

SMUGGLING OF MIGRANTS IN THE SAHEL

TOCTA
— Sahel

Transnational Organized
Crime Threat Assessment



Smuggling of Migrants in the Sahel

Transnational Organized Crime
Threat Assessment – Sahel



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Key takeaways

➤ Counter-smuggling efforts, in particular the implementation of strict migrant smuggling laws, appear to have contributed to the emergence of new smuggling routes connecting the Niger and Libya, as well as emerging migrant smuggling hubs in southern Algeria. Smuggling routes in the Sahel have become more clandestine and diverse in an attempt to evade increasing controls by the defence and security forces, exposing refugees and migrants to greater risks and dangers.

➤ Even refugees and migrants with valid travel documents may use smugglers to avoid the difficulties, delays and costs associated with legal procedures, and the costs associated with crossing a border or checkpoint. Corruption is not only a motivation for refugees and migrants to use smugglers but also a key enabler of migrant smuggling in the Sahel.

➤ Making a profit is the main motivation for engaging in the smuggling of migrants. Economic reasons are another important motive for becoming a smuggler, spurred at times by the example of family, friends or acquaintances. Smugglers are also motivated by requests for help and a desire to aid refugees and migrants.

➤ Although migrant smuggling is often a sideline activity, it pays well. Incomes vary greatly but smugglers surveyed reported making an average monthly income of roughly \$1,500, well above typical incomes in the Sahel countries. Smugglers' fees have been on the rise in Mali and the Niger since the onset of the COVID-19 pandemic because of the increased risk, including of controls by the authorities, and the resulting higher cost of providing smuggling services. An increase in demand for smuggling services has also contributed to rising smuggling fees.

➤ Few smugglers work alone. The majority work with two or more people and cooperate frequently with others, although the nature of their work and their operating environment suggests that group organization is rarely rigid.

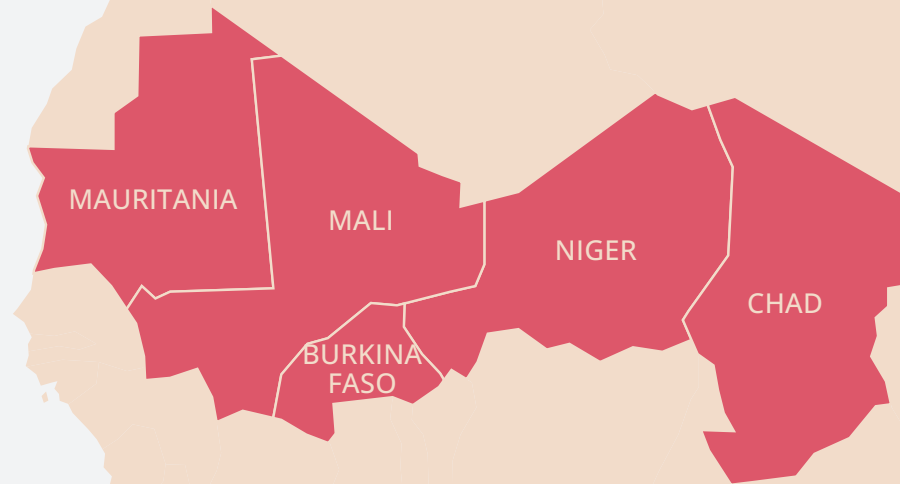
► The migrant smuggling business is multifaceted, even at the individual level. The vast majority of smugglers surveyed reported having multiple responsibilities in the smuggling process, with an overall average of four responsibilities each. Many of them also work in multiple countries: almost half of the smugglers surveyed operate in more than one country and one in five do so in four or more countries.

► Some refugees and migrants are subjected to exploitation and abuse during their migration journey through the Central Sahel, whether or not that journey is undertaken with smugglers. However, smugglers are less frequently cited as being perpetrators of exploitation and abuse than border officials, security forces, armed groups and criminal gangs.

► Refugees and migrants in the Sahel can fall victim to abuse and human rights violations, including trafficking in persons and gender-based violence. Yet while the majority of surveyed refugees and migrants who used smugglers are adult men, the risk of exploitation and abuse during the smuggling journey appears to be greater for women and children.

► Connections exist between armed groups and migrant smuggling in the Sahel countries. This appears to be the case in Chad and Mali in particular. In Mali, although some smugglers are affiliated with armed groups, those groups do not generally engage directly in migrant smuggling. Rather, they tend to extract money from the activity through their control of territory, either by levying fees on passage or by providing paid escorts.

► Some smugglers in the Sahel do not limit their criminal activity to migrant smuggling. Migrant smuggling networks in the region may engage in other illicit activities. Among other things, trafficking in persons for sexual exploitation and forced labour, which is often linked to gold-mining, has been reported in Burkina Faso and Mali in particular, as have drugs and firearms trafficking in the Niger.



For the purpose of this report, “Sahel countries” refers to Burkina Faso, Chad, Mali, Mauritania and the Niger.

Smuggling of Migrants in the Sahel

Introduction

The analysis in this report is based on both quantitative and qualitative sources. The quantitative data come from the ongoing data collection system in West Africa of the Mixed Migration Centre, which provides primary data on migration flows by surveying refugees and migrants, as well as smugglers and facilitators, along frequently used migration routes and in major hubs for migration.¹

Primary data were also obtained through qualitative interviews conducted by MMC in Burkina Faso, Mali and the Niger with key informants with expertise related to smuggling,² as well as with smugglers and facilitators who were identified through snowball and referral methods, and based on the pre-existing networks of survey enumerators on the ground.³ Both the quantitative surveys and the in-depth qualitative interviews were carried out in line with the relevant methodo-

logical guidelines, ethics and code of conduct of the UNODC Observatory on Smuggling of Migrants.⁴

This analysis also draws on secondary data resources in order to triangulate, verify and complement findings emerging from the primary data collection. The focus is on the three countries in the Central Sahel in which quantitative and qualitative data collection were carried out – Burkina Faso, Mali and the Niger – but information on Chad and Mauritania is also incorporated, primarily through secondary literature.⁵ All survey and interview participants were adults (aged 18 and older) at the time of their participation in the research.

Terms used

The smuggling of migrants in the Central Sahel is often committed in the context of a migratory journey that also involves regular travel. As per article 3 of the United Nations Protocol Against the Smuggling of Migrants by Land, Sea and Air, when it can reasonably

MIXED MIGRATION CENTRE

The Mixed Migration Centre (MMC) is a leading source of independent and high-quality data, research, analysis and expertise on mixed migration. In partnership with the UNODC Observatory on Smuggling of Migrants, MMC conducts field research across North and West Africa. MMC has access to a wide range of respondents and conducts quantitative surveys and qualitative interviews with people on the move, smugglers and key informants, such as non-governmental organization (NGO) workers, journalists, researchers and other interlocutors identified as having relevant information.

The MMC data collection system utilizes a mix of purposive and snowball sampling methods. Potential survey respondents are selected at key locations according to a small set of criteria and selected respondents often refer others who also fit the criteria. The data collection system used takes a careful sampling approach, seeking diversity and providing rich, indicative insights for populations on the move, but is not representative of national or international migration movements. Therefore, it cannot be used to provide estimates of the number or characteristics of the overall population of refugees and migrants on the move through West Africa.

be assumed that the crime of migrant smuggling is constituted, the word “smuggler” is relevant, while the word “facilitator” is relevant whenever the elements of (a) irregular entry and/or (b) financial or material benefit could reasonably be assumed not to be in evidence according to the primary or secondary sources used.⁶ However, despite the clear normative difference between smugglers and facilitators, as the distinction is not one that is frequently made on the ground, for the sake of simplicity the word “smuggler” is used for both terms throughout this report.

Also, throughout this report, “refugees and migrants” refers to all those people moving along migration routes in the Sahel countries, unless referring to a particular group of people with a defined status moving along those routes.⁷ As per article 31 of the 1951 Refugee Convention, refugees as a specific group should not be penalized for not possessing legitimate travel

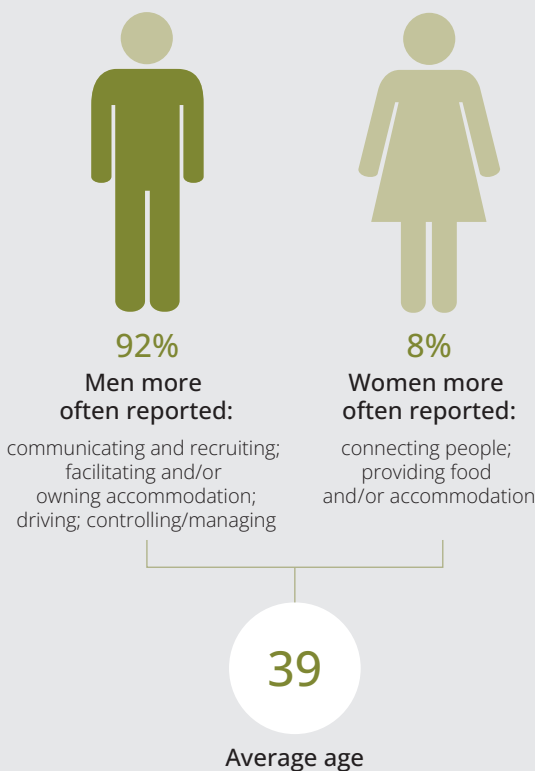
documentation in order to cross a border if certain conditions are met.⁸ Thus, references made to refugees and migrants possessing legitimate/proper/regular documentation in this report should not be assumed to contradict this understanding. Rather, in the context of mobility in West Africa, it should be noted that people who qualify for refugee status may be required to show documentation and/or pay bribes when crossing a border.

Market background

The Sahel is marked by high levels of migration, a phenomenon that appears to be compounded by the ongoing conflicts in some of the Sahel countries: between 2012, when violence began to escalate, and late 2021, at least 2.3 million people were displaced in the Central Sahel.⁹

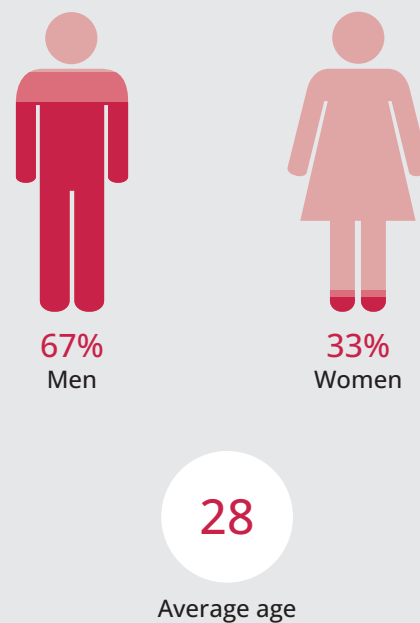
PROFILES OF SURVEYED SMUGGLERS, REFUGEES AND MIGRANTS

Gender and age of smugglers:



Source: Surveys conducted by MMC with smugglers and facilitators in Mali and the Niger from June to September 2021, and in Burkina Faso in August/September 2021 (number of respondents: 154).

Gender and age of refugees and migrants:

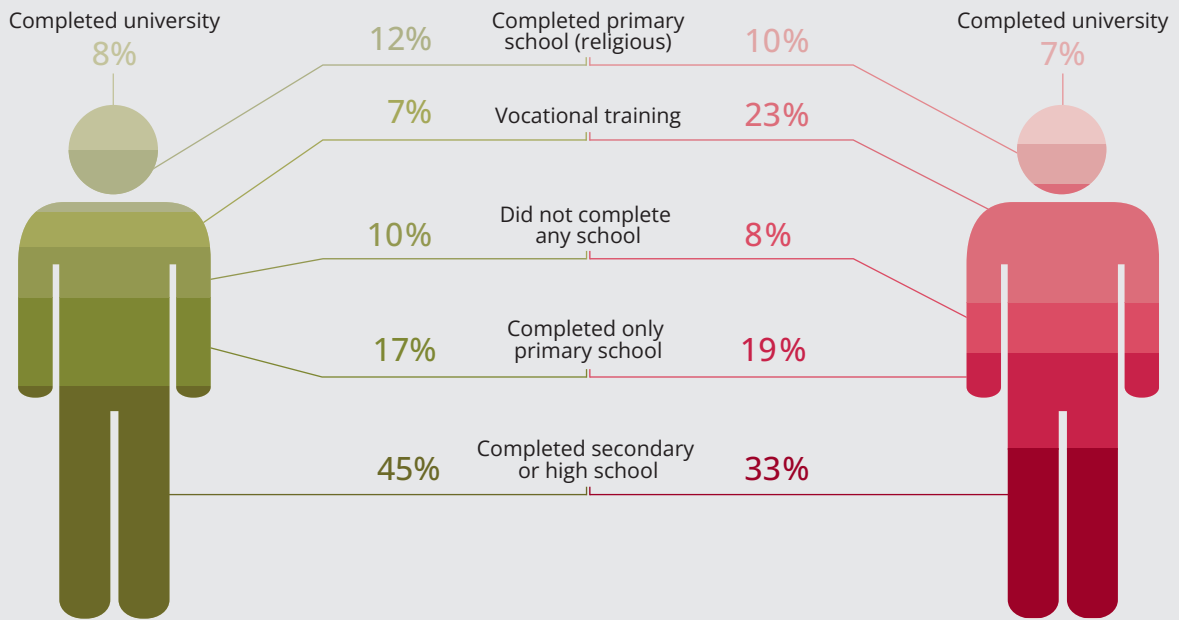


■ Smuggler ■ Refugees and migrants

Source: Surveys conducted by MMC with refugees and migrants in Mali and the Niger from February to September 2021, and in Burkina Faso in February/March and August/September 2021 (number of respondents: 2,005). Note that due to deliberate sampling strategies to capture women's experiences, the overall proportion of women surveyed by 4Mi is higher than the 15-18% women on regional routes estimated by IOM's DTM in January 2021.

Education of smugglers:

Education of refugees and migrants:

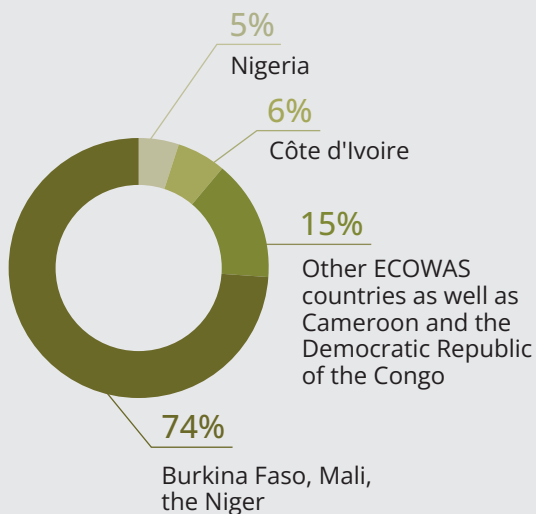


Source: Surveys conducted by MMC with smugglers and facilitators in Mali and the Niger from June to September 2021, and in Burkina Faso in August/September 2021 (number of respondents: 154).

Source: Surveys conducted by MMC with refugees and migrants in Mali and the Niger from February to September 2021, and in Burkina Faso in February/March and August/September 2021 (number of respondents: 2,005).

Main countries of origin of smugglers and facilitators surveyed

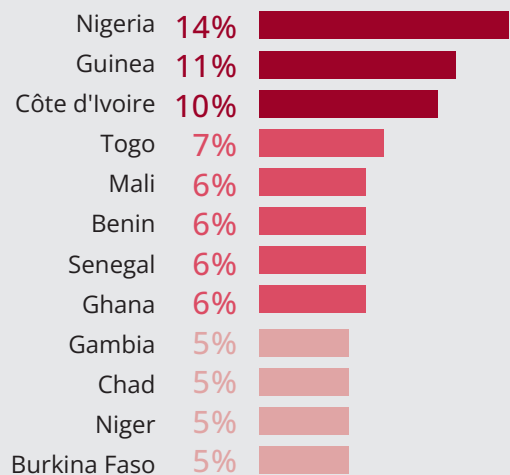
as reported by smugglers and facilitators in Burkina Faso, Mali and the Niger



Source: Surveys conducted by MMC with smugglers and facilitators in Mali and the Niger from June to September 2021, and in Burkina Faso in August/September 2021 (number of respondents: 154).

Main countries of origin of refugees and migrants who used a smuggler, 2021

as reported by refugees and migrants surveyed in Burkina Faso, Mali and the Niger



Source: Surveys conducted by MMC with refugees and migrants in Mali and the Niger from February to September 2021, and in Burkina Faso in February/March and August/September 2021 (number of respondents: 2,005).

Migration in West Africa is mostly intra-regional and most refugees and migrants in the Sahel tend to remain in West Africa.¹⁰ Regular movement within West Africa is facilitated by the Free Movement Protocols of the Economic Community of West African States (ECOWAS) and regulated by its legislative framework as well as the national legislation on the smuggling of migrants described in annex II of this report. Citizens of the 15 ECOWAS Member States, which include Burkina Faso, Mali and the Niger but exclude Chad and Mauritania, have the right to enter another country within ECOWAS and remain for up to 90 days, provided that they have a valid travel document and an international health certificate.^{11, 12} However, even refugees and migrants who have valid travel documentation may use smugglers to avoid the hassle and uncertain cost of passing through a border post or checkpoint and having to pay bribes.¹³

The key determinants of the migrant smuggling market in the Sahel countries are: the demand for facilitation and smuggling services by refugees and migrants on the move; and the presence of actors who commit smuggling offences by providing them with transportation (facilitating illegal entry into other countries), intermediation, accommodation (enabling an irregular stay in other countries) and forged and fraudulent documentation for a financial or other material benefit.

Demand for smuggling services

The vast majority of refugees and migrants surveyed for this analysis cited economic reasons as their primary motivation for migrating (91 per cent), a proportion that remained stable between 2017 and 2021. Second among the primary motives for migrating was “personal or family reasons”, which was cited by a larger proportion of women interviewed (42 per cent) than men (26 per cent) in 2021. Although the reasons for migration related to violence, insecurity and conflict were not very prominent overall (14 per cent of refugees and migrants surveyed), the proportion was larger among nationals of countries affected by conflict, such as Mali (35 per cent) and Nigeria (18 per cent).

Key informants and smugglers interviewed identified challenges in accessing legal migration pathways as another key factor motivating migrants to use smugglers, who are considered by some to provide an easier and cheaper alternative to legal migration. Difficulties in accessing legal migration pathways are often intertwined with widespread corruption because bribe

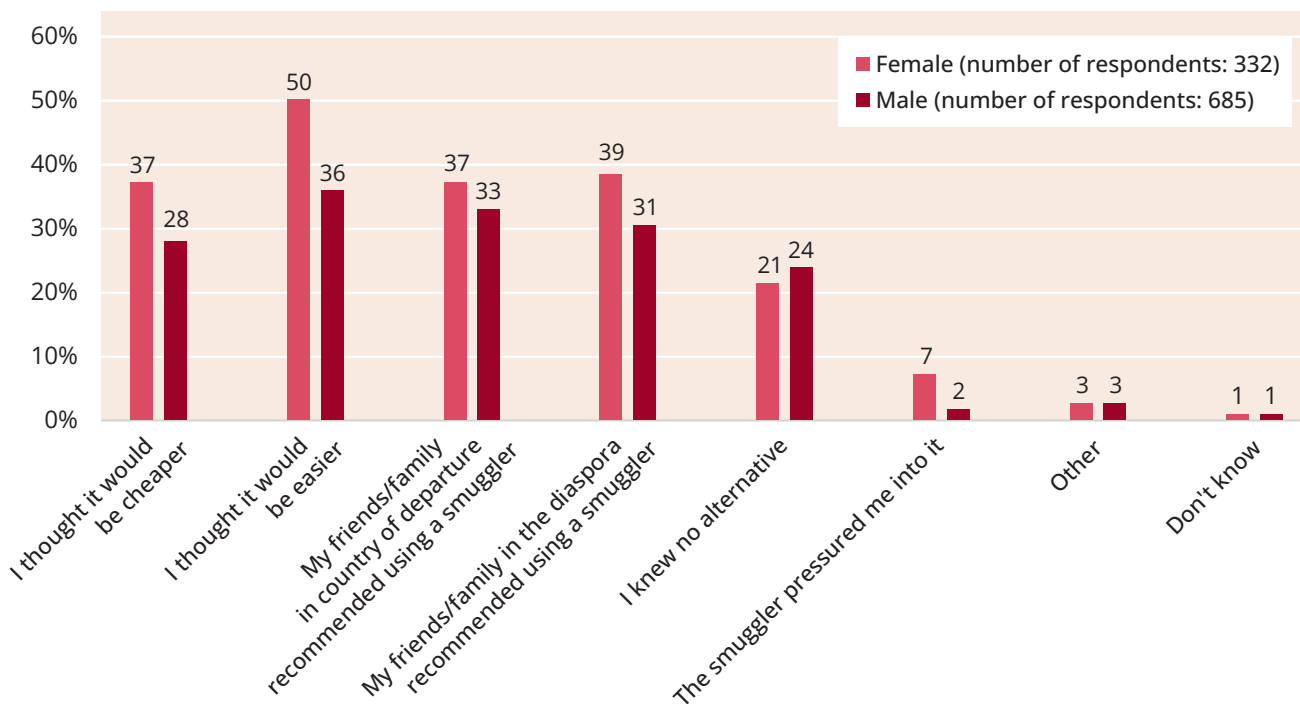
demands by corrupt officials at border crossings create a barrier to access to the ECOWAS free movement zone. The inability of refugees and migrants to access legal pathways in combination with such bribe demands make the use of smugglers a cost-effective option, because smugglers are often able to negotiate smaller bribe payments than a refugee or migrant travelling independently.

The cost of obtaining travel documentation also presents a significant barrier to regular migration, according to both key informants and smugglers, especially in Burkina Faso.¹⁴ However, in addition to mitigating extortion along the smuggling route, smugglers can supply migrants with forged travel documents in place of the requisite government-issued travel documentation, which can be difficult to obtain.

Some refugees and migrants interviewed indicated that regular migration was often expensive in comparison with using a smuggler because of the cost of obtaining the requisite travel documentation such as national identity cards and health certificates, suggesting that forged documents provided by some smuggling groups may be cheaper than obtaining regular ones. According to a key informant interviewed in Mali: “In Mali, the average passport costs 55,000 CFA francs (CFAF), or roughly \$97. For someone who doesn’t have an income of 20,000 francs (\$35) a month, how can he save up and find 55,000 francs to get this? That’s a problem.”

Additionally, as emphasized by several smugglers interviewed, circumventing official channels for travel documentation may have benefits in terms of speed. As a smuggler in Mali stated: “If I need a passport right away I have it in 24 hours.” Another interviewed in the Niger illustrated the delays that can be experienced when seeking to obtain official documentation: “If you ask for papers, it can take almost three to four months. [...] But with us, if you want, we will take you anywhere.” The additional health documentation required during the COVID-19 pandemic exacerbated this situation and, in making legal migration even slower and more complicated, had the inadvertent effect of expanding the customer base of smugglers.

In the northern Sahel, at the external border of ECOWAS, smugglers are also able to provide forged documents that enable people to enter Algeria who would not otherwise be eligible to enter that country because

FIG 1. Reasons for using a smuggler, Burkina Faso, Mali and the Niger, 2021

Source: UNODC, based on MMC data and calculations.

of their nationality. This appears to be a particularly common practice in Mali, as Malian citizens are allowed to enter Algeria without a visa. Smugglers therefore facilitate the provision of forged Malian passports to migrants or refugees of other nationalities.

Because smugglers can leverage their connections with officials to negotiate favourable rates for the passage of refugees and migrants in their charge, thus facilitating a cheaper journey,¹⁵ having to deal with corruption is also a clear motivation for the use of smugglers by refugees and migrants. The ability of smugglers to arrange the payment of smaller and more predictable bribes is even reason enough for those refugees and migrants who possess the requisite legal documentation to use their services. Indeed, many of the smugglers interviewed described facilitating the migration of people who were actually in possession of legitimate documentation.

Smugglers are seen as important sources of information and logistical know-how and refugees and migrants also resort to using smugglers to mitigate the dangers that can occur in risky environments. The proportion of migrants reporting particular types of abuse did not generally differ a great deal between

those who used a smuggler and those who did not, although variations were greater in the cases of robbery and extortion, for example. This was the case for female survey respondents in particular, half of whom said that they expected their journey to be easier with the support of a smuggler, while just over one third (37 per cent) said that they expected it to be cheaper than travelling alone (figure 1).

That said, according to the surveys conducted in Burkina Faso, Mali and the Niger, the majority of refugees and migrants surveyed who used smugglers between 2017 and 2021 were adult males, although the survey sample was heavily biased towards men. Furthermore, the smugglers surveyed in 2021 overwhelmingly considered the number of their clients who were children (under the age of 18) to be small or “almost none”.

The vast majority of refugees and migrants who used a smuggler were educated to some degree, with only 8 per cent of those who reported using a smuggler in 2021 stating that they had not completed any schooling, whereas almost two thirds had completed secondary education or higher.^{16, 17} Overall, those who used a smuggler reported a higher level of education than those who did not (see infographic on profiles of smug-

glers, refugees and migrants).¹⁸ Moreover, the majority of them were making money prior to departure (73 per cent) through casual or occasional work (54 per cent) or by being self-employed/owning a business (32 per cent).¹⁹

Supply of smuggling services

The smugglers interviewed reported willingly entering the migrant smuggling market for economic opportunities and to respond to a visible and pressing demand. The fact that the majority of them started working in smuggling willingly means they had not been coerced into committing criminal acts. Indeed, the average monthly income reported by smugglers surveyed in Burkina Faso (\$1,172), Mali (\$1,392) and the Niger (\$1,950) shows that the activity has a clear economic incentive.

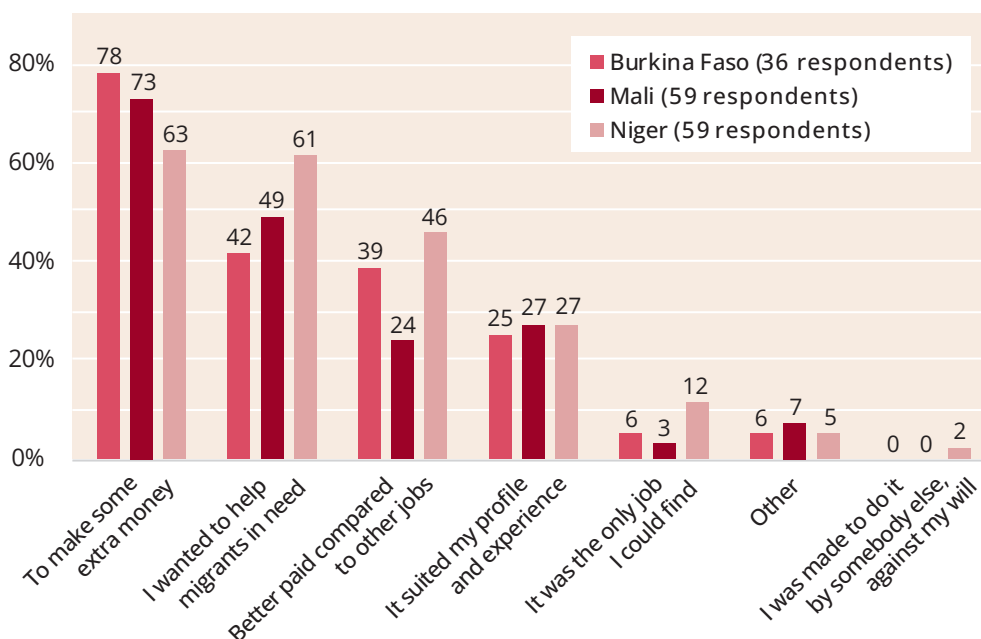
Most of the smugglers surveyed reported having entered the smuggling business “to make extra money”. However, while smuggling was the primary source of income of 57 per cent of smugglers surveyed in the Niger, that was the case for only 33 per cent in Burkina Faso and 13 per cent in Mali. Thus, the overall majority of smugglers interviewed in those three countries had other jobs in addition to smuggling.²⁰

According to the smugglers interviewed, smuggling activities not only help feed and support their families but are also more profitable than the activities available in the formal economy. Key informants backed this up, with one (male) smuggler interviewed in Mali stating: “What I earn for a single passenger, perhaps a Malian business executive does not earn in his monthly salary.”

Anecdotal accounts of successful smugglers also seem to motivate young men to engage in smuggling activities. One smuggler interviewed in the Niger said that “lucky smugglers” could earn as much as \$15,000 to \$20,000 per month. Another smuggler interviewed in Mali said: “I saw my big brothers who were doing this activity, and who got rich easily before me. So, I said to myself, listen, why not me too, I want to be rich like them.”

A desire to help refugees and migrants in need was second among the primary motives indicated for entering the smuggling market, with just under half of survey respondents in Burkina Faso (42 per cent) and Mali (49 per cent) and 61 per cent in the Niger reporting this (figure 2). “You see when you help them, you

FIG 2. Reasons for engaging in migrant smuggling, Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

feel a bit useful, you feel that you have done something good,” said one smuggler (male) interviewed in Burkina Faso in 2021.

Nature of the market

Migrant smuggling routes

Although migration in West Africa is mostly intra-regional and most migrants tend to remain in the sub-region, migration by land to North Africa and on to southern Europe, via the north-west Africa (Atlantic), the central Mediterranean and western Mediterranean routes, contributes significantly to the movement of people through the Sahel. That is because most refugees and migrants travelling northwards from West and Central Africa pass through Mali and/or the Niger and/or Mauritania.^{21, 22}

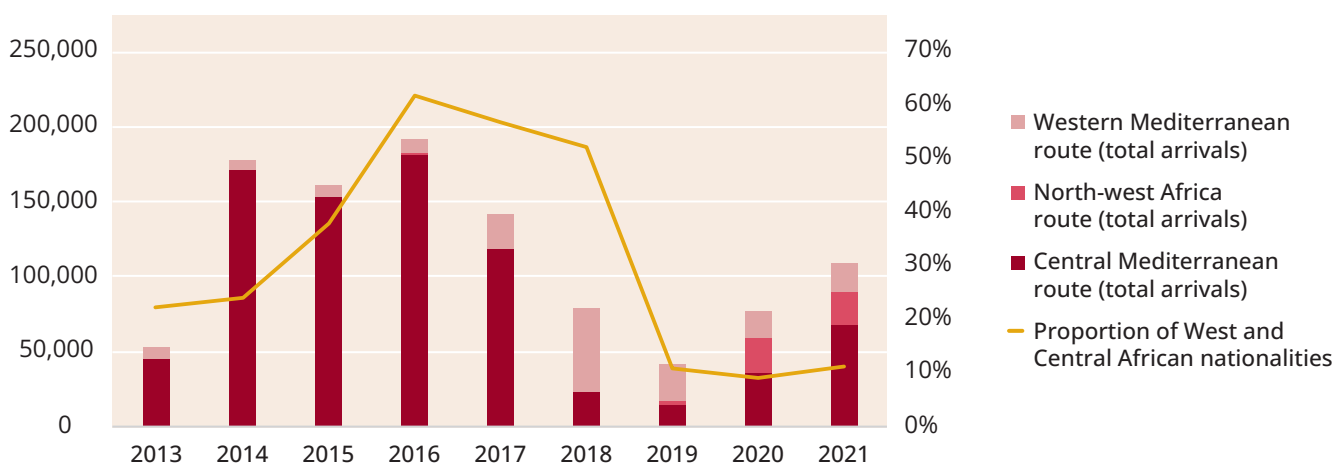
As smugglers are generally involved in attempted sea crossings by refugees and migrants travelling from Morocco to Spain and from Libya to Italy,²³ arrivals by sea in Spain and Italy provide another piece of the overall picture of migration flows and journeys facilitated by smugglers through West Africa.²⁴ Italy regis-

tered an annual average of 168,662 irregular arrivals by sea from 2014 to 2016,²⁵ with the West and Central Africans among them likely to have transited the Central Sahel to get there. After gradually increasing from 2013 to a peak of 61 per cent in 2016,²⁶ the percentage of West and Central Africans in that annual average declined over the subsequent years to 17 per cent in 2021.²⁷

Since 2018, the central Mediterranean route has been used less frequently by refugees and migrants than the western Mediterranean and the north-west Africa (Atlantic) routes. West and Central Africans ceased to account for the overall majority of migrants registered as irregular arrivals in Spain and Italy in 2018, when the proportion decreased, and it has remained at around 10 per cent since then (figure 3).

The number of irregular arrivals in Spain that reach the country via the western Mediterranean route has also fluctuated.²⁸ West and Central Africans have consistently figured prominently among irregular arrivals in Spain, but the proportion of them arriving via the western Mediterranean route waned in 2020/21, while it increased via the north-west Africa (Atlantic) route.^{29, 30}

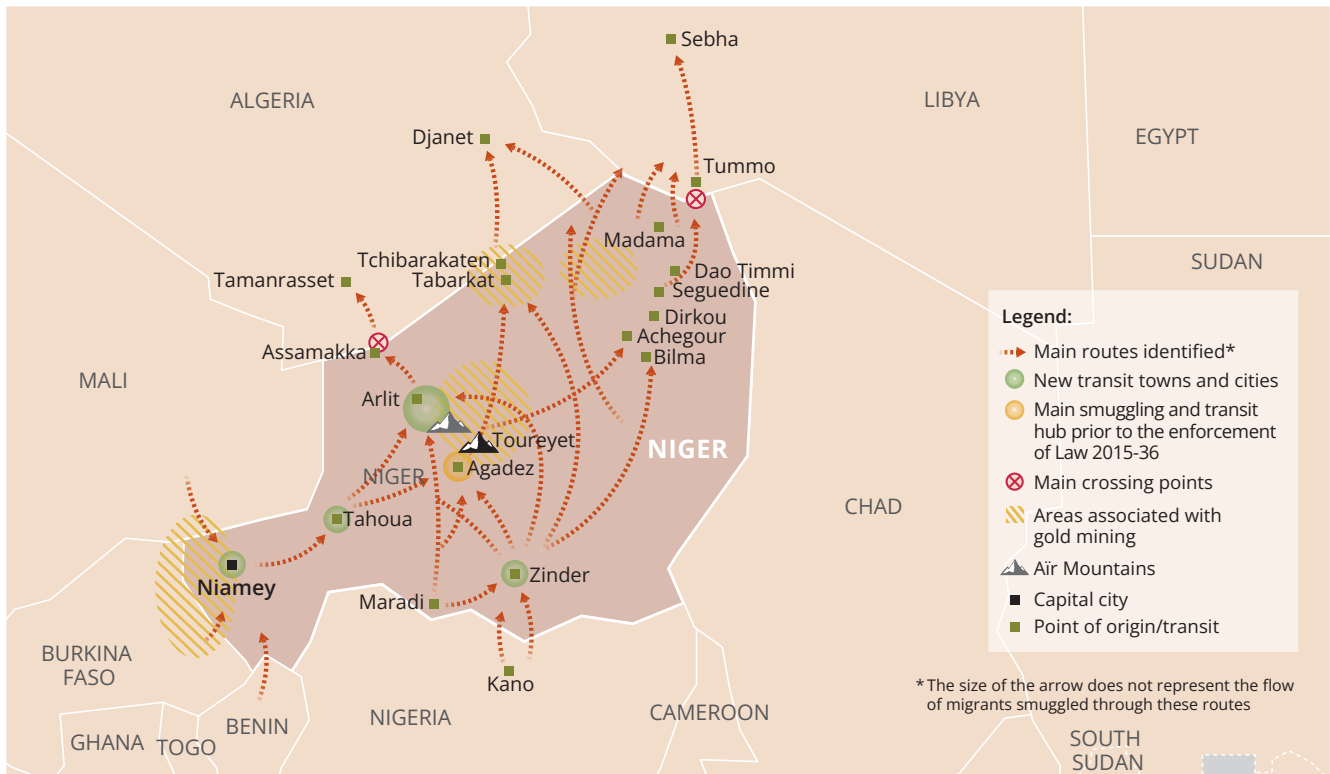
FIG 3. Total arrivals of refugees and migrants in Spain and Italy via the north-west Africa (Atlantic), the central and western Mediterranean routes, and proportion arriving from West and Central Africa, 2013–2021



Source: UNODC calculations based on FRONTEX detections of irregular border-crossings statistics download (2013–2021).

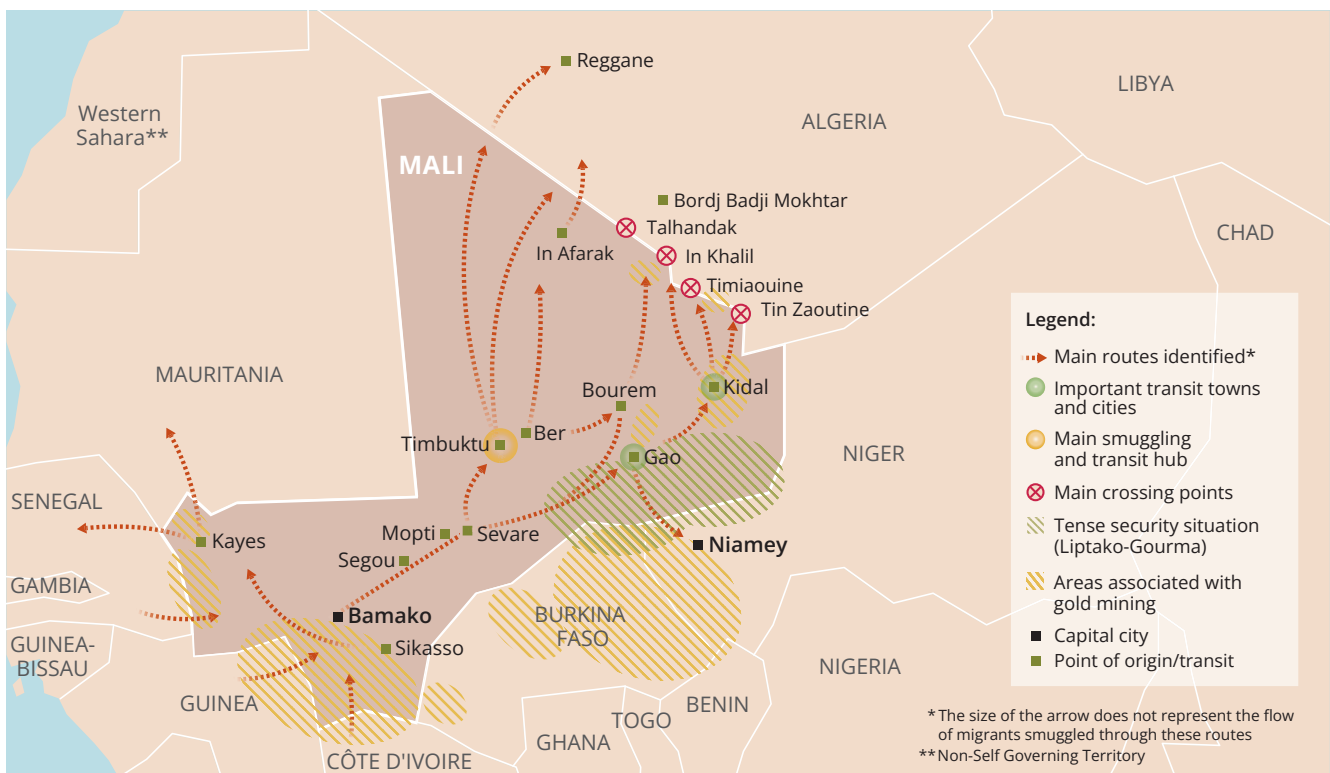
Note: FRONTEX data refers to detections of irregular border-crossing rather than the number of persons, as the same person may cross the external border several times.

MAP 1. Main migrant smuggling routes in and towards the Niger, 2020/2021



Source: UNODC elaboration based on MMC, UNODC Observatory on Smuggling of Migrants, International Organization for Migration (IOM) Displacement Tracking Matrix and Global Initiative against Transnational Organized Crime data. Disclaimer: the boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations. Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined. Final status of the Abyei area is not yet determined.

MAP 2. Main migrant smuggling routes in and towards Mali, 2020/2021



Source: UNODC elaboration based on MMC, UNODC Observatory on Smuggling of Migrants, International Organization for Migration (IOM) Displacement Tracking Matrix and Global Initiative against Transnational Organized Crime data. Disclaimer: the boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Migration by land to North Africa and then on to southern Europe contributes to the movement of people through the Sahel as those people initially travel along migrant smuggling routes through the Niger, Mali, Chad and Mauritania.

Smuggling routes through the Niger

Up until 2016, the city of Agadez was an important crossroads for migration in the Niger. Able to operate openly there, smugglers would typically, for example, join formal convoys for the onward journey from Agadez across the Sahara towards Libya. Accommodation was also provided in the city for migrants in buildings or compounds known as “ghettos”, with most migrants being ECOWAS citizens.³¹

However, counter-smuggling efforts, in particular the implementation of Law 2015-36 against the smuggling of migrants, may have contributed to the emergence of new smuggling routes connecting the Niger and Libya, as well as emerging migrant smuggling hubs in southern Algeria (see table 1 in annex II).³² Subsequently, the smuggling routes became more clandestine and diverse in an attempt to evade increasing controls by the defence and security forces, exposing refugees and migrants to greater risks and dangers.³³ Smugglers are reported to be transporting an increasing number of Nigerien bona fide miners from Agadez to gold-mining areas in the north of the country, boosting their legitimate income and providing cover for migrant smuggling.³⁴

Smuggling routes through Mali

Despite a decrease in the number of migratory journeys being made overland after the outbreak of the conflict in northern Mali in 2012, migrant smuggling routes have been re-established through part of the country even though violence has increased.³⁵ While the increase in violence has made the route less attractive to refugees and migrants and reduced flows, it has not stopped migratory movement or smuggling activity altogether.³⁶ During the course of 2018, the Gao-Niamey axis, which had already been affected by the enforcement of Law 2015-36 in the Niger, saw a further reduction in use as violence spiked in Mali’s eastern region of Menaka. This marked a shift towards West African migrants entering the Niger via Burkina Faso.

Around the same time, there was also an increase in use of the Sévaré-Timbuktu axis, which despite an increasing risk of migrants encountering armed groups,

involved fewer checkpoints than the Gao-Niamey axis.³⁷ At the same time there was an increase in smuggling activity in and around Timbuktu,³⁸ with smugglers transporting migrants along desert routes to the southern towns and cities of Algeria, including Bordj Badji Mokhtar, Timiaouine and Tamanrasset.³⁹

Smuggling routes through Chad

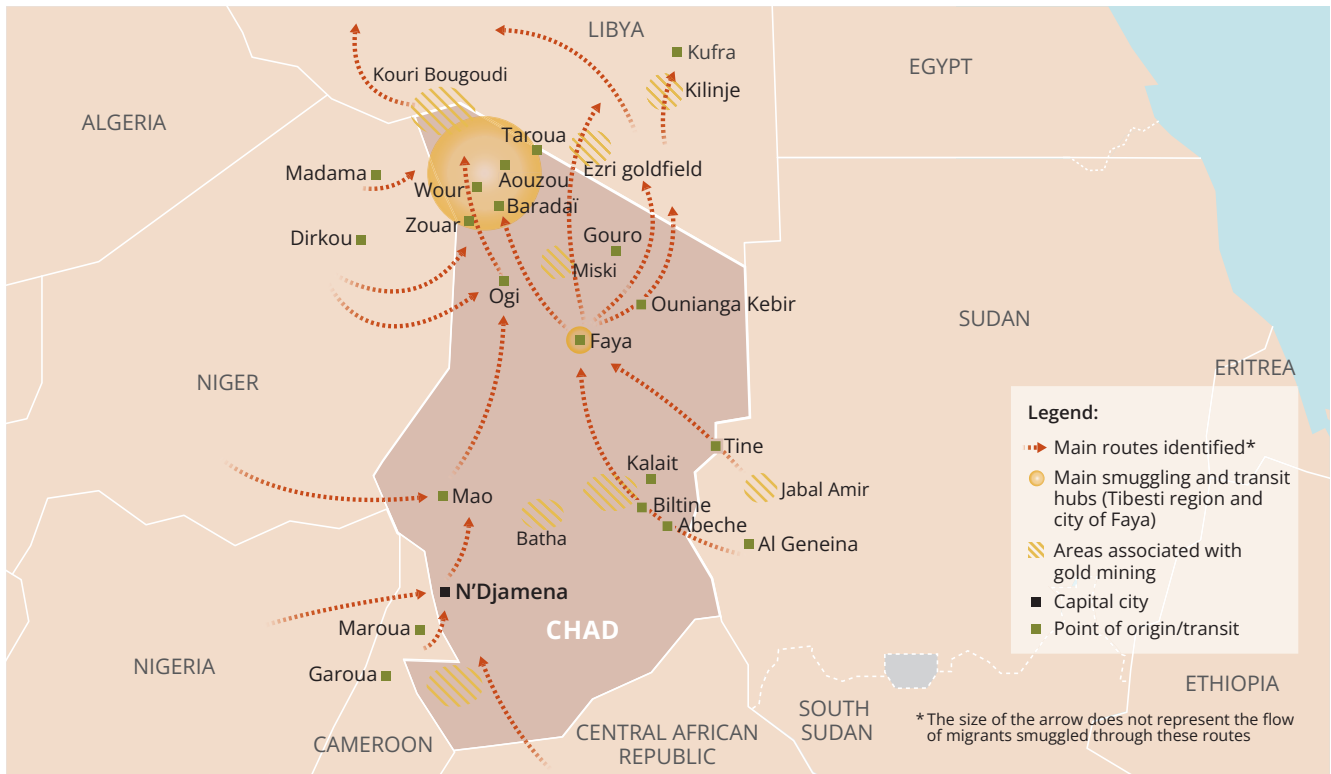
Chad has been increasing in importance as a transit country for migrants since 2016,⁴⁰ in line with some shifting being registered in the northward routes from the Niger through Chad.⁴¹ Migrants travelling through Chad and Algeria remain less numerous than those travelling through the Niger or the Sudan,⁴² but Chad has some economically attractive areas for both national and international migrants such as goldfields,⁴³ which has led to the groundwork being laid for smuggling networks to transport migrants to work in the gold mines.⁴⁴ Using the existing infrastructure, smugglers facilitate transit through Chad by taking the growing number of refugees and migrants in their charge to the north-west of the country to pose as miners in order to avoid detection by security forces.⁴⁵

The proportion of migrants who stay in north-west Chad or continue their journey is not very clear,⁴⁶ not least because a common approach for undertaking this migratory journey is to work in the gold mines in order to earn money to pay for onward migration.⁴⁷ Overall, migrant smuggling dynamics in Chad are closely intertwined with illicit artisanal gold-mining in the country’s north-western region of Tibesti, which has become a transit and migrant smuggling hub.

Smuggling routes through Mauritania

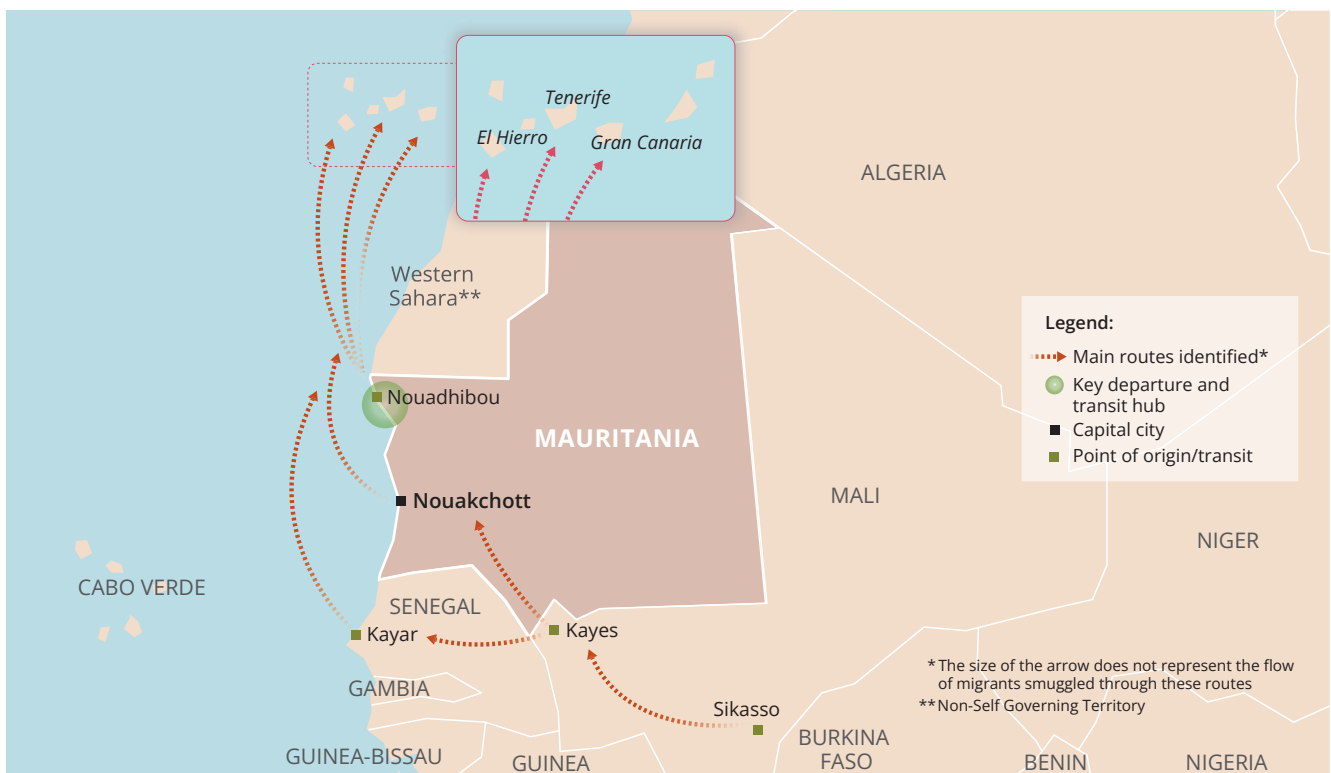
Mauritania is both a transit country for West Africans migrating North to Morocco and Europe and a host country for significant communities of migrants from several West African States, most notably Mali and Senegal.⁴⁸ In the 2000s, the port city of Nouadhibou became a key departure and transit hub for migrants following the introduction of stricter border controls in Morocco, Ceuta and Melilla. Since then it has varied in prominence depending on the effectiveness of anti-smuggling campaigns and cooperation between the Spanish and Mauritanian authorities.⁴⁹ Departures along the north-west Africa (Atlantic) route, including from Mauritania, gathered steam in 2020 and continued in early 2021, when the Spanish Ombudsman indicated that people arriving in the Canary Islands up to that point in the year were mostly from sub-Saharan Africa.^{50, 51}

MAP 3. Main migrant smuggling routes in and towards Chad, 2020/2021



Source: UNODC elaboration based on MMC, UNODC Observatory on Smuggling of Migrants, International Organization for Migration (IOM) Displacement Tracking Matrix and Global Initiative against Transnational Organized Crime data. Disclaimer: the boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations. Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined. Final status of the Abyei area is not yet determined.

MAP 4. Main migrant smuggling routes in and towards Mauritania, 2020/2021



Source: UNODC elaboration based on MMC, UNODC Observatory on Smuggling of Migrants, International Organization for Migration (IOM) Displacement Tracking Matrix and Global Initiative against Transnational Organized Crime data. Disclaimer: the boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

While it seems that a minority of refugees and migrants pay intermediaries or smugglers to facilitate their journeys from their country of origin to Nouadhibou,⁵² this is more often the case for those from anglophone countries, such as Ghana, Liberia, Nigeria and Sierra Leone, as well as from Guinea. This can be explained in part by the fact that people from those countries require visas to enter Mauritania, while those from Côte d'Ivoire, Mali, the Niger and Senegal do not. Anecdotal evidence suggests that a much greater number of migratory journeys heading north from Mauritania also entail the use of intermediaries or smugglers.⁵³

Market dynamics

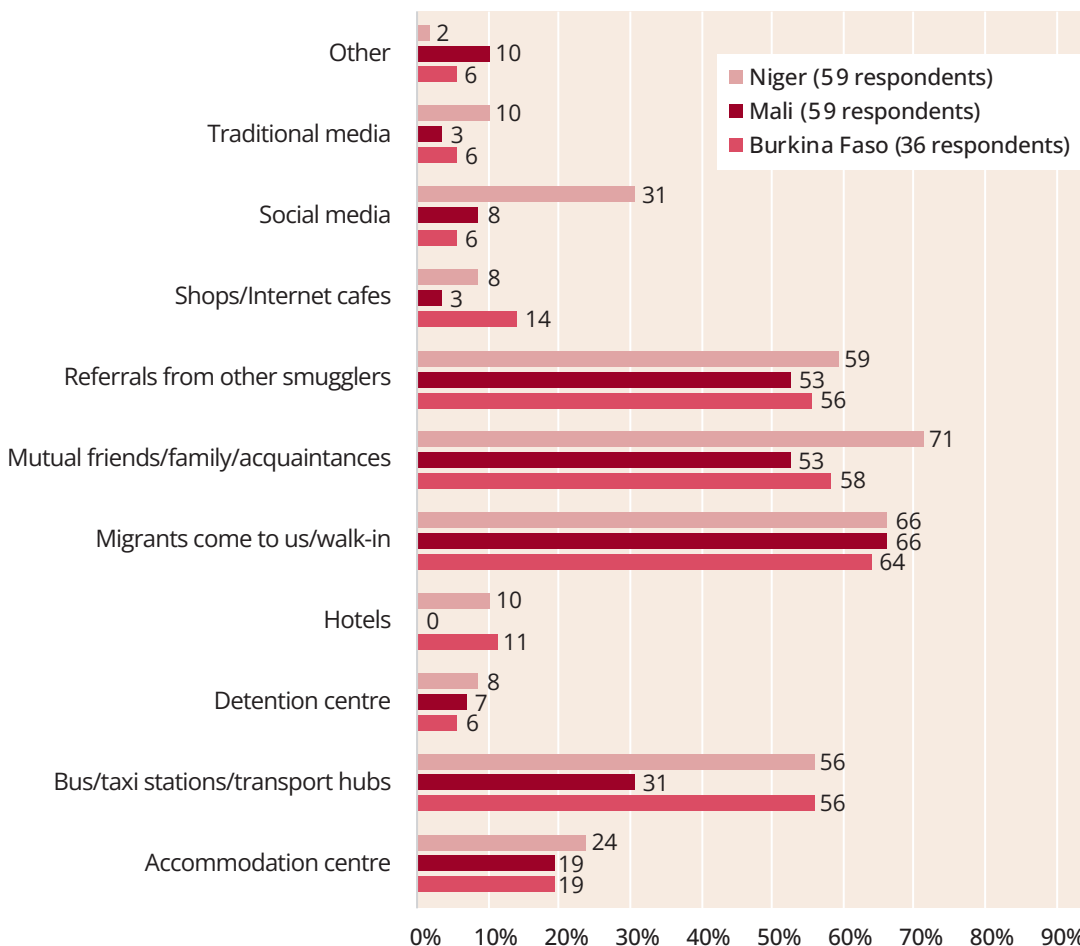
Making contact

In terms of how refugees and migrants make initial contact with smugglers, in the majority of cases it seems that the refugees and migrants make the first move, which may be facilitated by pre-existing mutual connections. Overall, two thirds of smugglers interviewed

(Burkina Faso: 64 per cent; Mali: 66 per cent; the Niger: 66 per cent) indicated that migrants approached them. More than half of smugglers interviewed made contact with refugees and migrants through mutual friends, relatives or acquaintances, sometimes through links with people who had previously migrated from the refugees' or migrants' community of origin. As a smuggler interviewed in Niger explained: "It's not about recruitment, it's about contacts. When you're in business already, if you have acquaintances, those you brought there as passengers, they're the ones who will give your contact to their relatives."

By word of mouth and leveraging personal connections, smugglers establish a level of trust with potential customers, which is particularly important when there is no pre-existing relationship. In foreign and insecure settings, cultural, linguistic and ethnic commonalities between prospective clients and smuggling recruiters are key elements of the transaction, which can play a crucial role in a refugee or migrant's decision to choose a particular smuggler or facilitator.⁵⁴

FIG 4. How smugglers make initial contact with clients, Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

More than half of smugglers (Burkina Faso: 56 per cent; Mali: 53 per cent; the Niger: 59 per cent) surveyed reported being put in touch with refugees and migrants through referrals from other smugglers (figure 4). This emphasizes that there is a high degree of contact and exchange among smugglers, which is shown by the fact that more than half of the smugglers surveyed work in groups made up of between 3 and 10 people and frequently cooperate with other groups.

The majority of smugglers surveyed rely on face-to-face communication and the use of mobile phones to make initial contact with refugees and migrants. In the Niger, there appears to be greater usage of other technologies, such as message applications and social media platforms, than in Mali or Burkina Faso. A key informant interviewed in the Niger attributed this to the expense of international phone calls and a desire on the part of smugglers to economize, as well as to communicate in a discreet manner that will not be listened in to by the authorities. Communication through social media groups can facilitate both of these objectives.⁵⁵ The Dark Web was mentioned as a means of initial contact by just two smugglers surveyed in the Niger and by none in Mali or Burkina Faso.

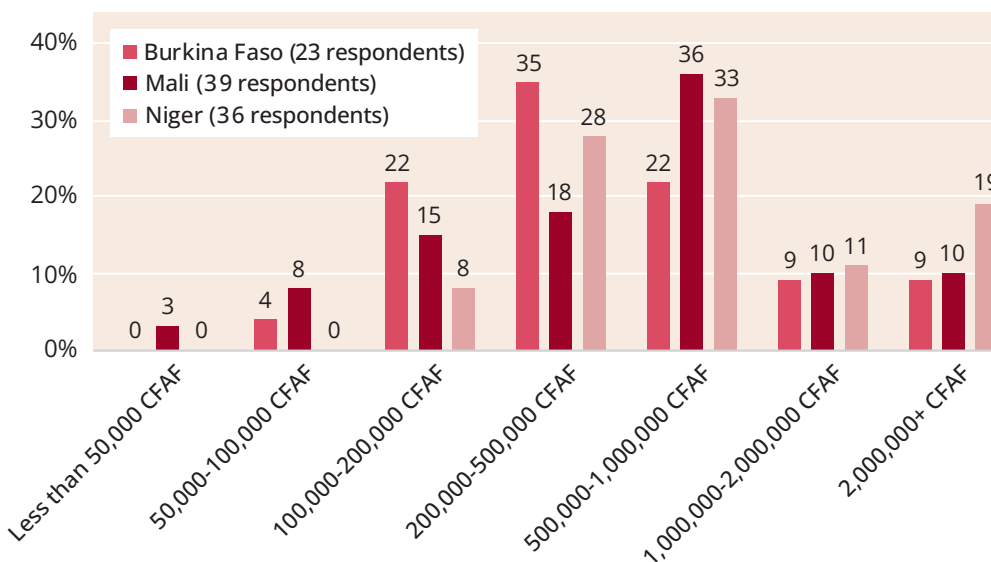
Payments and proceeds

Monthly income reported by smugglers surveyed in 2021 averaged 661,957 CFAF (\$1,172) in Burkina Faso, 786,590 CFAF (\$1,392) in Mali and 1,101,944 CFAF

(\$1,950) in the Niger (figure 5).⁵⁶ However, reported income varied greatly, suggesting that some actors may profit from smuggling disproportionately, while others may only do so to a limited extent, which is in line with the available literature.⁵⁷ Following the arrest of one smuggler in the Niger in 2018, for example, analysis of his organization’s bank accounts indicated that it had been making around €250,000 (\$263,660) annually.⁵⁸ Additionally, 10 of the smugglers surveyed reported a monthly average income of \$50,000 or more annually, with three of them making more than \$100,000. Far more than the average monthly salary in the three countries, this highlights the financial incentive to commit migrant smuggling offences. For instance, in Mali, the Ministry of Defence pays military personnel a basic rate of 75,000–100,000 CFAF per month (\$133–\$177), one tenth of the reported monthly average income earned by smugglers in that country.⁵⁹

That said, smugglers’ operating costs related to fuel and bribes have risen significantly since the adoption of Law 2015-36 in the Niger and the ensuing crackdown on smuggling activity.⁶⁰ Moreover, the onset of the COVID-19 pandemic led to an increase in smuggling fees in both Mali and the Niger.⁶¹ Sixty per cent of the 154 smugglers surveyed in 2021 in Burkina Faso, Mali and the Niger said that their fees had increased in the previous six months due to an increase in government controls, higher costs and greater demand for their services.^{62, 63}

FIG 5. Income earned by smugglers in previous month, Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

Smuggling costs

The refugees and migrants surveyed in 2021 who disclosed what they had spent on smugglers had paid an average of 112,319 CFAF (roughly \$200) prior to being surveyed, with no significant difference between the sums paid by men and women.⁶⁴

The sum that smugglers reported charging for their services differed quite substantially depending on the country where they were surveyed. At an average of 105,194 CFAF (\$186), smugglers surveyed in Burkina Faso charged the least, those in the Niger charged an average of 228,130 CFAF (\$404) and those in Mali charged the most, at 286,960 CFAF (\$508).⁶⁵ The fact that refugees and migrants interviewed in Mali and the Niger were still to embark on the trans-Saharan leg of their journey could help explain why smugglers in those countries reported charging more than the refugees and migrants reported paying, as it is possible that refugees and migrants who paid in instalments had not yet paid for that expensive portion of the journey.

In Burkina Faso and Mali, smugglers reported that the amount they charged was mostly a function of the type of service provided.⁶⁶ In the Niger, factors such as the security situation along the route (71 per cent of respondents) and the frequency of government patrols (53 per cent) were reported as the top two price drivers. The season of travel was considered an important factor in Burkina Faso (44 per cent), whereas the nationality of the client played a greater role in Mali and the Niger (32 per cent in both countries). Nevertheless, nearly a third of respondents in Mali reported charging the same price to all their clients.

Payment methods

The findings of the primary research conducted for this analysis are in line with the existing literature in that smugglers' fees in the Sahel countries were found to be mostly paid in cash and in instalments.⁶⁷ However, some smugglers did report accepting electronic transfers, particularly when family members who had already migrated abroad were paying for the migratory journey. Often, those paying for the journey had used the same smuggling group themselves, lending an additional level of trust to such transactions for smugglers.

Although up-front payment may seem risky for refugees and migrants, as it leaves them no post-departure leverage to ensure that the smuggler will follow through, key informants and smugglers overwhelm-

ingly reported that smugglers tend to link up with migrants through word of mouth and personal connections. Such trust-based referrals may help refugees and migrants who paid up-front feel more confident about their smuggler's reliability.

Several key informants and smugglers interviewed described refugees and migrants as paying 50 per cent of the total smuggling fee at the beginning their journey and 50 per cent at the end. In such cases, the smuggling group have an associate in the transit or destination country who collects the outstanding payment upon arrival, and refugees and migrants may be held captive in "credit houses" until the debt is settled.⁶⁸ Previous research has highlighted how this practice can make refugees and migrants vulnerable to trafficking in persons for the purpose of forced labour.⁶⁹ Moreover, some smugglers interviewed reported that sex can be a form of payment for smuggling services in some instances.

Smugglers: profiles, responsibilities and modi operandi

Profiles and characteristics

According to the surveys and interviews conducted for the analysis in this report, as well as previous UNODC research,⁷⁰ smugglers often have a similar profile to the refugees and migrants who use their services, in that they are mainly adult men with some level of education. Most have a higher level of education than the average in the Central Sahel,⁷¹ with more than half of the smugglers surveyed saying they had completed secondary or high school.⁷² An additional 29 per cent had only completed primary school (see infographic on profiles of smugglers, refugees and migrants).⁷³

Although smuggling in the Central Sahel is predominantly a male activity, some women do take part.⁷⁴ Research undertaken by the UNODC Observatory on the Smuggling of Migrants indicates that women are more likely to be involved in connecting people with smugglers and providing food and accommodation en route than in transportation.⁷⁵ Roughly 10 out of the 12 female smugglers interviewed reported providing accommodation while 9 reported providing food and drink. The provision of accommodation was also reported by male smugglers interviewed (65 per cent, compared with 82 per cent among females), but only 20 per cent reported providing food and drink.

On average, smugglers surveyed seem to be older than the refugees and migrants using their services, with the average age of smugglers surveyed being 39, approximately 10 years older than the average refugee or migrant who used a smuggler. The most prominent nationalities were Malian, Nigerien and Burkinabe, with interviews with key informants suggesting that smugglers frequently come from two groups, former migrants and local inhabitants who are likely to have in-depth geographical knowledge of the surrounding area, as well as the connections to local authorities that are crucial to securing the passage of refugees and migrants.

Almost two thirds (64 per cent) of refugees and migrants interviewed characterized their smuggler as a service provider/businessperson and 28 per cent as a protection resource. By contrast, only 4 per cent viewed their smuggler as a criminal.

Cooperation and connections

The majority of smugglers surveyed worked with two or more other people,⁷⁶ and the vast majority always or usually worked with people that they had worked with previously.⁷⁷ Just 10 per cent of smugglers interviewed in the Niger said that they worked alone, with the proportion being very slightly higher in Burkina Faso (11 per cent) and Mali (17 per cent). The existing literature describes smuggling groups in the Sahel as being largely fragmented and smugglers, who often have their own area of expertise such as transport or brokering contacts, as entering into ad-hoc partnerships with other individuals.⁷⁸

In terms of international reach, almost half of the smugglers surveyed (48 per cent) indicated that they work in more than one country and 20 per cent indicated that they work in four or more countries. That said, they indicated mainly operating in the country where they were surveyed, with the next most frequently cited country of operation being a neighbouring country.⁷⁹

Smugglers interviewed in the Niger reported connecting with refugees and migrants abroad at an early stage in their migratory journey more often than those interviewed in Burkina Faso and Mali, who mostly connect with migrants in their respective countries.⁸⁰ Recent literature has posited that smuggling groups operating in the Niger have a larger transnational presence, as they also need to circumvent counter-smuggling operations. This may also explain why a smaller proportion of smugglers surveyed in the Niger indicated that they make initial contact with clients in the location in which they operate (10 per cent).

In terms of cooperation, 50–60 per cent of smugglers across the three countries said that they or their groups cooperate with other smugglers or smuggling groups all the time or often.⁸¹ According to key informants and smugglers interviewed, one such manifestation of this type of cooperation is referral between groups of refugees and migrants who wish to travel beyond their area of operations. This reflects the need for route-specific knowledge and connections to facilitate the journeys made by refugees and migrants over territory that is often challenging due to political, security and/or environmental reasons.

CASE STUDY: SMUGGLING NETWORK DISMANTLED IN THE NIGER

In December 2018, police officers in the Niger dismantled a highly organized network suspected of having smuggled thousands of migrants to Spain, including through the Niger, Libya and Algeria.^a The investigation revealed that the criminal group worked with traffickers in neighbouring countries, provided migrants with accommodation in Zinder and Agadez, supplied forged identification papers and organized convoys to cross borders in pickup

vehicles. The operation led to the arrest of two ring-leaders who were authorizing the departure of the convoys, one of whom had a bank account in Nigeria with an annual cashflow of roughly \$265,000. The two men were sentenced to two years in prison, with a suspended sentence of one year, for the smuggling of migrants and criminal conspiracy.^b

a Spain, Ministry of the Interior, Desarticulada una organización en Níger que había facilitado la migración a España de miles de subsaharianos, Press release, December 2018.

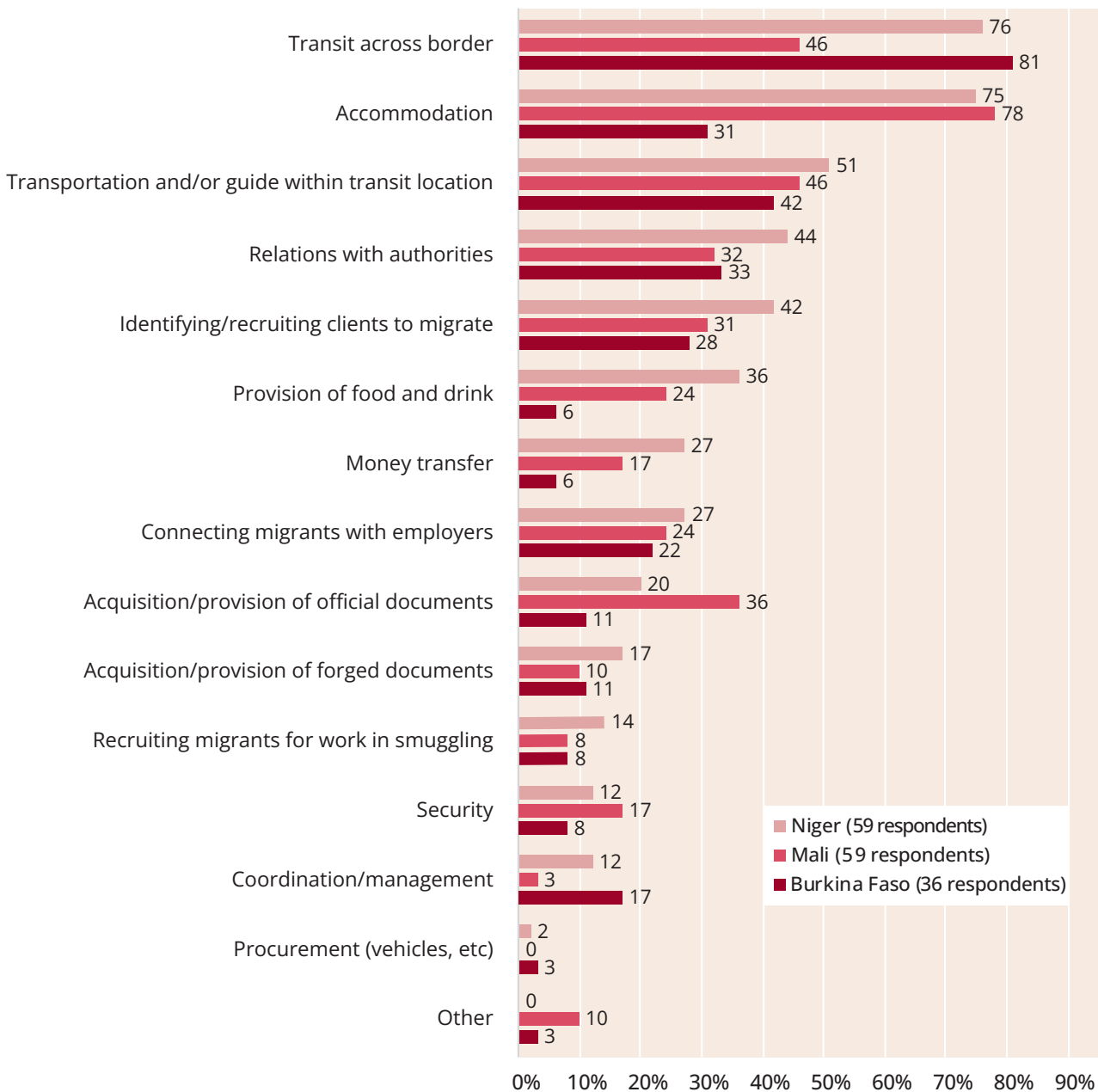
b UNODC interviews with the judicial division specialized in terrorism and transnational organized crime, February 2022.

However, competition between smuggling groups was also mentioned by some smugglers and key informants interviewed and a sizeable portion of the smugglers surveyed reported that they do not habitually cooperate with other groups.⁸² One out of three smugglers interviewed in Mali, for example, indicated that their group rarely or never cooperates with other groups.

Roles and responsibilities

In the Sahel countries, smugglers play a number of different roles and offer a variety of services to people on the move (figure 6).⁸³ Underlining the adaptability of smugglers, this also suggests that their fees may cover a package of services, which could include accommodation prior to departure, food, water and forged documentation, in addition to transportation. This adaptability may give smugglers a competitive edge in the

FIG 6. Main individual responsibilities of smugglers surveyed in Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

migrant smuggling market. Although the situation on the ground is no doubt more complex, the four broad responsibilities most commonly cited by smugglers interviewed were the following:

- communicating with and recruiting refugees and migrants
- facilitating and/or owning accommodation for refugees and migrants
- driving
- controlling/managing

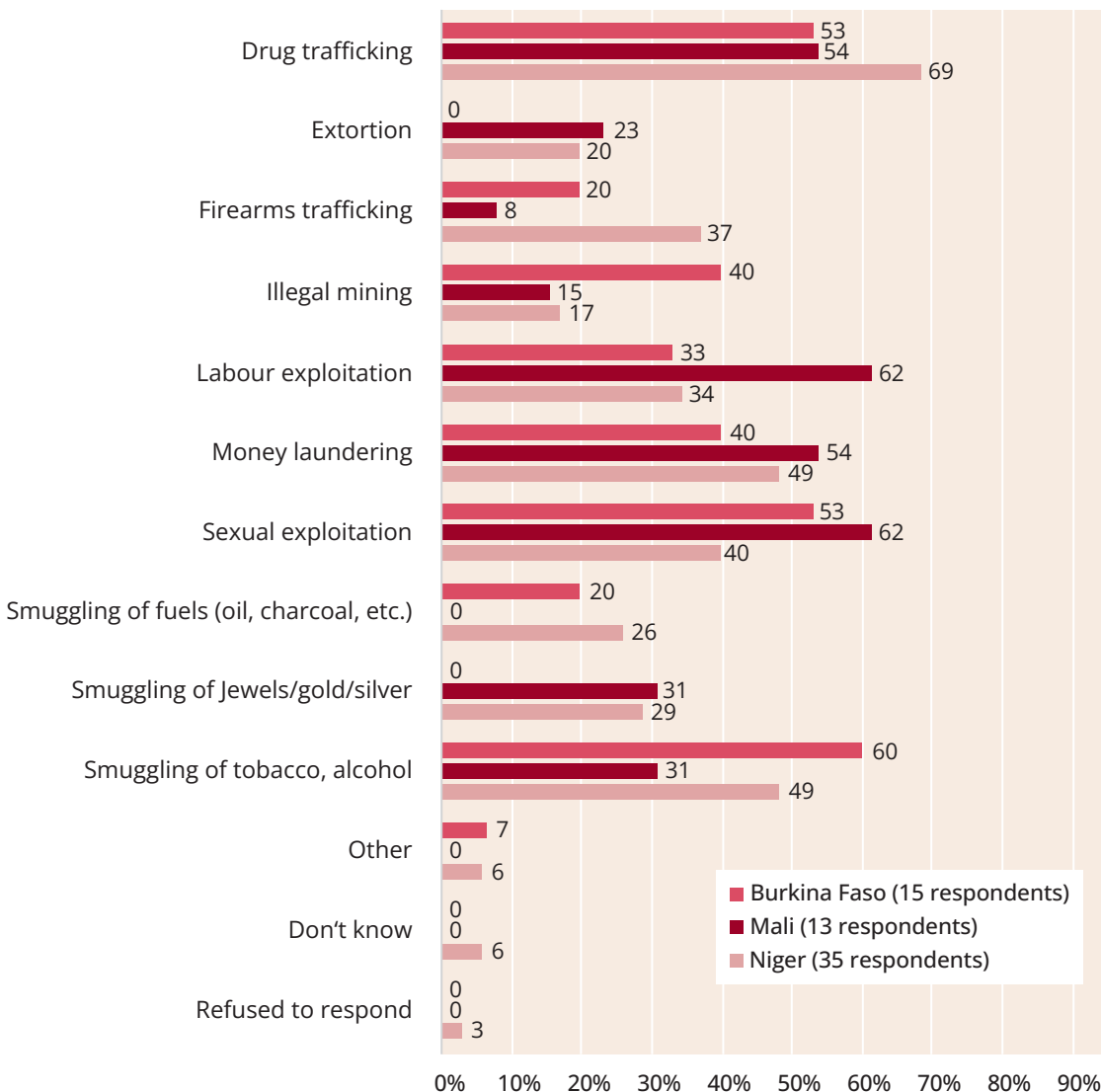
Multiple people may perform lower-level roles in some smuggling groups.

Smuggling networks and other criminal activities

Roughly 40 per cent of the smugglers surveyed stated that they did not know whether migrant smugglers participated in other illicit activities.⁸⁴ This may either suggest that there are limited connections between migrant smuggling and other crimes or that smugglers operating at lower levels – presumably the case of the majority of those surveyed – are not necessarily aware of additional criminal activities committed by their own or other groups.

Having said that, 59 per cent of smugglers surveyed in the Niger reported that smuggling groups operating in their areas are involved in other illicit activities. Across

FIG 7. Illicit activities in which smuggling groups are involved, Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

the three Central Sahel countries, drug trafficking, sexual exploitation and labour exploitation were most often mentioned as the types of illicit activity committed in connection with migrant smuggling (figure 7). Key informants in the Niger reported that vehicles used to smuggle migrants may also transport drugs or other illicit products, either at the same time or on separate trips.⁸⁵

Key informants also confirmed that people on the move in the Sahel countries can fall victim to human rights abuses, including trafficking in persons and gender-based violence, with a slightly larger proportion of refugees and migrants who used a smuggler reporting falling victim to trafficking in persons (10 per cent) than those who did not use a smuggler (4 per cent).

Trafficking in persons offences in the Sahel are perpetrated by different actors, including private citizens, state officials, smugglers and non-state armed groups.⁸⁶ Smugglers perpetrate trafficking offences directly or connect people on the move with traffickers, but they are the least cited overall among the different types of perpetrators of abuse (see box on exploitation and abuse).

Some women smuggled in the Sahel fall victim to rape and sexual exploitation, although this varies between countries. Sexual exploitation was reported by smugglers surveyed in Mali more than in Burkina Faso and

the Niger, as was forced labour. Existing research points to gold-mining sites where women, often from Nigeria, are trafficked for sexual exploitation and men are forced into indentured labour.⁸⁷ Moreover, smuggling groups in Burkina Faso were reported to be implicated in sexual exploitation by more than half of survey respondents, which is also likely to be connected to gold-mining sites, but in some cases may also related to “*chambres de passe*” or “*maisons closes*” (brothels) in towns and cities and in border areas.⁸⁸

Migrant smuggling and armed groups

Although further research is needed on this topic, there appears to be little evidence of armed groups in the Sahel making smuggling a primary focus of their activities. Nevertheless, armed groups do control routes used by smugglers to transport migrants and smugglers often have affiliations with armed groups, or in some cases are even members of such groups themselves.⁸⁹ Connections to or relationships with armed groups appear to be critical for smugglers transporting refugees and migrants in northern Mali, for example, as noted by both key informants and smugglers interviewed in that country: “No one will send anyone to Kidal without having links with these armed men. No one!” Some armed groups even benefit from migrant smuggling by recruiting migrants into their ranks.⁹⁰

In 2020, the movement of migrants between Timbuktu and In-Afrarak in Mali was primarily protected by

GENDER-BASED VIOLENCE AND EXPLOITATION REPORTED BY REFUGEES AND MIGRANTS

The reported experience of sexual violence in the Sahel countries, both by women who used smugglers and women who did not, suggests that this type of abuse affects women on the move regardless of whether they use a smuggler.^a The exploitation and abuse described could have occurred at the hands of smugglers – amounting to aggravated smuggling – but a variety of other actors were also identified as perpetrators.

Rape was the most frequently reported form of gender-based violence, with around 60 per cent of key informants and smugglers interviewed alluding to this type of abuse. The relationship between smugglers and gender-based violence was often described as “direct”. For example, a smuggler might rape a woman or accept sex as payment for her journey, which is also a form of abuse. Interviewees also mentioned situations involving less direct engagement on the part of the smuggler; for example, in interactions with bandits or criminal gangs along the smuggling route, smugglers might have been unable to protect women from abuse or might have encouraged women to submit to rape so as to facilitate the group’s onward passage.

a Respectively, 26 and 22 per cent. However, the sensitivity of the subject may lead to under-reporting on the part of respondents in the quantitative data.

EXPLOITATION AND ABUSE EXPERIENCED BY REFUGEES AND MIGRANTS WHO USED SMUGGLERS^a

Although there is a strong correlation between smuggler use and dangerous locations or situations, this does not necessarily mean that smugglers perpetrate abuses in those circumstances. In fact, in Mali and the Niger, smugglers were perceived to be perpetrators of abuse en route less than border guards/immigration officials, military personnel/police, criminal gangs and armed groups/militias.^b Some 57 per cent of refugees and migrants surveyed in 2021 who used a smuggler reported the experience of at least one dangerous location or situation on their journey, compared with 35 per cent of those who did not use a smuggler. This may confirm that using a smuggler is at times a strategy to mitigate risks in challenging environments and that exploitation and abuse are seen as motivating migrants to seek out smugglers.

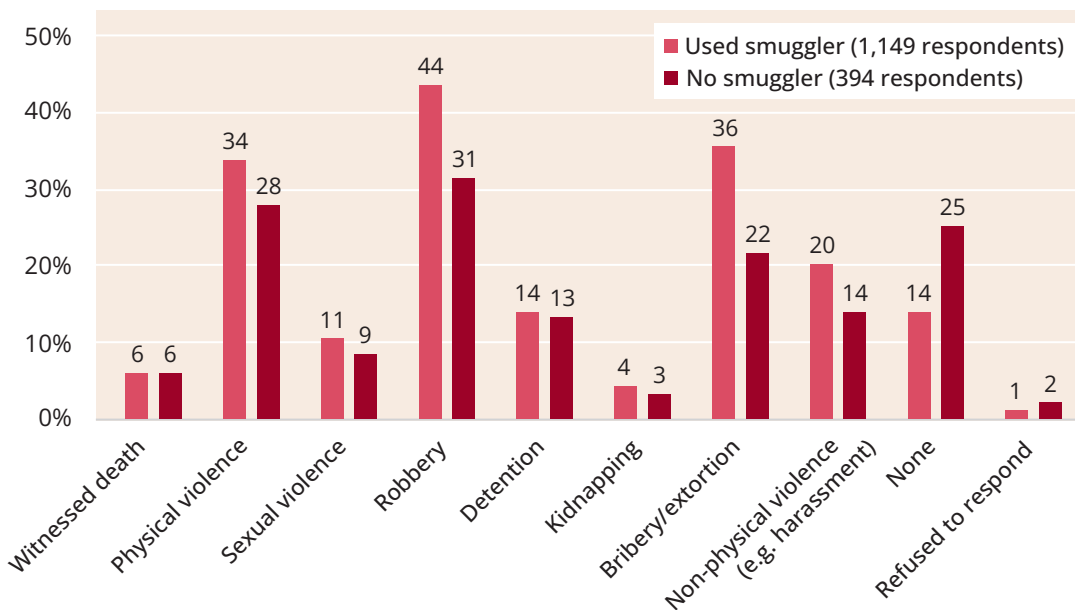
By contrast, reports of extortion were more frequent among people who used a smuggler, as according to the qualitative findings of this analysis, smuggler use can often be a protective strategy to avoid extortion. One hypothesis could be that people who have already experienced extortion (or another type of incident) may be more inclined to seek out the services of a smuggler in order to avoid a recurrence of the incident.^c

a MMC, West Africa & North Africa 4Mi Snapshot, "Smuggling, risks, and abuses: dangerous locations and perpetrators", September 2021.

b Ibid.

c The difference in reporting extortion between women who used a smuggler and those who did not is particularly large (46 and 16 per cent, respectively).

Types of incident experienced by refugees and migrants who used smugglers, Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

groups affiliated with the Coalition des Mouvements de l'Azawad (CMA).⁹¹ In late 2021, however, it appeared that CMA did not view the migrant smuggling market as something to control or capture.⁹² In Gao, the actors involved in migrant smuggling are less clear, as the territory north of Gao, through which migrants have to pass, is highly contested.⁹³ That said, the United Nations Panel of Experts on Mali also pointed to the High Council for the Unity of Azawad (HCUA) as controlling Tindiska and Talhandak, north of Gao and Kidal, near the border with Algeria.⁹⁴

The cases of Mahamedou Ag Rhissa and Baye Coulibaly exemplify the connection between armed groups and smugglers. According to the Panel of Experts on Mali, Baye Coulibaly was a prominent migrant smuggler in Gao who had been affiliated with the armed group Groupe d'Autodéfense Touareg Imghad et Alliés (GATIA) and, more recently, with the militia Ganda Koy.⁹⁵ He ran a variety of operations that facilitate the smuggling of migrants, including a transport company that was carrying some 25 migrants per week in 2019, the provision of fraudulent Malian travel documents and the control of illicit "checkpoints" on routes leading out

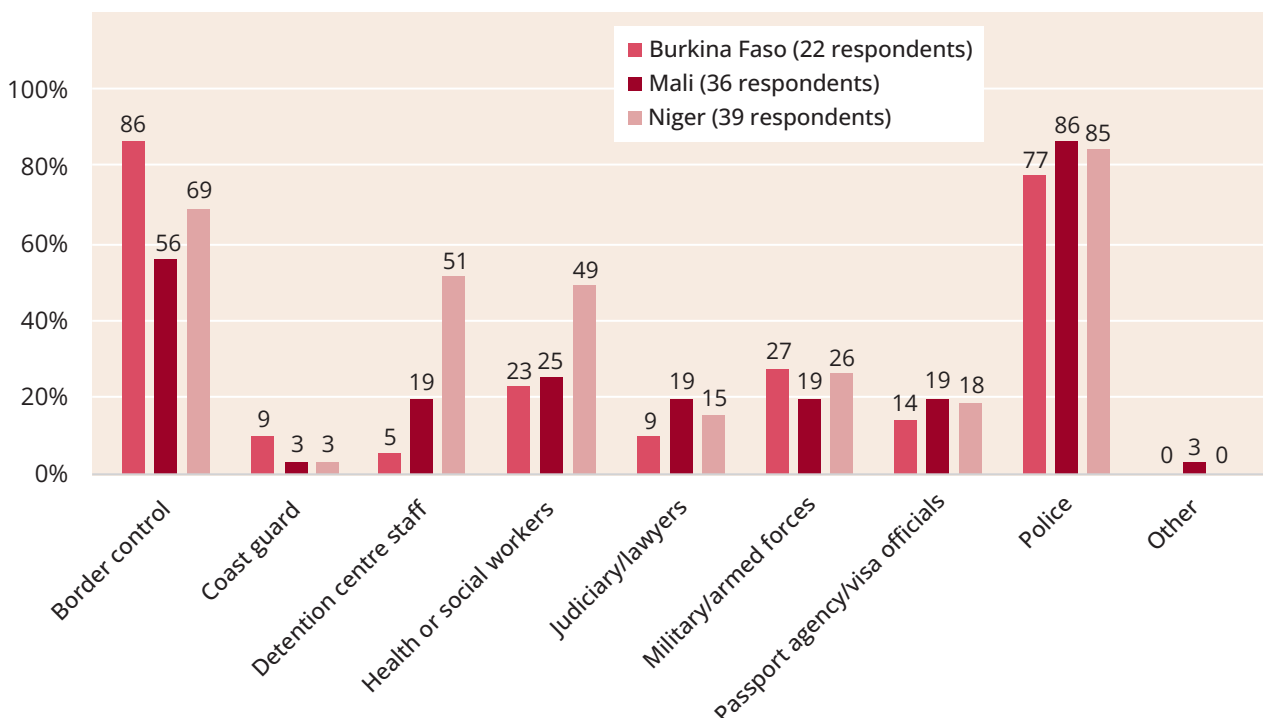
of Gao.⁹⁶ Baye Coulibaly was also involved in recruiting migrants into GATIA and, in 2020, was reported to be recruiting combatants for Jama'at Nusrat ul-Islam wa al-Muslimin (JNIM).⁹⁷ Mahamadou Ag Rhissa (aka Mohamed Talhandak) was a member of HCUA who controlled the movement of migrants in and through Talhandak, near the border with Algeria. He has been implicated in the sexual exploitation of female migrants, allegedly holding women in captivity and for the purposes of sexual exploitation until payments of \$300–\$350 were made for their release.⁹⁸

In Chad, it has been reported that armed groups, including Sudanese groups, have been recruiting migrant workers in gold-mining areas such as Kouri Bougoudi, on the border between Chad and Libya.⁹⁹

Corruption: a major enabler of migrant smuggling in the Sahel

The opening section on demand for smuggling services touched on how corruption is a motivation for refugees and migrants to use smugglers as they are an

FIG 8. Type of public official with whom smugglers have most contact, Burkina Faso, Mali and the Niger, 2021



Source: UNODC, based on MMC data and calculations.

effective means of dealing with corrupt officials at border posts and/or checkpoints. The situation is far more complex than that, however, as corruption is the driving force in a vicious circle, whereby low-paid border and law enforcement officers seek to extract bribes from refugees and migrants who, to avoid or minimize such expenses, engage smugglers who in turn pay off those officials, thereby reinforcing and perpetuating the cycle.¹⁰⁰ As a key informant from Burkina Faso stated: “In reality this type of work cannot be carried out without the knowledge of the authorities.”

Indeed, systematic connections between smugglers and public officials are evident from the surveys and in-depth interviews conducted for this report, as well as the existing literature. In the three Central Sahel countries, police and border control officers were the public officials with whom smugglers most often reported being in contact (figure 8). Overall, two thirds of the smugglers surveyed (67 per cent in Burkina Faso, 63 per cent in Mali and 68 per cent in the Niger) reported being in contact with police and border control officers to facilitate migrant smuggling.¹⁰¹ Detention centre staff were also widely cited by smugglers interviewed in the Niger, followed by health or social workers.¹⁰²

Existing research indicates that smugglers in the Niger also bribe the authorities in order to access information that can enable them to evade patrols once en route.¹⁰³ Police officers may extract bribes to supplement their limited income, and the increase in enforcement with the ensuing crackdown on smuggling activity following the adoption of counter-smuggling Law 2015-36 in the Niger in 2015 may have driven an increase in the size of bribe payments and such illicit transactions even further underground.¹⁰⁴ As a male smuggler interviewed in the Niger in 2021 stated: “Before the law was introduced, we had contact with the authorities, but now we stay in touch only with those who take bribes.”

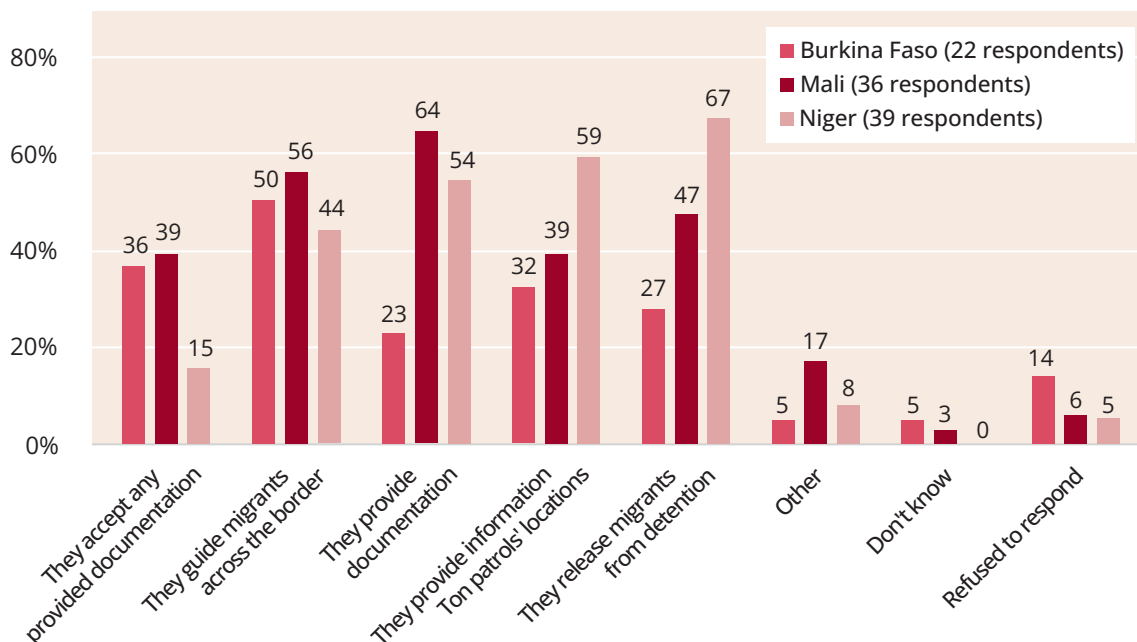
In Mali, the provision of forged and fraudulent documents, especially Malian passports, by public officials was cited by 64 per cent of the smugglers surveyed (figure 9).¹⁰⁵ One smuggler interviewed in that country explained that the degree of collaboration with public officials is such that he has no fear of punishment from the authorities: “I have never been worried by the authorities. We are in a cash-cash partnership.”

In Burkina Faso, “guiding migrants across the border” and “accepting any documentation provided” were the most cited types of involvement of public officials in migrant smuggling, which were also among the main responsibilities of smugglers surveyed in the country. In the same vein, around half of smugglers surveyed in Burkina Faso reported interacting principally with public officials from neighbouring countries.¹⁰⁶

Although smugglers are usually those who interact with public officials and pay them bribes,¹⁰⁷ 41 per cent of those surveyed in Burkina Faso and 31 per cent in the Niger said that the migrants themselves paid the bribes directly to public officials; in Mali, by contrast, only 11 per cent of smugglers surveyed indicated this. It is noteworthy that a quarter of smugglers overall also said “someone in my group pays them”, suggesting that those smugglers have a more organized approach when it comes to interacting with public officials.¹⁰⁸

Bribes paid to public officials overwhelmingly take the form of cash, as indicated by all respondents who answered the question. Nevertheless, 16 per cent of respondents in Mali, 9 per cent in the Niger and 7 per cent in Burkina Faso stated that refugees and migrants are subject to sexual abuse as a form of bribery.

Connections with public officials can also affect the way smuggling networks facilitate the journeys of refugees and migrants and, by extension, the degree of risk involved. As a key informant interviewed in the Niger said: “When you, the smuggler, have contact with the policemen at the checkpoints, you follow the legal [official] way when you arrive at the checkpoint. You go to see them and give them their envelope. But, if you don’t know anyone in the team, you are obliged to take the migrants out and put them on motorcycles to bypass the checkpoint.”

FIG 9. Type of involvement of public officials in migrant smuggling, Burkina Faso, Mali and the Niger, 2021

Source: UNODC, based on MMC data and calculations.

Policy implications

I The systematic protection of the human rights of smuggled refugees and migrants at borders and smuggling hubs needs to be ensured.

While resorting to the use of a smuggler can pose its own dangers, smugglers are the least cited perpetrators of abuse of refugees and migrants. Whether they used a smuggler or not, the majority of migrants state they needed additional assistance, highlighting the importance of taking a human rights and protection-based approach towards all people on the move.

To best meet the objectives of the United Nations Smuggling of Migrants Protocol Against the Smuggling of Migrants by Land, Sea and Air, in terms of crime prevention and the protection of human rights of smuggled migrants, States should provide an enabling legal environment for mobility and legal remedies for those who are victims of crimes, such as human rights violations, and protection responses should be adapted to needs and vulnerabilities rather than to legal status.

I Legal pathways for migration should be expanded and the full application of the ECOWAS Free Movement Protocols ensured.

A more effective implementation of the free movement protocols should be promoted more efficiently among the ECOWAS Member States, perhaps by first undertaking an evaluation of the barriers thereto in order to establish a solid evidence base. Additionally, given that its Member States have laws and policies against the smuggling of migrants, it would be beneficial for ECOWAS to provide further support and guidance on this issue.

I Linked to the need to support stability and improve government institutions and political processes at the macro level in the Sahel, the more day-to-day manifestations of corruption also need to be addressed if efforts to curb migrant smuggling are to be effective.

Corruption is seen as providing an enabling environment for migrant smuggling and to encourage people on the move, including those with the requisite paperwork, to engage smugglers as a way of minimizing bribes and hassle at borders. Improving the level and consistency of remuneration of security,

law enforcement and border patrol personnel could reduce drivers of bribery and in turn diminish rationales for smuggler use.

- I Development and human rights approaches should be integrated into counter-smuggling policies, ensuring that those policies promote human rights and avoid having a negative impact on local development.**

Humanitarian assistance should be provided to smuggled refugees and migrants, including through the provision of cash, which is overwhelmingly the format specified by those who used a smuggler and said that they needed extra assistance. Beyond cash assistance, the gender of refugees and migrants needs to be taken into consideration, as a larger proportion of women than of men reported a need for all types of assistance other than washing and bathroom facilities.

- I Local opportunities need to be created as a means of diminishing demand for migration, instead of the emphasis being purely on a securitized approach to migration that often appears significantly driven by external objectives that do not properly account for local realities.**

Considering that economic imperatives can fuel motivations for migration as well as entry into smuggling, efforts that improve livelihoods and economic opportunities should be considered.

Annex I - Limitations of the methodology used in this analysis

The vast majority of migration in West Africa is intra-regional and most of it is regular and legal.¹⁰⁹ However, in this analysis, the sampling used in West Africa is focused on northbound routes. This results in an emphasis on the experiences of refugees and migrants using smugglers to travel towards North Africa and Europe. Also, while state authorities were not envisioned as key informants within the scope of this analysis, it is important to point out that their opinions are not represented in this report beyond occasional references from secondary data.

Moreover, although the surveyors proactively sought to interview women, the samples of both smugglers surveyed and the key informants and smugglers who participated in in-depth-interviews are highly biased towards men. This limitation is particularly relevant in terms of the qualitative analysis surrounding sexual and gender-based violence in which a predominantly male sample described harms committed mostly against women. Additionally, while recognizing that LGBTQI+ people may face specific risks and have specific experiences of smuggling, this was not an issue that was mentioned by research participants.

Given that the sampling for in-depth interviews with smugglers relied on the existing networks of local survey enumerators, the sample is likely skewed towards smugglers operating at lower levels and/or in less criminalized networks. It is understood that these research participants may bring a bias to questions related to the role of smugglers as perpetrators of abuse against refugees and migrants and may have been reticent to reveal crimes against the person that they have committed themselves.

While quantitative and qualitative data refer to the situation in Burkina Faso, Mali and the Niger, the secondary sources focused on Mali and the Niger, showing a clear research bias towards the northern parts of the Central Sahel and a paucity of research and reporting on this topic in Burkina Faso. Additionally, as MMC does not carry out data collection in Mauritania or Chad, those countries are excluded from the quantitative analysis presented in this report.

TABLE 1. Overview of State laws specific to the smuggling of migrants

Country	Law	Adopted	Key provisions
Burkina Faso	<i>Loi No. 029-2008/AN portant lutte contre la traite des personnes et les pratiques assimilées</i>	15 May 2008	<p>The smuggling of migrants is defined as the act of any person or group of persons to organize the transportation by land, sea or air, the harbouring or transit of irregular migrants in order to obtain, directly or indirectly, a financial, material or any other advantage and that the national territory serves as an area of origin, transit or destination. (article 10)</p> <p>Anyone who commits any of the acts provided for in article 10 of this law is guilty of migrant smuggling and is punished by imprisonment of 5 to 10 years. (article 11)</p> <p>The same penalties are imposed for fraud or falsification, counterfeiting or falsification, counterfeiting of visas, travel documents or titles or any other documents attesting to the status of resident or national of Burkina Faso or of a foreign country or granting country or granting the benefit of the status of refugee, stateless person, displaced person or victim of human trafficking.” (article 12)</p>
Chad	<p><i>Loi No. 004/PCMT/2022 portant sur la ratification du Protocole contre le trafic de migrants par terre, air et mer additionnel à la Convention des Nations Unies contre la criminalité transnationale organisée.</i></p> <p>Ordonnance No. 006/PR/18 passed in June 2018 commits to fight trafficking in persons.</p>	2022	<p>Chad adopted a law in 2022 to become a member of the Protocol against the smuggling of migrants.</p> <p>The Government of the Republic of Chad has not yet taken steps to implement the Protocol but is currently working on the establishment of an institutional framework to fight smuggling of migrants.</p>
Mali	<i>Loi No. 2012-023 relative à la lutte contre la traite des personnes et les pratiques assimilées</i>	12 July 2012	<p>The Mali law maintains the same definition of smuggling of migrants as the Burkina Faso law, with the addition of transportation by “river”. (article 4)</p> <p>The smuggling of migrants in Mali is punishable by imprisonment of 5 to 10 years, fines of 1–5 million CFAF, and 10 to 20 years imprisonment if the smuggled person is less than 15 years old. (article 13)</p> <p>The law also criminalizes the falsification of documents, with a very similar scope to that specified in the Burkina Faso law, with the exception of “travel documents”.</p>



Country	Law	Adopted	Key provisions
Mauritania	<i>Loi No. 2020-018 modifiant et complétant certaines dispositions de la loi n° 2010-021 du 15 février 2010 relative à la lutte contre le trafic illicite de migrants.</i>	6 August 2020	<p>Smuggling of migrants is defined as: “The act of securing, in order to obtain, directly or indirectly, a financial or other material benefit, the illegal entry into another State Party of a person who is not a national or a permanent resident of that State.”</p> <p>“Anyone who practices the smuggling of migrants shall be punished by imprisonment of 5 to 10 years and a fine of between 5 and 10 million Mauritanian ouguiyas (UM).” (article 4)</p> <p>The law also covers and describes punishments for a variety of other offences related to the smuggling of migrants, including falsification of documents (article 5) and facilitating irregular stay (article 8), non-criminalization of smuggled migrants (article 17), offence committed by commercial carriers (article 12).</p> <p>This law also provides a range of measures of protection and assistance for smuggled migrants, including access to basic health care, services and legal assistance, the possibility to regularize their stay (article 42), and to seek compensation (article 49) and protection against refoulement (article 65). It recognizes the best interests of the child and provides protective measures for children including the right to education, safety and protection of unaccompanied children (article 43).</p>
The Niger	<i>Loi 2015-36 relative au trafic illicite de migrants</i>	26 May 2015	<p>The Niger law applies the same definition for smuggling of migrants as the Mauritania law.</p> <p>It lays out punishments for securing illegal entry (5–10 years imprisonment, fine of 1–5 million CFAF), provision or possession of fraudulent documents to facilitate the smuggling of migrants (3–7 years imprisonment, fine of 1–3 million CFAF) and allowing the illicit stay of migrants (2–5 years imprisonment, fine of 500,000–2 million CFAF).</p> <p>It also provides punishments for smuggling acts conducted in an aggravated manner.</p> <p>The law covers measures of protection and assistance, international cooperation regarding the smuggling of migrants, and the process for return of smuggled migrants.</p>

Annex II – Policies and legislation

Overview of state laws and structures specific to the smuggling of migrants

All the Sahel countries except Chad are party to the United Nations Smuggling of Migrants Protocol Against the Smuggling of Migrants by Land, Sea and Air and have dedicated legislations addressing the smuggling of migrants.¹¹⁰

In the Niger, the National Agency for the Fight against Trafficking in Persons and Illicit Smuggling of Migrants (ANLTP/TM), established in December 2010, is the operational structure for the implementation of actions to prevent and fight against migrant smuggling in all its forms.¹¹¹ Additionally, a mobile border control company has been established to control all types of smuggling.¹¹² A Joint Investigation Team started operations in the Niger in 2017.¹¹³ Although the enforcement of Law 2015-36 did not put an end to migrant smuggling activities in the Niger, some 1,040 people were arrested for the smuggling of migrants and trafficking in persons between 2015 and 2018, of whom 836 had judicial proceedings brought against them and at least 130 were put on trial.¹¹⁴

Mali established a Brigade for the Repression of Migrant Smuggling and Human Trafficking in November 2019, seven years after anti-smuggling legislation was adopted. A unit specialized in the fight against migrant smuggling has been created under the umbrella of the PROMIS project (UNODC-OHCHR) to investigate smuggling cases.¹¹⁵ In 2018, nine migrant smugglers were imprisoned in Gao, but were released only a few months after their initial arrest.

The Minister of Malians Abroad and African Integration has recently launched a project to combat migrant smuggling by building local capacity for territory and border control. By March 2021, under the auspices of the project, cooperating armed groups had already intercepted 251 people¹¹⁶ from smugglers and traffickers in the Menaka and Gao regions.¹¹⁷

In Burkina Faso, the Ministry of Foreign Affairs, Cooperation, African Integration and Burkinabé Abroad oversees migration, including issues related to migrant smuggling. There is no dedicated body for combating the smuggling of migrants.¹¹⁸

Both in Mauritania and Chad, entities dealing specifically with the smuggling of migrants are not yet established.

In Mauritania, the adoption of a 2020 law modifying the 2010 law on the fight against the smuggling of migrants¹¹⁹ refers to the creation of a national entity responsible for combating trafficking in persons and the smuggling of migrants.

International cooperation on smuggling of migrants in the Sahel

While some examples of countries working together to tackle the smuggling of migrants have been bilateral¹²⁰ a multilateral commitment to greater cross-border cooperation and operational efficiency was made in 2018 with the Niamey Declaration.¹²¹ United Nations agencies such as UNODC¹²² have been supporting such types of cooperation through capacity building and strengthening cooperation between relevant ministries and bodies, including the judiciary.¹²³ The EU Action Plan against migrant smuggling 2015-2020 led to the development of Common Operational Partnerships¹²⁴ and/or Joint Investigation Teams in Mali, Mauritania and the Niger.¹²⁵ By early 2019, the Joint Investigation Team in the Niger had contributed to the arrest of 113 presumed smugglers, of whom 104 were put in prison.¹²⁶ Also in the Niger, EUCAP Sahel works closely with the Direction de la Surveillance du Territoire to “support the improvement of border management structures”, including by providing training to border officials and equipment to border posts and checkpoints.¹²⁷ This cooperation will continue as per the recent adoption of the Renewed EU Action Plan against migrants smuggling (2021–2025).¹²⁸

Arrests and convictions of smugglers from and/or operating in the Central Sahel

While not an exhaustive account of those who have been arrested, brought to trial, or faced some other type of criminal justice proceedings, the table below compiles actions taken against Sahelian smugglers catalogued in the UNODC Sherloc database and/or in reports of the United Nations Panel of Experts on Mali. They include 12 investigations carried out in Mali and the Niger on the smuggling of migrants, trafficking in persons and other crimes, between 2014 and 2019. All those investigated were male, three were Malians, one was Nigerian and one Cameroonian.

In the Niger, 11 offenders were prosecuted for the smuggling of migrants, 10 were convicted and one person investigated for the smuggling of migrants was convicted of trafficking in persons. The remaining person was prosecuted and convicted of trafficking in persons. Nine individuals faced two to five years in prison and three individ-

uals one year or less. Eleven of the 12 people received a fine of between 100,000 CFAF (\$177) and 1,000,000 CFAF (\$1,770).

In Mali, two individuals (male) were investigated and arrested for the smuggling of migrants. Of the two, a Malian national was also investigated for trafficking in persons and involvement in terrorist activities. The other was also investigated for narcotics and weapons trafficking.

In Spain, a Malian national was prosecuted and convicted for the smuggling of migrants.

TABLE 2. Selection of arrests and convictions of smugglers from and operating in the Central Sahel

Location and date	Sentence	Additional details
Niger		
Agadez, the Niger; 12/07/2016	A man of Cameroonian nationality, aged 40, was found guilty of migrant smuggling and sentenced to four years in prison (6 months suspended) and a fine of 500,000 CFAF (\$885). A second individual (#2), presumed to be of Nigerien nationality, aged 30, was charged with migrant smuggling but found guilty of trafficking in persons and sentenced to 2 years 6 months (6 months suspended) and a fine of 100,000 CFAF (\$177). ¹²⁹	In the matter of Judgment No. 362/016, multiple Cameroonians were brought from Kano to Agadez by #1. Several were left in the house of #2 while #1 departed for Algeria with the others, promising to send for those left behind, which ultimately did not happen. Those staying behind with #2 paid for accommodation/transport costs through labor.
Zinder, the Niger; 27/11/2017	A man of Nigerian nationality, aged 50, was sentenced to one year in prison (6 months suspended) and a fine of 1,000,000 CFAF (\$1,770). ¹³⁰	In the matter of Judgement No. 516/2417, the individual was the driver of a vehicle transporting 16 Nigerians, either from Kano to Agadez, or from Zinder to Libya (the story of the accused was not consistent). Charged with the smuggling of migrants; the offence was ultimately decided to be complicity in the smuggling of migrants.
The Niger; 12/12/17 (warrant of detention)	The male individual was sentenced to four years in prison and a fine of 1,000,000 CFAF (\$1,770). ¹³¹	Prosecuted for illegal trafficking of migrants and criminal association.
The Niger; 18/12/2017 (warrant of detention)	Two male individuals were sentenced to two years in prison (20 months closed) and a fine of 500,000 CFAF (\$885)	Prosecuted for the smuggling of migrants.
The Niger; 30/09/2018 (warrant of detention); 30/04/2019 (provisional liberty)	The male individual was sentenced to five years in prison (9 months closed)	Prosecuted for the smuggling of migrants and criminal association.



Location and date	Sentence	Additional details
The Niger; 30/09/2018 (warrant of committal); 30/04/2019 (warrant of release)	The male individual was sentenced to two years in prison and a fine of 200,000 CFAF (\$354)	Prosecuted for the smuggling of migrants and criminal association.
The Niger; 04/12/2018 (warrant of detention)	The male individual was sentenced to two years in prison (1 year closed) and a fine of 200,000 CFAF (\$354)	Prosecuted for the smuggling of migrants and criminal association.
The Niger; 04/12/2018 (warrant of detention)	The male individual was sentenced to two years in prison (1 year closed) and a fine of 200,000 CFAF (\$354)	Prosecuted for the smuggling of migrants and criminal association.
The Niger; 24/12/2018 (warrant of detention)	The male individual was sentenced to one year in prison (10 months closed) and a fine of 200,000 CFAF (\$354)	Prosecuted for the smuggling of migrants.
The Niger; 10/02/2019 (warrant of detention); 19/03/2019 (provisional release)	The male individual was sentenced to one year in prison (6 months suspended) and a fine of 200,000 CFAF (\$354)	Prosecuted for the smuggling of migrants.
Mali		
Melilla/Audiencia Provincial de Málaga; 15/10/2014	The individual, of Malian nationality, aged 23, was sentenced to five years in prison ¹³²	In the matter of <i>Sentencia 673/2014</i> – the Supreme Court upheld the decision of the court of first instance for crimes against the rights of foreign citizens (which comprises the smuggling of migrants). The defendant, who piloted a boat towards Melilla, was accused with four others of attacking Spanish officers and their boats. The Audiencia Provincial de Málaga convicted the individual for crimes against the rights of foreign citizens. The individual and the remaining four appellants were convicted of offences to physical integrity and damages to property.
Talhandak, Mali; 08/08/2018	Mahamadou Ag Rhissa ¹³³	According to the August 2018 report of the Mali Panel of Experts, the male individual, of Malian nationality, was briefly arrested. ¹³⁴ Although the charges were not clear, it seems that they were in relation to suspected terrorist activities, the smuggling of migrants, and trafficking in persons. ¹³⁵



Location and date	Sentence	Additional details
Timbuktu	The male individual was accused of extortion by five migrants ¹³⁶	The individual was suspected of weapons and narcotics trafficking. He was arrested in February 2018 in Gao for his alleged involvement in migrant smuggling but was quickly released. He was then allegedly arrested again in June 2021 for unclear reasons.

Endnotes

- 1 The analysis in this report draws on two datasets from migrant surveys carried out by the Mixed Migration Centre (MMC): i) a survey of refugees and migrants conducted from June 2017 to January 2020 in Burkina Faso, Mali and the Niger (5,328 respondents); ii) a survey of refugees and migrants conducted from February to September 2021 in Mali and the Niger, and in Burkina Faso in February/March and August/September 2021 (2,005 respondents). In partnership with the UNODC Observatory on Smuggling of Migrants, MMC conducted a survey of smugglers in Mali and the Niger from June to September 2021 and in Burkina Faso from August to September 2021 (154 respondents).
- 2 The interviews included four additional key informant interviews (two with analysts from the Global Initiative against Transnational Organized Crime, one with an international expert on Mali and one with a former Nigerien official who had worked on the smuggling of migrants) and three with MMC staff in Burkina Faso, Mali and the Niger who served as key informants based on their detailed knowledge of mixed migration dynamics in the countries.
- 3 Thirty-four interviews were analysed in total.
- 4 UNODC Observatory research methodology. Available at www.unodc.org/res/som/research-methodology.html.
- 5 For the purpose of this report, “Central Sahel” refers to Burkina Faso, Mali and the Niger. The term “Sahel countries” encompasses those three countries as well as Chad and Mauritania.
- 6 See UNODC Observatory on the Smuggling of Migrants. Available at www.unodc.org/res/som/index.html.
- 7 See MMC, “MMC’s Understanding and use of the term Mixed Migration and Human Smuggling”. Available at https://mixedmigration.org/wp-content/uploads/2021/07/terminology_mixed_migration_smuggling MMC-en-fr.pdf.
- 8 According to article 31, “the Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence”.
- 9 See International Organization for Migration (IOM), Global Crisis Response Platform, Central Sahel Crisis Response Plan, 22 February 2022. Available at <https://crisisresponse.iom.int/response/central-sahel-crisis-response-plan-2022>.
- 10 IOM, *A Region on the Move: Mobility Trends in West and Central Africa – January to December 2021* (Dakar, 2022), p. 11.
- 11 UNODC Observatory on Smuggling of Migrants, “West Africa, North Africa and the Central Mediterranean”, 20 May 2021, p. 1.
- 12 The 15 ECOWAS Member States are: Benin, Burkina Faso, Cabo Verde, Côte d’Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, the Niger, Nigeria, Senegal, Sierra Leone and Togo.
- 13 Inputs from key informant and smuggler interviewees.
- 14 Mentioned by half of both key informants and smuggler interviewees, documentation was an important theme in the Burkina Faso interviews.
- 15 Qualitative inputs from Burkina Faso helped to illustrate this phenomenon. A key informant described how passing each police post costs a refugee or migrant 10,000 CFA francs (CFAF), or roughly \$18, to pass through – seemingly regardless of whether they had the necessary documentation. A smuggler interviewed in Burkina Faso reported that he charged 8,000 CFAF (approximately \$14) to smuggle migrants from Tanguéta, Benin, to Ouagadougou, Burkina Faso (a 10-hour journey by car across the south-eastern border of Burkina Faso). Assuming a migrant would cross at least one, if not multiple checkpoints, this contrast in cost helps explain why refugees and migrants – even those with legal documentation exercising the right to free movement under the ECOWAS Free Movement Protocols – resort to the use of smugglers.
- 16 The highest level of education completed among those who used a smuggler, February–September 2021 (number of respondents: 2,005): did not complete any schooling – 8 per cent; primary school – 19 per cent; primary school (religious) – 10 per cent; secondary or high school – 33 per cent; vocational training – 23 per cent; university degree – 7 per cent.
- 17 A larger proportion of men (66 per cent) than of women (58 per cent) reported secondary education or higher.
- 18 Highest level of education completed among those who did not use a smuggler, February–September 2021 (number of respondents: 1,111): did not complete any schooling – 11 per cent; primary school – 24 per cent; primary school (religious) – 15 per cent; secondary or high school – 25 per cent; vocational training – 15 per cent; university degree – 11 per cent.
- 19 A larger proportion of men (78 per cent) than of women (63 per cent) reported making money prior to their departure. Of the 27 per cent who did not report making money prior to departure, 67 per cent were unemployed, 18 per cent were students, 7 per cent were housewives, 6 per cent were taking care of the home, and 1 per cent each indicated “other” or “I was sick.”
- 20 Burkina Faso (86 per cent), Mali (77 per cent) and the Niger (71 per cent).
- 21 While quantitative and qualitative data refer to the situation in Burkina Faso, Mali and the Niger, the secondary sources focused on Mali and the Niger, showing a clear research bias towards the northern parts of the Central Sahel and a paucity of research and reporting on this topic in Burkina Faso. Additionally, because data collection was not carried out in Mauritania or Chad, information on those countries is drawn primarily from secondary sources.
- 22 Travel through Burkina Faso can be an important link between the western (e.g. Senegal, Guinea) and southern (e.g. Côte d’Ivoire, Ghana) coastal countries of West Africa and Mali and the Niger. According to one key informant, smuggler usage in Burkina Faso tends to be particularly important for crossing borders, although smugglers may also be used in the interior of the country, often for the purpose of avoiding checkpoints on main migratory routes.
- 23 UNODC Observatory on Smuggling of Migrants, “West Africa, North Africa and the Central Mediterranean”, 20 May 2021; UNODC Observatory on Smuggling of Migrants, “Migrant smuggling to Morocco and the western Mediterranean”, 8 December 2021.
- 24 FRONTEX detections of irregular border-crossings statistics download.
- 25 Ibid.
- 26 With 110,986 refugees and migrants who arrived being from West and Central Africa out of 181,376 total arrivals.
- 27 FRONTEX detections of irregular border-crossings statistics download.
- 28 In 2013, Spain registered a total of 6,838 arrivals, with 1,646 being West and Central Africa nationals. In 2018, a peak was registered, with 35,913 being from West and Central Africa out of a total of 56,245 arrivals.
- 29 FRONTEX detections of irregular border-crossings statistics download.
- 30 Arrivals registered on the Atlantic route increased to 23,029 and 22,351 in 2020 and 2021, with nationals from West and Central Africa representing 49 per cent and 66 per cent respectively.
- 31 IOM, *Smuggling of Migrants on the Central Mediterranean Route: Issues, Challenges and Perspectives* (Geneva, 2021), p. 54.
- 32 UNODC Observatory on Smuggling of Migrants, “West Africa, North Africa and the Central Mediterranean”, 20 May 2021, p.20.
- 33 IOM, “Migration trends from, to and within the Niger 2016–2019”, 2020, p.6.
- 34 IOM Displacement Tracking Matrix, “Mobility in the Chad–Libya–Niger triangle: August 2019–September 2020”, 2021, p. 31.
- 35 Fransje Molenaar and Thibault van Damme “Irregular migration and human smuggling networks in Mali”, Clingendael Netherlands Institute of International Relations, February 2017.

- 36 Global Initiative against Transnational Organized Crime and Clingendael Netherlands Institute of International Relations, *The Human Conveyor Belt Broken – Assessing the Collapse of the Human-smuggling Industry in Libya and the Central Sahel* (March 2019).
- 37 Danish Refugee Council, “Evaluation of migration flows and protection needs and risks on the Sévaré-Timbuktu route”, June 2020.
- 38 Global Initiative against Transnational Organized Crime and Clingendael Netherlands Institute of International Relations, *The Human Conveyor Belt Broken – Assessing the Collapse of the Human-smuggling Industry in Libya and the Central Sahel* (March 2019); IOM, Displacement Tracking Matrix, “Mobility mapping in Chad”, June 2022. Available at: <https://displacement.iom.int/sites/g/files/tmzbd11461/files/reports/Mapping%20mobility%20in%20Chad%20June%202022.pdf>.
- 39 UNODC Observatory on Smuggling of Migrants, “Northwest African (Atlantic route)”, July 2022.
- 40 IOM Displacement Tracking Matrix, “Mobility mapping in Chad”, June 2022.
- 41 Jérôme Tubiana, Clothilde Warin and Gaffar Mohammad Saeneen, *Multilateral Damage Clingendael: The Impact of EU Migration Policies on Central Saharan Routes* (Clingendael Netherlands Institute of International Relations, 2018). Available at <https://www.clingendael.org/sites/default/files/2018-09/multilateral-damage.pdf>.
- 42 MMC, “Protection concerns of people on the move across West Africa and Libya”, May 2018.
- 43 IOM Displacement Tracking Matrix, “Mobility mapping in Chad”, June 2022.
- 44 Jérôme Tubiana, Clothilde Warin and Gaffar Mohammad Saeneen, *Multilateral Damage Clingendael: The Impact of EU Migration Policies on Central Saharan Routes* (Clingendael Netherlands Institute of International Relations, 2018).
- 45 Ibid.
- 46 IOM Displacement Tracking Matrix, “Mobility mapping in Chad”, June 2022.
- 47 Jérôme Tubiana, Clothilde Warin and Gaffar Mohammad Saeneen, *Multilateral Damage Clingendael: The Impact of EU Migration Policies on Central Saharan Routes* (Clingendael Netherlands Institute of International Relations, 2018).
- 48 UNHCR, *Crossing Paths: A Respondent Driven Sampling Survey of Migrants and Refugees in Nouadhibou, Mauritania* (Nouakchott, Mauritania, July 2019); IOM, Displacement Tracking Matrix, “Mauritania—Nouadhibou: Cartographie et profils des migrants round 3”, October—December 2019.
- 49 MMC, “A gateway re-opens: the growing popularity of the Atlantic route as told by those who risk it”, February 2021.
- 50 The UNODC Observatory on Smuggling of Migrants indicates that over half of the people who arrived in Spain irregularly in 2021 travelled along the north-west Africa route (22,316 out of 41,945, or 53 per cent), with 47 per cent arriving via the western Mediterranean).
- 51 El Defensor del Pueblo, “El Defensor pide a todas las administraciones que se impliquen en la acogida de los menores extranjeros no acompañados”, 27 April 2021.
- 52 IOM, Displacement Tracking Matrix, “Migration à Nouadhibou: Focus sur le trafic, la traite et l’exploitation des migrants”, 2020.
- 53 Ibid.
- 54 UNODC Observatory on Smuggling of Migrants, “West Africa, North Africa and the Central Mediterranean”, 20 May 2021.
- 55 Inputs from a key informant in the Niger, 6 December 2021.
- 56 Burkina Faso (number of respondents: 23), Mali (number of respondents: 39), Niger (number of respondents: 36).
- 57 UNODC, *Global Study on Smuggling of Migrants 2018* (United Nations publication, Sales No. E.18.IV.9).
- 58 Spain, Ministry of the Interior, Desarticulada una organización en Níger que había facilitado la migración a España de miles de subsaharianos, Press release, December 2018.
- 59 Transparency International Defense and Security, “39a. Pay rates: Mali”, Government Defense Integrity Index, 2020. It should be noted that the basic pay of military personnel may at times be supplemented by a range of additional benefits.
- 60 Global Initiative against Transnational Organized Crime, Conflict, Coping and COVID: *Changing Human Smuggling and Trafficking Dynamics in North Africa and the Sahel in 2019 and 2020* (Geneva, April 2021); Global Initiative against Transnational Organized Crime and Clingendael Netherlands Institute of International Relations, *The Human Conveyor Belt Broken – Assessing the Collapse of the Human-smuggling Industry in Libya and the Central Sahel* (March 2019).
- 61 Lucia Bird, *Human Smuggling in Africa: The Creation of a New Criminalised Economy?* (ENACT, July 2020).
- 62 When asked if and how fees charged have changed in the past six months, increases were pointed to by 64 per cent of smugglers surveyed in Burkina Faso, 46 per cent of those interviewed in Mali and 71 per cent of those surveyed in the Niger. The majority of smugglers interviewed across countries also indicated that their revenues had increased in the previous six months (66 per cent in Burkina Faso, 56 per cent in Mali and 63 per cent in the Niger).
- 63 “Higher costs for providing the service” was cited as follows: Burkina Faso – 65 per cent; Mali – 48 per cent; the Niger – 43 per cent. “More demand, more people asking for this service” was cited as follows: Burkina Faso – 48 per cent; Mali – 37 per cent; the Niger – 45 per cent.
- 64 Male respondents (number of respondents: 469) reported spending an average of 115,681 CFAF (roughly \$205) and female respondents (number of respondents: 190) reported spending an average 104,000 CFAF (roughly \$184).
- 65 Burkina Faso (number of respondents: 18) Mali (number of respondents: 25), the Niger (number of respondents: 34).
- 66 In both countries, this was the most frequently cited option, being mentioned by 72 per cent of respondents in Burkina Faso and 48 per cent in Mali.
- 67 Number of respondents: 79.
- 68 According to a key informant in the Niger, these houses (known as “Guidan Bachi” in Hausa) exist in Agadez, but also in Algeria and Libya.
- 69 UNODC Observatory on Smuggling of Migrants.
- 70 Ibid.
- 71 UNICEF statistics on school completion by the general population in Burkina Faso, Mali and the Niger. According to the survey, in Burkina Faso, 9 per cent (6 per cent female, 13 per cent male) had completed lower secondary school and 4 per cent (2 per cent female, 6 per cent male) had completed upper secondary school (2010 statistic). In Mali, 30 per cent (25 per cent female, 36 per cent male) had completed lower secondary school and 17 per cent (12 per cent female, 23 per cent male) had completed upper secondary school (2015 statistic). In the Niger, 6 per cent (4 per cent female, 10 per cent male) had completed lower secondary school and 2 per cent (1 per cent female, 4 per cent male) had completed upper secondary school (2012 statistic).
- 72 Secondary or high school: 45 per cent; university degree: 8 per cent; vocational training: 7 per cent.
- 73 Primary school: 17 per cent; primary school (religious): 12 per cent.
- 74 The surveyors proactively sought to interview women, but the samples of both smugglers surveyed and the key informants and smugglers who participated in in-depth-interviews are heavily biased towards men.
- 75 UNODC Observatory on Smuggling of Migrants, “West Africa, North Africa and the Central Mediterranean”, 20 May 2021.

- 76 This held true across countries, although more often in the Niger (83 per cent) than Burkina Faso (67 per cent) and Mali (66 per cent).
- 77 Burkina Faso: “always (worked) with the same people I worked with before” – 50 per cent; “usually (worked) with the same people I worked with before” – 38 per cent; Mali: always – 53 per cent, usually – 29 per cent; Niger: always – 42 per cent; usually – 42 per cent.
- 78 UNODC Observatory on Smuggling of Migrants, “West Africa, North Africa and the Central Mediterranean”, 20 May 2021.
- 79 Respondents interviewed in Burkina Faso (19 respondents) most frequently indicated working with people in Mali (63 per cent), the Niger (58 per cent) and Burkina Faso (47 per cent). Those interviewed in Mali (33 respondents) most frequently indicated that they worked with people in Algeria (55 per cent), Burkina Faso (55 per cent) and Cote d’Ivoire (45 per cent). Finally, respondents interviewed in the Niger (41 respondents) most frequently indicated working with people in the Niger (56 per cent), Burkina Faso (54 per cent), Mali (49 per cent) and Libya (44 per cent).
- 80 Percentage of smugglers who mostly connect with refugees and migrants before they leave their country of origin: Burkina Faso – 6 per cent; Mali – 29 per cent; the Niger – 34 per cent. Percentage of smugglers who mostly connect with refugees and migrants before they enter the country in which the smuggler surveyed works: Burkina Faso – 17 per cent; Mali – 12 per cent; the Niger – 32 per cent.
- 81 Burkina Faso: all the time – 31 per cent, often – 22 per cent; Mali: all the time – 32 per cent, often – 24 per cent; the Niger: all the time – 39 per cent, often – 20 per cent.
- 82 Among respondents surveyed in Mali and the Niger, nearly one third indicated that they or their group rarely (32 per cent) or never (31 per cent) cooperated with other smugglers or smuggling networks.
- 83 Among those surveyed for this analysis, 85 per cent indicated having multiple main responsibilities, with an average of four per respondent. The average number of main responsibilities indicated by respondents broken down by country of interview was 3.1 for those interviewed in Burkina Faso, 3.8 in Mali and 4.5 in the Niger.
- 84 Percentage of smugglers surveyed who indicated that local migrant smuggling networks undertake other criminal endeavors: Burkina Faso – 42 per cent; Mali – 22 per cent; the Niger – 59 per cent.
- 85 Inputs from key informant in the Niger, 6 December 2021; Global Initiative against Transnational Organized Crime, *Conflict, Coping and COVID: Changing Human Smuggling and Trafficking Dynamics in North Africa and the Sahel in 2019 and 2020* (Geneva, April 2021).
- 86 UNODC Observatory on Smuggling of Migrants.
- 87 IOM, *Etude sur la Traite des Êtres Humains – Etat des Lieux* (2021), p. 34–39.
- 88 Inputs from a key informant in Burkina Faso, 6 December 2021.
- 89 United Nations Security Council (UNSC), Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali, S/2018/581, paras. 134–143, 9 August 2018.
- 90 The involvement of armed groups in recruiting smuggled migrants into their ranks is mentioned in key cases described by the United Nations Panel of Experts on Mali. See UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali, S/2018/581, 9 August 2018; UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali and renewed pursuant to resolution 2484 (2019), S/2020/785/Rev.1, 7 August 2020.
- 91 UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali and renewed pursuant to resolution 2484 (2019), S/2020/785/Rev.1, 7 August 2020; Global Initiative against Transnational Organized Crime, *Conflict, Coping and COVID: Changing Human Smuggling and Trafficking Dynamics in North Africa and the Sahel in 2019 and 2020* (Geneva, April 2021).
- 92 Interview with Global Initiative against Transnational Organized Crime key informants, 19 November 2021.
- 93 Ibid.
- 94 UNSC, Letter dated 28 February 2020 from the Panel of Experts established pursuant to resolution 2374 (2017) on Mali addressed to the President of the Security Council, S/2020/158, 28 February 2020.
- 95 UNSC, Final report of the Panel of Experts established pursuant to resolution 2374 (2017) on Mali and extended pursuant to resolution 2432 (2018), S/2019/636, para. 123, 7 August 2019; Global Initiative against Transnational Organized Crime and Clingendael Netherlands Institute of International Relations, *The Human Conveyor Belt Broken – Assessing the Collapse of the Human-smuggling Industry in Libya and the Central Sahel* (March 2019).
- 96 UNSC, Final report of the Panel of Experts established pursuant to resolution 2374 (2017) on Mali and extended pursuant to resolution 2432 (2018), S/2019/636, 7 August 2019; UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali, S/2018/581, 9 August 2018.
- 97 UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali, S/2018/581, 9 August 2018; UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali and renewed pursuant to resolution 2484 (2019), S/2020/785/Rev.1, 7 August 2020.
- 98 UNSC, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali, S/2018/581, 9 August 2018.
- 99 UNSC, Final report of the Panel of Experts on the Sudan, S/2020/36, para. 187, 14 January 2020.
- 100 Fransje Molenaar, “Irregular migration and human smuggling networks in Niger”, Clingendael Netherlands Institute of International Relations, February 2017. This dynamic has been exemplified by relationships between bus companies involved in smuggling operations and national political leaders in the Niger.
- 101 The police were the authority most frequently specified in the smuggler survey (85 per cent of respondents in the Niger and 86 per cent of those in Mali who answered the relevant question, followed by border control officials. By contrast, border control officials were most frequently cited by smugglers surveyed in Burkina Faso (86 per cent), with police indicated by 77 per cent (number of respondents in Burkina Faso = 22); number of respondents in Mali = 36; number of respondents in Niger = 39).
- 102 It is also notable that in the Niger, 51 per cent of smugglers who responded to the question cited detention centre staff and 49 per cent cited health or social workers. These proportions were much smaller in Burkina Faso and Mali.
- 103 Lucia Bird, *Human Smuggling in Africa: The Creation of a New Criminalised Economy?* (ENACT, July 2020).
- 104 Ibid.
- 105 Global Initiative against Transnational Organized Crime, *Conflict, Coping and COVID: Changing Human Smuggling and Trafficking Dynamics in North Africa and the Sahel in 2019 and 2020* (Geneva, April 2021); Inputs from key informant from Mali, 6 December 2021.
- 106 See Figure 3 in MMC, West Africa & North Africa 4Mi Snapshot, “Corruption and the role of state officials in human smuggling”, November 2021.
- 107 Only two of the 97 respondents who answered the relevant question said that state officials did not receive payment for their cooperation. “Yes, I (smuggler) pay them”: Burkina Faso – 55 per cent; Mali – 75 per cent; the Niger – 69 per cent.
- 108 “Yes, someone in my group pays them”: Burkina Faso – 23 per cent; Mali – 28 per cent; the Niger 26 per cent.
- 109 IOM, *A Region on the Move: Mobility Trends in West and Central Africa* – January to December 2021 (Dakar, 2022), p. 11.

- 110 UNODC, Status of the Smuggling of Migrants Protocol. Available at <https://www.unodc.org/unodc/en/human-trafficking/migrant-smuggling/protocol.html>.
- 111 According to the United States Department of State, “2020 trafficking in persons report: Niger”: “The government increased funding for the second consecutive year to the National Coordinating Commission for the Fight against Trafficking in Persons (CNCLTP) and the National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants (ANLTP/TIM).”
- 112 Key informant in the Niger, 22 November 2021.
- 113 Nikolaj Nielsen, “EU development aid used to put European police in Senegal” *euobserver*, 23 May 2019.
- 114 Ministry of Justice of the Niger, Statistical Yearbook 2015-2019, 2015-2019, Edition 2020. Available at http://www.justice.gouv.ne/images/2020/PDF/JusticeChiffres/Annuaire_statistique_de_la_Justice_edition_2020.pdf.
- 115 UNODC and OHCHR, Protection of migrants: justice, human rights and migrant smuggling, PROMIS Phase III project document.
- 116 The intercepted refugees and migrants were turned over to the care of the relevant national services, NGOs and United Nations bodies. While many of them were migrant workers in Mali who did not wish to return home, 65 of them did ask for return assistance.
- 117 UNSC, Letter dated 6 August 2021 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, S/2021/714, 6 August 2021.
- 118 Key informant in Burkina Faso, 23 November 2021.
- 119 Loi n° 2020-018 du 6 août 2020 modifiant et complétant certaines dispositions de la loi n° 2010-021 du 10 février 2010 relative à la lutte contre le trafic illicite des migrants.
- 120 For instance, Niger’s Agence nationale de lutte contre la traite des personnes et le trafic illicite des migrants (ANLTP/TM) worked with its Nigerian counterpart, National Agency for the Prohibition of Trafficking in Persons (NAPTIP), a collaboration that led to arrests and the release of alleged victims of trafficking in August 2021. However, the results of this operation had greater counter-trafficking than counter-smuggling implications. A key informant in the Niger also pointed to ANLTP/TM as carrying out sensitization through social networks and “managing the situation” when NGOs came across cases of smuggling or trafficking.
- 121 On 16 March 2018, 14 Ministers of the Interior and of Foreign Affairs from West Africa and Europe, together with the European Union and other international organizations, adopted the Niamey Declaration, committing States to tackle the smuggling of migrants and trafficking in persons between countries of origin, transit and destination.
- 122 The UNODC Regional Office for West Africa is the Secretariat for the Permanent Follow-up Mechanism for the Niamey Declaration. This role encompasses data management and communication in relation to the actions and achievements of States Parties.
- 123 For instance, under the PROMIS Project, UNODC and Office of the United Nations High Commissioner for Human Rights (OHCHR) focus on promoting a human rights-based response to the smuggling of migrants and to ensure that the obligations of the United Nations Smuggling of Migrants Protocol relating to the protection and assistance of smuggled migrants are respected in the exercise of their functions. They conduct technical assistance activities to support States in implementing the Protocol.
- 124 Common Operational Partnerships are flexible cooperation frameworks to fight against organized crime networks engaged in migrant smuggling and trafficking in persons, tailor made to the needs of the partner country. One or more European Union Member States work alongside law enforcement, judiciary and other relevant authorities of a partner country, in cooperation with European Union agencies and international organizations. Support may consist of training, mentoring, exchange of information and the provision of equipment.
- 125 FIAPP, Presentation of POC Mauritania-UE, new project, 11 March 2022; Common Operational Partnership (COP) Mali, “The European Union emergency trust fund for stability and addressing the root causes of irregular migration and displaced persons in Africa”, Action document, 24 November 2020.
- 126 Giacomo Zandonini, “Malohiya — the unknown smuggler from Niger”, *Info Immigrants*, 26 April 2019.
- 127 EUCAP Sahel Niger, “Border management and irregular migration”.
- 128 European Commission, “New Pact on migration and asylum: reporting on developments and stepping up fight against migrant exploitation”, Press release, 29 September 2021
- 129 See UNODC, Sherlock database for more information.
- 130 *Ibid.*
- 131 Details of all Niger arrests not found in Sherlock database come from UNODC.
- 132 See UNODC, Sherlock database for more information.
- 133 UNSC, Letter dated 8 August 2021 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, S/2018/581, 9 August 2018; for more information on Mahamadou Ag Rhissa, see section in this report on migrant smuggling and armed groups.
- 134 UNSC, Letter dated 8 August 2021 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, S/2018/581, 9 August 2018; for more information on Mahamadou Ag Rhissa, see section in this report on migrant smuggling and armed groups.
- 135 *Ibid.*
- 136 UNSC, Letter dated 6 August 2021 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, S/2021/714, 6 August 2021.

SMUGGLING OF MIGRANTS IN THE SAHEL

TOCTA
Sahel
Transnational Organized
Crime Threat Assessment

Smuggling of Migrants in the Sahel is part of a series of transnational organized crime threat assessment reports on the Sahel.

The report explores the smuggling of migrants in the Sahel by looking at the demand for and supply of smuggling services, the main routes and market dynamics, the roles and responsibilities of smugglers, and the enablers, including corruption, of migrant smuggling in the Sahel.



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