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Fulfilling Implausible Expectations. Reducing Migratory Flows From Libya Amidst Porous Borders

*Luca Raineri¹, Research Fellow at the Sant'Anna
School of Advanced Studies*

Introduction

In spite of existing claims that the old continent is flooded by uncontrolled migration from Africa, the decline in migratory flows from Libya is hardly disputable. Explanations for this, though, are less straightforward. While a shallow understanding of migratory dynamics lends itself to political manipulations, triangulation of the most recent data coming from different sources and referring to different legs of the migratory journey can provide valuable assistance in testing some of the hypotheses raised by media and politicians, and also in better grasping the origin and possible causes of these dynamics. At the same time, demystifying speculations that interfere in the accurate analysis of migration from Africa to Europe is the baseline to assessing the effectiveness of anti-smuggling policies put in place by the European Union and its Member States all across Africa. As the EU promotes hardened border controls, critical examination of data showing recent migrant inflows and outflows in and from Libya suggests that events taking place at Libya's external borders – whether in the Mediterranean Sea or in the Sahara Desert – fail to provide a convincing explanation for Europe-bound migratory flows and trends.

1. Luca Raineri is a Research Fellow at the Sant'Anna School of Advanced Studies, and has been consulting for various NGOs and GOs. His research focuses on extralegal economies in the Sahara-Sahel, and it has appeared in articles on the Journal of Modern African Studies, Civil Wars, African Security, Journal of Peacebuilding and Development. His new book, *Fringe Regionalism: When Peripheries Become Regions*, co-authored with Alessandra Russo and Frank Mattheis, is forthcoming. The Middle East Directions Programme and the Sant'Anna School of Advanced Studies have recently started to collaborate on research issues and projects of common interest.



The Puzzle of Declining Migration to Europe

Mixed migratory flows from Libya to Italy, including migrants and asylum-seekers, reached unprecedented highs in 2016. Since July 2017 they have decreased dramatically. In the first 5 months of 2018, only 13,000 migrants arrived irregularly on Italian shores, a figure that pales in comparison to the 60,300 individuals who arrived during the same period in 2017. Such a marked drop represents a 75% decline. Figures over the longer term are even more staggering, and suggest that changes are not only due to the physiologic fluctuations of seasonal departures. Between July 2016 and April 2017, approximately 148,000 migrants reached Italy along the so-called central Mediterranean Route (CMR). One year later, there were 43,000 migrants during the same 10-month period, thereby approximating an 80% decrease. If this rhythm were to remain constant, migratory flows in Italy in 2018 are likely to achieve a record low, in line with the Gaddafi-era trends. At the same time though, the volume of migratory flows through alternative routes to Europe is ostensibly rising, both in relative and absolute terms. Between 2016 and 2017, departures from Algeria have multiplied by four, and from Tunisia by eight. During the first 5 months of 2018, irregular migration soared by almost 40% through the Aegean route, and by 50% through Spain, compared to the same period one year earlier. In June 2018, irregular flows from Africa to Spain outpaced those directed to Italy.² These trends indicate that in aggregate terms the European migration ‘problem’, is more displaced than solved. And while the drastic reduction in irregular migration from Libya to Italy is driving overall Europe-bound migration figures down, hypotheses focusing on the impact of border-strengthening measures have been put forward with the aim of explaining what the causes of such a radical shift are.

Hypothesis 1: The Role of the Libyan Coast Guard

A first hypothesis is that less and less migrants are reaching Italy because the smugglers’ ships are being intercepted by the Libyan Coast Guard inside the Libyan Search-And-Rescue (SAR) zone and returned to Libya, rather than by European vessels of both state and non-

state actors, who are bound to bring them to Europe. Yet, more fine-grained data analysis discredits this explanation.

UN and EU officers have frequently credited the strengthening of the Libyan Coast Guard for the reduction in migratory flows to Europe.³ After all, the timing coincides nicely and lends weight to this explanation: in fact, available statistics suggest that, while in 2016 the Libyan Coast Guard intercepted 8% of the migrants’ ships bound to Italy, this figure has climbed since mid-2017 and reached an impressive 46% during the first semester of 2018.⁴ After a breakdown during the heights of the Libyan civil war, foreign partners (most notably the European Union and Italy) helped the Libyan Coast Guard to get back to business. Capacity-building, trainings and equipment supplies sponsored by European donors bolstered the Libyan Coast Guard, which recovered much of its operational capabilities during 2017. Moreover, since August 2017 the Libyan Coast Guard declared its own SAR area of competence and issued an injunction to stay away from the Libyan SAR zone, a measure implicitly directed to humanitarian NGOs operating in the area. The exclusion of European humanitarian agencies seemed to provide a (controversial) avenue to circumvent the legal obligations contained in the 2012 European Court of Human Rights ruling (in the case of *Hirsi Jamaa and Others v. Italy*) that disembarking any migrants and asylum-seekers in Libya would be unlawful under EU human rights law.

During the first four months of 2017, when unprecedented migratory flows to Italy were in full swing, the Libyan Coast Guard intercepted and returned 3,509 migrants.⁵ During the same period in 2018, this figure climbed to 4,964.⁶ These data are reasonably accurate, as they were collected by IOM officers at all the Libyan Coast Guard vessel disembarkation points. However, while the

3. Interviews carried out in Tunis and in Brussels in 2017 and 2018.

4. <https://twitter.com/emmevilla/status/1015251168996491265>

5. http://www.altaiconsulting.com/wp-content/uploads/2017/08/2017_Altai-Consulting_Leaving-Libya-Rapid-Assessment-of-Municipalities-of-Departure-of-Migrants-in-Libya.pdf

6. <https://displacement.iom.int/system/tdf/reports/IOM%20Libya%20Maritime%20Update%20April%202018.pdf?file=1&type=node&id=3562>

2. <http://data2.unhcr.org/en/situations/mediterranean>



increase is substantial (+1,455 migrants intercepted and returned to Libya), it clearly falls short of providing an exhaustive explanation for an incommensurably higher drop in the number of migrants reaching Italy (-32,000, approximately).

Such a major discrepancy disputes the claims crediting the Libyan Coast Guard's successfulness in dramatically reducing arrivals along the CMR. It is not that the Libyan Coast Guard is intercepting more migrants, but that less migrants are leaving Libyan shores in first place. The potential deterrent effect is also hardly measurable, especially if one considers that prominent members of the Libyan Coast Guard, including those who directly benefitted from EU support, have been repeatedly accused of colluding with human traffickers and of protecting, rather than curtailing, smuggling activities. The sanctions targeting individual smugglers recently adopted by the UN further corroborate these allegations.⁷ One is therefore led to conclude that the direct impact of the Libyan Coast Guard in stemming migration has been arguably minimal, and to drop this explanation altogether.

Hypothesis 2: The Hardening of the Southern Border

In seeking an alternative explanation, one could hypothesise that less migrants leave Libya because less migrants have essentially accessed Libya in the first place. It is well known, in fact, that the largest majority of migrants transiting along the CMR do not come from Libya itself, nor from North Africa, but from Sub-Saharan Africa – including Nigeria, Eritrea, Mali, Guinea, and Ivory Coast – and enter Libya through its southern Saharan borders. Due to its strategic position, neighbouring Niger, has become a major hub of migratory flows in transit from West and Central Africa, to Libya and Italy. In 2016, when migratory volumes were at their peak, almost 300,000 northbound migrants were recorded by IOM at the Séguédine observation point, the northernmost Nigerien town on the way to Libya. As a result, since mid-2016 the EU urged Nigerien authorities to clamp down on irregular migration in the Agadez region. The adoption of the Partnership Framework on Migration and of the EU Trust Fund-sponsored projects targeting Niger were part of these negotiations. Niger's

heavy reliance on external aid (accounting for 45% of its whole national budget)⁸ limited Niamey's room of manoeuvre, and since late-2016 Niger apparently adopted a more repressive attitude vis-à-vis irregular migration, in spite of the security risks that this might have entailed for its own stability.⁹ As expected, the figure of migrants in transit from Niger to Libya sharply declined in the subsequent months. Throughout the whole of 2017, only 35,800 migrants were observed leaving Séguédine for Libya, i.e. an impressive 88% drop.¹⁰

The disaggregation of this data, though, reveals just how untrustworthy overall figures are. According to IOM, immediately after the local Nigeriens, Nigerians (from Nigeria) represent the second largest nationality of migrants in transit through Agadez. There were 53,000 Nigerians in 2016; in 2017, in line with the overall decline of observed migratory flows through Niger, they dropped to only 2,700.¹¹ Yet that same year more than 18,000 Nigerians arrived in Italy, with most of them declaring to have crossed Niger and spent less than a year travelling.¹²

This discrepancy highlights how repressive measures might have led migratory flows to go underground, by resorting to less observable (and less safe) routes and better organised criminal cartels capable of avoiding detection. IOM seems fully aware of this danger, and used to accompany the publication of its data with a disclaimer: "This data does not reflect overall entries or exits to and from Niger. [...] With increased security controls in the towns of Séguédine and Arlit, it is clear from discussions with migrants that new and or alternatives routes are being used more"¹³

In conclusion, migratory flows across Niger to Libya may well have declined, but not to the spectacular rate documented by IOM observations. In the meantime,

7. <https://www.bbc.co.uk/news/world-africa-44408373>

8. https://eeas.europa.eu/headquarters/headquarters-homepage/710/le-niger-et-lue_fr

9. Raineri, L., 2018. Human smuggling across Niger: state-sponsored protection rackets and contradictory security imperatives. *The Journal of Modern African Studies* 56(1).

10. https://drive.google.com/file/d/1_D0z65Xw2p2ReSjkPdR8dffLh8N4TipF/view

11. Ibid.

12. Interviews carried out with IOM officers, January 2018.

13. <https://www.irinnews.org/fr/node/259269>



recent studies¹⁴ attest that new migratory routes towards Libya are being carved out through Mali, Algeria, Chad or Sudan, thereby undermining the impact of the crackdown in Agadez. These remarks seriously undermine the hypothesis that a drastic reduction in migrant entries from sub-Saharan Africa into Libya explains the drop of migratory flows along the CMR.

Conclusion: Look Inside the Black-box, Not at Its Borders

Available data highlight that the impact of border policies fails to provide an exhaustive explanation for the reduction in migratory flows from Libya to Italy. Alternative hypotheses should rather focus on Libya's internal dynamics. Yet the lack of reliable data makes of Libya a black-box, with international organisations admitting in private that their access and oversight capacities remain severely constrained.¹⁵

Critics have contended that the sudden drop in departures experienced since July 2017 has been the result of a controversial secret deal in the framework of the restructuration of Libya's institutional apparatus, whereby Italian authorities have offered economic support and political legitimacy to Libyan smugglers and militias, accepting to put an end to irregular migration.¹⁶ Italian authorities have repeatedly rejected these allegations. However, the sudden increase in migratory flows in June 2018 highlights the shifting dynamics and organisation of migrant smuggling in Libya, which lends further credibility to this conjecture. At the smuggling hub of Bani Waleed, humanitarian actors report that they have not witnessed a decrease in arrivals from the southern borders, and that smugglers had to hold migrants for longer in warehouses, waiting for the green light to transfer individuals to the coast.¹⁷ Last month the volume of departures from Libya increased substantially, to a

level that has not been observed since July 2017, when the sharp drop in departures began.¹⁸ Noteworthy is the fact that the marked upward trend in migratory flows from Libya has coincided with the appointment of a new Italian government, in place since 1st June 2018. While it is certainly too early to draw permanent conclusions, one may speculate that this coincidence amounts to a political message addressed to the new government in Rome to extort the continuation of protection with the threat of opening up the dam of irregular migration. If true, it would further demonstrate that, just as was the case in the Gaddafi-era, the threat of "turning Europe black" is being used by unpalatable political actors to extract concessions and privileges.

These observations suggest that, rather than disrupting the business model of migrants smuggling, as the official rhetoric argues, EU measures might instead contribute to boosting the entrenchment of criminal organisations. In spite of externally-sponsored security measures, aimed at curtailing cross-border smuggling, persistent migratory flows across Libya advise cautiousness vis-à-vis the expected impact of containment policies, and highlight the need to devote greater attention to stabilisation measures to address internal conflict dynamics.

14. https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf; http://www.reachresourcecentre.info/system/files/resource-documents/reach_lyb_so_mixed_migration_routes_and_dynamics_in_libya.pdf

15. Interviews carried out with IOM officers, December 2017 and June 2018.

16. <http://globalinitiative.net/the-anti-human-smuggling-business-and-libyas-political-end-game/>

17. <https://www.irinnews.org/special-report/2018/07/03/destination-europe-desperation>

18. <https://docs.google.com/spreadsheets/d/1ncHxOHix4ptt4YFXgGi9TIbwd53HaR3oFbrfBm67ak4/edit#gid=0>



Middle East Directions
Robert Schuman Centre
for Advanced Studies

European University Institute
Via Boccaccio, 121
50133 Florence
Italy

Contact:

email: MED.Libya@eui.eu

website: middleeastdirections.eu

Robert Schuman Centre for Advanced Studies

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