Migrant Smuggling Data and Research:

A global review of the emerging evidence base

65 YEARS

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IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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EAST AFRICA

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Introduction

Migrant smuggling in East Africa originates mainly from the Horn of Africa, inclusive of Djibouti, Eritrea, Ethiopia and Somalia. Outside of the Horn, the East Africa region is governed by the East Africa Community (EAC) and its free movement zone. The Treaty for the Establishment of the East African Community (1999) brought together the governments of Kenya, Uganda, United Republic of Tanzania, and later Burundi and Rwanda, to establish the EAC. It is a regional integration initiative reaffirming the free movement of goods, persons, workers, services and capital. This agreement has led to significant internal migration in the region; as of 2009, Kenyan emigrants' major destinations in Africa, for example, were to EAC neighbours Uganda and the United Republic of Tanzania (International Organization for Migration (IOM), 2015:55). These countries have now, in turn, become major transit hubs for irregular migration and smuggling networks from the Horn of Africa.

Migrant smuggling in the region occurs through land, sea and air routes as migrants are driven out of their countries by conflict, poverty, climate and developmental changes in the Horn of Africa. This subregion is pivotal for migrant smuggling and human trafficking, which according to the Danish Refugee Council, affects up to 80 per cent of migrants from the region (Martin and Bonfanti, 2015). Although different sources capture smuggling data, there is no standardized data collection system. This reiterates the need to take stock of what smuggling and irregular migration represent in this region. The starting point is the existing legal framework. Table 3.1 shows the countries that have signed and ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air. At a regional level, Rwanda, Burundi and the United Republic of Tanzania have signed and ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air. Djibouti, Ethiopia, Kenya and Uganda have either ratified or signed the protocol, whereas Somalia, Sudan and South Sudan have neither signed nor ratified the protocol. Hence, the Horn remains a key subregion to the study of smuggling: both home to most irregular migrants and to an overall lack of adherence to legal frameworks on the smuggling of migrants.

Table 3.1: Signatories of the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Convention against Transnational Organized Crime

Country	Protocol against the Smuggling of Migrants by Land, Sea and Air		Convention against Transnational Organized Crime	
	Signature	Year ratified	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)
Burundi	14 Dec 2000	24 May 2012	14 Dec 2000	24 May 2012
Djibouti	-	20 Apr 2005	-	20 Apr 2005 (a)
Ethiopia	-	22 Jun 2012	14 Dec 2000	23 Jul 2007
Kenya	-	5 Jan 2005	-	16 Jun 2004 (a)
Rwanda	14 Dec 2000	4 Oct 2006	14 Dec 2000	26 Sep 2003
United Republic of Tanzania	13 Dec 2000	24 May 2006	13 Dec 2000	24 May 2006
Uganda	12 Dec 2000	-	12 Dec 2000	21 May 2004

Source: United Nations Treaties Collection.

The importance of smuggling in East Africa is recognized both within and outside the region. Recent initiatives focus on training law enforcement on how to handle migrant smuggling. These include the European Union-Horn of Africa Migration Route Initiative under the Khartoum Process (2014), which targets both trafficking and smuggling of migrants in the region with a dual view to ending smuggling and addressing the root causes of the migration. In addition, there is the Somalia-Kenya Forced Migrant Rights Initiative (2014–2017), which targets migrant smuggling and human trafficking with the aim of creating safe environment for forced migrants and smuggled migrants. The European Union has been heavily involved in launching counter-smuggling initiatives in East Africa. The European Union's Khartoum Process aims to improve migration governance and help countries to fight smuggling of migrants and trafficking in human beings. Most recently, the European Union has launched a new fund called the European Union Emergency Trust Fund for Africa, and expanded its Regional Development and Protection Programme to tackle the root causes of irregular migration in and out of the region. One of the focus of these funds will be on the Horn of Africa. Commentators – including the Inter-agency Working Group (IAWG) on Disaster Preparedness for East and Central Africa – have highlighted the conflation of the terms smuggling and trafficking in policy discussions led by the European Union in the region (IAWG, 2015:3), and the insufficient recognition of the political and security environments that drive forced displacement.

Map 3.1: Eastern Africa

Source: African Development Bank. Available from www.afdb.org/fileadmin/_migrated/pics/map_africa_eastern_uk.gif

This is a time of increased attention to and funding of initiatives on mixed migration[11] and irregular migration in the region. Smuggling is researched as a secondary object of study, through the primary prism of irregular migration, mixed migration, population movements in and out of a wider region that is governed by different legal frameworks. This chapter highlights the low levels of systematic and specific research on migrant smuggling. It maps out routes and provides a description of the smuggler profiles and characteristics of smuggled migrants identified by existing studies. Potential gaps and opportunities for further research are shown to refocus the attention on the dynamic nature of migrant smuggling. The chapter draws from recent reports on migrant

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[11] "The principal characteristics of mixed migration flows include the irregular nature of and the multiplicity of factors driving such movements, and the differentiated needs and profiles of the persons involved. Mixed flows have been defined as 'complex population movements including refugees, asylum seekers, economic migrants and other migrants'. Unaccompanied minors, environmental migrants, smuggled persons, victims of trafficking and stranded migrants, among others, may also form part of a mixed flow" (IOM's Ninety-Sixth Session, Discussion note: International Dialogue on Migration, 2008).

smuggling, most of which focus on Somali, Eritrean and Ethiopian migrants who form a majority of the smuggled migrants. Other Eastern African countries have limited data but are important as transit countries.

Overview of migrant smuggling in the region

Smuggling routes

There are three main destinations for migrants from Eastern Africa, which are Europe, the Middle East and Southern Africa. The routes taken depend on the mode of transport used by the smuggled migrant.

EUROPE Via the Sudan to Libya or Egypt where they access Europe from West Balkans via the former Yugoslav Republic of Macedonia and the Central Mediterranean route to Italy. Most of the migrants are Somalis, Eritreans, Sudanese and Ethiopians.

MIDDLE EAST To Yemen via the Somali regions' cities of Hargeisa and Bossaso.

SOUTHERN AFRICA Via Kenya, Malawi, Mozambique and the United Republic of Tanzania, to South Africa where majority of the irregular migrants are destined.

Smugglers use existing trade routes frequented by nomadic ethnic groups from the Horn of Africa to North Africa and beyond. For instance, the Raishaida from Eritrea continue their nomadic lifestyle moving across the border to Sudan and the Tuareg in North Africa. In contrast, the routes to Southern Africa are manned by a network of smugglers operating in the country of origin and the transit countries, both on land and sea. The choice of the destination depends on whether the migrant has networks residing in those locations (that is, family/friends) or based on the options provided by the smuggler. It is noticeable that migrants from Eastern Africa, especially Ethiopians and Somalis, prefer South Africa as a destination; however, the numbers destined for that location are unknown, unlike the figure reported to the Middle East via Yemen or Europe via North Africa (see Map 3.2).

Map 3.2: Migration routes from Eastern Africa
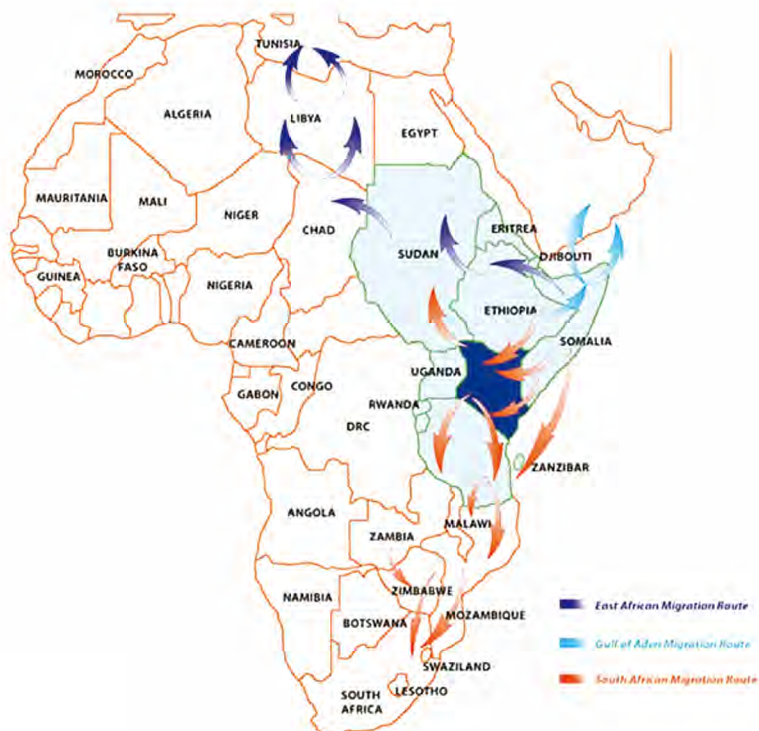
Source: IOM, 2012.

Migrant smuggling from source to destination

Some countries in Eastern Africa operate primarily as transit countries, whereas others are major source countries. Table 3.2 below outlines the source, transit and destination countries of migrant smuggling.

Table 3.2: Source, transit and destination countries for migrant smuggling

Source country	Transit countries/territories	Destination countries
Somalia	Djibouti, Kenya, Malawi, Mozambique, United Republic of Tanzania	Europe, Kenya, South Africa, Yemen
Djibouti		Yemen
Ethiopia	Djibouti, Kenya, Libya, Malawi, Mozambique, Puntland, Somalia, Somaliland, Sudan, United Republic of Tanzania, Yemen, Zambia, Zimbabwe	Europe, Lebanon, Saudi Arabia, South Africa, United Arab Emirates
Eritrea	Libya, Kenya, Sudan	Europe, Egypt, Israel, Kenya

Source: Regional Mixed Migration Secretariat (RMMS), 2013.

Somalia, Eritrea, Ethiopia and Djibouti have been identified as major source countries of migrant smuggling. Somalia and Djibouti also operate as transit countries for migrants travelling by sea, land or air to the Middle East and South Africa (RMMS, 2014a). Uganda, Kenya and the United Republic of Tanzania are the main transit countries given the more stable conditions than other neighbouring States, such as Somalia, Ethiopia and Burundi. There has been little evidence to show that they are source countries for migrant smuggling (RMMS, 2013). Uganda is a transit country for nationals from the Democratic Republic of the Congo, as South Sudanese accessing the country do so in order to claim asylum. Sudan is not a major source country for irregular migration, as most migrants claim asylum in the first safe country of arrival (IOM, 2011:59). Similarly, there are limited studies on migrant smuggling from Burundi and Rwanda, as these countries have produced more refugees and asylum seekers as a result of conflict.

Smuggling by sea

Migrant smuggling through the sea tends to be for shorter journeys and is favoured by migrants who lack the financial resources to fund their trip. There are two major sea routes used to smuggle migrants to the Middle East and Southern Africa. Migrants bound for the Middle East use the Gulf of Aden route exiting from Hargeisa, Bossaso, in Somalia, Puntland, Somaliland and Djibouti and transit through Yemen heading to Saudi Arabia and other Middle Eastern countries.

Migrants using the South African route exit through Kismayo and Mogadishu in Somalia by boat and travel to Mombasa, Kilifi, Lamu and other unregulated ports in the north coast of Kenya. In Kenya, migrants can opt to take another boat to Mozambique or proceed by land via the United Republic of Tanzania, Malawi, Mozambique and finally South Africa. Ethiopians have used South Africa as a transit route for the Americas, but the journey is costly as counterfeited refugee documents or fake documentation have to be purchased in transit countries. Ethiopian migrants often need resources to access their desired destination and in a recent conference in Sudan, focusing on Migration and Exile in the Horn of Africa in November 2015, Ethiopian migrants from a poor background could only afford to migrate to Sudan instead of Yemen.

Smuggling by land

Land routes are for both short and longer journeys with migrants from Ethiopia and Eritrea transiting Kenya through the porous borders of Isiolo and Moyale in northern Kenya. Several arrests have been made at Moyale, Isiolo

and Marsabit as prisons are said to be crowded with migrants (Barasa and Fernandez, 2015:39). Refugee camps, Eastleigh in Nairobi and Mombasa, are smuggling hubs that temporarily house transit migrants bound for different locations (Gastrow, 2011). Ethiopians, Somalis and Eritreans destined for Europe have been transported through Addis Ababa where they are met by brokers that transport them to Sudan on the way to Libya. Hawala agents operating in Khartoum manage the finances and transport of migrants through Ethiopia into Sudan (Sahan Foundation and Intergovernmental Agency on Development (IGAD) Security Sector Program, 2016:21). Uganda has been a transit country for nationals from Central Africa, especially nationals from the Democratic Republic of the Congo either migrating to Uganda or Kenya to seek asylum and/or settle.

Smuggling by air

Air routes have been linked to mostly Kenya as a major transit country for smuggled migrants that can afford air travel where falsified documents (that is, passports and visas) are obtained. By air, migrants can travel directly and indirectly to Europe. Indirect travel is done through other African countries, especially via West Africa or Middle East to Europe. Other destinations by air include South Africa to Europe or the Americas (International Centre for Migration Policy Development (ICMPD), 2008:63–64). In the case of Eritrea, smuggling by air is viewed as "first class treatment", where smugglers organize specific "flight connections to remote international destinations, from where European visas are obtained for their passengers" (Sahan Foundation and IGAD Security Sector Program, 2016:28).

Smuggling routes in source and transit countries are poorly regulated by authorities due to the lack of resources at border points, making it difficult for law enforcement to intercept irregular movements, especially along large coastlines such as the 110-km coastline from Likoni to Vanga, which has opened up 176 illegal entry points (Barasa and Fernandez, 2015:43). According to the Tanzanian authorities, it is "challenging for the officers stationed at these border crossing points, as the volume of crossing per day is impossible to track … the lack of computerized data capture likewise limits the ability for offices to check and verify travellers' information" (Ramkishun, 2015). The lack of effective legislation or policies to manage and police irregular flows of migration has allowed migrant smuggling to persist. This is also made worse by corrupt practices of law enforcement operational at the border points and within the country (RMMS, 2013). Furthermore, migrant smuggling is not high on the agenda for countries in Eastern Africa as more pressing issues such as security and the current refugee crisis takes precedence.

Smuggler services and networks

The services provided by smugglers in Eastern Africa are linked to well-established smuggling networks operating in the country of origin, transit and destination countries. In Eastern Africa, engaging the services of a smuggler requires the services of middlemen. These middlemen recruit potential migrants, provide information about the destination country or cost of smuggling, as well as necessary service to smugglers who lease out their services (such as renting boats or accommodation for transit migrants). These middlemen can be viewed as subsidiary smugglers as they are profiting from smuggling by supporting or promoting the services of a smuggler.

Conflict, insecurity and the lack of rule of law within countries, such as Eritrea, Ethiopia and Somalia has allowed migrant smuggling to thrive. In Somalia in recent years, insecurity caused by Al-Shabaab attacks has pushed people to seek alternative destinations beyond the region. In Eritrea, the Government instituted a "shoot on sight" policy in early 2015 along its borders to reduce the number of young people fleeing the country (Sahan Foundation and IGAD Security Sector Program, 2016:29). The continuous droughts and famines in Ethiopia becomes a recruitment ground for migrants for brokers or agents. Middlemen and smugglers take advantage of these conditions by creating a desire to migrate for a potential migrant by enticing them on job opportunities in destination countries. They also increase the costs based on the smuggling/trafficking route they take.

Characteristics of smugglers and smuggled migrants

"The typical smuggler is an 18–40 year old male of Ethiopian or Somali origin" (Barasa and Fernandez, 2015:40). Those participating in the migrant smuggling process are all seen as smugglers, inclusive of taxi, bus, lorry drivers and bush guides (Barasa and Fernandez, 2015). They are usually spread across the migration route. Somali chief smugglers are spread across the country and the Hawala system, an informal and international money transfer based on trust, is used to pay the costs to smugglers by Somalis in the diaspora. Thirty-four agents in Bossaso, Somalia, alone offering smuggling services work with several hundred people who assist in the process (Inter-Agency Standing Committee, 2008:8). According to the United Nations Office on Drugs and Crime (UNODC), "there are indicators of strong links between individuals within the local government and the migrant smuggling network" (RMMS, 2013:54). Corruption feeds into the smuggling process as officials gain a significant percentage of the smuggling revenue.

Middlemen working with or as smugglers in the smuggling network play different roles, and they have been identified in Eritrea, Ethiopia, Kenya and Somalia. They operate as:

Brokers and agents   In Ethiopia, smugglers operate in Addis Ababa as brokers and agents. The brokers usually have a well-known reputation within the community, providing them with a good profile in the presence of potential migrants guaranteeing him/her clients (UNODC, 2010:74). In Sudan, Hawala agents, usually of Somali origin, are managing the finances and transport for smuggled migrants in Ethiopia and into Sudan (Sahan Foundation and IGAD Security Sector Program, 2016).

Facilitators   Recently in Eritrea, facilitators have been identified by potential migrants through the Internet. The potential migrants are connected with a local contact in Asmara, and they provide transportation to Sudan or Ethiopia avoiding any immigration procedures. These facilitators in Eritrea have been alleged to be government officials (Sahan Foundation and IGAD Security Sector Program, 2016:30).

Recruiters   Family members or close friends are used to establish contact with the smugglers as they are trustworthy.

Travel agents   Smugglers operating in Somalia and Ethiopia view themselves as "travel agents" and do not necessarily view their activities as criminal. "They view themselves as provider of a humanitarian service, assisting persecuted populations to escape to safety" (Barasa and Fernandez, 2015:33).

Transporters   Smugglers operating along the route via Kenya, taxi, bus and lorry drivers, as well as bush guides and those who enter into contracts with and accompany migrants on irregular crossings, are all considered smugglers, because they derive benefit from the movement.

Smuggled migrants, on the other hand, tend to be individuals seeking better livelihoods that their country or location at the time cannot provide for them. Barasa and Fernandez (2015:33) argued that "smuggled migrants do

not view themselves as victims of a crime, despite the abuse they experience during, and as a result of, the smuggled process". Migrant smuggling has become a survival strategy adopted by migrants who are seeking a better life. UNODC described the different types of smuggled migrants using sea smuggling services in general, but they do not describe the characteristics of the smuggled migrants from Eastern Africa. Overall, the profile of those on the move is underreported.

Men, women and children

- Families usually pull resources together for a male family member to migrate in the hope that he will support the family left behind once he reaches the country of destination. Data on irregular migration can be used as a proxy. The data collected by the Mixed Migration Monitoring Mechanism Initiative (4MI) project of RMMS draws a mainly male profile with 67 per cent of irregular migrants being men, and overall 61 per cent of migrants being single (Mixed Migration Monitoring Mechanism Initiative (4Mi) website).

- Women are roughly one third of the migrants, a sizeable minority. They migrate by sea despite the fact that it is mostly dominated by men. Anecdotes report that smugglers take advantage of pregnant women or women with infants and children, as they become part of the smugglers modus operandi enabling the women to stay at the destination.

- Children sometimes travel with their parents or one parent, while others have been sent alone. Those travelling alone face a high risk of being trafficked into labour or sex trade. However, the assumption is that if the children are caught, the law would be lenient enough to allow them to stay in the country.

Education and socioeconomic situation

- "Privileged" people, that is, those with better resources, can afford better inclusive services (such as falsified documents) to lessen the risk to safety and have a higher chance of success. Transports used by such migrants are usually direct and take a short space of time (such as by air). These people are known to be skilled professionals living in urban settings dwellers and highly educated. Recent research (Samuel Hall, 2015) reveals that the elderly are also taking irregular migration routes to Europe using land and air routes, preferring the latter for the security it provides. RMMS

found that some Somalis opt to fly to reduce the risks and dangers of travelling by land (RMMS, 2013:58).

- Poorer migrants rely on low-cost options with a high rate of failure and have a higher risk to their lives and safety. In the case of Eastern Africa, boats have been used to cross to the Middle East and Mozambique, whereas those that opt to land routes, have been confined in containers. Those smuggled by sea are young, uneducated, male of working age, rural residents and unskilled.

Refugees and asylum seekers

- The United Nations High Commissioner for Refugees (UNHCR) reports the presence of 27,500 refugees and asylum seekers in Djibouti (December 2014) the majority from Somalia, followed by Ethiopia and Eritrea. It is reported that the numbers of refugees and asylum seekers in Djibouti, looking to migrate to Yemen, has remained constant (Horwood, 2015). With the changing context in Yemen, the numbers in Djibouti are bound to rise.

- Asylum seekers and refugees turn to smugglers to access a safe country. The RMMS 4Mi project shows a sizeable group of refugees, leaving a first safe country of exile and a second group of asylum seekers pending asylum applications. Research undertaken shows that Eritrean refugees are leaving Ethiopia, prepared to give away their refugee status in the first country of exile to access a better life further abroad, in Europe (Samuel Hall, 2014). In this case, smuggled refugees turn into smuggled migrants seeking protection elsewhere.

- "The relative economic status of a person being smuggled may have implications on his or her capacity to access particular smuggling services, but does not speak to his or her protection needs" (UNODC, 2011). Some smuggled migrants have claimed asylum in transit country to access basic services, as well as prepare for their next destination using smugglers operating within the camp.

Economic and human cost of migrant smuggling

Smuggling has both a financial and human cost. The financial cost of being smuggled depends on the destination and mode of transport. Many migrants opt for the cheaper route by road and/or sea because of the high cost attached

to air travel. Although travelling by air is the most favoured and quickest route, it is also by far the most expensive as a flight from Somalia to the Netherlands in the early 1990s cost USD 1,000 and after 9/11, the cost rose to USD 7,000. Those travelling via Kenya have been assumed to have paid USD 20,000, inclusive of fraudulent passports, tickets, visa and "friendly" immigration officers (RMMS, 2013:70). Smugglers operating in Uganda take advantage of potential migrants by enticing them on the opportunities available in South Africa. Once the migrants reach the South African borders, they abandon the migrant but also increase the fee to cross the border (Endo, Namaaji and Kulathunga, 2011:18).

There have been different methods of payments, which include cash, loans, credit schemes, arrangements through brokers, working to cover the costs along the route, loans from private sources and personal savings (RMMS, 2014). Smuggling is a million-dollar business, as sources have provided different fees to be smuggled to specific destination, which profits the smugglers. RMMS reported that in 2009, a profit of USD 34–40 million was made by smugglers for smuggling Ethiopians and Somalis to South Africa. The cost of migrating to the south depends on the route that is taken and to a certain extent, the nationality. It has been noted that the costs to be smuggled to South Africa has been increasing and the profits are significantly higher than those made by smugglers operating in the eastern route to Yemen. In 2012, the smuggling business in Somalia was estimated at USD 2.7 million (RMMS, 2013:69). Profits made by smugglers operating in Djibouti have amounted to USD 11–12.5 million for those owning boats. Table 3.3 outlines the estimated fees to be smuggled by route/destination.

Table 3.3: Smuggling fees by destination/route

Destination or route	Mode of transport	Nationality	Fees (USD)
SOUTHERN AFRICA			
Kakuma/Dadaab Camp (Kenya) ▶ South Africa	Road	Somalis	3,000
Ethiopia ▶ via Zambia ▶ South Africa	Road	All	4,000–5,000
Ethiopia/Somalia ▶ via Malawi ▶ South Africa	Road	Ethiopians and Somalis	4,218
Ethiopia ▶ Kenya/ United Republic of Tanzania ▶ Malawi	Road	Ethiopians	850
SHORT DISTANCES			
Eritrea ▶ Sudan ▶ short distance travel	Road	Eritreans	3,000
Asmara or Massawa ▶ Khartoum	Road	Eritreans	100–150
Eritrea ▶ Sudan	Road	Eritreans	100–150

Ethiopia ▶ Sudan/ Addis Ababa	Road	Ethiopians and Somalis	500–800
Hargeisa ▶ Addis Ababa	Road	Somalis	250–500
MIDDLE EAST			
Eritrea ▶ Israel	Road and sea	Eritreans	15,000
Obock (Djibouti) ▶ Yemen	Sea	Eritreans	130–150
Mogadishu (Somalia) ▶ Djibouti ▶ Yemen	Road and sea	Somalis	350–400
Harar ▶ Yemen	Road and sea	Ethiopians	290

Source: RMMS, 2013 and 2014; IOM, 2014.

The human cost of migrant smuggling is reflected by the migrant deaths reported and the protection risks they face along the smuggling route. There has been an increase in migrant deaths along migration routes revealing protection risks of migrants crossing the Mediterranean and deserts (IOM, 2014). Interventions by European countries receiving migrants such as naval blockages and a surveillance system have not curbed the number of migrants heading to Europe. Eritreans and Somalis remain the largest populations from Eastern Africa bound for Europe. Currently, there are limited official statistics on the number of migrant deaths along the migration routes as some a small number of migrants die along the way in the desert and in the sea that are unaccounted for. Figure 3.1 shows the number of deaths that occurred between January and September 2014 across the globe, and it is noticeable that the Mediterranean leads the list.

Figure 3.1: Number of deaths between January to September 2014

REGION IN WHICH DEATHS OCCURRED, JAN - SEPT 2014

Region	Deaths
Bay of Bengal	205
Caribbean	45
East Africa	251
Horn of Africa	123
Mediterranean	3 072
Northern Europe	1
Sahara	56
Southeast Asia	70
Southern Africa	17
Southern Asia	1
US-Mexico	230
Western Europe	6
	4 077

Source: IOM, 2014.

Smuggled migrants also face protection risks as Human Rights Watch (HRW, 2014) reports have highlighted physical and sexual abuse of both male and female smuggled migrants. Smugglers are unconcerned about the needs of the smuggled migrants (Barasa and Fernandez, 2015), as abuse cases have been

identified along the routes to the Middle East and North Africa. Migrants heading to Europe via Libya have been abandoned in the desert when their transporters to the next destination fail to show up on time (Sahan Foundation and IGAD Security Sector Program, 2016). Others have been physically beaten and women raped by militia whereas others, especially Eritreans, have been kidnapped and experience further beatings. Their families left behind are then forced to pay a ransom for their release.

Review of data on migrant smuggling

Flows and trends

Existing data on migrant smuggling in East Africa is scarce. International organizations and research centres, such as IOM, ICMPD, RMMS and UNODC have been collecting data on or related to migrant smuggling, but the data samples are too small to be generalized. Furthermore, data is not collected regularly, making it difficult to identify changes in smuggling activities, trends, routes and recruitment practices or determine whether the legal mechanisms put in place in each country are effective. Smuggling data also gets lost in human trafficking data/research as legally, there are clear distinctions between the two acts, but conceptually, the distinction has been difficult to draw in practice. The lack of clarity between the two concepts makes it difficult to develop a national law on smuggling, as in the case of Kenya, and loopholes within the legal system allow smugglers to escape prosecution. This is reflected by the low prosecution rates of smugglers in Kenya, but also the negative impact of corruption by immigration officers (Barasa and Fernandez, 2015). Furthermore, research studies have identified smugglers separate from middlemen, yet middlemen are subsidiary smuggling agents providing a service to the smuggling activity.

In 2004, the ICMPD estimated that the number of irregular migrants from sub-Saharan African via North Africa to Europe stood at 35,000 (ICMPD, 2004). By 2006, this number had increased to 300,000 (UNODC, 2010:6). In 2012, over 100,000 irregular migrants from Ethiopia and Somalia were estimated to be destined for Yemen alone, the majority of whom solicited the services of a smuggler via Bossaso in Somalia and Obock in Djibouti (RMMS, 2013). RMMS reported in 2012 that 85,000 Ethiopians crossed into Yemen with the aim of seeking employment opportunities as casual labourers and domestic workers. Yemen is experiencing difficulties providing the necessary protection to these migrants. Table 3.4 outlines the estimated number of Ethiopians arriving in Yemen's coast between 2006 and 2013 with the number fluctuating through time (RMMS, 2015:10).

Table 3.4: Estimated arrivals to Yemen from Ethiopia and departures from Bossaso

Year	Estimated number of arrivals to Yemen from Ethiopia[a]	Departures from Bossaso[b]
2008	17,072	34,314
2009	44,814	30,185
2010	34,527	18,488
2011	75,804	31,012
2012	84,446	27,067
2013	54,574	-

Source: RMMS, 2014[a] and 2013[b].

The number of Somali migrants being smuggled increased between 2011 and 2014 from 1,513 to 8,490. Whereas, it has been estimated that 200,000 Eritreans crossed to the Middle East between 2011 and 2013 (Martin and Bonfanti, 2015:5). IOM's migration profiling exercises already conducted in Kenya, Sudan and Uganda listed removals of irregular migrants. Table 3.5 below outlines the foreign nationals arrested and deported from Uganda between 2010 and 2012. This also includes the number of nationals apprehended in foreign destinations. Sudan's migration profile focused on its nationals found to be illegally present in European Union States and those ordered to leave. Table 3.5 outlines the number apprehended between 2008 and 2009, where 345 and 465 were ordered to leave the country according to Eurostat data (IOM, 2011:60).

Table 3.5: Migrant arrests and deportations, Uganda and Sudan

Foreigners found to be illegally present in country (arrests)			Foreigners ordered to leave the country (deportations)			Citizens apprehended and abroad		
Uganda[a]								
2010	2011	2012	2010	2011	2012	2010	2011	2012
575	550	840	101	179	328	54	64	-
Sudan[b]								
2008	2009	2008	2009	2008	2009			
-	-	-	-	2,305	2,660			

Source: IOM, 2013[a] and 2011[b].

Sources and types of data

Data sources include the media and agency research reports operating in the region. There is no single agency or organization that is responsible for collecting migrant smuggling data. While governments should play a role in

collecting data on irregular migration across national borders, as is done in other regions, there is little public evidence to show that this is being carried out. Existing agencies, mostly international non-governmental organizations (NGOs), collect data on specific persons of concern including smuggled migrants, victims of human trafficking and mixed migration flows of refugees, asylum seekers and migrants. The media, in particular, captures data on smuggled migrants arrested at border points, whereas international organizations and NGOs collect data on particular areas of interest: the United Nations Office for the Coordination of Humanitarian Affairs will collect data that is related to transnational crimes to outline observations, trends and dynamics unique to a region. UNHCR records data of refugees who may use smugglers' services to access safe countries. Other international organizations, such as IOM, provide publicly accessible data in online resources or publications platform. HRW captures data on protection issues and human rights of irregular migrants in the region. The RMMS has most recently adopted the Mixed Migration Monitoring Mechanism Initiative (4Mi), which presents data using an interactive platform, and which is discussed below.

The organizations present in Eastern Africa with an interest in – but may not systematically collect data on – migrant smuggling include the following:

- UNODC;
- RMMS;
- UNHCR;
- HRW;
- Global Initiative against Transnational Organized Crime;
- Global Alliance Against Traffic in Women;
- IOM;
- Médecins Sans Frontières;
- Amnesty International; and
- International Rescue Committee.

Data collected from the region is therefore covered by organizations with a global framework for action on smuggling (UNODC), regional strategies (IOM and UNHCR), or a specific mandate to look at mixed migration in the region, including migrant smuggling (RMMS). Most of the attention has been focusing on mixed migration research, through which smuggling is partially covered. While mixed migration is related to smuggling, it is not smuggling per se.

These organizations are supported by the following:

- Independent research centres and organizations located in the region (such as the Tanzanian Mixed Migration Task Force or abroad (ICMPD));

- Regional expert groups, such as the African, Caribbean and Pacific Observatory on migration, funded by the European Union; and

- Donor initiatives including the Emergency Trust Fund for Africa and regional initiatives including the forthcoming Forced Displacement and Mixed Migration Secretariat set-up by IGAD will be looking to reinforce the state of research in the region in the coming years.

No single agency has taken up the responsibility of collecting migrant smuggling data. The existing data is collected in the process of identifying human trafficking victims, thereby not specifically focused on smuggling. This data is used as proxy indicators of migrant smuggling to understand the phenomenon in the region. Similarly, ongoing research on mixed migration has the twin focus of researching irregular migration through the prism of forced and voluntary migration, as well as methods of migration. Smuggling falls under such research themes. Hence, most, if not all, the data on smuggling is collected indirectly, with no focus on smuggling indicators but through proxy indicators.

Given the flurry of organizations encountering smuggling in the region, but not focusing on smuggling as their core area of data collection and analysis, Eastern Africa presents an opportunity for partnerships on smuggling data collection and analysis. The partnerships could involve the development of data collection tools to be adopted by partner agencies in capturing smuggling data to ensure uniformity and reduce duplication. The RMMS 4Mi initiative is a step in that direction as the data is captured by trained volunteers working along the migratory routes where information on abuses on smuggled and/or trafficked migrants or access routes are captured. RMMS' latest project focuses on migration originating from the Horn of Africa, targeting Eritrean, Ethiopian, Djiboutian and Somali people on the move, highlighted in this chapter and in the research as the main populations of smuggled migrants in the region. Hence, although the project does not focus on smuggling, it looks at "smuggler-dominated movements" (RMMS 4Mi).[12] The website's infographics section includes a section on smugglers that provides the option to filter the information by current smuggler location, origin, gender, the state of the smuggling business in their own view, and the benefits of smuggling as a source of employment in the region. Questions used aim to assess whether smuggling is a profitable business, a business on the rise or on the decline, and employment background of smugglers. The approach taken is one that is market-driven, trying to assess the cost-benefit and economic trade-offs inherent to the business of smuggling.

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[12] RMMS (2016) About us 4Mi of the RMMS 4Mi website. Available from http://4mi.regionalmms.org/4mi.html

Remaining data available online include the following:

- Regional migrant smuggling data provided by UNODC and IOM. They also produce guide documents for agencies to understand the dynamic nature of migrant smuggling in Eastern Africa. IOM existing data is based on smaller samples, sometimes focusing more on human trafficking and including migrant smuggling a process by which traffickers transport their victims. Their insight has been able to identify trafficking/smuggling routes frequented by migrants. In addition, the migration profiling exercise by IOM is an important way of taking stock on migration in countries, which identifies gaps, as well as changes in trends and policy.

- Ad hoc journalistic reports on arrests, deportation and the business of migrant smuggling are made by the media (international and local).

- Think tank reports by HRW and Amnesty International highlight protection issues faced by migrants smuggled.

- Regional governmental authorities such as IGAD that recently conducted an assessment of human trafficking and migrant smuggling from Eastern Africa to Europe. Though the focus of the study was on Somali and Eritrean migrants, the report provided a snapshot of the smugglers, their networks, the smuggling routes and protection risks faced by migrants travelling through the desert and in Libya.

- International law enforcement agency Frontex captures data on smuggled people, arrests and deportations of irregular migrants. INTERPOL provides guides, tools and training related to migrant smuggling. Through the Smuggling Training Operations Programme, INTERPOL provides support to countries on border management issues. The programme trains law enforcement of Member States to detect criminal activities, including those providing fraudulent documentation to irregular migrants. In Eastern Africa, training has been provided to Kenya and Uganda in 2011 and Rwanda in 2013 giving them access to INTERPOL's resources, such as the Stolen and Lost Travel Documents Database.

Government-led research efforts have funded experts to take stock of irregular migration, and through that, of smuggling in the region. The Government of Australia's funding of a research programme and occasional paper series included a piece by Christopher Horwood in 2015 presenting an overview of irregular migration flows in the Horn of Africa, and of the challenges

and implications for source, transit and destination countries (Horwood, 2015). Within the scope of the paper on irregular migration, Horwood reviews the geographic nodes of smuggling in the region – from Kenya as a regional hub for the organization of smuggling, to Bossaso, Puntland as the "epicentre" of smuggling in the region (Horwood, 2015:42) – the role and the cost of smuggling in facilitating irregular migration out of the region. Symptomatic of the rest of the research in the region, smuggling is viewed through the lens of irregular migration research.

Box 3.1: CASE STUDY

Smuggling migrants from Mogadishu, Somalia to Europe: The case of the elderly

A close relationship made of trust and personal connections ties Somali migrants with smugglers. From the youth interviewed in Somalia to elderly returnees from Europe, all report choosing their smuggler ahead of their migration. For the youth surveyed, they often prefer not to tell their parents or relatives, and rely instead on their friends and on smugglers to inform their migration decision. For the elderly, for whom irregular migration has additional risks, the choice of the smuggler is paramount to travelling in safe conditions.

"Yes, I used smugglers. We trust them because you deposit the money, and once you reach your destination, as per the agreement, they will receive the money. The smuggler I chose has a team in every country that I needed to travel through, so they treated me well." In the words of Mohamed, 65, the smuggler enters a contract for a service in which he will only get paid for every successful completion. It is therefore in the interest of the smuggler to deliver. This includes safe travel conditions. This was Mohamed's first trip abroad, from Somalia to Norway, passing through Dubai, Istanbul and Athens. The smuggler facilitated the obtainment of a fake passport from Greece in order to then pursue the journey onward through Austria, Sweden and Norway.

Fatima, 61, left Mogadishu with her daughter and a smuggler, who was a family friend who had successfully helped others to migrate to Europe. Her travels also included fake passports and travels across the border to Kenya, and from Nairobi's International Airport by plane to Norway. Her situation as a woman travelling alone with her daughter caused additional strains that she had not expected. She was under constant pressure to add money along the route, in addition to the originally agreed-upon price. She felt threatened en route, and found the trip very challenging. "It was like gambling with your last saving and your life at the same time", she recalls. Upon arrival in Norway, the smuggler was arrested at the airport. She eventually returned to Mogadishu, with no other legal recourse in Norway.

Excerpts from research undertaken by Samuel Hall in Mogadishu, Somalia (2015)

Review of migrant smuggling research

The methods used to collect data on migrant smuggling in Eastern Africa adopt quantitative, qualitative or mixed method approaches. Quantitative methods, mainly through surveys, have been used to capture the trends of migrants at exit and entry ports (RMMS, 2013). Qualitative methods, mostly key

informant interviews and in-depth interviews with potential migrants or those who have returned, provide accounts that paint a picture of the state of migrant smuggling in the region. But they also indicate the complexity of understanding migrant smuggling and human trafficking. There is no standardized method that has been agreed upon by agencies collecting data on migrant smuggling that may increase chances of duplication and affect the quality of the data.

The research scope has focused on smuggled migrants with RMMS, providing descriptive reports on the state of migrant smuggling for Ethiopians, Eritreans and Somalis, taking focus away from other smaller migrant populations (such as Djiboutians, Kenyans, Rwandese, South Sudanese, Tanzanians and Ugandans). As there is no systematic procedure in place to capture migrant smuggling data from the region, it makes it difficult to assess any changes in terms of trends or whether protection issues have been addressed. The latest initiative from RMMS includes an innovative strategy of collecting and reporting data using the 4Mi. This online platform that collects and analyses data on mixed migration flows initially out of the Horn of Africa, which includes migrant smuggling. The primary data is collected from Djibouti, Egypt, Ethiopia, Kenya, Libya, Somalia, Somaliland, Sudan, Uganda, United Republic of Tanzania, as well as secondary locations in Italy, Malta, Mozambique and South Sudan (RMMS). 4Mi's use of infographics allows the user to narrow down searches by nationality and destination. A specific tab is available on profiles of migrants, as well as on the profiles of smugglers. RMMS has been able to record data on the following:

- Nationals (currently limited to Djiboutians, Eritreans, Ethiopians and Somalians);
- Migrant destinations in Europe, Middle East and South Africa;
- Number of irregular migrants;
- Smuggling/trafficking routes;
- Exit and entry ports;
- Hotspots with protection issues, human rights violations and corruptive process; and
- Locations known for human rights abuses and corruptive practices.

Interdisciplinary perspectives have been used to understand migrant smuggling in Eastern Africa, which include the economic and legal aspects of the process. RMMS (2013; 2014a) reports have captured the non-economic and economic costs and benefits of migrant smuggling for the smuggler and smuggled migrant. RMMS has also captured protection risks faced along the smuggling route, as well as some of the legal processes put in place to monitor migrant smuggling from previous reports and through the 4Mi initiative. Academics and think tanks have tried to put into perspectives the need for national policies to

handle migrant smuggling or assess the impact of existing policies by analysing how the policies operate in practice. Barasa and Fernandez (2015) argued that there is a need for a coordinated response between Ethiopia, Kenya and Somalia to stem migrant smuggling especially to Southern Africa. Furthermore, they argued that because Kenya is a primary transit country for nationals from Somalia and Ethiopia, it could operate as a central point where anti-migrant smuggling initiatives can be managed.

Research on migrant smuggling shows that first, there is a persistent conceptual confusion on terms, along with a continued lack of understanding on the smuggling/trafficking nexus. Second, there are clear protection issues that emerge for smuggled migrants that need to be understood. Finally, there is a need to adapt research to the changing environment.

Conceptual confusion on terminology: Hamilton and Gebeyehu's recent study (2014) in Somaliland sought to analyse the challenges of building livelihoods for youth amidst trends of human trafficking. The research Fight or Flight was released in 2015 and retracted soon after its public launch by the Danish Refugee Council. The organization reassessed that the research was not sufficiently clear on whether the methods and findings revealed information collected on smuggling or trafficking, inferring that the trends picked up on related to the former. In Somalia, there is no specific term that translates human trafficking or smuggling, as the term *tahreeb* is often used more generally to refer to both regular and irregular movements.

Protection issues: Smuggled migrants face protection risks as UNHCR (2015) reported some protection issues faced by smuggled migrants from Eastern and the Horn of Africa, which include, but are not limited to the following:

- *Refoulement and deportation*: 163,000 Ethiopian migrants resident in Saudi Arabia were forcefully deported through the "Saudization" initiative (2013).[13] The initiative gave a grace period for migrants to apply for the right documents, but after the amnesty period ended, those undocumented migrants were deported (de Regt and Tafesse, 2015). There were reports on abuse on deportees while in Saudi Arabia and migrants faced an uncertain future upon return to Ethiopia.

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[13] Saudi Arabia developed a policy between April and November 2013 that required all undocumented migrants to regularize their residential and employment status within a period of seven months or face deportation without penalty.

- **Risk of abduction and trafficking**: Smuggled migrants face the risk of being kidnapped, as not only are they involved in a criminal activity, they rely on the protection of their smugglers who operate as traffickers as well. HRW has reported cases of kidnappings of Eritreans who were taken to Sinai and ransomed to their families back in Eritrea (2014).

- **Denial of asylum**: As these migrants have committed a criminal act of illegally crossing borders, they will be unable to go through the asylum process as their reasons for fleeing were economic.

- **Violation to the right to life**: In 2014, IOM reported migrant deaths in major smuggling/trafficking routes. Between January and September 2014, 251 deaths were recorded from East Africa in comparison to 123 from the Horn of Africa. European countries have intervened using naval blockages and a surveillance system, to curb the number of migrants bound for Europe, but migration has not yet decreased.

Adapting research to a dynamic and evolving context: Research on smuggling in East Africa will need to adapt to a dynamic situation and recent changes that show how chronic events, policies and migration at large will continue to impact both smugglers and migrants' choices. There has been a change in the environment as Yemen has become a less likely transit destination due to the escalating violence in the country that has resulted in Yemeni refugees seeking asylum in Ethiopia, Somalia and Uganda (RMMS, 2015). Xenophobic sentiments are rising in Kenya due to the Al-Shabaab attacks that have taken place in Kenya with political leaders associating Somali refugees with extremism (De Bode, 2015). The xenophobia violence that broke out in South Africa in March 2015 raised concerns on the safety of all immigrants residing in South Africa including irregular migrants. Although the number of migrants destined for South Africa have not reduced, the persistent xenophobic violence in South Africa is making it an unattractive destination for irregular migrants (Horwood, 2014:141), but there are limited figures to illustrate the decline in migrant numbers to the region.

Migrant smuggling debates in Eastern Africa today

There are broad agreements on the existence of human rights violations in the smuggled journey, but donor support on mixed migration has not necessarily translated into the protection focus these trends highlight. IOM highlighted the need to focus on mixed migration flows using the southern route and bring about greater awareness on the route causes but also protection needs of

migrants bound for Southern Africa, in close collaboration with governments and organizations in the source, transit and destination countries (IOM, 2014a:11). UNHCR flagged the protection needs of migrants as they face high risks of abuse (sexual and physical), abduction and trafficking among others. The focus remains at the national level on border control capacity and smuggling routes. IOM aims to support the EAC by developing standard operating procedures that help to detect migrant smuggling, human trafficking and trafficking of illicit goods along the border crossing points in Eastern and Southern Africa (IOM, 2014a:13).

In Ethiopia, IOM proposed awareness-raising activities on migration smuggling and human trafficking, including the rights of migrants. In Kenya, IOM provided support in enhancing the security and safety of Kenya's borders by establishing an integrated border management system, building the capacities of border officials to detect transnational crimes, such as migrant smuggling and human trafficking (IOM, 2014:27).

To inform programming and policy debates, research gaps include the lack of available data on the following:

- Capacity of smugglers to create the aspirations to migrate, generating demand among populations, especially young men in rural areas;

- Links with diaspora funding and "chain" migration from Eastern Africa;

- Urban organization of smuggling networks, their links to corruption, and the role of major hubs such as Nairobi in facilitating smuggling in the region; and

- Abuses and the protection claims of smuggled migrants. Acknowledging that smuggling can lead to trafficking and high levels of violence will be needed to situate protection at the centre of attention on smuggling in the region.

Research must continue to find innovative ways of collecting data on migrant smuggling, identifying new routes or modes of transport to better understanding the phenomenon. It should refocus its line of inquiry to look at the political economy of smuggling, the emerging societal backlash through xenophobic attacks on foreign nationals, as well as policy initiatives that address the "root causes" of migrant smuggling from the source country. However, it is important to outline the loose nature of migrant smuggling networks that are harder to dismantle. This will help to distinguish migrant smuggling from

human trafficking, but also inform source, transit and destination countries how to handle migrant smuggling.

Conclusion and ways forward

Initiatives targeting migrant smuggling have provided training to law enforcement officials on migrant smuggling, targeting counter-trafficking efforts as well. These initiatives include the Strengthening Criminal Justice Response to Trafficking in Persons and Smuggling of Migrants in Ethiopia and Djibouti (2012–2014), which focused on legislative reform to combat human trafficking and promoting safe labour migration through training of stakeholders and duty bearers in the justice system in Ethiopia. Somalia-Kenya Forced Migrant Rights Initiative (2014–2017) have been adopted with the aim of creating a protective environment for refugees, victims of trafficking and smuggling, environmentally induced migrants, refugees and asylum seekers.

The European Union and the African Union Khartoum Process (2014) have an "international protection" pillar added through the signing of the Rome Declaration between the European Union, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Tunisia, but the focus still remains on root causes and ending irregular migration, rather than providing clear protection responses. The States are expected to establish and manage reception centres, collaborate with one another in the identification and prosecution of criminal networks, supporting victims of trafficking and protecting the human rights of smuggled migrants. The Rome Declaration also generally commits to promoting sustainable development in countries of origin and transit in order to address the root causes of irregular migration and mixed migration flows between Africa and Europe. However, it is completely silent on legal migration channels, which build one of the four key pillars of the other European Union's continental cooperation framework with Africa, the Rabat Process. It does not tackle the issue of the hazards and dangers to which forced migrants are exposed in many of the countries of the region in which the reception centres are based, which often are far from being "safe".

To address the knowledge gap on migrant smuggling, there is a need to boost research studies specifically on migrant smuggling. Most of the research on smuggling has been extracted from research on irregular migration, trafficking or mixed migration. Smuggling has not constituted a focus area of research in the region. One suggestion could be therefore to research smuggling through a comprehensive profiling exercise, similar to IOM's migration profiles. National/ local organizations in Eastern Africa should be involved in the research process, especially civil society organizations that are on the ground and interact with

members of society who are able to identify smuggling activities. In doing so, researchers will begin to map out routes and predict potential new routes based on existing evidence on smuggler behaviour. This will require a psychosocial approach to understanding the process, relations, trade-offs of migrant smuggling from smuggler and smuggled migrant viewpoints.

Organizations will benefit from partnerships between international and national organizations with an interest in migrant smuggling that can collect, analyse and report research in this area. By developing a data management platform, it will create a focal reporting point but also allows its members to design the appropriate tools to capture migrant smuggling data, as well as discuss a range of innovative strategies of collecting data. Innovation is the key to improving knowledge on migrant smuggling in the region, and the RMMS 4Mi is a step in the right direction but a partial one only, as smuggling remains a subtopic of other research efforts. Dedicated research into smuggling is a main research gap in the region, and needs to be assessed through concerted partnerships at a time when political and security changes in Burundi, Somalia and Yemen remind us once again of the rise of smuggling as a means to cope with shocks.

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