the most remote Punjabi farming villages fully understand that obtaining a visa for one country means access to another 27.

Box 3. Case Study of an Agricultural Worker

Lakhi, a 35-year-old agricultural worker from Phillaur, came to England in 2003. He first got a Schengen visa from a local Punjabi agent for 6.5 lakh rupees (about \$13,600), which took him to France. "He said that was his job done. When I was in France I met a Bengali agent and he smuggled me onto a lorry at Calais. I got caught the first time and deported back to France, but the second time I got through." He paid the Bengali agent GBP 3,700 (about \$6,100). He is now engaged to a British woman and heading back.¹⁰

Local police confirmed the popularity of this route. According to Surinder Kumar Kalia, "People go to Schengen visa countries and from there they try to sneak into England," he said. "The [immigrant] pays 10 to 20 lakh rupees [\$21,000 to \$42,000] for a passport and visa, and then the visa is arranged for a Schengen country. From there they illegally transport them to the United Kingdom. They have local people based in the Schengen countries and in the United Kingdom. It's a network." Passports are sometimes

¹⁸ One lakh is equal to 100,000.

¹⁹ *Sunday Times* undercover interview with agent and customer granted anonymity, November 2010. When approached later, the agent emphasized that he was not suggesting anything illegal but could not explain how he intended to get the unqualified man into Britain. He said he had only asked to see the man's passport.



faked with a new photo, or the visas are forged. “Belgium is the most preferred destination,” he said. “Many people have gone illegally to the United Kingdom. We are talking about thousands a year. They say they are living openly and nobody asks them any questions.”

Countless migrants take the risky route into the United Kingdom from France or Belgium, which is fraught with obvious danger—and the most vulnerable are frequently duped. In 2007, eight Indians turned up exhausted and frightened in Gothenburg, Sweden, after being put onto a container in a ship leaving Zeebrugge, Belgium, that they were told was going to England. Others have been injured or even killed after being caught up in turf wars at service stations.

In 2008, several young Indian men were left to freeze in a park in Brussels after they were caught on board a truck heading for the United Kingdom. They told their story of being transported via Russia and Italy into Belgium, where they were detected by police while inside a container scheduled to cross the English Channel. After a few days in prison, the police released them and told them to go home, an impossible task with neither papers nor money. It was winter, and after a few days living in the open, in a freezing park with no supplies, a Jewish charity took them in, providing food and shelter. But all of the young men interviewed vowed to try to make the crossing again.

The criminal networks that facilitate this passage are highly sophisticated.

But many migrants have made the passage from Belgium successfully. According to Belgian authorities, Indians and Pakistanis are among the most common nationalities caught trying to board ships at the Belgian ports of Zeebrugge, Ostend, and Bruges, along with Moldovans, Algerians, Iraqis, and Iranians.²⁰

The criminal networks that facilitate this passage are highly sophisticated. Agencies in migrants’ home countries link them to contacts based in Italy, France, and Belgium who arrange for their dangerous onward journey, often for an exorbitant fee. Although France’s Calais appears to have a bigger problem with unauthorized immigrants than neighboring countries, Punjabi police sources have pointed to Belgium as a popular route for Indian immigrants. When in Belgium, immigrants are often holed up in grim hovels in Brussels, Antwerp, Bruges, and Ghent for weeks at a time, awaiting their passage to Britain.

Many are given the choice between the “deluxe travel package,” which includes a false ID and guaranteed transport, or to go “economy” and be dumped at a service station en route to the ports to take their own chances. Those left to their own devices can tap into Belgium’s entrepreneurial free market in human smuggling, where Indian and Pakistani gangs work with the Albanian and Chinese mafias in a relatively organized business structure.

According to police sources, the Albanian mafia mainly control the harbors, but immigrants who want to travel illegally to England normally find their way through their own nationality group, tapping into underground networks by word of mouth. There is no obvious suburb of Brussels to find Indian and Pakistani communities, but the networks operate via taxi drivers and phone shops, often in the rundown area close to the Gare du Nord railway station.²¹

The smuggling networks help migrants board trucks heading from continental Europe to English ports. According to 2005 to 2006 rates, an immigrant can pay up to 6,000 euros for a “guaranteed” journey with a truck driver who knows he is smuggling someone, and who presumably takes a cut of the profits.²²

20 Author’s interview with senior Belgian police officer, under grant of anonymity, February 2008.

21 Author’s interviews with senior Belgian police officers, under grant of anonymity, February 2008.

22 Ibid.



Alternatively, those who pay less are taken to one of several service stations along the E40 (the main motorway linking Brussels to the coast), where they can attempt to sneak onto a resting driver's truck. There are three infamous service stations where truckers often stop for several hours to rest and where various mafias allegedly take turns so that they are not all using the same stations on the same night, thus attracting unwelcome attention. One of these stations, Groot Bijgaarden, is so close to Brussels that immigrants can reach it by foot in one to two hours. Sometimes taxis are also hired to take them there. Wetteren is also a popular boarding point as it is located halfway between Brussels and Zeebrugge and is close to a train station. Jabbeke is the third station, and the last before reaching Zeebrugge, where many trucks make brief stops. The Ternat and Drongen stations are also used to a lesser extent, and now gangs have branched off the E40 onto the E3 between Antwerp and Ghent.²³

B. Exploiting Legal Routes

The risks associated with being smuggled to the United Kingdom encourage many immigrants to opt for the relatively safer routes of engaging in sham marriages or pretending to be part of tourist groups or dance troupes.

Fake tour or dance groups operate along the premise that, with so many Indians entering the United Kingdom every year (880,000 in 2012),²⁴ there is neither the technology nor the manpower to ensure that they all leave when their visas expire. Punjabi police sources confirm that immigrants often claim to be part of a singing or dance troupe traveling to the United Kingdom for a religious ceremony or a wedding. The troupe enters the country legally on tourist visas, but then two or three "dancers" fail to return home.²⁵

Fake marriages are a relatively effective way of entering the United Kingdom.

In the city of Ludhiana, one local businessman in his 20s who did not want to be named, said that his cousin had taken this route to Europe. "My cousin went to Germany on a 'cultural program' and stayed nine months until he was caught by the local police," he said. "You don't even have to know how to dance. You just have to follow the lead dancer in the troupe."²⁶

An alternative approach is through a spousal visa. In Ludhiana, an agent who called himself Mr. Singh boasted that organizing a fake wedding in a matter of hours was simple. He said he specialized in issuing student visas and arranging marriages for people who wanted to accompany a student on a spouse visa. Pointing at his two mobile phones, he said: "I have 2,500 contacts in these. I can arrange a wedding, including spouse, wedding venue, and traditional ceremony within an hour." Over the month of November 2010, he claimed he had arranged for 30 students and their spouses to go to the United Kingdom. He admitted that "maybe some marriages are fake," and that they would likely part ways on arrival.²⁷

Fake marriages are a relatively effective way of entering the United Kingdom. Immigration officials admit they are difficult to detect, especially in Indian culture in which it is perfectly normal for a husband and wife to meet each other for the first time on their wedding day.²⁸

23 Ibid.

24 United Kingdom Home Office, "Immigration Statistics, July to September, 2013."

25 Author's interviews with Indian police sources, under grant of anonymity, November 2010.

26 Author's interview with Indian businessman, under grant of anonymity, November 2010.

27 Author's interview with agent in Ludhiana, November 2010.

28 Background briefing with UK officials, under grant of anonymity, April 2012.



C. Student Visas

Students visas are a popular choice for young people seeking to emigrate and work abroad. A popular scam in recent years has been the creation of fake bank accounts to give the appearance of the financial means necessary for visa requirements. Senior local police sources believe that “thousands make it to the United Kingdom on a yearly basis” from the Punjab on student visas, many with the clear intention of finding work.²⁹

Countless freelance agents in Punjab who claim to be immigration experts have helped young Indians enter the United Kingdom on falsely obtained student visas. The scam operates by exploiting a gap in the United Kingdom’s vetting system for foreign students, in which immigration authorities are unable to determine whether an applicant’s financial means have been obtained legitimately, or are genuine. This is a very difficult, if not impossible, problem to resolve. Punjabi agents have brazenly admitted they are duping authorities, describing frankly how they temporarily deposit a lump sum of GBP 10,500 to 16,000 (about \$15,700 to \$24,000 in 2009) into a would-be student’s bank account for the duration of the 28 days it takes to process the visa. During the visa process, the recipient cannot touch the borrowed money and it is removed by the agent after the papers have been issued.

The scam operates by exploiting a gap in the United Kingdom’s vetting system for foreign students.

Proof of the widespread abuse of the system was found by reporters working for *The Sunday Times* using a hidden camera to speak to several agents who were openly offering temporary loans to fake students. A local journalist approached five randomly selected visa agents in different Punjabi towns seeking help to move to the United Kingdom on a student visa, and stressing his real intention was to find a job. They all told him that temporary funds to bypass visa rules could be easily arranged, with the sum being removed from his bank account after the visa was issued. Some offered package deals, charging around GBP 200 (\$300) in processing fees for the application documents and 7 to 10 percent interest rates for organizing the “money for show.”

These claims were supported by Vikram Choudhri, criminal lawyer to the Chief Minister of Punjab. He said the state government tries to crack down on immigration scams, including the abuse of student visas. “Thousands of students are going to the UK every year to work and earn there. Their main motive is to go and settle and very few go to reputed universities, rather small-time colleges,” he said.³⁰

The bustling city of Jalandhar is another notorious center for immigrants seeking an easy passage abroad, with some office blocks known locally as “visa factories.” At one office, the relatively well-established Academic Overseas Educational Consultants (AOEC), admission manager Trikha told the reporter that he would need to show the immigration authorities over GBP 8,000 (\$12,000) in his bank account to apply for a student visa. When told he did not have the money, she replied: “This is a basic problem. Everyone has this problem. Funds can be arranged. We would charge you seven percent interest on it.”

In its billboards around Jalandhar, AOEC advertises UK student visas for GBP 1,975 (\$2,961). Trikha said this offer was only valid for the January intake, but that a GBP 6,000 (\$9,000) package would “assure” the reporter a place at a British college in the United Kingdom that March. Courses would be available at the College of IT and E-Commerce (CITEC) in London, Spinnaker College in Portsmouth, and South Lanarkshire College in Scotland. If he chose the Scottish institution, he could opt for one year of study, followed by a two-year work visa, she said. When the reporter stressed again that his main goal was to work, Trikha replied, “Our job is to send you there. You are allowed to work four hours [a day]. It is illegal

²⁹ Author’s interviews with senior Punjabi police sources, under grant of anonymity, November 2009.

³⁰ Author’s interview with Vikram Choudhri, November 2009.



but it is up to you if you want to work more than four hours. Your friends [in London] will also help you with that.” But whether intentionally or not, the reporter was being misled. All three colleges denied they had any contract with AOEC, with one saying there were no March admissions, contrary to what had been promised.³¹

The crackdown on “fake colleges” has been one of the more successful achievements of the UK Home Office. The risks of being knowingly involved in visa scams are high and the UK Border Agency has warned that any colleges intentionally sponsoring immigrants whose intents are only to work will lose their license, a deterrent that has proven effective, according to UK government officials.

In 2008, the government undertook a general reform of immigration rules, including the rules surrounding student visas. Criteria for obtaining student visas include the ability to prove adequate financial means, having the right qualifications, and showing an offer letter from an approved college. The rules were later tweaked to extend the length of time students are asked to show money in their bank account from 24 hours to 28 days. The new provision was introduced to weed out those looking to migrate illegally.

But enquiries by *The Sunday Times* revealed that the practice of providing fake funds to dupe the visa authorities is widespread across Punjab. An agent working for the Peridot Consultancy said the provision of funds would be “no issue.” “We will get it done,” he said, adding the cost was 35,000 rupees (about \$770 in 2008) and the reporter’s original documents would be held as security. (The agency later denied it had offered the loan or done anything wrong). Anshu Sharma, from the Bona Fide Institute for Foreign Languages, warned against using fake funds but suggested the United Kingdom was more lenient as the 28-day deposit “doesn’t have to be from a blood relation, anyone can show money on your behalf.” “Nobody has that amount of money in their account,” she said. “They [financiers] are in demand.” (A spokesman later insisted the company would never advocate using loans for visa applications). In additional calls to agents around the region, one claimed that working in the United Kingdom was easy despite the restrictions. “It’s not as if they’re very strict. When I was studying in Derby I used to work seven hours excess. The legally permissible limit for work is 20 hours a week and 40 hours during holidays for students but everybody works more,” he said.

The crackdown on “fake colleges” has been one of the more successful achievements of the UK Home Office.

The ease with which would-be migrants in Punjab, regardless of their financial means, can obtain temporary funds is astonishing considering the sums being asked of students are equivalent to the annual salary of a middle-ranking project manager, or five to seven times the average yearly wage. Bank employees, rich businessmen, and moneylenders work together with visa agents to informally put up front money, making a profit through interest payments. Anchu Thaper, a moneylender for the past ten years in the town of Ludhiana, said he had supplied seven clients in the last year with funds for student visas. “In normal practice, UK study visas are given in 28 days. You just need 8 to 12 lakh rupees [about \$17,550 to \$26,340] in your bank account for that 28 days. People take out the money and then return it when they get the visa,” he said.

But while the UK Border Agency has argued that checks are made on the bank accounts of applicants, British officials also admit that it is impossible to determine whether funds in a student’s bank account have been obtained from a relative or loan shark. Chris Dix, former Regional Director at the UK Border Agency, stressed that bank statements are “not taken at face value.” “Where we have suspicions about an applicant, or the documents they have submitted, we can and do make a variety of verification checks,” he said. “While

31 When confronted, Academic Overseas Educational Consultants Director Garry Singh claimed that there had been a “misunderstanding” and that the company did not provide “show money” but recommended students go to banks for an education loan.



unscrupulous private companies may advise people how to get round the system, this does not guarantee that they will be successful. All applications are closely scrutinized regardless of whether the applicant has employed an agent or not.³²

IV. Policy Responses

A. UK Government Responses

While student visas are one of the most popular routes taken by fraudulent applicants, many other scams are employed by unauthorized immigrants, with their methods constantly evolving to avoid restrictions. Meanwhile, the UK government is attempting to develop equally sophisticated ways to thwart these scams. These include:

- **Addressing fraud.** The government has made policy adjustments to make the student visa scam less viable. One small change to counteract fraud is the requirement that applicants must now show accounts with a small pool of approved banks. In addition, applicants previously supplied only a sponsorship letter from a college for their visa, which was open to widespread fraud. Now sponsorship is tracked electronically so that checks can be made with colleges.
- **Closing the route to work.** The government has restricted employment opportunities for foreign students both during their studies and after graduation, in order to prevent them from working in low-level jobs when they graduate.³³ Students may stay on in the country to pursue graduate-level employment if their employer shows evidence that they are the best person for the job. Further reforms in 2013 allow graduates to hold a 12-month internship provided that the work relates to their degree.³⁴ More fundamental changes are also on the way. Officials now acknowledge that the criteria surrounding student visas, which were introduced to inject more transparency to the system and weed out inconsistent or arbitrary decisionmaking, must be balanced with a more discretionary approach.³⁵
- **Interviews.** Interviews were compulsory for every applicant 20 years ago, but have been almost completely phased out in recent years. However, sources within the UK Border Agency have indicated an ongoing policy shift that will introduce more interviews into the application process. More face-to-face contact with applicants for all types of visas is expected to help identify candidates seeking to enter the United Kingdom by fraudulent means. Interviews are particularly important for ascertaining whether candidates applying for a spouse visa are genuine. The culture of arranged marriages in India means that it is not an anomaly if spouses know very little about each other's lives. Establishing whether their marriage is genuine therefore requires a value judgment on the part of the immigration official. For this reason, local staff is already employed to check the facts and read the nuances of a couple's relationship.
- **Deterrents.** In April 2012, the British High Commission in Delhi publicized a case in which a female student had tried to fabricate her English exam results by asking someone else to sit the test for her. Her visa was denied and she will not be able to enter the United Kingdom for ten years.³⁶

32 Author's interview with Chris Dix, former Regional Director at the UK Border Agency, November 2009.

33 Changes to post-study work route were announced by Home Secretary Theresa May in March 2011.

34 Electronic Immigration Network, "New Statement of Changes in Immigration Rules," September 6, 2013, www.ein.org.uk/news/new-statement-changes-immigration-rules.

35 Background briefing with UK government official, under grant of anonymity. April 2012.

36 British High Commission, "Student Visa Applicant Arrested for Language Test Fraud," (news release, April 20, 2012), www.ukinindia.fc.gov.uk/en/news/?view=PressR&id=755853582.



- **Tightening family reunification rules.** The UK consultation on reforming family reunification policy could potentially make a significant difference to the Punjab experience. New requirements are expected to include extending the probationary period before spouses and partners can apply for settlement in the UK from two to five years, and introducing new minimum income thresholds for sponsors of spouses.

On a larger scale, the British government recognizes that migration problems cannot be solved without knowing who is entering *and* who is leaving the country when they should. This is a loophole that UK officials say they are working to address, but is perhaps an issue in which more checks and more coordination at the European Union would also help.

However, many methods adopted by immigrants, including the “donkey flights” system, involve sophisticated criminal networks. While laws forbidding the activities of agents could support police forces, the greater struggle is for law enforcement agencies and customs authorities on the ground. The government could offer more funding to these actors, but efforts to reduce illegal immigration are hampered by the reality that many would-be immigrants are driven by economic necessity.

B. Indian Government Responses

Tackling the problem of illegal immigration is a constant fire-fighting exercise, and there is an acknowledgment that EU countries as well as India must take action. The governments issuing the visas cannot resolve the problems alone.

Educating the public against the dangers of using unscrupulous agents must also become a priority.

One proposed solution is to crack down with additional pressure on rogue agents. Indian authorities have recognized the importance of agency regulation, and Punjab’s parliament passed the *Punjab Human Smuggling Act*, which provides a licensing regime for agents for the first time, in December 2012.³⁷ The act also appoints Overseas Migrant Workers Welfare Officers in Indian embassies abroad, requires emigrant recruitment services (like travel agencies) to seek the permission of the state government before posting advertisements, and requires the Protectorate of Emigrants to check an emigrant’s proper travel documents and employment contracts before departure.³⁸

Educating the public against the dangers of using unscrupulous agents must also become a priority. Embassies can help to raise public awareness of the fact that agents are not needed to apply for a visa, as many people in the Punjab region wrongly believe. However, the principle responsibility for educating the public, and cracking down on rogue agents, lies with the Indian government. Immigrants often find agents by word of mouth or by using one closest to their own locality. Posters in towns and cities or television advertising campaigns about the dangers of using rogue agents could be effective, as could incorporating this kind of storyline into a popular soap opera.

Other national authorities generally take bilateral actions, and the European Union institutions do not typically get involved. The European Commission in Delhi has low political visibility, with embassies choosing to deal with their own visa matters directly. But as pressures on the Schengen system grow, they may wish to increase their presence in India.

37 Snehil Sinha, “Punjab tries image makeover with act against trafficking,” *The Sunday Guardian*, January 12, 2013, www.sunday-guardian.com/news/punjab-tries-image-makeover-with-act-against-trafficking.

38 Ibid.



V. Conclusion

Hundreds of millions of Indians have not benefited much from India's much-praised economic boom. Even the strongest deterrents do not match the lure of the potential financial gain for families living below or close to the poverty line. Despite the dangers associated with using criminal gangs to travel abroad illegally, many people feel that they have nothing to lose. For those living in poverty, the risk is simply worth it.

The routes have changes, but the desire for a better life has not.

Would-be immigrants are encouraged by the success stories of those who make it to foreign shores. Successful migrants earn more than they could ever dream of in a lifetime in India, and gain huge amounts of prestige in their local communities. This mindset is difficult to change. People in the past risked their lives sitting in containers on ships traveling from Mumbai to Europe. The routes have changed, but the desire for a better life has not.



Works Cited

- Academic Overseas Educational Consultants. 2009. Author's interviews with Director Garry Singh and Admissions Manager Neha Trikha.
- Anonymous agent in Ludhiana, Punjab. 2010. Author's interview with agent, under grant of anonymity. November 2010.
- Anonymous Belgian police officers. 2008. Author's interviews with senior Belgian policy officer under grant of anonymity. February 2008.
- Anonymous Indian businessman. 2010. Author's interview with Indian businessman, under grant of anonymity. November 2010.
- Anonymous Indian police. 2010. Interviews with Indian police sources, under grant of anonymity. November 2010.
- Anonymous laborer. 2010. Author's interview with a laborer, under grant of anonymity. November 2010.
- Anonymous Punjabi police sources. 2009. Author's interviews with senior Punjabi police sources, under grant of anonymity, November 2009.
- Anonymous travel agent and customer. 2010. *Sunday Times* undercover interview with agent and customer granted anonymity. November 2010.
- British High Commission. 2012. Student Visa Applicant Arrested for Language Test Fraud. News release, April 20, 2012. www.ukinindia.fco.gov.uk/en/news/?view=PressR&id=755853582.
- Coughlan, Sean. 2011. Tighter rules for UK student visas. BBC News, March 22, 2011. www.bbc.co.uk/news/education-12820645.
- Choudhri, Vikram. 2009. Author's interview with Vikram Choudhri, criminal lawyer to the Chief Minister of Punjab. November 2009.
- Dix, Chris. 2009. Author's interview with Chris Dix, former Regional Director at the UK Border Agency. November 2009.
- Electronic Immigration Network. 2013. New Statement of Changes in Immigration Rules. September 6, 2013. www.ein.org.uk/news/new-statement-changes-immigration-rules.
- Eurostat. 2013. Asylum Statistics. Updated June 3, 2013. www.epp.eurostat.ec.europa.eu/statistics_explained/index.php/Asylum_statistics#Further_Eurostat_information.
- Ghuman, Ranjit Singh, Inderjeet Singh, and Lakhwinder Singh. 2012. *Status of Local Agricultural Labour in Punjab*. Patiala, India: Punjabi University, Department of Economics, 2012. www.fao.org/fileadmin/templates/ERP/uni/SLPJ.pdf.
- Government of India, Ministry of Labor and Employment. 2012. *Report on Second Annual Employment and Unemployment Survey*. Chandigarh, India: Ministry of Labor and Employment. www.164.100.47.134/pli-brary/ebooks/EUS%20Report-Vol%20I.pdf.
- Jaiswal, Rakesh Kumar. 2009. Author's interview with Rakesh Kumar Jaiswal, Senior Superintendent of Police in Jalandhar. November 2009.
- Kalia, Surinder Kumar. *The Sunday Times* interview with Surinder Kumar Kalia, a former Additional Deputy Commissioner of Police in Ludhiana, Punjab.



- Saha, K.C. 2012. *Irregular migration from India to the EU: Punjab and Haryana Case Study*. CARIM-India research report 2012/28. San Domenico di Fiesole, Italy: Robert Schuman Centre for Advanced Studies, European University Institute. www.india-eu-migration.eu/media/CARIM-India-2012-28.pdf.
- Singh, I. P. 2013. Punjab Congress blames SAD-BJP govt for suicide by unemployed lineman. *Times of India*, July 14, 2013. www.articles.timesofindia.indiatimes.com/2013-07-14/india/40568906_1_unemployed-youth-unemployed-linemen-sad-bjp.
- Sinha, Snehil. 2013. Punjab tries image makeover with act against trafficking. *The Sunday Guardian*, January 12, 2013. www.sunday-guardian.com/news/punjab-tries-image-makeover-with-act-against-trafficking.
- Smith, Nicola. 'Donkey Flights' sneak migrants into UK. *The Sunday Times*, December 19, 2010. www.thesunday-times.co.uk/sto/news/world_news/Asia/article484554.ece.
- Thakur, Atul. 2012. Why India is not on the job. *Times of India*, October 22, 2012. www.timesofindia.indiatimes.com/india/Why-India-is-not-on-the-job/articleshow/16908904.cms.
- Toms, Hannah and Katharine Thorpe. 2012. *Practical Measures for Reducing Irregular Immigration*. London: UK Home Office. www.ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/irregular-migration/uk_20120402_practicalmeasuresforreducingirregularmigration_final_en.pdf.
- United Kingdom Government Official. 2010. Author's background briefing with UK government official, under grant of anonymity. November 2010.
- United Kingdom Home Office. 2013. Immigration Statistics, July to September, 2013. Updated November 28, 2013. www.gov.uk/government/publications/immigration-statistics-july-to-september-2013/immigration-statistics-july-to-september-2013.
- United Kingdom Officials. 2012. Background briefing with UK officials, under grant of anonymity, April 2012.
- United Nations Office on Drugs and Crime (UNODC). 2009. *Smuggling of Migrants from India to Europe and in particular to UK: A Study on Punjab and Haryana*. New Delhi: UNODC. www.unodc.org/documents/southasia//reports/SOM.pdf.
- United States Internal Revenue Service. 2013. Yearly Average Currency Exchange Rates. Updated September 27, 2013. www.irs.gov/Individuals/International-Taxpayers/Yearly-Average-Currency-Exchange-Rates.



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