

## **Links Between Smuggling of Migrants and Other Forms of Organized Crime Along the Central and Western Mediterranean Routes**

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## Executive summary

UNODC is mandated to support Member States to strengthen their capacity to prevent, investigate and prosecute the smuggling of migrants, promote international cooperation and to uphold the rights of smuggled migrants. With the generous support of France, this paper aims at exploring available data on the links between smuggling of migrants and other forms of organized crime along the Central and Western Mediterranean routes. Ultimate purpose of this paper is to establish a baseline of the knowledge base on migrant smuggling in these two routes and promote relevant data-driven responses.

The Central and Western Mediterranean routes have witnessed considerable migration flows and have been used by migrant smugglers and other criminal groups. There is no consensus on the exact proportion of people who use smugglers among those departing along these routes, but assessments and estimates suggest that the proportion is high.<sup>1</sup>

Smuggling of migrants is a serious crime with links to other criminal offences. The paper, through a rapid data collection and analysis, provides insights into the dynamics of migrant smuggling along these routes, the prevalence of smuggling networks and links with other forms of organized crime.

It should be noted from the outset that one of the biggest challenges faced was scarcity of available data. While data on irregular migration could provide insights, it cannot be treated as data on migrant smuggling.

Notwithstanding the above, the analysis of available data suggests that ***no single group dominates the migrant smuggling market*** via the Central and Western Mediterranean routes, ***but rather a variety of actors and groups with different levels of organization and coordination.***<sup>2</sup> Although these different actors are interconnected and collaborate, the level of organization along these routes seems to vary and to lack in sophistication compared to other types of transnational organized criminal groups, such as those involved in drug or arms trafficking.<sup>3</sup> Certain parts of the routes involve organized criminal groups with a high level of hierarchy and professionalism and their activities extend to several countries along one or more migration routes. Research by the UNODC Observatory on Smuggling of Migrants confirms that numerous criminal groups active in smuggling migrants by sea and land become increasingly sophisticated. Kidnappings, extortion, detention, accompanied by other gross human rights violations, and exploitation have been documented.<sup>4</sup>

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1. UNODC Observatory on Smuggling of Migrants, Incidence of migrant smuggling on Central Mediterranean Route in 2021 is twice what was thought, March 2022, [www.unodc.org/res/som/docs/incidence\\_of\\_smuggling.pdf](http://www.unodc.org/res/som/docs/incidence_of_smuggling.pdf).
  2. IOM, Smuggling of Migrants in The Central Mediterranean Route. Issues, challenges and perspectives, 2021, p. 46. [https://rodakar.iom.int/sites/g/files/tmzbdl696/files/documents/iom-study-report\\_migrant-smuggling-on-the-central-mediterranean-route\\_2020.pdf](https://rodakar.iom.int/sites/g/files/tmzbdl696/files/documents/iom-study-report_migrant-smuggling-on-the-central-mediterranean-route_2020.pdf)
  3. Ibid, p. 4; and Golovko, E., Players of many parts: The evolving role of smugglers in West Africa's migration economy, Mixed Migration Centre, Dakar, 2019; Frontex, Risk Analysis for 2019, pp. 28-29 <https://frontex.europa.eu/publications/risk-analysis-for-2019-RPPmXE/>; Gabriella Sanchez, Beyond Militias and Tribes: The Facilitation of Migration in Libya, Working Paper, EUI RSCAS, 2020/09, Migration Policy Centre. <https://cadmus.eui.eu/handle/1814/66186>
  4. OHCHR, Unsafe and Undignified. The forced expulsion of migrants from Libya, 2021, [www.ohchr.org/sites/default/files/2021-12/Unsafe\\_and\\_Undignified.pdf](http://www.ohchr.org/sites/default/files/2021-12/Unsafe_and_Undignified.pdf); United Nations Human Rights Council, Report of the Independent Fact-Finding Mission on Libya, A/HRC/52/83, 3 March 2023, <https://undocs.org/en/A/HRC/52/83>; United Nations Security Council, Final Report of the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya, S/2022/427, 27 May 2022, <https://undocs.org/en/S/2022/427>; United Nations Security Council, Implementation of Resolution 2652 (2022): Report of the Secretary-General, S/2023/640, 30 August 2023, <https://undocs.org/en/S/2023/640>; United Nations Security Council, United Nations Support Mission in Libya: Report of the Secretary General, S/2020/360, 5 May 2020, UNODC, Abused and Neglected, A Gender Perspective on Aggravated Migrant Smuggling Offences and Response, 2021, [www.unodc.org/documents/human-trafficking/2021/Aggravated\\_SOM\\_and\\_Gender.pdf](http://www.unodc.org/documents/human-trafficking/2021/Aggravated_SOM_and_Gender.pdf)

Another finding concerns a number of **self-organized departures** of migrants in sea crossings from North Africa, notably from Tunisia and Morocco. The route dynamics continue to change, with an increasing share of people on the Central Mediterranean route departing from Tunisia (30,769, compared to 41,283 departing from Libya during January to August 2021), and Tunisian departures less likely to involve smuggling.<sup>5</sup> Such self-organized travels would not be considered smuggling of migrants under the Smuggling of Migrants Protocol.

The **smuggling of migrants by air** seems to be another emerging trend on these two routes. Smuggling networks use countries in Western Africa as transit hubs for onwards travel mainly to Europe. Some groups obtain fraudulent passports and smuggle migrants to countries with visa-free agreements in place such as Morocco and Tunisia. Other groups provide fraudulent Schengen visa for onward travel to Europe.

The data analysis indicates that smuggling of migrants on the Central and Western Mediterranean routes is linked to **systemic corruption**, ranging from petty corruption at border checkpoints to corruption at senior levels of government. Corrupt practices related to the smuggling of migrants have been reported along almost all routes examined.<sup>6</sup>

Regarding profits involved, it appears that the smuggling of migrants is a **lucrative business** as the fees paid by migrants to reach their destination can be high depending on the mode of travel and the route taken. Departures by boat from western Libya can reportedly cost up to 6000 EUR and from eastern Libya between 600 EUR and 3000 EUR<sup>7</sup>. Smugglers also offer packages for reaching the Canary Islands from Mauritania for up to 1525 EUR.<sup>8</sup>

Regarding links with other forms of organized crime, the data analysis shows **strong links with trafficking in persons**. Many migrants are smuggled only to end up trafficked for sexual or labour exploitation. Traffickers use deception, fraud, force, abuse of vulnerability against smuggled migrants. Many smuggled migrants end up trafficked in artisanal gold mining sites in Western and Central Africa for sexual or labour exploitation.

The data collection revealed evidence of links between **terrorism and the financing of violent extremism**, particularly in the Sahel region and Libya, where national authorities do not control large swathes of territory.

Data points to **links between smuggling of migrants and drug trafficking**, especially of tramadol, a synthetic opioid, particularly between northern Niger and southern Libya, or between Nigeria and Libya and suggests that migrant smugglers are turning to trafficking of tramadol following a booming demand across the Sahel.

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5. UNODC Observatory on Smuggling of Migrants (2021). West Africa, North Africa and the Central Mediterranean. [www.unodc.org/res/son/](http://www.unodc.org/res/son/); Sanchez, G., K. Arrouche, M. Capasso, A. Dimitriadi & A. Fakhry. (2021). Beyond Networks, Militias and Tribes: Rethinking EU Counter-smuggling Policy and Response, Euromesco Policy Study, N.19.

6. UNODC, TOCTA Sahel. Smuggling of Migrants in the Sahel, 2022, UNODC Research, Vienna; The Financial Action Task Force, Money Laundering and Terrorist Financing Risks Arising from Migrant Smuggling, FATF Report, 2022, p. 16.

7. Horsley, R., Libya: Sophisticated smugglers thrive as Libyan government stagnates, Global Initiative against Transnational Organized Crime, 2023., p. 29.

8. Bird Ruiz-Benitez de Lugo, L. North-West passage. The resurgence of maritime irregular migration to the Canary Islands, Global Initiative against Transnational Organized Crime, 2022, p. 15-17.

# Introduction

## UNODC mandate

The United Nations Office on Drugs and Crime (UNODC) is the guardian of the United Nations Convention against Transnational Organized Crime (UNTOC or Organized Crime Convention) and its supplementing Protocol against the Smuggling of Migrants by Land, Sea, and Air (Smuggling of Migrants Protocol). As part of its mandate to support Member States in strengthening their capacity to prevent, investigate and prosecute the smuggling of migrants, in particular as a form of organized crime, and to protect the rights of smuggled migrants, UNODC also fosters international cooperation in criminal matters according to UNTOC. In this context, UNODC conducts data collection and research on smuggling of migrants, in particular through its Observatory on Smuggling of Migrants.

Resolution 5/3 of the 2010 Conference of the Parties to the UNTOC invited UN Member States «to take immediate steps to incorporate into international crime prevention strategies measures to prevent, prosecute and punish crimes involving violence against smuggled

migrants, including when such violence is associated with organized crime».<sup>9</sup> In the same resolution, the Conference decided to establish the Working Group on the Smuggling of Migrants to advise and assist the Conference in the implementation of its mandate with regard to the Smuggling of Migrants Protocol, and with resolution 7/1 it decided that the Working Group will be a constant element of the Conference.<sup>10</sup>

The purpose of the Working Group on the Smuggling of Migrants is to analyse, in a comprehensive manner, the implementation of the Convention and the Smuggling of Migrants Protocol as well as to identify good practices, challenges and technical assistance needs for the effective implementation of the Convention and the Protocol.<sup>11</sup> At the Working Group on the Smuggling of Migrants held in Vienna from 11 to 13 September 2019,<sup>12</sup> it was recommended that States Parties «should consider adapting their responses to the smuggling of migrants to the multimodal modi operandi of numerous transnational migrant smuggling networks, including by enhancing cooperation and information-

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9. Resolution 5/3 in Application of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, para. 8, [www.unodc.org/documents/organized-crime/COP\\_5\\_Resolutions/Resolution\\_5\\_3.pdf](http://www.unodc.org/documents/organized-crime/COP_5_Resolutions/Resolution_5_3.pdf).
  10. Resolution 7/1 Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, para. 6, [www.unodc.org/documents/treaties/organized\\_crime/COP7/Resolutions/Resolution\\_7\\_1.pdf](http://www.unodc.org/documents/treaties/organized_crime/COP7/Resolutions/Resolution_7_1.pdf).
  11. Ibid., para. 12.
  12. Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Report of the meeting of the Working Group on the Smuggling of Migrants held in Vienna from 11 to 13 September 2019, CTOC/COP/WG.7/2019/6, 2 October 2019, recommendation 24 <https://undocs.org/en/CTOC/COP/WG.7/2019/6>.



sharing with countries along smuggling routes, consistent with international and domestic law.»

These objectives have been taken up in other frameworks, such as the Global Compact for Safe, Orderly and Regular Migration (2018) and regional initiatives, notably the Valletta Declaration (2015) and its action plan and the Permanent Follow-up Mechanism for the Niamey Declaration (2018).<sup>13</sup>

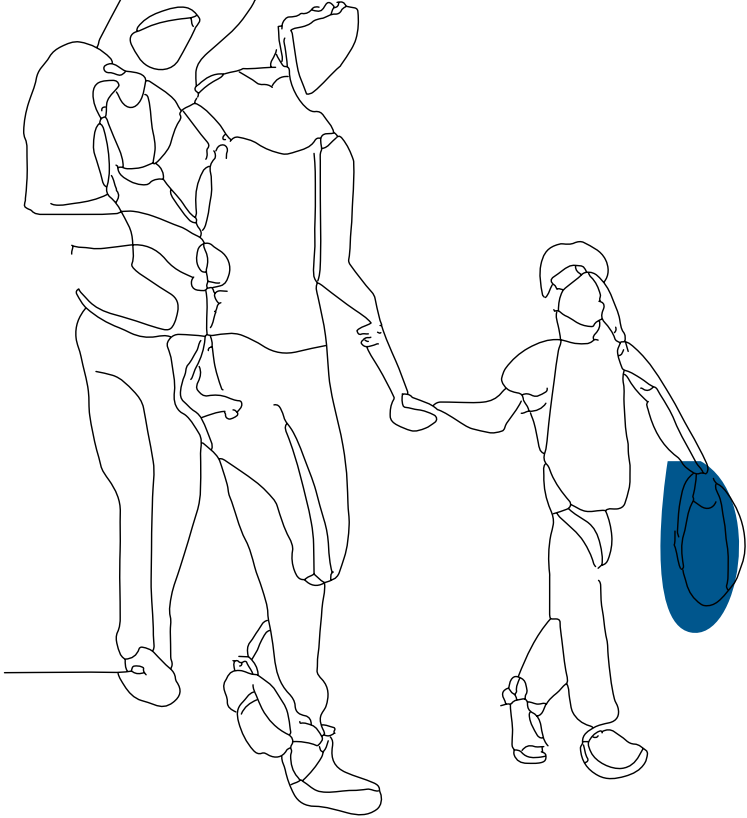
## Purpose of the paper

The Central and Western Mediterranean routes have witnessed large migration flows. The latest UNODC Observatory on Smuggling of Migrants analysis of migrant smuggling on the Central Mediterranean route indicates that the number of smuggling incidents on this route is far higher than what was previously thought.<sup>14</sup> In 2020, the Western Mediterranean route saw an increased number of people attempting to cross irregularly from the Northwest African coast to the Spanish

Canary Islands.<sup>15</sup> There is no consensus on the exact proportion of people who use smugglers among those departing along the Central Mediterranean, but assessments and estimates suggest that the proportion is high.<sup>16</sup> In 2021, UNODC observed that crossing certain transit points, such as the Sahara Desert in West/North Africa and the Mediterranean Sea, usually requires the assistance of smugglers and carries a high risk of exposure to unsafe and dangerous travel conditions, as well as to various forms of crime and violence perpetrated by non-state armed groups or state agents.<sup>17</sup>

This paper aims at exploring available data on the links between smuggling of migrants and other forms of organized crime along the Central and Western Mediterranean routes. It seeks to provide authorities and stakeholders with the information required for developing evidence-based policies to combat migrant smuggling. Ultimately, the paper aims to inform and enable targeted action against organized criminal groups involved in the smuggling of migrants across the Mediterranean.

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13. The Declaration, for which the UNODC serves as Secretariat, aims to improve coordination and operational cooperation in the fight against human trafficking and migrant smuggling between countries of origin, transit and destination. Eighteen States, and three regional organizations are parties to the Initiative.
  14. UNODC Observatory on Smuggling of Migrants, Incidence of migrant smuggling on Central Mediterranean Route in 2021 is twice what was thought, March 2022, [www.unodc.org/res/som/docs/incidence\\_of\\_smuggling.pdf](http://www.unodc.org/res/som/docs/incidence_of_smuggling.pdf)
  15. UNODC Observatory on Smuggling of Migrants, Northwest African (Atlantic) Route. Migrant Smuggling from the Northwest African coast to the Canary Islands (Spain). First Edition, July 2022, [www.unodc.org/res/som/docs/Observatory\\_StoryMap\\_3\\_NorthWestAfrica.pdf](http://www.unodc.org/res/som/docs/Observatory_StoryMap_3_NorthWestAfrica.pdf).
  16. UNODC Observatory on Smuggling of Migrants, West Africa, North Africa and the Central Mediterranean, 2021, [www.unodc.org/res/som](http://www.unodc.org/res/som).
  17. UNODC, Abused and Neglected, A Gender Perspective on Aggravated Migrant Smuggling Offences and Response, 2021, [www.unodc.org/documents/human-trafficking/2021/Aggravated\\_SOM\\_and\\_Gender.pdf](http://www.unodc.org/documents/human-trafficking/2021/Aggravated_SOM_and_Gender.pdf).



## Structure

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The report is divided into four main sections. The first section introduces the topic and the purpose of the report, situating both within the mandate of the UNODC, and provides an overview of the methodology of the rapid data collection conducted. Section two examines migrant smuggling patterns along the Western and Central Mediterranean routes. This is followed by an examination of the links between the smuggling of migrants and other forms of organized crime along these two routes, including human or drug trafficking, and activities of armed groups in section three. The report concludes in the fourth section with reflections on the challenges of collecting data on smuggling of migrants, and its links with organized crime, and makes several recommendations aimed at strengthening the knowledge base on migrant smuggling and fostering international cooperation against this crime.

An Annex presents recommendations from a resolution adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, and recommendations of its Working Group on the Smuggling of Migrants and Working Group on Trafficking in Persons that are relevant to the findings of this paper.

## Methodology and limitations

This report presents the results of a rapid data collection carried out between October 2022 and February 2023. From the outset, the purpose of the data collection was not to provide an exhaustive analysis or research on the subject matter, but rather to contribute to establishing a baseline of the knowledge base on smuggling of migrants and links with organized crime on the Central and Western Mediterranean routes. Countries covered include Algeria, Italy, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal, Spain and Tunisia, following an assessment of data availability and the role of these countries on the two routes. Data was collected mainly through desk research of existing open-source material, including data from the UNODC Observatory on Smuggling of Migrants, and was complemented by questionnaires and interviews with key informants (from law enforcement agencies, international organizations and civil society organizations), with support from the donor. The main conclusions and recommendations were discussed at an expert group meeting - under Chatham House rules - held in Vienna on 10 May 2023 with representatives from France, Italy, Mauritania, Morocco, Niger, Nigeria, Senegal and Spain.

One of the biggest challenges remains the lack of accurate and disaggregated quantitative data on smuggling of migrants despite progress made in data collection.<sup>18</sup> This paper has found that in the absence of data on the smuggling of migrants and the involvement of organized criminal groups in smuggling, analytical products are often based on statistics on irregular migration,



which is problematic. In countries where smuggling data is available, there seems to be a lack of centralization of data. The UNODC Observatory on Smuggling of Migrants elaborates on these challenges and analyses the reasons why data on irregular migration cannot be treated as data on migrant smuggling. For example, data on interceptions in the Mediterranean and landings in European ports may represent short-term fluctuations or longer-term trends that could provide certain clues on the structure of organized groups operating in coastal regions. At the same time, however, landing patterns do not reflect the complexity of the political or socio-economic conditions along the routes, which are crucial factors in the dynamics of migrant smuggling.

Limitations regarding available jurisprudence must also be noted. Only a limited number of cases can be found in the UNODC knowledge platform SHERLOC that hosts the case-law database of UNODC on migrant smuggling.<sup>19</sup> Judicial cooperation initiatives that could help sharing and exchange of information in this respect exist but remain in a nascent stage.<sup>20</sup>

Another limitation relates to divergent ways in which States Parties to the Smuggling of Migrants Protocol have transposed the definition of the offence in their national legislation. It is not always clear whether a case categorized as migrant smuggling in one jurisdiction would be qualified as such in another. Further analysis goes beyond the scope of this brief report; however, more information could be found in the UNODC Issue paper on the “Concept of Financial or Other Material Benefit in the Smuggling of Migrants Protocol”.<sup>21</sup>

The detection of migrant smuggling and human trafficking cases, and thus the availability of data, is also influenced by the knowledge of criminal justice practitioners on the crimes of smuggling of migrants and trafficking in persons based on the training they have received on these specific crimes.<sup>22</sup> Information exchange between national police forces is also an important step in the production of data. Bilateral and multilateral exchanges should be further fostered.<sup>23</sup>

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18. Initiatives such as the Niamey Declaration highlight the importance of monitoring and following up data collection and exchange, as well as system interoperability. In West Africa, some anti-smuggling units produce internal statistics, which can be shared with relevant partners. For example, Senegal’s National Division for Combating Migrant Smuggling and Similar Practices (DNLT), Mali’s Brigade for the Repression of Migrant Trafficking and Human Trafficking (BRTMTEH), Niger’s Joint Investigation Team, funded by the European Union since 2017. Main information exchange platforms available: PCMS [www.civipol.fr/en/projects/support-project-g5s-security-sahel](http://www.civipol.fr/en/projects/support-project-g5s-security-sahel), WAPIS [www.interpol.int/en/How-we-work/Capacity-building/WAPIS-Programme](http://www.interpol.int/en/How-we-work/Capacity-building/WAPIS-Programme), PISCES <https://definitions.uslegal.com/p/personal-identification-secure-comparison-and-evaluation-system-piscses/>, MIDAS [www.iom.int/midas](http://www.iom.int/midas), AFIC <https://frontex.europa.eu/media-centre/multimedia/videos/africa-frontex-intelligence-community-afic--OoW3Ti>.
  19. The SHERLOC (Sharing Electronic Resources and Laws On Crime) knowledge management portal facilitates the dissemination of information regarding the implementation of the UN Convention Against Transnational Organized Crime (UNTOC) and its three Protocols. For more information: <https://sherloc.unodc.org/cld/en/st/home.html>
  20. Such as the West African Network of Central Authorities and Prosecutors (WACAP), the Sahel Judicial Cooperation Platform (PCJS).
  21. UNODC, The Concept of “Financial or Other Material Benefit” in the Smuggling of Migrants Protocol, Issue Paper, 2017, [www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/UNODC\\_Issue\\_Paper\\_The\\_Profit\\_Element\\_in\\_the\\_Smuggling\\_of\\_Migrants\\_Protocol.pdf](http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/UNODC_Issue_Paper_The_Profit_Element_in_the_Smuggling_of_Migrants_Protocol.pdf)
  22. Replies to questionnaire.
  23. For example, projects such as NETCOP, address this issue. The overall objective of the NETCOP project is to establish a network between Joint Operational Partnerships (JOPs) and Joint Investigation Teams (JITs) in West and Central Africa. This is a collaborative project between the national police forces of France and Spain, working with their African counterparts to achieve this goal. [www.fiapp.org/en/proyectos\\_fiapp/netcop-creation-of-association-of-common-operating-networks/](http://www.fiapp.org/en/proyectos_fiapp/netcop-creation-of-association-of-common-operating-networks/)

# Dynamics of migrant smuggling along the Western and Central Mediterranean routes

## No single business model of smugglers along the routes

The terms “Western” and “Central” “Mediterranean routes” have dominated the discourse based on where the crossing takes place in the Mediterranean: Central (from Algeria, Egypt, Libya and Tunisia to Italy and Malta), and Western (from Algeria and Morocco to Spain). While crossings of the Mediterranean Sea seem easy to categorize based on the above parameters, the routes that migrants and refugees follow are far more complex. Statistics on arrival and interceptions could be used as an indicator of irregular migration flows rather than determine



the proportion of people who have been smuggled<sup>24</sup> and landing statistics may not include failed attempts. Often generalizations are made by defining the entire route as one single “business model of smugglers”,<sup>25</sup> but as data shows there are significant differences between the *modi operandi* used along the routes.

The findings of the UNODC Observatory on Smuggling of Migrants show that most of the migrants relied on different actors to facilitate the different stages of the journey and that there is no single business model of smuggling spanning across the routes. Migrants on journeys from West Africa towards North Africa and via the Central Mediterranean route rely on distinct actors to facilitate different legs of the journey. Research data has shown that the smugglers used were usually only active at one border (e.g. Niger-Libya border, Algeria-Libya border).<sup>26</sup>

There is no single group dominating the migrant smuggling market through the Central Mediterranean route, but rather a variety of actors and groups with different levels of coordination.<sup>27</sup> Although these different actors are interconnected and collaborate, the level of organization of migrant smuggling along the Central Mediterranean route lacks the sophistication of other types of transnational organized criminal groups, such as those involved in drug or arms trafficking.<sup>28</sup>

Data from the UNODC Observatory on Smuggling of Migrants show that, compared to the Eastern and Central Mediterranean routes, the proportion of people smuggled is

24. UNODC, Incidence of migrant smuggling on Central Mediterranean Route in 2021 is twice what was thought, March 2022, [www.unodc.org/res/som/docs/incidence\\_of\\_smuggling.pdf](https://www.unodc.org/res/som/docs/incidence_of_smuggling.pdf); Horsley, R. and J. Gerken, Libya. Stability Fuels Rebound In Human Smuggling, Global Initiative against Transnational Organized Crime, 2022, p. 10.
25. European Council, Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route, 2017, [www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/](https://www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/).
26. Brachet, J., Manufacturing Smugglers: From Irregular to Clandestine Mobility in the Sahara. The ANNALS of the American Academy of Political and Social Science, 676(1), 2018, 16–35; UNODC Observatory on Smuggling of Migrants, West Africa, North Africa And The Central Mediterranean. Key Findings on the Characteristics of Migrant Smuggling in West Africa, North Africa and the Central Mediterranean, 2021, p. 6.
27. IOM, Smuggling of Migrants in The Central Mediterranean Route. Issues, challenges and perspectives, 2020, p. 46, [https://rodakar.iom.int/sites/g/files/tmzbdl696/files/documents/iom-study-report\\_migrant-smuggling-on-the-central-mediterranean-route\\_2020.pdf](https://rodakar.iom.int/sites/g/files/tmzbdl696/files/documents/iom-study-report_migrant-smuggling-on-the-central-mediterranean-route_2020.pdf)
28. Ibid, p. 4; Golovko, E., Players of many parts: The evolving role of smugglers in West Africa’s migration economy, Mixed Migration Centre, Dakar 2019; Frontex, Risk Analysis for 2019, pp. 28–29 <https://frontex.europa.eu/publications/risk-analysis-for-2019-RPPmXE/>; Sanchez, G., Beyond Militias and Tribes: The Facilitation of Migration in Libya, Working Paper, EUI RSCAS, 2020/09, Migration Policy Centre. <https://cadmus.eui.eu/handle/1814/66186>

lower on the Western Mediterranean route, with many people travelling independently. The involvement of transnational organized criminal groups is less common, though non-state armed groups active in the Sahel profit indirectly from migrant smuggling by extorting passage fees.

## Demand and supply dynamics vary

The data analysis shows that people traveling in West and North Africa often follow «travel opportunities» rather than predetermined routes. Often migrants and refugees travel with facilitators and/or smugglers, who decide the routes. Information shows that people on the move in West and North Africa trust smugglers and perceive them as travel facilitators and assistance providers, rather than criminals.<sup>29</sup>

Geographical and geopolitical factors can play a key role in resorting to smugglers. For example, smuggling of migrants by land differs from smuggling of migrants by sea and existing data shows that crossing land borders involves less engagement of smugglers than crossing maritime borders.

Certain parts of the routes necessitate the use of smugglers, especially for crossing the Sahara Desert and entering, crossing or departing from Libya. The modus operandi of smugglers changes dramatically upon

arrival in Libya, where increased links between smuggling and trafficking in persons have been observed.

Available data shows<sup>30</sup> that migrants in free movement zones, such as ECOWAS, may use travel facilitators, who accompany them throughout the journey but do not facilitate irregular entry or residence in a foreign country.<sup>31</sup>

Resorting to smugglers along the Western and Central Mediterranean routes may be indicative of a lack of alternatives for safe and regular migration,<sup>32</sup> lack of access to travel documents, or lack of knowledge about such alternatives where they are available.<sup>33</sup> While motivations for migration may range from personal aspirations and improving quality of life to meeting community and family expectations or overcoming security and safety concerns, the reasons for using smugglers are always related to a lack of options for safe and regular migration, a lack of appropriate travel documents, or a lack of knowledge about such options where they exist.<sup>34</sup>

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29. For a detailed analysis of migrant perceptions of smugglers, see Golovko, E., *Players of many parts: The evolving role of smugglers in West Africa's migration economy*, Mixed Migration Centre, Dakar, 2019.

30. According to a recent Mixed Migration Centre study, one-third of smugglers interviewed report having had contact with refugees and migrants prior to their departure, *Mixed Migration Centre West Africa & North Africa, Contact between smugglers and refugees and migrants in West and North Africa, 4Mi Snapshot, August 2022*, [https://mixedmigration.org/wp-content/uploads/2022/08/240\\_Snapshot\\_contact\\_smugglers\\_WANA.pdf](https://mixedmigration.org/wp-content/uploads/2022/08/240_Snapshot_contact_smugglers_WANA.pdf); UNODC, TOCTA Sahel. *Smuggling of Migrants in the Sahel, 2022*, UNODC Research, Vienna.

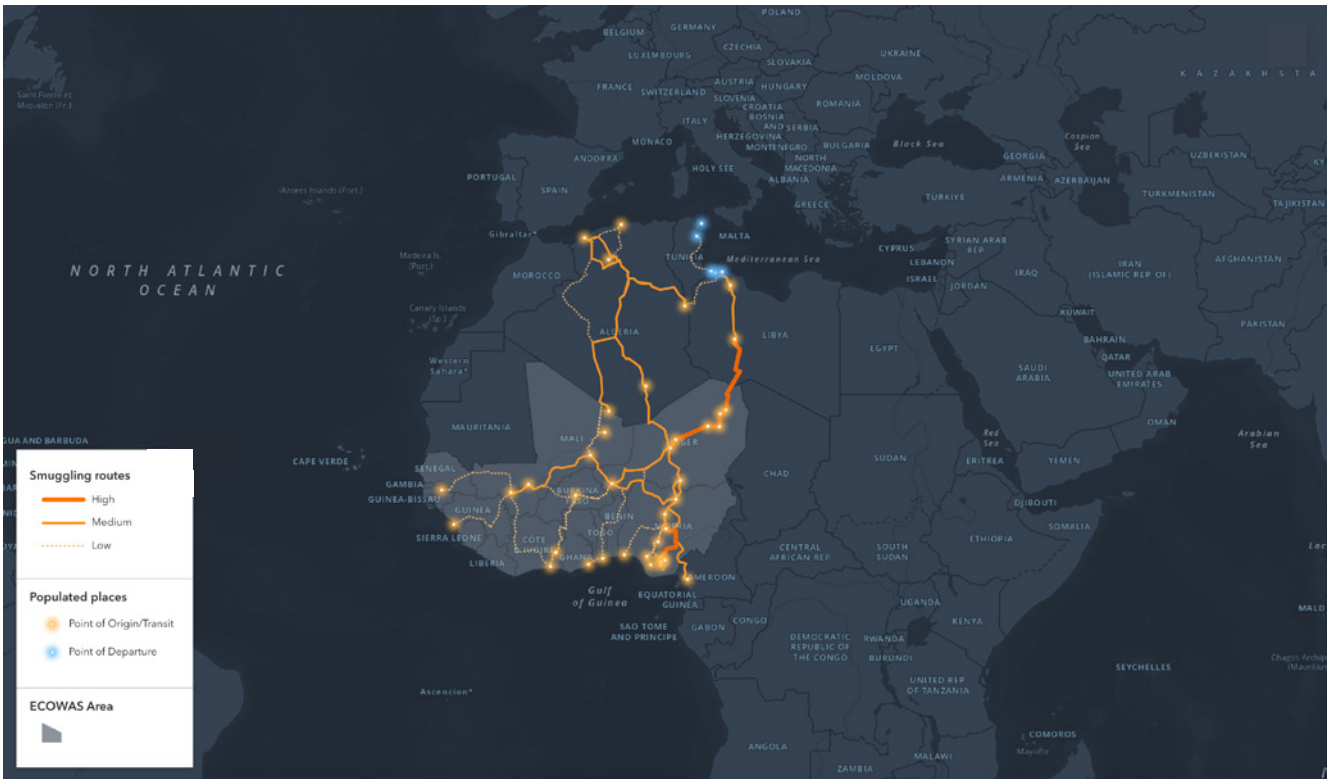
31. In the case of ECOWAS migrants travelling through ECOWAS, irregular travel means not being in possession of the necessary identification documents and/or not using official border crossings to enter a foreign state. UNODC, TOCTA Sahel. *Smuggling of Migrants in the Sahel, 2022*, UNODC Research, Vienna.

32. According to data reported by the UNODC Observatory on Smuggling of Migrants, many interviewees (who traveled irregularly) not only considered regular migration, but also repeatedly tried to obtain the required documents and submit applications through different channels and intermediaries. UNODC, Northwest African (Atlantic) Route. *Migrant Smuggling from the Northwest African coast to the Canary Islands (Spain), 2022*, p. 10.

33. UNODC Observatory on Smuggling of Migrants, West Africa, North Africa and The Central Mediterranean. *Key Findings on the Characteristics of Migrant Smuggling in West Africa, North Africa and the Central Mediterranean*, UNODC Research, 2021, p. 4.; Mixed Migration Centre, *Drivers revisited. Why people migrate*, 30 January 2019.

34. UNODC Observatory on Smuggling of Migrants, West Africa, North Africa and The Central Mediterranean. *Key Findings on the Characteristics of Migrant Smuggling in West Africa, North Africa and the Central Mediterranean, 2021*, and cited therein Mixed Migration Centre (MMC). (2019). *Drivers revisited. Why people migrate*. 30 January 2019.

## Routes from West Africa to North Africa and the Central Mediterranean:



## Routes from West Africa to Morocco



UNODC Observatory on Smuggling of Migrants

## Emerging data on migrant smuggling by air

The data analysed points to the presence of organized criminal groups involved in the smuggling of migrants by air, based in West Africa. Key informants pointed to evidence of organized criminal groups operating in Senegal smuggling migrants by air, with networks expanding to Turkey and EU countries.<sup>35</sup> According to data collected for this report, migrant smuggling networks active in Côte d'Ivoire facilitate the transit of Cameroonian nationals through the country, obtain fraudulent passports of Côte d'Ivoire and organize the onwards journey to Morocco or Tunisia, where visa-free agreements are in place. There is also intelligence indicating that Senegalese nationals are being smuggled through Abidjan, Côte d'Ivoire and obtaining of fraudulent Schengen visas through a Belarussian organized criminal network operating locally, followed by onward travel to Europe.<sup>36</sup>

Trends observed in Libya over the past year show that the country is increasingly becoming an international transit centre for migrants from Egypt, Bangladesh and Pakistan arriving by air.<sup>37</sup> Networks between home countries, Libya and transit countries have grown organically to take advantage of the opportunities created by the easing of travel restrictions to Libya particularly for

Egypt; improvements in visa regimes; and security improvements in Libya.<sup>38</sup> This hybrid migration involves regular travel to Libya with official entry visas or other documents, often using regular air transport, followed by irregular onward travel to Europe by boat, either immediately upon arrival or after working locally for some time.<sup>39</sup> The profits made by smugglers seem to be high. Departures by boat from Tobruk in the eastern part of Libya are reportedly between 600 and 3000 EUR<sup>40</sup> while semi-regular migration services<sup>41</sup> to western Libya, including the boat crossing to Europe, can cost between 5000 and 6600 EUR.<sup>42</sup> The flexible, changing approaches for smuggling migrants to Libya suggest that there are highly structured transnational groups capable of organizing complex operations at multiple levels. For example, Italian criminal justice practitioners have recently found that Pakistani nationals arrive in Italy after spending little time in Libya (less than a month, sometimes only a week).<sup>43</sup> Recent arrivals from Tunisia to Italy of migrants from Côte d'Ivoire and Guinea point to Tunisia becoming a larger regional transit centre where small-scale migrant smuggling networks are active.<sup>44</sup>

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35. Feedback to questionnaire and interviews with key informants.

36. Feedback to questionnaire and interviews with key informants.

37. Horsley, R., *Libya: Sophisticated smugglers thrive as Libyan government stagnates*, Global Initiative against Transnational Organized Crime, 2023.

38. *Ibid.*, p. 33.

39. *Ibid.*

40. *Ibid.*, p. 29.

41. Semi-regular migration services are a blending of regular and irregular migration services where one part of the migration journey is conducted via regular channels of migration while another part through irregular ones.

42. Horsley, R., *Libya: Sophisticated smugglers thrive as Libyan government stagnates*, Global Initiative against Transnational Organized Crime, 2023, p.40.

43. Interview with key informant.

44. Tasnim Abderrahim, *Tunisia. Increased fragility fuels migration surge*, Global Initiative against Transnational Organized Crime, 2023, p. 15, 20

## Independent departures from North Africa

Self-organized departures of migrants are one of the main trends identified in sea crossings from North Africa notably from Tunisia and Morocco.<sup>45</sup> These departures mainly involve self-organized migrants from north Africa and would not seem to qualify as smuggling of migrants.

## Level of organization of smuggling networks

According to UNTOC, the term «organized criminal group» means a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.<sup>46</sup> In view of the complexity of the routes presented above, there is also a diversity of criminal groups observed.

In general, smugglers operating at land and sea borders appear to be agile, regardless of the level of organization of their group. It is noteworthy that the measures taken to criminalize and combat the smuggling of migrants seem to determine the level of organization.

Certain parts of the routes involve organized criminal groups with a high level of hierarchy and professionalism, whose activities extend to several countries along one or more

migration routes. According to the assessment of the threat posed by transnational organized crime in the Sahel, the links between smugglers operating at lower levels and other forms of criminal activity carried out by their own groups are limited.<sup>47</sup>

Regarding departures by sea, crossings of Morocco by land from North-West Africa are managed by highly structured organized criminal groups.<sup>48</sup> The overwhelming majority of migrants leaving Morocco and Western Sahara rely on smugglers.<sup>49</sup> At the top of these networks are Morocco-based groups, who have also smuggled tobacco, alcohol and narcotic drugs and who are connected with public officials.<sup>50</sup>

Research by the UNODC Observatory on Smuggling of Migrants confirms that a number of criminal groups specialize in smuggling by sea from Libya and are highly organized. They operate in a limited number of locations, with the capacity to carry out numerous sea crossing operations per month, despite the high risk of vessels being intercepted and returned to Libya.<sup>51</sup> Modus operandi includes transportation and harbouring, solid supply chain system and request for upfront payments.<sup>52</sup> Court decisions cite testimonies of migrants upon arrival in Italy, stating that departures are managed by Libyan nationals, who remain in Libya or, in some cases, who are present on the boat until rescue services arrive.<sup>53</sup>

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45. Interview with key informant.

46. UNTOC, Article 2(a), [www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html](http://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html)

47. UNODC, TOCTA Sahel. Smuggling of Migrants in the Sahel, 2022, UNODC Research, Vienna.

48. UNODC Observatory on Smuggling of Migrants, Northwest African (Atlantic) Route. Migrant Smuggling from the Northwest African coast to the Canary Islands (Spain), First Edition, July 2022.

49. Bird Ruiz-Benitez de Lugo, L., North-West passage. The resurgence of maritime irregular migration to the Canary Islands, Global Initiative against Transnational Organized Crime, 2022, p. 11.

50. Ibid., p. 12.

51. UNODC Observatory on Smuggling of Migrants, West Africa, North Africa and The Central Mediterranean. Key Findings on the Characteristics of Migrant Smuggling in West Africa, North Africa and the Central Mediterranean, UNODC Research, 2021, p. 8.

52. It is also understood that these organized criminal groups are involved in other forms of criminal activity such as illicit fuel trafficking, which represents the largest source of income for them, as well as trafficking in arms and drugs. IOM, Smuggling of Migrants On The Central Mediterranean Route. Issues, challenges and perspectives, 2020, p. 40.

53. Testimonies of migrants interviewed on arrival in Italy, reported in court decisions.

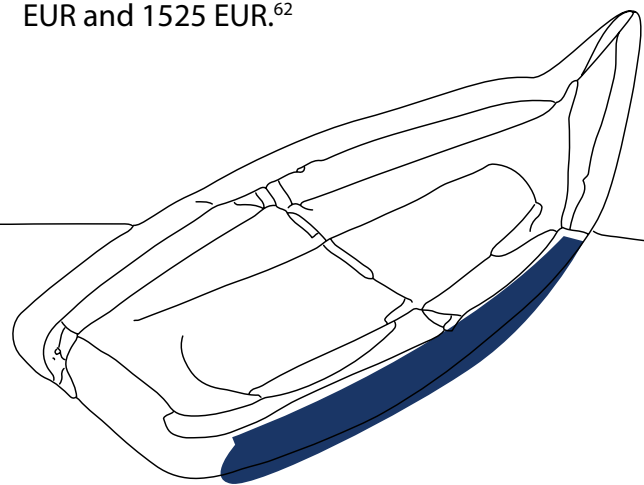
In relation to smuggling by land, available data points to the presence of increasingly sophisticated transnational networks in Libya operating across various routes and targeting irregular migrants.<sup>54</sup> Kidnappings, extortion, detention of migrants and refugees, accompanied by other gross human rights violations, and exploitation have been documented.<sup>55</sup> The structures of these networks are complex. In most cases, they are horizontal, with people at the top allocating tasks differently except for groups operating in the northern part of the country that are characterized by a high level of hierarchy and organization.<sup>56</sup> Various networks are interconnected with distinct groups overseeing different parts of illicit traffic inside Libya.<sup>57</sup> Migrants are normally transferred to local networks upon arrival in Libya. In southern Libya, the smuggling of migrants has become a standardized source of income for armed actors.<sup>58</sup>

In Nigeria, migrants smuggled from or through Nigeria are more dependent on transnational criminal groups than other West Africans. There is evidence that highly structured criminal groups are also involved in human trafficking and exercise end-to-

end control over the trafficking process, smuggling victims of trafficking.<sup>59</sup> Organized criminal groups involved in trafficking in persons, notably from Nigeria to Europe, also use the services of smuggling networks to transport their victims.<sup>60</sup> This is an example of links between criminal groups, who use each other's services.

Other information indicates that Nigerian networks are present in southern Libya and operate between northern Niger and southern Libya to transport migrants from the Agadez region.<sup>61</sup> The exact number of migrants transported by these networks is not certain.

In Mauritania, most migrants leaving the country use migrant smuggling networks and, in some cases, rely on several of them for different stages of their journey. The networks involve a wide range of actors, including organizers, migrant recruiters, ship captains and individuals in contact with Mauritanian authorities. Prices to reach the Canary Islands from Nouakchott on a boat amount to 1300 EUR and 1525 EUR.<sup>62</sup>



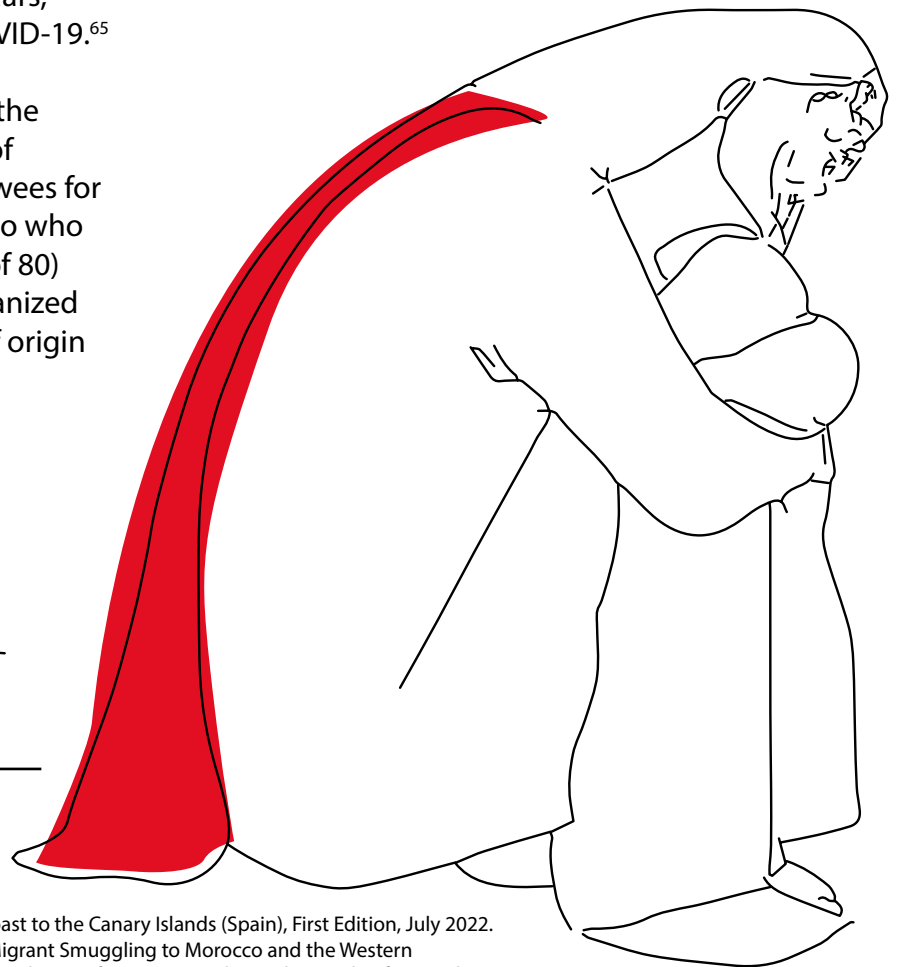
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54. Micallef, M. and M. Herbert, *Fragile States and Resilient Criminal Ecosystems. Human Smuggling and Trafficking Trends In North Africa and The Sahel*, Global Initiative against Transnational Organized Crime, 2022, p. 6.
  55. OHCHR, *Unsafe and Undignified, The forced expulsion of migrants from Libya*, [www.ohchr.org/sites/default/files/2021-12/Unsafe\\_and\\_Undignified.pdf](http://www.ohchr.org/sites/default/files/2021-12/Unsafe_and_Undignified.pdf); United Nations Human Rights Council, *Report of the Independent Fact-Finding Mission on Libya*, A/HRC/52/83, 3 March 2023, <https://undocs.org/en/A/HRC/52/83>; United Nations Security Council, *Final Report of the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya*, S/2022/427, 27 May 2022, <https://undocs.org/en/S/2022/427>; UNODC, *Abused and Neglected, A Gender Perspective on Aggravated Migrant Smuggling Offences and Response*, 2021, [www.unodc.org/documents/human-trafficking/2021/Aggravated\\_SOM\\_and\\_Gender.pdf](http://www.unodc.org/documents/human-trafficking/2021/Aggravated_SOM_and_Gender.pdf)
  56. IOM, *Smuggling of Migrants on the Central Mediterranean Route. Issues, challenges and perspectives*, 2020, p. 46
  57. Interview with an anonymous actor, December 2022.
  58. Al-Arabi, A., *Local Specificities of Migration in Libya: Challenges and Solutions*, Issue 2018/04, European University Institute, Robert Schuman Center for Advanced Studies, 2018, p. 7; Rizk, J., *Exploring the Nexus between Armed Groups and the Trafficking and Smuggling of Human Beings in the Central Sahel and Libya*, *Studies In Conflict & Terrorism*, 2021, Ahead-Of-Print, pp. 1-21.
  59. Vorrath, J., *Peculiarity and persistence of a transregional flow: the evolution of human trafficking for sexual exploitation from Nigeria to Europe* in D. Brombacher, G. Maihold, M. Müller and J. Vorrath (eds.), *Geopolitics of the Illicit. Linking the Global South and Europe*, Nomos, E-Book, 2022, p. 133.
  60. Key informant interviews.
  61. Key informant interviews.
  62. Bird Ruiz-Benitez de Lugo, L. *North-West passage. The resurgence of maritime irregular migration to the Canary Islands*, *Global Initiative against Transnational Organized Crime*, 2022, p. 15-17.

Data for Senegal is not conclusive on the presence of highly structured organized criminal groups involved in the smuggling of migrants by sea.<sup>63</sup> These groups are not transnational; they seem to operate exclusively from Senegal and are targeting the Canary Islands of Spain. Available data seems to suggest that these sea crossing from Senegal are carried out by small groups, composed of persons with a fixed role, often linked to the fishing sector, who profit from these departures.<sup>64</sup> As shown in previous Observatory research (see Migrant Smuggling to Morocco and the Western Mediterranean and West Africa, North Africa and the Central Mediterranean) smuggling across West and North Africa is mostly perpetrated by small groups of loosely connected actors or individual smugglers. Recent studies indicate that the proportion of people using smugglers and travel facilitators within the ECOWAS sub-region has increased in recent years, particularly since the outbreak of COVID-19.<sup>65</sup>

In the case of Morocco, according to the UNODC Observatory on Smuggling of Migrants only 10 per cent of interviewees for the Observatory's research in Morocco who provided relevant details (eight out of 80) were smuggled by transnational organized criminal groups from their country of origin

to Morocco, based on their description of the facilitators. While this figure is likely to underrepresent the involvement of transnational organized criminal groups in migrant smuggling along these routes, as those travelling with their assistance are usually less likely to speak to researchers and smuggled people may not have sufficient information to determine the nature of their smugglers, academic and grey literature agree in describing the role of such groups in the facilitation of irregular movement in West and North Africa as marginal.<sup>66</sup>

In Mali and Niger, the existing networks are a set of informal services that migrants generally use on an ad hoc basis, provided by a chain of individuals or groups of individuals, who have a thorough knowledge of the context and who know how to navigate the desert or border regions.<sup>67</sup>



63. Replies to questionnaire and key informant interviews.

64. Key informant interview.

65. UNODC Observatory on Smuggling of Migrants, *Migrant Smuggling from the Northwest African coast to the Canary Islands (Spain)*, First Edition, July 2022.

66. UNODC Observatory on Smuggling of Migrants, *Migrant Smuggling to Morocco and the Western Mediterranean*. UNODC Research, p. 13; Golovko, E., *Players of many parts: The evolving role of smugglers in West Africa's migration economy*, Mixed Migration Centre, Dakar, 2019.

67. UNODC, *TOCTA Sahel. Smuggling of Migrants in the Sahel, 2022*, UNODC Research, Vienna; IOM, *Smuggling Of Migrants On The Central Mediterranean Route. Issues, challenges and perspectives, 2020*, p. 45; Sanchez, G., *Critical Perspectives on Clandestine Migration Facilitation: An Overview of Migrant Smuggling Research*, *Journal on Migration and Human Security*, Vol. 5, No. 1, 2017, p. 14.



## Links between smuggling of migrants and other forms of organized crime

Data collection for this report brought to the forefront the scarcity of evidence of the links between smuggling of migrants and other forms of organized crime. Available data seems to suggest that with few exceptions, migrant smuggling organizations are not systematically involved in other major transnational organized crime activities.<sup>68</sup> The most reported association was between networks of migrant smuggling and trafficking in persons. There are several documented contexts in which the same persons are smuggled and trafficked along the Central Mediterranean route, but not always by the same perpetrators. At the same time, available data suggests that many smuggling networks engage in systematic corruption, ranging from petty corruption at border checkpoints to corruption at senior levels of government. Corrupt practices related to the smuggling of migrants have been reported along almost all identified routes.<sup>69</sup>

## Links between smuggling of migrants and trafficking in persons

Available data mainly point to cases where the crimes of smuggling of migrants and trafficking in persons are intertwined. In West Africa and the Sahel, this link is most often found in specific locations (e.g. gold fields) or during specific stages of the journey (e.g. northern Mali or Libya) and most often involves women and children. Kidnappings, kidnapping-for-ransom, theft, extortion have been reported by smuggled migrants along routes between West and North Africa.

### The following patterns have been observed:

1. Migrants who voluntarily depart with smugglers or mobility facilitators towards a certain destination but find themselves trafficked for sexual or labour exploitation along the way. This may involve sexual exploitation in transit centres along the West and North African routes, where women are found in debt bondage for their onward journey. For example, in the artisanal gold mining fields of eastern Senegal most victims of trafficking for sexual exploitation just intended to migrate to ECOWAS or elsewhere.<sup>70</sup> According to a study conducted in the Kedougou region, it is estimated that nearly one in five people (19%) who engages in commercial sexual activities is a victim of human trafficking for sexual exploitation.<sup>71</sup> The majority of victims of trafficking for sexual exploitation in these gold mines are from Nigeria (68%), followed by Senegal (13%), Mali (12%) and

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68. UNODC, TOCTA Sahel. Smuggling of Migrants in the Sahel, 2022, UNODC Research, Vienna; The Financial Action Task Force, Money Laundering and Terrorist Financing Risks Arising from Migrant Smuggling, FATF Report, 2022, p. 15; UNODC, Global Study on Smuggling of Migrants 2018.

69. UNODC, TOCTA Sahel. Smuggling of Migrants in the Sahel, 2022, UNODC Research, Vienna; The Financial Action Task Force, Money Laundering and Terrorist Financing Risks Arising from Migrant Smuggling, FATF Report, 2022, p. 16.

70. Replies to questionnaire and interview with key informant.

71. Okech, D., Kelly, J., Mame Soukeye, M., Cronberg, A., Yi, H., Cody, A., Clay Warner, J., Woubedle, A., Nupur, K., Shiyun, M., Cheikh Moussa, N., Alioune Badara, T., Balch, A., Bolton, C., Onyioha-Clayton, N., & Diagne Barre, A., Severe Forms of Sex Trafficking in the Gold Mining Areas of Ke dougou, Senegal, Center for Human Trafficking Research & Outreach, University of Georgia, Athens, GA, USA, 2022, p. 18.

other countries (8%).<sup>72</sup> Women were more often deceived rather than coerced into a trafficking situation notably through false promises related to job opportunities and later forced to repay debts linked to living expenses and travel.<sup>73</sup>

2. Migrant workers who depart voluntarily and use smugglers to bring them to the destination country, where they fall victims of trafficking by means of deception. This is the case with some gold miners in the Sahel and the Sahara Desert. Before departure, migrant workers are promised satisfactory working conditions, but on arrival they find themselves in exploitative conditions and without the possibility to escape.<sup>74</sup>
3. Migrants who fall prey to trafficking networks from the outset. This is the case of many Nigerian migrants, especially females, who are controlled by 'madams' and their networks at all stages of the journey. Networks use debt bondage among others as a "means". After arriving in Europe, migrants are forced into sexual exploitation, until the travel debt is repaid.<sup>75</sup>
4. Migrants who voluntarily depart and find themselves deprived of liberty, detained arbitrarily and extorted. Such cases are systematically reported by migrants in northern Mali, Libya and Algeria.<sup>76</sup>

### **The following factors seem to foster potential links between smuggling of migrants and trafficking in persons:**

1. The involvement of organized criminal groups.
2. Transiting through territories outside governmental control. The lack of regulation and law enforcement oversight create windows of opportunity for traffickers and smugglers. This seems to be the case, for example, in the Gao area of Mali, which is an important transit hub for seasonal labour migration towards North Africa or the gold mines of the region.<sup>77</sup> Numerous cases of networks in Gao forcing migrant women into sexual exploitation by making them work in bars and brothels have been observed.<sup>78</sup>
3. Increased vulnerabilities of migrants caused by poverty, lack of employment opportunities, lack of alternative pathways.

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72. Ibid., p. 17.

73. Ibid.

74. Key informant interviews.

75. Rizzotti, M., Chasing Geographical and Social Mobility: The motivations of Nigerian madams to enter indentured relationships, *Anti-Trafficking Review*, Issue 18, 2022, pp. 49-66.

76. Brachet, J., Manufacturing Smugglers: From Irregular to Clandestine Mobility in the Sahara". *The ANNALS of the American Academy of Political and Social Science*, 676(1), 2018, 16–35. Mixed Migration Centre, A persistent reality: the role of corruption in mixed migration, 28 June 2019; UNODC Observatory on Smuggling of Migrants, Migrant Smuggling To Morocco And The Western Mediterranean. UNODC Research, p. 14.

77. United Nations Security Council, Letter dated August 3, 2022 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, S/2022/595, 3 August 2022, p. 16, <https://undocs.org/en/S/2022/595>.

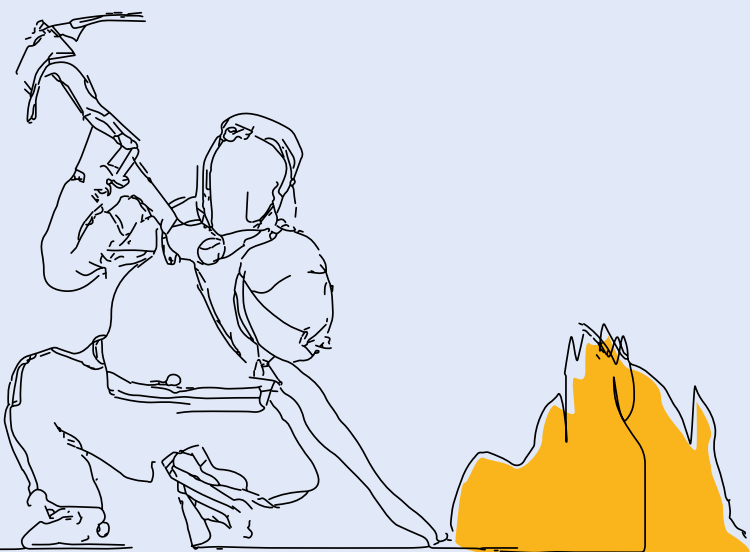
78. Mixed Migration Centre, Navigating borderlands in the Sahel: border security governance and mixed migration in Liptako-Gourma, 2019, p. 66; United Nations Security Council, Letter dated August 6, 2021 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, p. 23.

## The case of artisanal gold mining

Artisanal gold mining is practiced throughout West Africa, both in the savanna areas and in the Sahara Desert. Since 2012, an increasing number of gold fields have emerged across the Sahel. Gold mining sites are very attractive due to their informal nature, limited governmental control, and the burgeoning economic opportunities they offer.<sup>79</sup> The high profitability prospect in combination with lack of regulation and control creates conducive conditions for organized criminal activity.<sup>80</sup>

Artisanal gold mining sites are fertile grounds for exploitation, trafficking in persons, as well as arms, gold and tramadol trafficking,<sup>81</sup> and generate revenues for extremist and armed groups.<sup>82</sup> It is widely reported that forced labour camps and sex trafficking rings may be rampant in and around illegal mining sites.<sup>83</sup>

Gold mining sites serve as a prime example that demonstrates the links between the facilitation of (regular or irregular) migration and the exploitation of migrants.<sup>84</sup> Smugglers have leveraged the favourable logistics offered by mining zones located in proximity to cross-Saharan human smuggling routes for expanding their smuggling business.<sup>85</sup> Migrant smuggling networks seem to offer transport from the closest urban centres, such as Gao in Mali or Agadez in Niger. Separate smuggling networks exist around the sites targeting migrants who travel to goldfields to work for several months before continuing the journey north. Many miners end up into forced labour or exploitative labour conditions, while the mining sites create demand for the creation of a sex industry, which increases the risks of trafficking for sexual exploitation of women and girls.<sup>86</sup>



79. Micallef, M. and M. Herbert, *Fragile states and resilient criminal ecosystems. Human smuggling and trafficking trends in North Africa and the Sahel*, Global Initiative against Transnational Organized Crime, 2022, p. 22.

80. *Ibid.*

81. Tramadol is a synthetic opioid analgesic used to treat moderate to mildly severe pain.

82. United Nations Security Council, Letter dated August 3, 2022 from the Panel of Experts on Mali established pursuant to resolution 2374 (2017) addressed to the President of the Security Council, S/2022/595, 3 August 2022, p. 16, <https://undocs.org/en/S/2022/595>; Raineri, L., *Sex, Drugs and Rocket Launchers: Traffics and Conflicts in the Sahara-Sahel*, in *Sahel: 10 Years Of Instability. Local, Regional and International Dynamics*, 2022, ISPI, p. 83.

83. UNODC, *Responding to Illegal Mining and Trafficking in Metals and Minerals: A Guide to Good Legislative Practices*, 2023, citing Verité, *The nexus of illegal gold mining supply chains: lessons from Latin America*, Washington, D.C., 2016 and Human Rights Watch, *The hidden cost of jewelry: human rights in supply chains and the responsibility of jewelry companies*, 2018, New York, and United Nations Human Rights Council, *Independence of the justice system and access to justice in the Bolivarian Republic of Venezuela, including for violations of economic and social rights, and the situation of human rights in the Arco Minero del Orinoco region: Report of the United Nations High Commissioner for Human Rights*, A/HRC/44/54, 29 September 2020, <https://undocs.org/en/A/HRC/44/54>.

84. UNODC, *TOCTA Sahel. Smuggling of Migrants in the Sahel*, 2022, UNODC Research, Vienna; Micallef, M. and M. Herbert, *Fragile states and resilient criminal ecosystems. Human smuggling and trafficking trends in North Africa and the Sahel*, Global Initiative against Transnational Organized Crime, 2022, p. 22.

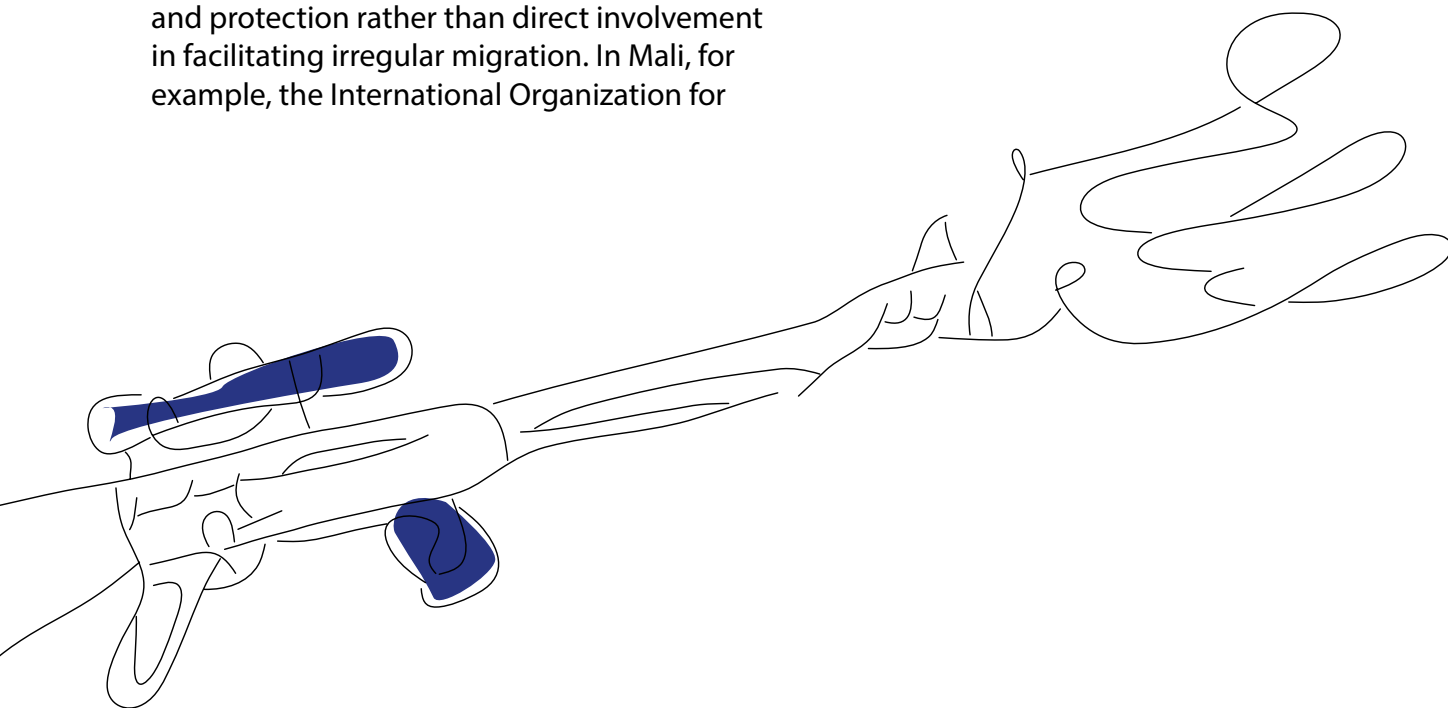
85. *Ibid.*

86. Micallef, M. and M. Herbert, *Fragile states and resilient criminal ecosystems. Human smuggling and trafficking trends in North Africa and the Sahel*, Global Initiative against Transnational Organized Crime, 2022, p. 22.

## Participation of armed groups in the smuggling of migrants

The data collection came across evidence of links between terrorism, the financing of violent extremism and trafficking in persons, as well as links between organized crime and violent extremism, particularly in the Sahel regions and Libya, where national authorities do not control large swathes of territory.<sup>87</sup> In this context, several prominent terrorist networks are intertwined with actors involved in migrant smuggling and trafficking in persons. In northern Mali, armed groups are known to be part of the migrant smuggling industry not only as providers of protection, but also by imposing a right-of-way on migrant smuggling convoys.<sup>88</sup> The relationship between migrant smuggling networks and armed groups is therefore one of collaboration and protection rather than direct involvement in facilitating irregular migration. In Mali, for example, the International Organization for

Migration (IOM) highlights the involvement of smugglers in criminal networks led by armed groups active in racketeering, extortion, kidnapping, forced labour and exploitation of migrants.<sup>89</sup> Another illustrative example, comes from the UN Panel of Experts on Mali furnishing evidence on the case of Baye Coulibaly, who recruited migrants for the Tuareg Self-Defence Group Imghad and Allies (GATIA) and later for the Support Group for Islam and Muslims (JNIM).<sup>90</sup> Coulibaly is known for his involvement in a militia that holds travellers for ransom at a checkpoint on the road from Gao to Ansongo and maintains a criminal gang involved in robberies, murders, extortion, and kidnappings.<sup>91</sup>



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87. United Nations Security Council, Counter-Terrorism Committee Executive Directorate, Identifying and exploring the nexus between human trafficking, terrorism and terrorism financing, available at: [www.un.org/securitycouncil/ctc/sites/www.un.org/securitycouncil.ctc/files/files/documents/2021/Jan/ht-terrorism-nexus-cted-report.pdf](http://www.un.org/securitycouncil/ctc/sites/www.un.org/securitycouncil.ctc/files/files/documents/2021/Jan/ht-terrorism-nexus-cted-report.pdf)
  88. Golovko, E., Players of many parts: The evolving role of smugglers in West Africa's migration economy, Mixed Migration Centre, Dakar, 2019, p. 21; IOM, Survey on human trafficking. Mali, Situation Report, May 2021, p. 52; UNODC, TOCTA Sahel. Smuggling of Migrants in the Sahel, 2022, UNODC Research, Vienna, pp. 25-27.
  89. IOM, Survey on human trafficking. Mali, Situation Report, May 2021, p. 52.
  90. United Nations Security Council, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali and renewed pursuant to resolution 2484 (2019), 7 August 2020, S/2020/785/Rev.1, <https://undocs.org/en/S/2020/785/REV.1>, para. 104 "Their numbers reached up to 30 per month before the gold boom and declined thereafter, with young men attracted to gold mining."
  91. United Nations Security Council, Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali and renewed pursuant to resolution 2484 (2019), 7 August 2020, S/2020/785/Rev.1, <https://undocs.org/en/S/2020/785/REV.1> para. 104-105.

## Other forms of organized crime and links with the smuggling of migrants

There is little information of links between the smuggling of migrants and other forms of organized crime. Most data points to links between smuggling of migrants and trafficking of tramadol, particularly between northern Niger and southern Libya, or between Nigeria and Libya.<sup>92</sup> Trafficking of this opioid is possible thanks to a transport system developed for the transport of migrants.<sup>93</sup> The routes used by these smugglers are different from those used by drug traffickers.<sup>94</sup> Available data suggest a shift of migrant smugglers to trafficking on tramadol following a booming demand across the Sahel. This business is especially attractive to low-level smugglers, as it is seen as low risk. Of all the overlaps between migrant smuggling and human trafficking in Niger, possibly the most significant is the displacement of actors, particularly from the migration business, into cross-border traffic and local distribution of prescription medication – especially tramadol.<sup>95</sup> A most recent trend in Niger is that almost all migrant smugglers from Libya to Niger traffic tramadol. Policy authorities report finding tramadol in vehicles arriving from Libya.<sup>96</sup> In northern Mali, some smugglers are also suspected of involvement in drugs and arms trafficking.<sup>97</sup>

Links between drug trafficking, migrant smuggling and smuggling of tobacco have also been found in North Africa. Europol reported the arrest of 24 smugglers and the dismantling of a criminal network that smuggled migrants from Algeria to Spain and other EU countries. The network was also involved in synthetic drug trafficking, tobacco smuggling, property crime and document fraud. The group was characterized by a highly specialized structure with specific roles.<sup>98</sup>

Small quantities of drugs, particularly hashish, are intercepted in boats arriving in the Canary Islands from Morocco.<sup>99</sup> According to Europol, a feature of the criminal networks active along the Western Mediterranean route is the multi-commodity dimension observed in their smuggling activities. Often criminal networks involved in smuggling illicit commodities – drugs, tobacco, stolen goods – are also engaged in migrant smuggling, taking advantage of the logistical infrastructure already in place.<sup>100</sup> Purportedly, boat-masters in the past have also participated in the illicit trafficking of cannabis resin to the Canary Islands, but not on the same routes as migrants.<sup>101</sup>

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92. Key informant interviews.

93. Ibid.

94. For more see Micallef, M., Farrah, R., Bish, A., and V. Tanner, *After The Storm. Organized crime across the Sahel-Sahara following upheaval in Libya and Mali*, Global Initiative against Transnational Organized Crime, 2019, p. 28.

95. Ibid., p. 31.

96. Reply to questionnaire and interviews with key informants.

97. United Nations Security Council, Letter dated August 6, 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 2020, <https://undocs.org/en/S/2021/714>, p. 22-23.

98. Europol, 24 arrested for smuggling migrants, drugs and stolen goods across the Mediterranean, 10 January 2022, [www.europol.europa.eu/media-press/newsroom/news/24-arrested-for-smuggling-migrants-drugs-and-stolen-goods-across-mediterranean](http://www.europol.europa.eu/media-press/newsroom/news/24-arrested-for-smuggling-migrants-drugs-and-stolen-goods-across-mediterranean)

99. Interview with key informant.

100. Europol, 2022 European Migrant Smuggling Centre. 6th Annual Report, p. 13.

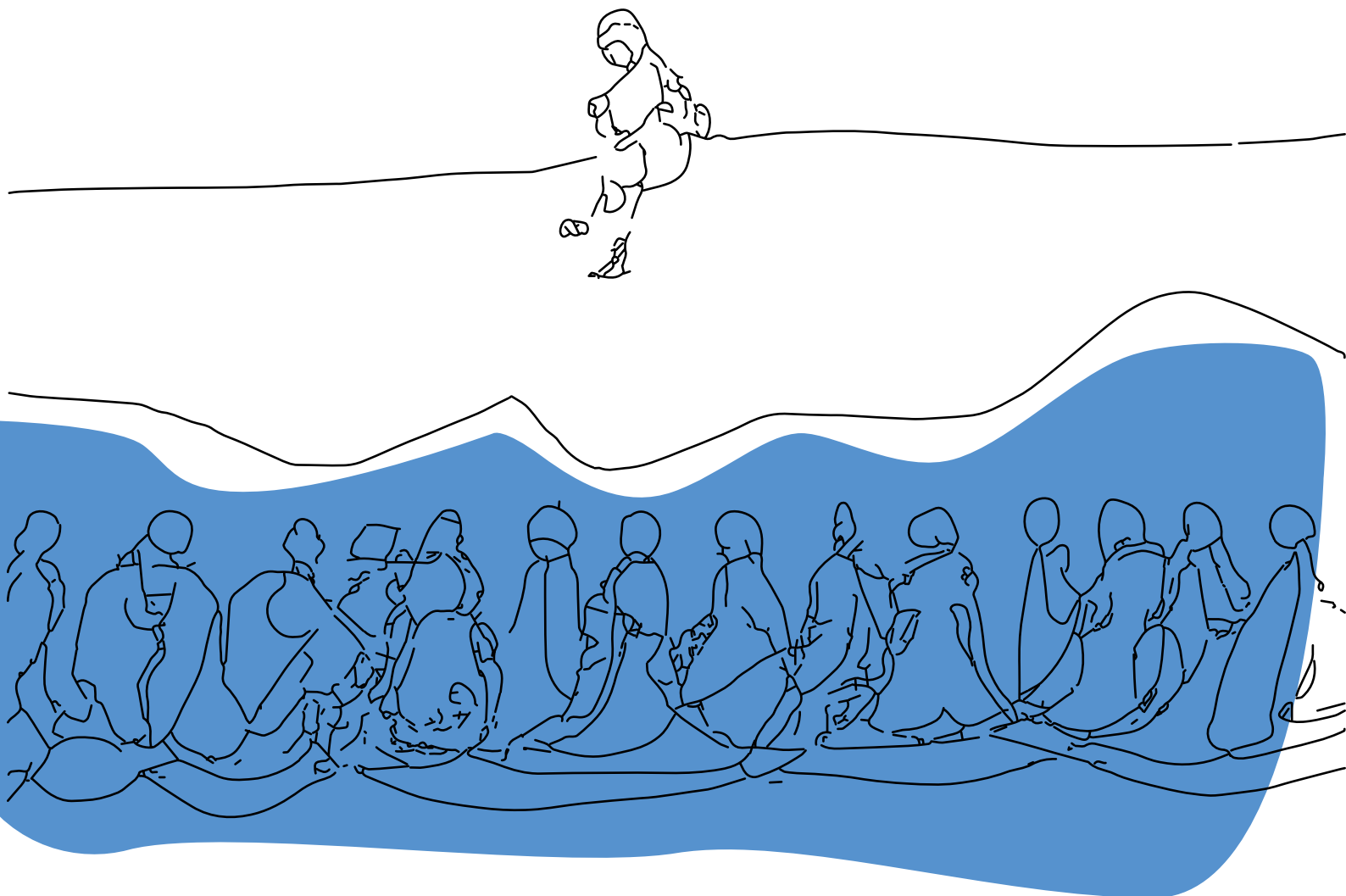
101. Bird Ruiz-Benitez de Lugo, L., North-West passage. The resurgence of maritime irregular migration to the Canary Islands, Global Initiative against Transnational Organized Crime, 2022, p. 13.

Although the link between organized crime and money laundering is recognized, it is very difficult to **prove** this connection. Typically, the proportion of migrant smuggling investigations that lead to a money laundering investigation is quite low. It therefore remains difficult to compile statistics on money laundering from migrant smuggling investigations. This can be partly due to the fact that in some countries the law does not differentiate between human trafficking and migrant smuggling. During the past five years, only Italy and Ireland reported

investigations into the financing of terrorism linked to migrant smuggling. The primary area where terrorist organizations are believed to have generated profits from migrant smuggling is in Africa. Additional factors that prevent successful investigations in this regard include difficulties of maintaining effective international cooperation, difficulties in detecting financial flows from migrant smuggling (especially due to the preferred use of cash or unofficial banking procedure such as hawala to transfer funds), and weaknesses in inter-institutional cooperation at national level.<sup>102</sup>

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102. The Financial Action Task Force, Money Laundering and Terrorist Financing Risks Arising from Migrant Smuggling, FATF Report, 2022.





## Conclusions and recommendations

The aim of this paper was to examine the available data on how organized criminal groups are linked to the smuggling of migrants along the Central and Western Mediterranean routes. The rapid data collection has helped to establish a baseline of knowledge and highlighted areas where efforts need to be made to promote international cooperation and data-driven responses.

The region analysed in this rapid data collection is vast and certain areas are hard to reach due to the associated security risks. The diversity of national contexts is immense. Administrative data on the arrest, prosecution, and detention of smugglers operating along these routes is scarce. Evidence of links between organized criminal groups and migrant smuggling along the Central and Western Mediterranean routes is limited.

The profiles and *modi operandi* of migrant smugglers are very diverse. In areas where there are no formal restrictions on mobility, such as free movement zones, there is little evidence of migrant smuggling and almost no evidence of links between migrant smuggling and other forms of organized crime. The absence of legal pathways often enables smuggling networks. In order to counter smuggling of migrants along these two routes, it is important to understand the crime and establish a baseline, but also to improve international cooperation. This requires improved capacities and legal and policy frameworks, regular data collection and exchange, and promotion of judicial cooperation.

## Understanding the crime and establishing a baseline

1. States must uphold the standards of the Smuggling of Migrants Protocol. The Protocol's definition of smuggling of migrants should serve as a common basis for understanding what is and what is not migrant smuggling. According to the Protocol, financial or material benefit is an element of the crime of migrant smuggling. Further guidance on the Protocol can be found in the UNODC Model Law on Smuggling of Migrants.<sup>103</sup>
2. As per Art. 5 of the Smuggling of Migrants Protocol, smuggled migrants must not be prosecuted for having been smuggled - the responsibility for migrant smuggling lies with the smugglers and not with the migrants themselves.
3. On the basis of a common understanding of the offence of migrant smuggling, efforts to collect data must be intensified. Statistical data on investigations, prosecutions, convictions, and sentences, disaggregated by sex and age, is needed for evidence-based responses.
4. Robust and centralized data collection system should be put in place and fed with updated information to foster better understanding of smuggling patterns and trends.
5. The exchange of information is essential in the fight against migrant smuggling and can contribute to further international cooperation. The experience of regional projects in this area should be assessed and methods or techniques that have been proven to be effective and knowledge or insights gained from these be taken into account.<sup>104</sup>
6. As this data collection has clearly shown, further research is needed to develop more targeted policy measures: around gold mining sites where links between smuggling of migrants and trafficking in persons have been observed; in relation to the types of structure of organized crime groups involved in the smuggling of migrants and the way their operations are carried out in West and North Africa; and a thorough analysis of cases of migrant smuggling and cases that should not be considered as such.



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103. [www.unodc.org/documents/human-trafficking/Model\\_Law\\_Smuggling\\_of\\_Migrants\\_10-52715\\_Ebook.pdf](http://www.unodc.org/documents/human-trafficking/Model_Law_Smuggling_of_Migrants_10-52715_Ebook.pdf)

104. For example NETCOP, see footnote 27 - a project focused on establishing an operational network between the Common Operational Partnerships (COP) and Joint Investigation Teams (JIT) in West Africa and Sahel, see Funding & tenders (europa.eu)



## Fostering international cooperation

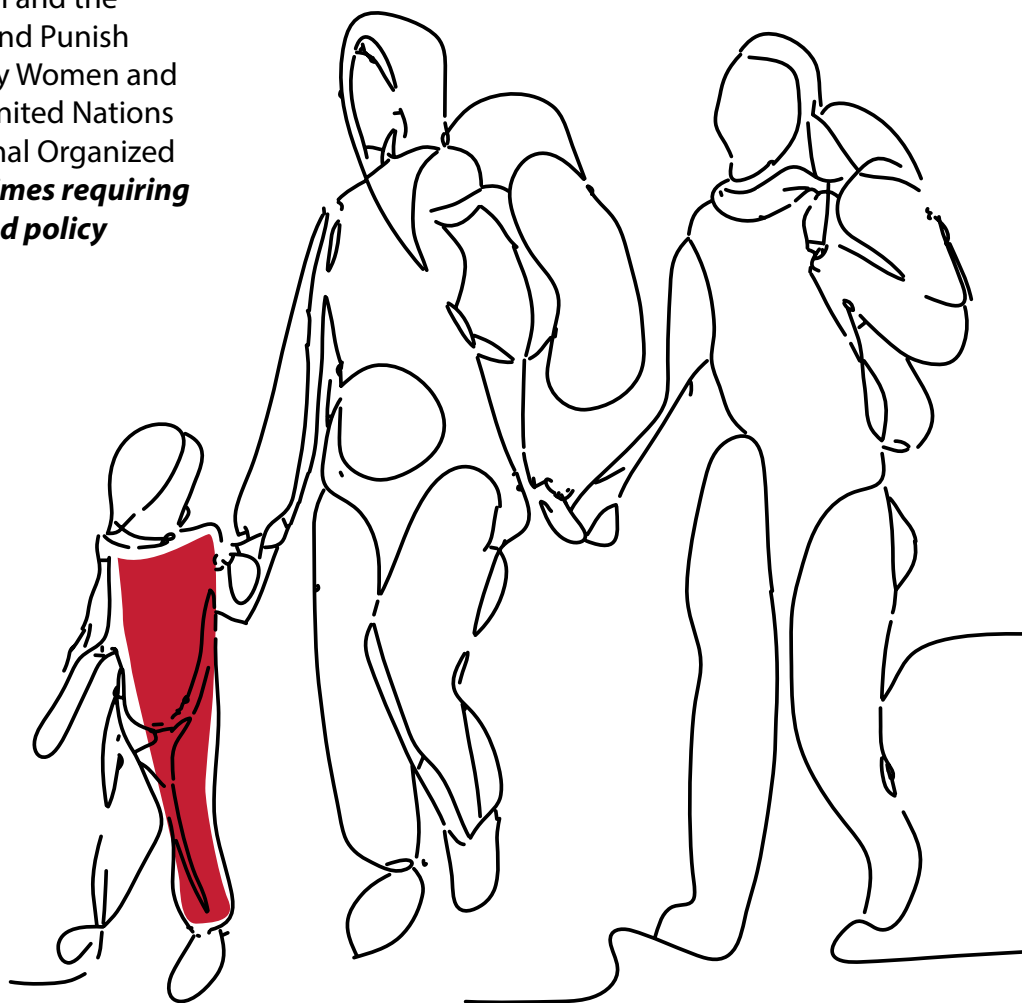
1. Authorities should make full use of the toolbox provided in the United Nations Convention against Transnational Organized Crime, and mutual legal assistance and the establishment of joint investigation teams must be promoted and fully exploited.
2. The fight against the smuggling of migrants is an integral part of criminal justice systems - and it is these systems that need to be supported in order to function well not only within borders, but ultimately across them.
3. A culture of international cooperation needs to be fostered among criminal justice authorities. This may require requesting and/or providing training on mutual legal assistance and other forms of international cooperation to obtain evidence and testimony. This could also include the deployment of liaison magistrates, for example through the conclusion of bilateral or regional agreements or operational arrangements.
4. The technology used by smugglers and the financial gains they make also transcend national borders, and international cooperation is needed to address the multifaceted nature of migrant smuggling and to provide a holistic response. It would be beneficial to share best practices to detect, monitor and combat the use of technology by smugglers, such as social media platforms and online payment systems, and to establish common standards and protocols for the collection, storage and sharing of digital evidence related to smuggling cases, while ensuring respect for human rights and data protection principles.
5. It should be very useful for States Parties to the Organized Crime Convention and its supplementing Smuggling of Migrants Protocol to participate in intergovernmental processes such as the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (COP) and its Working Group on Smuggling of Migrants, and the Commission on Crime Prevention and Criminal Justice (CCPCJ), in order to promote international debate among countries of origin, transit and destination.

Annex A contains other relevant recommendations from a resolution adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and recommendations adopted by its Working Groups on Trafficking in Persons and the Smuggling of Migrants.

## ANNEX A

### Relevant recommendations from resolution 6/3 adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (CTOC/COP/2012/15)

- States parties must **respect the fundamental human rights** of smuggled migrants, irrespective of their migration status, nationality, gender, ethnicity, religion or age, taking into account the special needs of women and children.
- States parties should be reminded that, although the **smuggling of migrants and trafficking in persons** may, in some cases, share some common features, States parties need to recognize, consistent with the Smuggling of Migrants Protocol and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, that they **are distinct crimes requiring separate legal, operational and policy responses.**<sup>105</sup>
- States parties should **use, to the fullest extent possible, mutual legal assistance and other forms of cooperation** and coordination to combat the smuggling of migrants at the national, regional and international levels, and **encourages States parties to use the Organized Crime Convention as a legal basis for international cooperation**, in particular in the form of mutual legal assistance and extradition to combat the smuggling of migrants.



105. See also Objective 9 of the Global Compact for Migration: Strengthen the transnational response to smuggling of migrants.

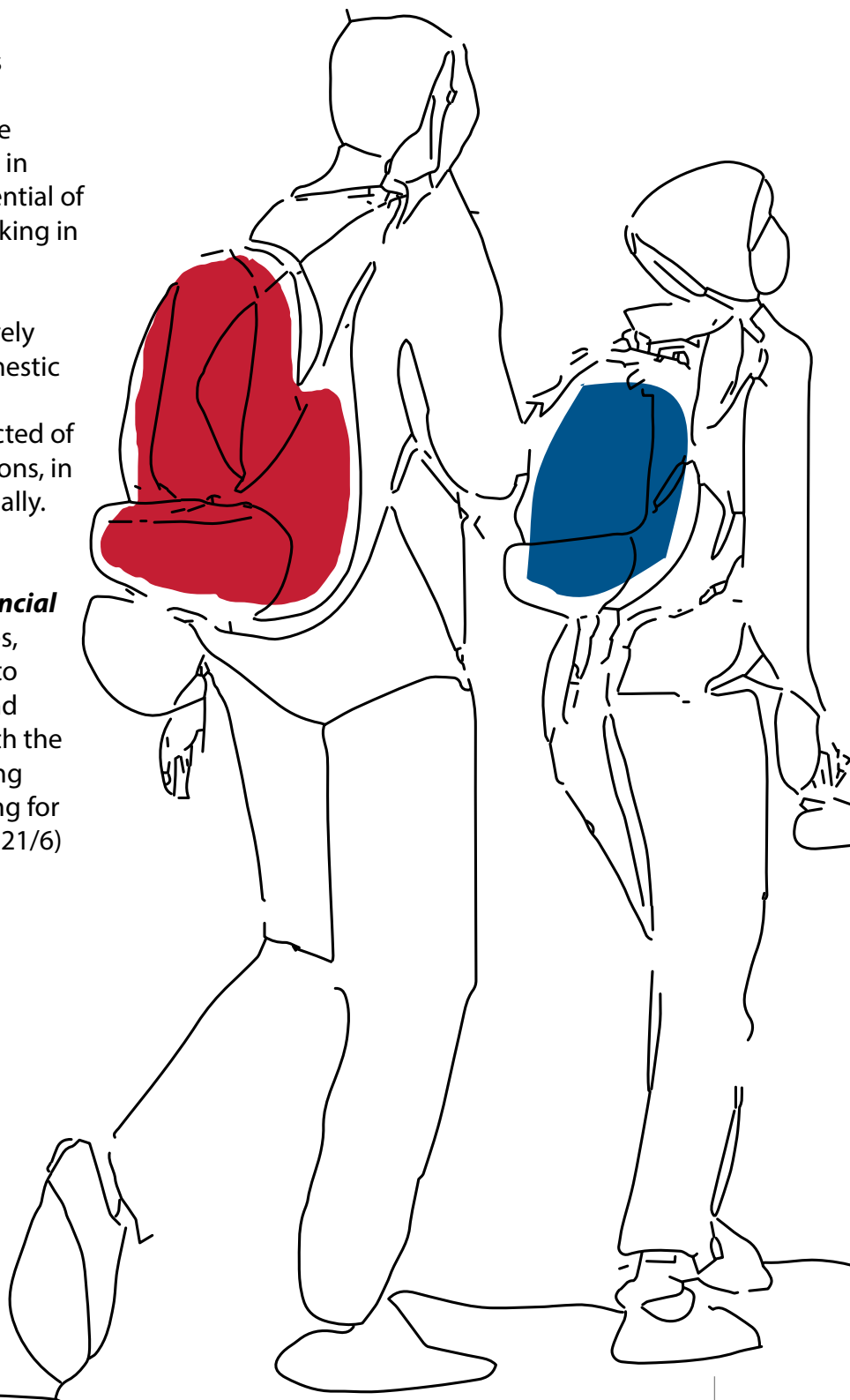
## Relevant recommendations adopted by the Working Group on the Smuggling of Migrants

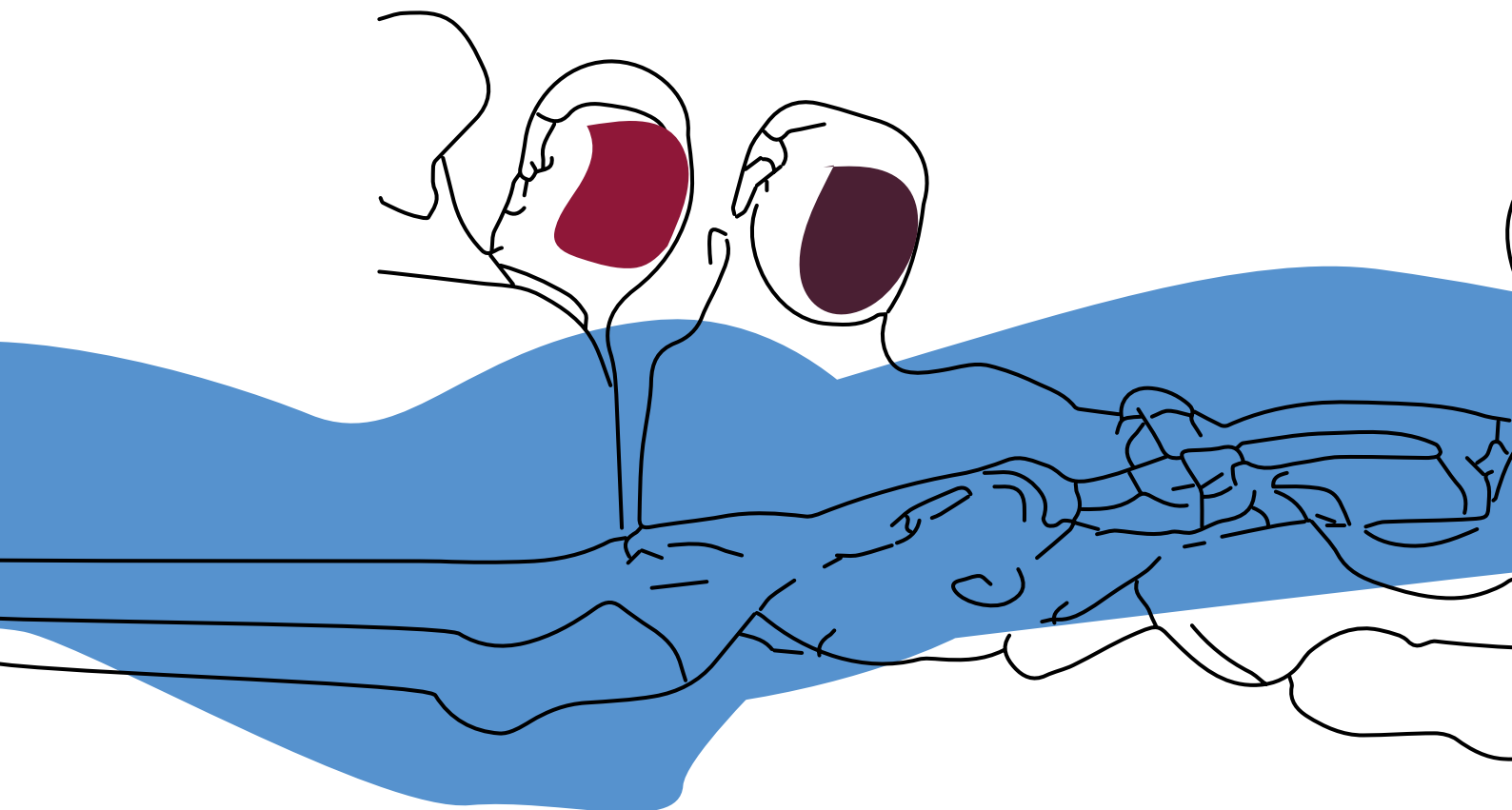
- States parties are encouraged, in line with the fundamental principles of their domestic law and relevant and applicable international obligations, to take a **human rights-based approach to migration** policies through the mainstreaming of **human rights-based, gender- and child-sensitive approaches**, as a priority, in the development of pathways for regular migration, to place the protection and rights of migrants and those whose lives or safety is in danger in their migration at the core of anti-smuggling policies and practices, and to step up efforts to **prevent the politicization of the migration discourse**. (CTOC/COP/WG.7/2021/5)
- States parties should consider that unnecessarily **restrictive migration policies could lead to fueling the business of migrant smuggling**, including by prompting smugglers to charge higher fees and to expose migrants to increased risks of aggravated forms of smuggling. (CTOC/COP/WG.7/2021/5)
- States parties should **collect and share relevant information**, including through the use of existing international and regional databases such as those of the International Criminal Police Organization (INTERPOL), in order to enhance the effectiveness of measures aimed at criminalizing, investigating and prosecuting the smuggling of migrants. Such information could **include data on organized criminal groups involved in the smuggling of migrants**. (CTOC/COP/WG.7/2012/6)
- States parties should **expand data-collection and research efforts** to better **analyse the scope, scale and ways in which technology is misused to facilitate the smuggling of migrants** at the regional and international levels, with particular consideration of **criminal misuse of the Internet and social media applications by organized criminal groups**. (CTOC/COP/WG.7/2020/4)
- States parties should consider the importance of bilateral and multilateral cooperation, including cooperation at the regional level and with neighbouring countries, in order to strengthen border control, **conduct joint investigations, exchange operational information and intelligence informally** and develop training programmes to raise the awareness of relevant actors. (CTOC/COP/WG.7/2012/6)

## Relevant recommendations adopted by the Working Group on Trafficking in Persons

- States parties should **take into consideration** in their measures to reduce demand the **links between trafficking in persons and other crimes, such as corruption and other related offences**. (CTOC/COP/WG.4/2013/5)
- States parties should **research the root causes of trafficking in persons** and address them with relevant measures, such as reducing the lack of equal opportunities, paying particular attention to persons vulnerable to trafficking, especially women and children, and opening up more employment and practical training opportunities. (CTOC/COP/WG.4/2013/5)
- States should consider **developing an integrated national or regional database on trafficking in persons** that includes data on cases, trends and patterns, best practices and modus operandi, with a view to helping analyse the situation on the ground, identifying challenges and gaps and formulating a comprehensive policy on combating trafficking in persons. (CTOC/COP/WG.4/2015/6)
- Promote effective cooperation and the **exchange of information on services, including protection services**, and prevention measures on a timely basis between countries of origin, transit and destination, including appropriate bilateral or multilateral coordination of law enforcement authorities and cross-border authorities, in line with domestic law, and measures on the recruitment and transportation of victims. (CTOC/COP/WG.4/2018/3)
- States parties are encouraged **to promote coordinated cross-border investigations and regional and international collaboration** to strengthen the effectiveness of criminal justice responses to trafficking in persons and the sharing of good practices, including, as appropriate, **by appointing liaison officers, magistrates or prosecutors or promoting exchange programmes for law enforcement officials between countries of origin, transit and destination**, and to encourage regional and international organizations to support States parties' efforts in this regard, when requested. (CTOC/COP/WG.4/2022/4)
- States parties should enhance subregional, regional and international cooperation to develop policies, **share intelligence and conduct joint and parallel investigations** to prevent and counter trafficking in persons enabled by information and communications technology, in accordance with their domestic law. (CTOC/COP/WG.4/2021/6)
- States should make **use of joint investigations** as a practical means of offering technical assistance to other States and strengthening a transnational criminal justice response to trafficking in persons. In particular, joint operations should be undertaken **between countries of origin and destination**. (CTOC/COP/WG.4/2010/6)
- States parties are encouraged, consistent with domestic and international law, to **establish joint investigation teams for specialized investigations** and to respond to extradition and mutual legal assistance requests in an efficient way in responding to cases of trafficking in persons, **including in relation to the proceeds of crime**. (CTOC/COP/WG.4/2019/6)

- States parties should encourage **collaboration between specialized networks of prosecutors and specialized law enforcement networks** to facilitate information exchange, including in the framework of joint investigation teams, to prevent and combat trafficking in persons. (CTOC/COP/WG.4/2022/4)
- States parties should take measures to **counter the criminal misuse of cybertechnologies** in facilitating the exploitation of victims of trafficking in persons, while recognizing the potential of such technologies to prevent trafficking in persons. (CTOC/COP/WG.4/2019/6)
- States parties should comprehensively investigate, in accordance with domestic law, including through **financial investigation**, all individuals suspected of being involved in trafficking in persons, in particular those who benefit financially. (CTOC/COP/WG.4/2019/6)
- State parties should undertake **financial investigations** of all trafficking cases, **including online trafficking cases**, to confiscate any proceeds of crime and property in a manner consistent with the Convention, and considering utilizing them to support victims of trafficking for their recovery. (CTOC/COP/WG.4/2021/6)





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