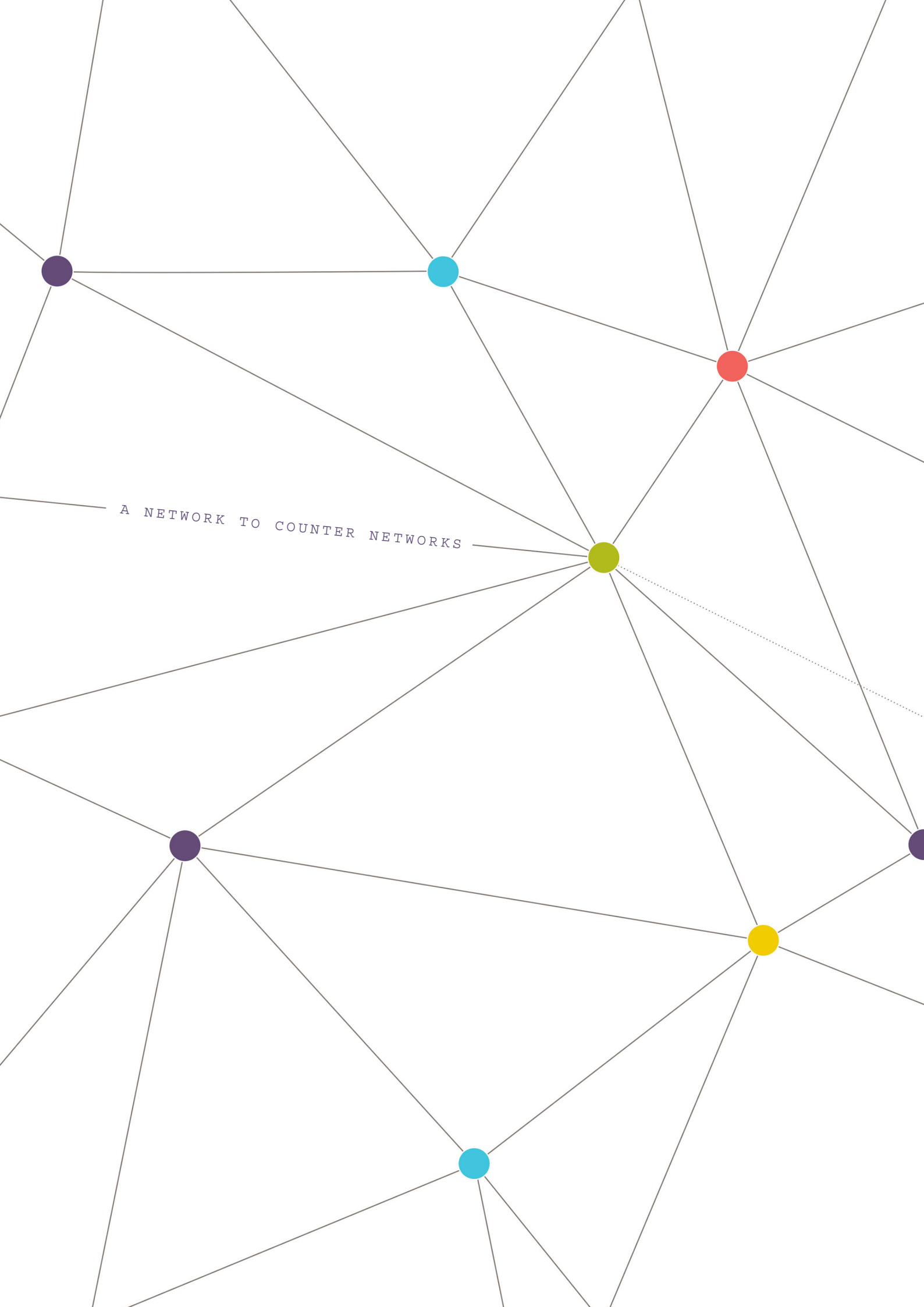


**THE GLOBAL INITIATIVE  
AGAINST TRANSNATIONAL  
ORGANIZED CRIME**

# **Smuggled Futures: The dangerous path of the migrant from Africa to Europe**



**A Research Report  
May 2014**



A NETWORK TO COUNTER NETWORKS



# Smuggled Futures

## The dangerous path of the migrant from Africa to Europe

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Part of the Global Initiative against Transnational Organized Crime  
series on Human Trafficking

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May 2014

## Appreciation and Acknowledgements

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This work was authored by Tuesday Reitano, Laura Adal, and Mark Shaw of the Global Initiative against Transnational Organized Crime.

It draws on interviews by the authors in Libya and the Sahel countries, including extensive interviews with migrants across West and North Africa. Additional interviews were also conducted by Umberto Rondi in Italy, Peter Tinti in Niger, and Jonas Klange in Burkina Faso. It also benefits from a comprehensive desk review undertaken by Marcena Hunter.

The Global Initiative gratefully acknowledges the range of experts from the [Global Initiative Network](#) who have given up their time to contribute to the development of this report, and for the financial support of the Government of Norway.

*To my habibi Clément, whose own future was cut short in pursuit of  
ensuring that others might have one. Je t'aime. L.A.*

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## About the Global Initiative against Transnational Organized Crime

The Global Initiative ([www.globalinitiative.net](http://www.globalinitiative.net)) is a network of prominent law enforcement, governance and development practitioners who are dedicated to seeking new and innovative strategies and responses to organized crime.

### Nature of the challenge

The problem of organized crime is not new, but the scope, scale and spread of the phenomena is now unprecedented. It affects all countries, developed, middle-income and developing, as well as states beset by political instability and conflict. The impacts can be diverse, but the common feature is that organized crime negatively affects the life chances of ordinary people: it undercuts key institutions, damages the environment, distorts or impedes economic growth and it fuels conflict.

*While there is growing consensus as to the rapid evolution and detrimental impact of organized crime, there is much less agreement around what constitutes an effective response.*

### Catalyzing a new approach

The Global Initiative was born from a series of high-level, off the record discussions between mainly (though not exclusively) law enforcement officials from both developed and developing countries, hosted by the International Peace Institute in New York in 2011-12. At these meetings, the founding members of the Global Initiative, many of whom stand at the front line of the fight against organized crime, illicit trafficking and trade, concluded that the problem and its impacts are not well analyzed; they are not systematically integrated into national plans or strategies; existing multilateral tools are not structured to facilitate a response and existing forms of cooperation tend to be bilateral, slow and restricted to a limited number of like-minded states.

*The result was a decision to create a new initiative: the Global Initiative against Transnational Organized Crime, which would seek to provide a platform to promote greater debate and innovative approaches as the building blocks to an inclusive global strategy against organized crime.*

### Analysis, Strategies and Response

Launched formally in New York in September 2013, the Global Initiative comprises a network of close to 100 independent global and regional experts working on human rights, democracy, governance and development issues where organized crime has become increasingly pertinent.

The Global Initiative, now registered as an international civil society organization, has an office in Geneva, Switzerland, a core Secretariat and a high-level advisory board. Through a range of channels, the Global Initiative seeks to project the expertise of its Network members outwards and to make it available to a broader range of stakeholders.

For more information please visit our website at [www.globalinitiative.net](http://www.globalinitiative.net) or contact the Secretariat at: [secretariat@globalinitiative.net](mailto:secretariat@globalinitiative.net).



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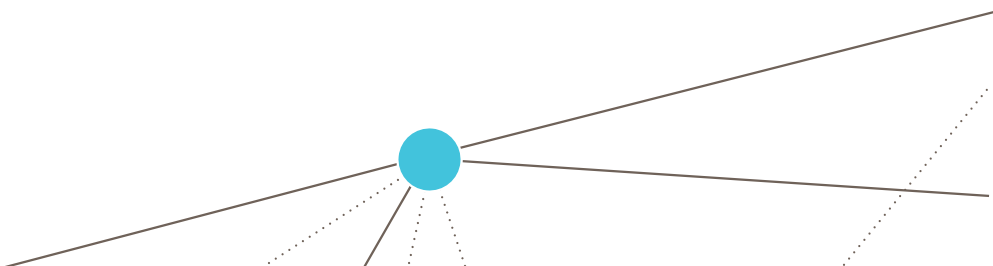
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## Glossary<sup>1</sup>

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Term	Definition
<b>Asylum seekers</b>	Persons seeking to be admitted into a country as refugees and awaiting decision on their application for refugee status under relevant international and national instruments. In case of a negative decision, they must leave the country and may be expelled, as may any alien in an irregular situation, unless permission to stay is provided on humanitarian or other related grounds.
<b>Irregular migration</b>	Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is illegal entry, stay or work in a country, meaning that the migrant does not have the necessary authorization or documents required under immigration regulations to enter, reside or work in a given country. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term “illegal migration” to cases of smuggling of migrants and trafficking in persons.
<b>Mixed flows</b>	Complex population movements including refugees, asylum seekers, economic migrants and other migrants.
<b>Refugee (recognized)</b>	A person, who “owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country” (Convention relating to the Status of Refugees, Art. 1A (2), 1951 as modified by the 1967 Protocol).
<b>Regular migration</b>	Migration that occurs through recognized, legal channels.
<b>Smuggling</b>	The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident (Art. 3(a), UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000). Smuggling contrary to trafficking does not require an element of exploitation, coercion, or violation of human rights.
<b>Trafficking in persons</b>	The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation (Art. 3(a), UN Protocol to Prevent, Suppress and Punish trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Organized Crime, 2000).



## Recent Death Tolls

<b>July 2013<sup>2</sup></b>	31 dead off coast of Lampedusa
<b>September 2013<sup>3</sup></b>	13+ dead off coast of Sicily
<b>October 2013<sup>4</sup></b>	300+ dead off coast of Lampedusa 12 dead off coast of Egypt 30 dead off coast of Lampedusa 92 dead in Sahara Desert near Libya border
<b>November 2013<sup>5</sup></b>	12 dead off coast of Greece
<b>February 2014<sup>6</sup></b>	11+ dead off coast of Spain
<b>April 2014<sup>7</sup></b>	4000+ migrants land on Italy's shores in just 2 days.



# Executive Summary

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In October 2013, Italy captured international headlines when a boat, carrying hundreds of asylum seekers sunk off its coast, killing over 360 people. The incident reflects the tremendous increase in African migration to Europe in recent years, in part due to the Arab Spring. While Africans have been migrating to Europe for decades, the instability across North Africa and the Sahel, coupled with the erosion of Libya's capacity to control its own borders, has resulted in an unprecedented surge of migrants to Italy in recent years. This surge shows no signs of subsiding.

The decision to migrate may be fuelled by a multitude of motivations. Africa has the fastest population growth rate in the world, and although the continent is making momentous economic gains, it has broadly failed to translate these gains into sustainable livelihoods for its youth. Social and economic disparities, conflict, and crime in several countries throughout the continent, many Africans seek out new opportunities across the Mediterranean.

It is estimated that in 80 percent of these cases, the journey is "facilitated" by migrant smugglers and criminal groups that who provides a range of services such as transportation, fraudulent identification, corruption of border officials and settlement services. Smugglers in transit countries coordinate with smugglers in source countries to act as guides, escorting individuals across the Sahara Desert, heading towards the coast. Although some smuggling networks are organized criminal structures, many are loosely linked chains of individuals, which make it challenging for authorities to dismantle.

Three main smuggling routes characterize the irregular migration to Italy and beyond. The first is the Western route, for which the main source countries are Mali, the Gambia and Senegal. The Western route often connects in the Sahel with

the Central Route, for which the source countries are Nigeria, Ghana and Niger. Finally, there is the Eastern route, which sources from Somalia, Eritrea and Darfur in South Sudan, and which tends to cut north through Sudan and Egypt and then along the northern coast of Africa. All of these routes converge in the Maghreb, and in recent years mostly in Libya, for the sea crossing to Italy.

The cost of a trip to Italy averages several thousands of dollars, depending on the distance and difficulty of the route, the level of institutional control over the route and on the transit and destination countries' response to the migrants' arrival. It may take years to complete, as many remain in transit hubs along their route to work to afford the next leg of their trip. As a result, many migrants are "stuck" in towns along the way to the coast. In addition to exorbitant prices, migrants endure perilous conditions. As they make their way to the Mediterranean coast, migrants are often travel in overcrowded trucks, facing starvation and thirst before even reaching the coast. Once they reach the Mediterranean, people are packed into boats set for Europe, often embarking without enough fuel to make it to Italy. All too often, migrants drown. If migrants do arrive in Italy, their reception is less than favourable. Many are sent back to Africa.

Given the exponential rise of irregular migrants and the humanitarian crises that accompany their failed attempts to reach European shores, EU states, including Italy, are under a growing pressure to restructure and align their immigration and asylum policies and practices. Current efforts to limit migration have only succeeded in shifting migration routes, forcing many seeking refuge to take more dangerous, riskier routes to Europe.

Finding solutions to the problem of unmanaged migration cannot be limited to Italian border control but require regional cooperation in both Europe and Africa with governments addressing the root causes of mass migration.

## Introduction

Europe has long been a favoured destination for African migrants due to its geographic proximity and the promise of safety and a better life. The term “migrant”<sup>8</sup> can encompass or can describe a multitude of individuals with various motivations, including economic migrants, refugees, asylum seekers and displaced persons. Migration is considered “irregular” when it takes place outside the legal and regulatory norms of the sending, transit, and destination countries. Since it is becoming increasingly difficult for Africans to legally arrive and work in Europe, every year tens of thousands of Africans attempt to circumvent border controls and enter illegally as

irregular migrants. Organized criminal networks have stepped in to profit off this clandestine activity, and according to Europol, some 80% of irregular migration to Europe is “facilitated” by smugglers or criminal groups who are paid to provide services such as transportation, fraudulent identification, corruption of border officials and settlement services.<sup>9</sup>

The crime of “smuggling of migrants” is defined by the United Nations as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national.”<sup>10</sup>

### Types of Migrant Smuggling<sup>11</sup>

**Ad hoc smuggling services:** The migrant travels on his or her own, occasionally using smuggling services, for example, to cross a border.

**Migrant smuggling through misuse or abuse of documents:** Migrants who can afford to use this type of smuggling often have sufficient financial resources to purchase visas and other necessary papers.

**Pre-organized stage-to-stage smuggling:** The whole journey is organised and migrants are accompanied for most of it by smugglers.

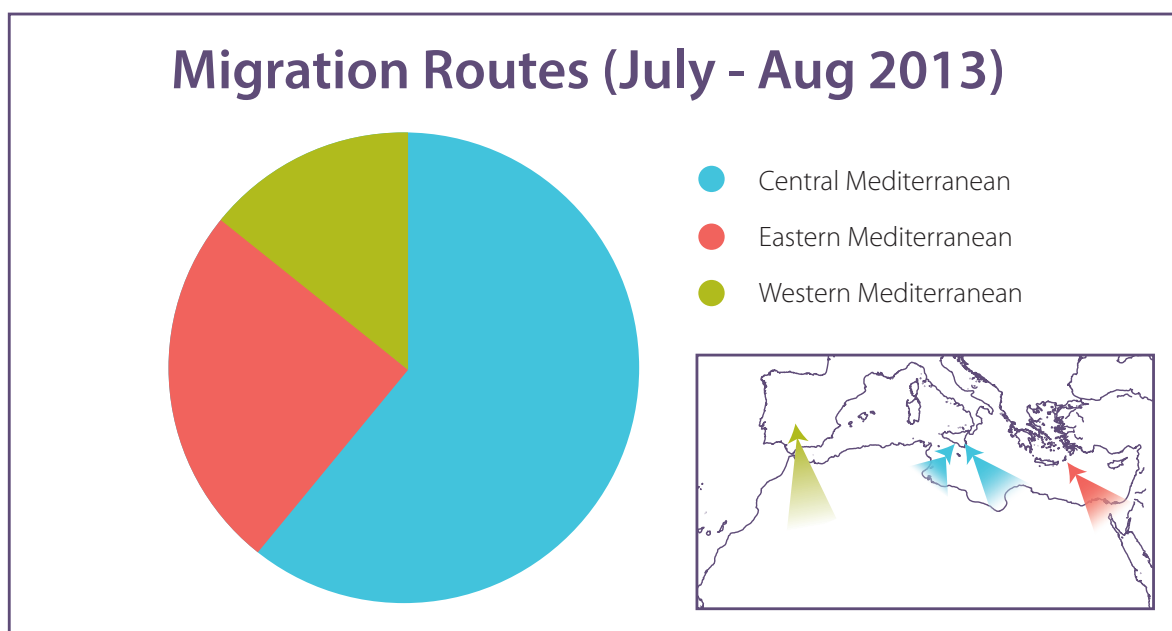
Due to strict immigration policies in destination countries, harsh terrain, and the urgency of many to escape their circumstances, migrants from sub-Saharan Africa often pay smugglers to assist them in crossing the Sahara Desert to reach Libya and Tunisia. Once they arrive in North Africa, migrants will pay smugglers to help them reach Europe by boat. The cost of a trip to Europe averages several thousands of dollars and may take years to complete, as many migrants remain in hubs along their route to work in order to afford the next leg of their trip.

Europe’s southern countries are faced with the challenges of managing the exponential rise of irregular migrants along their shores. There are three major migratory routes that traverse the Mediterranean Sea from Africa to Europe: the Western Mediterranean (into Spain); the Central Mediterranean (into Malta and Italy); and the Eastern Mediterranean (into Greece).

Italy in particular is both a growing transit and destination country, with most African migrants arriving from Libyan shores. Although the Central Mediterranean route had been an important route for years, Italy and Libya entered into a bilateral agreement in 2009 to work together in preventing irregular migration, effectively halting migration flows through this path.<sup>13</sup> However, with the downfall of the Qaddafi regime in 2011 and the resulting security vacuum, migration flows through the Central Mediterranean have resumed with greater force than ever before. Italy already has around 5,000,000 regular migrants (about 8% of the total population) and the annual growth rate of migrant presence is the highest in Europe (along with Spain).<sup>14</sup>

Since 2000, the frequency and number of arrivals to Italy from North Africa have risen to record levels. Roughly 22,016 people reached Italy by boat in 2006,<sup>15</sup> and according to UNHCR, in 2008 more than 70% of the 31,000 requests for asylum in Italy came from individuals arriving after irregular crossings.<sup>16</sup>

**Figure 1:** Detection of illegal border crossings into Europe.<sup>12</sup>



Recent years have seen an unprecedented increase. In February 2014, more than 1,100 migrants, mainly from Sub-Saharan Africa, were rescued from inflatable boats 220 kilometers off the coast of Italy.<sup>17</sup> News reports state that in the previous month alone, some 2,000 migrants landed on Italian shores, nearly 10 times the number recorded in January 2013.<sup>18</sup> This April, a record 4,000 migrants landed on the Italian coast in a mere two days, overwhelming Italian authorities, and prompting them to label it a state of humanitarian emergency.

The initial stages of the Arab Spring and its aftermath, as well as other regional conflicts, have substantially contributed to the sharp rise of irregular migration to Europe, particularly by those entitled to international protection.<sup>19</sup> In 2011, conflict-driven migration led to the arrival of over 30,000 Tunisians by sea.<sup>20</sup> Similarly, nearly 60,000 African migrants reached the shores of Lampedusa between 2010 and 2011<sup>21</sup>

More recently, according to Frontex,<sup>22</sup> the European Union agency responsible for managing external border security, the number of detections of illegal border crossings into Europe (particularly Italy) in the third quarter of 2013 doubled since the same period in 2012, with 42,618 detections in total.<sup>23</sup> This is the highest number during any quarter since 2008. Frontex predicts that due to a decline in political

stability in the Maghreb, the migration pressure in the Central Mediterranean region is likely to remain at a high level.<sup>24</sup>

Although migrant smuggling is a centuries' old trade, the recent explosion of irregular migrants attempting to reach Europe and the resulting unprecedented increase in death tolls, requires closer inspection of the causes, dynamics and consequences of this illicit activity.

### Background and Drivers of Irregular Migration

Most crossings via the Central Mediterranean route towards Europe, particularly Italy, originate in Libya, followed by Tunisia, with distances from the Italian Pelagie Islands measuring 355 km and 113 km respectively.<sup>25</sup> Smuggling flows to Italy evolved from crossings that started in the 1990's, when spontaneous travel to Sicily was organized by migrants who themselves were from Tunisia.<sup>26</sup> Initially these migrants were almost all North Africans, with Moroccans and Tunisians comprising the overwhelming majority, along with some Algerians.

Most of these migrants were temporary seasonal workers set to fill in vacancies in the fishing and agriculture sectors of Sicily, and their arrival was

of little concern to Italian authorities. Smugglers increasingly recognized the potential for profit from such travel, and began to hire professional sailors to bring migrants to Italian shores. By the late 1990's and early 2000's, efforts by the by Italian authorities to repress illicit migrant flows led smugglers to divert the embarkation points to Libya.<sup>27</sup> In order to avoid seizure, smugglers began sending boats to Italy without professional sailors, leaving the migrants to sail the boats, or "dinghies", themselves.<sup>28</sup>

Libya has gradually become the major North African hub for migrant smuggling by sea to Europe. Under Qaddafi's rule, the country was an intermittently hostile environment for illegal migration, with Qaddafi maintaining tight control on migrant smuggling along the Northern border to prevent passage to Europe.<sup>29</sup> The extent to which Libya has become a hub for migrant smuggling in recent years, after the fall of the Qaddafi regime, cannot be overstated. The Italian Interior Minister recently asserted that the situation is verging towards a humanitarian emergency, and there are upwards of 600,000 migrants from Africa and the Middle East ready to set off from Libyan shores.<sup>30</sup>

While the focus remained on Libya's northern shores, the southern frontiers of the country, specifically the Sahelian border zones, were left comparatively uncontrolled, allowing the native semi-nomadic populations of Tabu and Tuareg to travel freely throughout this area.<sup>31</sup> With ethnic ties crossing national boundaries, and their historical marginalization by the national government in Tripoli, these groups turned to smuggling and trafficking to earn a living. Thus, smuggling networks from sub-Saharan Africa became well rooted in the Sahel-Sahara and closely ingrained into the local economies of border towns in southern Libya. Since the fall of the Qaddafi regime, the security vacuum in Libya has relaxed border controls throughout the country, and migration flows have resumed at unparalleled levels, with these same trafficking networks being utilized to smuggle migrants north.

Migratory flows are ever changing, and adapt to the socio-political climate. It is important to note that Europe is not the only destination for African

migrants. In addition to the popular south-north routes, many migrants choose to head east, through Egypt into Israel, as well as across the Gulf of Aden to Yemen and other Arab Gulf states.<sup>32</sup> After the conflict in Libya, Egypt saw an enormous influx of refugees from its western neighbour.<sup>33</sup> In 2012, a record 107,500 African refugees and migrants made the dangerous journey from the Horn of Africa to Yemen.<sup>34</sup>

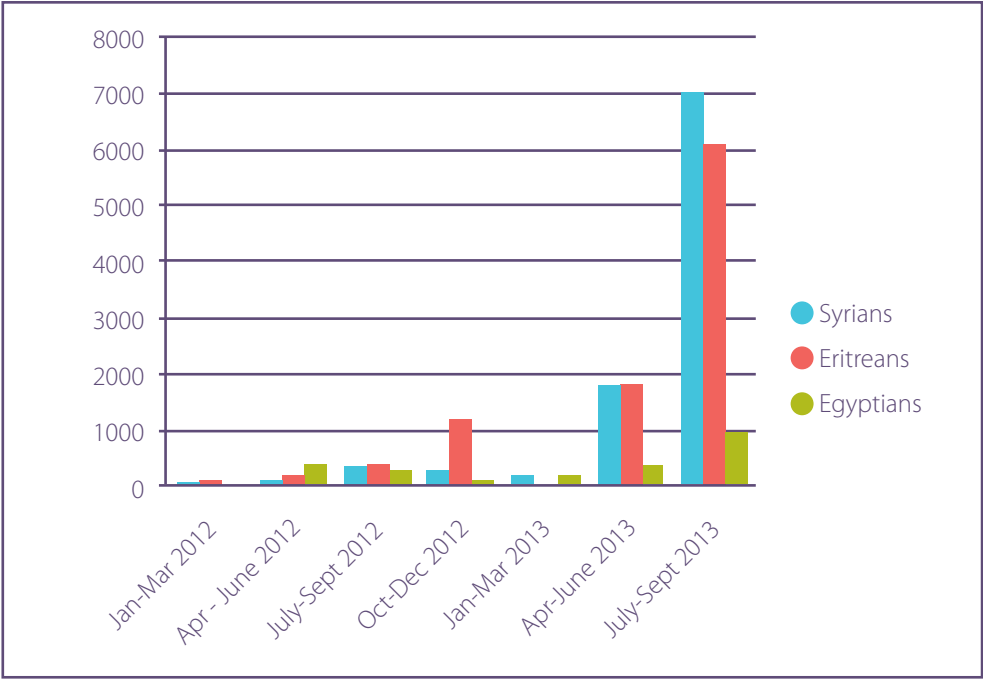
In 2013, stricter border controls in Israel and the Gulf states have led many to divert their destination to Europe. Saudi Arabia has built a 1,800km fence along its border with Yemen, and has deported thousands of undocumented migrant workers.<sup>35</sup> As a result, although many East Africans still make their way to Yemen, numbers have dropped significantly, to 58,000 in September 2013.<sup>36</sup> Israel has also built a wall along its border, effectively halting migration flows.<sup>37</sup> Only 36 irregular migrants crossed into Israel in the first nine months of 2013.<sup>38</sup> Although these border closings have substantially impeded migratory flows eastward, they have failed to curb the desperation of migrants to seek better opportunities, thus shifting migration flows towards Europe.

Traditionally, after North Africans, West and Central Africa saw the most people attempting to reach the shores of Europe.<sup>39</sup> However in recent years, this region has witnessed a slight decline in emigration, while East Africa migration is gaining momentum, in part due to blocked migration flows in the Middle East and Gulf states. The route through Libya to Italy is characterized by mixed migratory flows, whereby refugees and migrants use the same routes and methods to arrive at their intended destination. In order to navigate through varying policies, it has been reported that nationality swapping is becoming increasingly common, particularly for Mali and Syria, in order for migrants to increase their chances of being afforded international protection.<sup>40</sup>

The growing diversity of nationalities arriving in Italy from Libya and Tunisia reflects current regional conflicts, suggesting that conflict-driven migration is becoming more prominent. According to Frontex, there have been significant increases of certain nationalities, such as Somalis and Eritreans, departing

from Libya to Italy.<sup>41</sup> In 2013, most of the migrants detected were Syrian and Eritrean nationals, and to a lesser extent Somalis and Egyptians.<sup>42</sup> Since the removal of Egyptian President Morsi, both Egyptians and Syrians living in Egypt have fled the country. Initially they have departed for Italy directly, although recent reports show increased attempts to reach Italy via Libya.<sup>43</sup> Widespread unemployment

and a young population have resulted in significant levels of emigration, particularly of young men (approximately 2.7 million), from Egypt.<sup>44</sup> In the third quarter of 2013, the number of irregular Syrian migrants detected in Europe surpassed any other nationality.



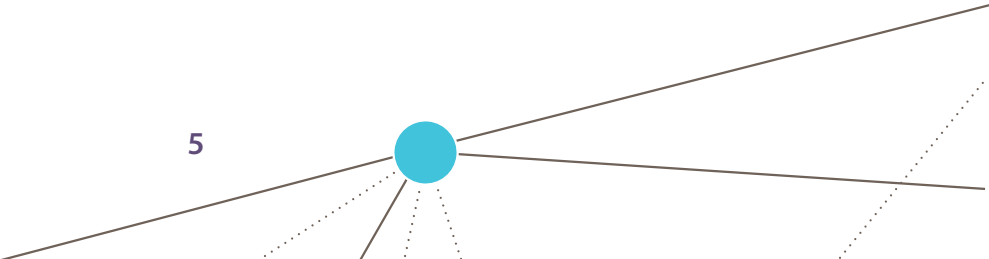
**Figure 2:** Detections of most common nationalities from Central Mediterranean Route<sup>45</sup>

Eritrea is plagued by widespread poverty, an increasingly militarized society and an authoritarian government. Many Eritreans try to flee these oppressive conditions which include compulsory military conscription for indefinite periods of time, arbitrary arrest, and torture.<sup>46</sup> Without obtaining an exit permit, their attempts to escape are viewed as defection and a shoot-to-kill policy is targeted at those trying to leave.<sup>47</sup> Thus it is not surprising that although Syrians were the most detected nationality, Eritrean nationals constituted the largest increase of illegal crossings into Europe in 2013 compared to the previous year.<sup>48</sup>

Even though the number of West Africans arriving in Italy has declined, the detections of Nigerians have increased in Lampedusa.<sup>49</sup> There has also been a sharp

rise in Malian migrants with a sevenfold increase since 2012, supporting the notion that increased conflict drives migration.<sup>50</sup> Even migrants from a few Asian countries, particularly Bangladesh, Pakistan, Iraq and Palestine, have crossed the Libyan-Egyptian border and begun to use Libya as an embarkation point. A recent trend shows Asian migrants from China and India for example, starting to migrate to North Africa overland by passing through the Sahara. They mostly fly from their home countries to African capitals, sometimes passing through the Gulf Arab States.<sup>51</sup> From there, they travel along common Saharan routes via Niger and Algeria to Tunisia and Libya, where they set sail to Italy.<sup>52</sup>

Poverty, discrimination, and conflict in their home countries have fuelled the desire for people to





seek out new prospects in Europe, leading them to turn to criminal groups for assistance in reaching their destination, even if it entails evading legal channels. Africa has the fastest population growth rate in the world (over 2% for the entire continent), and although the continent is making momentous economic gains, it has failed to translate this into enough decent jobs for its youth and there is growing disparity between the affluent and the poorest sectors of society.<sup>53</sup> In Egypt for example, since the revolution the unemployment rate has been on the rise, from 8.7% in 2009 to 11.9% in the third quarter of 2011.

Conflict and regular violations of human rights have also significantly facilitated migration, and in turn smuggling. Refugees and asylum seekers are willing to risk their lives in order to flee from horrific conditions in search of safety and security. The director of the Astalli Center, a refugee assistance organization in Italy, describes the horrors that many refugees face, *"We hear many stories of violence and abuse of women and children, a real Calvary. Stories of homosexuals or albinos who have to flee because in such and such a country they are condemned to death or persecution; of children enslaved for years; of waiting for ten, twenty years with heart rending expectations and hopes of arriving in Italy."*<sup>54</sup> During conflict, people are likely to be psychologically vulnerable and in desperate need of livelihoods.<sup>55</sup> Their communities and families are often displaced or destroyed, leaving them with few familial ties, economic opportunities, or freedom of movement. Obtaining employment may be extremely difficult or blocked altogether. Furthermore, during conflict, the mechanisms that are meant to protect people, such as border control measures, employment regulation, and identity registration systems may be severely weakened or break down altogether.<sup>56</sup>

This social phenomenon has in turn led to an increased demand for migrant smugglers. As people look for jobs, they also seek out opportunities to go abroad and may reach out to criminal groups offering smuggling services to Europe.<sup>57</sup> *All these people leave because they are obliged to do so. They have no alternative: if they remain in their own country they have a good chance of being killed*

*or living in the darkest misery and if they decide to leave they know that they are going to encounter huge risks with a high probability of losing their lives. They are seeking asylum and protection from wars, persecution, atrocious dictatorships, prison sentences and indescribable torture,"* says Donatella Parisi, press officer for the Astalli Centre for refugees in Italy.

Many smugglers make unrealistic promises to migrants about the kind of lives that they may be able to have abroad. For migrants who do decide to hire the services of a smuggler, the road to Italy is a perilous one, and migrants are especially vulnerable to mistreatment and abuse throughout many points along their journey. If caught and arrested, they may be detained for months, and unless they can afford a ticket home, have little hope of release.<sup>58</sup> Furthermore, even if they do reach the Italian shores, migrants have to endure long, strenuous processing procedures and face deportation if they are not found to be a genuine refugees.

Migrants are frequently subject to human trafficking, as traffickers are able to take advantage of their vulnerable state, often exploiting them into the sex trade or debt bondage. The IOM reports that many migrants leave on their own, without telling their families but with the intention of getting in touch with them only after their "success" is ensured.<sup>59</sup> Because of this, they avoid contacting traditional familial and community safety nets, which leaves them vulnerable to making risky decisions.<sup>60</sup> Without this social support system, such individuals are prime candidates for exploitation and recruitment into organised criminal groups.<sup>61</sup>

## Charting the Path of Migrants

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**“The journey across the desert is nothing like the journey by sea, which is also complicated enough. In the desert, there is practically no reliable information, no guide and anything can happen to you: you have to get this into your head. You are forced to learn, you make mistakes but each error you make helps you not to repeat it; it is a journey of chance, of destiny, of coincidences; plans are worth little or nothing and everything is unpredictable”.**

*Dagmawi Yimer, Ethiopian documentary maker*

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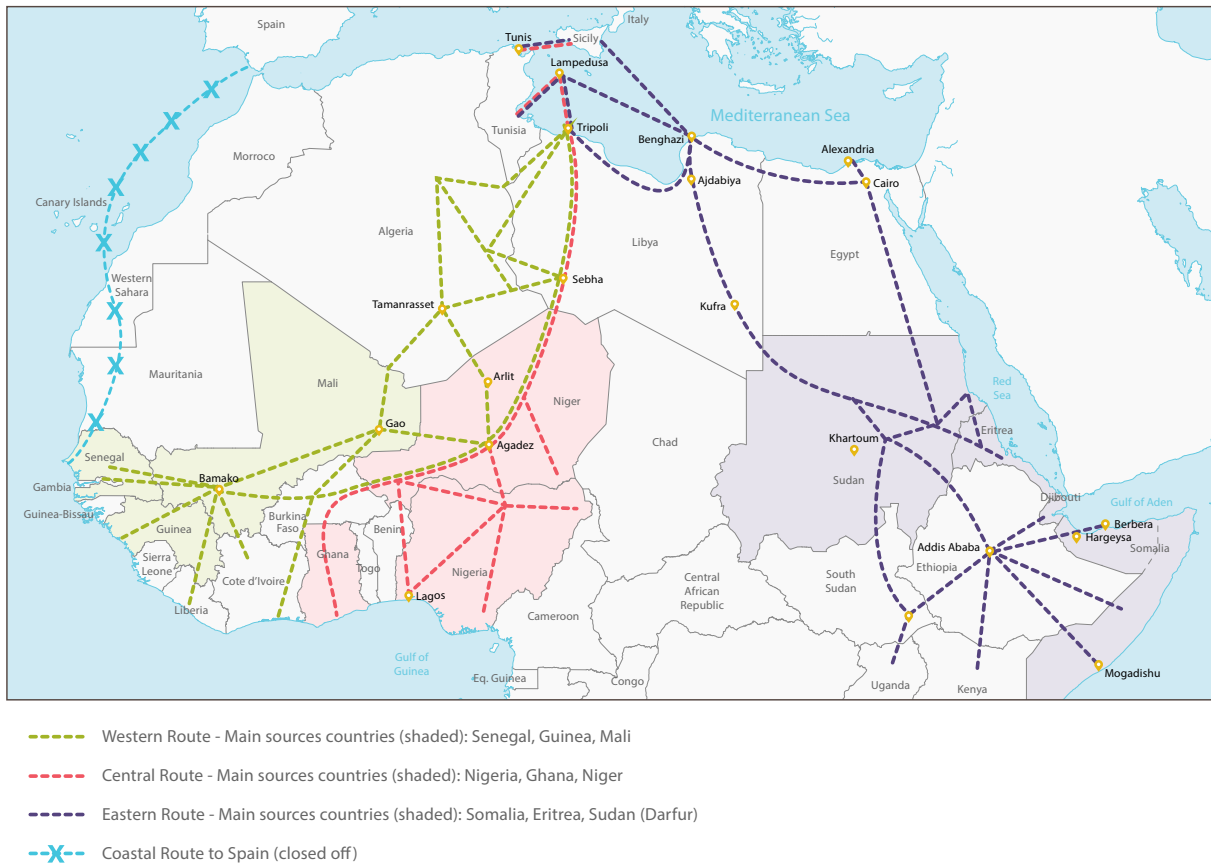
Africa’s relatively open borders and formal economic unions have encouraged migration throughout the continent, both regular and irregular.<sup>62</sup> Modern national borders may not comply with the traditional movement of local semi-nomadic communities. Furthermore, the ideas of nationality and citizenship are both relatively new concepts and prone to changes depending upon current political conditions.<sup>63</sup> As such, many do not see themselves as illegal migrants, nor do people smugglers view themselves as criminals.

Three main smuggling routes characterize the irregular migration to Italy and beyond. The first is the Western route, for which the main source countries are Mali, the Gambia and Senegal. The Western route often connects in the Sahel with the Central Route, for which the source countries are Nigeria, Ghana and Niger. Finally, there is the Eastern route, which sources from Somalia, Eritrea and Darfur in South Sudan, whose routes tend to cut north through Sudan and Egypt and then along the northern coast of Africa. People travelling along this route come from Egypt as well as the Horn of Africa, mainly Somalia and Eritrea, where they follow the path westward to escape political and economic instability.

All of these routes converge in the Maghreb, and in recent years mostly in Libya, for the sea crossing to Italy. This last leg of the journey to Europe includes not only native North Africans, but a large number of migrants from Asia, a significant proportion of whom have acquired fraudulently issued visas.<sup>64</sup> The peak crossing period for migrants and asylum-seekers runs from May to September.<sup>65</sup>

It is in the migration hubs that straddle these regional borders between Sub-Saharan and North Africa where migrants are the most vulnerable to exploitation, “...the flow of people who need international protection is increasing, notwithstanding the closure of Europe, a protection which they don’t find in the North African countries. There they are forced to stop to earn something by working on the black market, offered by the dealers in human flesh and to await the opportunity of leaving by sea; and where their situation is very precarious and extremely difficult. We have noticed an increase in minors thanks to the fact that they cannot be “returned to sender”, thereby ensuring the success of the migration journey.”<sup>66</sup>

Figure 3: Common Migration Routes to Europe



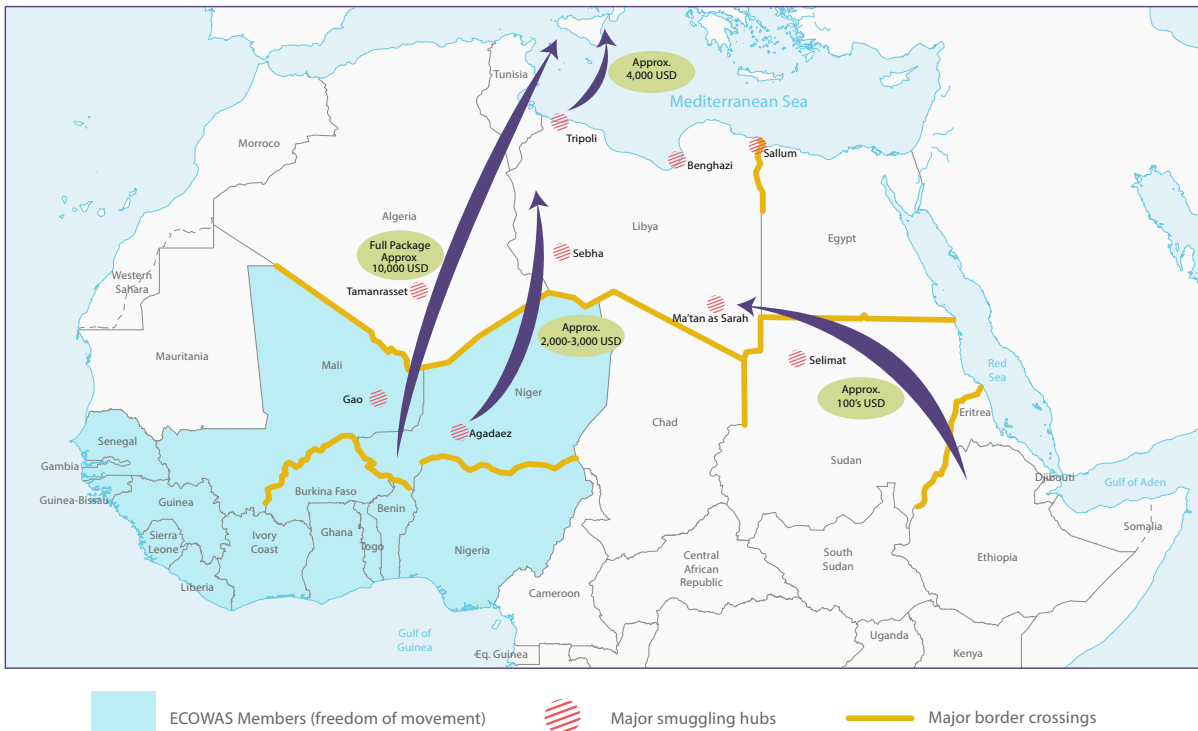
In addition to exploitation by smugglers, crossing the Sahara desert and trying to reach Italy by boat can be lethal endeavours for migrants. Survivors offer terrible stories of setbacks, long waits without shelter, periods of hunger and thirst and dangerous border crossings at night. For many, the trip takes much longer and is more expensive than expected, taking weeks or even years to complete, and many migrants get “stuck” in towns along the way to the coast. Osas, from Benin, recounts, *“For the first parts of the journey I did some on foot, some by motor cycle and by bus, paying about 300 dollars.”* Arriving in Libya after around 10 days, without any more money, he worked as a builder for almost a year before was able to pay US\$800 to the smugglers to make the sea crossing to Italy.

The cost of the journey depends on several factors including: the distance and difficulty of the route; the level of institutional control over the route; and the transit and destination countries’ response to the migrants’ arrival.<sup>67</sup> There are three main methods for

payment: up front before departure, en route to the different people involved or by credit.<sup>68</sup> Payment by credit involves advancement of smuggling fees to the migrant by a third party whom the migrant is obligated to pay back upon arrival at the destination country.<sup>69</sup> This form of smuggling often leads to human trafficking as it can become a form of debt bondage.

Interviews with migrants in Libya, corroborated by international reports, highlight that many migrants initially attempt to make the journey north without the assistance of criminal smuggling groups, only to come across some sort of legal, geographic or financial obstacle.<sup>70</sup> After encountering failure, these migrants may turn to locally-based opportunists bit by bit, whose services are generally limited to operations on their home turf. These include groups that specialize in crossing the Sahara or crossing the Mediterranean. Relations between these actors may arise out of direct coordination or out of simple market forces in which one smuggler may offer their

**Figure 4:** Approximate costs per leg



services for one leg of the trip at the end point of the previous leg.<sup>71</sup> During the interlude in which many migrants work for some time in North Africa in order to earn money for the next stage of the journey to Europe, smugglers may stay in touch with migrants, determining how much money they are making, attending to their affairs and negotiating a price to resume the trip.<sup>72</sup>

In contrast to the pay-as-you-go method, those who can afford it may buy the comprehensive “full packet solution”, usually organized by the more established and organized criminal syndicates, in which most or all aspects of their journey are pre-planned and coordinated, although local actors may be contracted to provide services within their own domains.<sup>73</sup> From Sub-Saharan Africa, this “packet” of services may include falsified documents, transport, accommodation, bribery of border officials, advice etc.<sup>74</sup> While these services are generally comprehensive, some aspects of the journey are sometimes still left to be organized by the migrant.

## From Western Africa

Numerous, drawn-out armed conflicts, unequal distribution of resources and opportunities, the effects of climate change and environmental degradation, as well as regional free-movement frameworks, such as ECOWAS, have all contributed to shaping migration flows, making West Africa a strategic gateway to North Africa and Europe.<sup>75</sup> Although West African migration to Europe slightly decreased in 2013, certain countries within the region, namely Mali and Nigeria, continue to experience rising numbers of migrants.

The main hurdle for both West and Central Africans comes at the crossing into North Africa, where they are most vulnerable to authorities and exploitation alike. For Malian nationals, the jump into the Maghreb is easier, as those with a Malian passport or those with easily obtainable false Malian papers, do not need a visa to enter Algeria.<sup>76</sup> From there, most irregular migrants cross into Tunisia or Libya before beginning their maritime journey across the Mediterranean. Transportation is largely via trucks,

buses and lorries that are in poor condition. Local ethnic groups, such as the Tuareg, are involved in migrant smuggling to Europe via Sahel routes. The Tuareg cooperate closely with “travel agencies” in Agadez (Niger), renting out their lorries to transport people.<sup>77</sup>

The Agadez trail is a well-established smuggling route from northern Niger’s largest city, Agadez, into Algeria and onward. The number of migrants on the Agadez trail has been increasing since the beginning of 2013 and more than 5,000 West Africans reportedly left Agadez to go to North Africa each month between March and August 2013.<sup>78</sup> Information gathered from the region shows that an estimated half of all West African migrants that arrive in Lampedusa, Italy transit through Agadez, illustrating the considerable popularity of this route.<sup>79</sup>

There are at least 70 known migrant way-stations and transit houses in this region, 18 of which are located in the town of Agadez itself.<sup>80</sup> Some of the areas with high concentrations of these transit houses are often described as “ghettos,” and are reported to house as many as 500 migrants at any given time.<sup>81</sup>

In October 2013 the bodies of 92 migrants, the majority of which were children, were found in the desert of the Agadez region after the two trucks smuggling them north over the Algerian border broke down.<sup>82</sup> The investigations following the discovery revealed that at least 3,000 migrants travel through the Agadez region (either towards Algeria via Arlit, or Libya via Dirkou) per week.<sup>83</sup>

In light of high-profile incidents of migrants dying in the desert, as well as concerns that these “ghettos” could destabilize the delicate security equilibrium in northern Niger, Nigerien government officials, particularly the local authorities in Agadez, have sought to mitigate the local impact of migrant networks in the area.<sup>84</sup>

Migrant smuggling networks have been pushed underground as a result, with one particular ethnic group, the Tabu, coming to dominate the market.<sup>85</sup> Interviews with Tabu smugglers in March 2014 indicate that dozens of convoys leave locations on

the outskirts of Agadez and its environs every week, typically on Mondays. Each vehicle in the convoy -- usually a Toyota 4X4 -- is filled with 28 to 30 migrants, sometimes as many as 35.

For the network in which these particular smugglers operate, passengers pay between \$200 and \$300 depending on their final destination in southern Libya. An amount of \$200 is enough to reach the town of Ghatron, \$250 for Murzuk, and \$300 for Sebha -- the ostensible frontline along which a mosaic of armed groups, many of which are organized along ethnic and tribal loyalties, are vying for control of illicit trafficking networks.

While Agadez is the most prominent, there are other important hubs where migrants and smugglers consolidate their activities. For example, those departing from Bamako in Mali generally stop in the city of Gao (Mali).<sup>86</sup> From there they proceed to Kidal and Tessalit (Mali) across the Algerian border to Tamanrasset, where they are transferred to vehicles with Algerian license plates.<sup>87</sup> Tamanrasset is also accessed from Niger, from the city of Agadez, and then on to Libya.<sup>88</sup>

Prices vary depending on points of departure and destination, but the entire journey from Agadez to the Libyan coastline can cost in the region of \$2-3000, once the costs per leg and additional bribes that migrants may need to pay is taken into account.<sup>89</sup> According to reports, many migrants pay thousands to reach Libya, and then double that cost for the onward passage to Europe. These prices are incredibly high when considering the average monthly salary in much of sub-Saharan Africa is US\$45.<sup>90</sup> The “full packet solution” which can cost US\$10,000 or more, is often *“payable in various instalments by the families of the migrants when they have proof that their loved one has reached a specific point.”*<sup>91</sup>

Usually, the trip to Italy from the Libyan coast can run over US\$4,000 as requested by Libyan smugglers, in two payments: half to the Libyan organizers at the moment of departure, with the remaining half paid by relatives, once it has been determined that the trip was successful.<sup>92</sup> The more common option is to pay the smuggler for each leg of the trip and to contact Libyan or Tunisian middlemen in popular areas such



as local markets. Despite these exorbitant costs, *“only 10-15% of the Africans who leave their own country arrive in Europe. The great majority of migrants are part of, and contribute to, a form of migration which is really circular, creating over-population, imbalances and fragile transit economies.”*<sup>93</sup>

## From Central Africa

The route from Central Africa is dominated by Nigerian migrants, joined with people from Ghana and Niger. With a population close to 175 million and rapidly growing, Nigeria is by far the most populous country in Africa, and dominates the continent just with its sheer numbers. Nigerians have become prominent among sub-Saharan African asylum seekers in Europe. There are several hundreds of thousands of Nigerians throughout Europe, half of whom live in the United Kingdom. Italy is host to the second-largest group of Nigerians and is the most important destination for trafficking in persons from Nigeria.<sup>94</sup>

Given the extent of the Nigerian diaspora, there are a number of direct “full-package” routes to Europe which cost between \$10-40,000 and often come with the (false) promise of employment in London, Italy or another European capital. A particular, and much documented, characteristic of Nigerian migration is criminal groups trafficking young women into the sex trade through promises of migration.<sup>95</sup>

For those that cannot afford the full-package option, the Central African route travels overland northwards. For the Nigerians, it is typically overland through Kano State and then up to Agadez, where they join the West Africans in the route to Libya. For migrants from Ghana, Togo, Benin and Cote d’Ivoire, the first hub is Ouagadougou in Burkina Faso.

Burkina Faso, while arguably more stable than its neighbours, is the quintessential transit state, sharing nearly 3,200 kilometers of land borders with its six neighbours: Niger, Mali, Côte d’Ivoire, Ghana, Togo and, Benin. The extreme porousness of Burkina Faso’s borders is underlined by the fact that only 19 border stations exist, managing the movements between Burkina and its six neighbors. The border stations, with only about 300 border

officials for the entire country, are severely under-equipped and manned, given the scale of travelers and goods that pass through on a daily basis. It is estimated that around 2,000 people cross the border with Mali at Koloko every day and another 600-800 at Faramana, while an estimated 1,000 travelers, mostly transiting to or from Ghana, cross to Niger at Kantchari each day.<sup>96</sup> As an international migration officer expressed it, *“There are so many weaknesses that anything can pass the frontier... in a country that is not able to secure its frontiers anything is possible.”*<sup>97</sup>

The Centre-Est region of Burkina sees substantial illegal migration to Europe. The Bissa ethnic group, which dominates the region, is seen as especially inclined to migrate and has its own network for illicit migration to Italy, with a minor secondary flow extending to Germany. For between \$6-10,000 a hopeful migrant receives travel documents procured by unknown means, an air ticket and help to find a job, mostly in Italian tomato plantations. An estimated 5-10% of these migrants return wealthy by Burkinabè standards, which encourages further illegal migration. The majority return with nothing.<sup>98</sup>

From Burkina Faso, migrants who make the overland journey will again join the West African route, either through Gao in Mali, or again through Agadez.

## From Eastern Africa

The East African routes are used mainly by migrants from the Horn of Africa: the routes depart from Eritrea, Ethiopia and Somalia, usually pass through the Sudan, Egypt and then Libya, and eventually on to the shores of the Mediterranean.<sup>99</sup> Along the route from Sudan to Libya, one of the main nexus point may be located in the Al-Kufrah area, 950 kilometers south of Benghazi.<sup>100</sup> From Egypt, migrants travel through the town of Salloum, located along the border with Libya.<sup>101</sup> *Gino Barsella, head of the Italian Centre for Refugees in North Africa, says, “They come mainly as asylum-seekers (Eritreans, Ethiopians, and Somalis). They enter Sudan, where often they obtain the status of refugees from the ACNUR; knowing that they then have to wait too long to be able to hope for resettlement in a country which guarantees international protection,*



*they put themselves into the hands of the traffickers in the Omdurman market (north-east of the capital Khartoum) and leave for Kufra (Libya) from where they continue to Tripoli and then by sea to Lampedusa”.*

Migrants from Eritrea and Ethiopia usually pay a few hundred dollars to Sudanese middlemen for travel across the Sudan, using the border area of Al Awaynat to enter Egypt.<sup>102</sup> After a 10-day journey they are in Libya. Egyptians, since they do not need a visa to enter Libya, are able to access Europe for a single payment made in their home country as arranged by a “*wasit*” (intermediary) who is generally based in their village of residence.<sup>103</sup> Migrants are instructed exactly where to go during their journey and remain in contact with the *wasit* throughout the trip.<sup>104</sup>

## Getting to the Italian coast

Reports indicate that most sub-Saharan African migrants end their journeys in North Africa, with only a minority actually reaching Europe.<sup>105</sup> This may be due to the inability to pay for the final leg of the journey, or because often North Africa is seen as a destination itself. Sub-Saharan Africans often enter Libya via the cities of Sebha or Al Jalwf.<sup>106</sup>

Once reaching the Maghreb, conditions do not improve. On the outskirts of Tripoli, migrants are crowded into houses in the countryside (such as Zuwarrah and Zlitan) for days or weeks. As the migrants await embarkation, armed guards watch over them to ensure secrecy.<sup>107</sup> The migrants are then taken to the coast during the night via small buses which have been completely emptied of seats, making space to carry 50 to 60 persons at a time.<sup>108</sup> Along the way, migrants may be shown a sample boat, which is usually of better quality than the vessel in which they will actually board to cross the Mediterranean.<sup>109</sup> In fact, more often than not, the smuggler does not even have the actual boat at the time the passage is sold, using a portion of the smuggling fees to purchase the appropriate craft or cosmetically restoring one they already have.<sup>110</sup>

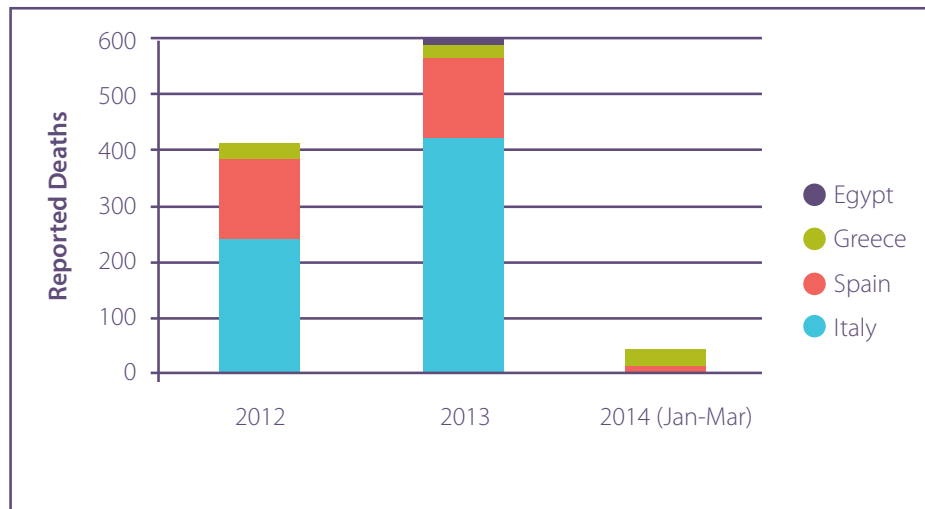
Unlike sub-Saharan Africans, 90% of smuggled migrants in North Africa travel towards countries outside the region.<sup>111</sup>

Primary departure points in Libya include Zuwarah (56 km from the Tunisian border), Zliten and Misratah, as well as the region around Tripoli itself.<sup>112</sup> From Tunisia, those headed for southern Sicily depart from the ports north and south of Tunis; those headed for Pantelleria depart from Cap Bon; and those destined for Lampedusa and Linosa depart from the areas south of Monastir.<sup>113</sup> Certain ports are dominated by certain nationalities, such as Tangiers (Nigerians) and Nador (Ivoriens).<sup>114</sup> It takes approximately 10 hours to travel to Pantelleria or Lampedusa using a dinghy and between two and three days or more to sail to Sicily from these ports, under optimal conditions.<sup>115</sup>

Once migrants are brought to the shores of the Mediterranean, a variety of small wooden or inflatable boats into which as many as 200 migrants may be packed with limited supplies of food and water are used to make the passage to Europe.<sup>116</sup> In 2013, reports have indicated that now large iron-mother ships, with smaller vessels for boarding and disembarking, are becoming more common.<sup>117</sup>

The trip to Lampedusa from Libya, which can take just over a day under optimal conditions, can stretch out over weeks. Press reports have recounted journeys of up to 23 days.<sup>118</sup> The risk of shipwreck is very high, especially since vessels are driven by migrants themselves who are unfamiliar with the waters of the Sicilian Channel. Reports indicate that the migrant who takes responsibility for sailing the boat is normally allowed to make the crossing for free.<sup>119</sup> Adding to the danger, most of the time the vessels are ill-equipped for navigation, with little more than a compass and sometimes a global positioning system (GPS).<sup>120</sup> In order to avoid detection, the boats sail without a flag, a name or any sort of identifying records, allowing the boat owners to remain unidentified and preventing future investigation.<sup>121</sup> The smugglers are not concerned with the vessel actually reaching Europe, and it is even preferable to them if the craft sinks to ensure that there are no survivors to inform authorities or warn potential new customers about the abuses they suffered.<sup>122</sup> As such, the boats are sometimes not even supplied with enough fuel to get to the Italian coast.<sup>123</sup>

Figure 4: Reported migrant deaths in Mediterranean<sup>124</sup>



It is difficult to determine how many people have died when migrating illegally in boats to Europe, with estimates ranging anywhere from 500 to 2,000 in 2012. In October 2013, 360 migrants drowned when their boats sank close to Lampedusa, a story capturing international headlines and generating calls to address what is now being labeled a humanitarian crisis.<sup>125</sup> Even if the boat does not sink, smugglers rely on the fact that migrants will likely be intercepted and rescued by the authorities of European countries. This is another strategy employed by smugglers: to launch several boats at the same time, so that if the boats are intercepted, reception procedures are over-extended, leaving the Italian authorities no choice but to tow these vessels into the port of Lampedusa directly.<sup>126</sup>

Even if they do arrive in the EU, refugees and asylum-seekers are still not guaranteed the adequate levels

of protection that international law requires, and risk indirect refoulement, whereby a country expels an individual back to the country they came from or their country of origin, at their own peril. Under European laws, in order to receive refugee status, there must be a “well-founded fear” that an individual will be persecuted based on their race, religion, nationality, social group or political opinion” in their home countries.<sup>127</sup> The EU has agreed on general minimum standards to deal with asylum seekers in the areas of housing, education and health, in addition to a set of criteria for determining refugee status. Furthermore, the Asylum Procedures Directive has established common standards of safeguards that ensure asylum seekers with a minimum level of access to legal aid and a fair procedure. Nevertheless, nearly three out of four asylum applications in EU states were rejected in 2012.<sup>128</sup>

## The Business of Migration

The history of smuggling migrants to Europe, particularly across the Mediterranean, is characterized by the gradual professionalization of the smugglers. Smuggling operations now range from “artisanal” activities to highly organized operations, and often a combination of the two. Smuggling involves a multitude of people who participate in the operation with varying degrees, connecting local groups with transnational operations.

The smugglers themselves tend to be former nomads, fisherman, and immigrants who cooperate with corrupt local police, border officials, and intermediaries to smuggle migrants from Africa north towards Europe. Once the migrant embarks on his or her journey, transporters or guides manage the operational side of smuggling by guiding and accompanying migrants through one or more countries and overseeing border crossings.<sup>129</sup> Gino Barsella explains, “*The traffickers however cannot cross countries like Libya without the connivance of corrupt members of the police and now of the militias.*” As migrants cross through different territories, they may be passed from one guide to another along the way. These actors are often locals from border regions with specialized skills and knowledge, and are either associated with larger smuggling networks or providing services on a contract basis. Moreover, throughout Africa, ethnic ties that transcend borders also contribute to the connectedness of smugglers.

Throughout the trip, spotters, drivers, messengers and enforcers perform other jobs in the smuggling process, such as supplying information about law enforcement checkpoints or acting as guards, protecting the business by using threats or violence.<sup>130</sup> They may also be responsible for handling migrants awaiting departure in sheds or private houses, procuring the boats, positioning the dinghies at sea and gasoline supplies at the departure points, and/or for loading the fishing boats off the coasts.<sup>131</sup> Depending on the level of organization, service providers and suppliers come into play, as boat owners, corrupt public officials, document

counterfeiters or taxi drivers, as well as people who harbour smuggled migrants throughout the process, such as hotel owners. These people often have an established business relationship with the smugglers and are paid a portion of the smuggling profits for their roles.<sup>132</sup>

A victim’s first contact with trafficking networks is mostly informal, often consisting of friends or family whom they tell of a desire to travel to Europe, who then put them into contact with traffickers. Gino Barsella describes the situation once an individual meets with a trafficker, “*The cases of economic migrants are generally different: most times it is the recruiters of the mafia organisations (which, in their tales, the migrants call “the friend”) who identify those who are capable (because they have a job which they can give up to someone else, or a family and friends who can invest in them... so, financial resources, or a young body which they can exploit later to repay the debt) and convince them to put themselves in their hands to go wherever. They believe they can really have success, for them and their family.*”

While most migrants seek out smugglers on their own, recruiters can be found in source communities advertising the services of smugglers and facilitating communication, often enticing individuals to make the journey towards Europe through false promises about both the process and what life will be like in the destination country.<sup>133</sup>

The relationship between smugglers and smuggled persons is mainly a business relationship.<sup>134</sup> The smugglers offer the passage at a certain price, which is then negotiated, and are in charge of creating and facilitating the conditions for the migrant to leave.<sup>135</sup> Traditionally smugglers have been locals with special skills or contacts acting alone, and usually not part of an organized transnational criminal structure. However, recent trends show that smuggling activities are becoming more sophisticated and are increasingly evolving into professional networks, as specialized skills and resources are becoming more necessary to reach Europe.<sup>136</sup>

Some migrant smuggling groups have now become so well established in certain areas of Africa, that the smuggling business has become deeply integrated into the local economies of some towns. As noted by a foreign diplomat in Niger, *“Dismantling the networks of intermediaries, drivers, guides, migrant ‘welcome centres,’ and clandestine migration consultants would place the regional economy of Agadez under significant stress.”*<sup>137</sup> Migration is a survival tool, but so is smuggling, generating income into local economies.

Migrant smuggling in North Africa is often linked with illicit trade and the trafficking of numerous other commodities.<sup>138</sup> For example, drug trafficking is becoming closely integrated with migrant smuggling. Historically, the routes for migration flows, such as Agadez, are now transforming into conduits for narcotics on the black market. One route involves smuggling drugs along with migrants from Madama (Niger) northward into Libya through Murzuq, Sebha and on to the coast, while communities in Libyan border towns such as Zuwarah, Sabrata and Zawiya see a large number of smuggled migrants and are involved with cocaine trafficking.<sup>139</sup>

Migrants with little or no money to pay for their trip northward may be willing to transport small volumes of drugs, including heroin and cocaine as a form of payment. Similarly, a migrant may have to pay back a “debt” to smugglers for providing food and board along their trip, and with little options, this repayment may entail drug smuggling.<sup>140</sup> This in turn constitutes exploitation of the migrant, transforming him or her into a victim of human trafficking. Nigeria in particular is a well-known source country of both migrants and the growing drug smuggling market.<sup>141</sup>

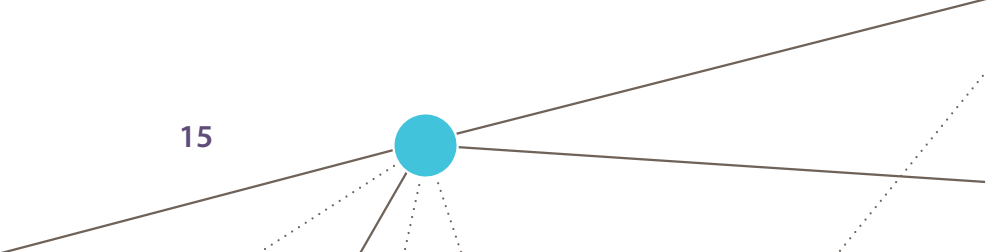
Human trafficking is yet another illicit activity that is closely linked to migrant smuggling. Human trafficking revolves around simple notions of supply and demand -- determined by price, profit, and benefit -- from which vulnerable populations provide a rich labour pool for traffickers. Part of the formula that makes human trafficking so attractive to criminals is that the benefits so greatly outweigh the costs, generating billions of dollars in black market activity. Like many other forms of illicit economic

activity, there is high profit potential in the market and risks are low, partly due to a high labor supply.<sup>142</sup>

High competition in the market forces traffickers to become creative and adaptable in their methods in order to beat their competitors, since they do not control price negotiations with the employers of trafficked labour or other traffickers.<sup>143</sup> Price for trafficking is based on the availability of labour, and the type of work they are being recruited to do, which could be anything from agricultural work, to factory work, to sexual services.<sup>144</sup> If supply for a particular work category is low, the price increases. Likewise, if demand is high, then the employer is willing to pay a higher price for the product knowing that the profit potential outweighs the costs.<sup>145</sup>

### Risk of Human Trafficking

Due to their weak economic power and desperation to reach their destination, smuggled migrants are particularly vulnerable to becoming victims of human trafficking. The UN defines human trafficking as “the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, of fraud, of deception...”<sup>146</sup> Exploitation in human trafficking may include sexual exploitation, forced labour or services, and debt bondage and is considered a human rights violation.<sup>147</sup> In general human trafficking is differentiated from smuggled migration in that in the case of human trafficking, the victim is transported against their will; whereas in the case of smuggled migration, a victim is transported voluntarily.<sup>148</sup> Even though smuggling and trafficking are two distinct crimes, it can be incredibly difficult to classify an individual as a “smuggled migrant” or “victim of human trafficking” as they may start their journey by voluntarily choosing to hire a smuggler, and ultimately becoming exploited and trafficked.





## Migrant Smuggling vs. Human Trafficking<sup>149</sup>

**Exploitation:** “The primary source of profit of trafficking in persons is exploitation, while the smuggler has no intention of exploiting the smuggled migrant after transporting him or her irregularly into another country.”

**Illegal entry or residence:** “Smuggling of migrants always has a transnational dimension involving at least two countries. Trafficking in persons may also involve this element, but not always.”

**Victimization:** “Smuggling does not necessarily involve the victimisation of the smuggled migrant and generally involves their consent. Trafficking in persons, on the other hand, is always a crime against a person.”

## Exploitation as a result of armed conflict

Armed conflict destroys lives, regardless of whether it is in the form of asymmetric warfare, civil war or sectarian violence, and results in displaced populations. Refugees are populations driven from their places of origin into protected and unprotected areas whether it is within their own country or outside of it.<sup>150</sup> The lives of refugees transform into a relentless struggle to survive. Refugees are faced with unsafe living conditions, constant fear, and a loss of employment. This makes refugees looking to migrate to Europe particularly vulnerable to trafficking and exploitation.

Political instability in the Horn of Africa has left thousands of refugees vulnerable to kidnapping and trafficking by smugglers. The UNHRC in Sudan has acknowledged the growing problem of abduction of refugees, mainly Eritreans from Eastern Sudan refugee camps.<sup>151</sup> As such, reports show a dramatic increase of East Africans, particularly from Eritrea, making their way towards European countries by force.

## Exploitation as a result of sex trafficking

Sex trafficking constitutes the prostitution of both adults and children against their will through the use of force and coercive means and is one of the most prevalent forms of exploitation.<sup>152</sup> In global terms, the human trafficking industry produces an estimated 25.91 billion USD and the UN reports that 52.5% of known trafficked victims suffer sexual exploitation.<sup>153</sup> Women who are recruited for the sex trade in Europe or in North Africa usually become trafficking victims during the course of their migration. Smugglers may force migrants to have sex with police or other law enforcement officials, as a form of payment for turning a blind eye to let them pass.<sup>154</sup> Likewise, traffickers may take advantage of desperate female migrants who run out of money during the course of their journey, offering to help them in return for sexual favours.

In many cases, female migrants making their way to Italy ultimately become victims of sex trafficking, being forced into prostitution to pay their smugglers-turned-traffickers. There are a significant number of Nigerian sex trafficking victims in Italy, where reports estimate there are as many as 10,000 Nigerian prostitutes.<sup>155</sup> As for the areas most affected by the presence of Nigerian victims, the Piedmont region (notably Turin), Lombardy, and Veneto (mainly Verona) are characterized by a strong presence of Nigerian women, including many underage girls.<sup>156</sup> Many of these women do not have a clear idea of the amount of money they owe for their assisted journey, nor can they fathom the horrifying conditions they will have to work in. Moreover, as a method of domination over these women, traffickers may take their passports and phones away from them once they arrive in Europe, in order to prevent them from seeking help.<sup>157</sup> Thus, while a woman may have started a trip voluntarily, these elements transform her into a victim of human trafficking.

## Exploitation as a Result of Forced Labour

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Forced labor trafficking encompasses a range of trafficking activities – recruiting, harboring, transporting – through the use of coercion, fraud and force to compel an individual to work.<sup>158</sup> The trafficker's aim is to coerce the individual into working, while the employer uses the same means to keep the trafficked individual under control.

Debt bondage is a type of forced labor that often appears during the course of migrant smuggling. It occurs when an individual is forced to work off a debt incurred, including the costs associated with food and shelter, and happens most often when migrants reach certain hubs along their way to Europe.<sup>159</sup> Employers may refuse to produce any legal immigration documents until the individual's debt is paid in full. Even when the trafficked individual has paid off his or her debt, the employer will still use threats and force to compel the individual to continue working in a state of slave labor until the individual is either incapable of working or, in many cases, dead.<sup>160</sup>

## Exploitation and Extortion

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There is evidence, particularly in the case of Libya, that imprisoning migrants constitutes a ready source of income for militia groups through extortion. Interviews with migrants suggest that round-ups of foreigners (in particular, West Africans) on the streets, many of whom may have been settled for some time, results in contacts being made with families for payment for their release. Captured migrants are interviewed to determine who may have local relatives, in an attempt to determine who are the most likely to be able to pay.

Investigations into the extortion business related to migrancy suggest that it is most likely to occur in places where there is little government control over migrant centers and little international oversight. Thus, the extortion business is widely reported to have been associated with the detention center for migrants in Benghazi, Libya. Migrants, as well as foreigners who have settled in Libyan cities, are vulnerable to extortion in the absence of working institutions and the rule of law, especially in a context where increasingly criminalized militia groups are in control.

# The Implacable Paradox: Implications for an international response

**“Every type of prohibition inevitably creates a demand for services or consumption which someone will seek to meet by supplying (what has been made illegal by prohibition measures) the products or services demanded. The challenge which the governmental and EU agencies and international bodies must show they are meeting to defuse the time bomb and not to light the touch paper; the challenge is to interpret social phenomena, not to create problems in order to produce an electoral consensus on the solutions proposed for problems which are artificially produced”.**

*Paolo Cuttitta, Professor of Citizenship and Human Rights,  
Vrije Universiteit of Amsterdam*

## Current Responses

Migration flows are constantly adapting to respond to prevailing socio-economic and political changes. Given the exponential rise of irregular migrants and the humanitarian crises that accompany their failed attempts to reach European shores, EU states are under a growing pressure to restructure and align their immigration and asylum policies and practices. Current responses to migration from Africa to Europe suffer from a lack of cohesion and long-term sustainability. Current responses have merely caused a shift in trafficking routes and made them more dangerous for migrants rather than curbed demand for smugglers' services and the overall flow of migration to Italy and the rest of Europe. For example, evidence has shown that unilateral measures to block migrants moving eastward towards Israel and Yemen have only led to reallocation of migration flows towards European shores.

Under current EU policy, migration is almost entirely a question of national sovereign power. Although the EU adopted an external policy on migration in 2005, called the “Global Approach to Migration”, it merely encourages rather than requires cooperation between member states.<sup>161</sup> Instead, programs targeting illegal African migration towards Europe largely consist of bilateral agreements with North and West African countries. These bilateral

agreements usually lead to “externalising” border controls, i.e. taking border control measures outside the territory of the state, such as deploying drones across the Mediterranean to detect migrant vessels at sea.<sup>162</sup>

Bilateral arrangements often entail African countries entering into agreements with European nations, promising to take measures to readmit individuals who have crossed illegally in exchange for aid and development, as well as financial and material support for their joint border controls. Under these agreements, African states commit to stricter migration controls, and there are reports of migrants being deported to locations in Algeria and Niger where they are abandoned in the desert.<sup>163</sup>

*“To get rid of refugees, the Libyan soldiers often abandon them in the south, in the middle of the desert. Some days ago they found 80 bodies; they died of hunger and thirst at the border between Libya and Niger,” said Mussie Zerai, an Eritrean priest and founder of the Hadesha Humanitarian Agency. Such measures fail to consider the various protection needs of migrants.<sup>164</sup>*

Under Italian-Libyan agreements established in 2009, surveillance has been carried out in their shared waters in order to intercept vessels attempting to reach Europe and pushing or diverting them back to Libya. The bilateral agreement has resulted in

irregular migrants taking detours further east to try and reach European shores. Some reports suggest that migrants are now travelling to Egypt in order to enter Europe through Greece or through Turkey.<sup>165</sup> According to Frontex, 37,000 people attempted to enter Europe via this route in 2012.<sup>166</sup> Considering the remarkable flexibility of migration routes from Africa, restrictive immigration measures have shown very little impact on migration channels, which have the ability to constantly adapt and renew themselves.

Bilateral agreements between individual European governments and African states make it more difficult to align and harmonise migration policies at a regional level. Since these agreements are often negotiated without consulting neighbouring countries (both in Europe and Africa), they form discrepancies that may conflict with an integrated and coherent regional policy that best addresses all African migration issues.

In addition, migration policies tend to focus on stopping migration flows rather than the addressing the demand for smuggler's services, reducing their long-term sustainability and effectiveness. *"The whole of Europe has preferred to strengthen Frontex, instead of providing more funds for international cooperation to establish peace and create acceptable living conditions in the countries of origin or transit of these people."* says Mussie Zerai. As long as there is demand for low-skilled workers in destination countries and a lack of opportunities and enduring poverty in countries of origin, people will continue to migrate. This reality requires a cohesive, sustainable response involving both European and African actors.

In providing migrants with an alternative to hiring the services of smugglers, it is necessary to identify and agree on the differences between different groups of migrants (such as asylum seekers, smuggled migrants and trafficked persons). Distinguishing between these groups has become increasingly more difficult due to the fact they often use the same routes to reach Europe. National and international

stakeholders need to reexamine the criteria used to identify types of migrants, so that irregular migrants (who currently fall outside of conventional aid or development categories) are not left without any means of assistance.<sup>167</sup> Stefano Liberti, journalist and author of *"South of Lampedusa"*, suggests, *"In this there is an implacable paradox: the European Union is doing everything to impede their arrival, but when they arrive they recognise that they need protection. If the EU could establish systems so that the migrants could request asylum in consulates in the countries they transit, or could come legally, there would not be all these deaths"*.

Many actors in both Europe and Africa are taking steps to deter irregular migration. Europe has recently proposed new measures to deter migrants from using illegal channels, and instead to promote regular migration channels, such as including allowing individuals to apply for asylum in Europe from abroad.<sup>168</sup> Tunisia has initiated investigations of smuggling groups operating in its territory, while also creating migration resource centers that inform potential migrants about their rights, the risk of fraud, and the dangers of exploitation and trafficking.<sup>169</sup> Italy has also adopted a new law to combat labor exploitation.<sup>170</sup>

While these are positive developments, at the same time, the bulk of responses is still focused on increasing law enforcement capabilities along key migration hubs and sea patrols.<sup>171</sup> The Italian Ministry of Interior has bulked up patrols with judicial and police authorities, carrying out inspections of iron fishing vessels in international waters. For example, an operation called *"Mare Nostrum"* was launched with the goal of controlling migration flows through increased surveillance and search-and-rescue (SAR) activities.<sup>172</sup>

These measures are a step in the right direction to reducing irregular migration and smuggling operations, but do not address the root causes of illegal migration: the widespread vulnerability and insecurity of populations.

## Harmonising a Sustainable Response

As illicit migration flows through the Central Mediterranean and along other paths to Europe continue to grow, the consequences of unmanaged migration become more visible, and the pressure to find sustainable and integrated solutions grows even greater. Responses to smuggled migration through the Central Mediterranean cannot be limited to Italian border control. Rather, European and African responses must be harmonized, providing potential migrants with alternatives to hiring the services of smugglers, and enforcing anti-corruption measures.

Responses cannot remain within national borders. Since many states exist simultaneously as countries of origin, transit, and destination, the interconnectedness of mixed migration demands a more sustained and collaborative approach to

regional policy-making.<sup>173</sup> Due to the transnational nature of smuggling, national frameworks need to take into account the interests, policies and responses of their neighbors. There is also a need to increase international, national and local efforts to address the human rights violations associated with the smuggling of migrants as well as human trafficking and to provide effective prosecutorial measures against those responsible.

More importantly, a concerted effort will need to be made to reduce drivers of insecurity or fragility in home countries. If this growing humanitarian crisis is to be abated, the international community, in partnership with regional organisations, must provide sustainable, alternative livelihoods for vulnerable populations and promote peace, stability and the rule of law in countries and regions where migrants are most vulnerable.

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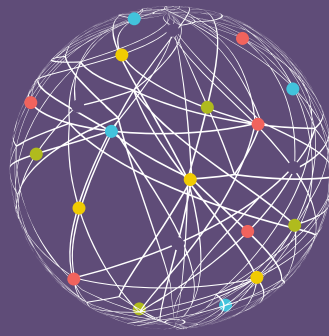
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