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Stranded: The Impacts of COVID-19 on Irregular Migration and Migrant Smuggling

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Executive Summary

This research brief documents the impacts the COVID-19 response, coupled with border enforcement and migration restrictions have had on the journeys of migrants, refugees and asylum seekers in transit irregularly and on their communities. Relying on recent empirical research and journalistic coverage, the brief pays specific attention to how measures against the pandemic may impact the activities of those behind irregular journeys –including migrant smugglers or facilitators. For this we draw from data on the experiences of migrants, refugees and asylum seekers in the context of irregular or clandestine journeys and the growing empirical evidence and insights from facilitators.

The COVID-19 pandemic challenges the ways in which we think about and perform mobility worldwide. Numerous scholars have started to think of the short and long-term implications the COVID-19 response will have on irregular migration, as the following weeks and months will be critical to document and understand the effects of the pandemic on mobility dynamics.

COVID-19 restrictions will not stop irregular migration nor smuggling activities. Evidence of migrants traveling irregularly during the contingency show that the coupling of the COVID-19 response with migration enforcement regulations has perhaps led to a temporary or seasonal suspension or reduction of smuggling activity, but has not eliminated the demand for services. Smuggling facilitators have simply adapted to shifts to the demand and enforcement restrictions (dynamics well known to them). Yet the closure of borders and other state-imposed mobility restrictions are effectively and intention-



ally redirecting migrants into more perilous landscapes where humanitarian support and rescue are often unavailable.

COVID-19 responses have furthered the precarity that migrants traveling irregularly face and will undoubtedly impact the facilitation of irregular migration. But claims of migrant smuggling undergoing radical changes or transformations must be taken with a grain of salt. The scholarship shows that state-sponsored efforts to dismantle or counter smuggling activity have greater impact on migrants, asylum seekers and refugees than on those who prey upon them. Narratives labelling the facilitation of irregular migration as hierarchical, mafia-like and inherently criminal have been used to justify stepped-up enforcement measures that foster the criminalization of those seeking to reach safety and those behind their journeys, yet leaving the reasons behind the demand for smuggling services intact.

Given the community-based nature of many migration facilitation practices, COVID-19 responses are also likely to impact the livelihoods of the communities that by virtue of being located on the migration pathway benefit from the presence of migrants and/or their journeys (shopkeepers, food vendors, renters of informal accommodation, etc.). Data show state-initiated efforts to counter irregular migration and its facilitation increase the levels of precarity and inequality of growing numbers of indigenous, tribal, pastoral and migrant communities around the world, which are increasingly confronted with the labelling of their community-based, long-standing forms of mobility, trade and solidarity under the migrant smuggling tag. There is a risk COVID-19 responses will further this process.

Any solutions to contain the reliance on irregular migration facilitation and to contribute to migrants' safety under COVID-19 or any other future crises must recognize the systematic decrease of paths for safe, orderly and regular migration that motivate the demand for smuggling services, and the ways migration and border controls have systematically put migrants, asylum seekers and refugees and their communities at risk, leaving the structural reasons leading to the emergence of smuggling unattended. Otherwise, measures are likely to become further weaponized, and simply compound the uncertainty and danger those traveling and living irregularly already experience on the migration pathway, embold-

ening in the process all of those who benefit from their precarity.

Introduction

The COVID-19 pandemic has challenged the ways we think about and perform mobility worldwide. Plenty of commentators have started to think about the short- and long-term implications of the COVID-19 response on migration. The coming weeks and months will be critical to document and understand the effects of the pandemic on mobility dynamics, as well as to articulate strategies and solutions for the future. Reports on migration in the times of COVID-19 have started to emerge, describing the consequences of the emergency response on migrant labour and indicators like remittances, migrants' earnings, visas for skilled laborers and un-/employment numbers. Less attention has been paid to the way the emergency is shaping the experiences of those who while traveling irregularly became stranded. We aim to address this gap.

This research brief documents how the COVID-19 response has impacted the journeys of migrants, asylum seekers and refugees traveling irregularly. It brings together recent empirical findings and analyses on clandestine or irregular journeys –practices in which risk and vulnerability have been well-documented. There is an abundant body of literature on irregular journeys providing an unparalleled source of data to think about the likely implications of enhanced and sudden restrictions of mobility on the livelihoods of those traveling irregularly. In recent years, empirical research on smuggling facilitation has also generated data on its facilitators and the understandings they themselves have of their roles. We argue that while the COVID-19 response does pose some unprecedented challenges, it has set in motion enforcement and control practices that are well known to the facilitators of the journeys of those who travel irregularly. In what follows, we draw from these data to think about the implications that measures to counter the spread of the virus are already having on irregular migration facilitation and on the lives of migrants traveling informally, who have found themselves stranded as a result of the imposition of mobility restrictions.

The evidence available to this day suggest COVID-19 restrictions are being coupled with migration enforcement regulations, compounding the challenges and



risks already present in the experiences of those traveling irregularly. As it has been extensively documented, the unequal access to safe, orderly and legal paths for migration drives the demand for smuggling services. But migration enforcement and border controls also have another consequence. They consistently redirect those with no option other than traveling irregularly into more perilous and deadly landscapes where the likelihood of receiving humanitarian support and rescue is slim at best.¹ In the span of a few weeks, the world has already witnessed how responses to COVID-19 mixed with migration enforcement controls have placed many migrants, asylum seekers and refugees in situations of extraordinary risk.

While as a result of the COVID-19 response changes to the facilitation of irregular migration will in fact take place, this brief also warns against rushing into the development of forecasts anticipating radical transformations of smuggling groups or networks. Claims of this kind, often rushed and empirically unfounded, rather than impacting those who prey upon irregular migrants, are systematically used to justify stepped-up enforcement, foster the criminalization of migration, and in turn increase the risks faced by those seeking to reach safety. We recognize that the pandemic will have impacts on the decision making of smuggling facilitators. But the market is characterized by its adaptability to uncertainty and restrictions. What we express here is our concern over how notions of complexity and evolution will be used to further criminalize those who participate in the facilitation of irregular migration amid the expansion of migration controls. In other words, while discourse, policy and enforcement have privileged a narrative of smuggling as set up into organized, closed networks, enforcement efforts quite often encounter and target, rather than criminal webs of transnational reach, scores of individual actors who have resorted to facilitating migrants' journeys in attempt to counter their own precarity. Empirical data show limited or even inexistent barriers to participation in smuggling, which result, rather than

in hierarchical complexity, in an extensive, horizontal and egalitarian net of providers, brokers or facilitators who seek to profit individually from the provision of migrants, asylum seekers and refugees' journeys. They do so by relying on the social capital at their disposal, rather than contributing solely to the strengthening of mafias or cartels or advancing specific ideologies. In sum, any solutions to contain the reliance on irregular migration facilitation and to contribute to the safety of people on the move under COVID-19 or any other crises in the future must recognize the systemic reduction of paths for safe, orderly and regular migration behind the demand for smuggling services, and the way global migration enforcement efforts criminalize migrants, asylum seekers and refugees and the communities who advance their journeys. Otherwise, measures will merely compound the uncertainty and danger those traveling and living irregularly already experience in their everyday lives and continue to embolden all of those who benefit from their precarity.

Manufacturing Uncertainty

While life under COVID-19 has been repeatedly equated with the term uncertainty, this is a condition long experienced by those who migrate and live irregularly.² Actors involved in irregular migration (from migrants, asylum seekers and refugees to the facilitators of their journeys and those benefiting from their interactions, like law enforcement, criminal actors and ordinary citizens) learn from the onset that traveling clandestinely is far from a straightforward or guaranteed venture. Traveling across unknown territories or countries; navigating through deserts, oceans or jungles; relying on false documents, or disguised to avoid detection (by law enforcement, groups involved in criminal activity or abusive and violent people), constitute uncertain propositions. Having access to reliable and updated information on the irregular migration pathway is unlikely, and what is available is often derived from the experiences (good *and* bad)

1. IOM (2018). Migrant deaths remain high despite sharp fall in US-Mexico Border crossings in 2017. IOM Missing Migrants Project. 6 February 2018. Available at <https://www.iom.int/news/migrant-deaths-remain-high-despite-sharp-fall-us-mexico-border-crossings-2017>; Reidy, E. (2020). How COVID19 halted NGO migrant rescues in the Mediterranean. The New Humanitarian 28 April 2020 <http://www.thenewhumanitarian.org/news/2020/04/28/EU-migrants-Libya-Mediterranean-NGO-rescues-coronavirus>

2. Bachelet, S. (2018). "Fighting against Clandestine Migration": Sub-Saharan Migrants' Political Agency and Uncertainty in Morocco. *PoLAR: Political and Legal Anthropology Review*, 41(2), 201-215. Kleist, N. and D. Thorsen (2017). Hope and Uncertainty in Contemporary African Migration. New York: Routledge. Estifanos, Y. and T. Zack. (2019). Follow the money: tactics, dependencies and shifting relations in migration financing on the Ethiopia-South Africa Migration corridor. Working Paper 63, Migrating Out of Poverty Series, University of Sussex.



of other migrants or smuggling facilitators. To that one must add the fact that smuggling facilitators are known to often provide wrong, false or incomplete information to migrants,³ either on purpose in an attempt to advance their own profit, safety or mobility goals, or as a result of their own lack of reliable information.

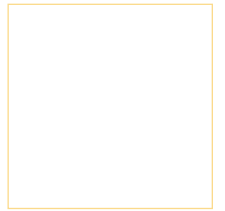
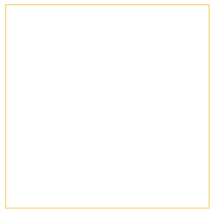
The main source of uncertainty faced by migrants and the facilitators of clandestine journeys, however, is often derived from migration enforcement measures.⁴ It is estimated that at least 194 countries have implemented mobility restrictions as a response to COVID-19.⁵ Restrictions, however, have not been uniform. Many are strictly related to the containment of the virus. Some include language specific to migration controls, and in some instances, guidelines concerning access to relief or international protection.⁶ In other words, while many COVID-19 restrictions are in fact responses to the virus, it is now clear that plenty are being coupled with or used as migration enforcement controls. This has raised concerns for many of these restrictions disproportionately impact migrants, asylum seekers and refugees in transit irregularly and often prevent them from accessing protection through the filing of asylum and/or other protection claims. Furthermore, some of these restrictions have been implemented by countries with a history of anti-immigrant policy and sentiment, furthering concerns about their fundamental objectives. For example, on 7 April, the Italian government issued a declaration stating

that as a result of the ongoing COVID-19 response its ports could not be considered “safe places” for the landing of people rescued by boats flying a foreign flag. The declaration problematically indicated the decision responded to concerns those being rescued could “include people who have contracted COVID-19,”⁷ at a time when Italy had the largest number of COVID-19 cases in the world. The timing of the declaration also coincided with the announcement that at least 10 boats carrying migrants fleeing from Libya were in the vicinity of Italian waters.⁸ On the evening of 9 April, Libya announced a similar measure, denying authorisation to 280 migrants intercepted by the Libyan Coast guard to disembark.⁹ In the United States, following an order from the Trump administration, United States Customs and Border Protection (CBP) agents began in early April to expedite the returns of people detected while crossing the US Southwestern border irregularly, effectively preventing them from their legal right to seek asylum.¹⁰ The measure was justified on the grounds that “...the existence of COVID19 in countries or places from which persons are traveling, create a serious danger of the introduction of such disease [sic] into the United States.”¹¹

In the last few weeks, many additional examples of how COVID-19 containment measures are being used as a tool to curtail the journeys of migrants trying to reach safety have become increasingly visible. Migrants who might have reconsidered their decision to pursue or continue with a journey and decided to return home are now unable to do so as a result of the closure of borders, camps, containing areas or even detention facilities. In early April IOM Niger reported increasing tensions at its centres in Niamey, following the inability of migrants to return home as a result of the closing of borders, despite many of them already having tickets to leave the country under IOM's Voluntary Return and Reintegration Assis-

3. UNODC (2018). Global Study on Smuggling of Migrants. Research and Trends Analysis Branch, Vienna; Europol-INTERPOL (2016). Migrant Smuggling Networks: Executive Summary May 2016.
4. Brachet, J. (2018). Manufacturing smugglers: From irregular to clandestine mobility in the Sahara. *The ANNALS of the American Academy of Political and Social Science*, 676(1), 16-35; Stone-Cadena, V., & Álvarez Velasco, S. (2018). Historicizing mobility: Coyoterismo in the indigenous Ecuadorian migration industry. *The ANNALS of the American Academy of Political and Social Science*, 676(1), 194-211. Bredeloup, S., Pliez, O. (2011). *The Libyan Migration Corridor*. Research Report Case Study, Migration Policy Institute and European University Institute. Florence.
5. IOM Displacement Tracking Matrix (2020). Mobility Impacts COVID-19. <https://migration.iom.int/>
6. Tondo, L. (2020). Italy declares own ports ‘unsafe’ to stop migrants arriving. *The Guardian*, 8 April 2020. <https://www.theguardian.com/world/2020/apr/08/italy-declares-own-ports-unsafe-to-stop-migrants-disembarking?>; Lind, D. (2020). Leaked Border Patrol Memo tells agents to send migrants back immediately ignoring asylum law. *ProPublica*, 2 April 2020. <https://www.propublica.org/article/leaked-border-patrol-memo-tells-agents-to-send-migrants-back-immediately-ignoring-asylum-law?>

7. Tondo, 2020.
8. AlarmPhone 2020. The COVID-19 Excuse. 11 April 2020. <https://alarmphone.org/en/2020/04/11/the-covid-19-excuse/>
9. IOM UN (2020). Libya Considers Its Ports Unsafe for the Disembarkation of Migrants. 09 April 2020. <https://www.iom.int/news/libya-considers-its-ports-unsafe-disembarkation-migrants>
10. Kanno-Youngs, Z. and K. Semple (2020). Trump cites coronavirus as he announces a border crackdown. *Washington Post*, 20 March 2020. <https://www.nytimes.com/2020/03/20/us/politics/trump-border-coronavirus.html>
11. Lind 2020.



tance (AVRR) programme.¹² In mid April, at least 150 people rescued in the Mediterranean following their departure from Libya were denied authorization to disembark, and were only allowed to enter Italian ports after lengthy and controversial negotiations.¹³

Some of the restrictions allegedly instituted to protect may in fact enable further contagion. Reports of the United States immigration authorities carrying out deportation flights to Guatemala involving migrants who had tested positive for the virus generated protests and the eventual cancellation of the flights by Guatemalan authorities.¹⁴ On 8 April agents from Mexico's National Institute for Migration (INM), the agency in charge of migration enforcement and control, transported 480 migrants from Guatemala, Honduras and El Salvador to the Mexico-Guatemala border for their removal, despite the border being closed. Unable to be admitted into Guatemala, migrants opted to cross the border without being quarantined or provided any kind of medical care.¹⁵

12. OIM Internationale (2020). L'OIM intensifie son action en faveur des migrants bloqués au Niger dans le contexte du confinement lié au COVID-19. 01 April 2020. <https://www.iom.int/fr/news/loim-intensifie-son-action-en-faveur-des-migrants-bloques-au-niger-dans-le-contexte-du>

13. On 13 April, Sea-Watch International confirmed at least three boats carrying more than 150 people were in the Mediterranean; a fourth one was initially believed to have wrecked, until reports of it having been returned to Libya with the assistance of Maltese authorities emerged. Scavo, N. (2020) Libia. Lasciti morire, ora hanno un nome. Ecco le vittime della strage in mare. *Avvenire*, 29 April 2020, available at <https://www.avvenire.it/economia/pagine/lasciati-morire-ora-hanno-un-nome-ecco-le-vittime-della-strage-in-mare>; Seawatch [@seawatch_intl] 2020. For days, at least 3 boats with more than 150 people are in distress in the #Mediterranean Sea, a fourth sunk already. No state wants to rescue them, only @maydayteraneo's #AitaMari rushes (out of transit and without medics on board) to help a boat with six unconscious people. 1:34 PM 13 April 2020, tweet.

14. Dickerson, C. and K. Semple. US Deported thousands amid COVID-19 outbreak. Some proved to be sick. *New York Times*, 18 April 2020, available at <https://www.nytimes.com/2020/04/18/us/deportations-coronavirus-guatemala.html>; Tzoc, H. (2020). Monroy: 75% en un vuelo de deportados dieron positivo por COVID-19. *La Hora Guatemala*, 14 April 2020. <https://lahora.gt/monroy-75-en-un-vuelo-de-deportados-dieron-positivo-por-covid-19/>

15. Mandujano, I. (2020). INM abandona a 40 migrantes en la línea fronteriza de México con Guatemala. 8 April 2020, *Revista Proceso*. <https://www.proceso.com.mx/625032/inm-abandona-a-480-migrantes-en-la-linea-fronteriza-de-mexico-con-guatemala>

COVID-19 Responses Will Not Stop Migrant Smuggling Nor Irregular Migration

Restrictions related to the COVID-19 response have not led to the end of smuggling facilitation services. The NGO Alarm Phone estimated that in the week of 5-11 April 2020 at least 20 boats carrying over one thousand people had left Libya's coasts as part of facilitated journeys.¹⁶ Data from Spain's Ministry of the Interior estimated at 829 the number of migrants rescued along Spain's southern border from the onset of that country's lockdown until mid-April.¹⁷

The uncertainty caused by mobility restrictions related to COVID-19 is quite likely to drive up the demand for smuggling services and their cost in some markets. The high-risk practices the facilitation of irregular migration often involves will also continue. As we have witnessed, smuggling facilitators have continued to organize journeys from Libya despite both the ongoing military conflict and the decisions by Italy, Malta and Libya itself to close their ports. Monitoring by Spanish NGOs and the devastating shipwreck off the Canary Islands on 3 April¹⁸ indicates the Western Mediterranean continues to be another area of high smuggling activity.

Smuggling facilitators are known to suspend or delay their services as a result of changes such as closures, restrictions or changes in regulations.¹⁹ However the continued demand rooted in migrants' needs for mobility almost invariably ensures the eventual restoration of services. In other words, while perhaps temporarily impacted by the COVID-19 response, smuggling and their facilitators will continue to adapt, respond and fulfil the demand. In the case of the Mediterranean, one element that increases

16. Alarmphone 2020.

17. Ministerio del Interior (2020). Inmigración Irregular 2020 Datos acumulados del 1 Enero al 15 Abril. Informe Quincenal, Gobierno de España. Available at: <http://www.interior.gob.es/documents/10180/11389243/Informe+Quincenal+sobre+Inmigraci%C3%B3n+Irregular+-+Datos+acumulados+desde+el+1+de+enero+al+15+de+abril+de+2020.pdf/c18c235a-f831-407c-972c-0ef6bbe1f55b>

18. Agencias (2020). Al menos 43 fallecidos en la patera que naufragó intentando llegar a Canarias. 3 April 2020. *El Diario* https://www.eldiario.es/canariasahora/365diasmigraciones/personas-muertas-desaparecidas-hundirse-Canarias_6_1012858751.html

19. Sanchez, G. (2020) Beyond Militias and Tribes: the Facilitation of migration in Libya. Migration Policy Centre, Florence: European University Institute. <https://cadmus.eui.eu/handle/1814/66186>.



the demand is certainly the improved weather conditions.²⁰ But an even more defining element is the fact that the factors leading people to migrate clandestinely in the first place (starting by the reduced availability of paths for safe, orderly and regular migration) have remained unchanged.

When unable to reach or afford smuggling services, migrants, asylum seekers and refugees often decide to travel by themselves. Evidence indicates many in fact forgo or limit their reliance on facilitators as a result of the lack of social and financial capital.²¹ They set up forms of support or assistance along the way, often relying on phones, social media and/or recommendations from other migrants, friends and family members.²² However, they have scant control of the restrictions imposed by states that may eventually shape their journey.²³ The COVID-19 response has led to the sudden implementation of blockades and border closures, changing restrictions and enforcement measures, all of which impact migrants' ability to reach pre-planned destinations, delay their journeys or prevent them from meeting with parties who can provide help. As documented extensively, having to independently pursue longer than expected trajectories to avoid detection increases risk and reduces the possibility to access help, a factor often leading to increases in deaths and disappearances.²⁴

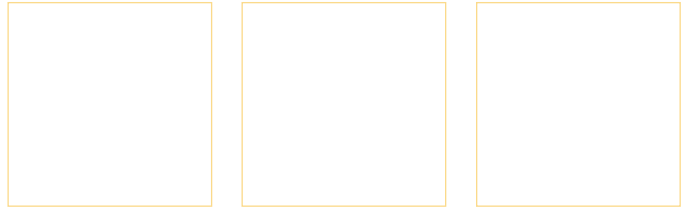
20. Cusumano, E. & Villa, M. (2019). Sea rescue NGOs: a pull factor of irregular migration? Policy Brief, Migration Policy Centre, European University Institute. <https://cadmus.eui.eu/handle/1814/65024>

21. Guevara González, Y. (2018). Navigating with coyotes: Pathways of Central American migrants in Mexico's southern borders. *The ANNALS of the American Academy of Political and Social Science*, 676(1), 174-193; W. (2018). *Lives in transit: violence and intimacy on the migrant journey*. Berkeley: University of California Press.

22. Zijlstra, J., & Liempt, I. V. (2017). Smart (phone) travelling: Understanding the use and impact of mobile technology on irregular migration journeys. *International Journal of Migration and Border Studies*, 3(2-3), 174-191; Newell, B. C., Gomez, R., & Guajardo, V. E. (2016). Information seeking, technology use, and vulnerability among migrants at the United States-Mexico border. *The Information Society*, 32(3), 176-191.

23. Ayalew Mengiste, T. (2018). Refugee protections from below: smuggling in the Eritrea-Ethiopia context. *The ANNALS of the American Academy of Political and Social Science*, 676(1), 57-76; Kook, K. (2018). "I Want to Be Trafficked so I Can Migrate!": Cross-Border Movement of North Koreans into China through Brokerage and Smuggling Networks. *The ANNALS of the American Academy of Political and Social Science*, 676(1), 114-134.

24. IOM 2018; Slack, J., Martínez, D. E., Lee, A. E., & Whiteford, S. (2016). *The geography of border militarization: Violence,*



Unplanned or unexpected delays as a result of closures or restrictions result in migrants often finding themselves stranded without resources. If travelling with facilitators, additional expenses are not merely absorbed, but are often passed on to migrants, augmenting their debt.²⁵ Those travelling without assistance must find ways to secure additional resources while in transit. Lacking the protection often afforded by smuggling facilitators, migrants, asylum seekers and refugees traveling by themselves are more susceptible to specific forms of violence, like scams, robberies and abuse by smugglers, other migrants, ordinary citizens, law enforcement, and groups involved in criminal activities. Others may also become involved in crime to survive. We discuss these dynamics next.

Violence and Victimization

There are abundant data and research on crimes impacting migrants (scams, extortion, kidnapping, assault, human trafficking, etc.). Yet they are often reported in decontextualized and sensationalist ways, becoming in the process normalized.²⁶ Much of the research on violence specific to the migration pathway has also failed to examine the structures leading to the emergence of forms of violence targeting migrants, focusing instead solely on the activities of 'organized crime' (an often problematic concept)²⁷ or on the sexual victimization of women, relying also on images and stories that "perpetuate gendered narratives that flatten the agency of migrants and ignore the diversity of victims of sexual assault."²⁸

None of these statements seek to suggest that sexual violence or victimisation are not part of the experiences that migrants encounter. Yet it is imperative to complicate the

death and health in Mexico and the United States. *Journal of Latin American Geography*, 7-32; Carling, J. (2007). Migration control and migrant fatalities at the Spanish-African borders. *International Migration Review*, 41(2), 316-343.

25. Drost, N. (2020). "When can we really rest?" *California Sunday Magazine* 2 April 2020; Poole, L. (2019) "Two women, eleven countries: a long, strange trip from Havana to the US." *New York Times* 18 December 2019.

26. Vogt, W. A. (2018). *Lives in transit: violence and intimacy on the migrant journey*. Berkeley: University of California Press, 4.

27. McAdam, M. (2020). There's no human trafficking or migrant smuggling without organised crime, the law says –and that matters. *Open Democracy*, 26 February 2020. <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/theres-no-human-trafficking-or-migrant-smuggling-without-organised-crime-the-law-says-and-that-matters/>

28. Vogt 2018, 4.



narrative of violence in migration in ways that examine the conditions that structurally produce and sustain violence along transit routes and in people's lives. While representations of migrant suffering and pain almost invariably focus on smuggler-initiated acts of violence, those performing violence range from law enforcement to criminal entities to migrants, asylum seekers and refugees themselves living within the constraints created by enforcement controls and the need for survival.²⁹ While representations of migrant suffering and pain almost invariably focus on smuggler-initiated acts of violence, those performing violence range from law enforcement to criminal entities to migrants, asylum seekers and refugees themselves living within the constraints created by enforcement controls and the need for survival.²⁹ Scholars have documented how migrants often become involved in criminalized activities in the course of their journeys, engaging in scams, petty theft, drug sales, shoplifting, sex work, or in migrant smuggling itself and some of its more predatory forms in an attempt to reduce their own precarity and/or advance their journeys.³⁰ We argue, therefore, that understanding violence and victimization in the context of irregular migration requires not losing sight of the structural framework of national security and migration securitization within which migrants' irregular journeys take place.³¹

As life under COVID-19 becomes the norm, we will witness even more frequent examples of violence, tragedy and victimization tied to the facilitation of irregular migration. It will be essential to remember at that time that engaging in high risk practices like traveling in an overcrowded boat, crossing rivers or deserts, but also participating in criminal or violent acts (carrying out kidnappings, assaults, robberies, sexual assault and intimidation), are not merely the result of organized criminals becoming more heinous or unscrupulous, nor of their practices hinting at transformation or evolution. These explanations are simplistic, and leave the reasons

at the core of the demand for smuggling services and the risks associated with clandestine journeys unaddressed.

While references to sexual exploitation and abuse by facilitators abound in the migration literature, there is also a growing body of work examining how people on the migration pathway understand and construct personal interconnections of obligation and reciprocity, beyond the fictional dichotomy of victims and predators favoured in policy and law enforcement discourse.³² Migrants, refugees and asylum seekers also rely on threats, assaults, intimidation and other forms of violence and victimization to protect themselves and/or their families or hoping to advance their journeys. Conflict is commonplace, as is the forging of close, personal relationships conducive of care, protection and intimacy.

Irregular Migration Facilitation and Organised Crime

In the weeks and months to come there will inevitably be allegations of smuggling evolving, changing, or undergoing drastic transformations as a result of the spread of COVID-19. Claims of this kind are not new. In fact, assertions of smuggling undergoing Darwinian transformations (from cottage industry to highly complex transnational criminal networks, for example) tend to emerge in the aftermath of border closures, ramped-up immigration enforcement controls, environmental catastrophes, civil war, military conflict and the like.³³

While we cannot completely discard that such transformations will take place, the available empirical evidence suggests a different picture. Evidence concerning facilitators of irregular migration for profit show that they come together or partner with others on demand, working directly with migrants on a "pay-as-you-go" fashion.³⁴

29. Slack, J (2017). "Captive bodies: migrant kidnapping and deportation in Mexico." *Area* 48,3: 271-277; Yates, C. & Leutert, S. (2020) A Gender Perspective of Migrant Kidnapping in Mexico. *Victims & Offenders*, 15(3), 295-312; Sanchez, 2020.

30. Yates, C., & Leutert, S. 2020; Ayalew 2018; Izcarra-Palacios 2017; CNDH 2009.

31. Maldonado Macedo, J. V. (2020). Being a Sex Worker and Migrant in Times of Trafficking: Experiences from the Mexico (Chiapas)-Guatemala Border. *Victims & Offenders*, 15(3), 313-329.

32. Vogt, 2018; Maldonado Macedo 2020; Estifanos & Zack 2019; Kook, 2018..

33. See, for examples: Srivastava, M. (2015). Organised crime moves in on migrant smuggling trade in Turkey. *Financial Times*, 13 December 2015. <https://www.ft.com/content/17cf4fc0-9ffa-11e5-8613-08e211ea5317>; Gilardi, G. 2020, Bove, V. and Tobias Böhmelt (2016) "Does immigration induce terrorism?," *The Journal of Politics* 78, no. 2: 572-88. Vulliamiy, E. (2020). "Kidnappers prey with total impunity on migrants waiting for hearings in Mexico." *The Guardian*, 18 February 2020.

34. Greenfield, V., B. Nunez-Neto, I. Mitch, J. Chang, E. Rosas (2019) *Human Smuggling and Associated Revenues: what do or can we know about routes from Central America to the United States?* Washington DC: RAND Corporation; Global Initiative against Transnational Organized Crime (GITOC)(2018). *Understanding*



In other words, most facilitators work independently, perform specific, single tasks conducive to a clandestine journey – transportation, cooking, housing, trekking across a stretch of the trajectory, etc. –for which they receive a nominal compensation. They rely on their own resources, which are often quite limited and reflective of their own precarity.³⁵ In fact, we must again emphasize that many facilitators are themselves migrants, asylum seekers or refugees who became stranded or unable to complete the journeys on their own.³⁶

As such, most facilitators without a doubt are facing the same challenges most people around the world are: restricted mobility, remain at home orders, and lack of income. There is that some may opt to suspend their regular activities, and to monitor enforcement activities to protect themselves and their families. Many others may not have that kind of advantage, and will have to rely on other income generating strategies to survive.

While the notion that the facilitation of irregular migration pertains to the domain of vast hierarchical and well-structured networks is the most prevalent, the lives of facilitators suggest that they receive limited if any support from criminal conglomerates.³⁷ Rather, facilitators are often obligated to pay taxes or fees to criminal groups and law enforcement to have access to and/or travel through specific territories or areas³⁸ further showcasing their roles as independent, horizontally-organized and precarious actors. Should the facilitation of smuggling pertained solely to the structured and hierarchical bodies

contemporary human smuggling as a vector in migration: a field guide for migration management and humanitarian practitioners. Vienna: GITOC.

35. Achilli, L., & Abu Samra, M. (2019). Beyond legality and illegality: Palestinian informal networks and the ethno-political facilitation of irregular migration from Syria. *Journal of Ethnic and Migration Studies*, 1-22.
36. Lucht, H. (2016) Death of a gin salesman: Hope and despair among Ghanaian migrants and deportees stranded in Niger. In Kleist, N. and D. Thorsen, eds. *Hope and uncertainty in contemporary African migration* (pp. 168-186). London: Routledge.
37. Achilli 2018; Lucht, 2016.
38. Lucht, H. (2011). *Darkness before daybreak: African migrants living on the margins in Southern Italy today*. Univ of California Press; Maher, S. (2018). *Out of West Africa: Human smuggling as a social enterprise*. *The Annals of the American Academy of Political and Social Science*, 676(1), 36-56.
39. Sanchez, G., & Zhang, S. (2018). Rumors, Encounters, Collaborations, and Survival: The Migrant Smuggling-Drug Trafficking Nexus in the US Southwest. *The ANNALS of the American Academy of Political and Social Science*, 676(1), 135-151. Yates & Leutert, 2020.

most commentators refer to, facilitators could simply rely on the support of these entities during down times. However, empirical data have repeatedly shown this is hardly the case. Most facilitators (many of them women) have limited social and financial capital, and rely on the facilitation of migration to supplement wages from other low-paying forms of employment.³⁹ The COVID-19 responses must likely have impacted the ability of most facilitators to work, for the orders to stay put further imply they are unable to access the very actors who facilitate their activities (first of all people seeking their services, but also law enforcement, politicians, ordinary citizens, staff from shelters and humanitarian organizations, etc.) and who are also impacted by the contingency. This again does not suggest that the facilitation of irregular migration has completely stopped. Evidence from the Mediterranean, Europe and the UK, and the Central America-Mexico-US corridor show that many facilitators are responding to the demand for services from groups of people increasingly concerned over the likelihood of stepped-up enforcement as a result of COVID-19 restrictions, and the potential inability to join friends or family members if they postpone or delay their journeys.

Claims on the facilitation of irregular migration becoming more complex, far better organized and therefore more violent as a result of COVID-19, reflect the uncritical adoption of neither neutral nor apolitical legalistic definitions concerning smuggling, common in policy making and discourse,⁴⁰ which overlook “the growth of human smuggling as a device of social control of undesirable populations and extra-state markets.”

⁴¹ Of far greater concern for scholars and policy makers should be the ways in which claims concerning the involvement of transnationally syndicated, hierarchically organized, mafia-like cartels in the facilitation of irregular migration are used alongside stepped-up enforcement and COVID-19 responses to justify policing and surveillance actions along a greater number of migration hubs worldwide, impacting the rule of law, human

40. Spener, D. (2011). *Clandestine crossings: Migrants and coyotes on the Texas-Mexico border*. Cornell University Press; Vick, K. & L. Poole (2018). *Smugglers Inc*. Time Magazine, February 2018. Available at: <https://time.com/smugglers-inc/>.
41. Maher, 2018, 39; Van Liempt, I. & Sersli, S. (2013). State responses and migrant experiences with human smuggling: A reality check. *Antipode*, 45(4), 1029-1046.
42. Baird, T. (2016). *Defining human smuggling in migration research: an appraisal and critique*. Working paper 2016/30. Florence: European University Institute.



rights and human lives. The focus on structures and their evolution, and claims of hierarchy and criminal might “collapse the nuanced social relations between migrants and their facilitators under the umbrella of coercion and criminality, advocating a paternalistic agenda to ‘protect’ migrants”⁴² yet shutting down any paths to safe and legal transits. While claims of criminality may justify large enforcement budgets, they have scant impact at reducing the incidence of migration facilitation, as shown by numbers of crossings across regions around the world. If at all, demographic changes, or financial and economic crises like the one the world is currently experiencing as a result of COVID-19 have proven to be more effective at reducing irregular migration and hence, the demand for facilitation services. What most analyses continue to brush aside is a critical examination into how measures and policies generated by governments, seeking to contain irregular migration through counter-smuggling policies impact growing numbers of pastoral, nomadic, indigenous, migrant communities around the world by the push to bring long-standing practices of mobility, trade and solidarity under the smuggling label.⁴³

The unspeakable stories of pain and tragedy migrants endure in the context of irregular migration make it tempting to accept allegations of transformation and complexity at face value. However, these leave unaddressed the reasons at the core of migrants’ decision to rely on clandestine forms of travel: the mobility restrictions that around the world are increasingly and unevenly imposed onto them.

The Missing and the Disappeared

During the COVID-19 lockdown devastating examples of the uninterrupted demand for smuggling services have kept making headlines: a boat carrying at least 43 people shipwrecked on its way to the Canary Islands on 3 April,⁴⁴

42. Maher, 2018, 37.

43. Lucht 2016; Romero, E. & R. Villareal (2016). Policía señala a maestra de tráfico de migrantes. La Prensa, 22 August 2016, <https://www.laprensa.com.ni/2016/08/22/nacionales/2087610-presentan-como-criminal-a-profesora-que-se-solidarizo-con-migrantes>; Zandonini, G. 2020. The European Chase for Migrant Smugglers. Privacy International, 28 January 2020. Available at <https://privacyinternational.org/long-read/3347/european-chase-saharan-smugglers>.

44. Agencias (2020). Al menos 43 fallecidos en la patera que naufragó intentando llegar a Canarias. 3 April 2020. El Diario https://www.eldiario.es/canariasahora/365diasmigraciones/personas-muertas-desaparecidas-hundirse-Canarias_6_1012858751.html

while 64 migrants died in the back of a lorry in Mozambique on 24 March.⁴⁵ At least 12 men died over the Easter weekend when their boat was returned to Libya allegedly with the assistance of the Maltese authorities.⁴⁶

Cases involving lost, stranded, abandoned, missing or death migrants have continued to be reported. Vincent Cochetel, the UNHCR special envoy for the Central Mediterranean reported that between 25-31 March, 270 people had been rescued while trying to reach the Canary Islands;⁴⁷ Barbara Rijks, the IOM Chief of Mission in Niger also reported the abandonment of more than 250 migrants by their smugglers on the Niger-Libya border.⁴⁸

It is quite probable that the average number of reported migrant deaths decreases, albeit only temporarily (IOM’s Missing Migrant Project for example, recorded only 30 deaths in the Mediterranean for the month of March, the lowest for this month since 2015).⁴⁹ Many incidents will go unrecorded, and the inability to conduct search and rescue operations will be attributed to the COVID-19 response.⁵⁰ Deaths and disappearances will continue to take place in remote and dangerous areas, where the probability of victims or survivors of being identified and accounted for will be slim. If we use past humanitarian crises as reference, it is likely that despite initial reductions in the numbers of arrivals or apprehensions, numbers of deaths and disappearances increase along some corridors.⁵¹

45. Agence France Press (2020). Sixty-four Ethiopians found dead in truck in Mozambique. The Guardian, 24 March 2020. https://www.theguardian.com/world/2020/mar/24/64-ethiopians-found-dead-in-truck-in-mozambique?CMP=Share_iOSApp_Other

46. Avvenire (2020); AlarmPhone (2020). Twelve deaths and a secret push-back to Libya. Press Release, 16 April 2020. <https://alarmphone.org/en/2020/04/16/twelve-deaths-and-a-secret-push-back-to-libya/>

47. Cochetel, V. (2020) [@cochetel]. #Spain, Between 25-31 March, 9 boats carrying 270 persons were rescued while trying to reach the Canary Islands. Initial indications are that some boats departed from Senegal/Mauritania, while others from Dakhla. Those fleeing conflicts in Sahel must be protected. 10:59 am, 1 April 2020, tweet.

48. Rijks, B. (2020) [@barbararijks]. More than 250 #migrants were abandoned last week by their smugglers close to #Madama, at #Niger’s border w/ #Libya, amidst the #COVID19 lockdown. 12:04 PM, 2 April 2020, tweet.

49. IOM MMP (2020). Total of deaths recorded in Mediterranean in 2020 – Month of March 2020. <https://missingmigrants.iom.int/region/mediterranean>

50. Reidy 2020.

51. IOM 2018; IOM (2019) Mediterranean Migrant Arrivals Reach 107,546 in 2019; Deaths reach 1,246. IOM Missing Migrants



Families of disappeared and missing migrants have continued to seek access to information on their loved ones. Yet COVID-19 restrictions are making it harder for them to receive information concerning the whereabouts of their loved ones from those facilitating their journeys, humanitarian NGOs and immigration and other enforcement authorities. Some NGOs have carried out campaigns demanding that services available to report and investigate cases of missing migrants are designated as essential so that searches can continue during and despite the COVID-19 emergency.⁵²

Conclusions

The official responses to COVID-19, coupled with and many times deployed as migration restrictions themselves, have heightened the levels of uncertainty irregular migrants, asylum seekers and refugees in transit and those behind their journeys face. The emergency has been used to justify the imposition of migration management controls, including detention, border and port closures, and the forced returns and removals of asylum seekers and migrants without granting them access to international protection. Simultaneously, the demand for smuggling services continues as the underlying motives leading migrants to move remain unaddressed and unchanged.

There are abundant data concerning the kinds of violence and abuse that migrants encounter in the context of their journeys. Increasingly, critical research on the facilitation of irregular migration has problematized the treatment and representations of violence and exploitation on the migration pathway. This has involved thinking beyond stereotyped, gendered or sensationalist forms of violence, and to examine how violence materializes at the intersection of race, class and gender, fostering—and fuelled by—inequality and exclusion. Moralistic judgements that attribute the tragedies faced by migrants, asylum seekers and refugees exclusively to smugglers (often stereotyped as inherently predatory and violent men of colour)⁵³ are

unproductive, and can in fact further the stigma and risk faced by both those in transit clandestinely and their families (who lack access to any other mechanisms for mobility), and those who facilitate their journeys (often migrants, asylum seekers and refugees in transit themselves).

As growing numbers of countries decide to implement and step-up migratory and border controls as a result of COVID-19, smuggling facilitators will indeed adapt in order to continue providing services. Reduced demand or escalated enforcement are factors smuggling facilitators are used to deal with well. The possibility of contagion and the desire to protect themselves and their families will shape their availability and willingness to provide services. While often described as driven by greed and the desire for profit, facilitators are, after all, people interested in protecting their own wellbeing and that of their families, even if this translates in reductions to their earnings. This pragmatism—but also the precarity vast numbers of facilitators endure—are likely to become manifest as adjustments to the demand for services take place in the following weeks and months.

Given the nature of many migration facilitation practices, COVID-19 responses coupled with migration restrictions will impact the livelihoods of the communities who benefit from the presence of migrants and/or their journeys (shopkeepers, food vendors, those who rent accommodation, etc.). Campaigns to curtail irregular migration masked as attempts to curtail its facilitation in locations as diverse as Libya, Niger, Central America or Ecuador, show how local, intimate and cultural understandings of mobility, trade and transportation are being severely damaged by the introduction of enforcement practices. Growing evidence shows how counter-smuggling strategies ultimately impact the fabric of local lives and livelihoods, fostering greater inequality and violence, often outside the migration realm.

While restrictions related to the COVID-19 response are likely to impact irregular migration facilitation practices we warn against forecasts anticipating either the evolution or transformation of smuggling markets or networks. As described in this brief, these claims tend to lack empirical basis and their policy responses have scant impact on the

U.S. -Mexico Border. In Bosworth, M., A. Parmar, Y. Vazquez, eds. *Race, Criminal Justice and Migration Control: Enforcing the Boundaries of Belonging*. New York: Oxford University Press. p.29-42.

Project, 20 December 2019. <https://www.iom.int/news/mediterranean-migrant-arrivals-reach-107546-2019-deaths-reach-1246>.

52. See, for example, the advisory from the Comité de Familiares de Migrantes Desaparecidos del Progreso in response to COVID19 restrictions. (Honduras). <https://www.facebook.com/107037279389677/photos/a.1040615492698513/3040696172690425/?type=3&theater>

53. Sanchez, G. (2017). Portrait of a human smuggler: race, class and gender among facilitators of irregular migration on the



facilitation of irregular migration, yet justify escalations in immigration enforcement and controls that foster the criminalization of irregular migrants, asylum seekers and refugees, their families and communities, and force those unable to access safe, legal and dignified paths to mobility into more dangerous and potentially lethal paths. Any solutions to contain the reliance on smuggling facilitators and to contribute to migrants' wellbeing under COVID-19 or any other emergency must recognize the role of immigration enforcement at creating risk, and how the 'war against smuggling' is far from neutral. Otherwise, policy and enforcement solutions will simply continue to compound the uncertainty and danger experienced by people on the migration pathway.

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