



# Criminalization of Illegal Entry Around the World

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# Criminalization of Illegal Entry Around the World

*Prepared by the Staff of the Global Legal Research Directorate*

**SUMMARY** On the basis of a worldwide survey, this report identifies 162 countries that have laws criminalizing or otherwise punishing illegal entry. The chart shows countries that impose criminal sanctions for illegal entry as well as countries that impose only civil or administrative penalties (typically fines and deportation).

The research identified 124 countries that treat illegal entry as a crime. Countries included in the survey demonstrate a wide range of punishments for illegal border crossing, including deportation, fines, detention, community service, and imprisonment of varied terms. As a rule, the length of imprisonment, which may vary from several months to fifteen years, depends on the circumstances under which the entry occurred. Most of the countries provide for stricter punishments if the illegal entrants were armed, used or threatened to use force, used motorized vehicles to cross the border, or inflicted damage to private property in the course of illegal entry. In some jurisdictions illegal entry by a group entails harsher punishment than illegal border crossing by an individual.

The countries that only impose civil or administrative penalties include Angola, Argentina, Australia, Brazil, the Czech Republic, Columbia, Ecuador, Mexico, Peru, Portugal, Slovakia, Spain, Turkey, Venezuela, and Vietnam. Even in these countries, however, criminal sanctions may apply if aggravating circumstances are present.

Countries often exempt undocumented entrants from penalties when they are seeking asylum or are otherwise entitled to international protection. The “Additional Comments” section of this chart mentions this exemption only when it is expressly referenced in the immigration or illegal entry laws of the countries surveyed.

This report does not address the issue of smuggling people across borders or the facilitation of irregular entry, which appears to be criminalized in every jurisdiction surveyed.

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
<b>Albania</b>	Yes	Imprisonment of up to 2 years or fine.	Penal Code of Albania, art. 297, <a href="https://perma.cc/GR2D-HPVW">https://perma.cc/GR2D-HPVW</a> .	Stricter punishment prescribed for assistance in illegal border crossing or sheltering those who cross the border illegally.
<b>Algeria</b>	Yes	Detention not exceeding 30 days in immigrant detention camp followed by deportation.	Law No. 11-08 of 2008, arts. 4 (prohibition of illegal entry), 36 (deportation) & 37 (detention), Al-Jaridah Al-Rasmiyah, vol. 36, 2 July 2008.	
<b>Angola</b>	No	Expulsion.	Lei No. 13/19, de 23 de Maio, arts. 34(3)(f), 99, <a href="https://www.legis-palop.org/results.jsp?load=71184&amp;l&amp;a=1565703572750">https://www.legis-palop.org/results.jsp?load=71184&amp;l&amp;a=1565703572750</a> (searchable database available by subscription only).	
<b>Argentina</b>	No	Deportation.	Ley 25871 de Migraciones, Boletin Oficial Jan. 21, 2004, art. 37, <a href="https://perma.cc/7UH7-B82V">https://perma.cc/7UH7-B82V</a> .	
<b>Armenia</b>	Yes	Imprisonment of up to 3 years or fine.	Criminal Code of Republic of Armenia 2003, art. 329, <a href="https://perma.cc/6HGA-YDME">https://perma.cc/6HGA-YDME</a> .	Stricter punishment prescribed for illegal border crossing committed by group with prior agreement. Asylum seekers exempt from punishment.
<b>Austria</b>	Yes	Fine or imprisonment for up to 6 weeks.	Grenzkontrollgesetz [GrekoG], as amended, art. 16 para. 1, nos. 2, 3, 4, 5, <a href="https://perma.cc/K3GV-GBAV">https://perma.cc/K3GV-GBAV</a> ; Fremdenpolizeigesetz 2005 [FPG], as amended, art. 120, para. 1 (penalties) & 7, 11 (suspension of prosecution), <a href="https://perma.cc/PGN7-DYWA">https://perma.cc/PGN7-DYWA</a> .	Classified as “administrative” offense, which under Austrian law is equivalent to misdemeanor. No punishment for refugees or persons recognized as in need of protection. Administrative prosecution process suspended during asylum application process.

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<b>Azerbaijan</b>	Yes	Imprisonment of up to 2 years or fine.	Criminal Code 1999, art. 318, <a href="https://perma.cc/BF6U-UPJV">https://perma.cc/BF6U-UPJV</a> .	Stricter punishment prescribed for illegal border crossing committed by group with prior agreement. Asylum seekers exempt from punishment.
<b>Bahrain</b>	Yes	Imprisonment for 90 days, fine, or both.	Law on the Immigration and Residency of Foreigners, arts. 1 (prohibition of illegal entry) & 29 (imprisonment and fine), Al-Jaridah Al-Rasmiyah, vol. 625, 1 July 1965.	
<b>Bangladesh</b>	Yes	Imprisonment for up to 5 years and fine.	Foreigners Act, 1946, §§ 13 (contravention of Act) & 14 (penalties), <a href="https://perma.cc/ZQE9-S8M3">https://perma.cc/ZQE9-S8M3</a> ; Foreigners Order, 1951.	
<b>Belarus</b>	No	Fine; increased fine and or imprisonment if aggravating circumstances present.	Criminal Code of Republic of Belarus 1999 art. 37, <a href="https://perma.cc/W7Y8-7UQZ">https://perma.cc/W7Y8-7UQZ</a> .	Illegal reentry committed within one year after fine punishable by increased fine or imprisonment of up to 2 years. Imprisonment of up to 7 years for illegal entry with use of motorized vehicles, by group, or by previously deported person. Asylum seekers exempt from punishment if they turned themselves in to authorities immediately after crossing border.
<b>Belgium</b>	Yes	8 days to 3 months of imprisonment, fine, or both for initial illegal entry; 1 month to 1 year imprisonment, fine, or both for repeat offenders or	Loi du 15 décembre 1980 sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers, as amended, arts. 75 & 76, <a href="https://perma.cc/SRL8-4PMK">https://perma.cc/SRL8-4PMK</a> .	

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		those previously deported less than 10 years prior.		
<b>Benin</b>	Unclear	Fine,	Loi No. 86-012 du 26 février 1986 portant régime des étrangers en République populaire du Bénin, art. 34, Feb. 26, 1986, <a href="https://perma.cc/RE2F-5M88">https://perma.cc/RE2F-5M88</a> .	Unclear whether illegal entry is considered crime or merely administrative offense. Only penalty is fine to be determined by Ministers of Interior and Finance, so likely administrative.
<b>Bhutan</b>	Yes	Deportation.	Immigration Act of the Kingdom of Bhutan §§ 58 (entry at designated place), 126 (entry by false/misleading representation or without valid documents), <a href="https://perma.cc/D7PZ-22JV">https://perma.cc/D7PZ-22JV</a> ; Penal Code of Bhutan §§ 440 (similar offense of “illegal immigration”), 441 (punishment), <a href="https://perma.cc/GPK7-YKKC">https://perma.cc/GPK7-YKKC</a> .	Classified as petty misdemeanor.
<b>Bolivia</b>	No	Deportation for 3 years and fine	Decreto Supremo 1923 Gaceta Oficial, Mar. 13, 2014, art. 37.II.b, <a href="https://perma.cc/LL3S-CGUA">https://perma.cc/LL3S-CGUA</a> .	
<b>Bosnia - Herzegovina</b>	No	Deportation.	Law 8/12 of Federation of Bosnia and Herzegovina on Movement and Stay of Aliens and Asylum, art. 88, <a href="https://perma.cc/W3LE-RRYM">https://perma.cc/W3LE-RRYM</a> .	
<b>Botswana</b>	Yes	Fine, custodial sentence not exceeding 10 years, or both.	Immigration Act, § 4, 4 Laws of Botswana, Cap. 25:02 (rev. ed. 2016), <a href="https://perma.cc/6CP6-GUV5">https://perma.cc/6CP6-GUV5</a> .	
<b>Brazil</b>	No	Deportation.	Decreto No. 9.199, de 20 de Novembro de 2017, art. 307(I), <a href="https://perma.cc/UER9-SFUJ">https://perma.cc/UER9-SFUJ</a> .	

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<b>Brunei Darussalam</b>	Yes	Imprisonment for 3 months to 2 years depending on nature of offense, fine, and removal.	Immigration Act, ch. 17, No. 23 of 1956, §§ 5(1)&(3) (Entry into Brunei), 6(1) & (3) (control of entry), 32(1) (removal), 55(1)(a) (unlawful entry), 56 (proceedings not to affect removal), <a href="https://perma.cc/VYC5-53HL">https://perma.cc/VYC5-53HL</a> .	Removal for entry outside of port of entry; imprisonment for up to 1 year, fine, and removal for contravening entry control provision; imprisonment for 3 months to 2 years and fine, plus removal, for unlawful entry.
<b>Bulgaria</b>	Yes	Imprisonment of up to 5 years or fine.	Criminal Code of Bulgaria, 1968, art. 279, <a href="https://perma.cc/EYD6-YYNP">https://perma.cc/EYD6-YYNP</a> .	
<b>Cambodia</b>	Yes	Imprisonment for 3 to 6 months and deportation.	Law on Immigration of 1994, arts. 29 & 35, <a href="https://perma.cc/E2TW-BBQW">https://perma.cc/E2TW-BBQW</a> .	
<b>Cameroon</b>	Yes	3 months to 2 years of imprisonment, fine, or both.	Loi No. 1997/012 du 10 janvier 1997 fixant les conditions d'entrée, de séjour et de sortie des étrangers au Cameroun, art. 40, Jan. 10, 1997, <a href="https://perma.cc/FK5Z-D3HL">https://perma.cc/FK5Z-D3HL</a> .	
<b>Canada</b>	Yes	Fine and imprisonment for 6 months or 2 years, depending on nature of offense. In reality, most violators simply deported or ordered to leave.	Immigration and Refugee Protection Act (IRPA), S.C. 2001, c. 27, §§ 18(1) (statutory requirement to appear for examination), 20(1) (statutory obligation to establish permanent/temporary residence), 124(1)(a) (general offense), <a href="https://perma.cc/KD62-CA8G">https://perma.cc/KD62-CA8G</a> ; Immigration and Refugee Protection Regulations, SOR/2002-227, § 27(1)-(2), <a href="https://perma.cc/TFY8-QFWH">https://perma.cc/TFY8-QFWH</a> .	Unlawful entry or entry at undesignated point not explicitly criminalized but falls under general prohibition against contravening or failing to comply with statutory obligation.
<b>Cape Verde</b>	No	Expulsion.	Lei 66/VIII/2014, art. 77(1)(a), 90, 101, <a href="https://www.legis-palop.org/results.jsp?l&amp;vc&amp;load=52082">https://www.legis-palop.org/results.jsp?l&amp;vc&amp;load=52082</a> (searchable database available by subscription only).	

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Cayman Islands	Yes	Fine and imprisonment for 1 or 5 years, depending on offense.	Immigration Law (2015 Revision), §§ 64(1) & (4) (travel documents), 74(1) (removal), 78(1) (illegal entry & presence), 110 (punishment for offenses for which no penalty is provided specifically by a section), <a href="https://perma.cc/LVV7-WB36">https://perma.cc/LVV7-WB36</a> .	For illegal entry, fine and imprisonment for 5 years; for first-time travel document offenses, fine and imprisonment for 1 year.
Chile	Yes	Imprisonment from 61 days to 5 years and deportation.	Decreto-ley 1094 Establece Normas sobre extranjeros en Chile, Diario Oficial Jul. 14, 1975, revised Apr. 4, 2011, arts. 68-69, <a href="https://perma.cc/72SM-YDR3">https://perma.cc/72SM-YDR3</a> .	
China	Yes, in serious circumstances	Imprisonment, criminal detention, or public surveillance, and fine, depending on nature of offense; foreigners also subject to deportation.	<p>Criminal Law (promulgated July 1, 1979, revised Mar. 14, 1997, effective Oct. 1, 1997, as amended Feb. 25, 2011) arts. 35 &amp; 322, in Series of Statute of the People’s Republic of China in English: Criminal Law and Procedure Law 16, 158 (2015); Ninth Amendment to the Criminal Law (adopted by the National People’s Congress Standing Committee (NPCSC) on Aug. 29, 2015, effective Nov. 1, 2015) art. 40 <a href="https://perma.cc/1ZL6-XV2K">https://perma.cc/1ZL6-XV2K</a> (in Chinese).</p> <p>Law on Penalties for Administration of Public Security (adopted by the NPCSC on Aug. 28, 2005, amended Oct. 26, 2012) arts. 10 &amp; 62, <a href="https://perma.cc/79P6-JPSK">https://perma.cc/79P6-JPSK</a> (in Chinese), <a href="https://perma.cc/8JVC-L4XD">https://perma.cc/8JVC-L4XD</a> (English translation of 2005 version).</p> <p>Exit and Entry Administration Law (adopted by the NPC Standing Committee on June 30, 2012, effective July 1, 2013) arts. 71 &amp; 81, <a href="https://perma.cc/U9GP-">https://perma.cc/U9GP-</a></p>	<p>Criminal penalties for illegal border crossing: imprisonment for up to 1 year, criminal detention for shorter period, or public surveillance, and fine. Imprisonment for 1 to 3 years and fine if terrorism involved.</p> <p>Public security penalties for illegal border crossing: detention for up to 5 days or fine. Detention for 5–10 days and/or fine for illegal entry under exit &amp; entry law. Foreigners may face deportation for committing any of these offenses.</p> <p>Per Supreme People’s Court and Supreme People’s Procuratorate Interpretations, “serious circumstances” (prerequisite to criminal sanctions) include: (1) harming national interests overseas; (2) repeating offense more than 3 times or in group of more than 3 people;</p>

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			<p><a href="#">65Q8</a> (in Chinese), <a href="https://perma.cc/5Q3C-EU8K">https://perma.cc/5Q3C-EU8K</a> (English translation).</p> <p>Supreme People’s Court and the Supreme People’s Procuratorate, Interpretations on Certain Issues Concerning the Application of Law in Handling Criminal Cases Against the Control of National Border (Frontier) (Dec. 12, 2012, effective Dec. 20, 2012), <a href="https://perma.cc/7SRJ-77UK">https://perma.cc/7SRJ-77UK</a> (in Chinese).</p>	(3) instigating others to join; (4) collaborating with overseas organizations or persons; (5) repeating offense within 1 year after being given administrative penalties for illegal border crossing.
<b>Colombia</b>	No	Fine and deportation.	Decreto 1067/2015 Unico Reglamentario del Sector Administrativo de relaciones Exteriores, Diario Oficial May 24, 2015, arts. 2.2.1.13.1 para. 11 and 2.2.1.13.1.2 para. 1, <a href="https://perma.cc/X4G7-W4QZ">https://perma.cc/X4G7-W4QZ</a> .	
<b>Comoros</b>	Yes	6 months to one year of imprisonment and fine.	Loi n°88-025 du 29 décembre 1988 portant modification de la loi n°82-026 relative aux conditions d’entrée et de séjour des étrangers aux Comores, art. 25, Dec. 29, 1988, <a href="https://perma.cc/S6HT-7PPF">https://perma.cc/S6HT-7PPF</a> .	
<b>Congo, Democratic Republic of the</b>	Yes	Up to 3 months’ imprisonment, fine, or both; 1 to 6 months’ imprisonment, fine, or both for illegal reentry.	Ordonnance-Loi 83-033 du 12 septembre 1983 relative à la police des étrangers, arts. 21, 22, Sept. 12, 1983, <a href="https://perma.cc/7BRJ-UDZ7">https://perma.cc/7BRJ-UDZ7</a> .	
<b>Cook Islands</b>	Yes	Fine.	Entry, Residence and Departure Act 1971-72, s 41, <a href="https://perma.cc/L3WP-NYD2">https://perma.cc/L3WP-NYD2</a> .	

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<b>Cote d'Ivoire</b>	Yes	1 month to 1 year of imprisonment and fine; 6 months to 3 years' imprisonment for illegal reentry.	Loi n° 90-437 du 29 mai 1990 relative à l'entrée et au séjour des étrangers en Côte d'Ivoire, arts. 13, 19, May 29, 1990, <a href="https://perma.cc/ATK6-FXVL">https://perma.cc/ATK6-FXVL</a> .	
<b>Croatia</b>	No	30-day detention and fine followed by deportation and temporary reentry ban.	State Border Protection Act 2013, art. 42, <a href="https://perma.cc/2FJ6-XKFH">https://perma.cc/2FJ6-XKFH</a> ; Aliens Act 2017, art. 107, <a href="https://perma.cc/NZ57-84XA">https://perma.cc/NZ57-84XA</a> (in Croatian).	
<b>Cuba</b>	Yes	Imprisonment of 1 to 3 years or fine.	Código Penal de la Republica de Cuba, art. 215, Apr. 30, 1988 (2017 ed.).	Migrants who enter seeking asylum not criminally liable.
<b>Czech Republic</b>	No		Penal Code of Czech Republic 2009, § 339, <a href="https://perma.cc/S8DW-KURR">https://perma.cc/S8DW-KURR</a> (in Czech).	Illegal border crossing punishable by imprisonment of 1 to 5 years only if committed with use or threat to use violence.
<b>Denmark</b>	Yes	Monetary fine or up to six months' or three years' imprisonment, depending on crime.	§§ 59-59 b Bekendtgørelse af udlændingeloven (LBK nr 239 af 10/03/2019), <a href="https://perma.cc/YK2Z-YGWM">https://perma.cc/YK2Z-YGWM</a> .	Entering/exiting outside of designated border crossings punishable with monetary fines or up to six months' imprisonment; repeat offenders subject to more severe sentence. Persons who illegally enter to seek asylum not punished.  Re-entering Denmark in violation of deportation order punishable with monetary fines or up to three years' imprisonment. Remaining in Denmark without proper documentation punishable with fine or up to one year of imprisonment.

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<b>Djibouti</b>	First illegal entry, unclear; illegal reentry, yes	Deportation and fine; 3 to 6 months' imprisonment for illegal reentry.	Loi n° 40/ AN/19/8ème L du 21 janvier 2019 relative aux conditions d'entrée et de séjour des étrangers en République de Djibouti, arts. 33, 36, 40, Jan. 21, 2019, <a href="https://perma.cc/QAH8-3HH9">https://perma.cc/QAH8-3HH9</a> .	Unclear whether first offense is crime or merely administrative offense. Only penalized with fine.
<b>Dominica</b>	Yes	Fine, imprisonment for 1 year, or both.	Immigration and Passport Act (IPA), ch. 18:01, <a href="https://perma.cc/SIC2-RUA5">https://perma.cc/SIC2-RUA5</a> , as amended by Immigration and Passport(Amendment) Act, 2003, Act 19 of 2003, § 7 (adding IPA § 27A, offense of illegal entry), <a href="https://perma.cc/8QNL-PP45">https://perma.cc/8QNL-PP45</a> .	
<b>Dominican Republic</b>	No	Deportation.	Ley General de Migración arts. 68, 69, 121, Aug. 15, 2004, <a href="https://perma.cc/VU8Z-ZXSM">https://perma.cc/VU8Z-ZXSM</a> .	
<b>Ecuador</b>	No	Fine and deportation.	Ley de Movilidad Humana, Registro Oficial Feb. 6, 2017, arts. 2 para. 3, 143.1. and 170, <a href="https://perma.cc/5PBQ-SBG9">https://perma.cc/5PBQ-SBG9</a> .	
<b>Egypt</b>	Yes	Imprisonment, fine, or both; deportation.	Law No. 89 of 1960, arts. 4 (prohibition of illegal entry), 38 (deportation) & 41 (imprisonment and fine), Al-Jaridah Al-Rasmiyah, vol. 71, 24 Mar. 1960.	
<b>El Salvador</b>	No	Expulsion.	Ley Especial de Migración y Extranjería, arts. 6(3), 13(14) & (48), 40(1), 49(3), <a href="https://perma.cc/9UL3-CF74">https://perma.cc/9UL3-CF74</a> .	Administrative offense. Ministry of Justice and Public Safety orders expulsion of aliens; General Directorate of Migration and Aliens controls migration and investigates/punishes violations.

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Estonia	Yes	Imprisonment of up to 1 year or fine; enhanced prison term for aggravating circumstances.	Penal Code of Estonia 2014, § 237(4), 258, <a href="https://perma.cc/P3QE-9SNZ">https://perma.cc/P3QE-9SNZ</a> .	Up to 10 years of imprisonment for using face mask, carrying weapons, or endangering human life or property while entering illegally.
Ethiopia	Yes	Fine, custodial sentence not exceeding 3 years, or both.	Immigration Proclamation No. 354 of 2003, art. 20, Federal Negarit Gazeta (July 3, 2003), <a href="https://perma.cc/574F-TRC2">https://perma.cc/574F-TRC2</a> .	
European Union	Determined by member country	Penalties set by individual Schengen Area Member Countries, but must be “effective, proportionate and dissuasive.”	Schengen Borders Code art. 5(3), 2016 O.J. (L 77) 1, <a href="https://perma.cc/WB8T-484U">https://perma.cc/WB8T-484U</a> .	Schengen Area Member Countries must introduce penalties for unauthorized crossings of external borders at places other than designated border crossings. Illegally crossing borders to seek asylum exempted from penalties.  EU Member Countries Bulgaria, Croatia, Cyprus, Ireland, Romania, and the UK <i>are not</i> part of Schengen Area; non-EU Member Countries Iceland, Norway, Switzerland, and Liechtenstein <i>are</i> part of Schengen Area.
Finland	Yes	Monetary fines or up to one year of imprisonment, depending on crime.	17 kap. 7 – 7b §§ Strafflag (FFS 1889/39), <a href="https://perma.cc/4UY9-HXAZ">https://perma.cc/4UY9-HXAZ</a> .	Illegally crossing the border ( <i>Riksgränsbrott</i> ) or re-entering Finland in violation of deportation order punishable with monetary fines or imprisonment of up to one year. If illegal entry is “crime in the lesser degree,” only monetary fines prescribed. Persons who illegally enter Finland to seek asylum or who have been

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				subject to human trafficking not punished for illegal entry.
France	Yes	1 year of imprisonment and/or fine; 3 years' imprisonment for illegal reentry.	Code de l'entrée et du séjour des étrangers et du droit d'asile, arts. L621-2, L624-1-1, L624-3, <a href="https://perma.cc/XVU4-5SVP">https://perma.cc/XVU4-5SVP</a> .	Perpetrator must be caught in act of illegally entering or immediately afterwards for charges to be brought. Otherwise, undocumented immigrants can be prosecuted for unlawful stay—a distinct offense. (Fabienne Jault-Seseke et al., <i>Droit de la nationalité et des étrangers</i> 441-42 (2015).)
Gambia	Yes	Fine, custodial sentence not exceeding 1 year, or both.	Immigration Act of 1965, §§ 6 & 32, 4 Laws of The Gambia, Cap. 16:02 (rev. ed. 2009), <a href="https://perma.cc/KJG8-S6TF">https://perma.cc/KJG8-S6TF</a> .	
Georgia	Yes	Imprisonment of 3 to 5 years.	Criminal Code of Georgia 1999, art. 344, <a href="https://perma.cc/KGV7-9Q9S">https://perma.cc/KGV7-9Q9S</a> .	Asylum seekers exempt from punishment if they turned themselves in to authorities immediately after crossing border.
Germany	Yes	Imprisonment of up to 1 year or fine.	Aufenthaltsgesetz [AufenthG], as amended, § 95, para. 1, no. 3 (penalties) & § 95, para. 5 (asylum exemption), <a href="http://perma.cc/866U-3XR6">http://perma.cc/866U-3XR6</a> .	If person presents him/herself without delay to authorities and applies for asylum, no criminal charges filed.
Ghana	Yes	Fine, custodial sentence of 3 months to 1 year, or both.	Immigration Act No. 573 of 2000, §§ 3 & 11 (Feb. 2, 2000), <a href="https://perma.cc/VVU6-4PJC">https://perma.cc/VVU6-4PJC</a> .	
Greece	Yes	Fine and imprisonment for at least 3 months, deportation with or without detention.	Law 3386/2005, arts. 83(1) & 76(1)(b), as amended, <a href="https://perma.cc/X3FJ-VZTD">https://perma.cc/X3FJ-VZTD</a> ; Law 3907 [2011] art. 22, <a href="https://perma.cc/Z7E3-UXRY">https://perma.cc/Z7E3-UXRY</a> .	Persons not dangerous or a flight risk may be asked to self-deport within max. 30 days. Deportation prohibited if person has been

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				recognized as refugee or has applied for asylum.
<b>Grenada</b>	Yes	Fine.	Immigration Act, ch. 145, §§ 5 (passports and visas), 36(1)(a) (entry through falsified documents) & (d) contravenes any provision of this Act if no specific penalty has been provided), <a href="http://laws.gov.gd/">http://laws.gov.gd/</a> (laws browsable).	
<b>Guatemala</b>	No	Fine, 6 months' imprisonment, or both; deportation.	Código de Migración arts. 50 & 193, Decreto N° 44-2016, <a href="https://perma.cc/33AF-9LM4">https://perma.cc/33AF-9LM4</a> .	Illegal entry, entry through unauthorized places, lack of identity and travel documents, or illegal stay all administrative violations.
<b>Guinea</b>	First illegal entry, no; illegal reentry, yes	Deportation; 1 to 5 years' imprisonment, fine, or both for illegal reentry.	Loi n° L/9194/019/CTRN du 13 juin 1994 portant sur les conditions d'entrée et de séjour des étrangers en République de Guinée, arts. 71, 75, June 13, 1994, <a href="https://perma.cc/ATX6-LRAG">https://perma.cc/ATX6-LRAG</a> .	
<b>Guyana</b>	Yes	6 months' imprisonment and fine.	Aliens (Immigration and Registration) Act, § 9, Laws of Guyana Cap. 14:03, <a href="https://perma.cc/HN4B-LUCN">https://perma.cc/HN4B-LUCN</a> .	
<b>Haiti</b>	Yes	6 months to 1 year of imprisonment and fine.	Loi organique du 26 décembre 1978 du service de l'immigration et de l'émigration, art. 2, December 26, 1978, in Ertha Pascal-Trouillot, Code de lois usuelles, vol. 2, 366 (1989).	
<b>Honduras</b>	Yes	Fines, imprisonment, and/or deportation,	Decreto N° 208-2003, Ley de Migración y Extranjería, arts. 82, 88(1), 89(5) & 101(5), La Gaceta, Mar. 3, 2004, <a href="https://perma.cc/AWH6-Y362">https://perma.cc/AWH6-Y362</a> ; Decreto N° 34 of 1970,	"Irregular" entry or stay of aliens consists of entry through unauthorized place,

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		depending on nature of offense.	Ley de Poblacion y Política Migratoria, art. 92, La Gaceta, Dec. 10, 1970, <a href="https://perma.cc/C6SH-ZXWP">https://perma.cc/C6SH-ZXWP</a> ; Código Penal de Honduras, art. 347, Decreto N° 144-83, Sept. 26, 1983, <a href="https://perma.cc/2VRC-MCRB">https://perma.cc/2VRC-MCRB</a> .	noncompliance with rules on entry and stay, and overstaying.  Fine for entry through unauthorized place. Imprisonment from 6 months to 3 years followed by expulsion for reentry after prior expulsion. Entry or stay with false documents subject to deportation; criminal penalties apply for falsification.
<b>Hungary</b>	Yes	Imprisonment of up to 8 years, deportation, and reentry ban.	Act CXL of Sept. 4, 2015, on Amending Certain Acts Relating to Migration, Magyar Kozlyony 124/2015 (official gazette), <a href="https://perma.cc/N3YF-8Q73">https://perma.cc/N3YF-8Q73</a> (in Hungarian).	
<b>Iceland</b>	Yes	Monetary fines or up to six months' imprisonment.	18, 32 and 116 gr. Lög um útlendinga (2016 nr. 80 16. Júní), <a href="https://perma.cc/R4A7-M7MQ">https://perma.cc/R4A7-M7MQ</a> (original in Icelandic), <a href="https://perma.cc/6XAX-J862">https://perma.cc/6XAX-J862</a> (unofficial English translation).	Entering, reentering, or residing in Iceland illegally subject to monetary fine or six months' imprisonment. Penalties waived for persons arriving directly from region where they had reason to fear persecution.
<b>India</b>	Yes	Imprisonment for 2 to 8 years and fine for illegal entry; up to 3 months' imprisonment, fine, or both for entry without passport or with forged passport/visa.	Foreigners Act, No. 31 of 1946, § 14A(a) (entry in restricted areas, etc.), <a href="http://www.mha.nic.in/pdfs/The_Foreigners_Act_1946.pdf">http://www.mha.nic.in/pdfs/The_Foreigners_Act_1946.pdf</a> ; Passport (Entry into India) Act, 1920, §§ 3(2)(a) (entry without passport), 5 (power of removal), <a href="https://perma.cc/9992-JR9F">https://perma.cc/9992-JR9F</a> ; Passport (Entry into India) Rules, 1950, Rules 3 (no entry	

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			without valid passport) & 6 (punishment), <a href="https://perma.cc/2FS8-SXJ4">https://perma.cc/2FS8-SXJ4</a> .	
<b>Indonesia</b>	Yes	Fine and/or imprisonment for up to one year or five years, depending on crime.	Law Number 6 of 2011 on Immigration, arts. 113 & 119(1), <a href="https://perma.cc/6VPR-MQ8W">https://perma.cc/6VPR-MQ8W</a> .	Shorter term of imprisonment for knowingly entering without examination by immigration officer at immigration checkpoint; longer term for entering with no legal/valid travel document or visa.
<b>Iran</b>	Yes	Discretionary imprisonment for one to three years or fine.	Law on the Punishment of Persons Transporting Others Across the Country's Borders Without Authorization and the Amendment of Some Articles of the Law on Passports and the Law on Foreign Nationals Entering and Residing in Iran, Oct. 6, 1988, art. 6 (amending art. 15 of the Law on Foreign Nationals Entering and Residing in Iran, May 10, 1931), <a href="https://perma.cc/N9UH-7DKZ">https://perma.cc/N9UH-7DKZ</a> (in Persian).	Pending bill would amend laws/regulations and exempt from punishment unauthorized border crossers granted or seeking asylum; legal authorities would have max. 3 months to make asylum decision, during which time asylum seekers would be held in special detention centers ( <a href="https://perma.cc/8J9T-4TCU">https://perma.cc/8J9T-4TCU</a> , in Persian).
<b>Iraq</b>	Yes	Imprisonment not exceeding 3 years, fine, or both; deportation.	Law No. 76 of 2017, arts. 3 (prohibition of illegal entry), 24 (deportation) & 40 (imprisonment and fine), Al-Waqa'a Al-Iraqiah, vol. 4466, 23 Oct. 2017.	
<b>Ireland</b>	Yes	Fine, imprisonment for up to 12 months, or both.	Immigration Act, 2004, No. 1 of 2004, §§ 5(1)-(2) (presence of non-nationals), 13(1) (offenses), <a href="https://perma.cc/UKS8-8ANM">https://perma.cc/UKS8-8ANM</a> .	
<b>Israel</b>	Yes	5 years' imprisonment, fine, or both.	Prevention of Infiltration Law (Offenses and Adjudication), 5714-1954, §§ 2-5 & 30(a), Sefer HaHukim [SH] (official gazette) 5714 No. 161 p. 160, as amended (in Hebrew).	15 years to life imprisonment if offender is armed and offense involves harm to property or public peace.

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
Italy	No	Fine; 5 to 15 years' imprisonment and fine for aggravating circumstances.	Decreto Legislativo 25 luglio 1998, n. 286 Testo Unico delle Disposizioni concernenti la Disciplina dell'Immigrazione e Norme sulla Condizione dello Straniero, arts. 10-bis(1), 12(3), G.U. Aug. 18, 1998, <a href="https://perma.cc/S6K9-MKAG">https://perma.cc/S6K9-MKAG</a> .	Penalties for illegal entry of non-EU persons, reentry after expulsion, reentry of previously removed EU citizens, and stay following expiration of residence permit. (Luigi Modaffari, <i>Il Reato di Ingresso e Soggiorno Illegale nel Territorio dello Stato</i> , <i>Altalex</i> (Sept. 18, 2009), <a href="https://perma.cc/ADA7-M35Y">https://perma.cc/ADA7-M35Y</a> .) Penalties increased if aggravating circumstances present, as defined in law.
Jamaica	Yes	Fine or imprisonment with or without hard labor for up to 3 years, and/or deportation.	Aliens Act, 1946, as amended, §§ 15 & 20, Laws of Jamaica, Cap. 9, <a href="https://perma.cc/6LAC-FMVG">https://perma.cc/6LAC-FMVG</a> .	
Japan	Yes	Imprisonment for not more than 3 years and/or fine, and deportation.	Immigration Control and Refugee Recognition Act, Cabinet Order No. 319 of October 4, 1951, as amended by Act No. 102 of 2018, arts. 70 (penalties) & 70-2 (exemptions), para. 1, items 1-3 & art. 24, <a href="https://perma.cc/8Z5N-JW7F">https://perma.cc/8Z5N-JW7F</a> (as amended by Act No. 113 of 2014).	Offenders exempt from penalty if they claim before immigration officer that they are refugees who came directly from concerned territories without delay and other conditions met.
Jordan	Yes	Imprisonment not exceeding six months, fine, or both; deportation.	Law No. 24 of 1973, arts. 4 (prohibition of illegal entry) & 31 (deportation, imprisonment, and fine), <i>Al-Jaridah Al-Rasmiyah</i> , vol. 1112, 16 June 1973.	
Kazakhstan	Yes	Imprisonment of up to 1 year or fine and deportation.	Criminal Code of Kazakhstan 2014, art. 392, <a href="https://perma.cc/8UY9-YQTC">https://perma.cc/8UY9-YQTC</a> .	

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Kenya	Yes	Fine, custodial sentence not exceeding 1 year, or both.	Kenya Citizenship and Immigration Regulations, 2012, §§ 15 & 57, 12 Laws of Kenya (rev. ed. 2016).	
Kiribati	Yes	Imprisonment for six months and fine.	Immigration Ordinance (Cap. 41) s 23(1)(i), <a href="https://perma.cc/5ZTN-NZ2X">https://perma.cc/5ZTN-NZ2X</a> .	
Kosovo	Yes	Imprisonment of up to 6 months or fine.	Criminal Code of Kosovo 2012, art. 146, <a href="https://perma.cc/9BRU-SRLN">https://perma.cc/9BRU-SRLN</a> .	Stricter punishment if perpetrator accompanied by child or another person.
Kuwait	Yes	Imprisonment not exceeding 30 days, fine, or both; deportation.	Royal Decree No. 17 of 1959, arts. 4 (prohibition of illegal entry), 16 (deportation), 24 (imprisonment and a fine) Al-Kuwait Al-Youm [Official Gazette], vol. 253, 14 Dec. 1959.	
Kyrgyzstan	Yes	Imprisonment of up to 2½ years or correctional labor of up to 3 years.	Criminal Code 2017, art. 358, <a href="https://perma.cc/QZF4-T2GW">https://perma.cc/QZF4-T2GW</a> (in Kyrgyz).	Asylum seekers exempt from punishment.
Laos	Yes	Fine.	Law on Entry, Exit and the Management of Foreigners, No. 59/NA, Dec. 26, 2014, art. 72, <a href="https://perma.cc/KXD7-G6JF">https://perma.cc/KXD7-G6JF</a> .	
Latvia	Yes	Short-term detention, community service or fine.	Criminal Law of Latvia 2000, art. 284, <a href="https://perma.cc/9UUX-HA8Y">https://perma.cc/9UUX-HA8Y</a> .	Imprisonment of up to 1 year can be imposed on those previously banned from reentry; stricter punishment if illegal entry committed by group of people or by using vehicle.
Lebanon	Yes	Fine and deportation.	Decree No. 39 of 1941, arts. 1 (prohibition of illegal entry), 2 (deportation and a fine), Al-Jaridah Al-Rasmiyah, vol. 3872, 26 Mar. 1941.	

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<b>Lesotho</b>	Yes	Fine; if fine not paid, , custodial sentence not exceeding 2 months.	Aliens Control Act of 1966, §§ 11 & 33 (Mar. 1, 1968), <a href="https://perma.cc/WG6U-XP68">https://perma.cc/WG6U-XP68</a> .	
<b>Liberia</b>	Yes	Fine, custodial sentence not exceeding 1 year, or both.	Aliens and Nationality Law, § 5.90 (May 15, 1973), <a href="https://perma.cc/HKK4-VNPG">https://perma.cc/HKK4-VNPG</a> .	
<b>Libya</b>	Yes	Imprisonment, fine, or both; deportation.	Law No. 6 of 1987, arts. 1 ( prohibition of illegal entry), 17 (deportation), 19 ( imprisonment and a fine), website of the Ministry of Justice, <a href="https://perma.cc/985M-7LBW">https://perma.cc/985M-7LBW</a> .	
<b>Liechtenstein</b>	No	Fine.	Ausländergesetz [AuG], art 87(a), <a href="https://perma.cc/3RNK-WMLB">https://perma.cc/3RNK-WMLB</a> .	Administrative offense. Immigration and Passport Office responsible for illegal entry offenses unless individual is repeat offender, in which case Court of First Instance (Landgericht) is responsible authority.
<b>Lithuania</b>	Yes	Imprisonment for up to 2 years, detention, or fine.	Criminal Code of Lithuania, 2000, art. 291, <a href="https://perma.cc/D9U8-HJ7Y">https://perma.cc/D9U8-HJ7Y</a> .	Punishment does not apply to those who cross border in search of asylum.
<b>Luxembourg</b>	Yes	8 days to 1 year of imprisonment, fine, or both; 6 months to 1 year of imprisonment, fine, or both for illegal reentry.  1 month to 2 years' imprisonment, fine, or both if person entered illegally	Loi modifiée du 29 août 2008 sur la libre circulation des personnes et l'immigration, arts. 140, 141, 142, Aug. 29, 2008, <a href="https://perma.cc/ND2Q-DBEL">https://perma.cc/ND2Q-DBEL</a> .	

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		by lying or presenting forged papers.		
<b>Macau</b>	First illegal entry, no; illegal reentry, yes.	Deported and banned from reentry within specified time; up to 1 year of imprisonment for reentry in violation of ban.	Law for Illegal Immigration and Expulsion, Law No. 6/2004 (Aug. 2, 2004), arts. 8, 12, & 21 <a href="https://perma.cc/7S9Q-BSE8">https://perma.cc/7S9Q-BSE8</a> (in Chinese).	
<b>Madagascar</b>	Yes	6 months to 1 year of imprisonment, fine, or both.	Loi n° 62-006 du 6 juin 1962 fixant l'organisation et le contrôle de l'immigration (as amended), art. 18, <a href="https://perma.cc/Y3DT-6W9D">https://perma.cc/Y3DT-6W9D</a> .	
<b>Malaysia</b>	Yes	Imprisonment for up to five years, fine, or both, plus liable "to whipping of not more than six strokes" and removal.	Immigration Act 1959/63 (Act 155), ss 5, 6, 32 & 57, <a href="https://perma.cc/QQJ5-4CTW">https://perma.cc/QQJ5-4CTW</a> .	Fine and/or imprisonment applies to entry without valid entry permit/pass, or entry other than at authorized landing place, airport, or point of entry. Whipping only applicable to entry without valid permit/pass.
<b>Maldives</b>	No	Fine and discretionary deportation.	Maldives Immigration Act §§ 3 (entry/departure from authorized port), 7 (entry/departure of foreign nationals), 33(a) & (c) (offenses and penalties), <a href="https://perma.cc/WGQ3-33C8">https://perma.cc/WGQ3-33C8</a> .	
<b>Mali</b>	Yes	3 months to 3 years of imprisonment, fine, or both.	Loi 04-058 AN RM du 25 novembre 2004 relative aux conditions d'entrée, de séjour et d'établissement d'étrangers au Mali, art. 23, Nov. 25, 2004, <a href="https://perma.cc/D7CL-BWAX">https://perma.cc/D7CL-BWAX</a> .	

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<b>Marshall Islands</b>	Yes	Imprisonment up to 5 years, fine, or deportation.	43 MIRC §§ 156, 173 (2014), <a href="https://perma.cc/8AZ9-K7C4">https://perma.cc/8AZ9-K7C4</a> .	
<b>Mexico</b>	No	Deportation.	Ley de Migración arts. 2, 143, 144, Diario Oficial de la Federación [D.O.F.], May 25, 2011, as amended through 2019, <a href="https://perma.cc/9US5-DNNA">https://perma.cc/9US5-DNNA</a> .	
<b>Micronesia, Federated States of</b>	Yes	Imprisonment up to 2 years, fine, or deportation.	50 FSM Code § 114 (2014), <a href="https://perma.cc/2TQY-QPB9">https://perma.cc/2TQY-QPB9</a> .	
<b>Moldova</b>	Yes	Imprisonment of up to 2 years, community service, or fine.	Criminal Act of Moldova No. 985, 2002, art. 362, <a href="https://perma.cc/E3YA-3WPB">https://perma.cc/E3YA-3WPB</a> (in Russian).	
<b>Montenegro</b>	No	20-day detention or fine.	Law on State Border Control, Sluzbeni List RCG (official gazette) 72/05, art. 52, <a href="https://perma.cc/3RNB-4W8G">https://perma.cc/3RNB-4W8G</a> , (in Montenegrin), English translation at <a href="https://perma.cc/4MZ5-N58W">https://perma.cc/4MZ5-N58W</a> .	
<b>Morocco</b>	Yes	Detention in immigration detention center until deportation.	Royal Decree No. 1.03.196 promulgating Law No. 02.03 of 2003, arts. 3 (prohibition of illegal entry), 21 (deportation) & 34 (detention), Al-Jaridah Al-Rasmiyah, vol. 5160, 11 Nov. 2003.	
<b>Mozambique</b>	No	Expulsion.	Lei No. 5/93, de 28 de Dezembro, art. 29(a), <a href="https://www.legis-palop.org/results.jsp?load=17640&amp;l&amp;a=1565785717713">https://www.legis-palop.org/results.jsp?load=17640&amp;l&amp;a=1565785717713</a> (searchable database available by subscription only).	

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Myanmar	Yes	Imprisonment for 6 months to 5 years or fine.	Burma Immigration Emergency Provisions Act, 1947, § 13(2), <a href="https://perma.cc/73ND-9PTU">https://perma.cc/73ND-9PTU</a> .	
Namibia	Yes	Fine, custodial sentence not exceeding 5 years, or both.	Immigration Control Act of 1993, §§ 6 & 10 (July 29, 1994), <a href="https://perma.cc/FF86-MPPZ">https://perma.cc/FF86-MPPZ</a> .	
Nauru	Yes	Fine if no valid visa.	Immigration Act 2014, s 10(1), <a href="https://perma.cc/6QXP-CSL5">https://perma.cc/6QXP-CSL5</a> .	
Nepal	No	Fine.	Nepal Immigration Act, 2049, §§ 3(1) (no entry without passport and visa), 10(4) (punishment), <a href="https://perma.cc/7MP7-4RPA">https://perma.cc/7MP7-4RPA</a> (original Nepalese), <a href="https://perma.cc/9APW-ENSL">https://perma.cc/9APW-ENSL</a> (English translation).	
Netherlands	Illegal entry, no; failure to present travel document, yes.	Imprisonment up to 6 months or fine.	Vreemdelingenwet 2000, as amended, art. 108 para. 2, <a href="https://perma.cc/M27F-QK3L">https://perma.cc/M27F-QK3L</a> .	While law does not penalize undocumented entry by itself, failure to provide travel document when requested by border guard subject to criminal penalty.
Nicaragua	No	Fines and detention.	Ley General de Migración y Extranjería, Ley N° 761 of March 31, 2011, arts. 117, 122, 166, Las Gacetas, N° 125-126, Aug. 6-7, 2011, <a href="https://perma.cc/W6AL-N9MW">https://perma.cc/W6AL-N9MW</a> .	Administrative offense. “Irregular” entry or stay consists of entry through unauthorized place or other than place of official immigration control, entry using falsified or fraudulently obtained passports, stay following expiration of legal residence, or attempting to exit through unauthorized place. Fines apply to aliens not in possession of corresponding identity documents.

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<b>Nigeria</b>	Generally, no; entry after denial of entry, yes.	Fine, custodial sentence of 10 years, or both.	Immigration Act No. 8 of 2015, § 56, Federal Republic of Nigeria Official Gazette (June 8, 2015), <a href="https://perma.cc/BX4S-KNCR">https://perma.cc/BX4S-KNCR</a> ; Immigration Regulations, 2017, Government Notice No. 28, § 44, Federal Republic of Nigeria Official Gazette (Mar. 1, 2017), <a href="https://perma.cc/ACK4-UZBG">https://perma.cc/ACK4-UZBG</a> .	
<b>Niue</b>	Yes	Imprisonment for up to two years and fine.	Immigration Act 2011, s 32, <a href="https://perma.cc/69CB-T6BW">https://perma.cc/69CB-T6BW</a> .	Penalties apply for failing to report immediately to immigration officer at designated immigration place and failing to apply for permit.
<b>Northern Macedonia</b>	No		Criminal Code of North Macedonia 2009, art. 402, <a href="https://perma.cc/D8TB-J438">https://perma.cc/D8TB-J438</a> .	Imprisonment of up to 1 year imposed on those who illegally enter while armed or by using violence.
<b>Norway</b>	Yes	Monetary fines, or up to six months' or two years' imprisonment, depending on crime.	§§ 14, 55, 56, and 108 Lov om utlendingers adgang til riket og deres opphold her (utlendingsloven) (LOV-2008-05-35), <a href="https://perma.cc/BB7M-9HQ5">https://perma.cc/BB7M-9HQ5</a> (original in Norwegian), <a href="https://perma.cc/Y6GD-XWY6">https://perma.cc/Y6GD-XWY6</a> (unofficial English translation).	Failure to enter at designated border crossing from non-Schengen country or residing in country without proper documentation subject to monetary fine or six months' imprisonment. Reentering in violation of expulsion order punishable with monetary fine or imprisonment for up to two years. Persons seeking asylum exempt from penalties if asylum sought in timely manner.
<b>Oman</b>	Yes	Imprisonment for 3 months to 3 years, fine, or both; deportation.	Royal Decree No. 95/16, arts. 6 (prohibition of illegal entry), 29 (deportation), 41 (imprisonment and fine), Al-Jaridah Al-Rasmiyah, vol. 550, 1 May 1995.	

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<b>Pakistan</b>	Yes	Imprisonment for up to 10 years and fine.	Foreigners Act, 1946, §§ 13 (contravention of Act), 14(2) (penalties for illegal entry), 14B (deportation pending trial or during sentence), <a href="https://perma.cc/8K4M-YCGD">https://perma.cc/8K4M-YCGD</a> ; Foreigners Order, 1951, § 3(1) (entry only at port of entry), <a href="https://perma.cc/9VRN-6CKP">https://perma.cc/9VRN-6CKP</a> .	
<b>Palau</b>	Yes	Imprisonment up to 2 years, fine, or deportation.	13 PNCA § 1011 (2014), <a href="https://perma.cc/2NDN-FP6E">https://perma.cc/2NDN-FP6E</a> .	
<b>Papua New Guinea</b>	Yes	Imprisonment for up to six months or fine.	Migration Act 1978 (Cap. 16), s 16(1)(a), <a href="https://perma.cc/8Y9N-JF5A">https://perma.cc/8Y9N-JF5A</a> .	
<b>Paraguay</b>	Illegal entry generally, no; if false documentation used, yes.	Imprisonment of 3 months to 2 years.	Ley 978/96 de Migraciones, Gaceta Oficial Nov. 8, 1996, art. 108, <a href="https://perma.cc/V5UF-XPLN">https://perma.cc/V5UF-XPLN</a> .	
<b>Peru</b>	No	Deportation.	Decreto Legislativo de Migraciones No. 1350, El Peruano Jan. 7, 2017, arts. 57.1. and 58, <a href="https://perma.cc/EPA9-6JCT">https://perma.cc/EPA9-6JCT</a> .	
<b>Philippines</b>	Yes	Deportation, imprisonment, and fine.	Philippine Immigration Act, § 45(d), (h), <a href="https://perma.cc/VHL4-TUDG">https://perma.cc/VHL4-TUDG</a> .	
<b>Poland</b>	Yes	Imprisonment of up to 2 years or fine.	Penal Code of Poland, 1997, art. 264, <a href="https://perma.cc/6VWZ-6MRS">https://perma.cc/6VWZ-6MRS</a> .	Stricter penalties for illegal entry committed in groups or by use of violence.

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Portugal	No	Expulsion.	Lei No. 23/2007, de 04 de Julho, arts. 134(1)(a), 181, <a href="https://perma.cc/5L53-R84W">https://perma.cc/5L53-R84W</a> .	
Qatar	Yes	Imprisonment not exceeding 3 years, fine, or both; deportation.	Law No. 4 of 2009, arts. 3 (prohibition of illegal entry), 37 (deportation) & 51 (imprisonment and fine), Al-Jaridah Al-Rasmiyah, vol. 3, 29 Mar. 2009.	
Romania	Yes	Imprisonment of 6 months to 3 years or fines.	Penal Code of Romania 2009, art. 262, <a href="https://perma.cc/895L-2YM2">https://perma.cc/895L-2YM2</a> .	Imprisonment of up to 5 years imposed on previously deported illegal entrants. Juveniles and victims of human trafficking exempt from prosecution.
Russian Federation	Yes	Imprisonment or correctional labor of up to 2 years or fine.	Criminal Code 1996, art. 322, <a href="https://perma.cc/WP43-QHH8">https://perma.cc/WP43-QHH8</a> (in Russian).	Stricter punishment for those whose presence Russia forbids or for groups. Asylum seekers exempt from punishment.
Rwanda	Yes	Imprisonment for 30 days to 6 months, fine, or both; 1 to 3 years' imprisonment, fine, or both for illegal reentry.	Law No. 57/2018 of 13/08/2018 on Immigration and Emigration in Rwanda, arts. 44, 48, Aug. 13, 2018, <a href="https://perma.cc/AY69-NKVK">https://perma.cc/AY69-NKVK</a> .	
Saint Kitts and Nevis	No	Fine, imprisonment for up to 12 months, or both, and/or deportation.	Immigration Act 10 of 2002, as amended, 4 Laws of Saint Christopher and Nevis Cap. 6.02, §§ 10(1), 22-23, 31 & 32.	Act determines "no person may enter . . . except at a formal port of entry." Illegal crossing by not cooperating with or willfully misleading immigration officer is punishable.
Saint Lucia	Yes	Fine, 6 months' imprisonment, or both, and/or deportation.	Immigration Act 18 of 1954, as amended, 8 Laws of Saint Lucia Cap. 10.01, §§ 8, 29, 36(a) & (b).	

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
Samoa	Yes	Fine, imprisonment, or both, depending on crime.	Immigration Act 2004, ss 4(3), 10(3), 49(1)(a)(i) & sch 1, <a href="https://perma.cc/R6TJ-AV3C">https://perma.cc/R6TJ-AV3C</a> .	Fine only for entry other than in accordance with law or without entry permit; imprisonment for 12 months, fine, or both, for general offense of acting or attempting to act in contravention of, or failing to comply with, any provisions in law. Offenses dealt with summarily following person making an admission and submitting a request in writing penalized by lower fine.
São Tomé e Príncipe	No	Expulsion.	Lei No. 5/2008, arts. 74(2)(a), 91, <a href="https://www.legis-palop.org/results.jsp?l&amp;load=5616">https://www.legis-palop.org/results.jsp?l&amp;load=5616</a> (searchable database available by subscription only).	
Saudi Arabia	Yes	Detention until deportation.	Royal Decree No. 17/2/25/1337 of June 4 1952, arts. 3 (prohibition of illegal entry), 52 (detention until deportation) published on the website of the Ministry of Interior, <a href="https://perma.cc/AWD6-LJ6P">https://perma.cc/AWD6-LJ6P</a> .	
Senegal	Yes	1 to 3 months' imprisonment, fine, or both; 1 to 5 years' imprisonment and fine for illegal reentry.	Loi n°71-10 du 25 janvier 1971 relative aux conditions d'admission, de séjour et d'établissement des étrangers, arts. 11, 13, <a href="https://perma.cc/Z5ZZ-M5N8">https://perma.cc/Z5ZZ-M5N8</a> , as amended by Loi n° 1978/12 du 29 janvier 1978 abrogeant et remplaçant l'article 11 de la loi n°71-10 du 25 janvier 1971 relative aux conditions d'admission, de séjour et d'établissement des étrangers, Jan. 29, 1978, <a href="https://perma.cc/MGM6-DT29">https://perma.cc/MGM6-DT29</a> .	

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
<b>Serbia</b>	No	Detention of up to 1 month or fine; enhanced penalty if aggravating circumstances.	Law on Border Control 24/2018, art. 71, <a href="https://perma.cc/6ZBY-9N84">https://perma.cc/6ZBY-9N84</a> , Criminal Code of Serbia, 2005, art. 350, <a href="https://perma.cc/6F94-MF98">https://perma.cc/6F94-MF98</a> (in Serbian).	Illegal crossing with weapons or use of force criminalized and punished by up to 1 year of imprisonment.
<b>Seychelles</b>	Yes	Fine and 3-year prison term.	Immigration Decree of 1981, § 28, 6 Laws of Seychelles, Cap. 93 (rev. ed., 2010), <a href="https://perma.cc/RM25-EFBP">https://perma.cc/RM25-EFBP</a> .	
<b>Singapore</b>	Yes	Imprisonment for up to 6 months and caning with not less than 3 strokes or fine.	Immigration Act (ch. 133, revised Jan. 1, 2008) s 6, <a href="https://perma.cc/GCD3-4TZL">https://perma.cc/GCD3-4TZL</a> .	
<b>Slovakia</b>	No	Fine.	Act No. 404/2011 Coll. on Stay of Aliens, art. 116, <a href="https://perma.cc/5RRZ-XBRW">https://perma.cc/5RRZ-XBRW</a> (in Slovak).	Varied administrative fines, processed by police.
<b>Slovenia</b>	No	Fine.	Aliens Act 2011, art. 145, <a href="https://perma.cc/N68X-T44C">https://perma.cc/N68X-T44C</a> (in Slovenian).	
<b>Solomon Islands</b>	No	Daily fines after 21st day of unlawful presence.	Immigration Act 2012, ss 10, 28 & 29, <a href="https://perma.cc/G6FK-KHUS">https://perma.cc/G6FK-KHUS</a> ; Immigration Regulations 2013, r 87, <a href="https://perma.cc/ZZ8D-TDYF">https://perma.cc/ZZ8D-TDYF</a> .	Fine applies for presence as unlawful noncitizen, including noncitizen who enters without valid visa. No fine if person departs before end of twenty-first day of unlawful presence.
<b>South Africa</b>	Yes	Fine or custodial sentence not exceeding 2 years.	Immigration Act No. 13 of 2002, §§ 1, 9 & 49 (Mar. 12, 2003), <a href="https://perma.cc/U9CS-SVHJ">https://perma.cc/U9CS-SVHJ</a> .	

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
South Korea	Yes	Imprisonment for not more than 5 years or fine, and deportation.	Immigration Act, Act No. 4522, Dec. 8, 1992, as amended by Act No. 15159, Dec. 12, 2017, arts. 46 & 93-3 (penalties), 99-2 (exemption), <a href="https://perma.cc/F8EY-YMBJ">https://perma.cc/F8EY-YMBJ</a> .	Offenders exempt from penalty if they claim they are refugees who came directly from concerned territories without delay before immigration officer and other conditions met.
Spain	No	Fine.	Ley Orgánica 4/2000 Boletín Oficial del Estado 2000, arts. 53.1.a and 55.1.b, <a href="https://perma.cc/A928-ZNUE">https://perma.cc/A928-ZNUE</a> .	
Sri Lanka	Yes	Imprisonment for 1 to 5 years and fine.	Immigrants and Emigrants Act, 1949, §§ 9 (entry at approved ports of entry), 10 (documents required), 45(1)(a) & 45(1)(o) (punishment), <a href="https://perma.cc/CN4Y-GZ4F">https://perma.cc/CN4Y-GZ4F</a> .	
Sudan	Yes	Detention or house arrest until deportation.	Passport and Immigration Act of 1994, issued on May 17, 1994, arts. 9 (prohibition of illegal entry), 18 (deportation) & 22 (house arrest or detention until deportation), <a href="https://perma.cc/MTP3-UUFF">https://perma.cc/MTP3-UUFF</a> .	
Swaziland	Yes	Fine, custodial sentence not exceeding 6 months, or both.	Immigration Act 17 of 1982, §§ 4 & 14 (Mar. 1, 1987), <a href="https://perma.cc/9AV5-A5MT">https://perma.cc/9AV5-A5MT</a> .	
Sweden	Yes	Monetary fines, or up to six months or one year of imprisonment, depending on crime.	20 kap. 1 - 4 §§; 7-8 §§ Utlänningslag (SFS 2005:716), <a href="https://perma.cc/9AQT-REKU">https://perma.cc/9AQT-REKU</a> .	Illegal entry from outside Schengen Area punishable with monetary fines or imprisonment of up to one year. Being present in Sweden without proper documentation subject to monetary fine. Reentering Sweden in violation of deportation order punishable with imprisonment of up to one year, or monetary fines if act is considered "crime in the lesser

Criminalization of Illegal Entry Around the World

Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
				degree" ( <i>ringa brott</i> ). Penalties do not apply to persons who timely seek asylum.
Switzerland	Yes	Imprisonment of up to one year or fine.	Ausländer- und Integrationsgesetz [AIG], as amended, art. 115, paras. 1a, 1d (penalties) & art. 115, paras. 3-5 (possibility of deportation without penalties), <a href="https://perma.cc/3DYS-TWE8">https://perma.cc/3DYS-TWE8</a> .	If immediately deported, prosecution, committal to court, or imposition of penalties may be dispensed with for foreign nationals who unlawfully entered or left country.
Taiwan	Yes	Imprisonment for up to 3 years, detention, and/or fine. Any alien sentenced to imprisonment may be deported.	Immigration Act (May 21, 1999, as amended Nov. 16, 2016) art. 74, <a href="https://perma.cc/4E3W-CJVX">https://perma.cc/4E3W-CJVX</a> (in Chinese), <a href="https://perma.cc/V7R9-SLUS">https://perma.cc/V7R9-SLUS</a> (English translation); Criminal Code of the Republic of China (Jan. 1, 1935, as amended May 10, 2019) art. 95, <a href="https://perma.cc/3DDM-9PKQ">https://perma.cc/3DDM-9PKQ</a> (in Chinese), <a href="https://perma.cc/XNP5-VHF9">https://perma.cc/XNP5-VHF9</a> (English translation).	
Tajikistan	Yes	Imprisonment from 2 to 5 years or fine.	Criminal Code of Republic of Tajikistan No. 574, 1997, art. 335, <a href="https://perma.cc/Z7HG-7Y4E">https://perma.cc/Z7HG-7Y4E</a> .	Asylum seekers exempt from punishment.
Tanzania	Yes	Fine, custodial sentence, or both. Recidivism subject to higher fine, longer custodial sentence, or both.	Immigration Act of 1998, §§ 28 & 45 (rev. ed., 2016), <a href="https://perma.cc/UN5N-W3GL">https://perma.cc/UN5N-W3GL</a> .	
Thailand	Yes	Imprisonment not exceeding 2 years, fine, and deportation.	Immigration Act, B.E. 2522 (1979), arts. 54 & 62, <a href="https://perma.cc/Y3X8-F8ZL">https://perma.cc/Y3X8-F8ZL</a> .	

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
<b>Togo</b>	First illegal entry, no; illegal reentry, yes	6 months' to 2 years' imprisonment for illegal reentry.	Loi N° 87-12 du 18 novembre 1987 relative à la police des étrangers, art. 18, Nov. 18, 1987, <a href="https://perma.cc/E3YA-93CJ">https://perma.cc/E3YA-93CJ</a> .	
<b>Tonga</b>	Yes	Imprisonment for up to two years, fine, or both, plus removal. Same penalties but up to three years' imprisonment if previously removed.	Immigration Act (Cap. 25.02), ss 6, 22, 26, 33(1)(i) & 34, <a href="https://perma.cc/2ETK-DWJW">https://perma.cc/2ETK-DWJW</a> .	
<b>Trinidad and Tobago</b>	Yes	Fine and imprisonment for 3 years for first offense; double fine and 5 years' imprisonment for subsequent offenses.	Immigration Act, Act 41 of 1969, as amended, § 40(a), Laws of Trinidad and Tobago Ch. 18:01, <a href="https://perma.cc/35DE-XH2V">https://perma.cc/35DE-XH2V</a> .	
<b>Tunisia</b>	Yes	Imprisonment and fine; deportation.	Law No. 7 of 1968, arts. 4 (prohibition of illegal entry), 18 (deportation) & 23 (imprisonment and a fine), Al-Jaridah Al-Rasmiyah, vol. 11, 8 Mar. 1968.	
<b>Turkey</b>	No	Administrative fine, deportation with or without detention.	Law No. 6458 [2013], arts. 102(1)(a) & 54(1)(h), as amended Oct. 29, 2016 (unofficial translation), <a href="https://perma.cc/LR9N-JHNV">https://perma.cc/LR9N-JHNV</a> .	Persons not dangerous or a flight risk may be asked to self-deport within max 30 days. Deportation prohibited if person has been recognized as person under international protection or has applied for protection.

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<b>Turkmenistan</b>	Yes	Correctional labor of up to 2 years or imprisonment of up to 2 years.	Criminal Code of Turkmenistan 2010, No. 104-IV, art. 214, <a href="https://perma.cc/XG7H-SK73">https://perma.cc/XG7H-SK73</a> (in Russian).	Asylum seekers exempt from punishment.
<b>Turks and Caicos Islands</b>	Yes	Fine, imprisonment for 2 years, or both.	Immigration Ordinance, Cap. 5.01, §§ 4 (leave to enter), 102(1)(a)-(b) (unlawful entry), <a href="https://perma.cc/8LCH-E7ZZ">https://perma.cc/8LCH-E7ZZ</a> .	
<b>Tuvalu</b>	Yes	Imprisonment for six months and fine.	Immigration Act s 17(1)(i), <a href="https://perma.cc/JK42-R43M">https://perma.cc/JK42-R43M</a> .	
<b>Uganda</b>	Yes	Fine, custodial sentence not exceeding 3 years, or both.	Immigration Act of 1970 §§ 11 & 21 (May 1, 1970), <a href="https://perma.cc/6THJ-YDAQ">https://perma.cc/6THJ-YDAQ</a> .	
<b>Ukraine</b>	Yes	Imprisonment of up to 3 years.	Criminal Code 2001, art. 332-2, <a href="https://perma.cc/J7UW-SPY2">https://perma.cc/J7UW-SPY2</a> (in Ukrainian).	Criminally prosecuted only if illegal entry committed to damage state's interests or by individuals banned by courts from entering.
<b>United Arab Emirates</b>	Yes	Imprisonment and deportation.	Federal Law No. 17 of 2017, arts. 3 (prohibition of illegal entry) & 31 (deportation and imprisonment), Al-Jaridah Al-Rasmiyah, vol. 622(bis), 28 Sept. 2017.	
<b>United Kingdom</b>	Yes	Fine, 6 months' imprisonment, or both, and deportation.	Immigration Act 1971, c. 77, pt. III, § 24(1)(a) (illegal entry), <a href="https://perma.cc/2BZJ-Y9PF">https://perma.cc/2BZJ-Y9PF</a> .	"Illegal entry" includes entry in breach of deportation order or without leave. May be dealt with as administrative action only, resulting in deportation or removal.
<b>Uruguay</b>	No	Deportation.	Ley 18250 de Migraciones, Boletin Oficial Jan. 17, 2008, art. 51.a, <a href="https://perma.cc/7CTC-YB4J">https://perma.cc/7CTC-YB4J</a> .	

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Country	Is Illegal Entry a Crime?	Prescribed Punishment, including Administrative Penalties	Citation to Applicable Law	Additional Comments
<b>Uzbekistan</b>	Yes	Imprisonment from 3 to 5 years or fine.	Criminal Code, 2015, art. 223, <a href="https://perma.cc/Z22H-GZWN">https://perma.cc/Z22H-GZWN</a> (in Russian).	
<b>Vanuatu</b>	Yes	Imprisonment for up to two years, fine, or both.	Immigration Act 2010, ss 20, 26, 83, <a href="https://perma.cc/HLR5-Q4YJ">https://perma.cc/HLR5-Q4YJ</a> ; Penalty Notice Regulation Order No. 181 of 2011, <a href="https://perma.cc/J3D8-M3EJ">https://perma.cc/J3D8-M3EJ</a> .	Penalties for failing to comply with requirement to enter at appointed port or airport, or entering/attempting to enter without valid visa. Person served with penalty notice who pays amount specified on the notice within 30 days not liable to further proceedings.
<b>Venezuela</b>	No	Deportation.	Ley de extranjeria y Migración No. 37944, May 24, 2004, art. 38, <a href="https://perma.cc/73XJ-2TJ6">https://perma.cc/73XJ-2TJ6</a> .	
<b>Vietnam</b>	No	Fine and deportation.	Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam, 47/2014/QH13, <a href="https://perma.cc/AX7Z-8QDX">https://perma.cc/AX7Z-8QDX</a> ; Decree 73/2010/ND-CP: Regulations Sanctioning Administrative Violations in the Field of Security, Order and Social Safety, <a href="https://perma.cc/9LL4-UMSF">https://perma.cc/9LL4-UMSF</a> (in Vietnamese).	Administrative offense.
<b>Zambia</b>	Yes	Fine, custodial sentence not exceeding 2 years, or both.	Immigration and Deportation Act No. 18 of 2010, §§ 11 & 56 (Apr. 13, 2010), <a href="https://perma.cc/C9F6-XAD6">https://perma.cc/C9F6-XAD6</a> .	
<b>Zimbabwe</b>	Yes	Fine, custodial sentence not exceeding 1 year, or both.	Immigration Act, § 11 (June 1, 1979), <a href="https://perma.cc/4B34-5YRV">https://perma.cc/4B34-5YRV</a> .	