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POLICY BRIEF

What Does It Mean to Disrupt the Business Models of People Smugglers?

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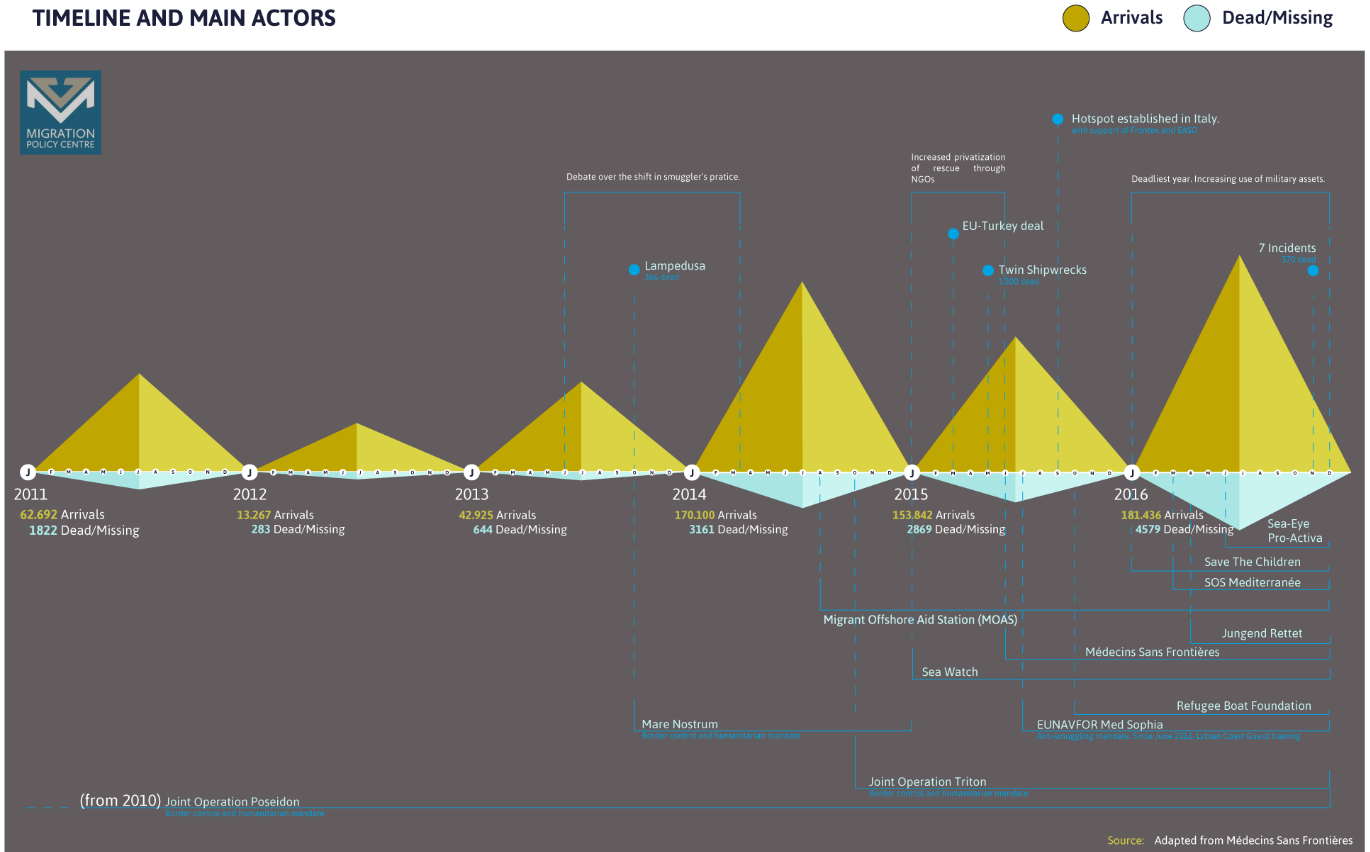
Abstract

Despite the scaling-up of EU surveillance, enforcement measures and patrolling operations aimed at border security, the flow of irregular migrants towards Europe shows little sign of abating. This policy brief shows, first, that border enforcement and barriers to mobility lead migrants to rely on clandestine mechanisms to reach destinations abroad, even if this involves significant risk. Second, policy interventions aimed at disrupting smuggling networks may make smuggling more lucrative and increase incentives for criminals to enter this market. Third, more stringent border policies and practices can facilitate involvement by irregular migrants in human smuggling. We conclude by showing that ending irregular crossings is an unlikely outcome so long as emphasis is placed on security vectors alone. If the intended goal of security initiatives is the suppression of smuggling networks, they must be accompanied by structural, comprehensive approaches and solutions. Accessible pathways for people to move across the Mediterranean into Europe are a necessary component of this response.

Figure 1: Irregular migrant and refugee flows to Italy between 2011-2016 (crossing the Central Mditerranean)



European political leaders as part of their attempts to curtail irregular migration flows have made patent their intention to disrupt or break the "business model of people smugglers." In this policy brief we draw from our extensive field research on smuggling to ask[1]: what does disrupting or breaking the business model actually mean? What are the social, political and economic consequences of putting smugglers out of business? Does this approach actually curb or even put a stop to smuggling?

The context

In 2016, the International Organization for Migration (IOM) estimated that 5,000 people lost their lives trying to cross the Mediterranean to enter Europe – a thirty-five percent increase since 2015. By April 2017, a further 942 people had died or were reported missing in the Mediterranean.[2] These figures do not include those who drowned and were never found or those who lost their lives while attempting to cross other regions.

In an effort to manage the flow of migrants, the EU has launched a number of surveillance and enforcement measures and patrolling operations. Against this framework, irregular migration is primarily a national security issue and is, therefore, addressed via immigration and border control and enforcement mechanisms.[3] Accordingly, the role played by countries in the immediate proximities of EU external border – such as Turkey and Morocco – is pivotal in restricting migrant access to Europe. This includes: tightening of their own border controls; destruction of smuggling vessels; setting up 'hotspots' across their territory; and, strengthening bilateral and regional cooperation with the EU to tackle smuggling in their territories. The rationale behind this approach is to ultimately fight irregular migration in a way that emphasises the security

of the receiving state often at the expense of the migrants'. Ending irregular crossings is, however, an unlikely outcome as long as the emphasis is placed on security vectors alone.

This surveillance and security approach is not new (see figure 1). Back in 2004, the European border and coast guard agency, Frontex, was set up to promote cooperation among the EU's national border authorities. In 2015, EU heads of government tripled the budget for Frontex's joint-operations – *Triton* and *Poseidon* – in the Mediterranean. It was around this time that the articulation of a call for the dismantling of the alleged "business model" of smuggling through enforcement gained strength. In March 2015, Europol launched operation JOT (Joint Operational Team) Mare – which sought to fight people smuggling in the Mediterranean and across the EU. That same year, the EUNAVFOR MED operation – or Sophia – was set up to 'disrupt the business model of smugglers' seizing their boats and confiscating their assets. In 2016, Europol launched the European Migrant Smuggling Centre "to proactively support EU Member States in dismantling criminal networks involved in organised migrant smuggling."[4] In January 2017, the EU Commission called for action to be taken rapidly to fight smuggling and "stem the flows" of migrants and refugees, with the EU foreign policy chief, Federica Mogherhini, stating that additional actions were needed to "break the business model of smugglers."[5]

Despite the scaling-up of operations, the flow of irregular migrants into Europe has shown no signs of abating. 2016 was both the deadliest year in record and the one with the largest numbers of irregular migrants reaching Italian shores. The on-going arrival of migrants and the resilience of smuggling networks, amid the numerous attempts to crack down on them, serve as constant reminders of the ineffectiveness of the EU's current approach.

Smuggling won't go away so long as there's a demand

It is not surprising that current restrictive immigration and asylum policy measures have had scant deterrent effect. Enforcement and barriers to mobility have led migrants to continue relying on clandestine mechanisms to reach destinations abroad, even if this involves precarious methods. If we think of smuggling strictly in a business sense, smugglers depend on the availability of "customers." The accounts of successfully smuggled migrants – those who most often do not figure in the numbers of rescued and dead migrants – play an important role in the decision-making processes of their friends and relatives who, bearing witness to the positive outcome of a journey, decide to embark on similar treks, often relying on the same smugglers.

Our research on the decision-making processes of migrants who successfully travelled with the help of smugglers reveals that migrants' perceptions on those behind their clandestine journeys are not impacted by negative media portrays of smugglers.[6] "Smugglers are neither good nor evil. You pay for a service and you get what you pay for," stated Mohammed, a young man in his early mid-twenties from Syria, now an interpreter and social worker in Italy. Mohammed turned to smugglers when his family was denied a family reunification visa. He paid around 8000 euro to have his brother smuggled from Syria to Germany. It was a long and tiresome journey and Mohammed's brother travelled across multiple countries via sea and land. Yet smuggling provided the only available way into Europe as legal paths have become increasingly inaccessible.

Even the often-celebrated crackdowns on irregular migration- such as that along the Balkan Corridor – demonstrate that stringent border policies and practices are doomed to fail because they bolster the very phenomenon they intended to fight. While acknowledging its much larger humanitarian implications, the decision on the part of Balkan countries such as Macedonia to seal their borders in 2016 effectively reduced the flow of people by less than 1% of what was reported in the equivalent

period in 2015.[7] Yet, if the flow of people decreased substantially, human smuggling was boosted along the route. This situation led Frontex to admit that:

[a] "steadily increasing number of detected facilitators is not surprising and can be expected to continue, especially after the closure of the transit corridor in March and the implementation of additional border-control measures. Specifically, as migrants can no longer rely on the transportation services provided by the authorities and need to bypass additional prevention measures, their demand for facilitation services will likely increase. With the rising demand, the migrant smuggling will become more profitable, which will probably attract more people to engage in this type of illegal activity."[8]

Consistent with this, the controversial EU-Turkish deal of March 2016 may prove more short-lived than expected. The deal considerably increased Turkey's political leverage over the EU and does not tackle the root causes of irregular migration. While there are big question marks over Turkish capacity and willingness to provide support for the more than 2 million refugees living within its borders, none of the fundamental security, political or economic motivations behind the flow of people into the region have been addressed: ensuring the continued demand for smuggling services out of condition of precarity.

What does "disrupting business models" actually mean?

It is difficult to predict with any certainty what will happen if the business model of smugglers is broken or disrupted. In fact, empirical evidence indicates there is no single model or mechanism dictating the operation of smuggling markets,[9] in which case efforts to curtail smuggling that assume the existence of a specific operational mechanism would be flawed. However, we can look to past enforcement experiences for lessons.

In the 1990s, the Albanian and Italian authorities made joint efforts to curb the migrant smuggling trade. While their collaboration was indeed successful at curtailing the flows along the smuggling routes, this success was grounded in additional factors such as the availability of residence permits for Albanians in Italy and a downturn in the Italian economy. The once overrun smuggling route had seen better days by the beginning of the 2000s. What happened next was relatively simple: people involved in the facilitation of smuggling simply returned to do what they did before the demand for smuggling services emerged. What type of occupation this was depended very much on the people who comprise smuggling groups. When groups born out of the initiatives of fishermen and other people with sea-knowledge dissolved, for example, most of their members returned to fishing and navigation. More experienced criminals found other ways to make money illicitly, such as smuggling drugs, among other things.[10] If the experience of former smugglers in other regions of the world serves as an example, those operating along the US-Mexico border often opted to open small businesses or engage in non-criminalized activity.[11]

Similar dynamics are evident in Turkey. Our fieldwork indicates that after the crackdown on human smuggling by Turkish authorities and the sealing of the borders by Macedonia in early 2016, some smuggling organizations dissolved. The captain of a fast boat – after a very short detention in Greece – ended up returning to what he did before working as a smuggler: being a naval mechanic. The boss of the organization, thought to have retired in Sweden, is still involved in the smuggling industry dealing counterfeit documents. Before setting up the human smuggling group, he had a long history of involvement in smuggling, having traded weapons, money, and other items. A relevant comparison is that involving the experience of a group of smugglers once specialized in the smuggling of children into the United States: the fear of being detained over their own lack of immigration status led them to shift their operation and area of expertise to the sale and distribution of false employment authorization cards, a task they perceived as involving significantly less risk of detection and arrest.[12]

In the fight against smuggling it is also fundamental to highlight that asylum seekers and labour migrants have been identified as central players in the facilitation of clandestine journeys, often on their own behalf or that of their families.[13] Around the world people in transit work as smuggling recruiters, guides, drivers, or intermediaries. They escort other migrants across borders because of their own first-hand knowledge of the routes. They recruit clients because they share the same ethnic networks. They provide the various services needed for migrants' survival (food, care, accommodation, etc.) because of their long-term relationship with the local communities in the transit countries. They often do this in order to pay off the required fees, improve their livelihoods, and, most likely, to accomplish both goals simultaneously. To characterize their experiences along the lines of exploitation, slavery or trafficking alone – or as that of victims or heinous criminals -- is overly simplistic, as are narratives that seek to place migrants and smugglers as oppositional categories. The critical aspect resides in understanding that *a protracted condition of illegality is often behind the involvement of irregular migrants in human smuggling*. What these stories ultimately tell us is that this very condition bolsters the likelihoods that irregular migrants stranded along the route might turn to other illicit business –smuggling included.

What will happen next?

If the intended goal of security initiatives is the suppression of smuggling networks, they must be accompanied by structural, comprehensive approaches and solutions. As Tinti and Reitano aptly put it, "absent any measures that curb demand for smugglers, these militarised policies serve only to enrich and empower smugglers, allowing them to raise prices for their services. These swollen profit margins in turn attract more hardened and professional organised crime groups, who combine human smuggling with other forms of illicit trade and trafficking to create an even more pernicious and violent smuggling ecosystem in which migrants are vulnerable and therefore subject to greater abuse."[14]

Does this mean that smugglers should be left undisturbed? Certainly not. However, the humanitarian crisis taking place in Europe (and other parts of the world) calls for a comprehensive combination of policy measures. If EU efforts remain overwhelmingly focused on implementing and following security-based, enforcement driven practices aimed solely at disrupting models the will not suffice.

To save lives and undercut the smugglers this response needs to strike a new balance. Accessible pathways for people to move across the Mediterranean into Europe are a necessary component of this response. Opening such pathways is not politically popular. But keeping things as they are implies continued loss of life and further fuels the smuggling business. A truly effective answer to human smuggling requires that the EU and its members state reduce "demand" rather than trying to curb "supply." Smugglers are often the only option for migrants fleeing a situation of immediate danger and distress. First steps toward a more durable solution require new channels for legal entry and the reinforcement of existing ones. This translates into: granting humanitarian visas; the creation of humanitarian corridors between transit countries and Europe; the expansion of European countries' resettlement programmes; and the development of alternative legal routes for refugees – such as family reunification, university fellowships and scholarships, training programmes, private sponsorships, and effective mechanisms for labour mobility.

Author Biographies

Luigi Achilli is research associate at the European University Institute, Italy. He holds a Ph.D. in social anthropology from the School of Oriental and African Studies (SOAS). He taught at Cambridge and various universities. His research and writing are based on extensive field research in the Middle East and the Balkans among human smugglers, migrants, and refugees. He is the author of T*he Smuggler: Hero or Felon*? published by EUI's Migration Policy Centre.

Gabriella Sanchez (Ph.D., Arizona State University) is assistant professor at the University of Texas El Paso. A socio-cultural anthropologist by training she researches clandestine and criminalized forms of labor in migration. Her ethnographic work has primarily explored the social organization and internal dynamics of transnational smuggling facilitation relying on participatory research conducted alongside and by smuggling facilitators themselves. She is the author of *Human Smuggling and Border Crossings* (Routledge 2015).

Endnotes

1. Achilli, Luigi. 2017, "Smuggling and trafficking in human beings at the time of the Syrian conflict", in Gebrewold, Belachew et al. (eds) Human Trafficking and Exploitation: Lessons from Europe, Routledge (forthcoming). Sanchez, Gabriella 2017, "Portrait of a Human Smuggler: Race, Class and Gender among Facilitators of Irregular Migration on the US Mexico Border" in Bosworth, Mary et al. (eds) Race, Migration and Criminal Justice, Oxford University Press (forthcoming).

2. IOM Missing Migrants Project 2017. Migrant Deaths and Disappearances Worldwide: 2016 Analysis. IOM- Global Migration Global Migration Data Analysis Centre, issue no. 8.

3. See Carling, Jorgen, Hernandez-Carretero, Maria 2011 "Protecting Europe and Protecting Migrants? Strategies for Managing Unauthorised Migration from Africa", The British Journal of Politics and International Relations, 13, 42-58.

4. Europol 2016. Europol Launches the European Migrant Smuggling Centre. Press Release. 22 February 2016.

5. Mogherini, Federica 2017. Opening Remarks by her HRVP Federica Mogherini at the Debate on Managing Migration along the Central Mediterranean Route. Brussels, 1 February 2017. https://eeas.europa.eu/headquarters/headquarters-homepage/19755/opening-remarks-hrvp-federica-mogherini-debate-managing-migration-along-central-mediterranean_en.

6. Berry, Mike, Inaki Garcia-Blanco and Kerry Moore 2016. *Press Coverage of the Refugee and Migrant Crisis in the EU: a Content Analysis of Five European Countries. Report Prepared for the UNHCR*. December 2016. http://www.unhcr.org/56bb369c9.pdf

7. Smith, Elena and Patrick Kingsley, 2016. Hundreds of Refugees Make Defiant Journey on Foot into Macedonia. *The Guardian*, 15 March 2016. https://www.theguardian.com/world/2016/mar/14/one-thousand-people-camp-macedonia

8. Frontex 2017. Western Balkans Quarterly: Third Quarter, July September 2016, Warsaw, Poland.

9. See Campana, Paolo 2016. "Explaining Criminal Networks: Strategies and Potential Pitfalls." *Methodological Innovations*. 9: p.1-10.

10. Albahari, Maurizio 2006. Death and the modern State: making borders and sovereignty at the southern edges of Europe. *Center for Comparative Immigration Studies Working Paper*, *137*.

11. Izcara-Palacios, Simón 2013. "La Contracción de las Redes de Contrabando de Migrantes en México." *Revista de Estudios Sociales*, núm. 48. p.84-99

12. Sanchez, Gabriella (Forthcoming). "'This Time I am going to Cross!' Fighting Entrapment processing through the provision of human smuggling services on the US Mexico Border." Gerard, Alison and Francesco Vecchio, eds. *Entrapping Asylum Seekers*. Melbourne: Palgrave-Macmillan.

13. See Achilli, Luigi 2015. *The Smuggler: Hero or Felon? Policy Brief 10/2015*, Migration Policy Centre, European University Institute, Florence. Achilli, Luigi. 2017, "Smuggling and trafficking in human beings at the time of the Syrian conflict", in Gebrewold, Belachew et al. (eds) Human Trafficking and Exploitation: Lessons from Europe, Routledge (forthcoming). Also Sanchez, Gabriella 2015 *Human Smuggling and Border Crossings*. London: Routledge.

14. Tinti, Peter, and Tuesday Reitano 2017. *Migrant, Refugee, Smuggler, Savior*. London: Oxford University Press.

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