



MINISTERIO PÚBLICO DE GUATEMALA



MIGRATION LAW (Decree No. 95-98)



Illicit Trafficking of Persons

The crime of illicit trafficking in persons is committed by anyone who, with the purpose of directly or indirectly obtaining an economic or other material benefit, promotes or facilitates in any way the illegal entry, stay or exit from the national territory of one or more foreign persons. The person responsible shall be punished with imprisonment of six to eight years.

Guatemala ocupa el tercer lugar del ranking mundial de detenciones de migrantes en Estados Unidos en los últimos 12 meses

Cifras de autoridades migratorias de EE. UU. del último año fiscal ubican a Guatemala en el tercer puesto de mayor cantidad de migrantes detenidos en ese país con 221 mil 849.

Por **Julio Román**
23 de octubre de 2023 a las 11:10h



Migrantes son detenidos por la Patrulla Fronteriza en la frontera sur de EE. UU. (Foto Prensa Libre: AFP)



Criminals profit from smuggling migrants across borders (DANGERS):



1. Transportation



2. Choking and dehydration risks in containers



3. Smuggling



4. Human trafficking

ORGANIZATIONS DEDICATED TO THE SMUGGLING OF MIGRANTS



1. Carrier
2. Collectors



3. Intermediaries-Collectors



4. Persons providing false documents



5. Coyotes

TIPOS DE DELITOS



1. Trafficking of Migrants



2. Money Laundering



3. Sexual Exploitation



4. Forced labor



FINANCIAL ANALYSIS DEPARTMENT

CRIMINAL ANALYSIS DIRECTORATE

FINANCIAL ANALYSIS DEPARTMENT



The Financial Analysis Department was created as part of the Criminal Analysis Directorate, by Agreement 07-2013 and its regulation by Agreement 91-2018.

It is responsible for collecting, organizing, processing, analyzing, producing and disseminating relevant information in a timely manner.

For advice and analysis in accounting, financial, economic, banking and tax matters.

to guide and support decision-making in financial analysis and the exercise of criminal action by the various prosecutor's offices and units of the Public Prosecutor's Office.

IMPORTANT INFORMATION TO DETECT IN MIGRANT SMUGGLING STRUCTURES



1. Cash



2. Saving Deposits



3. electronic transfers

Remesas que envían los guatemaltecos desde el exterior



4. Remittances



5. Real estate acquisition



6. Top-of-the-line vehicles

7. Compare income and tax information

8. Intercommunication analysis (interception of telephone calls, to identify criminal structures).

9. Witness examinations

EXAMPLE CONCERNING SMUGGLING OF MIGRANTS

- The Superintendency of Banks, through the Intendencia de Verificación Especial (IVE), received information on remittances made by Mr. Jorge Villagran Montenegro (migrant) in favor of Mrs. Sofía Camey Camacho for a total amount of Q. 100,000.00, in accordance with the regulations against money laundering and other assets.

Information to be verified by the Financial Analyst:

- Payments in cash (to initiate the migrant's trip)
- Remittances for amounts greater than those indicated in the Relationship Initiation Form (information reported to the bank).
- No family and/or business relationship established (between the migrant and the remittance beneficiary).
- No economic justification is evidenced

DAF

The Prosecutor's Office identified that there are 2 complaints:

Prosecutor's Office for Money Laundering

Prosecutor's Office Against Smuggling of Migrants

Fictitious names and amounts

