

What incentives does Niger have for cracking down on migrant smuggling? Not many

Niger became the first country to criminalise migrant smuggling in May 2015. In this article, Tuesday Reitano examines the probability of gaining Niger's cooperation in tackling the trade.

This post is part of our series [African Perspectives on Migration](#) looking at the theme of irregular migration.

Agadez, a small city deep in Niger's northern desert, has become *the* hub for trans-Saharan migration. A reported 3,000 people a week, from all over West Africa and the Horn, have been congregating there waiting for a place on the convoy that leaves every Monday night, heading north into Libya. The red dust rises like a cloud as around 100 4x4s leave the town, each vehicle carrying between 25-35 migrants, perched precariously, clinging onto wooden poles fixed to the sides of the flat-beds to avoid falling off. Many do, however, and are left to die in the desert. The Saharan sea has proven far more deadly than the Mediterranean.

In the last four years, the sea crossing between Libya and Italy has been one of the principle gateways for the massive surge in migration into Europe. With nearly one million people estimated to have crossed into Europe's borders during just this year, the sea crossing has been of particular concern partly due to the number of people have died in the attempt, but also because it is mainly sub-Saharan Africans using this route. Unlike the Syrians, Iraqis and Afghans who favour the shorter, safer and more proximitous Turkey-Greece crossing in the Aegean, it is predominantly the peoples of sub-Saharan Africa who brave the chaos of Libya's conflict and depart from the North African coast.



Closing down the smuggling trade would have a devastating effect on the economy in Agadez
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Few of these nationalities stand a chance of successfully negotiating their way through the EU's asylum policy and being legally admitted: whereas 99% of Syrians are granted asylum, less than 15% of West Africans will be considered to have valid protection needs to be accepted for asylum in Europe. The administrative burden of processing their claims and then the significant costs of financing their return makes it therefore a high priority of European states to stem this flow closer to source. For this they need the cooperation of the littoral states in North Africa. Mauritania

maintains a longstanding partnership with the Spaniards to prevent the re-opening of the route to the Canary Islands, for example. Gaddafi's Libya used to play the same role for the Italians – in 2011, right before his fall, the dictator was negotiating a \$4 billion incentive package to control illicit emigration – but since the revolution, the bifurcated and highly contested Libyan state is in no position to control its own coastlines and offer the same guarantees.

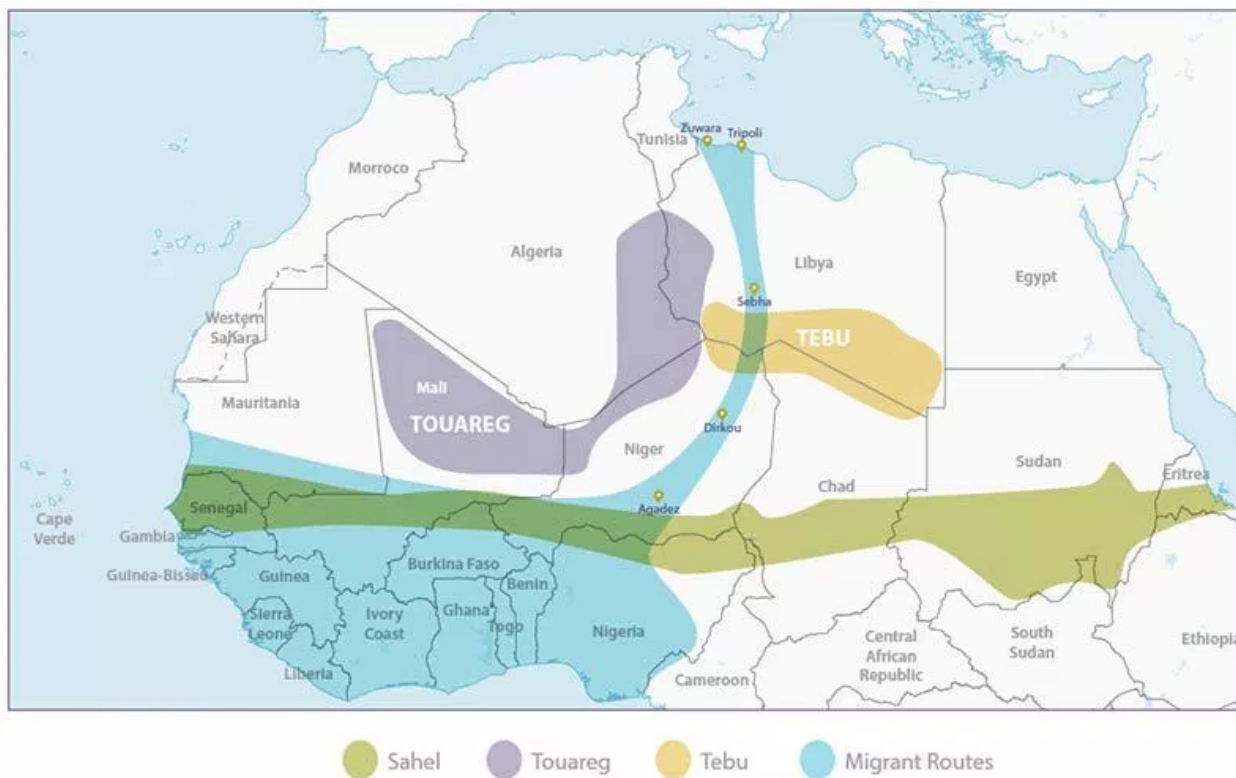
The EU is thus appealing to inland states – namely Niger – to prevent the flow of migrants closer to source. Niger has been a staunch ally to the Occidental states in their fight against terrorism in the Sahel, hosting not only the EU's counter-terrorism mission, EUCAP Sahel, but also, since 2013, a USA army and drone base. Yet, while the state has made nominal shows of support in the EU's latest priority – it has been the first sub-Saharan state to promulgate a new law criminalising the smuggling of migrants, and has allowed the expansion of the EUCAP mandate to include clandestine migration and the establishment of an 'antenna' of the mission in Agadez – there is little genuine incentive for Niger to address the trade.

Since 1975 and the formation of the ECOWAS bloc, freedom of movement is a right and entitlement of the citizens of West Africa. For the countries of the Sahel, it is an absolute necessity and a resilience strategy: the Sahel region is highly prone to cyclical droughts, and the Sahara offers few sustainable livelihoods apart from pastoralism and cross-border trade. People move regularly amongst their ethnic populations that are dispersed across the entire Sahel belt and West Africa seeking livelihoods and succour. Thus, those in Agadez have committed no crime until they cross the ECOWAS border into the Maghreb. To successfully prosecute smugglers in Agadez, it would be on the shoulders of the national authorities to provide the burden of proof of intent to cross a border illegally. It is seven to -ten days' journey across the desert from Agadez to the Libyan border, and the Niger military rarely goes further north than Dirkou. Once the border is crossed, it is no longer within Niger's jurisdiction.

Beyond the legal technicalities, there are also a number of deep-seated economic reasons that will make Niger reluctant to take a serious stance against migrant smuggling. Firstly, remittances from migrants working overseas are an important source of revenue in the country – in 2012, the World Bank estimated that \$122 million was remitted by Nigerien diaspora, representing nearly 3% of GDP. More specifically, Agadez has been a trade and smuggling hub in the Sahara for centuries, and there are basically no alternative livelihoods for the nomadic groups such as the Tebu and Toureg that reside there (see map below). The economies of the Sahel are closely tied to the petroleum rich countries of the Maghreb: Algeria and Libya. Not only do a large proportion of West Africans go north to seek employment in these countries, but cross border smuggling in basic goods subsidised in the north, are a mainstay for many communities in the Sahel. For example, in 2014 the World Bank estimated 40 lorries per week were passing the border between Algeria and Mali, and 90% of what they carried was foodstuffs: pasta, flour, semolina, powdered milk and sugar. In the same year, the FAO estimated that one-third of the \$11.5bn worth of Libya's subsidised food was smuggled into neighbouring countries. Rather than go back empty, trucks going south with commodities would return north with migrants.

The economies of key cities along the route have developed in support of these transit trades, and with the migration surge, business is booming. The entire community revolves around providing facilities for migrants and smugglers: accommodation, food, equipment and security. To close down the smuggling trade in Agadez would bring the economy crashing down, and as the government has basically no capacity to provide alternative livelihoods, this would risk raising tensions in the region. With instability spreading like wildfire across the Sahel, and elections upcoming in 2016, this is a risk that the government can ill afford.

Tuesday Reitano is the Head of the Secretariat of the **Global Initiative against Transnational Organized Crime**. She is the author of numerous publications on transnational crime in Africa and the migrant smuggling industry in particular, including an upcoming OECD Publication, "Illicit Financial Flows: The economy of illicit trade in West Africa" and is the co-author, with Peter Tinti, of a forthcoming book: "Smugglers Inc.: The Global Trade in Human Misery" published by Hurst. Follow her on Twitter @Tuesdayjaded.



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