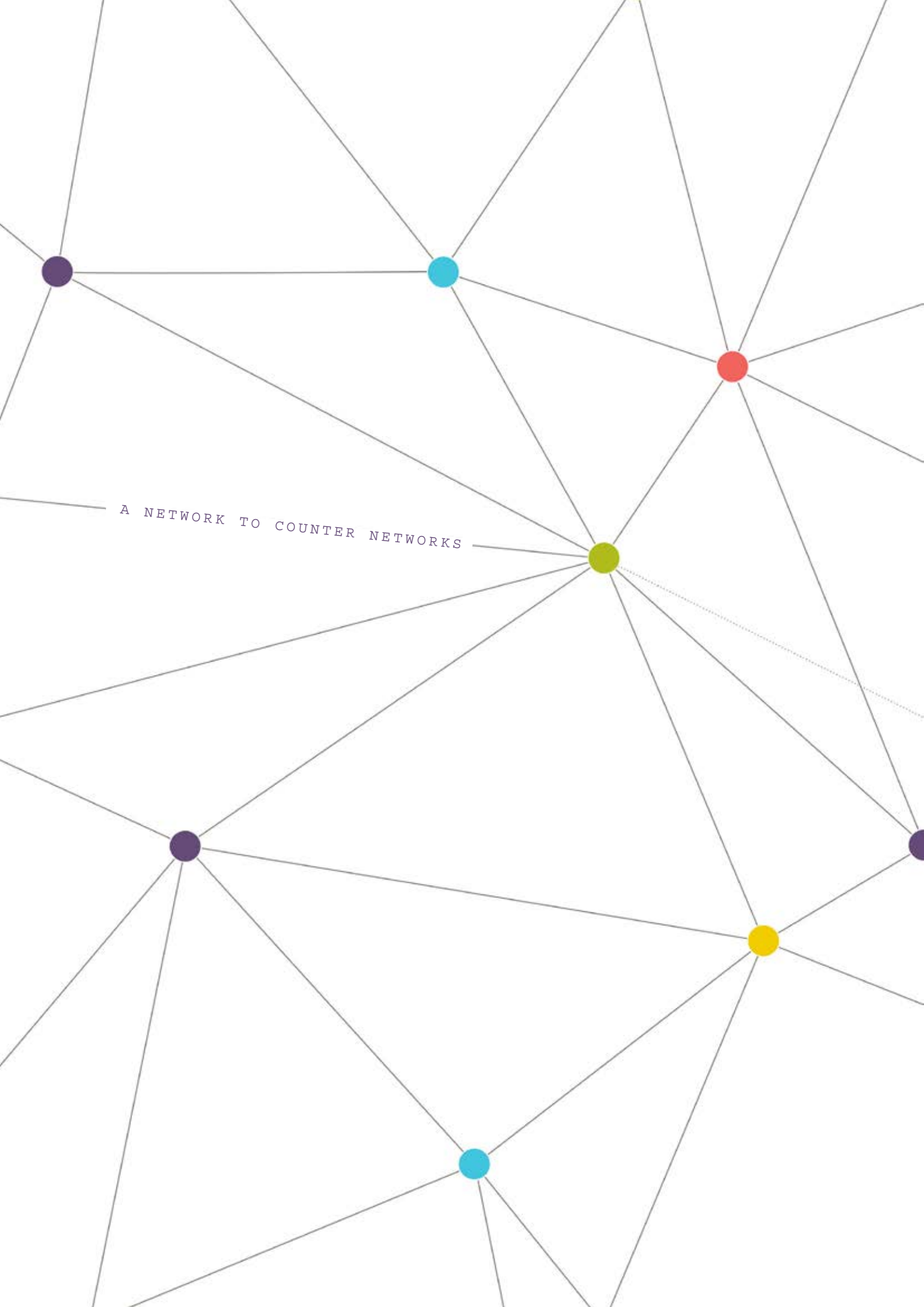


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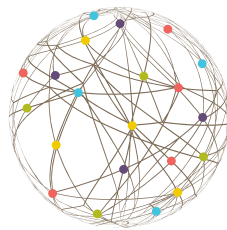
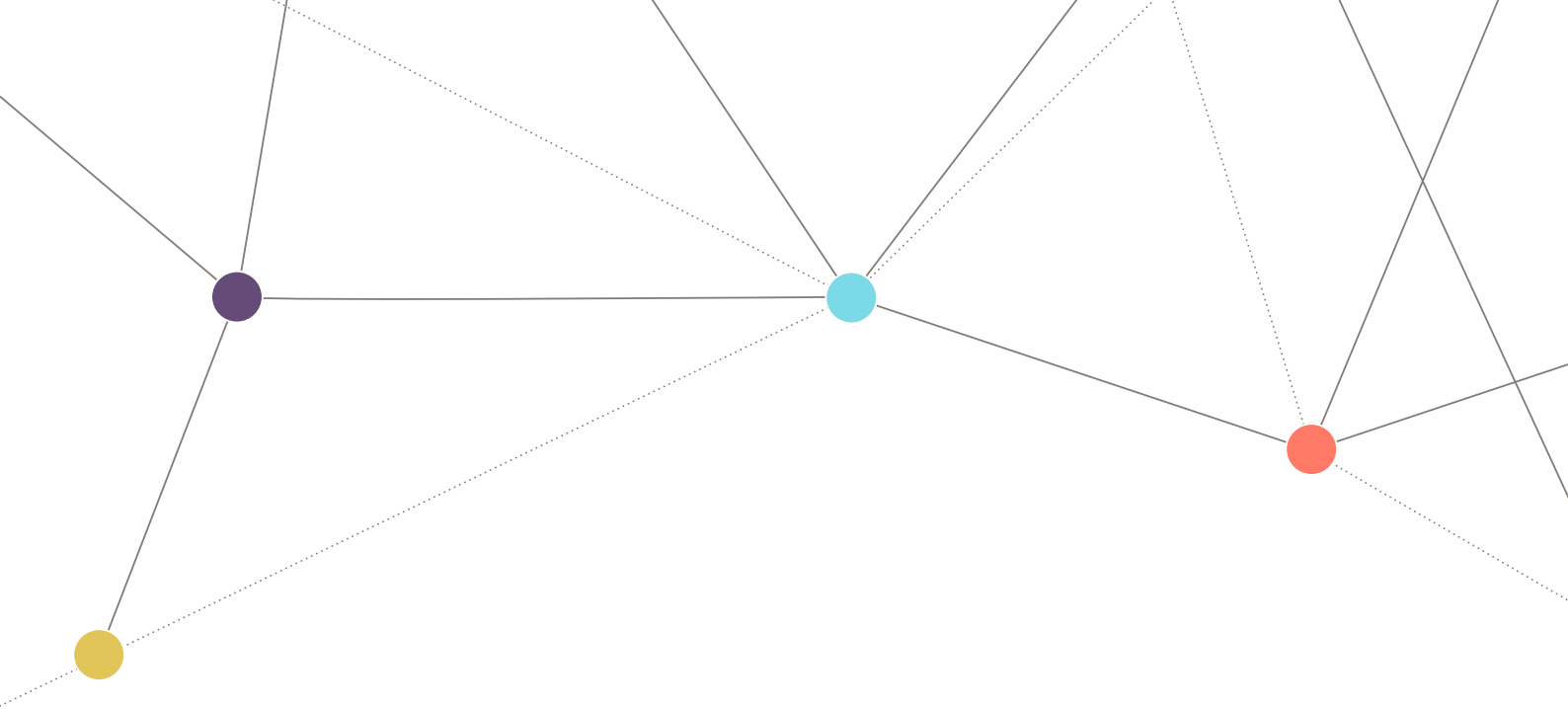
The Human Conveyor Belt : trends in human trafficking and smuggling in post-revolution Libya



March 2017



A NETWORK TO COUNTER NETWORKS



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Mark Micallef

March 2017



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He has been engaged with migration from Africa to Europe for over ten years and has reported extensively from Libya both before and after the overthrow of Muammar Qaddafi as well as during the 2011 revolution itself with dispatches from Benghazi, Ajdabija and Ras Lanuf during the rebels' advance on Sirte, where Gaddafi was eventually found and killed.

In 2015 he helped set up and direct Migrant Report, a specialised news website dedicated to migration. He also carried out in-depth research on human smuggling and trafficking with extended fieldwork in Libya, Turkey, Myanmar and Bangladesh.

Formerly, the News Editor at The Times of Malta, Micallef spent a substantial part of his career investigating crime. Recent examples from 2014 saw him track down in the UK and Dubai two Maltese businessmen wanted for multi-million euro fraud.

He is now an independent researcher, consultant and Research Fellow with the Global Initiative against Transnational Organized Crime.



Executive Summary

The proliferation of human smuggling in Libya is both a criminal problem and a feature of Libya's fracture into competing armed factions. Whilst most acutely perceived on Libya's coast, it is in fact an illicit trade embedded across the country, encompassing and feeding on the political economy and geopolitics of Libya's Southern, Eastern and Western borders.

The expansion and consolidation of smuggling activity has been further predicated on the interface with communities, as it has been justified as a means to fund militias, which in turn provide security in the face of external threats from competing families, tribes and towns.

Migrants and refugees have become simply another commodity to be exploited in the broader resource predation carried out by armed groups that exercise effective control over the Libyan territory. The consequences for human security, both for the migrants but for the Libyan people, are considerable.

Action is urgently needed but a long-term perspective is imperative. Any intervention by the international community or national Libyan agents that takes a short-term perspective risks playing into the hands of the very same armed groups at the heart of the problem. Not only would such action risk failing to achieve the stated goal of bringing order to migratory flows running through Libya, but may in fact contribute to the further destabilisation of the country.

The alternative is not inaction but greater investment in bridging the knowledge gaps with a view to identify ways in which to isolate smuggling industries from their communities at a local level.

Key Findings

- **Market Liberalisation:** The liberalisation of the human smuggling market in the immediate aftermath of Libya's revolution provided established smugglers with new opportunities to internationalise their network with the help of Middle Eastern and East African middlemen and better access to *hawala*¹ (paperless financial transactions based on honour) – an activity that was closely monitored by the Qaddafi regime. While coastal linchpins had enjoyed long established relationships with East African *mandeeb*² (plural of *mandub*, agent or representative), these contacts were furthered during this period. Moreover, the advent of Syrian refugees seeking to cross to Europe from Libya opened new opportunities to establish a financial infrastructure which was fundamental for the development of the smuggling industry in the following years.
- **Smuggling as Resource Predation:** The protection market developed by various militias and armed groups around smuggling is a feature of the general resource predation which has come to characterise Libya's socio-political landscape after the revolution. This interfaces the activity with local familial, tribal and community interests, resulting in some instances in the perception of legitimacy of smuggling, or at the very least the view that such activities are a necessary evil for the provision of a community's security in the face of outside threats from competing or antagonist groups.

1 *Hawala*, Arabic for transfer, is a transferring money system based on honour which is used in the Muslim world. Typically, money is paid to a *hawaladar* (agent) who then instructs a counterpart to pay the final recipient in another geographic location. At this point, the *hawaladars* are bound by a financial debt which is based on honour as there is no paper trail.

2 In the Libyan context the word *mandub* or less frequently *wakil* (Arabic for agent or representative) can stand in for the word *samsar* (broker), which is the preferred term used in the Aegean, for instance, to refer to the middleman who brokers deals with smugglers on behalf of client migrant. In both cases, these brokers tend to be of the same nationality as the migrants on whose behalf they would be appearing. In the context of the Libyan human smuggling context, however, the word *samsar* is normally only used to refer to individuals who act as a facilitators. Smugglers who do not have enough migrants to fill a boat may sometimes turn to brokers who will approach other smugglers and ask them if they would "sell on" their clients or a part of them. The person acting as a middleman in that deal is referred to as a *samsar*.



- **Capacity Expansion:** The involvement of militias in the smuggling process both through the taxing of activities in their territory and the direct running of human smuggling networks has reshaped the market which can no longer be described as a liberalised market. The rules of supply and demand cannot be applied directly to the analysis of human smuggling and trafficking in Libya anymore because access to protection is what ultimately guarantees a network's position in the market place. The militarisation of the activity is squeezing small-timers out of the business and concentrating smuggling activities in the hands of fewer, well-organised criminal networks. The territorial access provided by militias has expanded smugglers' logistical capacity and further increased efficiency, opening the Libyan territory to a lot more "business", particularly in the context of a seemingly limitless demand. It is this enhanced capacity that has led to the explosion in numbers seen in the aftermath of the revolution, especially after 2013.
- **Transnational Consolidation:** There are clear signs some networks have developed into transnational consortia, able to handle routes and volumes of people requiring substantial logistical and financial capacity. Of particular relevance is the fact that different networks are sharing facilities. This is a new phenomenon to the Libyan context, which has substantial implications for policy formulation. While, diaspora networks from the Middle East and North Africa (MENA) and sub-Sahara regions have long operated over huge geographies requiring coordination in multiple countries and different parts of Libya, such coordination was mostly confined to the supply side. Each of these networks would make its own arrangements with different players in Libya (desert guides/transit smugglers/coastal smugglers). That coordinating role now appears to have been taken over - at least on some routes - by Libyan linchpins who are able to guarantee access to multiple territories.



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Acronyms

AQIM	al-Qaeda in the Islamic Maghreb
DCIM	Directorate for the Combat of Illegal Migration
EU	European Union
EUNAVFOR Med	European Union Naval Force Mediterranean
GNA	Government of National Accord
GPS	Global Positioning System
IOM	International Organization for Migration
ISIS	Islamic State of Iraq and Syria
LNA	Libyan National Army
LYD	Libyan Dinar
MENA	Middle East and North Africa
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
RHIBS	Rigid-Hulled Inflatable Boats
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
US	United States





Migrants wait in the courtyard before lunch is distributed at the Triq Sikka Detention Centre in Tripoli, likely one of the better and more organised facilities in the country. Photo: Mark Micallef

Introduction

In the year of Libya's revolution, the UN Refugee Agency (UNHCR) declared the Mediterranean the deadliest water crossing for migrants and asylum seekers in the world³, after an exodus of people fleeing the fighting, left an estimated 1,500 dead or missing. Six years after the outbreak of that war, the situation is dramatically worse. In 2016 more than 5,000 people perished, the vast majority in the Central Mediterranean, the stretch of sea that divides Europe from North Africa.⁴

It is a shameful record that Libyan coastal smugglers have held for years. However, these statistics, representing only a partial picture of both fatalities and human suffering, fail to highlight a major component of the human smuggling industry. The vast majority of migrants who have transited through the country after having journeyed from sub-Saharan Africa will say that the sea crossing is actually the easier part.

It is what comes before the Mediterranean, the brutal desert crossing across the Sahara,⁵ the lawless neighbourhoods in Libya, and in the country's detention centres, that is the difficult part. Yet, this aspect of the industry remains under-reported, if not for the testimonies of thousands of survivors.

Since the overthrow of the former Libyan dictator Muammar Qaddafi, the control the Libyan regime had on smuggling activities has been largely devolved to a plethora of militias and armed gangs which have helped industrialise the trade, rendering it more efficient and ruthless. The collapse of law and order along with the

3 Photo Credit: UNHCR, "Mediterranean takes record as most deadly stretch of water for refugees and migrants in 2011," May 31, 2012 [Press Release], January 31, 2012, <http://www.unhcr.org/en-us/news/briefing/2012/1/4f27e01f9/mediterranean-takes-record-deadly-stretch-water-refugees-migrants-2011.html>

4 UNHCR, "Mediterranean Sea: 100 people reported dead yesterday, bringing year total to 5,000," May 31, 2012 [Press Release], December 23, 2016, <http://www.unhcr.org/news/briefing/2016/12/585ce804105/mediterranean-sea-100-people-reported-dead-yesterday-bringing-year-total.html>. For reference data, see also: UNHCR Data portal; <http://data.unhcr.org/mediterranean/regional.php> and IOM's Missing Migrants Project; <http://missingmigrants.iom.int>

5 The desert crossing is probably the most obscure part of the journey and the leg on which there is the least data. More than 1,300 migrants and asylum seekers interviewed by the Regional Mixed Migration Secretariat (RMMS) between 2014 and 2016 reported the death of 1,245 people. See: Colin Sollitt, *Forgotten Fatalities: the number of migrant deaths before reaching the Mediterranean*, RMMS, June 27, 2016, <http://www.regionalmms.org/FeatureForgottenFatalities.html>



economy have provided both the environment and incentive for the intensification of the mass exploitation of migrants and asylum seekers.

This is especially acute in the expansion of indentured labour, where migrants and asylum seekers become vehicles for reverse-remittance through kidnappings and arbitrary detention by criminals and armed groups, some of which operate official detention centres. Since the fragmentation of the country, smuggling and trafficking activity has been considerably consolidated on dominant routes east and west of the country, while also showing a significant degree of fluidity and flexibility throughout 2016.

The following report attempts to chart the developments in Libya's human smuggling industry within a historical context and also provide a contemporary analysis of the country's current market dynamics and trends, based on focused monitoring carried out throughout 2016 in the main access points into Libya, the transit hubs in the centre of the country, and the coastal towns from where migrants and asylum seekers are sent towards Europe. The focus of this document is on human smuggling and trafficking, however, such activities take place within the broader framework of Libya's illicit economy and therefore the resulting analysis has been developed in a way that reflects this.

While this exercise is not exhaustive, it should provide an adequate introduction to policy makers and observers new to the Libyan context, as well as serving as a reference point for others wanting to build on its findings.

While the international community remains occupied with the central state-building process, there are other opportunities for intervention through the engagement of local communities, which might positively contribute to shore up peace and stability at a micro level and bring an appreciable reduction in human smuggling. Programmes of this sort should be predicated on grounded research that identifies socio-economic openings that could help unhinge local political eco-systems from smuggling revenues. Successes in this area can be then highlighted and promoted with other communities across the country as best-practice examples to be emulated.

"While the international community remains occupied with the central state-building process, there are other opportunities for intervention through the engagement of local communities."

Militias, as enablers of human smuggling are generally more visible targets and sensitive to international exposure, particularly where they are also invested in the political transition process. As such, naming and shaming exercises such as the work conducted by the Panel of Experts on Libya reporting to the UN Security Council, can be effective as a disincentive to engage in smuggling. These efforts should be expanded and supported with the application of targeted sanctions.

Any advancement of border control activity in Libya should be accompanied by sustained investment and capacity-building aimed at the protection of refugees and migrants transiting through Libya from a legal and operational point of view. There should also be a substantial resettlement programme for refugees in the country. Besides the humanitarian imperatives underpinning this proposal, any furthering of EU deals with Libya would need to be negotiated against Libyan public opinion, which understandably does not have migration at the top of its list of concerns.

It is essential that policy makers and other relevant stakeholders bear in mind that any intervention that may be construed as a crude transaction whereby Libya receives money in return for keeping migrants coming from Africa may have the effect of undermining the legitimacy of the very government the international community seeks to prop up, whilst at the same time exacerbating violent challenges between competing groups.



Note on Methodology

The data and analysis are based on available literature focusing on Libya and the smuggling and trafficking industry, open-source information outlets as well as ongoing monitoring of key migratory nodes between January and December 2016 through interviews and exchanges with more than 62 key informants across Libya, Egypt, Tunisia, Sudan, Malta, Italy and Brussels, which include Libyan and European politicians, diplomats, security sources, activists as well as brokers and smugglers involved in various trades. The exchanges with key informants were carried out face-to-face, on the phone and, when it was the only alternative, through messaging platforms such as WhatsApp and Viber. Finally, the data are also informed by four extensive face-to-face interviews with human smugglers operating in the Tripolitania and 54 surveys carried out with people rescued off Libya between June and July, as well as 15 in-depth exchanges with migrants and refugees over a prolonged engagement lasting more than a year, in the case of two of the respondents.

Every effort has been made, within the limits of Libya's challenging context, to verify and confirm all claims. All information concerning facts is at least double-sourced with care taken to select informants who were truly independent of each other. Nonetheless, the text in most instances will present a set of live hypotheses in an environment which remains highly volatile. The value of this type of research is in the speed with which it can help develop analytical frameworks, hopefully enabling a first response to rapidly changing phenomena.

Names of sources have been withheld in line with conditions requested by the vast majority of interviewees. Even the names of smugglers and groups involved in the business were withheld for security reasons. The following text forms part of ongoing research which depends on the widest access possible in Libya, and this access hinges on the management of exposure.





One of the many scarred and destroyed apartment blocks in the "600 flats" neighbourhoods, one of the last bastions of resistance held by ISIS fighters before the group was defeated by the Bunyan Al-Marsoos anti-ISIS campaign. Photo: Robert Young Pelton

The Changing Landscape in Post-Qaddafi Libya

Muammar Qaddafi presided over a repressive system of control that depended on the widespread spying of Libyans by the feared Mukhabarat, the Libyan Intelligence Service. Regular citizens were recruited as assets to report on fellow townsmen and women, breeding a general air of suspicion that the regime had eyes and ears everywhere.

The main focus of this surveillance was for signs of subversion and threats to the regime. However, the carefully calibrated sanctioning of certain smuggling activities was one of the devices used to maintain control. Virtually all activity that took place was tolerated or promoted as a means to strengthen families or tribes deemed to be compliant, at the expense of those that were not.⁶ While some smuggling did fall outside the state-sanctioned system, particularly in the south, the level of this activity was modest by today's standard, and deeply underground.

Although this system loosened somewhat after the US lifted sanctions on Libya, following the settlement on the 1988 Lockerbie bombing⁷, migration control remained very much a bargaining chip in Qaddafi's arsenal of international influence right up to the toppling of the regime. The evidence was furnished by Qaddafi himself when he attempted to make good on his promise to "turn Europe black" just after the first NATO bombings in March of 2011.⁸ Qaddafi released smugglers who had been jailed in a crackdown that followed the 2009 cash-for-migration-control agreement with Italy⁹, while police and army members became directly involved in rounding up sub-Saharan Africans and sending them on large fishing vessels.¹⁰ Human smuggling was an entirely state controlled industry:

6 Mark Shaw and Fiona Mangan, "Illicit Trafficking and Libya's Transition – Profits and Losses" 2014, United States Institute of Peace: 7. See also, Peter Cole, "Borderline Chaos? Stabilizing Libya's Periphery," in Frederic Wehrey and Anouar Boukhars (eds.), *Perilous Desert: Insecurity*. (Carnegie Endowment for International Peace, 2013).

7 UN Security Council, "Security Council Lifts Sanctions Imposed on Libya After Terrorist Bombings of PAN AM 103, UTA 772," [Press Release], 12 September 2003, <http://www.un.org/press/en/2003/sc7868.doc.htm>

8 Squires Nick, 'Libya to unleash wave of migrants on Europe', The Telegraph, April, 7, 2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8435884/Libya-to-unleash-wave-of-migrants-on-Europe.html>

9 The €5bn "friendship and cooperation" agreement signed between then Italian Prime Minister Silvio Berlusconi and Muammar Qaddafi took effect on February 2009 and included an understanding that Libya would help curtail the flow of migrants to Italy. In the two years that followed, the number of migrants crossing fell dramatically, from 37,000 in 2008 to just 4,500 two years later.

10 Phone interview with Tripoli security source – July 2016. See also: Frontex, "FRAN Quarterly| Q02 2011, Frontex", September, 2011, <http://frontex.europa.eu/news/fran-quarterly-q02-2011-CHMqz9>



“When they arrested the people after the agreement with Italy, they knew exactly who to go for. There was no investigation, people were being arrested from one day to the next. But the people worked in the system were not affected. The smugglers protected by Saadi [Qaddafi’s third son] and who complied with the new order to stop the boats...they were not even arrested. Everyone knew who they were.”¹¹

In the immediate aftermath of the revolution, however, smugglers found themselves in a radically different environment: the market was now liberalised. The lull in 2012 was dictated largely by the fact that most migrants who were financially able and interested to make the sea crossing to Europe had fled during the violent end to the revolution either via the land borders west to Tunisia and south to Niger or Algeria, or on a boat to Europe. By the end of that year, however, established smugglers were back in the game but were now joined by new entrants.

Some of the new actors were criminals who escaped from prison during the confusion of 2011. Others were young *thuwar*, “still high on the adrenaline of the revolution, who were lured to the prospect of getting rich fast.”¹² It was a free for all.

“In (early) 2013, we started sending a lot of people. Many more than we did before. More people were coming to me (in Tripoli) but it was also much easier to cross. Whenever I called (coastal smugglers) saying I had new clients there were never any problems... keep bringing more, the smuggler (who was based in Zuwara) would say.”¹³

In addition to market entrants in the new, freer environment, established smugglers both on the coast and on the desert routes started creating their own momentum, taking advantage of their newly found latitude to operate.

The first surge came from the migrants already living and working in Libya, which the IOM had estimated in March 2011 as numbering over 2.5 million. But over a short span of time the industry was eaching backward along the smuggling chain to recruit new clients from source countries in Sub-saharan Africa.

The Syrian Crisis

While connections with Sub-Saharan counterparts were taking shape, in the coastal areas, demand began to grow from Syrian asylum seekers with greater purchasing power and expectations than their African counterparts.

Syrian refugees began to arrive in Libya towards the end of 2011 and beginning of 2012. At the time, most flew into Tripoli via Istanbul, Beirut or Amman due to a visa-free regime that had been in place. In 2013 however, entry restrictions were imposed, leading many to instead fly to Algiers, Cairo or Khartoum, and subsequently cross into Libya irregularly.¹⁴

This shift in policy corresponded loosely with shifting attitudes towards Syrians who went from “blood brothers”¹⁵ fleeing war to potential Shi’a fomenters.¹⁶ In fact, the tide had turned for all other *ajnabi* (foreigners) as creeping economic stagnation, political uncertainty, the security collapse and all manner of nationalistic propoganda from various sides turned many Libyans against outsiders.

11 Interview with Zuwaran security source – Zuwara, August 2015.

12 Phone interview with Tripoli security source (A) – June 2015.

13 Interview with 24-year-old Somali simsar who worked in Tripoli. Malta, February 2015.

14 At the time Syrians were either moving from Algeria to Tunis and then to Libya via the coastal borders or directly from Algeria via a route through Ourgla, DebDeb and Ghadames. Others crossed overland from Egypt to Benghazi but when war broke out again in 2014 this activity stopped.

15 Nancy Porsia, “Migrazione e morte sulle costole libiche: il caso di Zuwara,” *Universita Degli Studi di Palermo, Rivista di Storia delle Idee* 5, No: 1 (2016): 115

16 Amnesty International, “Scapegoats of Fear,” (London: Amnesty International, 2013).



"The truth is that they don't want us here. There are Libyan brothers who are very kind with us but I feel that we are seen differently the minute they realise we are not Libyan from our dialect. My wife and children never leave the house and I am always fearful when I go for work. This is no life."¹⁷

By the end of 2012, Libya found itself with a significant catchment of Syrians who wanted to leave and had the means to do it.¹⁸ Their substantial numbers and purchasing power helped hasten the changes taking place in the smuggling business.

"The Syrians came in great numbers with a lot of money and a large number of them wanted to travel very fast... I know some were here for months but then when they started coming specifically to take the boat, they would land in Tripoli and expect to be on a boat to Europe after three days..."¹⁹

"Sometimes they don't even spend a few days in Tripoli, they would have already arranged everything with smugglers in Zuwara through samсар inside Libya and Egypt, before leaving Beirut."²⁰

It is the same entrepreneurial spirit, sophisticated social networks, and greater expectations with which Syrian refugees helped shape the routes across the Aegean and through the Balkans in 2015.²¹ The effect of the influx of Syrian refugees to Libya was not as obvious as it was in Turkey (as the number of people transiting through these two hotspots was radically different), the higher prices they were paying incited the drive towards more efficiency and transnational logistical organisation. This coupled with the new opportunities seen on the East African route had a seed-effect on the way some human smuggling networks would develop in the years to follow.

"Libya found itself with a significant catchment of Syrians who wanted to leave and had the means to do it. Their substantial numbers and purchasing power helped hasten the changes taking place in the smuggling business."

Financial Connections

Nowhere has this perfect storm of events had greater impact than in the interface between Middle Eastern and East African *hawaladars* (financing agents or brokers) with established Libyan smugglers. By the end of 2012, well-connected operators began to converge on Libya, better linking its smuggling business trans-nationally.

In the meantime, the use of *hawala* in general grew exponentially in the country aided by the growing black economy as well as the chronic malfunctioning of the banking system. The effects of this continue to be felt as the financial infrastructure established then is a key component that has supported the spectacular growth of the business in later years, both in terms of the number of people smuggled, as well as in the sophistication of the methods employed.

Libyan coastal smugglers did operate a rudimentary version of this international network right up until 2011. However, this activity and in particular *hawala* transactions, were closely monitored and to an extent controlled by the Regime, which had intervened to break up the integration of large-scale networks both within the country and especially internationally.

17 Interview with Syrian refugee in Libya as part of wider research with several families – Tripoli, September 2015.

18 Syrians in 2013 were paying between \$2,000 and \$2,500 per person for a place on the deck of a wooden boat – roughly \$500 to \$1,000 above the going rate at the time. Some were even in a position to offer more and sometimes even engaged in collective negotiations with smugglers. They also demanded to stay in better accommodation, rather than the warehouses reserved for sub-Saharan Africans.

19 Phone interview with Tripoli security source (A) – June 2015.

20 Interview with Syrian expat who has been living in Tripoli since before the revolution and who assisted many Syrian refugees who fell on hard times in Libya – Tripoli, September 2015.

21 Tuesday Reitano and Mark Micallef, "Breathing Space: The Impact of the EU-Turkey Deal on Illicit Migration Through Turkey to the EU", Institute of Security Studies (ISS), unpublished report, July 2016.



"The outboard engines that were bought for one of the most prominent smugglers in Zuwara (circa 2004 –2008) were purchased in large batches with the say-so of the Mukhabarat. As long as they knew the money was not related to terrorists or subversives, it was clear..."²²

As a result, prior to the revolution, smuggling was very much a relay-race conducted by loosely connected groups. Diaspora facilitators, migrants who normally only acted as brokers, often did so to pay for their own voyage. After the revolution, however, this changed, and a key development in the first years was this new financial backchannel that was being developed.

Better organised networks started developing, and a stronger line could be traced from various Middle Eastern and African capitals all the way to Libya's shores. While 'only' 45,000²³ people had left Libya for Europe by boat in 2013, during this time, smuggling networks began to lay the ground for 2014, by which time an all-time record of 170,000 people had crossed the Mediterranean.

Sub-Saharan Draw In

Over the course of 2013-14, Libyan smugglers in hubs such as Zuwara, Sabratha, Kufra and Ajdabiya who were connected with East African *manadeeb* and *hawaladar* from Somalia²⁴, Ethiopia and especially Sudan and Eritrea, were in pole position after the revolution.

While smugglers working on these routes had long established connections with sub-Saharan counterparts linked to hubs like Khartoum, Asmara, Addis Ababa and Nairobi, the collapse of Libyan state control, which previously was responsible for disrupting the integration of different smuggling hubs inside the country, now allowed top-tier Libyan smugglers to begin work to integrate routes within Libya.

From West Africa, groups such as Senegalese, Gambian, Nigerian and Nigerien smugglers followed a similar path but the process was not as rapid. Nonetheless, the cumulative effect led to a greater draw in of sub-Saharan regional centres, which is now actually more substantial on the West African routes. In other words, the post-revolution message was out: 'the back door'²⁵ was wide open' in Libya.²⁶

Since then, smuggling routes throughout the country have evolved, reflecting Libya's changing dynamics. In 2016, migratory routes linked to sub-Saharan Africa saw considerable displacement across the country due to a number of regional and local factors, including local tribal conflict and militarisation, as well as recent anti-smuggling crackdowns in neighbouring countries. Such trends may have a substantial impact on the rebalancing of smuggling activity throughout Libya, moving into 2017.

22 Interview with security source formerly based in Tripoli – November 2016, Malta.

23 This is more than the number of people who crossed from Libya in 2011 when one removes from the statistics the flow of boats coming from Tunisia 28,000 during the revolution year. In 2011 64,241 people crossed the Central Mediterranean in total.

24 Several sources confirmed that Somali smugglers and *samsars* were far more prevalent than they are today during this time. We have been unable to explain this phenomenon conclusively, however.

25 The "back door" or "back way" is a term used by West Africans, particularly Gambians and Senegalese to refer to the irregular journey to Europe. See; Tuesday Reitano, "Human Smuggling from West Africa to Europe," (OECD/AfDB, 2017)

Peter Cole, "Bani Walid – Loyalism in a Time of Revolution", in Peter Cole and Brian McQuinn (eds) 'The Libyan Revolution and Its Aftermath', (Oxford University Press, 2015: 285 – 302).

26 Phone interview with security source from Sabha – April 2015.



Fragmentation: the Creation of a Militia-based Protection Economy of Smuggling

Despite the country's changing landscape, there is little that is new in the harrowing stories of abuse recounted by migrants traveling through Libya. Many of the prevalent forms of violence perpetrated on the people being smuggled and trafficked: beatings, muggings, extortion, kidnapping, rape and murder, were all present years ago. The following is an excerpt from a 2007 report by the migration observatory Fortress Europe:

"My son (Moroccan migrant Imad, 28) was tied, tortured, burned alive and thrown into the sea. He was killed by his *passeeur* (smuggler)... The last time I spoke to him on the phone was on 22 March 2004. Two days later, on the night of the 24th, 57 people were forced to embark in spite of the stormy sea and torrential rain. Imad refused. The sea was not safe, he didn't want to die like that. They tortured and killed him. The body was recovered in the sea."²⁷

The above passage could have just as easily been describing an incident from 2016. The wanton violence perpetrated on migrants and asylum seekers in the country has been documented extensively elsewhere and is unfortunately beyond the scope of this report.²⁸ Nevertheless, it is important to note here that the soaring scale of violence and mortality is intimately tied to the industrialisation of the smuggling and trafficking business that has taken place since the revolution. The key driver of this change has been the proliferation of weapons and the entry of armed gangs and militias into the business, from the Southern borders right up to the embarkation points on the country's northern shores.

"Before the revolution, smugglers were only generally armed in the desert areas. Getting caught in possession of a gun could land you in serious trouble during the regime. But now everyone owns an AK-47... you have children who run around with pistols and they are prepared to use them too."²⁸

From the outset, the spontaneous waves of rebellion that spread across Libya in 2011 were largely organised along tribal and local lines.²⁹ Different *katibas*, or brigades, were formed with conscripts associated with particular tribes or families, towns and cities or even districts or neighbourhoods within a city. These formations eventually formalised into military councils, each linked to a specific town or city, acting as umbrellas for various armed groups pledging allegiance to one, geographically-conscripted structure. While the revolutionary struggle against the regime was going on, these disparate groups rallied under one cause. However, once the Qaddafi regime was gone, fissures in the unity against a common enemy began to emerge, which highlighted underlying tribal and structural tensions.

"Once the Qaddafi regime was gone, fissures in the unity against a common enemy began to emerge, which highlighted underlying tribal and structural tensions."

27 Fortress Europe, 'Escape from Tripoli – Report on the Conditions of Migrants in Transit in Libya', October, 2007: 14, <http://fortresseurope.blogspot.com>

28 For detailed testimony-based assessments of the violence faced by migrants and asylum seekers at various stages of the journey from the southern borders to the northern coast over the past three years see: Jesuit Refugee Service, 'Beyond Imagination – Asylum Seekers Testify to Life in Libya', January 2014, <https://jrseurope.org/Assets/Publications/File/Beyond-imagination-jesuit-refugee-service-malta-libya-report.pdf> / Amnesty International, 'Libya is Full of Cruelty: Stories of Abduction, Sexual Violence and Abuse from Migrants and Refugees' May 2015, <https://www.amnesty.org/en/documents/mde19/1578/2015/en/> Amnesty International, 'Refugees and Migrants Fleeing Sexual Violence, Abuse and Exploitation in Libya' July 2016, <https://www.amnesty.org/en/latest/news/2016/07/refugees-and-migrants-fleeing-sexual-violence-abuse-and-exploitation-in-libya/> Medecins Sans Frontieres, 'Trapped in Transit – the Neglected Victims of War in Libya', June 30, 2016, <https://msf.exposure.co/trapped-in-transit>

29 Wolfram Lacher, 'Families, Tribes and Cities in the Libyan Revolution,' Middle East Policy 18, no.4 (2011): 151.



After the fall of the regime, larger revolutionary forces and allied brigades moved in on the capital to secure key governmental institutions and infrastructure and with that their stake on the new Libya. While larger brigades took control of oil facilities, airports, port operations and communications facilities in Tripoli, smaller brigades across the country followed suit in their respective territories.³⁰

This fragmentation unequivocally marked the single most profound development after 2011, leading to mixed, long-term implications for both the smuggling industry as well as Libyan society as a whole. On one hand it divided the country's political economy and laid bare simmering tribal and structural tensions within the fabric of Libyan society. On the other, at the community level, many military councils helped shore up the *beladiya* (municipality) – the longest lasting and arguably the institution with the greatest potential for stabilisation in post-revolution Libya.

The breakup of state political and governing structures and the rise of militarisation in Libya marked a turning point for the human smuggling market, in which routes, hubs, actors and modalities evolved based on the ebb and flow of tribal and militia relations.

While power relations between brigades, dominant tribes and families, and municipal authorities vary from place to place, such interplay has had a notable impact on the country's human smuggling and trafficking markets in various ways. The following research gathered offers insight on the impact that political fragmentation and militarisation has had upon the major smuggling routes and transit hubs throughout the country.

30 Tuesday Reitano and Mark Shaw, "Atlantic Currents and their Illicit Undertow: Fragile States and Transnational Security Implications", in Tim Ridout (ed.) (2015) *Atlantic Currents 2015: An Annual Report on Wider Atlantic Perspectives and Patterns*, Washington DC: George Marshall Fund



Shifting Trends in 2016



Figure 1: Routes and trends across Libya's main smuggling hubs

The years following the revolution have led to several changes to smuggling access points throughout the country. There are four currently active entry points leading into Libya from neighbouring countries.

- The Eastern border with Egypt, both at the coast and further south, sees low level, intermittent movement of migrants.
- In the southeast, the Kufra district remains a key node for migrants entering the country from East Africa, via Khartoum, Sudan. Historically, migrants also crossed into the southeast of Libya through Chad, coming from the Aouzou Strip after making their way there from Faya-Largeau. However, over recent years, the mainstreaming and consolidation of the shorter and faster Khartoum route has substantially undermined this alternative.³¹
- In the southwest, West African migrants travelling through Niger enter Libya through the Tumo Pass on their way to Qaatrun. Further west still, migrants enter through the desert outpost of Ghat after journeying from Algeria but this route has been on the wane. Both streams are funneled through the capital of the Fezzan region, Sabha.

31 Interview with former Tebu fuel smuggler, Tripoli August 2015. During the reporting period no information was received of movement on this route.



In the west of the country, migrants are smuggled through Ghadames before eventually travelling along the Libyan Tunisian border or through Zintan on their way to the coast. Historically, sub-Saharan migrants have also been known to cross from areas south of the coastal border between Tunisia and Libya. However, during 2015 and the first quarter of 2016, there was little evidence of human smuggling activity at this border crossing (aside from the smuggling of jihadis). The small number of migrants crossing from this waypoint or at the official crossing near the coast are typically Moroccan or Tunisians.



Zuwara

Growing contempt towards human smuggling activities in the town of Zuwara, historically known as the most prolific embarkation point in the Libyan west coast, reached a pinnacle in August 2015, when three shipwrecks off the town’s coast killed around 650 people, shaking public opinion. The shipwreck which took place on the 27th was particularly bad. It took place around 10 nautical miles off the nearby town of Abu Kammash and was the biggest single accident within Libyan waters that year. Only 197 people survived from a boat with about 450 people on board.

By evening, pictures surfaced on social media showing the bodies of children, some of them Syrian, aged between three and nine washed up on the town’s beaches³² and in the following days the Libyan Red Crescent recovered 183 bodies and published photos showing scores of orange body bags amassed on the sandy shore.

The tragedies proved to be the last straw for many in Zuwara³³ and ignited massive anti-smuggling protests, both Libyan and international inaction were criticised and protesters demanded measures against smugglers, the “vampires who kill children for profit”.³⁴

The incidents were preceded by years of frustration and anger towards smugglers. The coastal town of about 55,000 inhabitants is populated primarily by Amazigh (Berbers) native to North Africa, who number between 240,000 and 600,000 roughly 4% to 10% of the Libyan population.³⁵ They have long been frustrated that their name had become

32 Mark Micallef, “The Pictures that Need to be Seen”, Migrant Report, August 29, 2015, <http://migrantreport.org/the-pictures-that-need-to-be-seen>
 33 The accidents took place on August 5 (373 dead from a vessel carrying an estimated 600) August 26 (12 dead from a vessel carrying 40) and August 27 (around 250 dead from a vessel carrying 450).
 34 Nancy Porsia, “Smuggling Networks in Libya”, Annex 1, March 2015, in Charles Heller and Lorenzo Pezzani, “Death by Rescue – the Lethal Effects of the EU’s Policies of Non-Assistance”, (London: Forensic Oceanography), <https://deathbyrescue.org>
 35 Refworld, “World Directory of Minorities and Indigenous Peoples – Libya”, August 2011, <http://www.refworld.org/docid/4954ce3523.html>



synonymous with human smuggling and often equated this external perception of the seaside town with Arab prejudice towards the Amazigh.³⁶

Like other non-Arab ethnic minorities and peripheral populations in Libya, the Amazigh suffered decades of discrimination under the regime's policy of "Arabisation."³⁷ The smuggling of fuel, subsidised goods, marijuana and people over time became a means for the community to cope with or resist the relegation of their town and their people more generally. But with shipwrecks taking place much closer to shore after the revolution, and the greater attention given to the phenomenon by the international community, the trade was no longer seen as "just business" but had entered the realm of taboo.

Discontent was amplified through local radio stations which focused particularly on the mounting concern that sub-Saharan migrants might be carrying the Ebola virus.³⁸ Amidst growing dissatisfaction, moral clout was given to local authorities to take decisive action.

The town's municipality had endorsed the Zuwara Counter Crime Unit, a group of young Zuwarans who had had enough with random acts of banditry which the Qaddafi-era police force in town was afraid or unwilling to deal with. However, their actions on human smuggling had been frustrated before August 2015. "We started arresting people practically from day one. Between February 2014 and August 2015, we had arrested 12 people in connection with human smuggling but we would hand them over to the police and they would get released after a day or two. Only one of these people spent longer than that. He had spent two weeks."³⁹

Between September and December, the Unit arrested around 60 individuals connected to the smuggling business, and the town closed ranks to isolate human smuggling from the local economy. The remaining smugglers who had not been caught red handed or where considered too powerful to confront directly were dealt with tribally and warned to take their business elsewhere or face consequences.

The judicial process for the suspects of the 2015 action has been foggy and it is hard to trace the course of justice with any precision. The sentences included a mixture of fines of up to LYD100,000 (roughly €17,000 at the black-market rate charged at the time of writing) and jail terms of around six months. While the punishments can be described as tame, especially by Libyan standards, the action marked an unprecedented crackdown taken by the community against fellow townsmen. To date, it stands as the single example of grassroots mobilisation against human smuggling and the most impactful action on human smuggling in Libya since the widespread arrest which took place in 2009 following the Libya-Italy deal. But by November 2016, all of the smugglers arrested during the crackdown had completed their sentence and were released.

Monitoring carried out since April 2016 both on the ground in and around Zuwara, as well as interviews conducted with rescued migrants at sea, confirm that the town's anti-smuggling efforts have been sustained, with virtually no vessels leaving from the stretch of coast controlled by the town's brigades.

"The city's control of the border with Tunisia provides ample opportunity for generating income derived from overseeing and taxing the cross-border flow of subsidised goods and fuel, both legitimate and otherwise."

36 Several interviews with Zuwarans in June 2015 including extensive interviews with members of the municipality who expressed their frustration at the fact that while other towns are also centres of smuggling, theirs is the one that get's named the most. The real underlying complaint was that the Amazigh name was being smeared with the broad stroke. See: <http://migrantreport.org/zuwara-the-smuggling-hub-where-no-one-get-caught>

37 United Nations Human Rights Council, "Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human right Council resolution 5/1- Libyan Arab Jamahiriya (Geneva: UN, 2010), http://lib.ohchr.org/HRBodies/UPR/Documents/Session9/LYA_HRC_WG.6_9_LBY_3_Libya.pdf

38 Porsia, "Smuggling Networks in Libya", Op Cit: 9.

39 Interview with a founding member of the Counter Crime Unit - Zuwara, August 2016.





Remains of a rubber boat used by human smuggler in front of the Dar Tellil complex in Sabratha; the epicentre of coastal smuggling.

An important dynamic that has enabled Zuwara's sustained stance against human smuggling is the town's access to other forms of revenue. The city's control of the border with Tunisia provides ample opportunity for generating income derived from overseeing and taxing the cross-border flow of subsidised goods and fuel, both legitimate and otherwise. The town is also a logistical centre for seaborne fuel smuggling which has expanded exponentially after the revolution, and which sees Zuwaran linchpins – along with other west coast strongmen in Sabratha and Zawiya - trafficking subsidised fuel out of the country to Malta, Italy, Greece and Turkey, among others, and pouring some of the proceeds back into the community.

What happened in Zuwara over the course of 2016 in the human smuggling sector could represent a rare model for the international community as an alternative intervention option to security-oriented measures. By investing in researching the example more thoroughly and shoring up the effort, the events of Zuwara could be used as a best practice case that is exported to other parts of Libya.

Finally, while the crackdown on human smuggling in Zuwara was sustained throughout 2016, its effect displaced flows to the nearby town of Sabratha where top-tier Zuwaran smugglers have forged formidable partnerships with counterparts who enjoy greater territorial control.

Sabratha

The coastal city of Sabratha is the new epicenter for the embarkation of migrants smuggled to Europe by sea. Human smuggling was well established in Sabratha before this displacement, however, Sabrathan smugglers were never quite as prolific as those in Zuwara, largely due the Amazigh's tribal connections and the topographic advantages of the town and nearby Abu Kammash (which is part of Zuwara's legal territory).

Even though Sabratha is the focal point in this zone, it acts within a wider and interconnected area of coastal activity that stretches for about 40kms, from the Melitah Oil and Gas Facility, right up to the West-Zawiya town of Mutrud. The area happens have some of the most intense overlap between militia and smuggling activity. Factionalism is particularly accentuated, following both the national fault line of east-versus-west, Islamist ideological splits, and long-standing familial disputes specific to these towns.



The resulting rivalry helped promote syndicates of smuggling militias. Despite the fact that the factionalism is nominally political or ideological, in most cases militias are drawn into partnerships across towns on practical considerations concerning the undermining of common enemies. Joint activity identified during focused monitoring and fieldwork at various points of the reporting period include cooperation on departure operations between networks based in Sabratha, Surman, Mutrud and Zawiya as well as cooperation on disruptive activity masked as law enforcement, both at sea and on land.

What made Saratha the main hub in this area, besides its geographic advantage, being closer to the rescue zone, is the comparatively greater strength of its militias and their territorial control and the connection with the important Zuwaran smugglers who relocated their business after the October 2015 crackdown.

The movement of Zuwaran smugglers fleeing the clampdown caused some turf wars initially. In two cases at least, corroborated through multiple sources by the author, tensions over the territory led to a firefight around a warehouse south of Sabratha in October 2015. While nobody was injured, the incident provided the first tangible signs that a shift was taking place.

However, the better placed and more experienced Zuwaran *rus* (plural of *ras*, head or leader) forged alliances with important Sabrathan partners - militia leaders and/or smugglers. In some cases, the connection already existed but the new circumstances in Zuwara furthered the partnership.

Zuwaran smugglers who had been heavily involved in the smuggling business for years, brought with them the know-how to deal with larger flows of migrants and superior networking skills with African *mandadeeb*, who drew people from across the southern and western borders. In return, they got a new base in Sabratha where they could operate from with greater latitude than they had in Zuwara.

"Work in Sabratha is great, you can only imagine it. Imagine 30 or 40 different locations. From every location, five, six rubber boats leave (per day) and there is a location from which (large) boats leave with people from Eritrea or Syria. There is a specific location from which even 20 rubber boats leave (in a day). They all carry guns... and... nobody goes to them, it is only the people from Sabratha themselves who work from there, no foreigners are allowed to work from there. To work from there is fantastic."⁴⁰

"The hurdle on the highway led coastal smugglers to seek out alternatives to Tripoli, solidifying Sabratha as a smuggling stronghold."

This partnership proved especially useful when fighting escalated between the nearby towns of Zawiya and Janzour against militias from Warshefana, an eastern suburb of Tripoli. After more than a year of chronic violence, kidnappings, car jackings and failed tribal mediations, militias from Zawiya in October 2015 physically blocked the main highway connecting Tripoli to western coastal towns. The highway was reopened a year later after a settlement but the deal was shortlived and the highway was closed again one month later in September 2016⁴¹.

This highway's closure posed a serious threat to the coastal smuggling industry. Up to that point, a substantial number of migrants moved westwards from Tripoli in "taxis", where they would then be transported in regular vehicles by drivers who took a risk in the knowledge that in most cases, a small payment at checkpoints on the road would get them through.

40 Interview with Mourad, Zuwaran smuggler – August 2016.

41 Sami Zaptia, "Tripoli-Zawya coastal road reopened as Serraj promises compensation to Wirshifana" Libya Herald, August 24, 2016, <https://www.libyaherald.com/2016/08/25/tripoli-zawya-coastal-road-reopened-as-serraj-promises-compensation-to-wirshifana/>
Abdullah Ben Ibrahim, "Tripoli-Zawya coastal road closed again after abduction in Wirshifana region," Libya Observer, September 19, 2016, <https://www.libyaobserver.ly/news/tripoli-zawya-coastal-road-closed-again-after-abduction-wirshifana-region>



“...sometimes, they use these taxis... just ordinary taxi. Not a 4x4... not a van, a taxi. It takes 4 or 5 people. Not just one where they pack everybody. Maybe, they (the smugglers on the coast) will send three taxis. They each take 5 people and go. It depends how many people there are... Maybe it would take three days to pick up the people by taxi.”⁴²

The alternative to the one hour drive from Zawiya to Tripoli is a six-hour detour or driving through Warshefana itself. As a result, throughout 2016, agreements were made with groups controlling checkpoints inside Warshefana but the monopoly meant hiked levies of up to LYD 100 per migrant (approx €17) were being taken. Checkpoint taxes will be discussed in greater detail below.

When the road was finally permanently reopened in September 2016, coastal smugglers were unable to keep up with the sudden spike and migrants spent longer periods in warehouses in October and the first weeks of November. This trend was corroborated by multiple sources in a focused analysis carried out with the help of sources in Tripoli, Zawiya and Sabratha between September and December.

As will be discussed further on, the hurdle on the highway led coastal smugglers to seek out alternatives to Tripoli, solidifying Sabratha as a smuggling stronghold. Zuwaran connections proved useful to establish a solid connection between the coast and Ghadames on the west border all the way to the coast, either through a route that runs down along the Tunisian border or one that goes through Zintan and then eventually to areas south of the embarkation point of Surman. The information collected in this respect is consistent with a trend picked up by the only large-scale route-monitoring study currently being carried out in Libya by the IOM.⁴³

The Terrorism/Migration Nexus in Sabratha

As Sabratha transformed into the west coast’s main departure point, the town also became home to a growing cell of ISIS terrorists. The group was able to establish safe houses and training camps in an area ironically known as the ‘Sabratha family park’ – a wooded grove close to the Dar it Talil beach resort where two Serbian embassy staff were abducted by the terrorists in November 2015⁴⁴

Sabratha’s long history of radical Islamism laid the groundwork for ISIS to grow. Informants tapped in the town said the city was divided in their attitudes towards the terrorist group. While some were sympathetic, most turned a blind eye out of fear or because they gained some sort of financial benefit.⁴⁵ Among smugglers, the group was viewed as a threat, both as a potential competing or antagonizing force and as a potential liability through association.

“Human smugglers hate Daesh because they are bad for business. I am telling you this honestly, it’s not just our people... many of the big smugglers were either on the frontline (fighting ISIS during the February insurgency) or helping with money, financing the fight, or paying for medical bills, travel or accommodation expenses of the injured...”⁴⁶

Authorities, too, were split in acknowledging the presence of ISIS despite a well-publicised incident in mid-December 2015⁴⁷ during which militants drove into town in a convoy of about 15 cars waving ISIS flags. Subsequently, in

42 Interview with Izu, Nigerian 48-year-old mandub, who worked as a broker for coastal smugglers in Garabulli, Zuwara and later Sabratha from Abu Salim, Tripoli – August 2016.

43 The IOM Displacement Tracking Matrix Round 3 for the period between March and April records a 115,000 migrants being in transit in Dirj. The number drops to between 1000 and 4000 in the Round 4 report for the period between May and June. See: <http://www.globaldtm.info/category/middle-east-and-north-africa/libya>

44 The two Serbians embassy officials were eventually found among nearly 50 people killed by a US airstrike on the Sabratha compound that was being used as the local ISIS hideout. <http://www.reuters.com/article/us-serbia-security-libya-idUSKCN0VT0CQ>

45 This assessment is based on several conversations with Sabrathans KIs and three formal interviews with Sabrathan security sources carried out in the aftermath of the February insurgency and during a field trip in August 2016. refer to figures Box abratha.to as the “s Al Dabbashi brigade and handed over the Radda.erty he had in town.

46 Interview with Farouk, high ranking member of a Sabrathan smuggling network. Sabratha, August 2016.

47 Callum Paton, “Isis in Libya: Rapid Daesh incursion into Sabratha raises fears over destruction of ancient Roman ruins,” International Business Times, December 11, 2016, <http://www.ibtimes.co.uk/isis-libya-rapid-daesh-incursion-into-sabratha-raises-fears-over-destruction-ancient-roman-ruins-1532958>



February 2016, US airstrikes targeted a hideout and exposed a cache of weapons, bomb-making materials, training equipment, flags as well as instructions and correspondence with ISIS headquarters in Raqqa.

The strikes had a destabilising effect, leading Sabrathans who had previously tolerated, if not actively supported the presence of ISIS (some were profiting heavily from it), to turn on their neighbours for fear that their town would be the site of more air strikes.⁴⁸ A bloody insurgency followed that drew in brigades from nearby towns in a month-long battle in and around Sabratha.

Tripoli authorities, which at the time were governed by the post-2014 General National Congress (GNC), and major militias from the capital grew concerned with the funding opportunities that human smuggling could provide to remaining ISIS operatives in the area so an agreement was reached with key militias involved in smuggling to shut down their operations in return for government funding.⁴⁹

However, the deal did not really hold. In March 2016, Sabratha saw a spike in smuggling activity when around 9,600 migrants left the Libyan coast, more than three times as many as those that had departed in March the previous year. In April, the volume of people crossing plummeted again (almost 9,150 people crossed in April 2016 as opposed to 16,000 in the same month in 2015), but departures since then picked up again and stabilised.

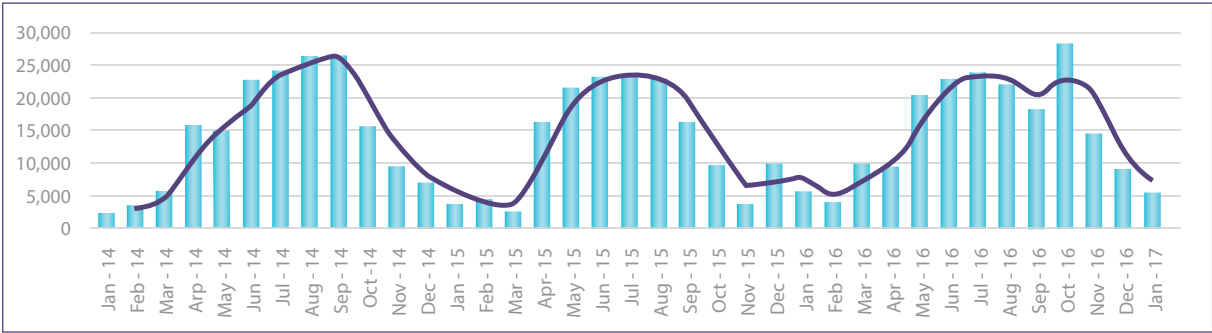


Figure 2: Monthly arrivals to Italy and Spain (UNHCR)

Sabratha marks the closest that ISIS has come to directly entering the human smuggling business due to the support it had from locals close to the business. During the reporting period, questions surrounding ISIS’s role in smuggling was investigated specifically with several sources (smugglers, law enforcement sources, militiamen from town, Zuwara, Zawiyah and Tripoli). The conclusion from information relayed by these sources is that internal divisions in Sabratha, coupled with a lack of coastal control have prevented the group from taking a major part in human smuggling activities.

Tripoli Aarea and Garabulli

The disruptions on the west coast and the barricading of the highway throughout 2016 caused significant displacement to embarkation points around Tripoli and to the east of the capital. Moreover, as with the embarcation points west of Tripoli, human smuggling activity in this area has drawn in militias around it.

“Now, there are the militias (in Garabulli) you understand? They all carry guns; they protect themselves, like the regime in Sabratha. Before they weren’t armed... Places like Warshefana, Az Zawiyah, Surman, Sabratha (smugglers) are working through the militias. So someone like me cannot do his business anymore. In Tripoli, as I said, in Gargaresh (around 8kms west from the centre of Tripoli) and these areas it’s difficult that you see boats leaving because they are cracking down.”⁵⁰

48 Phone interview with Tripoli-based security source who interviewed ISIS militants and their families who were captured following the insurgency - December, 2016.
 49 Several communications with multiple Tripoli and Sabratha security sources.
 50 Interview with Mourad, Zuwaran smuggler - Tripoli, August 2016.





Migrants arrested on the streets of the capital or intercepted at sea are detained in centres such as the Abu Salim detention centre; a facility that can barely take 200 people but which regularly hosts more than 500 people. Photo: Robert Young Pelton

Nonetheless, this process was counter-balanced by a growing crackdown by law enforcement units and large militias in Tripoli which has had a scattering effect on the industry centred around the capital. While several law enforcement outfits began to focus on countering human smuggling prior to 2016, the formation of the Government of National Accord (GNA) and its eventual relocation to Tripoli in March, signaled to many groups that there might be funding opportunities for them if they zeroed in on one of the two issues the EU was most interested in: terrorism and human smuggling.

As a result, with the exception of Girgaresh, Janzour Al-Mayah, (8, 20 and 30kms west of Tripoli centre respectively) and Tajoura (15kms east of Tripoli centre), which saw sporadic departures throughout the year, most of the activity around the capital was concentrated around Garabulli in the first half of 2016, enhancing its profile as a coastal hub.

During the monitoring period, a strong link was established between networks operating in Garabulli and the transit hub of Bani Walid (which will be discussed in detail below).

Eritrean and Sudanese networks are particularly dominant on this route. Evidence was collected establishing that important East African *manadeeb* were coordinating direct journeys of migrants and refugees from Khartoum to Garabulli, through the southeastern outpost town of Kufra and Bani Walid. In this way, smugglers have been able to completely bypass the west coast, shortening the journey considerably and avoiding the complication that the highway closure imposed.

However, the well-oiled system that was established for this route, was disrupted towards the end of June, when an argument between locals and a Misurati militia that was meant to secure the town escalated into a full-blown confrontation. The incident led to an explosion at a weapons depot which killed more than 40 people and injured several others.⁵¹

On the face of it, the incident had nothing to do with human smuggling; the spark was an argument between a shopkeeper and a young militiaman who expected to be able to leave the shop without paying for some goods he had taken. However, it exposed bubbling tensions between locals and Misurati militiamen allegedly running a protection racket in town.

51 Libya Herald Reporters, "Many die in day-long Garabulli violence", Libya Herald, June 21, 2016, <https://www.libyaherald.com/2016/06/21/update-many-die-in-day-long-garabulli-violence/>



The incident, which was the deadliest episode in town since the revolution, had a disruptive effect. The security makeup has changed. Since the incident the Misurati militias left town and all checkpoints are now being run by local security forces.



The Libyan-Egyptian Border

Human smuggling on the east coast of Libya has been impacted by the military activity in the region, chiefly by Operation Dignity, which saw the Libyan National Army (LNA) led by Field Marshal Khalifa Haftar engaging an array of Islamist militias and designated terrorist organisations in Benghazi and surrounding areas since May 2014.⁵² The effect of this action was twofold: firstly, the levels of violence made the route less attractive, while at the same time, heightened border policing by Egyptian security forces looking out for infiltration of terrorists and weapons on sea and on land made smugglers’ services far more expensive.

Regardless of the apparent decline of this route, during 2016 two significant tragedies took place on April 13 and the other between June 2 and 3 off Crete which appear to have involved a network of smugglers operating between Alexandria and Tobruk. As many as 800 perished in these two incidents. Based on survivors’ testimonies, both the IOM and UNHCR reported that in the first incident, migrants had left from Tobruk while in the second they left from Alexandria and in both cases, the accidents happened during transfers of migrants at sea.⁵³

Interestingly, however, relatives of Somalis who are believed to have died in the April accident told the author their loved ones actually left by boat from Alexandria, not from Libya. Independent Somali sources currently residing in Egypt subsequently confirmed that the group of three youths in question, had left from Alexandria and boarded a vessel on the night between April 9 and 10.

52 LNA forces have been fighting a coalition of jihadi brigades in Benghazi and Derna. They include the umbrella group, Benghazi Revolutionaries Shura Council, that incorporates Ansar al-Sharia (Libya), a designated terrorist group. ISIS is also engaged in the battle but is nominally outside this coalition although there has been ample evidence of coordination between BRSC and ISIS. In Derna, ISIS was ousted primarily by the Derna Mujadideen Shura Council, a jihadi coalition opposed to ISIS. However, the LNA later engaged the town with an offensive that included air strikes.

53 Estimates are based on interviews carried out with survivors by UNHCR and IOM: <http://www.unhcr.org/en-us/news/press/2016/4/57177c199/survivors-report-massive-loss-life-latest-mediterranean-sea-tragedy.html> / <http://www.iom.int/news/iom-confirms-reports-hundreds-migrants-killed-latest-mediterranean-shipwreck-tragedy> / <http://migrantreport.org/boat-alexandria-capsizes-off-crete>



No other shipwreck or arrival from Egypt to Italy or Greece was recorded in the area during the same time. This is salient because it suggests that, in at least one of these cases, the plan was for multiple vessels to depart from Alexandria and Tobruk and eventually transfer migrants onto another vessel bound for Italy.⁵⁴ While the information is not conclusive, there are precedents for this type of activity where migrants were ferried from the Egyptian coast and 'trans-shipped' to vessels coming from Tobruk or surrounding areas.

"One thing is for certain, Egyptians used to work with the Libyans (smugglers) in the past. The connection was made a long time ago. If for some reason the Egyptians become softer, I think we can expect to see much more of this type of activity."⁵⁵

The other area of interest on the border with Egypt concerns the vast stretch of desert between the coastal borders and the Al-Jaghbub oasis, an ancient Berber town, about 200 kilometres south of the border coast town of Umm Saad.

Al-Jaghbub, with the nearby Egyptian Siwa Oasis, around 100 kilometres east, has been an important node on caravan routes linking North Africa with the Middle East well before the establishment of modern Libya and the official border splitting the two towns.⁵⁶ That connection remains active to this day and served to facilitate an expansion of smuggling activity in the region in more recent years.

Historically, Egyptian and Sudanese smugglers work with Libyan counterparts moving primarily co-nationals⁵⁷ from Jaghbub to Ajdabiya and Tobruk. The flow of people coming in through this waypoint does not appear to be consistent and there is no evidence of specialised human smuggling networks. Instead, the activity overlaps with the wider economy of illicit border trade which grew significantly in size and type of activity after the Libyan revolution. Militants, weapons, narcotics, hashish, and contraband - mostly cigarettes - have been flowing into Egypt on the same lanes used by smugglers to transport people into Libya.

In October 2016, an operation led by a Salafist armed group made up mostly of Zwayya, in the desert west of Jaghbub, cast a rare spotlight on this waypoint. The Subul Al-Salam brigade said it killed 13 members of the Sudanese Justice and Equality Movement who were found in the area. The suspected JEM fighters, who were said to include Libyan Tebus, first exposed themselves when they kidnapped four Libyans out on a hunting trip a month earlier and demanded a ransom.⁵⁸

This testing is taking place at a time when many East African migrants are choosing to travel to Egypt in a bid to avoid Libya.⁵⁹ Departures from Egypt saw a considerable spike in the first quarter of 2016 but then stabilised throughout the year, which ended with marginally lower arrivals to Italy from Egypt compared to the previous year. The spike would have likely been sustained had it not been for a sustained interception effort by the Egyptian navy.⁶⁰

"The other area of interest on the border with Egypt concerns the vast stretch of desert between the coastal borders and the Al-Jaghbub oasis, an ancient Berber town, about 200 kilometres south of Umm Saad."

54 Various communications with three security sources, one in Italy and two in Tobruk – June 2016.

55 Phone interview with Benghazi security source – June 2016.

56 Al-Jaghbub was considered to be a part of Egypt until it was ceded to Italy by the British. See: Steve Morewood, "The British Defence of Egypt, 1935-40: Conflict and Crisis in the Eastern Mediterranean (Military History and Policy)," (Frank Cass, 2005: 25).

57 IOM's DTM Flow Monitoring Survey Analysis for the period of August to September 2016 reports the presence of Sudanese migrants in Jaghbub, though it is not specified whether they had crossed over from the area or had settled there after entering the country in another way. <https://drive.google.com/file/d/0Bz9sUHOxDRMOT2FieURoVGRQbzQ/view>

58 Libya Herald Reporter, "Kufra Salafist brigade kills 13 JEM members near Jaghboub: report," Libya Herald, October 20, 2016, <https://www.libyaherald.com/2016/10/20/kufra-salafist-brigade-kills-13-jem-members-near-jaghboub-report/>

59 IOM in Egypt reported a spike in the number of migrants seeking help in the first half of 2016; IOM, "Stranded Migrant Numbers Seeking IOM Aid in Egypt Spike in 2016," [Press Release], July 11, 2016, <http://egypt.iom.int/news/stranded-migrant-numbers-seeking-iom-aid-egypt-spike-2016>. Similarly, the Regional Mixed Migration Secretariat (RMMS) received similar feedback when interviewing observers in Egypt and observed a trend in interview data collected for its 4Mi project which suggests that the heightened risks presented by Libya compared to Egypt might be a factor motivating the shift. See: <http://regionalmms.org/index.php/research-publications/feature-articles/item/51>

60 Figures obtained privately from UNHCR in Rome show that 10,689 migrants travelled to Italy from Egypt in between January and November 2016, compared to the same period in 2015. Attempts to obtain data for arrivals broken down by month from various agencies was unsuccessful. However, in July, Frontex director Fabrice Leggeri confirmed that the agency was monitoring the substantial increases on this route. Moreover, the spike in the first trimester was also confirmed by UNHCR data officers.



Ajdabiya

The biggest displacement in 2016 occurred in Ajdabiya, a town of about 80,000 people, which until 2015, was a key transit centre for virtually all migrants coming from the east, including from Egypt and Sudan. In 2016, this changed radically as smuggling routes from the southeast were re-diverted away from Ajdabiya, primarily into the Jufra district en route to Bani Walid in the central region of the country and towards the Murzuq and Sabha districts in the southwest.

Sitting some 150kms south-southwest of Benghazi, Ajdabiya, is a gateway to the Cyrenaica and a major strategic node on the eastern rim of the Gulf of Sirte – the country's most important oil and gas infrastructure, responsible for most of Libya's overall output. The area's topography, on the coast and the main regional highway surrounded by sparsely populated desert areas, had made the town very attractive for smugglers over the years. Farms in the south of Ajdabiya, the same areas where jihadi groups have sought shelter time and again, provided logistical outposts that connected Tripoli and other towns and cities in the northern Cyrenaica area with the flow of migrants coming in from Kufra.

It is Ajdabiya's strategic location and topography that placed it in the crosshairs of a disparate collection of armed groups vying for power, eventually leading to its decline. Throughout 2016, conflict between the Libyan National Army (LNA) and the nominally pro-GNA Petroleum Facilities Guards, led by Ibrahim Jadhran⁶¹ – brother of Salem Jadhran, who was formerly Ajdabiya's mayor, have substantially impacted smuggling operations. None of these military actions were targeted directly at smuggling but the confrontation left the town completely militarised.

"It is Ajdabiya's strategic location and topography that placed it in the crosshairs of a disparate collection of armed groups vying for power, eventually leading to its decline."

The area remains on high military alert, following movement of Jihadis and other fighters engaged with the LNA in Benghazi⁶² and more recently due to the successful re-taking of the Oil Crescent facilities by the Benghazi Defense Brigades.⁶³ LNA-aligned brigades carry out continuous patrols of the desert areas south of the town, and around October 2016, started work on an 80km barrier (a high beam with a 3m trench) encircling the town. As such, Ajdabiya has virtually lost its strategic position as a logistics hub for the flow of migrants coming from the southeast to Bani Walid and Sabha.

The most devastating effect for Ajdabiya's human smuggling business, however, came after the widely publicised execution of Eritrean and Ethiopian Christian migrants by ISIS in the summer of 2015. The migrants were kidnapped from checkpoints that the terrorists held in Nawfaliya and nearby Harawa; both nodes on the route that connects Ajdabiya to Tripoli.⁶⁴

Both groups made the exact same journey: they entered the country via the Kufra district from Sudan, travelled the established desert route to Ajdabiya, and were housed in the same *makhzen* (warehouses, plural of *makhzen*) south of town. When they moved again to reach Tripoli, they were intercepted at the Nawfaliya checkpoint⁶⁵.

61 Ibrahim Jadhran was previously aligned to the House of Representatives (HOR) and the federalist movement in the east but switched sides in 2016 to eventually support the Government of National Accord (GNA). After his dislodging from the Oil Crescent area by the LNA in September his status and loyalty is again uncertain.

62 Eye on ISIS, "January 10, 2017," Eye on ISIS, January 10, 2017, <http://eyeonisisinlibya.com/other-jihadi-actors/jihadi-fighters-attempt-to-flee-lna-siege-in-benghazi/>

63 Middle East Monitor, "Haftar's forces lose control of Libya's oil crescent," Middle East Monitor, March 7, 2017, <https://www.middleeastmonitor.com/20170307-haftars-forces-lose-control-of-libyas-oil-crescent/>

64 The first group of 90 people was kidnapped on March 3 and was made up of 82 Eritreans and eight Ethiopians, including 10 women and 13 minors. The second group was abducted on June 3 and was made up of 86 Eritreans, including 12 women and children. The vast majority were from one city called Adi Keyh, about 70kms southwest of Asmara. Some testimonies suggest there may have been third case, which took place before March. See: Sahan Foundation, "Human Trafficking and Smuggling on the Horn of Africa-Central Mediterranean Route," Intergovernmental Authority on Development (IGAD), February 2016: 27, http://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf/

65 Mark Micallef, "Exclusive: My Wife Escaped ISIS," Migrant Report, July 22, 2015: <http://migrantreport.org/exclusive-my-wife-escaped-isis>



The executed migrants were wrongly reported to be Ethiopian because unlike the government in Addis, which immediately issued a statement condemning the murders, the Eritrean government hardly said a word. However, the news reverberated within the Eritrean diaspora to an extent that smugglers and *manadeeb* that operate along the route could not ignore, and routes were consequently diverted to avoid passing through Ajdabiya and to head directly towards Bani Walid.

Various sources confirmed that activity related to human smuggling remains ongoing at the time of writing but the scale of the movement is incomparable with previous years. The stabilisation of Benghazi in the latter part of 2016, has seen increased if still modest movement of people crossing from Egypt and even occasionally from the southeast. Some of the migrants using this route have been transiting overland through Ajdabiya, however, to date, this activity appears very limited.

Despite the significant impact that the ISIS executions had on Ajdabiya's human smuggling activity the group's defeat in Sirte will not likely see a return to business as usual, at least not in the short-term. Patrolling and military activity directed at jihadis is still significant and highly disruptive.⁶⁶ More importantly, Ajdabiya virtually lost its position as a logistics hub for the flow of migrants coming from the southeast to Bani Walid and Sabha.

Bani Walid

The decline of Ajdabiya has led to a significant shift in smuggling routes towards the transit hub of Bani Walid (180kms southeast of Tripoli). East African *manadeeb* have moved their operations and established warehouses south and of the town as the new clearing house, connecting the flow of migrants and asylum seekers coming into the country from East Africa to the Tripoli area and the coastal embarkation points west of the capital.

Bani Walid is home to the Warfalla tribe (one of Libya's largest), and was one of the last Qaddafi strongholds to fall, having sheltered Saif al-Islam and Muttasim Qaddafi in the final weeks of the revolution, and resisted a crushing siege by revolutionaries. The decision to side with the Regime and serve as a refuge for people perceived to be pro-Qaddafi, (including those from nearby Tawergha and Sirte),⁶⁷ had lasting consequences for the town,⁶⁸ with post-revolution retribution (especially from militias of historical-rival Misurata) being particularly prominent. The backlash against the city left Bani Walid marginalised, weak and isolated, politically and economically enhancing its vulnerability to incline towards the smuggling market for resources, though most of the smuggling activity takes place outside of the town itself.

Much like Ajdabiya had previously been, Bani Walid now acts as a logistics staging post for networks sending migrants to the capital or directly to coastal areas. Migrants are collected in large warehouses outside of town, where they are kept for periods that range between a few days to several weeks. Some of the Bani Walid warehouses described by migrants who have been held in them are able to house well above 1,000 people at a time. While it is often hard to make sense of the chaotic methods employed by people smugglers in Libya, in this case it would appear that these large centres have sections for migrants transiting and others for those being detained – typically migrants who are being extorted or are waiting for their relatives to pay for the next leg. These two streams are held in the compounds simultaneously.

66 Security sources in Benghazi say the patrols are deliberately aimed at disrupting smuggling activity, which is seen as a source of potential funding for jihadis.

67 IOM's Displacement Tracking Matrix (DTM) Round 6 records more than 10,000 IDPs in Bani Walid in September. The number is down from a staggering 36,000 people recorded in Round 4 (May-June) due to the fact that the IDP population in town started returning home. See: <https://drive.google.com/file/d/0Bz9sUHOxDRMOVG80bHV4T0YyVU0/view>; <https://drive.google.com/file/d/0B7Opct9QC1orX09DUXN2ZHZNk0/view>. An example of the precarious state of the city came on June 20 when municipal authorities warned that the hospital would shut down unless it received urgent supplies. Hospital director Mohammed MabroukZubrah told the Libya Herald the hospital had not received money for 2016 and had already laid off 80 per cent of staff before warning that the facility may have to be shut down in days. Sources in Bani Walid said the hospital is still going largely due to donations from local businessmen. See: <https://www.libyaherald.com/2016/06/20/bani-walid-hospital-may-close-because-of-shortages-but-deliveries-arrive-in-gharyan>

68 The decision of the majority of Warfalla in Bani Walid cannot be equated to pro-regime support among the Warfalla in the rest of Libya. Many Warfalla sided with the revolution in 2011. Notably examples include Mahmoud Jibril, interim prime minister of the National Transitional Council during the uprising. Also, on May 28 2011, a pro-revolution demonstration in Bani Walid provoked a bloody crackdown that saw at least ten protesters killed and many others injured and arrested. The date was adopted by a revolutionary militia from Bani Walid, the May 28 Brigade, which fought against Qaddafi forces. Nonetheless, many Warfalla are still proud counter-revolutionaries. Moreover, there is still substantial grassroots support for the regime, as illustrated by demonstrations held on July 15 2016 in Bani Walid calling for the release of Saif Qaddafi from prison.





Sub-Saharan migrants rest in the shade on the side of a road in Misurata, hoping to attract some casual work. Photo: Robert Young Pelton

“I went through the right way (paid the entire sum of \$3,500 in Khartoum which his *samsar* released in tranches) so I cannot really complain besides the fact that we were not given enough food to eat. But I could see that other refugees in other parts of the *makhzen* were beaten every day with electricity wires and sticks. The women were beaten and raped...they would make them call their family to ask for money.”⁶⁹

From warehouses, migrants are then moved in large trucks or small convoys of 4x4 pickups to collection hubs closer to coastal towns or directly to embarkation points. The trip from the warehouses to the coastal areas is never direct. Various stops are usually made and migrants are shifted from one set of vehicles to another. There are three main routes taken on the onward journey from Bani Walid. Research indicates that the one used the most in the first half of 2016 leads from Bani Walid to Garabulli via Zliten and the coastal highway.

Alternatively, migrants are smuggled into Tripoli from the south of the city brought in from the Gasr Ben Gashir area. The third route connects Bani Walid to Zintan, from where migrants are then smuggled to the coastal hubs of Sabratha, Surman or Mutrud. This has also been an important route throughout 2016, most likely as a way to avoid the discussed disruptions on the coastal highway linking Tripoli to Zawiya.

As noted, following the ISIS executions in 2015, consistent evidence collected suggested that East African *mandoubs*, particularly Ethiopian and Eritrean networks, shifted their operation entirely from Ajdabiya directly to Bani Walid. Positioned closer to the coastal areas, particularly Garabulli, the city has avoided logistical challenges posed by the increased policing of human smuggling activity taking place in Tripoli, offering opportunities to bypass the capital as a stop on the way to coastal areas.

The consolidation of Bani Walid as a hub for the burgeoning smuggling industry may be challenged in 2017 due to increasing activity of ISIS militants in the valleys and desert areas south and east of the town which started being detected after the defeat of the group in Sirte in December 2016.⁷⁰

69 Interview with Eritrean migrant who transited through Bani Walid – Sicily, May 2016.

70 Libya Herald Reporters, “BM Forces Hunt IS Encampments Near Bani Walid,” Libya Herald, December 29, 2016, <https://www.libyaherald.com/2016/12/29/bm-forces-hunt-is-encampments-near-bani-walid/>



Southeast Kufra District

Although the Kufra district in the southeast of the country has seen major turmoil from tribal rivalries since the revolution, smuggling in various goods has historically been and remains prominent in the region. Old grievances between the local Tebu, a semi-nomadic Saharan ethnic group that had been marginalised under the Qaddafi regime, and the Arab Zwayya tribe, rose after the toppling of the regime, destabilising and re-routing smuggling flows.⁷¹

These two tribes had once coexisted within the region's smuggling economy. Though the Zwayya had been given the upper hand by the Qaddafi regime, the Tebu's knowledge of the desert and kin connections across the Sahara into Sudan, Chad and Niger, made them an indispensable part of the smuggling equation south of Kufra. After the revolution however, Tebu smugglers essentially used their new position of strength to try to elbow out Zwayya competitors on the route north, and cut them out completely south of Kufra.

These tensions erupted in 2012, and have continued with varying intensities through 2016, leaving a major impact on migratory flows in the region. As of 2016, the Zwayya now control Kufra itself and much of the road leading north from the town, forcing Tebu smugglers dependent on the north of the Cyrenaica for their business, to forge new arrangements with their tribal antagonists.

The Tebu and Zwayya smugglers are known to have collaborated on the smuggling of drugs, alcohol, weapons and narcotics. Subsidised goods and fuel are sourced from the north east, go through Zwayya controlled territory and then are exported south to Sudan and Chad and Niger with cargo of legitimate household goods driven mostly by Tebu drivers. This trade necessitates some level of cross-tribal cooperation.

However, in the human smuggling field, Tebu smugglers over the past two years appear to have asserted near-total dominance. Migrant testimonies state that from Khartoum, migrants would normally make their way to Omdurman and then to the outpost town of Dongola, where convoys of trucks follow a northward path along the Nile for about 100 to 150 kilometres before heading west to the Salima Oasis - Sudan's last landmark before the desert crossing to Libya.

From there, convoys of trucks head for the Jebel Uwaynat mountain range, where smugglers often change and migrants are transferred to smaller pickup trucks. Historically this route would take the migrants to Kufra, but since recent tribal conflicts erupted, migrants are re-directed to the Rebiana Oasis, where routes split either to Tazirbu and Zillah on the way to Bani Walid or across the southern border towards Qatrun.

While it is known that several logistical outposts exist along this desert route, it is difficult to obtain precise information about them as migrants who undergo this journey are often disoriented when trekking through the vast desert expanse.

"The journey is very long. It took eight days in total. I cannot tell you exactly where we were because all I was seeing was the desert, it was very confusing. After Omdurman we drove on a big truck for three days and nights, almost without stop until we reached a spot in the desert where they had tents, fuel and water... we stopped for one day and then another group came and took us up with Toyota pickups. We travelled for four more days. On some days we travelled at night and rested in the day... Then we reached a big farm with a lot of palm trees. We stayed there for one week. I asked one of the Libyans where we were and he said Sabha."⁷²

"However, in the human smuggling field, Tebu smugglers over the past two years appear to have asserted near-total dominance."

71 T. Reitano and M. Shaw (2015), "Atlantic Currents and their Illicit Undertow: Fragile States and Transnational Security Implications", Atlantic Currents: An Annual Report on Wider Atlantic Perspectives and Patterns, The German Marshall Fund of the United States & OCP Policy Center.
72 Interview with Ethiopian migrant who travelled from Omdurman to Sabha – Sicily, May 2016.



The re-routing of smuggling activities throughout the southeast has been aided by a number of external factors including the consolidation of Sudan as a major regional migratory hub, and the shift of smuggling flows from Ajdabiya to Bani Walid. At the end of the reporting period, use of the route connecting the southeast with the southwest directly appeared to be on the rise.



Sabha and Brak Shati

At the other end of the country, the Sabha region which has been consolidated as the main funnel in the southwest for migratory flows coming from both West and East Africa via Algeria and Niger and Sudan. The capital of the Fezzan, and the nearby town of Brak Shati, act as major clearing houses for the entire region. They are also the main labour centres for migrants in the south of Libya and the places most frequently reported for indentured labour and human trafficking, especially the prostitution of sub-Saharan African women, as will be discussed in more detail further down.

The area is currently at the centre of a military power struggle between the 12th Brigade aligned with the LNA and the Misurati Third Force - which was stationed in the Fezzan in 2014. While fighting has been so far confined to checkpoints close to military bases of Brak Shati and Tammanhint to the north of Sabha, it risks upsetting the delicate power balance in the city and the Fezzan in general. On the surface the struggle is part of the broader tension between Misurata and the LNA, however, control of the gates to Sabha is also a source of money and power derived from the entire gamut of the smuggling trade that goes on through the region, including that of drugs, weapons, humans, fuel and subsidised goods.

The asphalt roads and desert lanes that cut through Jufra and Wadi Al-Shaati and connect Sabha and the south of the Fezzan to Tripoli, Misurata and the West coast, are the central nervous system for trade and smuggling in the in the southwest of Libya and therefore a source of patronage for whoever controls it.

The primary human smuggling route out of Sabha runs from the outskirts of Brak Shati down to Shwayrif, 270kms north. From here the main onward route leads to Bani Walid, however, a secondary route also takes migrants to





Members of the Misurati Third Force out on patrol in Ubari. Photo: Mark Micalef

Zintan. As with the route that connects Bani Walid to the southwest, the passage between Shwayrif and this transit town overlaps with recent sightings and incidents involving small cells of ISIS militants, making it a main area to monitor throughout 2017.⁷³

Ubari and Ghat

Southwest of Sabha City, the fighting between the Saharan Berber tribe of the Tuareg and Tebu throughout 2015 in Ubari has a major disrupting effect on human smuggling activity taking place on this historic route that connected the flow of migrants coming from Algeria to the Fezzan's capital.

The two tribes had a 150-year-old agreement, known as *Midi Mid*⁷⁴ delineating territory and trade routes which assigned the area west of the Libyan-Algerian-Nigerien border to the Tuareg and the territory east of that point to the Tebu.

The arrangement even stood the test of the revolution when the two tribes found themselves on opposing sides of the uprising. However, by 2015 Tebu smugglers started challenging the Tuareg territory and – fuelled by outside players from the east and the west of Libya encouraging a proxy war – the Sahara's non-Arab neighbours engaged in a bitter war that lasted almost a year and a half.

A peace accord brokered in January 2016 took some months to take effect but the deal appears to have held. However, a year later, the town, which is considered the region's Tuareg capital, is only now coming back to its feet. Moreover, the conflict did not just effect Ubari since the conflict essentially isolated the southern outpost of Ghat and nearby settlements. The fighting almost completely halted the flow of people crossing through

73 Among other incidents, towards the end of December, ISIS fighters reportedly attacked a main control station of the Man Made River pipe system 50km north of the town of Shwayrif. See: Libya Herald Reporters, "Terror Attack on Remote MMR Pumping Station - reports" Libya Herald, 20, December, 2016, <https://www.libyaherald.com/2016/12/20/terror-attack-on-remote-mmr-pumping-station-report/>

74 The 'Midi-Midi' is a truce and territorial settlement around south-west Libya which was agreed upon in 1875. There is no written document but both tribes acknowledge it. More or less, the agreement settled that the Tourag controlled the area between Ghat and the Algerian-Libyan border, while the Tebu were responsible for the Nigerian-Libyan border in the area.



the town of Ghat⁷⁵ which historically served as a stepping stone for West African migrants entering Libya after journeying from Algeria.

Typically, migrants journeying on this route would converge on the Tuareg hub of Tammanrasset and then travel to the border town of Djanet, before moving through Ghat and eventually Ubari on their way north.⁷⁶ Informants say some movement of people started again in the first quarter of 2016, but remains very limited when compared to the historical flows from these nodes. There appear to be two primary reasons for this. Firstly, as will be discussed in more detail further down, during the conflict in Ubari, smugglers in Tamanrasset and Djanet essentially diverted routes to the town of Ghadames, on the western border. Secondly, this diversion was reinforced by a surge of border guards on the Algerian side where security on the southern border between Libya and Algeria was stepped up significantly over 2016.

Murzuq and Qatrun

With the route through Ghat and Ubari undermined and an increased flow of migrants coming from the southeast to the southwest along the southern border, Tebu smugglers consolidated their position as the dominant group in the southern crossing. Their activity spans a vast desert area that stretches over more than 1,300 kilometres from the Libya-Niger border to that with Egypt and Sudan. Most of this movement is funnelled through outpost towns of Qatrun and Murzuq and the smaller settlement of Umm Al-Aranib, all of which are under Tebu control after the revolution.

The regional route connects these towns primarily to the Nigerien hub of Agadez. West African migrants converged on the Northern Niger city of Agadez, from where smugglers would drive them through the town of Dirkou in northern Niger to reach Madama, about 100kms from the Libyan border at the Tumbo crossing. Typically, smugglers from Niger stop close to the Tumbo border crossing, north of Madama, and hand over to Libyan partners there, however, there have been increasing reports of the whole journey being handled by the same group of smugglers from Agadez, all the way to Qatrun.

The movement of people on this route was systematic and the activity took place very much in the light of day. Convoys from Agadez used to leave with an escort service from the Nigerien army every Monday.⁷⁷ Though they rarely offered any real protection when the convoys were attacked by bandits the service was obligatory and smugglers had to pay an established fee to the army.⁷⁸

However, since August 2015, the escort service was halted and the Niamey government started cracking down on the activity in northern Niger based on an anti-smuggling law passed a year earlier, in 2015.⁷⁹ The move forms part of a cash-for-migration action Framework Agreement with the EU⁸⁰ and includes greater policing at nodes close to the borders with Algeria and Libya as well as raids and arrests in Agadez, Dirkou, Madama, Arlit and other known hubs of human smuggling.

75 Phone interview with Libyan source from Ghat – June 2016.

76 Peter Tinti and Tom Wescott, The Niger-Libya Corridor: smugglers perspectives, Institute for Security Studies/ Global Initiative Against Transnational Organised Crime, November 2016, <http://globalinitiative.net/documents/the-niger-libya-corridor-smugglers-perspectives/>

77 Tuesday Reitano and Peter Tinti, "Survive and Advance – the economics of smuggling migrants and refugees into Europe, Institute for Security Studies/ Global Initiative Against Transnational Organised Crime, November 2015: <https://www.issafrica.org/uploads/Paper289-2.pdf>

78 Tom Wescott, "An Open Secret – The People Smugglers of Southern Libya" Middle East Eye, March 18, 2016, <http://www.middleeasteye.net/news/sahara-people-smuggling-989683200>.

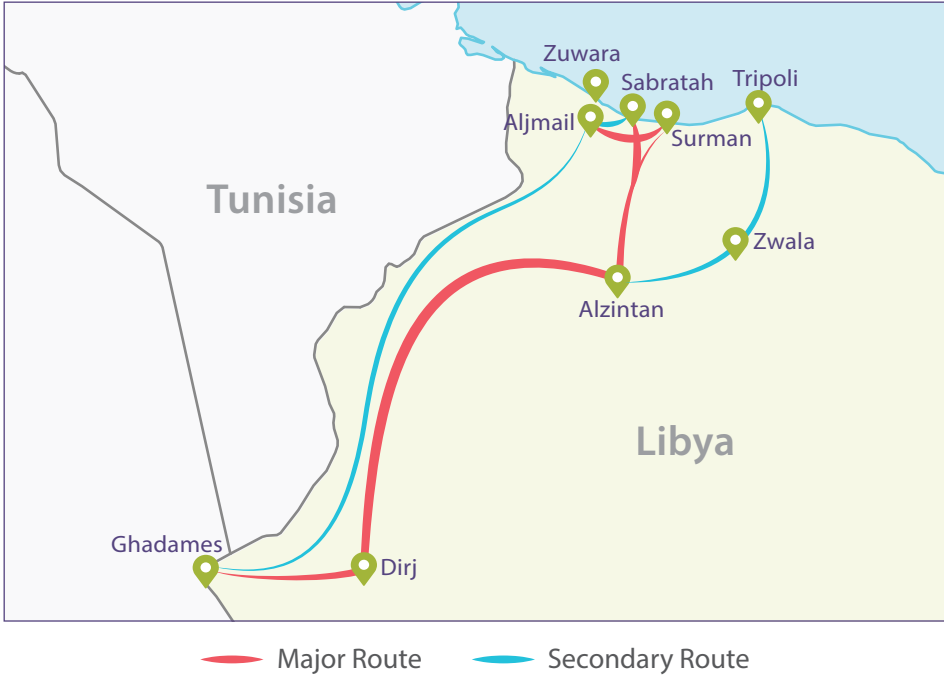
79 Peter Tinti, "In Niger, anti-smuggling efforts risk trading one crisis for another," African Arguments, January 13, 2017, <http://africanarguments.org/2017/01/13/in-niger-anti-smuggling-efforts-risk-trading-one-crisis-for-another/>

80 EEAS, "Managing migration effectively: HR/VP Mogherini reports on progress with 5 key partner countries," [Press Release], October 18, 2016, https://eeas.europa.eu/delegations/niger/12336/managing-migration-effectively-hrvp-mogherini-reports-progress-5-key-partner-countries_en



The effect of the crackdown has so far been difficult to measure. Though key informants in Qatrun and Murzuq report a slowdown in activity after October, this corresponds to seasonal reductions in departures from Niger. A survey conducted by the IOM regularly in the town of Séguedine is also inconclusive. The latest monitoring report shows a consistent slump after September 2015, however, according to the same survey only about 4,000 were detected to have left Niger in February 2015, when the survey started, compared to about 8,500 in January 2016, the last published reading at the time of writing.

Similarly, information collected both in Niger as well as in Qatrun and Murzuq suggests that though there has been a significant scattering effect, particularly around Agadez which is a main focal point of the crackdown, the activity has simply been shifted and turned more underground. The key elements to monitor in the first half of 2017 will be whether the action by Niamey will be sustained and whether there will be any displacement effect to alternative routes.



Ghadames and the Western Border

Although Ghadames, which sits about 600kms southwest of Tripoli, has been challenged as a smuggling node on the western border by increased border control activity on the Algerian side, demand from the west coast, as well displacement of flows to the desert outpost of Ghat (580kms south), have provided the town with sustained activity on the human smuggling front throughout the past two years.

A small flow of North African migrants, primarily Moroccans and Algerians, has been known to cross to Ghadames from Debdeb (18kms south, on the Algerian side), typically after having travelled from Ouargla. Additionally, Tunisian smugglers take North African migrants to Ghadames through the country’s southernmost desert tip at Borg El-Khadra, a route that had been frequently used by Syrian refugees travelling into Libya following visa restrictions.^{81,82} Nonetheless, the main route concerns the flow of West Africans and runs from Tamanrasset, which acts as a regional hub for West African migrants traveling through both Mali and Niger.

81 Matthew Herbert, “At the edge - Trends and routes of North African clandestine migrants,” Institute for Security Studies/ Global Initiative Against Transnational Organised Crime, November 2016: 16. <https://issafrica.org/research/papers/at-the-edge-trends-and-routes-of-north-african-clandestine-migrants>
 82 Various interviews with members of the Syrian National Council in Libya, the de-facto post-revolution embassy of Syria in Libya – Tripoli, September 2015.



The route from Tamanrasset is dominated by the Tuareg tribe. However, after the revolution, Zintani militias asserted firm control over trade taking place in the territory, taxing smuggling activities and undermining the Tuareg for both strategic reasons and as collective punishment for their counter-revolutionary role in 2011.⁸³

From Ghadames, smugglers point to Dirj,⁸⁴ where the route continues north to an area east of Nalut (Berber militias in Nalut are generally hostile to the Zintanis). From there, migrants either proceed north down along the Tunisian border or proceed eastwards towards Zintan, where they are transported to Bir Al-Ghanam and eventually head to the west coast, typically to warehouses in Surman or Sabratha.

The Tunisian Border

The Libyan-Tunisian border is an important smuggling hub that sees a range of smuggled goods from arms to drugs, fuel, alcohol, currency, migrants, and more recently, jihadis.

There are two main controlled waypoints, one through the official border point at Ras Ajdir – a coastal town that leads to the Tunisian town of Ben Gardane – and the other 150kms south at the border crossing between Wazin in Libya, and Dehiba in Tunisia. These crossings are heavily monitored with the presence of military and/or customs officials on both sides. The material that goes through is mostly subsidised goods (fuel/foodstuffs/electronic goods) and contraband, cigarettes, alcohol and drugs – the latter two moving from Tunisia to Libya. Officials supplement their salaries with extra takings on these goods while regional authorities formally tax the trade. Most of the smuggling done through these points involves small-timers, who range from individuals supplementing their income by smuggling fuel with their own car, to more organised but still relatively small players dedicated to the activity on a full-time basis.⁸⁵ The heavy lifting in this area is done by more specialised smugglers mostly around a zone south of the coastal border up to the Nalut Mountains. The crossing here depends on smugglers from nearby towns, chiefly Al-Jmail and Riqdaleen but also on some smaller settlements like Zouwagha, and from Berbers towns around Nalut.

Since Tunisians travel to Libya without a visa, those wanting to take a boat from Libya cross the border regularly at Ras Ajdir. However, a small flow of Moroccans and Algerians, as well as Tunisians wanting to avoid detection, is known to cross from the smuggling routes south of the border or on the discussed routes leading to Ghadames. One category of human smuggling that was prevalent on this crossing throughout 2015 and the first quarter of 2016 concerns the smuggling of jihadis. Tunisian security officials long believed that ISIS operatives were using these desert lanes to smuggle weapons and fighters to and from Libyan training camps like the one discovered in Sabratha after an ISIS hideout was hit by a US airstrike.⁸⁶

Security measures along this border have only really been stepped up since the terrorist attacks suffered by Tunisia on the Bardo Museum and on the beaches of Sousse in 2015. By February 2016, Tunisian authorities completed a berm along a 200-kms between Ras Ajdir and the southern border town of Dehiba, hoping to prevent such movements by jihadis.⁸⁷ However, smuggling activity generally carried on undeterred for the large part.

Nonetheless, some Tunisian border officials also leveraged the kinship ties and social networks of the communities involved in the cross border trade on either side of the border.

83 T. Reitano and M. Shaw (2015), "Atlantic Currents and their Illicit Undertow: Fragile States and Transnational Security Implications", Atlantic Currents: An Annual Report on Wider Atlantic Perspectives and Patterns, The German Marshall Fund of the United States & OCP Policy Center.

84 The IOM Displacement Tracking Matrix Round 3 for the period between March and April records a 115,000 migrants being in transit in Dirj. The number drops to between 1000 and 4000 in the Round 4 report for the period between May and June. See: <http://www.globaldtm.info/category/middle-east-and-north-africa/libya>

85 Interview with former gold smuggler who used to work on the Tunisia/Libya border –Malta, June 2016

86 See: Chris Stephen, "Tunisia gunman trained in Libya at same time as Bardo museum attackers," The Guardian, June 30, 2015, <https://www.theguardian.com/world/2015/jun/30/tunisia-beach-attack-seifeddine-rezqui-libya-bardo-museum-attackers/> / Greg Botelho and Barbara Starr, "49 killed in U.S. airstrike targeting terrorists in Libya", CNN, February 20, 2016 <http://edition.cnn.com/2016/02/19/africa/libya-us-airstrike-isis/>

87 BBC Africa, "Tunisia builds anti-terror barrier along Libya border," February 7, 2016, <http://www.bbc.com/news/world-africa-35515229>



“The Tunisians made it clear that if we (the people of Riqdalin) are found to harbour even one Tunisian jihadi they will make our lives impossible at the border so we are very careful now... If I know of someone who is smuggling weapons or people, I will report them... not to the Tunisians but to our people... and we will make them stop. So far it has not happened...”⁸⁸

It is difficult to say if this will have a lasting impact on the flow of North Africans travelling to Libya in the medium term, especially because the number of people crossing into the Central Mediterranean is tiny in relative terms.

An apparent surge in arrivals of North Africans to Italy (Moroccan, Algerian, Tunisian and Libyan) in the first six months of 2016 levelled out in the two months that followed.⁸⁹ Nonetheless, this remains a cohort to follow in 2017. Throughout the reporting period there has been growing visibility on social media of Libyan, Tunisian and Moroccan youths crossing by boat, and the positive opportunities that this migration can offer.⁹⁰

88 Interview with former fuel smuggler from Riqdalin. – Zuwara, August 2016.

89 By the end of June 2016 2,110 Moroccan, Algerian, Tunisian and Libyan migrants had crossed the Central Mediterranean. That is an increase of 571 over the same period in 2016. At the end of August 2016, that number grew to 3,300, compared to 4,458 in the same period in 2015. Data for the remaining four months could not be obtained as North Africans were aggregated with other groups which do not form part of the top ten nationalities arriving in Italy. Data: <http://migration.iom.int/europe/>

90 Matthew Herbert, “On the Edge: Trends and Routes of North African Clandestine Migrants”, Institute for Security Studies, October 2016





Human smuggling has become a major source of income for many of Libya's militias. Photo: Robert Young Pelton

Human Smuggling as Resource Predation

The years following the revolution were characterised by growing acrimony over the distribution of power and state resources. The mishandling of the security sector's restructuring ended up fuelling a feeding frenzy for security contracts and government jobs. The process attracted thousands of new militia recruits who did not fire a single shot during the revolution but joined the ranks to benefit from the bonanza.⁹¹

The growing militias were essentially given the financial platform to pursue their own agendas. Crucially, it reinforced the frenzied competition that required ever greater amounts of capital, "graduating" revolutionary brigades from "political violence" to "resource predation".⁹²

But while the militias close to the capital and the main cities could secure access to money through the patronage and/or bullying of powerful politicians, in the peripheral towns that were cut off both geographically and politically, armed groups turned to whatever they could get their hands on and the taxing of smuggling was a convenient and readily available source of income for many of them.⁹³

As a result, protection markets were born linked to all sorts of smuggling and illicit activities⁹⁴ and in many cases, they had the support of the neighborhoods, tribes, or communities the militias were affiliated with. In these post-revolution localised political eco-systems, the militias performed the most essential function of the state by providing security against real or imagined threats coming from neighbouring towns and/or rival tribes. While this is not a phenomenon exclusive to peripheral areas, it is in these areas where the phenomenon is most evident and widespread.

91 Fiona Mangan and Christina Murtaugh, "Security and Justice in Post-Revolution Libya," 2014, United States Institute of Peace: 12 - 14, <http://www.usip.org/publications/security-and-justice-in-post-revolution-libya>

92 Rafaâ Tabib, "Stealing the revolution: violence and predation in Libya," Norwegian Peacebuilding Resource Centre (NOREF), October 2014, https://www.clingendael.nl/sites/default/files/Tabib_Clingendael_NOREF_Stealing%20the%20revolution_Violence%20and%20predation%20in%20Libya_October%202014.pdf

93 Shaw and Mangan, USIP, op.cit

94 Shaw and Mangan, "Illicit Trafficking and Libya's Transition – Profits and Losses", Op Cit: 18.



"At that point we realised it was each to his own so you think, f**k them (the politicians and the other Libyan groups), we will find our own way to make money and to protect ourselves."⁹⁵

This started a vicious cycle that has now planted firm roots and led to all sorts of unintended consequences for communities that saw this as a necessary evil. Smuggling money funds the militias which in turn offer protection to their town, tribe or neighbourhood and this buys them back a measure of acceptance from their community.

These ties are further reinforced because some of the money that flows through smuggling also goes to the community by way of ancillary economic benefits – employment opportunities / procurement of goods such as food, fuel, medicine, accommodation. The corollary effect, of course, is that this process has fed a beast which mainstream Libyan society and the central state political agencies now have little or no control over.

Many militias got in on the human smuggling business as early as 2012. However, the industrialisation of human smuggling across the country only really started taking shape around mid-2013.

"It was obvious to many by that point (by 2012), that the revolution was not about uniting Libya. Different groups were looking after their own interests, making money and gaining power... Constant fighting by different militias, revenge killings, abductions... nobody felt safe and the militias started taking money from anywhere they could, including smuggling... everything, cigarettes, fuel, people, checkpoints, wherever they could get their hands on money to arm themselves and get rich"⁹⁶.

"The corollary effect, of course, is that this process has fed a beast which mainstream Libyan society and the central state political agencies now have little or no control over."

The qualitative difference that this brought about was that the protection offered by militias and armed gangs, with the acquiescence, collusion or even support of local and national authorities, provided smugglers with unprecedented ability to act with impunity. This led to logistical latitude resulting in increased operational efficiency.

At the logistical nodes on the coast or in transit centres like Bani Walid, for instance, this meant that the *makhazen*, where migrants are held while transportation for the next leg is being organised, became larger, in some instances able to hold thousands of people at any one time.⁹⁷ They are now also located closer to urban areas and road infrastructure. At the embarkation points, launch operations could be done with ease and involve more boats.

"They put us in a white van and drove us to a beach, they parked about 1km from the beach (couldn't locate precisely but somewhere between Sabratha and Surman) next to a large house. We waited for some time... less than 30 minutes and then they took us to the beach.... They had four vans and they made at least four trips... each van had 25 people or more inside... There were many men. All of them had uniforms and weapons and they even had a boat in the sea... a black rubber boat (military-grade vessels used by militias and coastguard fit this description) ... they all had Kalashnikovs."⁹⁸

95 Phone interview with militiaman from Zuwara: the passage refers to fuel smuggling, which he said, was being used to fund the town's security. Despite rejecting human smuggling, particularly after 2014, many Zuwarans see the smuggling of fuel as an important source of income for the militias that operate in the area and therefore for their security. – June 2016.

96 Phone interview with former Libyan diplomat and resident of Tripoli until 2014 – May 2016.

97 Four Ethiopian and Eritrean migrants interviewed in depth over their journey through Ajdabiya in March 2015 described a facility in the eastern town that could hold between 3,000 and 4,000 people at one go. Similarly, Eritrean asylum seekers who travelled in March and April 2016, said they stayed in a facility that housed around 2,000 people south of Bani Walid - Sicily, August 2015 / May 2016.

98 Interview with Somali refugee – Sicily, May 2016.



Protection Money

Most formal militias do not involve themselves directly in human smuggling and trafficking activities but simply take a cut from the business that goes through the territory under their control.

It works like the classic *pizzo*, the system adopted by Mafias of southern Italy. Smugglers are coerced to pay protection money to be allowed to operate in territory controlled by a specific militia. There is no alternative, if you do not pay, you do not work. In some instances, the activity is disguised as law enforcement, particularly in the case of armed groups acting as coastguards (both sanctioned and unsanctioned groups are involved in this activity).

“Recently we arrested a smuggler who told us that in January the XXXX brigade refused to take his money and seized his Africans at the checkpoint. They let him go but took all the Africans and boasted that they made an arrest but we know they later let another group of Africans go in through the same checkpoints. Why?”⁹⁹

However, the system is not always left unchallenged. Tensions between smugglers and militias often erupt when there is disagreement over the price to be paid, when the cost is raised or when smugglers attempt to circumvent the system by operating from a different territory – sometimes the price paid is per migrant moved across the territory (as seen along the route from Sabratha).

Moreover, there are increasing examples of militias that are actually taking over smuggling businesses. During the reporting period, conclusive evidence was collected on two rival militias in the same coastal town that run such networks.¹⁰⁰ In both cases, militia members act as labourers carrying out functions such as preparation of boats and launch sites, warehouse protection and transportation of migrants. In the cases documented, these groups still partner with other smugglers and especially African *manadeeb*, but the head of the militia retains control over the entire process.

Libyan security officials believe some terrorist organisations have also engaged in this activity. Multiple security sources expressed this view with the author, and the head of the Libyan Navy Col. Ridda Eassa even put it on record in an interview in which he said clearly that he believed ISIS was underwriting smuggling activities with its money for profit.¹⁰¹

What militates against this theory is the fact that human smuggling is cash-rich. A large part of transactions are carried out with cash and the ones that are not are settled through hawala systems. In other words, smugglers have little incentive to hand over a part of their profits to outside investors unless they receive something extra in return.

This is not to say that UN-designated terrorist organisations have not profited from migratory flows. Two Muslim migrants who were interviewed by the author independently said that when they fled Sirte in June 2015 they were asked to pay militants at two checkpoints on the outskirts of the coastal city. One paid LYD50, the other paid LYD10. However, migratory movements dried up in the months after ISIS established itself in the area.

As discussed earlier, further west, ISIS maintained a covert presence in the major coastal hotspot of Sabratha at least until February 2016. Similarly, the leader of the Al-Qaeda-affiliated Al-Mourabitoun terrorist group, as well as veteran smuggler, Mokhtar Belmokhtar is believed to have operated from Ajdabiya¹⁰² at the height of the town’s activity as a major transit hub for migrants coming from the southeast.

99 Phone interview with Tripoli security source – July 2015.

100 The evidence gathered rests on information collected from seven independent sources from two adjacent coastal towns where the activity of these militias takes place as well as separate evidence with two Eritrean asylum seekers in Italy in July 2016 and a three-hour face-to-face interview with a member of one of the two armed groups identified who agreed to talk anonymously about the activity of the rival gang. The towns where these groups operate are not being identified in the interest of future field research.

101 Nancy Porsia, “Non solo jihad, isoldati del Califfo investono sul traffico di esseri umani” (Not only Jihad, the Caliphate’s soldiers invest in human trafficking), *Il FattoQuotidiano*, July 31, 2016, <http://www.ilfattoquotidiano.it/premium/articoli/non-solo-jihad-i-soldati-del-califfo-investono-sul-traffico-di-esseri-umani/>

102 Also known as the Marlboro Man for his major role as a regional cigarette smuggler, Mokhtar Belmokhtar, was said to have been killed in an airstrike carried out by the US in Ajdabiya in June 2015. Al Qaeda later denied that he was killed in a statement. A second airstrike in carried out by the French military in Sabha in November was also said to have killed him. However, his death has again been disputed. See: MEE staff, “Exclusive: Algerian al-Qaeda boss seriously injured but alive”, *Middle East Eye*, December 15, 2016, <http://www.middleeasteye.net/news/exclusive-algerian-al-qaeda-boss-seriously-wounded-still-alive-638327878>



At the time of writing, a vast area of desert and valleys stretching from the south of Bani Walid and Ash Shwayrif, north of Sabha which happens to be a hotspot of human smuggling activity, has seen consistent activity by a group of ISIS militants believed to have spilled out of Sirte before or during the siege by Misurata forces.

In an interview given to a British daily, The Telegraph, the GNA's Defense Minister Mahdi Barghati clearly earmarked this zone as an area of concern, adding that the group was being supported by Mokhtar Belmokhtar, who was allegedly helping ISIS establish bases in the south of Libya.¹⁰³ The newspaper cited a Libyan intelligence report which stated that the terrorists were financing themselves from illegal immigration to Europe, a multi-billion pound business, as well as gold smuggling out of the artisanal mines in the northern regions of the Sahel.

The support provided by Belmokhtar is a cause for concern for this potential overlap of activities. The veteran terrorist has a long-standing relationship with Libya, and particularly its southwest region and he is known to be well-connected both as the result of his terrorist activity and his days as one of the Sahel's most prolific cigarette smugglers.¹⁰⁴

Nonetheless, armed groups that manage to enter or force their way into smuggling networks typically enjoy sustained territorial control over a hot spot. In both the cases of Sirte and Ajdabiya, the destabilising presence of terrorist organisations, as discussed earlier, actually warded off business from the areas they were active in.

Focused research tapping various sources in town suggests that even in Sabratha, the group was not involved in the activity. However, it is possibly the territory where conditions were the most favourable.

The Checkpoint Business

In the coastal areas, migrants are often transported from collection points in paneled vans or closed container trucks but in many instances, particularly in the south, convoys of trucks or pickups drive freely on highways with their human cargo on display. This is made possible by friendly checkpoints where militias levy tax to waive smuggling convoys through.

Figures collected in different locations on the coast of the Tripolitania since June 2015 indicate that the average checkpoint tax stands at between LYD10 to LYD50 (at the current rates €1.5 - €7.5) per migrant. However, there are waypoints run by criminal gangs where the price is as high as LYD100 per migrant.

In Warshefana, for instance, armed groups took advantage of the closure of the main highway leading from Tripoli to the coastal towns in the west to organise informal checkpoints and impose their own levy. For convoys coming from Tripoli, the alternative to passing through Warshefana - a suburb that has had a particularly high rate of abductions - is a lengthy detour around the outskirts of Tripoli which is why these checkpoints can command a higher price.

"They meet them in an area close to Al Mayah, more or less where the highway is blocked, and then they accompany them (smugglers who operate in Sabratha, Surman and Zawiya) through Warshefana. These are the same people doing the kidnappings... recently they killed a (Libyan) boy of nine because his parents didn't have the money to pay for the ransom, these are the sort of pigs we are talking about."¹⁰⁵

103 Adam Nathan, "Isil 'regrouping in southern Libya with support of al-Qaeda and preparing for further attacks,'" The Telegraph, March 1, 2017, <http://www.telegraph.co.uk/news/2017/03/01/isil-regrouping-southern-libya-support-al-qaeda-preparing-attacks/>

104 BBC "Profile: Mokhtar Belmokhtar," BBC, June 15, 2015, <http://www.bbc.com/news/world-africa-21061480>

105 Phone interview with Tripoli security source - July 2015.





Migrants and refugees have become simply another commodity to be exploited often through indentured or slave labour.
Photo: Robert Young Pelton

The Extortion Economy and Libya's New Slave Trade

Libya is plagued by an epidemic of kidnappings and nobody is spared. Everyone is a potential target; the only distinction is in the money the kidnappers expect to get from different categories of people; Westerners and Libyans tend to be on the top end of the scale while migrants, especially sub-Saharan who represent the absolute majority of people transiting through the country, are at the bottom. Their individual value to criminal gangs, however, does not reduce their exposure.

Sub-Saharan African migrants are especially vulnerable to kidnapping because of the desert crossing and the greater risks they take due to their limited resources. In fact, while the problem is spread across the country, the situation is particularly acute in the southern desert outposts.

A study released in October 2016 by the IOM, found that more than half of men interviewed (52%) and 33% of women, from a sample of more than 2,700 interviewees, reported being held captive/against their will on their journey to Europe via the Central Mediterranean. Libya was the most prevalently reported country where the captivity took place, followed by Egypt, Algeria and Sudan.¹⁰⁶

Broadly, there are three scenarios that see migrants being extorted: during the desert crossing, when targeted by specialised kidnapping gangs, and in detention centres.

There is a consistent body of testimonies reporting that desert guides as well as smugglers working in southern outpost towns and the outskirts of Sabha, detain migrants and demand a ransom. Typically, this happens when smugglers arbitrarily change the terms and price for the crossing mid-journey or in instances where migrants would be handed over to desert guides who would not have an arrangement with the *samsar* originally engaged by the migrant.

The first type of abduction happens in cases where migrants pay their journey as they go, the second in cases where the journey would have been paid in advance. What comes next is virtually identical in both scenarios: traffickers

106 IOM, Mixed Migration Flows in the Mediterranean and Beyond. Analysis: Flow Monitoring Surveys – The Human Trafficking and Other Exploitative Practices Prevalence Indication Survey. http://migration.iom.int/docs/Analysis_-_Flow_Monitoring_and_Human_Trafficking_Surveys_in_the_Mediterranean_and_Beyond_-_6%20October_2016.pdf



take the migrants to desert locations and warn them that they will only get out alive if they pay the requested sum. The period of captivity depends on how long it takes for the ransom to be paid. The ones who cannot pay are either sold to kidnap gangs, to brothels, forced in bonded labour, or are murdered.¹⁰⁷

Traffickers typically use physical and sexual abuse to hasten the ransom payment. The victims are asked to call home and are brutalised while they are on the line with their relatives, asking for a ransom to be paid.

“They beat me every day with an electricity cable and they showed me pictures of people who they had killed or skeletons in the desert telling me: ‘if your family doesn’t pay this is what will happen to you.’”¹⁰⁸

In most cases, the payment happens through *hawala* or established intermediaries in capitals of the main countries of origin. Relatives of the victim are typically given the name of a local person to whom the money is to be transferred. The money is either deposited directly or through a *hawaladar* (broker). Ransom demands in these cases normally range between \$3,000 and \$5,000.¹⁰⁹

The Kidnap Gangs

Dedicated kidnapping gangs have mushroomed in the past few years and some appear to be specialising in the abduction of migrants without being ancillary to the smuggling trade.¹¹⁰ Victims are robbed and extorted while they are held in small compounds converted into private jails with multiple cells, sometimes located in the midst of residential neighbourhoods.¹¹¹

They tend to be active in catchment areas for migrants. There are reports of this sort of activity taking place virtually all over the country, however, there is a concentration of specialised kidnapping around Tripoli (Ghirdaresh, Ain Zara, Abu Salim or Fashloom), Bani Walid and Sabha, where they prey on migrants living in informal settings – typically half-finished properties on the outskirts of town.

There have also been many reported incidents where smugglers sell migrants into these gangs in cases of dispute. The kidnappers pay the smuggler the disputed dues and then undertake to extract this money with profit from the victims, either through ransom or forced labour. The ransom demanded from sub-Saharan migrants in these cases can even reach \$10,000. Typically, the ransom is also paid through *hawala*.

Several migrants are also being enslaved. Women go into private households to work as maids or sometimes even sold to brothels in places like Brak Shati in the southwest and Girdaresh in Tripoli. This is especially the case for Nigerian women who are the cohort most at risk of falling victim to human trafficking.

"Dedicated kidnapping gangs have mushroomed in the past few years and some appear to be specialising in the abduction of migrants without being ancillary to the smuggling trade."

107 Mark Micallef, “Murder and Extortion in Libyan Desert Hub”, Migrant Report, July 14, 2016, <http://migrantreport.org/murder-and-extortion-in-libyan-desert-hub>

108 Interview with Eritrean migrant who was held for ransom at an unknown desert location for 15 days before he was eventually taken to Sabha. His family paid \$3,000 – Sicily, May 2016.

109 This assessment is based on several interviews carried out with migrants over the past three years, discussions with activists working in the field and personal involvement in one ransom negotiating process involving an Ethiopian woman between March and May 2016.

110 Four individual migrants who made separate journeys and were abducted from different areas (Sabha, Tripoli, Bani Walid) in 2015 and 2016 said they were taken to prison-like warehouses where there were only sub-Saharan migrants. The migrant held in Tripoli, described being held in a house that had rooms with multiple sets of chains attached to the walls where people would be bound while in captivity. This is markedly different from the descriptions normally given of warehouses where migrants who have a problem paying for their onward journey are also held captive until someone pays for their release.

111 Amnesty International also documented several such incidents: Amnesty International, “Libya is Full of Cruelty – Stories of Abduction, Sexual Violence and Abuse from Migrants and Refugees,” Index Number: MDE 19/1578/2015, May 11, 2015, <https://www.amnesty.org/en/documents/mde19/1578/2015/en>



ISIS has also been engaged in a range of human trafficking activities around Sirte. For example, a group of Eritrean teenagers who were kidnapped in March 2016 said they were taken to a camp in a desert area where there were around 300 militants undergoing training.¹¹²

This is consistent with credible reports that ISIS militants were abducting migrants on checkpoints controlled by them and forcing them into training for combat and suicide missions.¹¹³ Some Eritrean women who remained in captivity throughout the group's reign in Sirte described being taken as sex slaves by militants after the town was liberated in December.¹¹⁴

Sirte residents also reported seeing black Africans being used by ISIS militants as labourers and made to relocate hundreds of boxes with documentation from a tax registry office to a Ministry of Interior building in the city which was being used by the group as a headquarters for the Hisbah (religious police).¹¹⁵

Indentured Labour

The more prevalent form of illegal arrest takes the form of indentured or bonded labour. This is more common in the southwest, particularly in the agriculture industry.

The most vulnerable are the ones with the least financial means and fluid travel plans, which tend to be West African migrants. Migrants looking for labour to pay for their next journey often report being taken to construction sites or farms where they end up working for months on end without pay to eventually buy the next leg of their journey.

Sometimes, petty salaries of LYD100 to LYD200 (€17/34) a month are agreed on top of a basic meal and accommodation on the farm, which typically consists of a space on the floor in a warehouse and a mattress. However, in many other reported cases, there are no prior arrangement and migrants report working under duress or open threat. Moreover, they have no clue when or if they will be free again.

This is also consistent with data collected by the IOM in their latest published report on incidents of trafficking. Half of the migrants interviewed on the Central Mediterranean route reported having provided services for someone during their journey without receiving the expected remuneration. 65% of the people who reporting not having been paid, also reported of having been held against will. The data reported is not specific the Libya but the report also underlines that the "vast majority" of the cases reported pertain to Libya.¹¹⁶

The two elements that can often be traced in most of these stories of forced labour are the arbitrariness and the systematic manner in which this mass exploitation of migrants is taking place. Many migrants report that when they are released, it happens without prior notice and they are often taken on the next leg of the journey, both on land and at sea. Often, migrants report that money does not actually change hands, indicating a standing relation between the employer and the smuggler.

112 Gianluca Mezzofiore, "ISIS: Eritrean teen migrant forced to witness Libya massacre - 'I watched IS beheading Christians'", International Business Times, April 23, 2015, <http://www.ibtimes.co.uk/i-watched-isis-beheading-christians-eritrean-teen-migrant-forced-witness-libya-massacre-1497874>

113 Tom Westcott, "IS kidnapping migrants at gunpoint to fight in Libya, Middle East Eye, March 7, 2016, <http://www.middleeasteye.net/news/forging-migrant-army-libya-912479375> views, started returning to the country around political ically require a more patient and long term engagement with the Libyan.

114 Nancy Porsia, "First enslaved by Daesh, now imprisoned by Libyan forces," TRT World, December 21, 2016, <http://www.trtworld.com/in-depth/first-enslaved-by-daesh-now-imprisoned-by-libyan-forces-257247>

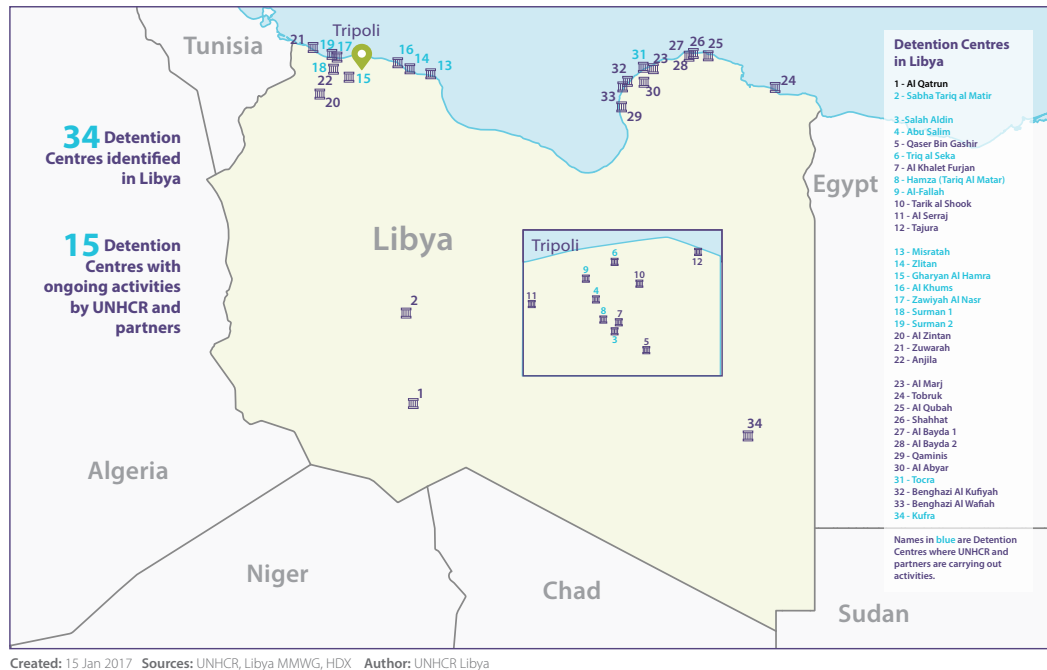
115 Interview with Sirte residents in liberated areas following the Bunyan Al Marsoos operation – Sirte, July 2016.

116 IOM, "Analysis and Flow Monitoring and Human Trafficking Surveys in the Mediterranean and Beyond," Geneva, October 2016: http://migration.iom.int/docs/Analysis_-_Flow_Monitoring_and_Human_Trafficking_Surveys_in_the_Mediterranean_and_Beyond_-_6%20October_2016.pdf



Detention Centres

The best publicly-available assessment on detention puts the number of detention centres in the country at 34 to 35.¹¹⁷ Between six and eight of them are reported to be inactive. In the present climate, the map below represents an extraordinary coordinated effort overseen by the UNHCR and the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), international NGOs working in Libyan detention centres and the Global Detention Project, but the list is still likely not exhaustive.¹¹⁸



Of these known centres around 29 are formally under the control of the Directorate for the Combat of Illegal Immigration (DCIM) operating in parallel organisations in the east and west of the country. In practice, the DCIM in Tripoli¹¹⁹ only has nominal control over many of the centres on this list. Many are run by local militias and while technically the centres' directors are accountable to the directorate, in practice the DCIM's oversight capability is limited.¹²⁰

It is beyond the scope of this report to document the conditions in detention centres. However, information collected through six detention centres in Tripoli, Zawiya and Misurata, along with interviews with key informants, and migrants rescued off the coast, confirm that the documented chronic overcrowding, sub-standard conditions and widespread physical and sexual abuse remain rampant.¹²¹ If anything, with increased interception activity, the situation with overcrowding and the corresponding negative effects, appear to be worsening at detention centres around Tripoli and coastal towns.¹²²

117 Global Detention Project, "Libya profile", <https://www.globaldetentionproject.org/countries/africa/libya>, (Accessed, December 20, 2016), Humanitarian Response, Libya, <https://www.humanitarianresponse.info/en/operations/libya> (Accessed, December 20, 2016).

118 The author personally visited a detention centre which is not listed, about 60kms south of Tripoli at a former military intelligence base in SuqAlhad in September 2015. At the time of the visit, the centre housed around 400 migrants, including women and unaccompanied minors. The militia running the facility was attempting to register the centre with the Department for the Combat of Illegal Immigration (DCIM) with plans to act as a regional hub for detained migrants. At the time of writing it could not be confirmed if the registration process had gone through.

119 The present assessment relates to the west of the country where the majority detention centres are located, no formal contact was made with the DCIM located in the east for the purposes of this project.

120 Phone interview with security source – Tripoli July 2016. See also: MHub, "Detained Youth – The Fate of Young Migrants, Asylum Seekers and refugees in Libya Today," North Africa Mixed Migration Task Force: 48, July 2015, http://www.mixedmigrationhub.org/wp-content/uploads/2015/07/MHUB_2015_Detained-Youth.pdf/RMMS. "Behind bars: the detention of migrants in and from the East and Horn of Africa," Regional Mixed Migration Secretariat, February 2015: 13, http://www.regionalmms.org/fileadmin/content/rmms_publications/Behind_Bars_the_detention_of_migrants_in_and_from_the_East_Horn_of_Africa_2.pdf/89/

121 See also Amnesty International, "Scapegoats of Fear," Op. Cit: 19-20.

122 Mark Micallef, "UN Libya Mission Calls for Inquiry Into Zawiya Detention Centre Probe," Migrant Report, April 8, 2016, <http://migrantreport.org/un-libya-mission-calls-inquiry-zawiya-detention-centre-probe/>

The state of centres is the result of a number of factors that have as much to do with the overall collapse of state institutions, the economy and the rule of law, as well as the lack of an implementation framework which would enable the country to fulfill the legal obligations Libya is already signed up to.¹²³

In practice, migrants, including asylum seekers with clear cases for refugee status, are offered no protection or even due process in the country. Crucially, the arbitrariness of detention serves as a functional dimension of these facilities with smuggling and trafficking networks.

The infiltration of detention centres by smugglers is not a new phenomenon. The same sort of activity was rampant before the revolution. However, as with the trend in the rest of the industry, the control now leveraged by militias over these facilities has expanded this activity to a scale not seen before.

Migrants who end up in detention face a high probability of extortion.¹²⁴ Violence and abuse, including sexual abuse, enhance the ability of armed groups to extort the most money out of detainees.

Two migrants who travelled through Libya, (one in April and the other in June, but both through Kufra), reported almost identical stories in which they were forced to call relatives asking for money while being whipped with electrical cables at two different detention centres in Tripoli. One paid LYD800 and the other LYD1,200 for their release but this included payment for the boat. This lucrative stream of revenue is rendering detention centres targets for predation.

“There is a competition going on to get hold of detention centres. They think they will get European money to help run them but more importantly, they know they can make good money from the migrants... Here in Tripoli, we don't hear a lot of cases where the migrants are sold but the head of the centre will have an agreement with smugglers. They come in, get money for the boat and then he and his men (the director) gets a cut. That is how it works.”¹²⁵

"Samsars are technically meant to be independent brokers, neither on the side of the smuggler nor on that of the migrant. The tendency in practice is for samsars working on these routes to be at the service of a particular network."

A 22-year-old Nigerian construction worker interviewed in July 2016 after being rescued outside of Sabratha gave a typical account. He and a group of co-nationals reported being taken to an informal centre in the southwest where, he said, people were regularly “sold” for LYD500 (€77). He said the man in charge of the facility sold about six migrants every day. He could not give a precise location of the centre, which is not marked, but gave a description which suggests the facility is at least semi-formal and is located on the outskirts of Sabha city.

He paid the money and eventually made it to the coast, but was arrested again with some co-travellers. This time, he was arrested by police units and taken to another centre where they “found someone who spoke very good Arabic” to get them out. They each paid another LYD500 to get out and then another €300 to €500 to get on a boat, to the same broker who negotiated their release.

Many other testimonies corroborate this account. The Sabha district and the surrounding towns of Murzuq, Ghat and Ubari, are also being named regularly as sites for the sale of migrants into indentured labour. Migrants are detained on the streets or at times taken to prison facilities by smugglers where they are expected to pay for the onward movement—typically around LYD500 - LYD1,000 but prices fluctuate arbitrarily. If they cannot manage the sum, they are expected to work without salary, typically for six months but it could be more, as the terms are often not even discussed.

123 Although not a signatory to the 1951 Convention relating to the Status of Refugees, Libya is party to the Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa (1969) which in practice means it adheres to the spirit of the 1951 Refugee Convention. Moreover, Libya has signed up to a number of human rights instruments, including treaties relating to the protection of migrants from arbitrary detention, forced labour, trafficking, and smuggling. See: MHub, “Detained Youth – The Fate of Young Migrants, Asylum Seekers and refugees in Libya Today,” Op. Cit: 45 – 48.

124 Op. Cit: 50

125 Phone interview with Libyan security source – June 2016.



The Birth of Pan-African Smuggling Consortia

The unprecedented territorial control that militias have brought to the smuggling business is fostering consolidated networks with a broader reach than they ever displayed before the revolution. The relay system in place before 2011 is now making way for better-integrated networks.

Increasingly, different networks are sharing resources and this is especially the case on the Sudan-to-Libya route. There have been two evident changes that can be observed in this respect. The first is the speed with which some migrants are traveling through the country.

“During Qaddafi’s time, most migrants would come to Libya and spend a few years working and saving up before moving on to Europe, they would cross the desert using some smugglers and then spend time in Sabha working, while they look for someone to take them to Tripoli... Now it’s different, they just come through. If you ask them about Libya many cannot tell you much about the country because they only see the *makhzen* (connection points) they are placed in.”¹²⁶

East African migrants and asylum seekers increasingly reported these type of journeys between Khartoum of between ten days to three weeks.

The second interlinked trend is that a growing number of people travelling with the help of these same networks report paying the entire sum for the journey on departure. They typically engage the services of a *samsar* who would pay for different tranches upon receiving the go-ahead from the client at different legs of the journey.¹²⁷

Samsars are technically meant to be independent brokers, neither on the side of the smuggler nor on that of the migrant. The tendency in practice is for *samsars* working on these routes to be at the service of a particular network. This tends to be exposed in situations when the route is broken, most typically during the desert crossing when desert guides working for a different network turn up at the rendezvous, for instance.

“I paid XXXX \$3,500 in Khartoum to cover all the journey... the Sudanese brought us with their trucks to a place in the desert where there were already other people (virtually all Eritreans and Ethiopians)... I’m not sure but I think there were about 70 people from XXXX and 50 people from XXXX... when we arrived, the Chad (Tebu smugglers are often referred to as ‘Chad’ by migrants) asked us who we were with. When I told them, they said they wanted \$5,000. When they took us to the *makhzen* and I called the *samsar*, he said we went to the wrong people.”¹²⁸

The testimony which is from an Ethiopian woman who was kidnapped for two-and a half months between March and May 2016 is consistent with other similar accounts and illustrates that even the pay-in-advance system does not guarantee safety. The account also gives a glimpse into the structured way in which the routes are now being planned.

Migrants travelling in this way typically carry no cash on them as everything is taken care of. *Samsars* sometimes release funds at different junctures in the journey. In the case of this woman, the middleman refused to release the money he had been paid because the desert guides that abducted her were not the ones operating with the network he worked for.

Both of these trends point in the direction of network integration, where the journeys are centrally-planned and coordinated all the way from sub-Saharan hubs like Khartoum, Agadez or Gao or even Asmara, Dakar and Banjul, right to the embarkation points on the west coast of Tripolitania. The trend is prevalent among the more sophisticated East African networks, primarily in Sudan, Eritrea and Ethiopia. However, Nigerian,

126 Phone interview with Tripoli security source A – June 2015.

127 ArezoMalakooti, “Migration Trends Across the Mediterranean: Connecting the Dots”, IOM / Altai Consulting, June 2015: 92, http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_across_the_Mediterranean.pdf

128 Interview with Ethiopian asylum seeker – Sicily, May 2016.



Senegalese and Gambian¹²⁹ migrants crossing from the other side of the Sahara, are increasingly reporting similar type of journeys.

Nonetheless, the process does not seem to be driven by these diaspora networks but rather the other way around, by powerful local operators who, at least within the Libyan territory, have managed to broker or force partnerships along different parts of the smuggling process, with partners in sub-Saharan Africa.

This view runs against the prevailing thinking produced even by large-scale investigative efforts such as Italy's Operation Tokhla and Operation Glauco 2, which place powerful *manadeeb*, such as the Eritrean Mered Medhane and the Ethiopian Ermias Ghermay, at the top of the food chain. While there is no question that these are figures, who have leadership roles in transnational networks, in Libya they remain junior partners to more powerful Libyans.

The evidence supporting this theory comes from information obtained from Eritrean and Ethiopian diaspora networks as well as sources on the ground in Kufra, Sabha, Bani Walid and Garabulli who consistently indicated that competing diaspora networks are being made to share facilities (including vehicles and warehouses) in different parts of Libya. In other words, the migrants of two (sometimes more) competing smugglers end up meeting at various nodes, in the desert, in transit hubs and at the coast, travelling on the same convoy, sometimes on the same boat. Such cooperation is clearly forced on these *manadeeb*.

"They (smugglers) hate each other. XXXX used to always talk badly of XXXX and their *samsars* especially are always warning against the other guys... you know, they rape women, they will beat you, their boats are not safe. They will be the first to tell that people drowned when the people on board were travelling with the other smuggler. It's a game."¹³⁰

The pattern is clear in indicating a central anchoring force which various sources agree can only be brokered by a significant Libyan partner or partners with wide geographic access.¹³¹

129 Migrants from the Gambia, which has a population of around 1.85m, are among the most over represented African people in the flows passing through Libya. UNHCR data shows that around 10,700 Gambians crossed to Italy via Libya between January 2015 to March 2016. That is 6.2% of the total migrant population traveling the same route and ahead of the Sudanese at 5.2%. Significant contributors are the efficacy of Gambian and Senegalese smugglers as well as the ease with which client and smuggler are able to connect in a small country like Gambia. For data see: <http://data.unhcr.org/mediterranean/country.php?id=105>

130 Interview with Ethiopian asylum seeker – Sicily, May 2016.

131 Various exchanges and interviews with security sources and members of Libyan civil organisations involved with migration in Tripoli, Sabratha and BaniWalidTebu - June 2016.





Volunteers with the Libyan Red Crescent recover the bodies of migrants bodies that wash up on the country's west coast, bearing witness to the human cost of the smuggling industry. Photo: Libyan Red Crescent

The Deadliest Sea

Beyond Libya's changing dynamics on land, coastal smuggling networks underwent profound change after the revolution. Increased competition and the entry of new players in the immediate after of 2011 immediately started re-shaping the modus operandi of human smugglers, negatively impacting the mortality rate at sea in the Central Mediterranean.

The available data on deaths at sea is underpinned by unknowns that need to be taken into consideration. The reporting of accidents is likely to have increased with more attention and assets being focused outside Libyan waters, particularly after the launch of the Italian rescue mission Mare Nostrum in October 2013. Conversely, many deaths that took place within Libyan territorial waters only very recently started being recorded systematically.¹³²

Nonetheless, it is reasonable to state, based on a triangulation of recorded deaths, the body-recovery work of the Libyan Red Crescent, and consistent anecdotal evidence collected in Libya, that the deaths at sea increased after the revolution. A historical look at the mortality rate (which is relative to the number of people who cross) also indicates an upward trend in deaths for the Central Mediterranean. See Figure 3.

132 Testimonies collected from multiple relatives of asylum seekers and migrants crossing through Libya have pointed to a number of sea accidents which were completely undetected. The Ghost Boat team, a group of activists and journalists, extensively documented a case which involves 243 missing individuals: <https://medium.com/ghostboat/243-people-disappeared-young-people-women-children-and-no-one-cares-65a2d5019a74#.i3s5v2bez/>. Similarly, an exercise carried out throughout July 2015 by Migrant Report showed that 66 bodies were recovered from seven different locations from a stretch of coast between Garabulli, about 60kms east of Tripoli, to the Tunisian border. None of these deaths were recorded in official statistics records and only two sites coincided with incidents that were known to have happened off the Libyan coast around that time. See: <http://migrantreport.org/libyas-hidden-body-count-hundreds-of-deaths-go-unreported/>. Recently, however, the IOM started addressing the issue with further engagement with Libyan stakeholders. There is still a long way to go but great progress has already been made and it is reflected in global data gathering on deaths taking place off Libya.



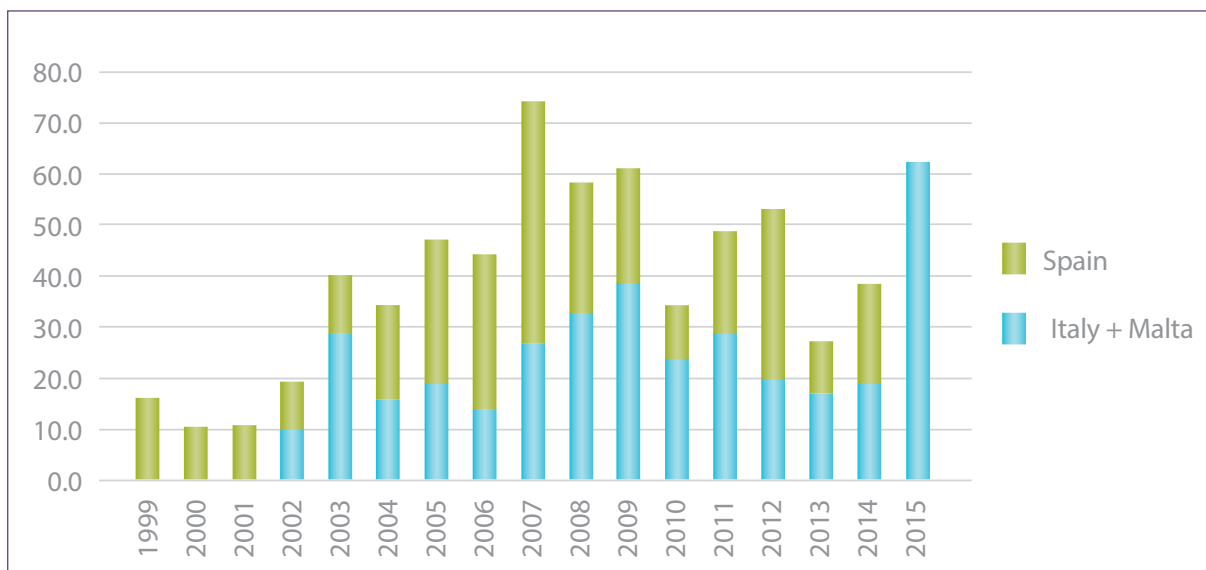


Figure 3: Graph produced by Philippe Fargues and Anna Di Bartolomeo¹³³ based on data from Fortress Europe (<http://fortresseurop.blogspot.it/>) IOM, UNHCR, various newspaper articles and data from authorities in Italy, Spain and Greece. It stands as the most comprehensive assessment of the mortality rate in the Mediterranean so far. The mortality rate for the Central Mediterranean from January to July 2016 is higher than in the same period of 2015.¹³⁴

The diminishing quality of the vessels and their overloading have been undoubtedly the most significant contributing factors. However, coastal smugglers had long been adapting their strategies to the changing dynamics of sea rescue.

Towards the late 1990s and early 2000s crossings were primarily done with fibre glass skiffs carrying 17 to 35 people and consistently powered with a 40hp and 48hp outboard engines. In the winter months, wooden fishing vessels would be used, though the activity between October and April would be reduced to a trickle in those days. Many of these boats made landfall in Malta, Lampedusa and Sicily, in many instances undetected. Eventually, authorities in Southern Europe started spotting boats earlier, around 170 – 200kms north of Libya, through a combination of air reconnaissance, human intelligence and sightings by merchant or fishing vessels.¹³⁵

It was common then for smugglers or facilitators with seamanship skills to be hired to sail the vessels. Initially, these ‘skippers’ would either remain on European territory trying to avoid deportation, or voluntarily return to Tunisia or Libya. However, when the first ‘skippers’ started being arrested through increased surveillance and investigation on the European side, this model became unsustainable. Smugglers turned to the ‘mother ship’ system. Migrants were taken out to sea on small vessels in groups of 30 to 50 before they were transferred to larger ships, able to carry hundreds of people. The larger vessels would sail further out into international waters and disembark the migrants again onto smaller boats from where they would sail north.

European border guards caught onto this game early on. The boats no longer had sand in them, indicating that migrants were no longer boarding vessels from the beach. Moreover, their physical condition on arrival had vastly improved -the entire journey from the Libyan shore to European waters can take anywhere between 30 to 40 hours or more.

133 Philippe Fargues and Anna Di Bartolomeo, “Drowned Europe”, Migration Policy Institute/ European University Institute, (2015): 4.

134 Based on UNHCR and IOM data from the Missing Migrants Project, between January and July 2015 1,779 people died out of the 95,719 who crossed, that is 18.5 deaths per every 1,000 travellers . During the same period in 2016, the death toll went up to 2,471 out of 95,882 that is almost 26 deaths for every 1,000. However, this latter number includes 798 people who died in two accidents between eastern Libya and Crete in April and June. While still forming part of the Central Mediterranean flow, these deaths in Eastern Libya represents a development over 2015. If eliminated from the overall count, the death toll for the first seven months of 2016 would stand at 1,682 and the mortality rate at 17.5 deaths for every 1,000 people who cross, on the same level as the first seven months of 2015. See Migrant Report GeoPortal for data: <http://migrantreport.org/map/GeoPortal.html>, (Accessed: July 31, 2016).

135 Communication with multiple Italian and Maltese military sources.

Eventually, coastal authorities moved again to mitigate the situation with increased presence in international waters and attempts to coordinate with Libyan authorities (with mixed success) and the mother ships stopped. The boats started being launched from shore again, except this time, migrants were instructed to make distress calls from satellite phones as soon as they reached international waters. It was also common for boats to be accompanied by larger fishing vessels for the initial stretch. This modus operandi lasted right up to 2009, after which departures from Libya were virtually halted following Europe first 'cash-for-migration-control' agreement between then Italian Prime Minister Silvio Berlusconi and Muammar Qaddafi.¹³⁶

Throughout this period, one can identify at least a basic effort to ensure the migrants actually reached the other side. Accidents were frequent even then, the likeliness is that the recorded death toll at the time was smaller only because shipwrecks on the high seas left no evidence behind. However, there are qualitative differences in the way smugglers operated before and after 2011. Though rubber boats made an appearance around 2006, they were normally smaller and better quality, sometimes even military-grade rigid-hulled inflatable boats (RHIBS). Crucially, they were nowhere near as overloaded as they are nowadays. A 6m rubber boat would normally have on board between 35 and 40 people. Today, the ubiquitous 12m dinghies seen in the Central Mediterranean are of vastly inferior quality and typically carry between 100 and 150 people, sometimes more.¹³⁷

The use of these large low-quality dinghies really took off between 2012 and 2013. Available evidence and information from informants indicates they are imported primarily from Tunisia¹³⁸ and internationally from China, trans-shipped through Turkey and Malta.¹³⁹

Race to the Bottom

Towards the end of 2012, human smugglers simultaneously faced growing demand and a shortage of vessels at a time when inexperienced smugglers were joining the business in droves.

Wooden boats started being modified or repaired in makeshift boatyards along the coast in a completely haphazardous way.¹⁴⁰ Some vessels had structurally-important parts removed so more people could literally be stuffed below deck. The combination was lethal. The vessels' quality had decreased, the load increased, and the boats were leaving from shore using the old method of having migrants launch distress calls outside Libyan waters.

When the Lampedusa tragedies¹⁴¹ took place, they proved to be a turning point. Italy responded by launching Mare Nostrum on October 18, 2013, the first European military mission that prioritised search and rescue over border patrol and moved its area of operation to the stretch of sea outside Libyan territorial.¹⁴²

136 In 2012, the European Court of Human Rights had found that Italy's practice of returning asylum seekers to Libya without giving them the opportunity to have their request for asylum processed breached their human rights. See: Registrar of the Court, "Returning migrants to Libya without examining their case exposed them to a risk of ill-treatment and amounted to a collective expulsion", [Press Release], February 23, 2012, http://ec.europa.eu/dgs/home-affairs/what-is-new/news/pdf/grandchamberjudgmenthirsijamaaandothersvitaly2302121_en.pdf

137 The author's personal records from 2004 – 2009 and assessments made of rescues carried out by the sister NGO of Migrant report, the Migrant Offshore Aid Station (MOAS) between 2014 and 2016.

138 Two independent sources in April 2015 provided Migrant Report with detailed information on the delivery of a consignment of rubber boats from Zuwara aboard a cargo vessel that left from Sousse, Tunisia and unloaded offshore to another vessel outside Sabratha.

139 In 2015, customs authorities in Malta stopped a container with a cargo of 20 packaged rubber boats similar to those used to carry people from Libya to Europe. The detail was revealed in a classified EUNAVFOR MED Operation Sophia Six Monthly Report that was leaked by Wikileaks: <https://wikileaks.org/eu-military-refugees/EEAS/EEAS-2016-126.pdf> Libyan security sources independently confirmed that similar shipments were received in Libya after the revolution from Turkey.

140 Several interviews with sources in Tripoli involved enforcement action on the illegal boatyards – June 2015.

141 Two back-to-back shipwrecks off the island of Lampedusa on October 3 and on October 11, killed an estimated 360 and 34 people respectively. The first incident happened within sight of Lampedusa, less than a kilometre from the island. Most of the people who died in the first accident were stuck in the hold of a 20-metre wooden vessel that was carrying more than 550 people.

142 On October 18, the Italian government led by Enrico Letta launched the €9million-a-month Mare Nostrum Operation. It ended a year later when the Italian government complained of lack of European solidarity. On October 9, 2014, the mission was replaced by the EU-funded Operation Triton, a precursor to the present European search and rescue effort in the Central Mediterranean. However, the much smaller Triton operation was tasked to patrol within 30kms of European shores leading to a predicted spike in loss of life that culminated in the April 18 tragedy, a shipwreck that is believed to have cost the lives of between 700 and 850 people. See: <http://migrantreport.org/infographic-mediterranean-assets>





Europe's policy on migration in the Central Mediterranean has swung like a pendulum for and against more search and rescue before a tragedy on April 18, 2015 in which as many as 800 are believed to have died in a single tragedy. Photo: Robert Young Pelton

The year that followed saw an unprecedented 170,000 people cross the Mediterranean from Libya. Even the death toll was up on the previous year, both in absolute terms and relative to the arrivals. In fact, the trend led to the criticism that Mare Nostrum was creating a pull factor while making the crossing more dangerous because it gave coastal smugglers a safety net that allowed them to take greater risks.

Based on interviews done with active and retired smugglers, as well as focused analysis carried out during the reporting period, it is evident that the decision to move the search area of operation closer to Libya improved conditions for coastal smugglers. It made logistics simpler, reduced their costs, allowed more inexperienced smugglers to join in the activity, and reinforced a trend that saw coastal smugglers take ever greater risks with migrants' lives. Together, these elements reinforced trends that saw migratory flows expand throughout 2013.

"A boat (nowadays) takes four to five hours to reach the international waters, people think it's easy. Back in the days... when I was young, I used to hear that it would take people 19, 18, 20 hours, it would take a long time. Now, it so easy that anyone can buy a rubber boat, an engine, whatever needed, four, five hours to reach the desired point, the boat doesn't need to be fully loaded (with extra fuel and food)... After, the people tell their siblings, cousins, how easy it is, we got an increase in the number of people wanting to cross."¹⁴³

"I can say that's what contributed to more people coming to Libya. More people want to travel. Because once they move, let's say between five, six hours, they are already in rescue boat. So this encourages them to go."¹⁴⁴

It must be qualified that both these quotes are from low-level smugglers. This means that their assessment is based on a relatively small window on the general industry. In fact, as was argued exhaustively by Forensic Oceanography in their analysis of the April 2015 tragedies¹⁴⁵, the dynamics of human smuggling in Libya had started changing structurally well before Mare Nostrum was even conceived.

143 Interview with Mourad, 27-year-old Zuwaran entry-level smuggler – Tripoli, August 2016.

144 Interview with Izu, 48-year-old mandub from Nigeria who operated in the Tripoli area at the service of Zuwaran and Sabrathan smugglers.

145 Charles Heller and Lorenzo Pezzani, "Death by Rescue – the Lethal Effects of the EU's Policies of Non-Assistance", (London: Forensic Oceanography), <https://deathbyrescue.org>



While Mare Nostrum and subsequent rescue efforts impacted coastal dynamics, the assessment that this pull factor was the primary contributor to the explosion in departures that took place after 2014¹⁴⁶ overlooks the structural changes that had taken place from the coastal embarkation all the way back to the southern outposts in the southwest and southeast of Libya in the previous two years.

As was argued earlier, the primary driver behind the surge in the number of people is the protection market that militias built around human smuggling which expanded the capacity and logistical possibilities for established smugglers.

The primary impact of Mare Nostrum was on the modus operandi of coastal smugglers. Many understood very early on that with Italian assets carrying out search and rescue operations just outside the Libyan nautical border – 12 nautical miles or 22.2kms from shore – migrant boats no longer needed to reach European waters to deliver migrants to their destination. It was sufficient for boats to merely reach the rescue zone.

The shorter distance precipitated the shift towards rubber boats, but this change was also dictated by the shortage of wooden vessels and consequently, the rocketing prices they fetched. In fact, the explosion of rubber boat use was not more dramatic simply because some smugglers did not have easy access to inflatable dinghies.

For instance, a prominent Sabratha smuggler who had trouble sourcing rubber boats, as his direct competitor developed into the regional supplier and specifically cut him out of supply, tried to go around this problem by marketing his service the “Qatar Airways” equivalent of coastal smuggling.¹⁴⁷ Right up till 2015, almost a third of vessels used were wooden boats. It only dropped to less than 10% in 2016.¹⁴⁸

The new way of working reduced costs for coastal smugglers and this reflected itself in the price migrants were charged. Over the past two to three years the price for a boat journey on the coast has gone down staggeringly, from between \$1,000 and \$1,500 per person in 2013 to a consistent LYD1,000 (\$250) in the summer of 2016. Towards the end of the year, in the winter months, the average dropped to an unprecedented LYD200 to LYD400 (€40 - €80).¹⁴⁹

An important caveat is required here, too. This trend was also driven by the drying up of the Syrian market which also played a major role (Syrians typically paid between \$2,000 and \$2,500, often specifically in US currency, for a spot on the deck), as did the involvement of militias, which distorted the market.

A variant of the pull factor argument resurfaced in a November 2016 internal Frontex report leaked to the Financial Times. In it, Frontex reportedly argued that NGOs carrying out search and rescue in the Central Mediterranean were colluding with smugglers based on the fact that migrants were given “clear indications before departure on the precise direction to be followed in order to reach NGOs’ boats”.¹⁵⁰

It is highly likely that some smugglers do follow web-based maritime trackers of the Automatic Identification System (AIS) on civilian vessels involved in search and rescue. Unlike military vessels, which are exempt, all civilian vessels are obliged under the international convention for the Safety of Life at Sea (SOLAS) to have their AIS on at all times.

Moreover, the general rescue area populated by both military and civilian vessels is now such common knowledge in coastal areas to the point that smugglers often input a heading to this zone in cheap GPS devices given to migrants.

146 The point was made to the author privately by multiple European military sources. Moreover, several conversations with Italian, Maltese and British diplomats confirmed that this was the prevalent thinking at the Council when the decision was made to retreat the search and rescue effort. In the case of the UK, it was actually the stated government position at the time.

147 Interview with Farouk (not his real name), high ranking member of a west coast militia (identifying the location might identify the interviewee) involved in human smuggling. The interview took place face-to-face – August 2016.

148 These statistics come from an analysis of unpublished data by the Rome Maritime Rescue and Coordination Centre (MRCC) and which was seen by the author.

149 The average comes from an assessment done by a humanitarian organisation involved in search and rescue. There was no time to investigate this trend thoroughly as the information was received after the reporting period.

150 Duncan Robinson, “EU border force flags concerns over charities’ interaction with migrant smugglers,” Financial Times, December 15, 2016, <https://www.ft.com/content/3e6b6450-c1f7-11e6-9bca-2b93a6856354>





The map plots an actual journey from a data derived from GPS device given to a group of migrants who were rescued on 29 July at 6:33am about 18 nautical miles off Libya within the area where the most rescues west of Libya took place in 2016. The device had a bearing inputted leading to the point where rescuers eventually spotted the migrants. Map by Pablo Gallego Cadabon/Migrant Report.

The proximity of rescue activity to Libyan waters also had the unintended consequence of creating a new market for abandoned vessels.¹⁵¹ Increased departures and law enforcement activity on boat-building facilities in places like Tajoura¹⁵² saw the stock of wooden vessels dwindle during 2013.

Smugglers or fishermen wanting to supplement their catch started venturing out at sea to recover vessels left adrift by rescuers. A 15m wooden fishing vessel can fetch up to \$40,000 to \$60,000, while recovered rubber rafts sell for around \$1,000 to \$1,500, without engine, and \$3,000 to \$4,000 with an engine.¹⁵³

Some recoveries eventually led to violent encounters. There were also instances of armed confrontation with military crews¹⁵⁴ while other smugglers took to encircling non-military rescuers to menacingly ward them off empty rescue vessels. The activity started being undermined – even if partially - when the Italian navy, changed tactics on its previous policy not to scuttle these boats on environmental grounds.¹⁵⁵ The EU's subsequent naval operation in the Central Mediterranean expanded that activity, as will be discussed further below, making the interdiction of migrant boats an important element of its activity.

151 The Italian Navy had a policy against scuttling wooden boats on environmental grounds. Eventually, however, it changed tack and after between 2014/2015, particularly after the launch of EUNAVFOR Med in June 2016, all vessels started being destroyed by EU military assets.

152 Several interviews with sources in Tripoli involved enforcement action on the illegal boatyards – June 2015.

153 This is an approximation based on multiple sources in the coastal town of Zuwara, Sabratha and Zawiya.

154 Agencies, "Armed migrant smugglers threatened Italian Coast Guard," The Telegraph, February 15, 2016, <http://www.telegraph.co.uk/news/worldnews/europe/italy/11414736/Migrant-ship-sinks-in-Mediterranean-with-over-200-people-on-board.html> / In July 2015, a Swedish coastguard vessel mistook an Italian military RHIB for a smuggler boat and fired warning shots. It followed two violent incidents in March and April of that same year. In the first one, an Italian military vessel shot at suspected smugglers, in the second an Icelandic coastguard ship came under fire from an armed gang wanting to recover a vessel. See: <http://migrantreport.org/friendly-fire-incident-between-swedish-and-italian-vessels-during-sea-rescue>. In August 2016, a rescue ship run by Médecins Sans Frontières (MSF) was shot at while carrying out a search and rescue operation off Libya. The circumstances and motivation for the attack remain unclear. However, the shots were fired from a registered Libyan Coastguard unit operating from the Marsa Al-Dillah point. MSF, "Central Mediterranean: MSF condemns attack on rescue vessel" [Press Release], August 25, 2016, <http://www.msf.org/en/article/central-mediterranean-msf-condemns-attack-rescue-vessel>

155 The Italian Environment Ministry maintained that scuttling vessels in international waters breached international environmental conventions. In the end, the government was persuaded to change policy, also on the basis of consistent advice from the military. Malta had already adopted the practice of destroying all migrant vessels after rescues after clearing the actions with the European Commission. The argument made was that if left adrift, the vessels would pose a navigational risk. Various exchanges with EU, Italian and Maltese diplomatic sources – June 2016. The Italian change of position was later reinforced in March 2015 with the launch of Mare Sicuro (Safe Sea), whose remit included the neutralisation of vessels used to smuggle people: Ministero Della Difesa, "Operazione Mare Sicuro", <http://www.marina.difesa.it/cosa-facciamo/operazioni-in-corso/Pagine/MareSicuro.aspx>, (Accessed: 19 October 2015).



Breaking the Business Model of Smugglers at Sea

Facing a financial crisis and growing domestic opposition, the Italian government discontinued Mare Nostrum a year after it was launched, urging the EU to take charge of the operation. The preoccupation with the pull factor saw EU leaders replace the mission with a vastly reduced Frontex operation.

The replacement €2.9 million-a-month Triton border control mission was confined to within 30kms of European shores. The logic of the retreat was that this would act as a deterrent since it would force smugglers to send boats only in fair weather due to the longer stretch to be crossed.¹⁵⁶ The forecast counted on the adage that deaths are bad for business and that the smugglers would be conditioned in changing their modus operandi.

There are at least two factors that this assessment overlooked. The first is that by this time, the market had been deeply shaped by new entrants; opportunist players with a very short-term outlook. By the end of 2014, many of these players started falling by the wayside, elbowed out by the advent of the protection market or co-opted by the more well-structured networks. However, the free-for-all of the previous years had altered the pattern of how things were done for the long-term. The bar had been lowered across the board and the steady supply of clients and internal push factors meant that there was no incentive to raise it.

The second implicit assumption was that there is a critical mass of smugglers in Libya who follow closely the decision-making process of the European Union and who would react to the retreat in a coordinated manner. In reality, most of the low-level independent smugglers which still make up a substantial portion of the cohort operating on the coast, only have a very vague idea of what is going on beyond Libyan shores. The language barrier effectively insulates many of them. Moreover, while coastal smugglers were quick to seize the opportunities created by Mare Nostrum, there was a trial period. The smugglers initial reaction was to fear the increased presence of European military assets outside Libya. They only realised the operation provided an opportunity after literally testing the waters.¹⁵⁷

The retreat was also of no direct consequence to them and could only conceivably impact demand in the event of calamitous loss of life. The greater territorial and logistical control they gained after the revolution meant that their market position was no longer determined by the level of their service but by the protection they have in the marketplace. "Most of the smugglers treat the Africans like dogs and they keep coming, so why change anything?"¹⁵⁸

This is not to say that all smugglers are clueless. There are important players who operate vast transnational networks with bases in Europe, sub-Saharan Africa and the Gulf States. But the individuals that make up the smuggling industry are far from being a homogenous cohort. On the contrary, despite the consolidation of the business, even sophisticated networks operate more like consortia than pyramids with strict command-chains. At the lower end of these chains, are players who add value to the overall operation through their localised knowledge and access even though they themselves are relatively small cogs in the machine. This means they cannot always be ordered around (and coordinated) so easily.

In the end, as predicted by many,¹⁵⁹ the retreat had absolutely no impact on arrivals. In the first six months of 2015, coastal smugglers kept up the pace set in the previous year, only this year the only vessels outside Libyan waters ready to respond to emergencies were ill-equipped merchant ships.¹⁶⁰

The result was a spike in accidents that culminated in two back-to-back shipwrecks in mid-April 2015 in which an estimated 1,200 people died in little over a week. Some 800 people are believed to have lost their lives in the second shipwreck of April 18 alone.

156 Frontex, "JO Triton 2015 Tactical Focused Assessment" 14 January, 2015, P2, in in Heller and Pezzani, "Death by Rescue," Op Cit.

157 This assessment is based on several exchanges with smugglers and brokers working in Libya since 2014, multiple conversations with Libyans who have access to smugglers as well as security sources.

158 Interview with Somali *samsar* who worked in Tripoli - Malta, February 2015.

159 Lizzy Davies and Arthur Neslen, "Italy: end of ongoing sea rescue mission 'puts thousands at risk,'" The Guardian, October 31, 2014, <https://www.theguardian.com/world/2014/oct/31/italy-sea-mission-thousands-risk>

160 Heller and Pezzani, "Death by Rescue – the Lethal Effects of the EU's Policies of Non-Assistance", Op. Cit.



The European pendulum swung again in favour of more search and rescue. Triton's budget was trebled and its capacity vastly expanded. Even the UK, which until then had been critical of Mare Nostrum because of its pull factor, agreed to send the warship HMS Bulwark. Moreover, the EU's effort was now complemented by a flotilla of private search and rescue vessels¹⁶¹ which patrolled the sea just outside Libyan waters.

The April tragedies were also the catalyst for a greater drive towards border control. Triton's mission remained essentially a frontier management operation despite its greater role in search and rescue. Moreover, in June, the European Council approved the launch of EUNAVFOR Med (later renamed Operation Sophia) anti-smuggling mission.¹⁶²

Operation Sophia was conceived as a sequenced mission¹⁶³, starting with Phase 1; intelligence gathering offshore, Phase 2A; boarding, search, seizure and diversion of smugglers' vessels in international waters; Phase 2B extending this action to Libyan territorial waters following a resolution by the UN Security Council and consent by Libya, Phase 3; moving the action to Libya on land subject to similar approval, Phase 4; withdrawal of forces and winding down of the operation.¹⁶⁴

Since its launch, the operation moved into Phase 2 which was underwritten by UN resolution 2240¹⁶⁵ and extended for a year (through July 2017). The mission was also expanded to include the implementation of the UN arms embargo, and crucially, the training of Libyan coastguard, which started towards the end of October 2016, following a request by the GNA.¹⁶⁶ It has also been buttressed by a NATO mission off Libya.¹⁶⁷

In May, the European Union Committee of the British House of Lords issued a highly critical report¹⁶⁸, concluding that the operation was failing in its core mission of disrupting smuggling networks and that the intelligence it had gathered on the high seas only gave it "limited situational awareness".

In effect, Sophia's achievements in respect to the main mission of "breaking smugglers' business model" have been limited so far. The 99 suspects apprehended up to the end of October 2016 have been small players, at the bottom of the food chain. Some of the "jackals" arrested, who attempt to recover boats following rescues, are limited to that work and do not really form part of coastal smuggling networks per se.¹⁶⁹ It is also safe to say that the 337 boats interdicted by Operation Sophia during the same period barely represent half of vessels used during this time span.¹⁷⁰

161 In 2014 the Migrant Offshore Aid Station (MOAS), the sister NGO of Migrant Report launched the first privately-funded search and rescue mission off Libya. In 2015 it was later joined by Medicines Sans Frontieres, which eventually also launched its own independent rescue mission. Today there are about six NGOs carrying out patrol or rescue missions in the area, some of them with multiple vessels. They also include, Sea Watch, SOS Mediterranean, Sea Eye and Proactiva Open Arms.

162 European Council, "EUNAVFOR MED Operation Sophia: mandate extended by one year, two new tasks added", [Press Release], June 20, 2016, <http://www.consilium.europa.eu/en/press/press-releases/2016/06/20-fac-eunavfor-med-sophia>

163 The original plan, hatched by Italian Prime Minister Matteo Renzi, entailed a far more aggressive plan to bomb smugglers' facilities and vessels on Libyan shores. However, in the weeks that followed, this idea was scrapped on the basis that such action would need a UN resolution and the expressed request of the Libyan government. See: Mark Micallef, "Muscat, Renzi want EU to halt smugglers", Times of Malta, April 21, 2015, <http://www.timesofmalta.com/articles/view/20150421/local/muscat-renzi-want-eu-to-halt-smugglers.564802/> Eric Maurice, "EU anti-trafficker plans beset with difficulties", EU Observer, April 29, 2015, <https://euobserver.com/foreign/128519>

164 European Union External Action, "European Union Naval Force – Mediterranean Operation Sophia", [Press Release], July 1, 2016, http://www.eeas.europa.eu/csdp/missions-and-operations/eunavfor-med/pdf/factsheet_eunavfor_med_en.pdf

165 United Nations, "Adopting Resolution 2240 (2015), Security Council Authorizes Member States to Intercept Vessels off Libyan Coast Suspected of Migrant Smuggling", [Press Release], October 9, 2015, <http://www.un.org/press/en/2015/sc12072.doc.htm>

166 European Council, "EUNAVFOR MED Operation Sophia: mandate extended by one year, two new tasks added", [Press Release], June 20, 2016, http://www.consilium.europa.eu/en/press/press-releases/2016/06/20-fac-eunavfor-med-sophia/?utm_source=dsms-auto&utm_medium=email&utm_campaign=EUNAVFOR+MED+Operation+Sophia%3a+mandate+extended+by+one+year%2c+two+new+tasks+added

167 NATO, "NATO steps up efforts to project stability and strengthen partners", [Press Release], July 9, 2016, http://www.nato.int/cps/en/natohq/news_133804.htm?selectedLocale=en

168 House of Lords, "Operation Sophia, the EU's naval mission in the Mediterranean: an impossible challenge", Report No. 14 of Session 15-16, May 13, 2016, <http://www.publications.parliament.uk/pa/ld201516/ldselect/lddeucom/144/144.pdf>

169 Phone and face-to-face interviews with three sources in Sabratha and Zuwara in August and September 2016 and interview with human smuggler Mourad, Zuwara entry-level smuggler – Tripoli, August 2016.

170 Operation Sophia has been operational since October 2017. Between that time and October 30, 2016 around 170,000 people crossed from Libya to Italy, according to UNHCR figures. Estimating, very conservatively, an average of 200 people per boat during this period, it would mean that around 850 boats were used. Moreover, sources in Zuwara and Sabratha report multiple instances where rubber boats are blown to shore virtually intact with southerly winds. For statistics for Operation Sophia's activity see: https://eeas.europa.eu/csdp-missions-operations/eunavfor-med_en



Nonetheless, the Operation has conditioned human smuggling dynamics on the west coast. As noted by the Operation Commander, Enrico Credendino, himself, in a leaked review of the Sophia for the period ending October 2016,¹⁷¹ the interdictions made smugglers even more careless about the rubber boats and especially the outboard motors. During 2016 some boats were towed out without engine, in other instances, one overloaded dinghy would tow another engine-less dinghy.

More fundamentally, however, Sophia's presence and more recently its training programme, is sending the message to militias who have a law enforcement or border control function, that there may be money for them down the road if they make themselves attractive to EU-partners.

By the end of July 2016, the Libyan coastguards is believed to have rescued and intercepted more than 10,000 migrants along the west coast, an increase of 40%, compared to the same period in 2015.¹⁷² The activity is fuelled by a legitimate attempt by professional coastguard elements to attract EU funding to improve their capability. However, in some instances these actions coincide with the interests of one smuggling network at the expense of another.¹⁷³

The phenomenon is identical to the trend seen in the military field where militias are queuing up to partner with Western donors in the fight against ISIS. "Each proclaiming their own righteousness, they attempt to weaken their traditional tribal and regional enemies denying them access to funds, arms and political support."¹⁷⁴

Crucially, the advance of this plan is taking place in a context of limited on-the-ground understanding of the true dynamics of human smuggling in Libya and how they interface with the coastguard itself, law enforcement units engaged with irregular migration, and the armed groups and militias which are the ultimate power brokers inside the country.

A border control alliance with Libyan partners that comes before the security sector has been stabilised and a comprehensive understanding of who is who is achieved risks playing in the hands of the armed gangs, who are at the root of Libya's present turmoil. Furthermore, forging ahead in these circumstances seriously risk undermining stability further along with the attempts to put a unified government together.¹⁷⁵

"We have seen it all before really when Italy reached its deal with Qaddafi... The boats stopped but the problem didn't. Then the Europeans had a dictator with whom they could trade; migrants in exchange for money and legitimisation. Now there is no such thing... it's obvious that if the interests of the smugglers and the militias are undermined substantially this will have a destabilising effect on the unity government the West is trying to prop up... Plus, we will never accept as a point of principle that the EU helps us stop the boats on the coast but not the migrants coming in through the desert and these need to happen together not one before the other."¹⁷⁶

171 A leaked copy of the EUNAVFOR Med, Op Sophia six-monthly review, penned by Operation Commander Enrico Credendino was published by Statewatch on December 16, 2016: <http://statewatch.org/news/2016/dec/eu-council-eunavformed-jan-oct-2016-report-restricted.pdf>

172 Email exchange with IOM Libya: The Libyan Coast Guard reported rescuing 10,102 migrants during 2016. The update was released on July 28, 2016.

173 Several phone interviews and exchanges with six security sources and civil society activists from Tripoli, Zawiya, Sabratha and Zuwara. See also: Sahan Foundation, "Human Trafficking and Smuggling on the Horn of Africa-Central Mediterranean Route," Intergovernmental Authority on Development (IGAD), February 2016: 28, http://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf / Nancy Porsia, Come Funziona Il Business Del Traffico Di Esseri Umani In Libia (How The Business of Human Trafficking Works in Libya), The Post Internazionale, January 9, 2017, <http://www.tpi.it/mondo/libia/guardia-costiera-libia-trafficienti-esseri-umani>

174 Jason Pack, "Don't believe Libya's 'race to Sirte' rhetoric" Middle East Eye, May 10, 2016, <http://www.middleeasteye.net/columns/dont-believe-libyas-race-sirte-rhetoric-690524639>

175 Mark Shaw and Fiona Mangan, "Illicit Trafficking and Libya's Transition – Profits and Losses" 2014, United States Institute of War and Peace, Washington / United Nations Security Council, "Letter dated 4 March 2016 from the Panel of Experts on Libya established pursuant to resolution 1973 (2011) addressed to the President of the Security Council", May 2014: 5, New York, http://www.securitycouncilreport.org/atf/cf/%7B65B5F9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_452.pdf

176 Phone interview with Libyan diplomat. July 2016.





By entering into law enforcement cooperation agreement before the security sector has been stabilised and a comprehensive understanding of who is who is achieved, risks playing in the hands of the armed gangs Europe is trying to fight. Photo: Mark Micallef

Conclusion

Libya's future seems more uncertain than ever at the moment. At the time of printing, the LNA lost control of the Oil Crescent Facilities to one of its prime enemies, the Defend Benghazi Brigade (SDB), which carried out a successful raid on the strategic site with the support of Ibrahim Jadhra's forces and the Misurati Marsa brigade.¹⁷⁷

Besides undermining oil exports and flinging wide open the possibility of all out confrontation between forces allied to the East and those in the West, the action undermined the ongoing negotiations for the formation of a reconciliation government.¹⁷⁸

The raid also exposed that the GNA is hanging by a thread little more than a year after it was put in place under the terms of the Libyan Political Agreement signed in Skhirat, Morocco. Not only was the head of the Presidency Council Fajez Sarraj forced to admit he had no knowledge or say so on the attack – despite the force including nominally-allied forces – but he was contradicted by two colleagues who heaped praised on the SDB.

Meanwhile, large parts of the country continue to face recurring blackouts, as the general shrinking of the formal economy, runaway inflation and an acute liquidity crisis, place average Libyan families and businesses in a tightening vice. The frustration has reached a point that is leading to civil unrest, which in turn is contributing to the degeneration of security, compounded by increasing criminal activity, particularly robbery and kidnapping.

It is against this background that the EU has reached a €200million cooperation agreement with the GNA to stem the flow of migrants.¹⁷⁹ In Libya's present landscape, this tunneled focus on reducing migratory flows at all costs risks delegitimizing any fledgling Libyan government and destabilising the country and polarizing the national

177 Wolfgang Puzstai, Arnaud Delalande, "How Haftar lost the oil ports - as Libya moves closer to uncontrolled break-up," Middle East Eye, Tuesday 7 March 2017, <http://www.middleeasteye.net/columns/struggle-over-oil-crescent-could-make-or-break-libya-1038298981>

178 Jamie Prentis and Moutaz Ali, "HoR suspends Dialogue, rejects Presidency Council members," Libya Herald, March 7, 2017, <https://www.libyaherald.com/2017/03/07/hor-suspends-dialogue-rejects-presidency-council-members/>

179 European Council, "Informal meeting of EU heads of state or government, Malta," [Press Release], February 3, 2017, <http://www.consilium.europa.eu/en/meetings/european-council/2017/02/03-informal-meeting/>



security priorities, not unlike it has done in Turkey.¹⁸⁰ The key difference between the two scenarios, of course, is that while Turkey, with all its challenges, remains a solid, functioning state, Libya is not, and the consequence of more instability could be disastrous.

If at all successful in disrupting the revenue streams of smuggling gangs, without a unified strategy that deals with the fallout, such an action will likely lead to a fight for control of other resources. This may take the form of displacement to other criminal markers, jostling for strategic infrastructure, or, in the south of Libya, for instance, it may provide opportunities for terrorist organisations operating in the Sahel, a region that is already being challenged by similar short-term intervention in Niger.¹⁸¹

On the coastal areas, the corollary risk of a partial plan is in the likely displacement of criminal activity to detention centres, where migrants interdicted at sea will likely be transferred in greater numbers. As discussed in this report, there is abundant evidence to show that detention facilities in Libya are the site of sustained criminal activity, as recruitment grounds for smuggling activity but also processing centres for ransom extraction and slavery.

On top of these operation risks, entering into such an agreement to solve what many Libyans view as a European problem, at a time when the GNA is being accused of failing to deliver on their more pressing concerns, works to further undermine the legitimacy of the UN-backed government in the eyes of the citizens it is meant to represent.

For these reasons, the establishment of an effective Libyan state which commands a measure of control over its territory and institutions following the comprehensive de-arming or co-option of standing militias into state institutions is a fundamental prerequisite for any large-scale intervention of the sort being proposed.

This should not be taken as a recommendation to do nothing. On the contrary, as shown, several indicators point to the conclusion that human smuggling and trafficking in Libya is becoming ever more consolidated into an entrenched criminal business that is able to overcome the geographic divisions and factionalism standing in the way of state-building. This requires urgent action aimed at disrupting, slowing down and eventually arresting the growth of the industry. But while the task is pressing, the outlook cannot be short-termist.

The trends outlined above conspire to make Libya's contemporary human smuggling industry at once a problem of organised criminality and a social disease that infects the fabric of communities across Libya. This requires a studied, localised approach that aims at decoupling the interests of armed groups from those of the communities they purportedly serve.

The silver lining of Libya's decentralisation of power is that in some instances, it has helped nourish local political eco-systems that is directly connected to citizens and in some cases, fledgling civil society movements. There are opportunities in this area which are still not recognised properly by the international community, let alone exploited in favour of the overall stated objective of helping build a functioning Libyan state that represents the interests of its citizens.

The following is a short list of recommendations which starts with a call for more directed and coordinated research. This is by no means an exhaustive list of recommendations. However, it is, in the view of the author and the Global Initiative, a short and actionable set of recommendations for the short to medium term, which has the potential to have tangible impact specific to the Libyan context. A broader set of principles on responding to and reducing human smuggling and the harm caused by the industry can be found in other Global Initiative publications.

180 Reitano and Micallef, "Breathing Space: The Impact of the EU-Turkey Deal on Illicit Migration Through Turkey to the EU", Op. Cit.

181 Peter Tinti, "In Niger, anti-smuggling efforts risk trading one crisis for another," African Arguments, January 13, 2017, <http://africanarguments.org/2017/01/13/in-niger-anti-smuggling-efforts-risk-trading-one-crisis-for-another/>. See also: Peter Tinti and Tom Wescott, The Niger-Libya Corridor: smugglers perspectives, <https://issafrica.org/research/papers/the-niger-libya-corridor-smugglers-perspectives>



Recommendations

i. Research

To date, the research effort and resources centred on smuggling and trafficking remains scattered. Five years since the revolution, our public understanding of the situation on the ground in Libya remains limited, at best. Critically, the EU's major anti-smuggling action to date, Operation Sophia, was not conceived of on the basis of research and intelligence but rather was built on a knee-jerk reaction to the April 2015 tragedies. The international community can only truly begin to disrupt the business model of smugglers and traffickers if it moves up the smuggling chain and that begins with an understanding of the players, their protection systems and the possible levers that can be utilized to decouple their relationship with mainstream Libyan society.

ii. Coordination

Several international and local stakeholders are engaged with the problems of human smuggling and trafficking in Libya but the efforts are largely uncoordinated. A coordinating body is required with a focus in this area but with a broad remit that enables it to engage state and non-State actors active in the field, and also act as an information dissemination hub. Crucially, this body should be able to interface with the ongoing state-building process. UNOCHA serves this function for the humanitarian response, there needs to be a separate mechanism that deals with smuggling and trafficking. There is also need for an international convention that brings stakeholders together to take stock of the situation and explore viable options to explore going forward, and in coordination with the practical process.

iii. Engagement with local communities and municipalities

The case of Zuwara, although not easily replicated elsewhere due to the particular dynamics of the town and its majority Berber tribe, offers a social experiment that should be investigated further to draw identified lessons. Towards the end of 2015, the town achieved what was considered impossible in a swift action that was sustained over time with widespread grassroots support. Yet, to date, the phenomenon received scant international attention. The international community should take the opportunity to recognise the effort, support it and extend the action with the engagement of municipalities and local communities more directly both through mechanisms provided for in the Skhirat agreement, such as the supreme council for local administration, but also through the facilitation of exchange at civil society level.

iv. Naming and shaming

Despite the difficulty of operating in Libya and the present lack of information, the Panel of Experts on Libya reporting to the UN Security Council¹⁸² has managed to do some impressive work which included naming a long list of individuals and organisations involved in smuggling activities of all kinds, including human smuggling. The effort regrettably has not led to a comparable activity by the Sanctions Committee; however, there are clear signs that the naming of individuals and their modus operandi in the panel's reports has had an effect on the ground. The victory may be short-term in nature but there is no doubt, based on feedback from smugglers and associates with access to them, that the focus undermines their activity. This is a dangerous endeavor for anyone engaged on the ground in Libya that can be mitigated by the underwriting of the UN and the widest publication possible. The activity should become an end in itself and publication should be deliberately coordinated with a wide network of local and international news outlets to reduce associated risks.

182 UN, "United Nations Security Council Subsidiary Organs – Reports", <https://www.un.org/sc/suborg/en/sanctions/1970/panel-experts/reports> (Accessed: July 10, 2016).



v. Dealing with the wider smuggling economy

In the cooperation deal that Italy signed with the GNA on February 2, 2016, and which a day later became the basis for the agreement endorsed by the EU27, the Libyan side insisted the deal should include an effort to combat Europe-bound seaborne fuel smuggling. In the pursuit of a fight against human smuggling, this should be a priority for the international community as well. With Operation Sophia patrolling the waters outside Libya's jurisdiction, Europe already has the assets necessary to be able to intercept fuel tankers leaving Libya with fuel which is then fraudulently passed off for stock coming from another jurisdiction. By not using these assets to clamp down heavily on this activity, the international community has been passing up on the opportunity to attack the financial backbone of many coastal militias that offer protection to human smugglers operating from the west coast.

vi. Protection and safe passage

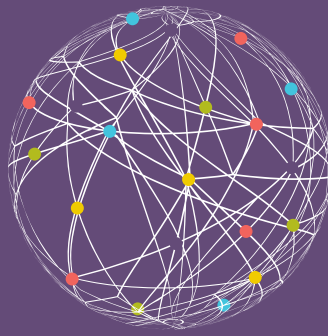
Any advancement of the EU's planned border control plans for Libya must be accompanied by a substantial investment in the provision of protection in Libya and a simultaneous relocation programme for refugees transiting through Libya. On top of the humanitarian and legal imperatives demanding a relocation system in Libya, there is a strategic case to be made for such an initiative. Human smuggling and trafficking and the ancillary criminal activities they have sustained or spawned, have entrenched themselves in the fabric of Libyan communities across the country. Dealing with migratory flows at the end of the process on Libya's northern shores will very likely create sustained regional displacement and destabilising effects. Ultimately, the business model of smugglers will only be undermined with demand-side action. A substantive relocation system inside Libya and further afield will create asylum queues that will ultimately divert business away from smugglers.

vii. Information campaigns

Information campaigns in countries of origin such as the Aware Migrants initiative launched recently by Italy and the IOM¹⁸³ should be emulated and promoted. Despite the fact that many sub-Saharan migrants are generally well-connected, many still indicate having had little or distorted information about the challenges they faced when transiting through Libya. That said, a crude focus on the risks of the journey will likely not yield the desired effect. The risk threshold of young African migrants is very high. From experience, it seems that the biggest disappointment for economic migrants is the fact that after all the sacrifice, Europe did not always turn out to be the promised land advertised on Facebook by friends and acquaintances that would have travelled before them. Typically, migrants who reach Europe project an image which says they "made it". In places like the Gambia, this has created a veritable frenzy to embark on the "back way".

183 IOM, "IOM, Italy launch "Aware Migrants" Campaign," [Press Release], August 4, 2016, <https://www.iom.int/news/iom-italy-launch-aware-migrants-campaign>





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