Players of many parts:

The evolving role of smugglers in West Africa's migration economy

Notes on terminology

MMC uses the phrase "**refugees and migrants**" when referring to all those in mixed migration flows, unless referring to a particular group of people with a defined status within these flows.

MMC works with the following understanding of **mixed migration**: Mixed migration refers to cross-border movements of people, including refugees fleeing persecution and conflict, victims of trafficking and people seeking better lives and opportunities. Motivated to move by a multiplicity of factors, people in mixed flows have different legal statuses as well as a variety of vulnerabilities. Although they may be entitled to protection under international human rights law, they are exposed to multiple rights violations along their journey. Those in mixed migration flows travel along similar routes, using similar means of travel – often travelling irregularly and wholly or partially assisted by migrant smugglers.

Smuggled migrants are people, including refugees, who travel under the control of smugglers with whom they enter into voluntary agreements to irregularly cross international borders by land, sea and air. [1]

Victims of human trafficking, by contrast, are people who have been subjected to the use of force, coercion, threats, abduction or fraud (without necessarily having crossed a national border) for the purposes of exploitation.[2] They may be international migrants who have been smuggled and/or refugees who during their journeys become subject to forms of exploitation that amount to human trafficking.

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1   For futher details, and links to relevant international law, see: UNODC - Migrant smuggling
2   For futher details, and links to relevant international law, see: UNODC - Human trafficking

Contents

Executive Summary

The trade and smuggling of people and goods have long played an important part in Sahelo-Saharan livelihoods. There are established patterns of migration between the Sahel and North Africa, including seasonal, temporary and circular movements.

The so-called migration economy involves not only those facilitating the movement of people across borders, but also other aspects of the economy, such as hotels, restaurants, businesses offering phone calls, mobile credit and internet access, as well as food and water vendors.

The Mixed Migration Monitoring Mechanism Initiative (4Mi) carried out a total of 153 interviews with smugglers and 3,406 interviews with refugees and migrants in Mali and Niger between August 2017 and August 2018. The surveys provide unique insight into the role of smugglers and their interaction with refugees and migrants. 4Mi survey data was complemented by semi-structured interviews and focus groups, and a literature review.

Key findings:
- **Profiles of smugglers:** Of the 153 smugglers interviewed, 142 were men and 11 were women, and the average age of the smugglers interviewed was 38. Smugglers interviewed in Mali originated mainly from Mali (68%), Algeria (14%), Mauritania (6%) and Cote d'Ivoire (5%), while in Niger they were for the most part from Niger (87%). Most reported to have started smuggling because they make more money with smuggling than their previous job (90% in Mali; 77% in Niger). While some reported that smuggling was their only job (32% in Niger; 19% in Mali), most said they had other jobs alongside their smuggling activities.

- **Nature of smuggling networks:** West African smuggling networks are predominantly horizontal and rely on regional connectivity. Smugglers carry out one or several roles, and some have young assistants helping them, suggesting a more informal collaboration between different members of the network rather than a fixed chain of command. 4Mi data shows that in Niger smugglers have multiple roles and commitments within their networks. However, particularly in the region of Agadez, restrictive measures against smuggling implemented since 2016 have led to networks becoming more professional and less accessible for new players, with more fixed roles for those operating within these networks. In Mali, the modus operandi of smuggling networks is defined by state absence and the important role of armed groups in the political economy of the north. Networks operating in northern Mali are characterized by more professional and criminal-like activities and by the single allegiance and fixed roles of their members.

- **Refugees and migrants starting their journey with a smuggler:** in Niger 20% of refugees and migrants said that smugglers had helped them start their journey, compared with 8% in Mali. Refugees and migrants interviewed in Niger who reported starting their journey with the help of a smuggler were mainly from Nigeria (26%), Guinea (12%) and Cote d'Ivoire (13%). In Mali they were mostly citizens of Guinea (28%), Burkina Faso (20%) and Cote d'Ivoire (12%).

- **Role of smugglers in encouraging migration:** 4Mi data suggests that smugglers are not instigators of migration. Only 6% of refugees and migrants interviewed by 4Mi in Mali and 5% interviewed in Niger said they had been encouraged to migrate by a smuggler. A much greater role in decision-making is played by friends (46% Niger; 37% Mali) and/or relatives. In many cases (51% Mali; 24% Niger) migrants made the decision alone.

- **Services provided by smugglers:** the services provided by persons involved in the migration business in Mali and Niger are diverse. Most smugglers interviewed by 4Mi reported that they mainly provided accommodation (86% in Mali; 80% in Niger). This is followed by transportation to a holding place (71% in Mali; 52% in Niger), recruitment of clients (52% in Mali; 74% in Niger) and transit across a border (40% in Mali; 46% in Niger).

- **Protection incidents attributed to smugglers:** according to refugees and migrants interviewed in Niger, smugglers were responsible for almost half (45%) of the 424 protection incidents reported. Other groups, such as thugs/criminal gangs and security forces were identified to a lesser extent as perpetrators (10% and 8% respectively). By contrast, in Mali, respondents attributed just 6% of all (648) protection incidents to smugglers, compared with 30% to security forces.

Briefing Paper
Players of many parts:
The evolving role of smugglers in
West Africa's migration economy

1. Introduction

Every day in West Africa thousands of people move intra- and inter-regionally. Intra-regional movement is regulated by a protocol adopted by the Economic Community of West African States (ECOWAS) in 1979.[3] While this instrument in theory allows citizens of the 15 member states of ECOWAS to freely move within the bloc's territory (which covers some 5.1 million km²), in practice, border crossings often create numerous difficulties. As a consequence, both intra- and inter-regional movement is often facilitated by smugglers, who are widely called *passeurs* in the region.[4]

The West African migration business is complex and multifaceted: its actors include not only those who help refugees and migrants to move and cross borders, but also people who provide or own the accommodation used by migrants while waiting for the next leg of their journey north (known, particularly in Niger, as 'ghettos'), *coxeurs*, (touts), middlemen/intermediaries, travel agents, transporters, and vendors of different kinds of goods.

Building on first-hand empirical data collected in **Mali and Niger** from smugglers, refugees and migrants (see methodology below), this Briefing Paper describes various profiles of smugglers and

explains the range of services they provide. It also discusses the networks in which they operate, including links with organized crime, and formal or informal political structures. In a final section, it discusses smugglers' role in violence and other forms of abuse reported by refugees and migrants. The research takes into account the broader security, socio-economic and policy context in Mali and Niger.

Methodology and limitations

The data informing this paper was collected by the **Mixed Migration Monitoring Mechanism Initiative (4Mi)** through a network of field monitors situated along frequently used routes and in major migration hubs. 4Mi aims to offer a regular, standardized, quantitative and potentially globalized, system of collecting primary data on mixed migration flows. 4Mi monitors conduct in-depth interviews on a continuous basis with men, women and youths on the move, as well with smugglers. Monitors approach refugees and migrants in transit, predominantly at bus stations. Questionnaires are anonymous and confidential.[5] 4Mi monitors use a smartphone app to record and transmit completed interviews to regional MMC hubs for storage and analysis.

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3   ECOWAS (1979) Protocol A/P.1/5/79 Relating to Free Movement of Persons, Residence and Establishment.
4   There is a semantic difference between the French word 'passeur', which is largely perceived positively in West Africa, and the English word 'smuggler', which has a more negative connotation. Unless otherwise specified, throughout this paper "smuggler" is used in reference to the smuggling of refugees and migrants and peripheral activities.
5   The interviewed refugees and migrants do not include beneficiaries of DRC programs.

A total of **153 smugglers** (142 men and 11 women) and **3,406 refugees** and migrants (1,208 women and 2,198 men) were interviewed by 4Mi in Mali and Niger between August 2017 and August 2018. The data was collected through two surveys in main transit hubs in Niger (Niamey and Agadez) and Mali (Mopti, Ber, Gao and Timbuktu). The **4Mi smuggler survey** includes information on smuggler profiles, including how they entered the smuggling business, services they provide and their means of communication with refugees and migrants. The **4Mi migrant survey** includes questions on the interaction between smugglers and migrants, such as assistance and services received, and the role of a smuggler during the journey, among many other questions. 4Mi predominantly uses closed interview survey questions to invite respondents to anonymously self-report on a range of issues. Both 4Mi surveys include yes/no questions, closed-ended questions with one possible response, and multiple-choice questions. For multiple-choice questions, the total percentages analysed in this paper may exceed 100 where respondents have chosen more than one answer.

While 4Mi in West Africa also collects data in Burkina Faso, monitors there did not encounter smugglers. For this reason, this study does not include 4Mi data from Burkina Faso.

The 4Mi survey data was complemented by a focus group with 4Mi monitors in the northern Malian city of Gao in November 2018 and by semi-structured qualitative interviews with researchers and journalists working on migration and smuggling in Mali and Niger conducted between September and November 2018. The findings were further complemented by a review of secondary sources, including academic and grey literature.

4Mi is based on a non-randomized sampling and as such cannot be considered statistically representative of all smugglers and all people transiting through Mali and Niger. The 4Mi data used for this report was collected in Mali and Niger and the answers provided by refugees and migrants relate to their journey up until the place of interview. Still, the significant number of interviews provide important insights on the profile and role of smugglers in West Africa.
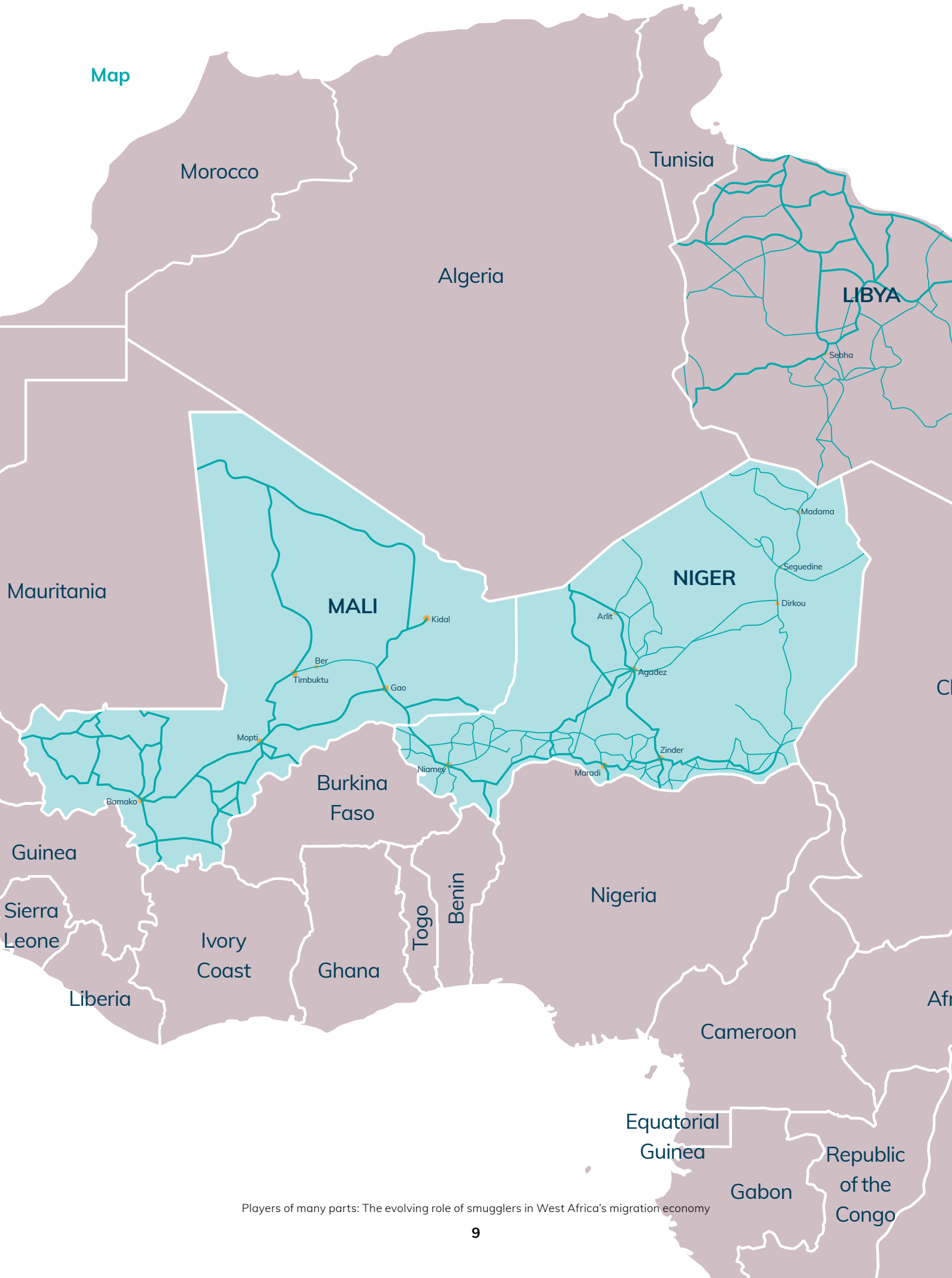
Smuggling activities by their nature are difficult to document, and understanding the scale of irregular movement of people is therefore a challenge.[6] In particular, the clandestine and irregular nature of population movements, the sensitivity of information shared by the smugglers, and the involvement of government officials and non-state actors are some factors that contribute to the complexity of analysing smuggling activities.

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6   Irregular migration can be defined as movements that take place outside the regulatory norms of countries of origin, transit or destination. Not all irregular migrants use smugglers. For further details, see: UNODC (2018) Global Study on Smuggling of Migrants (p. 20).

Map

Morocco

Tunisia

Algeria

LIBYA

Sebha

Mauritania

Madama

Seguedine

NIGER

Dirkou

Arlit

Agadez

Kidal

Ber

Timbuktu

Gao

MALI

Mopti

Zinder

Niamey

Maradi

Bamako

Burkina
Faso

Guinea

Sierra
Leone

Ivory
Coast

Ghana

Togo

Benin

Nigeria

Liberia

Cameroon

Ch

Afr

Equatorial
Guinea

Gabon

Republic
of the
Congo

2. Migration context

Migration and smuggling patterns in West Africa and between West and North Africa

There are established patterns of migration between the Sahel and North Africa that include seasonal, temporary and circular journeys.[7] These movements may be facilitated by well-organised networks operating across the region. While such movements are often defined as 'irregular', they generally enjoy social acceptance and are in fact *informally* regulated. Migration is a resilience strategy employed by many communities for survival, livelihood protection and as a way to create new economic opportunities.[8]

The trade and smuggling of people and goods have played an important part in Saharan livelihoods for centuries. Two-way flows between North Africa and sub-Saharan Africa are widespread and intricately interconnected.[9] Migration is perceived as a driver of economic development for communities on the migration routes. The so-called migration economy engages not only those facilitating the movement of people across borders but also other aspects of the local economy, including hotels, restaurants, businesses offering phone calls and mobile credit, internet access, food and water vendors, as well as the families of those who migrate seasonally as a strategy to cope with the dry season. These dynamics are critical to understanding contemporary Sahelian and Saharan mobility and its local impacts.[10]

After Qaddafi

The security landscape in North and West Africa significantly changed with the fall of Muammar Qaddafi's regime towards the end of a NATO-led military intervention in Libya in 2011. In 2012, the National Movement for the Liberation of Azawad (MNLA) started an insurgency in northern Mali. This destabilized the security situation in the country provoking a military coup in the south. The escalation of violence and the risk of further destabilization prompted military intervention by France (with Operations Serval and then Barkhane) and the establishment of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). In June 2015 a peace agreement was signed in Algiers which brought some calm to Gao and Kidal, although security in central Mali deteriorated.

Amid the destabilization of Mali and Libya, irregular movement to and through Libya became an increasingly popular way to reach the Mediterranean and Europe. Niger emerged as the main transit country for West African refugees and migrants, with a peak in 2016.[11] While data on arrivals of refugees and migrants in Italy indicates that many passed through Niger, the numbers and flows significantly changed over time.[12] Furthermore, 4Mi data suggests a significant difference in preferred destination countries between those who migrate through Niger and those who travel through Mali. While almost half (48%) of the refugees and

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7   For a detailed account of African and Saharan mobility, see: McDougall, J. & Scheele, J. (eds) (2012) Saharan Frontiers. Space and Mobility in Northwest Africa (Indiana University Press, Bloomington).

8   Reitano, T. Adal, L. & Shaw, M. (2014) Smuggled Futures: The dangerous path of the migrant from Africa to Europe Global Initiative against Transnational Organized Crime; Reitano, T. & Shaw, M. (2014), People's perspectives of organised crime in West Africa and the Sahel Institute for Security Studies; Molenaar, F. (2017) Irregular migration and human smuggling networks in Niger Clingendael - Netherlands Institute of International Relations; Raineri, L. (2018), Human smuggling across Niger: state-sponsored protection rackets and contradictory security imperatives Journal of Modern African Studies.

9   Tinti, P. & Westcott, T. (2016) The Libya-Niger corridor: smugglers' perspectives Institute for Security Studies/Global Initiative Against Transnational Organized Crime.

10 Brachet, J. (2012) Movements of People and Goods. Local Impacts and Dynamics of Migration to and through the Central Sahara, in McDougall, J. & Scheele, J. (eds) op. cit. (p. 238).

11 While it is very difficult to calculate how many refugees and migrants transited through Niger, UNHCR figures for arrivals to Italy give some indication: there were 42,925 in 2013, 170,100 in 2014, 153,842 in 2015, 181,436 in 2016 and 119,369 in 2017.

12 Arrivals to Italy have dropped dramatically in 2018: that year they totalled 23,370. Sea arrivals to Spain meanwhile, rose from 22,103 in 2017 to 58,569 in 2018, according to UNHCR.

migrants interviewed traveling through Niger said Europe was their preferred destination, less than a third (31%) of those travelling through Mali intend to go to Europe.[13]

Europe responds

In response, the European Union drew up new migration policies, including by forging agreements with African countries, specifically Niger, Chad and Sudan.[14] Disrupting the business model of smugglers in North Africa and the Sahel became a key objective of these policies.[15] Efforts to dismantle smuggling networks included EU police training and border management missions. Some 22% of the newly established EU Emergency Trust Fund was allocated to migration management,[16] including approximately €137 million allocated to Niger under these objectives.[17] As part of these external policies, the EU urged Niger to criminalize migrant smuggling (see below). This approach underscored the presumption by European policy makers that smugglers are the main driver of migration and among the major perpetrators of violations of human rights of refugees and migrants.

Niger's smuggling law

The region of Agadez has long been a major transit hub for sub-Saharan migrants travelling to North Africa and to Europe. The fast growth of the migration business was linked to an increasing demand for transportation towards North Africa. Motives driving migration to the north included reaching the gold mines in Niger, finding employment in Algeria and Libya, and travelling to Libya in an attempt to cross the Mediterranean to Europe. In 2013, as many as 3,000 people per week were passing through Agadez and using smugglers to move toward Libya.[18] The International Organization for Migration (IOM) registered a total of 111,000 people in incoming flows to Niger and 333,000 people in outgoing flows in 2016, with as many as 170,000 migrants, mostly from West Africa, passing through Agadez.[19] In 2017, IOM registered 99,000 people in incoming flows, with recorded outgoing flows reducing to 69,000.[20]

In 2015, Niger passed Law 2015-36 to outlaw the smuggling of migrants.[21] The aim of this law is to "prevent and fight against all kind of illicit migrant smuggling" (Article 1). It defines migrant smuggling as "the act of ensuring, in order to make a [profit], the illegal entry in a country of a person who is neither a national nor a permanent resident of this country" (Article 3). Convicted smugglers face penalties of five to thirty years of incarceration, a fine of up to 30 million CFA francs (US$51,000) and the impounding of the vehicle used to transport migrants (Articles 10, 17, 18). Even "the attempt to commit the abovementioned offences is liable to the same punishments" (Article 13). The enforcement of the law started in mid-2016. According to a 2018 study by the Clingendael Institute, between mid-2016 and April 2018, nearly 10,000 foreigners were expelled from Niger, 282 drivers were

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13 This can partly be explained by the fact that Algeria is traditionally a destination country for migrants seeking employment, facilitated by a visa free regime between Mali and Algeria.

14 For an overview on the repercussions, see: Tubiana, J., Warin, C. & Saeneen, G. (2018) Multilateral Damage. The impact of EU migration policies on central Saharan routes. Clingendael - Netherlands Institute of International Relations (p. 9.)

15 European Council (2017) Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route; European Commission (2015) Managing migration better in all aspects: A European Agenda on Migration.

16 Kervyn, E. & Shilhav R. (2017) An emergency for whom? The EU Emergency Trust Fund for Africa – migratory routes and development aid in Africa. Oxfam.

17 €47 million have been committed to migration management projects under the EUTF in Niger. In addition, among the €96 million committed under the objective of 'improved governance and conflict prevention', €90 million have been allocated to supporting justice, security and border management, including countering smuggling and trafficking, in Niger. For details, see: European Commission (2017) Contrat relatif à la Reconstruction de l'Etat au Niger en complément du SBC II en préparation / Appui à la Justice, Sécurité et à la Gestion des Frontières au Niger

18 Reitano, T. , Adal, L. & Shaw, M. (2014) op. cit.

19 IOM (2018) Flow Monitoring Point Statistics Overview 2016-217: Niger. See also: Destrijcker, L. (2016) Welcome to Agadez, the smuggling capital of Africa, Politico.

20 IOM (2018) op. cit. IOM partly attributes the reduction to migrants taking alternative routes to avoid the new government controls.

21 For the text of the legislation, see: Loi 2015-36 du 26 mai relative au traffic illicite de migrants. See also : Massalaki, A. (2015) Niger passes law to tackle migrant smuggling, first in West Africa. Reuters.

arrested, and 300-350 vehicles confiscated in Agadez and on the road to Libya.[22] Some reports state that only ninety local men were jailed under the law 36 and all of them have been given light sentence and paroled early.[23] The intensity of the law-enforcement activity reportedly decreased since 2017, which was "in part to provide the region with some breathing space".[24]

While some statistics point to a decrease in the numbers of refugees and migrants transiting through Agadez,[25] it is not possible to accurately measure this, particularly as refugees and migrants have taken to circumventing Agadez and Dirkou and now use more dangerous and less visible routes.[26] According to IOM's Displacement Tracking Matrix, in February 2019 outgoing flows at the Madama Flow Monitoring Point represented 66% of all outgoing flows from Niger, and 33% of incoming flows passed through the city of Seguedine; 13% of incoming and 28% outgoing flows were observed in Arlit.[27]

Studies on the implementation of the law suggest that anti-smuggling measures have led to changes in migration routes in order to escape military controls;[28] departing at night and transporting fewer migrants;[29] the merging of drug smuggling and human smuggling routes;[30] the professionalization of the migration business; former migrant smugglers entering the business of trafficking tramadol between Nigeria and Libya; and an overall negative impact on stability.[31] Other reported effects of the law include an upsurge of banditry linked to the loss of income-generating activities by many people previously involved legitimately in the migration business. Repressive measures against smuggling have also been linked to an increase in prices and bribes that migrants and refugees have to pay.[32] In 2017 the IOM also recorded a "marked increase" in the number of migrants abandoned in the desert and related deaths.[33]

Mali: moving through conflict

As in Niger, in Mali mobility takes a variety of forms of seasonal and circular inter- and intra-regional migration, including that of people aiming to reach North Africa and Europe.[34] In 2017, migration through Mali was estimated to be six to eight times less than that through Niger.[35] Unlike in Niger, there is no region in Mali that is as economically dependent on facilitating migration.[36] IOM reports that during the period between June 2016 and April 2018 more than 125,642 migrants (36,981 incoming and 88,661 outgoing) were observed at flow monitoring points in Mali.[37] In 2017 more than 7,000 migrants were estimated to have passed

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22 Tubiana, J., Warin, C. & Saeneen, G. op. cit. pp 23-24.
23 Ford, P. (2018) In high stakes experiment, EU migration policy moves front lines to Niger, The Christian Science Monitor.
24 Micallef, M., Horsley, R. & Bish, A. (2019) The Human Conveyor Belt Broken – assessing the collapse of the human-smuggling industry in Libya and the central Sahel. The Global Initiative against Transnational Organised Crime/Clingendael (p.57).
25 IOM (2018) op. cit. The flows reduced by 75% in 2017 compared with 2016.
26 REACH (2018) Libya: Understanding the impact of EU migration measures on refugees and migrants.
27 IOM (2019) Niger – Flow Monitoring Report (February 2019)
28 Reidy, E. (2018) Destination Europe: Desperation. IRIN News (Renamed as The New Humanitarian since this article was published.) According to Reidy, 'The EU-backed crackdown on irregular migration has not so much stopped the movement of people from Niger to Libya as forced it underground.'
29 Micallef, M., Horsley, R. & Bish, A. (2019) The Human Conveyor Belt Broken – assessing the collapse of the human-smuggling industry in Libya and the central Sahel. The Global Initiative against Transnational Organised Crime/Clingendael (p.7).
30 Ibid. (pp. 56-57).
31 Tubiana, J., Warin, C. & Saeneen, G. op. cit.
32 Ibid.
33 IOM (2017) Rapport de mission sur l'évaluation des routes migratoires du 19-25 Juillet. It is difficult to establish the extent of any causal relationship between enhanced surveillance and shifting routes/higher desert death rates. For further details, see: Bergmann, J., Lehmann, J. Munsch, T. & Powell, W. (2017) Protection Fallout. How Increasing Capacity for Border Management Affects Migrants' Vulnerabilities in Niger and Mali. Global Public Policy Institute, RMMS West Africa and Danish Refugee Council (p. 44).
34 Cantens, T. & Raballand, G. (2016) Fragile Borders: rethinking borders and insecurity in northern Mali. The Global Initiative Against Transnational Organized Crime.
35 Molenaar, F. & Van Damme, T. op. cit.
36 Bergmann, J., Lehmann, J. Munsch, T. & Powell, W. op. cit. (p. 37)
37 IOM (2018) DTM Flow Monitoring Mali, Results Snapshot #30

through *foyers* (houses where migrants wait for onward passage) in Gao.[38]

In 2012 Mali adopted a Law on Combating, Trafficking in Persons and Similar Practices. The law includes offence provisions on human smuggling, which it considers as an "assimilated practice" to trafficking. Both trafficking and smuggling offences carry the same sentence of 5-10 years imprisonment. In 2018 the police has started to exert controls and arrested several smugglers in Gao; nine people with minor smuggling roles were briefly detained. This has led to a change in the security situation for refugees and migrants and made access more difficult for different actors, such as NGOs and 4Mi monitors.

Traffic of illicit or irregular goods in Mali generates insecurity at different levels, including attacks against individuals, state officials and traders, as well as conflicts among traffickers and armed groups.[39] In this context, irregular migration cannot be understood as a mere consequence of conflict but should be seen through larger dynamics of crime, coping and resistance resulting from competing networks of informal governance.[40] The conflicts in Mali, the presence of a number of armed groups, some of them Islamist, as well as international actors such as MINUSMA and Operation Barkhane, might have an impact on the overall situation of trafficking and smuggling in the region, although the trafficking routes seem to not have significantly changed since the eruption of the conflict.[41]

3. Smugglers in West Africa

International law defines migrant smuggling 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" or permanent resident.[42] The understanding of smugglers, however, varies according to the context in a given country, including the demand for mobility, the role of authorities, as well as interaction with organized crime, if applicable.

In West Africa, the word *passeur*[43] is a catch-all term applied to a variety of actors in the migration business, including "facilitators, intermediaries, guides, [and] connection men".[44] 4Mi monitors interviewed for this paper provide different views on how they perceive smugglers in West Africa, ranging from persons transporting refugees and migrants from one point to another,[45] to businessmen or even benevolent persons who help migrants.[46]

Refugees and migrants interviewed by 4Mi mostly perceived *passeurs* as professional smugglers (69% in Mali and 74% in Niger) or as travel agents (25% in Mali and 10% in Niger). Views varied according to the cities where interviews took place: in Agadez, refugees and migrants mainly defined their smugglers as professional (81%) and only 8% described them as informal/ad hoc smugglers

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38 Security Council (2018) Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali (§ 135)
39 Ibid (p. 2)
40 Bøås, M. (2015) Crime, Coping, and Resistance in the Mali-Sahel Periphery . African Security, Vol. 8.
41 Molenaar, F. & Van Damme, T. (2017) Irregular migration and human smuggling networks in Mali. Clingendael - Netherlands Institute of International Relations (p. 4).
42 United Nations (2000) Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. See also: Carling, J., Gallagher, A., & Horwood, C. (2015) Beyond Definitions: Global migration and the smuggling–trafficking nexus. Regional Mixed Migration Secretariat.
43 Vernacular terms used in Niger, such as an-sùmo- gàl in Hausa, afrod in Tamasheq, sahib al-frûd in Arabic, and even fraudeur in French, have traditionally been used in reference to the smuggling of goods rather than people. Historically, the smuggling of people tended to be a side activity carried out by such traders. For more details, see: Brachet, J. (2018) Manufacturing Smugglers: From Irregular to Clandestine Mobility in the Sahara. Annals of the American Academy of Political and Social Science, vol. 676. (pp. 16-35)
44 Translated from the original French: "Ils sont facilitateurs, intermédiaires, guides, relais, c'est un véritable business." 4Mi monitors interviewed in Mali in November 2018.
45 Translated from the original French: "Pour moi les *passeurs* ce sont des personnes qui s'occupent de faire passer les migrants d'un point à une autre. C'est des gens ordinaires." 4Mi monitor Timbuktu.
46 4Mi monitor in Gao.

(8%), while in the capital, Niamey, many defined their smuggler as a travel agent (51%) and only 42% as a professional smuggler. In Gao, 44% said they perceived their smugglers as professional compared to 33% as travel agents. This difference in perceptions between Niamey and Agadez can be explained by the fact that migrants mostly use regular buses between the two cities, and are also interviewed at bus stations, whereas from Agadez they need to use a smuggler to travel northward. The answer options suggested by the 4Mi questionnaire can be affected by interviewers' and respondents' interpretations as well as by the local context. For instance, within ECOWAS a "travel agent" can be perceived as a facilitator who is simply providing a travel service.

3.1 Smuggler profiles

Of the 153 smugglers interviewed, 142 were men and 11 were women. Ten of the women were interviewed in Agadez and one in Timbuktu. The average age of the smugglers interviewed was 38, which is 10 years older than the average age of refugees and migrants interviewed during the same period.

The smugglers interviewed by 4Mi in Mali originated mainly from Mali (68%). Others originated from Algeria (14%), Mauritania (6%) and Cote d'Ivoire (5%). In Niger, the smugglers interviewed were for the most part from Niger (87%), with some originating from other countries in West Africa, including Senegal (3%), Ghana (3%) and Togo (3%).

Most smugglers reported to have reached some level of education, including primary education (38% in Mali; 26% in Niger), religious education (37% in Mali; 3% in Niger) and secondary education (12% in Mali; 54% in Niger).

While some of the interviewed smugglers reported that smuggling was their only job (32% in Niger; 19% in Mali), most said they had other jobs alongside their smuggling activities. Among those who said they had other jobs, some reported that smuggling was their main job but they also had side jobs (26% in Niger; 46% in Mali); a higher percentage reported that smuggling was a side job to their main jobs (41% in Niger; 35% in Mali).

Becoming a smuggler

Most smugglers interviewed by 4Mi in Mali and Niger reported to have started smuggling because they make more money with smuggling than with their previous job (90% in Mali; 77% in Niger). 10% of the smugglers interviewed in Niger indicated that they resorted to smuggling because it requires less effort than other jobs.

This is what some smugglers told 4Mi monitors about their motivations:

"I am involved because I have no other activity to survive." [47]

Male smuggler, Timbuktu.[48]

"My smuggling activity is dangerous but profitable for my whole family and my community, so I take the risk."

Male smuggler, Timbuktu.[49]

"I was a migrant myself. I passed through here and spent more than five years in Libya, so I had knowledge. When I returned, I started selling food at the bus station and that's how it all started. Now that the law against this kind of [smuggling] work has

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47 Translated from the original French: "Je suis impliqué parce que je n'ai aucune autre activité pour survivre."
48 To protect the identities of interviewees cited in this paper, their names, ages and nationalities have been withheld. Most interviewees spoke in French; English translations include minor editing for clarity and ease of reading.
49 Translated from the original French: "Mon activité de passeurs est dangereuse mais profitable à toute ma famille et ma communauté, donc je prends le risque. "

been adopted, I am continuing my main activity, but I am doing this job to help the migrants because I have seen how other *passeurs* scammed the migrants. I have my own son in Italy, so this job pays off." [50]

Female smuggler, Agadez

"It's my dad who's been here for a while doing this work. When I got here and wanted to go to Libya he made me stay here to help him. Now I am my own boss and I am proud because I help my brothers a lot. [...] Things are pretty good."

Male smuggler, Agadez. [51]

Many smugglers interviewed by 4Mi reported to have started working as smugglers by connecting migrants to smugglers (41% in Niger; 51% in Mali). Some reported to have directly started working in a smuggling network (45% in Niger; 30% in Mali). A smaller share of respondents reported to have started a job that was unrelated to smuggling and to have subsequently been assigned smuggling activities by their employer (6% in Mali; 7% in Niger).

Smugglers along migration routes

The 4Mi migrant survey provides insight on refugees' and migrants' various interactions with smugglers: at the start of their journey, en route between their country of origin and the last city before reaching the Sahara desert, finding a smuggler, and making contact with smugglers in a new place. 4Mi data suggests that there is no single typical scenario, but rather different cases that make up a broader picture.

Refugees and migrants do not necessarily need a smuggler until they reach the desert. Before arriving in northern Mali and northern Niger, refugees and migrants in theory can freely move and use regular means of transportation. A 4Mi monitor interviewed in Timbuktu said that some refugees and migrants nevertheless use smuggler services *before* the desert so as to circumvent the various checkpoints where there are higher risks of being detained or subject to bribes. This is also true for Niger where refugees and migrants have started to use more smugglers than regular public transport, since the implementation of the Law 2015-36. [52] Another reason is that they require guidance in an unknown environment and the smuggler, whose details are often given to them by people they know, is their only point of contact. [53]

4Mi interviews with refugees and migrants indicate that smugglers operate in coastal West African countries (Cote d'Ivoire, Guinea, Nigeria) to facilitate those bound for the central Mediterranean route from their point of departure up until the desert. This suggests that smuggling networks operating from these countries are more developed and involved in the recruitment of potential migrants in villages and small and medium cities. Their role tends to be one of coordination rather than of hands-on assistance in irregular border crossings. This is an important feature of the migration business in West Africa: smugglers have a "connectivity" function within the business and very often the smuggler connects migrants with people present on the ground for the next steps of the journey. While much attention has been dedicated to smuggling networks in key hubs located just before the desert, there is a need for more research on smugglers operating in and from coastal countries.

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50 Translated from the original French: "Avant j'étais une migrante parce que je passais par ici donc j'ai fait plus de 5 ans en Libye donc j'avais de connaissances, de mon retour j'ai commencé à vendre la nourriture à l'autogare et la que tout a commencé. Maintenant que cette loi a été voté de ne faire plus ce travail je continue mon activité principale, mais moi je fais ce travail pour aider les migrants parce que j'ai vue comment d'autre passeurs escroquaient les migrant et actuellement j'ai mon propre fils en Italie donc ce travail me paye."

51 Translated from the original French: "Moi c'est papa qui est ici depuis et il fait cette activité donc à mon arrivée ici j'ai voulu rejoindre la Libye il m'a empêché pour que je reste pour l'aider. Maintenant je suis mon patron de moi-même et je suis fier parce que j'aide beaucoup mes frères sénégalais. Voilà que je suis marie ici avec une nigérienne j'ai même deux enfants donc c'est déjà bon."

52 Micallef, M., Horsley, R. & Bish, A. (2019) The Human Conveyor Belt Broken – assessing the collapse of the human-smuggling industry in Libya and the central Sahel. The Global Initiative against Transnational Organised Crime/Clingendael (p.59).

53 Interviews with 4Mi monitors.

Migrants' influences

4Mi data on who encouraged refugees and migrants to migrate suggests very few were enticed to do so by smugglers (6% in Mali; 5% in Niger). A much greater role in decision-making is played by friends (46% Niger; 37% Mali) and/or relatives (see chart below), and in many cases (51% Mali; 24% Niger) migrants made the decision alone. With regard to the facilitation of their journey, in Niger 20% of refugees and migrants said that smugglers had helped them start their journey, compared with 8% in Mali.
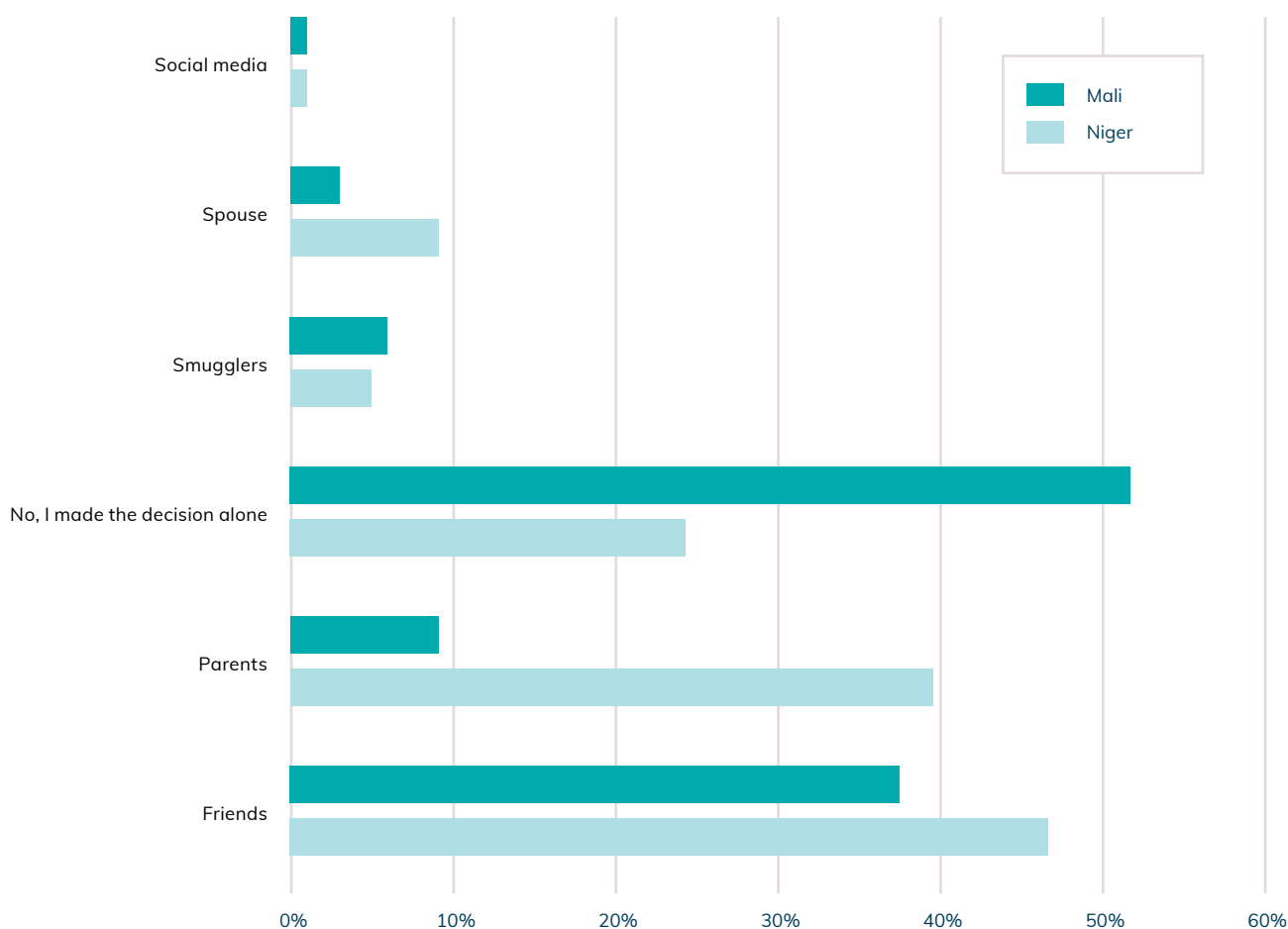
Who encouraged you to migrate?

Figure 1. Source: 4Mi migrant survey Niger n=1161 Mali=2241

Initial contacts with smugglers

According to 4Mi data, in Niger and Mali, refugees and migrants encounter smugglers in different ways. In Mali, for the most part (75%) they approach smugglers themselves, and many (69%) are referred to smugglers by mutual friends, family or acquaintances. In Niger, most (74%) refugees and migrants are referred to smugglers by other smugglers and many (65%) approach smugglers themselves and/or have mutual friends/family/acquaintances who refer them to smugglers (61%).[54]

Refugees and migrants interviewed in Niger who reported starting their journey with the help of a smuggler were mainly from Nigeria (26%), Guinea (12%) and Cote d'Ivoire (13%). In Mali these were mostly citizens of Guinea (28%), Burkina Faso (20%)[55] and Cote d'Ivoire (12%). Most respondents who started their journey with the help of a smuggler continued it with the facilitation of a smuggler (95% in Niger and 75% in Mali). A very small number of respondents who started their journey with a smuggler continued their journey without further help (0.1%: 30 respondents interviewed in Mali and one in Agadez).

Use of smugglers en route

Among the refugees and migrants surveyed by 4Mi, some said the leg of their journey to the location of their interview had not been facilitated by anyone (47% in Mali; 16% in Niger), while others reported it had been facilitated by a smuggler (36% in Mali; 39% in Niger) and/or by a friend or relative (26% in Mali; 42% in Niger). Very often, the decision to seek assistance from a smuggler (for a part or the entire route) is dependent on existing connections with other migrants and with smugglers.[56] In some cases, smugglers provide refugees and migrants with package deals covering entire journeys. These can include contact information for coxeurs at every stop along the way who put travellers in touch with ghetto owners and drivers. Such package deals are an illustration of how networks for example in Agadez are linked to wider networks operating all along a smuggling route, often linked to ethnolinguistic ties between communities.[57]

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54 Many percentages in this section derive from multiple choice questions where respondents were free to select as many answers as they wish. Aggregates may therefore exceed 100 percent.
55 4Mi monitors have never encountered migrant smugglers in Burkina Faso. The quoted data could be explained by Burkinabe refugees and migrants having started their journey outside of Burkina Faso or having encountered a smuggler in another country by phone.
56 There is no difference based on gender of refugees and migrants.
57 Molenaar, F. op. cit. (p. 22).

Services provided by smugglers

The services provided by persons involved in the migration business in Mali and Niger are diverse.[58] The broad category of "smuggler" include drivers, coxeurs, ghetto owners, intermediaries between transporters, and network coordinators. There are also a number of other economic activities supporting the migration economy, for instance water sellers, operators of call/internet shops and money transfer agencies.[59] These activities do not technically constitute migrant smuggling but form part of the wider migration economy.

The charts below provide an overview of services that smugglers provide in Mali and Niger based on 4Mi interviews. The charts compare information about services provided and received according to smugglers and refugees and migrants.

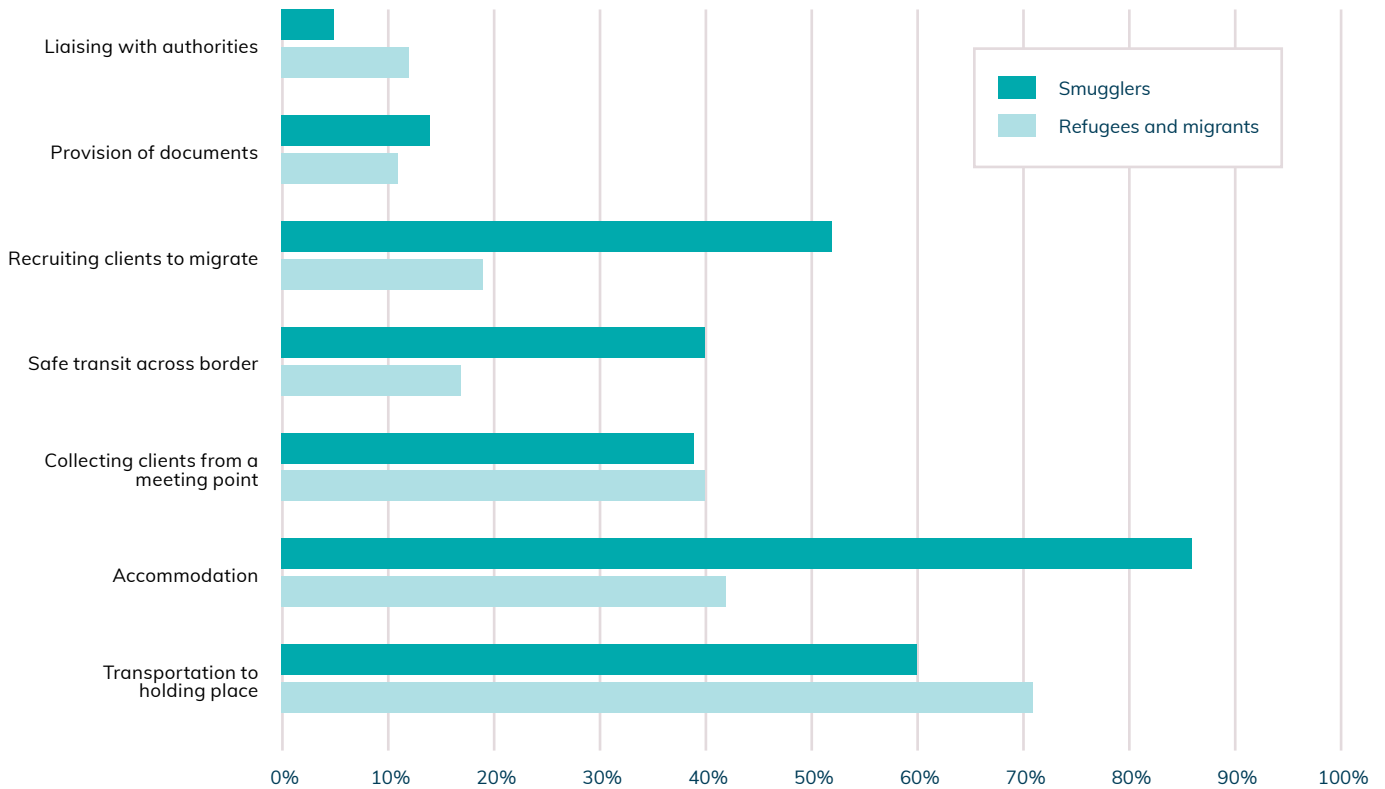### Services provided by smugglers and used by refugees and migrants in Mali

Figure 2. Source: 4Mi smuggler and migrant surveys Smugglers: n=84. Migrants: n=854.

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58   Interview with 4Mi monitor.
59   Molenaar, F. op. cit. (p. 2).

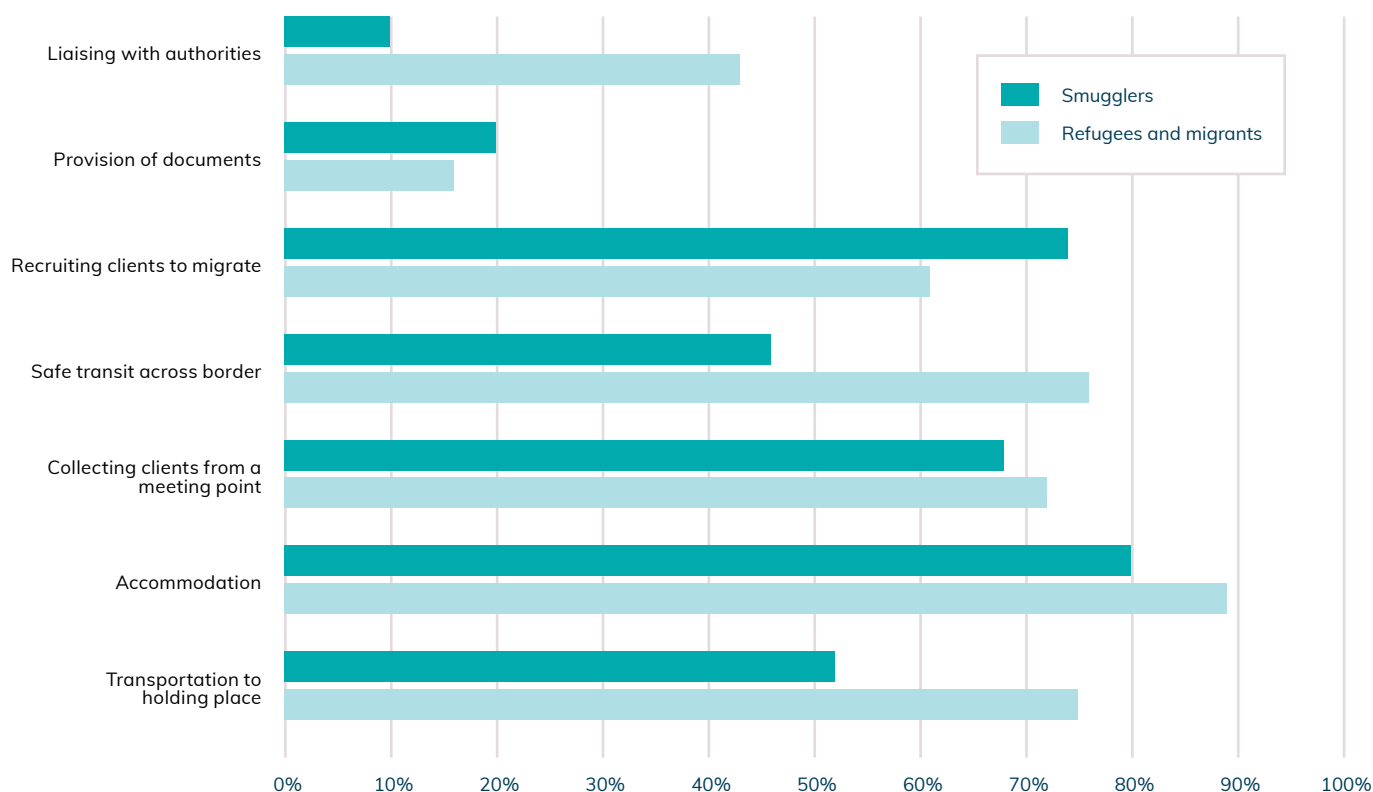## Services provided by smugglers and used by refugees and migrants in Niger

Figure 3. Source: 4Mi smuggler and migrant surveys. Smugglers: n=69. Migrants: n=549.

Accommodation, transportation to holding places, and collecting clients from meeting points are some of the main smuggling services cited by all respondents. Most smugglers interviewed by 4Mi (86% in Mali; 80% in Niger) reported that accommodation was the main service they provided . This is followed by transportation to a holding place (71% in Mali; 52% in Niger), recruiting clients to migrate (52% in Mali; 74% in Niger) and safe transit across a border (40% in Mali; 46% in Niger). Refugees and migrants also reported that the main smuggler services they used was the provision of accommodation (42% in Mali; 89% in Niger). They also cited collecting clients from a meeting point (40% in Mali; 72% in Niger), safe transit across a border (17% in Mali; 76% in Niger), and recruiting clients to migrate (19% in Mali; 61% in Niger).

There are some notable differences between smugglers' and migrants' answers relating to "safe transit across the border" in Niger (76% of refugees and migrants said that they had received this service, while only 46% smugglers said they provide it). This could partly be explained by the reluctance of smugglers to discuss facilitating entry or exit from Niger in light of the new legislation. It could also be due to the common practice of smugglers taking refugees and migrants right up to the border but leaving them to cross it unaccompanied (see below). Finally, it can also be attributed to the fact that the smugglers interviewed by 4Mi are not necessarily the same as those used by the refugees and migrants interviewed by 4Mi.

There were also differences observed between Niger and Mali with regard to "liaising with authorities". In Mali very few respondents (5% of smugglers; 12% of refugees and migrants) mentioned this service, while in Niger 43% of refugees and migrants considered it an important service provided by smugglers. This can be explained by the fact that across Mali there is less need for help liaising with the authorities, as authorities are absent in some parts of the country through which main migration routes pass. In contrast in Niger, collaboration between state actors and smuggling networks is well established (as explored in further detail below).

3.2 Smuggling networks

In the media, smugglers are often portrayed as operating within large-scale, transnational criminal networks which include human traffickers and which organise and oversee every stage of migrants' journeys. Such portrayals imply that the networks are associated with organized crime and complex criminal organizations boasting a large presence on the ground and hierarchical coordination.[60]

While this assumption has been absorbed into migration response politics,[61] the reality of smugglers' modus operandi on the ground in West Africa is more nuanced and complex, with the social and anthropological literature providing evidence of networks being loosely organised and fragmented. This section discusses 4Mi data on smuggling networks within the broader political and social context of Mali and Niger.

Smuggling networks in Niger

Smuggling networks in Niger operate in a context where the state, although weak, has a military presence in areas through which migration routes pass. On the road(s) between Agadez and Madama this presence does not impede smuggling activities. Prior to the anti-smuggling measures implemented since mid-2016, the migration business was described as "a state-sponsored protection racket".[62] Smuggling was largely tolerated, normalized and even institutionalized.[63] The routes were well-defined and standardized; they were known to everyone, military vehicles escorted weekly convoys of trucks travelling between towns and villages in northern Niger, and transporters of migrants and refugees tagged along in these convoys, which was tolerated by the security forces.[64] Many studies report state officials turning a blind eye to these activities, which were an important source of income for them.[65] These dynamics were a defining feature of smuggling networks' modus operandi.

Before the implementation of Law 2015-036, Nigerien migrant smuggling networks were described as rather fragmented and uncoordinated chains of actors[66] guided by the *connectivity* principle, that is to say, organized in a horizontal and interconnected manner across borders.[67] They have also been described as segmented and loose rather than hierarchical.[68] Where hierarchy did exist, for example among drivers where a boss owned several trucks, it rarely culminated in an ultimate network head or kingpin. These informal networks

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60 Tinti, P. & Westcott, T. op. cit. (p. 3)

61 The EU describes its migration policy as having three main axes of action: 1) Saving and protecting the lives of migrants and refugees; 2) Breaking the business model of smugglers and traffickers; and 3) Providing legal pathways of migration. See: European Commission (2018) Central Mediterranean Route: Protecting Migrants and Managing Irregular Flows

62 Snyder, R. & Duran-Martinez, A. (2009) Does illegality breed violence? Drug trafficking and state sponsored protection rackets. Crime Law and Social Change, vol 52, issue 3. The authors refer to 'informal institutions through which public officials refrain from enforcing the law or, alternatively, enforce it selectively against the rivals of a criminal organization, in exchange for a share of the profits generated by the organization'. See also: Raineri, L. op. cit.

63 Raineri, L. op. cit.

64 Molenaar, F., Tubiana, J. & Warin, C. (2018) Caught in the middle - A human rights and peace-building approach to migration governance in the Sahel Clingendael - Netherlands Institute of International Relations.

65 International Crisis Group (2015) The Central Sahel: A Perfect Sandstorm (p. 16)

66 Brachet, J. op. cit. (p. 29)

67 Molenaar, F. & Van Damme, T. op. cit. (p. 20)

68 Author's interview with Julien Brachet.

were fluid, accessible and easy for prospective smugglers to join.

Since the crackdown began in 2016, the nature of these networks has changed; they have become less accessible and more professional.[69] The anti-smuggling measures taken by the Nigerien government have mostly targeted low-level migration facilitators (e.g. drivers and guides) rather than influential businessmen involved in larger smuggling networks whose links with the political establishment and armed groups reduces the likelihood of their being targeted.[70] This has led to "the concentration of the smuggling business in the hands of more criminal elements with transnational ties".[71] As a result of the enforcement of the Law 2015-36, there are reports that smugglers are using alternative and riskier routes to circumvent Agadez[72] and that these routes may be merging with those used for drug smuggling.[73] It is difficult however to directly correlate criminal behaviour with the consequences of the implementation of the law.

Smuggling networks in Mali

The modus operandi of smuggling networks in Mali is defined by state absence and the important role of armed groups in the political economy of the north and by insecurity in the centre of the country. In northern Mali, migrant smuggling is a node in broader relationships between smuggling networks,

authority, and the empowerment of non-state armed actors.[74] In this context, different types of licit and illicit trade merge, and organizations controlling them often have criminal and transnational links. Military activity, including France's Operation Barkhane, which has a counter-terrorism mandate, may also influence the way smuggling networks operate, for instance in their choice of alternative, less visible routes.[75]

The migration economy in Mali, especially in the north, is part of a larger criminal sphere. In order to operate, smugglers need access to armed groups controlling migration routes. Access to smuggling routes is possible through good connections with other members of smugglers' networks, as well as with armed groups and their affiliates. These ties are secured either through specific agreements, and/or personal connections.[76] While information on these connections is scarce, interviews with 4Mi monitors suggest that the most common type of relationship between armed groups and migrant convoys is a droit de passage granted to smugglers.[77] Human smuggling is not the most lucrative business in the region where other forms of smuggling proliferate. For this reason, armed groups mostly organize corridors for human smuggling but do not control the business itself.[78] The migration business in Mali cannot therefore be considered to be low-barrier to entry, as it was in Agadez before the crackdown on migration.[79]

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69   Refugees and migrants interviewed by 4Mi in Niger in 74% of cases considered their smugglers to be professionals. This percentage rises to 81% for those interviewed in Agadez.
70   Molenaar, F. (2018) Why the EU should help former smugglers get a job Clingendael - Netherlands Institute of International Relations. (p. 4)
71   Ibid.
72   Molenaar, F., Tubiana, J. & Warin, C. op. cit.
73   Tubiana, J., Warin, C. & Saeneen, G. op. cit.
74   Security Council op. cit. (section V)
75   One example is Operation Fildjo, carried out by the Malian military forces and MINUSMA with the support of Barkhane to the secure the city of Gao in the wake of a January 2017 car bomb there. It entails 'security operations around the city, identity checks, the reinforcement of check points as well as day and night patrols in the city.' See: Permanent Mission of France to the United Nations in New York (2017) Fight Against Terrorism in Mali: the operation Fildjo
76   Focus group with 4Mi monitors in Gao, November 2018.
77   The going rate for passage through a checkpoint is reportedly 5,000 CFA francs (US$ 8.5) per migrant. Very little information exists about migrant journeys, smuggling dynamics, or abuses and extortion that occur beyond Gao and Timbuktu to the Sahara desert. Transporters are known for their specialization: from Gao, mostly Tuareg transporters take migrants to Niger (Agadez and Madama) or to Algeria. From Timbuktu a network of mostly Arab transporters links to Algeria. This route is becoming increasingly popular. Focus group with 4Mi monitors in Gao, November 2018.
78   Micallef, M., Horsley, R. & Bish, A. (2019) The Human Conveyor Belt Broken – assessing the collapse of the human-smuggling industry in Libya and the central Sahel. The Global Initiative against Transnational Organised Crime/Clingendael (p. 80-81).
79   Molenaar, F. & Van Damme, T. op. cit.; see also: Molenaar, F. op. cit.

Smuggling networks in Gao

Coxeurs or apprentice smugglers intercept migrants in Wabaria, a checkpoint before Gao, or at bus stations.[80] *Coxeurs* are often contracted by ghetto owners or collaborators of a smuggler or are paid by the migrant directly.[81] They act as a first point of contact for those aiming to travel north. Many migrants already have contact details or referrals for *coxeurs* when they arrive in Gao, while others find them in situ. These different actors often know each other and have established links, including family connections. These personal links make networks stronger, and more difficult to access and dismantle.[82]

Different hosting facilities exist in Gao. Apprentice smugglers or former migrants rent accommodation to newcomer migrants while they are looking for a smuggler to organize their onward journey. There are also *foyers* run by smugglers who own houses and vehicles to take migrants across the desert to the Algerian border.[83] These are mainly run by former migrants who have settled in Gao and have lived there long enough to establish connections with *passeurs* and local authorities.

Smugglers in Gao often control access to migrants and limit their freedom of movement. There are reports of migrants being confined to closed ghettos until their departure for Algeria or other destinations.[84] This exemplifies the potential blurring of lines between smuggling and trafficking en route: some refugees and migrants fall into a situation of dependency and potential exploitation at some point after the start of their journey.

Nature of smuggling networks: loose and flexible

According to 4Mi data, some smugglers carry out one or several roles, and some have young assistants helping with the recruitment of migrants or other relatively menial tasks. This suggests that there is more of an informal collaboration between different members of the network than a fixed chain of command.

Most smugglers interviewed reported that they predominantly work alone, more so in Niger (86%) than in Mali (69%). 'Working alone' can be interpreted as a type of involvement in a larger migration economy as opposed to 'being part of a network'. This does not mean that they do not cooperate with others; but rather that they have several allegiances, with a multiplicity of working relationships in flexible and loosely structured networks.[85] This can also be corroborated by 4Mi data showing that the majority of those who say they work alone have two or more roles (74% in both Mali and Niger). This confirms the hypothesis on multiple allegiances and collaboration with other members of the business. By contrast, the minority who reported to be working in a network in Mali (65%) said they provided only one service. This suggests that within a network, smugglers tend to have more of a fixed role and perform it regularly than having multiple allegiances. In this sense, similarities can be drawn with criminal networks where members have fixed roles.

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80 4Mi monitors interviewed for this paper.
81 Author interview with journalist specializing on migration in the Sahel.
82 Focus group with 4Mi monitors in Gao, November 2018.
83 The price of stay in foyers is reportedly 2,000 CFA francs (US$ 3.4) per day.
84 Interviews with 4Mi monitors.
85 In contrast to criminal activities where allegiances are typically unilateral. Studies suggest that those who work between Niger and Libya also claim to work alone and define themselves as self-employed entrepreneurs. See, for example, Tinti, P. & Westcott, T. op. cit. (p. 13.)

Prospective smugglers first get involved in these activities through their personal connections and families. For example, young drivers may initially be involved as helpers on the route or accompany drivers, before becoming drivers themselves.[86] They may also have several collaborators if they are part of horizontal and loose networks. According to 4Mi data, most smugglers started as coxeurs and were then integrated in larger networks where they took on more important roles.

4Mi interviews with smugglers in Mali suggest that those who work alone tend to be more engaged in the recruitment of migrants (62% compared to 31% of those who say they work in a network) and in the provision of accommodation (33% compared to 15%). Moreover, many smugglers interviewed in Mali reported to be highly involved in the transportation of migrants regardless of whether they were working in a network (71% of those working alone; 77% of those working in a network).

In Niger, fewer differences in the types of services were identified between those reporting they worked in a network and those who said they worked alone. A high percentage of both those working alone (66%) and in a network (70%) report that they were involved in the recruitment of migrants. 55% of those working alone and 50% working in a network reported to be providing accommodation.[87]

Connections between smugglers along the journey

According to 4Mi data and other existing literature, West African smuggling networks are predominantly horizontal and rely on regional connectivity. This may involve indirect relationships that function in a similar way to how hawala money transfer systems operate between people in different locations who do not necessarily know each other but who have common contacts.[88] The principle can be applied to some loosely organized smuggling networks: a smuggler may not know a person in the place where a migrant wants to go, but he or she is more likely to know someone who knows the right person and thereby connects a future client to the future service provider. These kind of connections link cities within the same country – in Mali, for example many coxeurs operate from Bamako or Mopti and connect refugees and migrants to coxeurs and smugglers in Gao – as well as in different countries. Such connections and modalities of collaboration between different parts of the chain also affect aspects such as payments for the journey.

Most smugglers reported that they did not personally accompany refugees and migrants across a border (73% in Mali; 74% in Niger). However, 71% of the smugglers interviewed in Niger and 48% in Mali said someone was on the other side of the border to receive their clients, which suggests a link between smugglers operating on both sides of the border. Together with other 4Mi data and separate studies, this also suggests that networks going through Niger are much more extended to other countries (at least those from coastal countries) than networks operating in Mali.[89]

While several studies detail the connections between transporters (mainly from the Tubu community) who travel from Agadez to Sebha in southern Libya (a distance of some 2,400 km),

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86   Tinti, P. & Westcott, T. op. cit. (p. 13)
87   Since respondents were permitted to choose more than one answer total percentages can exceed 100.
88   The example comes from Tinti, P. & Reitano, T. (2016) Refugee, migrant, smuggler saviour Oxford University Press, Oxford. (p. 66).
89   Molenaar, F. op. cit. (p. 21).

there is much less information available concerning links between Malian and Algerian smugglers, or between smugglers in coastal countries and major transit hubs in Mali and Niger. Focus groups with 4Mi monitors in Gao suggest there are transnational links between smugglers in Gao and smugglers on the other side of the border in Algeria.

Photo credit: Sven Torfinn / Panos

A man from Niger about to board a truck with about 150 other migrants travelling between Agadez and the border, bound for Libya or Algeria. Young men from all over West Africa travel by truck through the Sahara desert to North Africa. Crossing the desert takes about a week.

4. How smugglers treat refugees and migrants

Overall perceptions

Findings from the 4Mi smugglers' survey suggest that, overall, smugglers believe that they do not exploit migrants (only 17% of smugglers in Niger and 16% in Mali believe that smugglers do exploit migrants). Most (69% of smugglers surveyed in Mali; 93% in Niger) believe that they are providing a good service to refugees and migrants. Many (89% in Mali and 57% in Niger) stated that they explained the risks of the journey to their clients. In Niger, 23% of the smugglers interviewed said they did not explain risks and 20% declined to answer to the question.
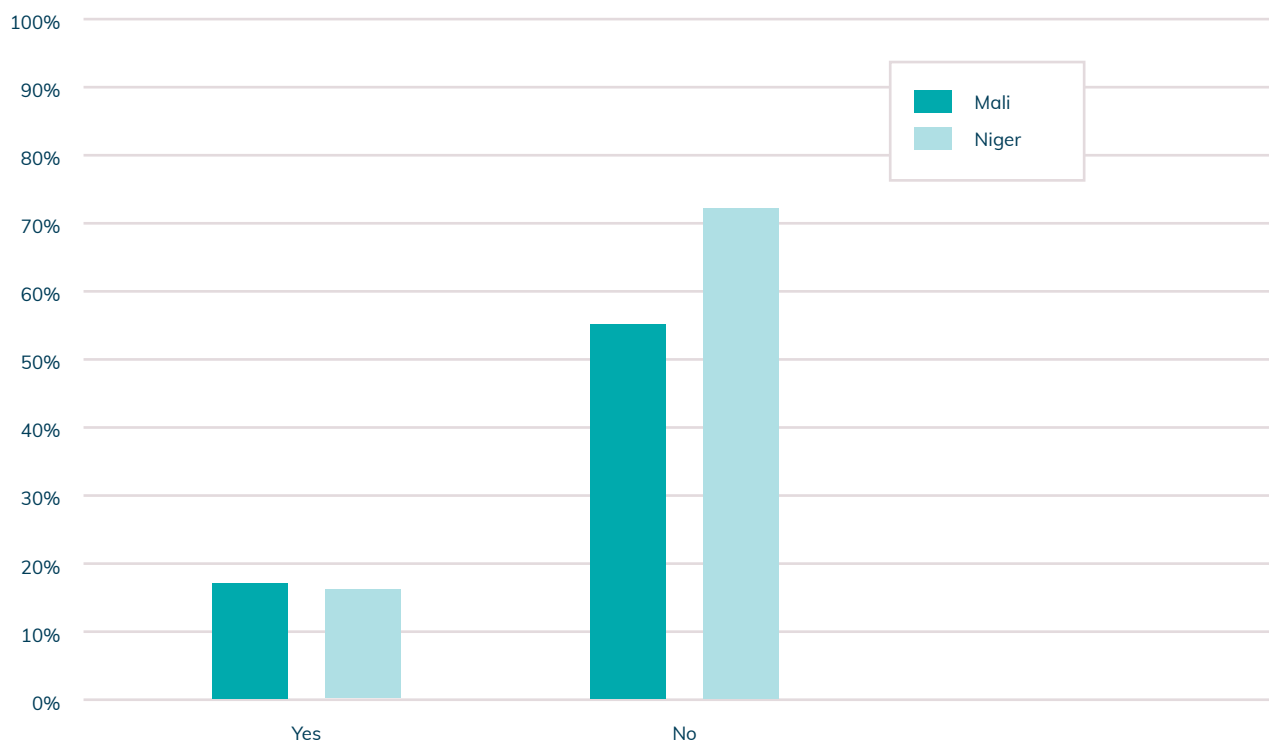
Do you think smugglers exploit migrants?

Figure 4. Source: 4Mi smugglers survey. Mali n=84 Niger n=69.[90]

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90 The chart shows responses to the question: 'Do you think smugglers exploit migrants?'

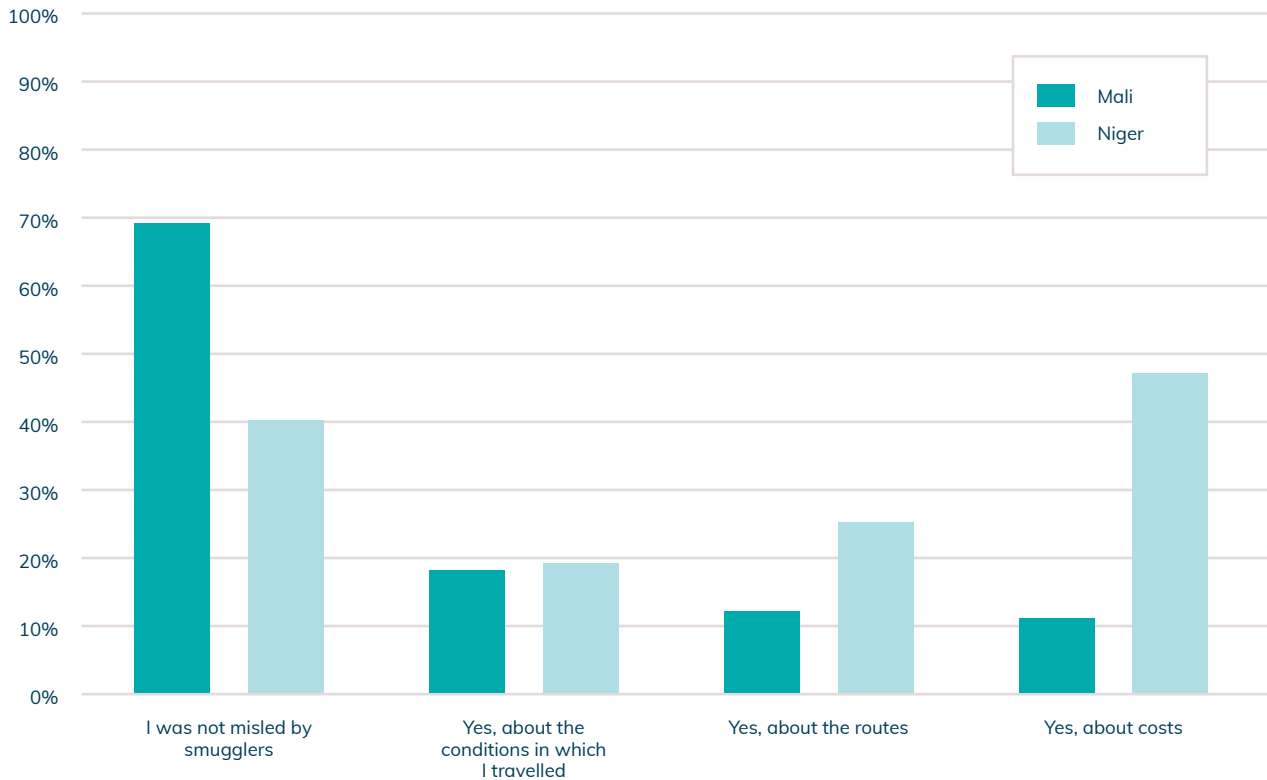## Do you feel your smugglers intentionally misled you?

Figure 5. Source: 4Mi migrants survey Mali n=1010 Niger n=786.[91]

Most (69%) of the refugees and migrants interviewed in Mali who had used one or more smugglers reported that they had not been misled by smugglers, while in Niger only 40% shared this opinion. Of those interviewed in Niger who felt misled by a smuggler, subjects of deception included costs of services (47%), routes to be taken (25%), and conditions of travel (19%). In Mali, the corresponding figures were 11%, 12% and 18% respectively. Several refugees and migrants interviewed in Mali and Niger said that they had been defrauded by smugglers, with some smugglers taking their money and disappearing without providing promised services:

"This trip I did thanks to my sister who is in Europe. Whenever she sends me money my smuggler goes to collect it, but in the end he took off and abandoned me, as we are not from the same country. He is a Guinean; we met in Bamako."

Malian woman, 23, interviewed in Agadez.[92]

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91 The chart shows responses to the question: 'Do you feel your smuggler(s) intentionally misled you?'
92 Translated from the original French: 'Ce voyage je l'ai fait grâce à ma sœur qui est en Europe. Quand elle m'envoie [l'argent] c'est mon passeur qui part prendre de l'argent mais à la fin il est parti et m'a laissé, comme nous ne sommes pas de même pays. Lui c'est un guinéen on s'est rencontré à Bamako.'

Abuse en route

4Mi collects data on protection incidents reported or witnessed by refugees and migrants, including instances of sexual abuse, physical abuse and robbery.[93] The chart below illustrates the range and relative prevalence of such incidents as well as the type of alleged perpetrators.

Reported incidents of abuse and their perpetrators

Mali - Robbery	Mali - Physical Abuse	Mali - Sexual Abuse
228 interviews	281 interviews	139 interviews
Niger - Robbery	Niger - Physical Abuse	Niger - Sexual Abuse
169 interviews	185 interviews	70 interviews

Legend:
- Security forces
- Single unknown individuals
- Smugglers
- Other migrants / non-related persons on the move
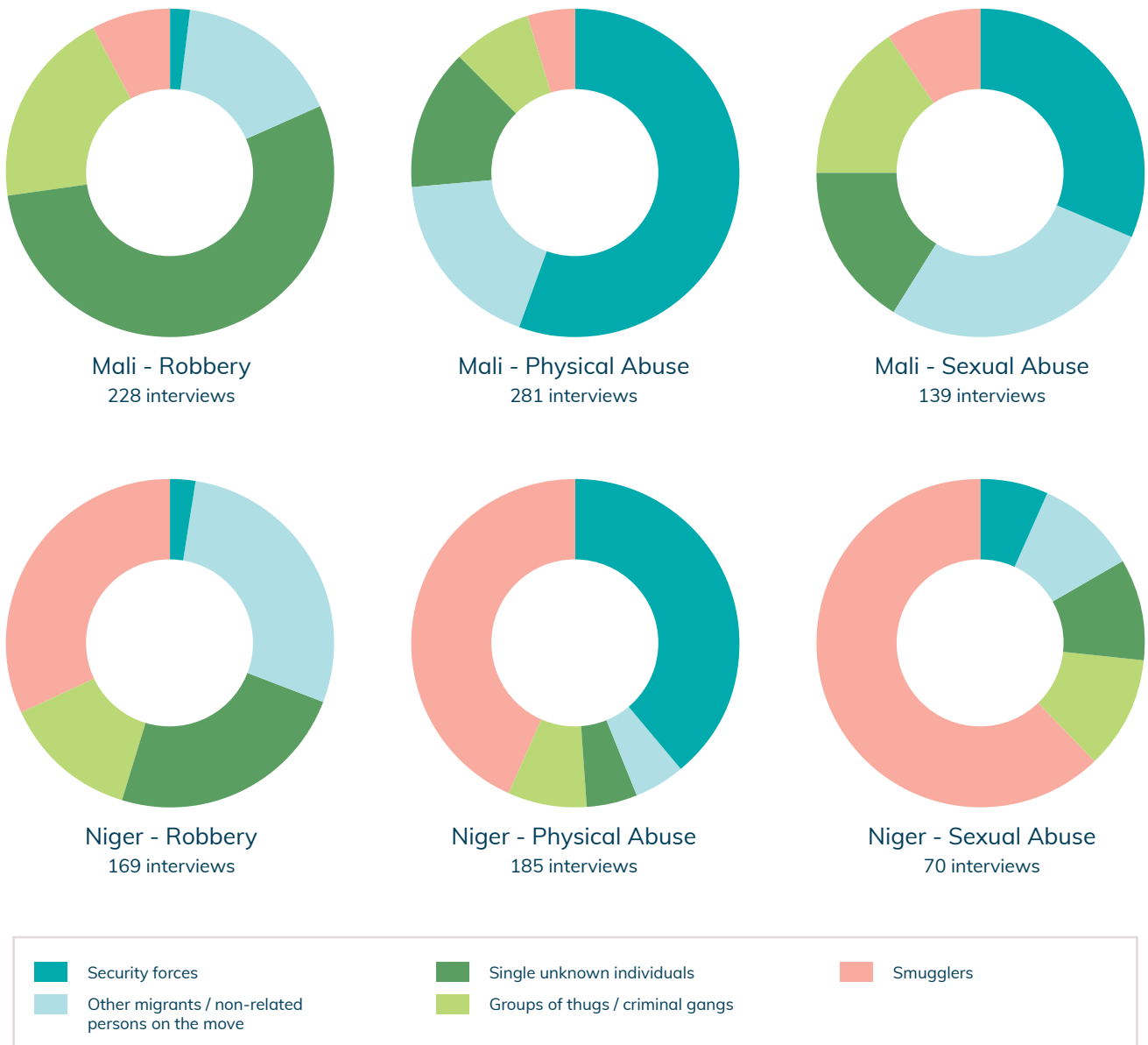- Groups of thugs / criminal gangs

Figure 6. Source: 4Mi surveys of migrants and refugees Robbery: Mali n=228 Niger n=169; Physical abuse Mali n=281 Niger n=185; Sexual abuse Mali n=139 Niger n=70.[94]

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93 Other reported protection incidents, such as detention and kidnapping, are not included in this analysis.
94 The chart reflects responses to the survey questions: 'Have you ever been robbed during your journey?' 'Did you experience any physical abuse or harassment (of a non-sexual nature) during your journey?' 'Did you witness or experience any sexual assault or harassment during your journey?'

Refugees and migrants interviewed in Niger said smugglers had carried out almost half (45%) of all the 424 incidents of abuse they reported (and 56% of 70 reported cases of sexual abuse). Other groups, such as thugs/criminal gangs and security forces, were identified to a lesser extent as perpetrators (10% and 8% respectively). Among 185 cases of physical abuse, 51% were reportedly committed by smugglers and 46% by security forces. Among 169 cases of robbery, 36% were reportedly committed by smugglers, compared with 32% by other migrants and 27% by single unknown individuals.

By contrast, in Mali, respondents attributed just 6% of all (648) reported protection incidents to smugglers, a figure that reflects the fact that most refugees and migrants travel through Mali without the help of smugglers until they reach Gao (beyond Gao, however, cases of smugglers ill-treating their clients, including with physical abuse, are reportedly more common.)[95] Respondents blamed security forces for 30% of overall protection incidents, 49% of the 281 reported cases of physical abuse, and 37% of the 139 cases of sexual abuse. Among 228 cases of robbery, 50% were reportedly committed by unknown individuals. Several publications have reported that Malian security forces often perpetrate abuses against local populations. [96] A higher prevalence of protection incidents identified in Mali are linked with the insecurity prevalent in the central part of the country where cases of armed banditry and attacks on civilians occur very often.

Several refugees and migrants interviewed by 4Mi also spoke of exploitation of female refugees and migrants for prostitution, including cases of trafficking:

"The coxeur falsely promised that I would get work in a clothing factory in Italy. Once we arrived in Agadez, he forced me to prostitute myself to pay back the 7 million CFA francs (US$12,000) he'd spent on me. I did not have [the money] so I had to go into prostitution to pay him back."

Female migrant interviewed in Mali. [97]

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95 Focus groups and interviews with 4Mi monitors. Participants in one focus group spoke of an association in Gao that is led by a smuggler who extorts money from and abuses refugees and migrants.
96 Human Rights Watch (2017) Mali: Unchecked Abuses in Military Operations - Mali, Burkina Faso Troops Commit Killings, "Disappearances," Torture; see also: Human Rights Watch (2018) Mali: Deaths, Torture in Army Detention. Justice Ministry Should Conduct Investigations in the Mopti Region
97 Translated from the original French: "Le coxeur m'a fait une fausse promesse que je vais travailler dans une société des fabrications des habits en Italie. Une fois arrivée à Agadez il ma obliger de me prostituer pour lui rembourser 7 000 000 qu'il ma payer. Je n'avais pas de quoi est j'étais obligée de faire la prostitution pour le rembourser."

5. Conclusion

This Briefing Paper aims to provide insight into the profile and role of smugglers and the networks they operate in, partly based on unique primary data from smugglers and taking into account the socio-economic, legal and political context of Mali and Niger. The picture that emerges shows that smugglers have different roles, services and activities. These include the facilitation of irregular border crossing but also other activities such as running ghettos or *foyers* for migrants and other support services such as selling food and carrying out money transfers. This reflects the **multifaceted** nature of smugglers in West Africa: the smuggling business is fragmented with many different players interconnected and interacting with each other. Not every person involved in the migration economy strictly falls within the scope of smuggling activities defined under the UN Smuggling Protocol.

This briefing paper has evoked the notion of **connectivity characterizing the smuggling business in West Africa**. Longstanding trade patterns rely on intricate long-distance personal and commercial connections, as well as ethnic and kinship ties, and all this underpins the transnational nature of smuggling networks.[98] In the context of the existing migration economy linking West and North Africa, connectivity is the basis of relations between different individuals and their networks. For instance, existing research shows that smugglers remotely coordinate the journeys of refugees and migrants by linking them to "downstream" counterparts. According to 4Mi data, such connections take different forms and are often informal and very fluid. The finding that 74% of refugees and migrants were put in touch with a smuggler by other smugglers also reflects the overall connectivity between individuals and their networks throughout the entire migrant journey.

This paper argues that access to smuggling networks can be **high or low-barrier**, thereby regulating who can join the business and how such entry processes takes place. These and other characteristics of smuggling networks can change over time and are influenced by factors such as the criminalization of migration and the overall political and security context. In Niger, particularly in the Agadez region, an apparent shift has taken place regarding the accessibility of the migration business, as a consequence of the implementation of anti-smuggling legislation. The criminalization of migration has often been linked in existing literature to the professionalization of the migration economy and its "closure" to outsiders. While this process may be underway in Niger, 4Mi data suggests that many smugglers still have multiple roles and commitments within networks. In Mali, there is also a significant difference between smugglers working in the south of the country and those working in the north. Fewer refugees and migrants use a smuggler while travelling to and through Mali than those travelling to and through Niger. This may explain why refugees and migrants interviewed by 4Mi reported fewer protection incidents committed by smugglers in Mali than in Niger. Networks operating in northern Mali are by contrast characterized by more professional and criminal-like activities and by members having single allegiances and fixed roles. While 4Mi data does not allow for longitudinal observations on the changes in the structures of the smuggling networks, there are still some indications of the professionalization of smuggling networks as a consequence of the criminalization of the migration business.

The smuggling economy is driven by both a demand for mobility, lack of legal pathways and the opportunities for profit arising from this

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98   Molenaar, F. & Van Damme, T. op. cit. (p. 7)

demand. 4Mi data shows that smugglers are not the primary *instigators* of such movement, but rather its facilitators. Needs for smugglers arise especially in zones where regular transport services are unavailable, in the north of Mali and Niger. The informal nature of the travel facilitated by smugglers leaves room for increased extortion, theft and other abuses.

Criminalizing smuggling activities without offering alternative measures to increase legal pathways overlooks the reality that the demand for mobility will continue. Evidence in Niger already shows that this can have a negative impact both on local livelihoods and refugees and migrants who are taking alternative and more dangerous pathways to circumvent checkpoints. As smuggling activities are pushed underground, the networks become more closed, less accessible and more professionalized.

The Mixed Migration Centre (MMC) is a global network consisting of six regional hubs (Asia, East Africa, Europe, Middle East, North Africa & West Africa) and a central unit in Geneva. The MMC is a leading source for independent and high-quality data, research, analysis and expertise on mixed migration. The MMC aims to increase understanding of mixed migration, to positively impact global and regional migration policies, to inform evidence-based protection responses for people on the move and to stimulate forward thinking in public and policy debates on mixed migration. The MMC's overarching focus is on human rights and protection for all people on the move.

The MMC is part of, and governed by the Danish Refugee Council (DRC). While its institutional link to DRC ensures MMC's work is grounded in operational reality, it acts as an independent source of data, research, analysis and policy development on mixed migration for policy makers, practitioners, journalists, and the broader humanitarian sector. The position of the MMC does not necessarily reflect the position of DRC.

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