The Niger-Libya migration route. An odyssey shaped by Saharan connections and European fears, 2000-2017

Abstract:

Thousands of Sub-Saharans cross the Sahara every year trying to reach Europe, using the migration route that crosses Niger and Libya. After Gaddafi's fall in 2011, this "southern border" of the European Union has become more difficult to control, and migrants there suffer terrible abuses that have reached the front pages of the media. The north of Niger, poor and unstable, depends today on the economic activity generated by transit migrants—an important resource for Libya's militias as well. But this situation is not only the result of the anarchy that followed the Libyan revolution: Niger's poverty, the drastic political changes in Libya and Europe's migration policies have shaped this route during several decades.

Keywords:

Niger, Libya, European Union, migrants, refugees, migration route, migration policy.

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Figure 1. Smuggled migrants leaving Agadez (Niger) to cross the Sahara into Libya. (Ibrahim Diallo/IRIN)

Introduction

Since the 1990s, poverty and violence have pushed many Sub-Saharan Africans to look for a better life in neighbouring Europe, a continent of safety and prosperity. Their routes are the successors of centuries of trade and travelling across the Sahara, and of more recent regional migration movements between the southern border of the desert and the Maghreb—later linked to Mediterranean crossings initially used by Maghrebi irregular migrants to reach Europe in the 1990s.[1]

Two main migratory routes, converging in Libya, link Sub-Saharan Africa with Europe today. The first, the object of this dissertation, is used mainly by economic migrants from West Africa and crosses Niger to reach Libya; and the second is taken by migrants from East Africa, many of them refugees,[2] who travel across Sudan to Libya. Once there, refugees and economic migrants trying to reach Europe cross the Mediterranean by boat to the Italian coast.[3]

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[1] Collinson, *Shore to Shore. The Politics of Migration in Euro-Maghreb Relations*., pp. 60-61.
[2] Altai Consulting, "Mixed Migration: Libya at the Crossroads.", p. 93.
[3] Massari, "At the Edge of Europe: The Phenomenon of Irregular Migration from Libya to Italy.", pp. 18-26.

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The aim of this dissertation is to provide a broad historical explanation of the development of the Niger-Libya route since the early 2000s to the present day. As the following pages show, this migration route has developed as a result of the complex interaction of multiple political and economic factors, including regional conflicts within Niger and the anti-immigration strategies of the European Union. The extension of this dissertation does not allow for a detailed analysis of all of them, but it presents the most important elements that have shaped it over the last two decades, and that will probably continue to do so.

Previous studies of Sub-Saharan immigration to Europe[4] have often focused on more specific aspects of this complex issue or shorter time frames, or do not examine specifically the migration route presented herein. Collinson, Boswell and Del Sarto and Steindler, to name but a few, offer excellent insights into the evolution of European immigration policy over the last decades; and Bicchi and Kausch and Youngs have brilliantly exposed the contradictions and constraints of the relationship between the EU and Northern African regimes. Bensaad and de Haas masterfully analyse the complexity of trans-Saharan migration, albeit with a more limited historical perspective. Finally, rigorous reports by human rights organizations and European agencies offer detailed examinations of key aspects of the problem, such as migrant and refugee rights along the route or the security situation in the Sahara. Owing much to the work of these and other authors, this dissertation aims to present the combination of factors that, over the last two decades, have shaped and consolidated the Niger-Libya migration route to Europe.

To this end, each section introduces one of three main international actors in this route, in the order they are encountered by Sub-Saharan migrants. Niger is presented first. Its historical links with Libya and the porosity of its Saharan borders have progressively turned it into a key transit migration country, where flows from all over West Africa meet and migrants prepare to cross the desert into Libya, aided by smugglers. The second section examines the role of Libya, whose appeal for Saharan workers helped develop regional trans-Saharan migration routes since the 1960s. The drastic changes in Libya's immigration policies under President Gaddafi and after his fall in 2011 explain the

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[4] I use the term 'Europe' to refer collectively or without distinction to the European Union, its member states and its institutions. When any of these is concerned separately, it will be specified. On the other hand, the term "EU" may refer to what were the European Communities before the 1992 Maastricht Treaty.

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country's salience today as a departure point to Europe.

The influence of the EU and its member states is analysed in the third section. As well as playing a passive role as a destination for migrants, EU countries have implemented anti-immigration policies in cooperation with several African countries, including Libya, which have played a crucial role in shaping this route from the distance—and are now compromised by the anarchy in Libya. Finally, the conclusion summarises the findings of this dissertation and examines briefly their potential implications for the future.

The persistent differences between Europe and Africa in terms of economic development and stability suggest that there will continue to be migratory pressures for the foreseeable future (and indeed, population growth in Sub-Saharan Africa may heighten them).[5] This historical analysis of one of the most important immigration routes should help improve policy approaches to a phenomenon currently characterised by abuses and death.

Who's travelling? Migrants and refugees in the Niger-Libya migration route[6]

In the migration route across Niger and Libya, differentiating between refugees and other migrants can be difficult.[7] Often facing equally severe restrictions to enter Europe, they travel together along irregular routes and by similar means.[8] Furthermore, migrants can successively fall under different legal categories throughout their journey: for instance, refugees who leave their refugee camp may become irregular migrants.[9]

The Niger-Libya route analysed in this dissertation has historically been used mainly by economic migrants from West Africa, particularly from Nigeria, Ghana, and Senegal (although estimates differ depending on the date and author).[10] However, an unknown but significant proportion of them are refugees or asylum seekers: around 30% of West

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[5] Hanson and McIntosh, "Is the Mediterranean the New Rio Grande? US and EU Immigration Pressures in the Long Run.", p. 79.

[6] The term migrant refers to any person travelling across an international border, including refugees. Refugees are migrants entitled to international protection, for they are fleeing from generalised violence or discriminatory persecution in their countries of origin. Irregular migrants are those who do not comply with the legal requirements to enter a country or stay there. (International Organization for Migration, "Key Migration Terms."; Glasman, "Seeing Like a Refugee Agency: A Short History of UNHCR Classifications in Central Africa (1961–2015).", pp. 344-345; 1951 Geneva Convention, as amended by its 1967 Protocol; and Adepoju, *International Migration Within, to and from Africa in a Globalised World*, p. 171.)

[7] de Haas, "Trans-Saharan Migration to North Africa and the EU: Historical Roots and Current Trends."

[8] Altai Consulting, "Mixed Migration", p. 30.

[9] Glasman, "Seeing Like a Refugee Agency", pp. 344-345; Adepoju, *International Migration*, p. 170.

[10] Bensaad, "Agadez, Carrefour Migratoire Sahelo-Maghrebin.", pp. 3-4; Massari, "At the Edge of Europe", p. 16.

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and Central Africans who applied for asylum in Europe in 2015 were recognised as refugees. [11] Once in Libya, they are joined by East Africans, many of whom are refugees fleeing violence in Sudan or the Horn of Africa or repression in Eritrea—and also, in recent years, by Syrian refugees.[12]

This distinction is important to understand migratory flows, and to articulate policy responses to address them. Policies aimed to influence economic migrant's decision to leave their countries are not adequate for refugees seeking international protection. Additionally, under international law, certain migration policies can be illegal if applied to refugees. An obvious example is the principle of non-refoulement, which bans the repatriation of refugees to a country where they would be exposed to torture or other ill-treatment.[13]

Migration across the Sahara. Evolution between the early 2000s and the aftermath of the Libyan revolution

The increasing presence of Sub-Saharan Africans among the migrants arriving to Europe since the 2000s is partly the result of the prior development of migration routes that connected Saharan and Sahelian states, such as Niger or Mali, to the faster growing economies of North Africa, and especially Libya.[14] Later, political developments in the region and the relative proximity of prosperous and stable Europe progressively transformed a regional migration route into the firmly established migratory system that today links West Africa with the Italian coast.[15]

A brief overview of the historical origins of trans-Saharan migration routes

Trade routes have connected the north and the south of the Sahara since Antiquity.[16] After a period of decline in colonial times,[17] trade relations between Niger and Algeria were reinforced to create a network, mainly based on family connections, that stretched

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[11] de Haas, "Trans-Saharan Migration"; Laczko and McAuliffe, "Migrant Smuggling Data and Research: A Global Review of the Emerging Evidence Base.", pp. 25-30.

[12] Massari, "At the Edge of Europe", p. 16.

[13] Leghtas, "'Hell on Earth': Abuses against Refugees and Migrants Trying to Reach Europe from Libya.", p. 15.

[14] de Haas, "The Myth of Invasion: The Inconvenient Realities of African Migration to Europe.", p. 1317.

[15] de Haas, "North African Migration Systems: Evolution, Transformations and Development Linkages.", p. 34.

[16] Lydon, "Trans-Saharan Trade in the Longue Duree."

[17] Fuglestad, *A History of Niger, 1850-1960*, pp. 108, 190.

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from southern Algeria to Kano, in the north of Nigeria, passing through the Nigerien town of Agadez.[18]

These routes started to gain importance for regional migration due to the political and economic developments that took place in the Sahara after the 1960s—including civil wars, the drought cycles of the Sahel, and perhaps most importantly, the differences in economic growth between the north and the south of the Sahara.[19]

After the independence of Mali and Niger, revolts of their northern Tuareg populations ensued—largely because of their perceived marginalisation by the southern elites in Bamako and Niamey, [20] in part a legacy of colonialism.[21] Major rebellions took place in Mali in the 1960s, the 1990s, 2006 and 2012; and in Niger in the 1990s and in 2007 to 2009. The response of the state was often violent repression. The implementation of subsequent peace agreements was typically left incomplete, perpetuating resentment in the northern regions.[22] Cyclical violence aggravated the economic decline of these regions, already weakened by the new air and sea trade routes that competed with the trans-Saharan trade in which locals were specialised, and by the recurrent droughts in the 1960s and 1970s, which had decimated their livestock.[23]

At the other side of the Sahara, however, the oil fields, construction sites, and farms of southern Libya and Algeria increasingly demanded cheap, foreign labour.[24] Disaffected young Nigerien and Malian Tuaregs thus started to migrate to Libya (and to a lesser extent to Algeria), moving from one town to another, pursuing economic opportunities, and tightening the connections between Saharan cities.[25] The improved transport infrastructure built for the exploitation of mineral resources in the desert (oil in Libya and uranium in Niger) further facilitated their movement across the Sahara.[26] Algeria and Libya generally welcomed immigration at the time, as it responded to their economic needs and also contributed to repopulate their Saharan provinces.[27]

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[18] Bensaad, "Agadez", p. 10.
[19] Bredeloup and Pliez, "Migrations Entre Les Deux Rives Du Sahara"; Guichaoua, "Tuareg Militancy and the Sahelian Shockwaves of the Libyan Revolution."
[20] Guichaoua, "Tuareg Militancy", pp. 325-326.
[21] Fuglestad, *A History of Niger*, pp. 187-192.
[22] Guichaoua, "Tuareg Militancy", pp. 325-326.
[23] Ibid.; Altai Consulting, "Mixed Migration", p. 81.
[24] de Haas, "The Myth of Invasion", p. 1307; Bensaad, "Agadez", pp. 1-2.
[25] Guichaoua, "Tuareg Militancy", p. 326.
[26] Bensaad, "Agadez", pp. 1-2.
[27] de Haas, "The Myth of Invasion", p. 1307.

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These 'itinerant men' were the forerunners of the larger Sub-Saharan immigration movement that followed in the 1990s.[28] Many of them would later set up 'travel agencies' that smuggled Sub-Saharan migrants across the desert.[29] Trans-Saharan economic exchanges were reinforced and revitalised as a result; and although they remained mostly irregular (or illegal) and outside the formal control of the state, state officials were often involved—collecting bribes or even running trafficking networks themselves. [30]

In the 1990s, Sahelian migrants were increasingly joined by West Africans, attracted by the good employment prospects of the Libyan economy. These included economic migrants and refugees displaced by conflicts in places like Darfur, the Democratic Republic of the Congo, and the Ivory Coast, or by the recurrent economic crises in Sub-Saharan economies.[31] Since 1979 migrants from most West African countries have enjoyed freedom of entry to Niger, which as a member of the ECOWAS (the Economic Community of Western African States) granted freedom of movement and residence to nationals of other member states.[32] Once in Niger, access to Libya was relatively easy.[33]

On the other hand, the widespread introduction of visa requirements to enter the Schengen zone complicated Sub-Saharans' access to alternative destinations in Europe. Algeria, which had long been a secondary destination for Sub-Saharan migrants, progressively introduced border controls so severe that by 2005 it was a 'dead end' for migration routes. Other North African policy decisions also channelled immigration to Libya into the Nigerien route, such as Libya's closure of its border with Sudan—until then an important access to Libya— in 2003 (until at least 2011), due to the conflict in Darfur.[34] Libya, and the Nigerien routes that linked it to Sub-Saharan Africa, continued to gain weight in the region.[35]

And when later events diminished Libya's attractiveness for migrants, as we shall later see, this existing migratory 'infrastructure' naturally became a springboard to Europe for Sub-Saharan Africans. By 2017, the majority of refugees and migrants who entered the

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[28] Guichaoua, "Tuareg Militancy", p. 326.
[29] Bredeloup and Pliez, "Migrations Entre Les Deux Rives Du Sahara."
[30] Bensaad, "Agadez", p. 2; Guichaoua, "Tuareg Militancy", p. 325.
[31] Bredeloup and Pliez, "The Libyan Migration Corridor.", p. 2.
[32] Adepoju, Boulton, and Levin, "Promoting Integration through Mobility: Free Movement and the ECOWAS Protocol", p. 1.
[33] Guichaoua, "Tuareg Militancy", pp. 326-327; de Haas, "North African Migration Systems", p. 16.
[34] Bredeloup and Pliez, "The Libyan Migration Corridor", p. 2.
[35] Bensaad, "Agadez", p. 15-16.

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European Union had departed from Libya.[36] In turn, it was estimated that 90% of arrivals in Libya had travelled through Niger.[37]

Development of the Niger-Libya route in the 2000s

Niger, a country of transit

Niger is a meeting place for migrants travelling to the Maghreb and Europe. The main routes to Libya and Algeria depart from there, more specifically from Agadez, an ancient crossroads of trans-Saharan trade routes that in the 2000s became a key hub for immigration from Sub-Saharan Africa, first to Libya and more recently to Europe.[38]

Northern Niger's connection with Libya was not only the result of its proximity or the seasonal migrations of Nigerien Tuaregs in the 1970s. It was also reinforced by Gaddafi's political ambitions in the Sahara. He had offered support to the rebel movements in northern Niger for years, offering them a safe haven in Libyan territory, and northern Nigeriens were allowed to live and work in Libya largely free from interference by the authorities.[39] These factors further strengthened links across the border and also facilitated the development of smuggling networks that continue to operate today, transporting not only migrants but also weapons and drugs.[40]

Although migration routes have evolved in response to economic, security and policy changes, descriptions of the main itinerary across Niger to Libya by migrants and authors since the early 2000s remain very similar.[41] Migrants from all over West Africa meet at Agadez, having normally reached it by bus through Niamey, Niger´s capital, or Zinder— this is often the case for northern Nigerians, who follow the ancient trade route that linked Kano with Niger and continued across the Sahara.[42] As explained above, most travellers are nationals of ECOWAS states, and thus their journey into Niger is entirely legal.

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[36] Leghtas, "'Hell on Earth'", p. 2.

[37] Puig, "Níger: La Nueva Frontera Europea."

[38] de Haas, "Trans-Saharan Migration"

[39] Guichaoua, "Tuareg Militancy", pp. 326-332.

[40] Foreign and Commonwealth Office, United Kingdom, "Traffickers and Terrorists: Drugs and Violent Jihad in Mali and the Wider Sahel."

[41] Naranjo, "Medio Centenar de Inmigrantes Muere de Sed En El Desierto de Níger"; Bensaad, "Agadez"; de Haas, "Trans-Saharan Migration"; Altai Consulting, "Mixed Migration"; Puig, "Níger: La Nueva Frontera Europea."

[42] Bensaad, "Agadez", pp. 3-4, 11.

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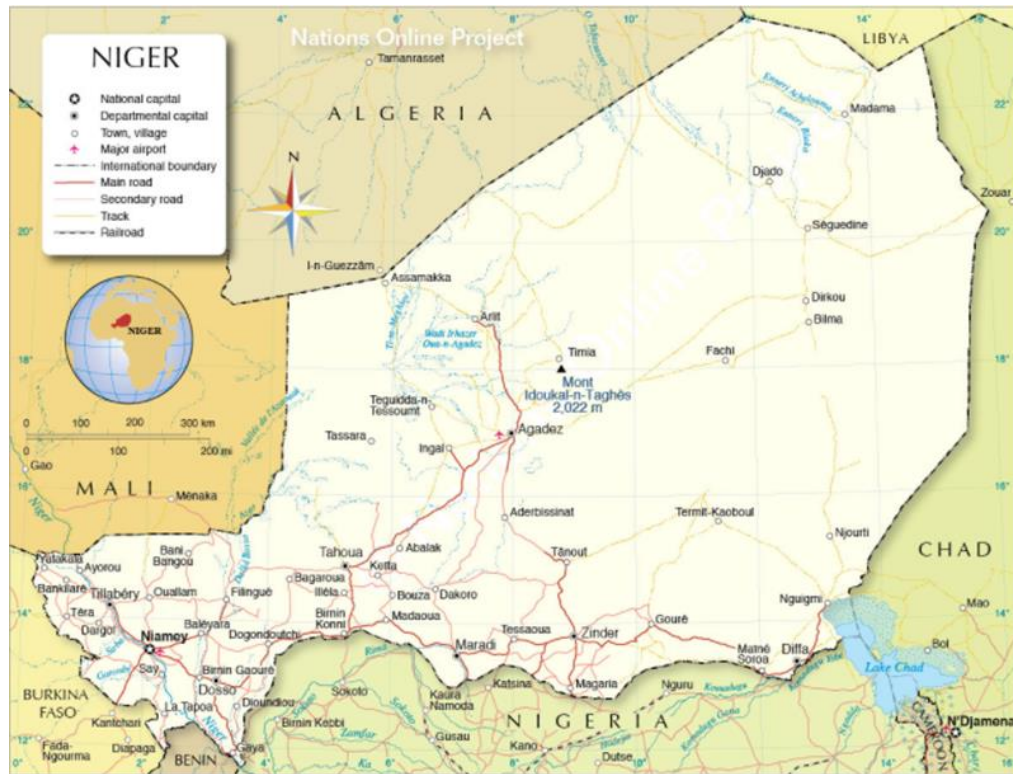
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Figure 2: Roads and tracks connect Agadez, in the centre of Niger, with several Sub-Saharan countries and with Libya and Algeria across the Sahara.[43]

Once in Agadez, they contact the city's smugglers, who take them in trucks or pickups into Libya—mainly to the Sebha oasis—or, in fewer cases, to Tamanrasset in southern Algeria.[44] Migrants tend to undertake the trip in several stages, usually stopping in other Nigerien towns such as Dirkou and Madama, working there to save money to continue their journey, which can sometimes take several months.[45] The last leg of the trip across Niger takes migrants to Sebha in Libya.[46]

The journey between Agadez and Sebha is very dangerous, as it involves crossing the Sahara Desert. Migrants have to survive on little water and food, crammed into trucks or pickups to the point that deaths from asphyxiation are not uncommon.[47] Vehicle breakdowns in the desert can result in the death of their passengers, who often run out of food and water before finding assistance.[48] Migrants are also exposed to bandit attacks

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[43] Source: http://www.nationsonline.org/oneworld/map/niger-political-map.htm.
[44] de Haas, "Trans-Saharan Migration"
[45] Altai Consulting, "Mixed Migration", p. 36; de Haas, "Trans-Saharan Migration"; Puig, "Níger: La Nueva Frontera Europea."
[46] Altai Consulting, "Mixed Migration", p. 36.
[47] Puig, "Níger: La Nueva Frontera Europea."
[48] Bensaad, "Agadez", p. 5.

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and to being abandoned by their smugglers in the middle of the desert.[49] On top of that, migrants report systematic abuses by the authorities, for whom they have become an easy source of income, although gratuitous mistreatment is also frequent.[50]

A young Senegalese who undertook the journey describes it as follows: *'41 of us were packed into the Land Rover, we almost couldn't breathe. Six died, I don't know whether out of thirst, hunger or exhaustion. Later, in Al Qatrun [Libya], Libyans would chase us to take our money and the police beat us constantly.'*[51]

Incidents involving dozens of deaths are constantly reported by NGOs and the Nigerien authorities.[52] Although precise figures are unavailable, it is estimated that in the last years at least as many migrants have died in the Sahara as in the Mediterranean.[53]

Despite the high risks, thousands of migrants have travelled through Agadez every year since the early 2000s.[54] Although some travel to Algeria, Libya has been by far their main destination since the early 2000s,[55] and in 2013 Agadez was still the main access to Libya, particularly for West Africans.[56] According to one estimate, in 2003 65,000 migrants passed through this city in their journey to North Africa, sometimes moving on to Europe. The flow had doubled compared to 2001, despite hardening conditions in Libya.[57] In 2013 between 25,000 and 90,000 migrants took the route to Libya via Agadez; and 100,000 migrants were expected to transit through the city in 2015—a figure four times higher, according to Frontex, than before Gaddafi's fall.[58] However, these estimates are not necessarily accurate or comparable, and thus it is difficult to deduce trends from their evolution within this period.[59]

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[49] Puig, "Níger: La Nueva Frontera Europea."

[50] Andersson, "Hunter and Prey: Patrolling Clandestine Migration in the Euro-African Borderlands.", pp. 137-138.

[51] Translated from the Spanish: *"En el Land Rover nos amontonábamos 41 personas, casi no se podía respirar. (…) Murieron seis, no sé si de hambre, de sed o de cansancio. Luego en Al Katrum los libios nos perseguían para quitarnos el dinero y la policía nos golpeaba todo el tiempo"*. Naranjo, "Los Mil Y Un Naufragios de Kolda."

[52] UNHCR, "News Comment: UNHCR Shocked at Deaths in Sahara Desert"; Naranjo, "Medio Centenar de Inmigrantes"

[53] Puig, "Níger: La Nueva Frontera Europea."

[54] Bensaad, "Agadez"; FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015."

[55] Those travelling to Algeria were generally trying to reach Morocco afterwards, due to scarce work opportunities and severe repression in Algeria. (Bensaad, "Agadez", pp. 3, 5.)

[56] Altai Consulting, "Mixed Migration", pp. 31-37.

[57] Bensaad, "Agadez", p. 4.

[58] Altai Consulting, "Mixed Migration", p. 37; FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", pp. 26-41.

[59] Laczko and McAuliffe, "Migrant Smuggling Data and Research", p. 32.

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In any case, these flows involve a substantial number of people, and have become an essential economic resource in the migrants' main areas of transit. Estimates suggest that in 2013, the average migrant spent hundreds of dollars as they crossed the Sahara, buying basic goods, bribing officials and security forces, and paying off smugglers.[60] In Niger, where GDP per capita was just $420 in 2016, the economic importance of transit migration cannot be overstated. [61]

For instance, in 2005 the Nigerien town of Dirkou (between Agadez and Sebha, in Libya) had a census population of 2,000 people—but five to seven thousand migrants were estimated to reside there as well, trying to earn the necessary money to continue their journey, and thus providing cheap labour and paying for accommodation and food.[62] But the main beneficiary of transit migration has undoubtedly been Agadez, Niger's main migration hub, which economy is now highly dependent on migratory flows. It had been a tourist destination until security deteriorated, and in 2013 many of its numerous travel agencies were offering smuggling services to migrants, often led by former Tuareg rebels or former migrants.[63]

Niger at large also stands to benefit from its position as a country of migration transit and origin.[64] Transit migration generates valuable economic activity, and nationals' emigration brings remittances and relieves pressure from domestic labour markets unable to offer sufficient opportunities.[65]

Unsurprisingly, transit migration, albeit irregular, has long been tolerated by the authorities. The ambivalence of the Nigerien authorities is reflected in the words, in 2003, of the *préfet* of Agadez, who seemingly pretended to ignore the destination of the migrants: *'They are African citizens who have the perfect right to transit through Niger. The rest is their responsibility.'*[66] This situation may have changed in recent years: possibly encouraged by the EU, Niger passed in 2015 a new law to combat irregular migration that penalises 'traffickers' with heavy fines and prison sentences, which is

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[60] de Haas, "Trans-Saharan Migration"; Altai Consulting, "Mixed Migration", pp. 36-43.

[61] The World Bank, "The World Bank in Niger. Overview."

[62] Bredeloup and Pliez, "Migrations Entre Les Deux Rives Du Sahara"; de Haas, "The Myth of Invasion", p. 1317.

[63] Altai Consulting, "Mixed Migration", p. 67.

[64] Van Criekinge, "The EU-Africa Migration Partnership: The Limits of the EU's External Dimension of Migration in Africa.", pp. 263-264, 271, 277.

[65] de Haas, "The Myth of Invasion", p. 1316.

[66] Translated from the French: "*il s'agit de ressortissants africains qui ont parfaitement le droit de transiter par le Niger. Le reste, c'est leur responsabilité*". (Bensaad, "Agadez", p. 6.)

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apparently being enforced (and deviating smugglers to remoter, more dangerous routes).[67]

In any event, migration has long been a valued economic resource for state authorities, both in Niger and in Libyan.[68] Migrants and authors have repeatedly noted the authorities' corruption and complicity with the smugglers since the early 2000s.[69] State actors sometimes run smuggling networks themselves, and the Nigerien military is reported to have escorted migrant convoys at times of insecurity.[70] Ironically, according to Niger's anti-corruption agency, by 2015 the bribes paid by migrants were an essential resource for the functioning of the security forces, as corruption in Niamey meant that earmarked public funds often did not reach them.[71]

As well as the connivance of military and police officials, the vastness of the territory under their purview and their scant resources also contribute to the notorious porosity of Saharan borders—which helps explain the popularity of Niger for trans-Saharan irregular migration.[72] Indeed, all kinds of illicit trafficking accompanies irregular migration flows, including drugs and weapon trafficking, in particular since the Libyan revolution and the anarchy that ensued.[73] The absence of state authority also worries officials of Niger and other Sahelian states, who have an increasing interest in controlling their borders as the vacuum has benefitted terrorist groups and rebels within their territories.[74]

From the early 2000s, and especially after the Libyan revolution (as explained below), the destination of migrants travelling across Niger was increasingly Europe instead of Libya. The fall of Gaddafi's regime in 2011 compromised Libya's implementation of the migration control policies agreed with the EU. As a result, Niger's location has become key for the EU, and Niger now stands to benefit from this position in their negotiations.[75] Niger's configuration as a transit migration country has thus been closely linked to the political situation in Libya, examined in the next section.

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[67] Naranjo, "Medio Centenar de Inmigrantes"
[68] Altai Consulting, "Mixed Migration", pp. 31-43.
[69] Bensaad, "Agadez", p. 6.
[70] Guichaoua, "Tuareg Militancy", p. 325; Altai Consulting, "Mixed Migration", pp. 36-37.
[71] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", p. 26.
[72] Ibid., pp. 23, 42-49.
[73] Foreign and Commonwealth Office, United Kingdom, "Traffickers and Terrorists"
[74] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", pp. 36-42.
[75] de Haas, "The Myth of Invasion", p. 1316.

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Libyan politics

As explained above, the trans-Saharan migration 'infrastructure' that developed in the second half of the 20th century was largely disconnected from migration to Europe. Rather, it responded to regional imbalances between the Maghreb (and especially Libya) and its southern neighbours. However, this route started to attract Sub-Saharan migrants as well in the mid to late 1990s, first to work in Libya, and then progressively with the aim of continuing their journey to Europe.[76]

Libya was, and remains, a key actor when it comes to Sub-Saharan migration to Europe—both for migrants and for Europe's attempts to control their flow. Libya's approach to migration has, however, changed markedly in the last twenty years. Having previously pursued a 'pan-Africanist' policy that welcomed Sub-Saharan immigrants, Libya's then president, Muammar al Gaddafi, adopted a much more restrictive approach in the early 2000s, responding to domestic and European pressure. The fall of his regime after the Libyan revolution in 2011 marked the beginning of a third phase that continues to date, characterised by the absence of a state security structure, increased smuggling activities, and widespread abuses against migrants.

President Gaddafi's 'pan-Africanist' immigration policies

The Libyan economy's demand for foreign workers and the poor economic prospects in neighbouring countries had long attracted regional migrant labourers to Libya. However, Gaddafi's turn to pan-Africanism in the 1990s, accompanied by an explicit welcome of Sub-Saharan workers, transformed the country into a major destination for migrants from West and Eastern Africa too.[77]

This policy change can be traced back to Libya's international isolation following the embargo imposed on it by the United Nations in 1992.[78] Gaddafi's initial attempts to rely on pan-Arab solidarity links failed, and so he resorted to Sub-Saharan Africa instead, positioning himself as an 'African leader' in a diplomatic move that culminated in 1998 with his creation of the Community of Saharan and Sahelian States (CEN-SAD). [79] The CEN-SAD was designed to promote free trade and circulation of people, and its creation

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[76] Ibid., p. 1307.
[77] Ibid.
[78] Collinson, *Shore to Shore*, p. 53.
[79] Guichaoua, "Tuareg Militancy", p. 326-327; de Haas, "The Myth of Invasion", p. 1307.

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coincided with a 'spectacular' increase of immigration from Sub-Saharan Africa.[80] However, a sizeable number of Sub-Saharan workers already resided in Libya before 1998. Gaddafi's policies may thus have acknowledged and legitimised the already substantial Sub-Saharan immigration to the country, rather than provoked it.[81] Nonetheless, both the welcoming rhetoric and the practical implementation of the CEN-SAD—which included the removal of visa requirements for Sub-Saharan migrants[82]— undoubtedly encouraged and facilitated Sub-Saharan immigration into Libya, which was 'eager for cheap labour'.[83] An estimated two and a half million Sub-Saharans lived in Libya by 2003.[84]

The existing migration routes that connected Libya with the Sahel and West Africa were expanded and consolidated as a result, and became linked with East Africa's migration system. Workers from Sudan or Ethiopia now migrated to Libya, and refugees from Darfur and Eritrea began to take the route to Libya as well.[85]

Despite the official message of pan-African solidarity, however, the treatment of Sub-Saharan immigrants in Libya was, already by then, marked by arbitrariness and racism. 'Slave' was reportedly the most common term to refer to Sub-Saharan Africans in Libya; and detention camps for migrants allegedly existed already before 2000—when a deadly anti-immigrant backlash in Libya marked a new turn in the country's immigration policies.[86] Some authors argue that the precarity of the immigrants' legal status in Libya at the time was deliberate, as it guaranteed the reversibility of the country's immigration policy.[87]

Hardening of conditions for immigrants in Libya, and agreements with the EU

In the early 2000s, Libya transformed from a destination for migrants into an important country of transit for those attempting to reach Europe, and the country became a key

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[80] Guichaoua, "Tuareg Militancy", p. 326-327.
[81] Bensaad, "Agadez", p. 16.
[82] Guichaoua, "Tuareg Militancy", pp. 326-327; Altai Consulting, "Mixed Migration", p. 131.
[83] Human Rights Watch, "Libya: Stemming the Flow. Abuses Against Migrants, Asylum Seekers and Refugees.", p. 1.
[84] Bensaad, "Agadez", p. 1.
[85] de Haas, "Trans-Saharan Migration"; Human Rights Watch, "Libya: Stemming the Flow", p. 16.
[86] Bensaad, "Agadez", p. 6.
[87] Guichaoua, "Tuareg Militancy", p. 327; Bensaad, "Agadez", p. 6.

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actor for Europe's migration policies.[88] At the same time, popular attitudes against Sub-Saharan immigrants hardened.

In September 2000, a clash between a group of Libyans and foreign workers, mainly from Chad and Sudan, led to the killing of at least fifty Sub-Saharans (hundreds, according to some sources). The Libyan government responded by introducing stricter immigration regulations, and large-scale arrests of immigrants by the police ensued.[89] This was accompanied by a new, widespread practice of arbitrary detention of Sub-Saharans in prisons and camps, where abuses and torture were common (leading in some instances to death in custody),[90] and by forced repatriations[91]—including in buses or trucks across the desert, during which some migrants reportedly died.[92] Refugees and asylum seekers, at risk of persecution or death in their countries of origin, were also deported. In 2004, a group of Eritreans who were being repatriated from Libya by plane forced the pilot to land in Sudan instead, where UNHCR recognised sixty of them as refugees.[93]

Meanwhile, the importance of Libya increased as an entry point to Europe, and more specifically to Italy. Gaddafi, seeking to end his country's isolation,[94] successfully entered into a series of cooperation agreements with Italy that envisaged the countries' collaboration on security issues and against irregular migration, starting in 2000. In 2003 alone Italy spent 5.5 million euros in migration cooperation with Libya.[95] After a new agreement in 2004, Libya readmitted irregular immigrants from Italy for the first time[96] and the EU lifted its eighteen-year embargo against Libya two months later, after particularly active lobbying by Italy.[97] Italy and Libya signed a new pact to facilitate the return of migrants in 2009, by which time negotiations for a trade and cooperation agreement with the EU were also underway.[98]

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[88] Human Rights Watch, "Libya: Stemming the Flow", p. 14.

[89] de Haas, "The Myth of Invasion", p. 1307; Human Rights Watch, "Libya: Stemming the Flow", p. 18.

[90] According to several testimonies and other findings published by Human Rights Watch, "Libya: Stemming the Flow"

[91] de Haas, "The Myth of Invasion", p. 1307-1308.

[92] Human Rights Watch, "Libya: Stemming the Flow", p. 3.

[93] Ibid.

[94] Altai Consulting, "Mixed Migration", p. 131.

[95] Human Rights Watch, "Libya: Stemming the Flow", pp. 101-102.

[96] de Haas, "The Myth of Invasion", p. 1310.

[97] Human Rights Watch, "Libya: Stemming the Flow", p. 102.

[98] Ironically, although it entirely ignored basic human rights concerns, the Commission undertook an assessment of the sustainability and environmental impact of the free-trade agreement (Development Solutions, "Trade Sustainability Impact Assessment (SIA) of the EU-Libya Free Trade Agreement.")

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Thus, despite the complaints of a Libyan government official in 2005, Libya's allegedly unfortunate location *'between rich Europeans and poor Africans'* seemed to have some advantages too.[99] As has been the case of other 'gatekeeper' countries in North Africa, Libya's position allowed Gaddafi to gain leverage in its relations with the Europe.[100] Apparently unconcerned by Libya's treatment of refugees and migrants, Italy proceeded to fund the construction of migrant detention centres and camps in the country, provided assistance for border surveillance, and financed a program of flights to return migrants— and, in all likelihood, refugees as well—from Libya to (in theory) their countries of origin.[101] By the mid-2000s, Frontex agents were allowed by Gaddafi to patrol Libya's borders.[102] European immigration policies increasingly resembled desperate attempts to keep Africans outside its borders at any cost.[103] And indeed they seemed to be achieving their objective: more than 30,000 migrants per year were apprehended and sent back to Libya between 2003 and 2006—although it is believed that Gaddafi continued to 'send' migrants to Europe to exert pressure.[104] After the new agreement of 2009, Italy's cooperation with Libya (including collective returns to Libya of migrants intercepted at sea, contrary to international law) contributed to a dramatic reduction in the arrival of migrants to the Italian coasts, from 37,000 persons in 2008 to less than 5,000 in 2010.[105]

Libya's new position as the guardian of Europe's frontier, together with increasing popular rejection of immigrants at home, encouraged Gaddafi to abandon his pan-Africanist rhetoric and policies. In 2007, new visa requirements were introduced for Sub-Saharan Africans.[106] In contrast to the relative tolerance of previous years, institutionalised racism and abuses against Sub-Saharan migrants and refugees increased, in the form of harassment, blanket accusations of criminality, migrant raids, arbitrary detention, mistreatment and torture.[107] In 2005, a high-ranking official of Gaddafi's government seemed to justify these practices, complaining that '*Africans are pouring in and bringing*

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[99] Human Rights Watch, "Libya: Stemming the Flow", p. 60.
[100] Del Sarto and Steindler, "Uncertainties at the European Union's Southern Borders: Actors, Policies and Legal Frameworks.", p. 372.
[101] Human Rights Watch, "Libya: Stemming the Flow", pp. 101-102.
[102] Guichaoua, "Tuareg Militancy", p. 327.
[103] Kausch and Youngs, "The End of the 'Euro-Mediterranean Vision.'", pp. 966, 974.
[104] Altai Consulting, "Mixed Migration", p. 131.
[105] Massari, "At the Edge of Europe", p. 17.
[106] Altai Consulting, "Mixed Migration", pp. 131-132.
[107] de Haas, "The Myth of Invasion", p. 1311.

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AIDS, drugs, crime'.[108]

This development is consistent with observations elsewhere that the creation of categories of irregularity or illegality associated with immigrants is linked with the development of xenophobia and hostility towards them, and with their association with other socially reprobated activities such as prostitution and drug-trafficking.[109] Increased racism and the collective criminalisation of migrants (especially from Sub-Saharan Africa) has also been observed in Morocco in connection with European initiatives to regulate and curb migration.[110]

As a result of their increasing institutional and social exclusion, migrants and refugees became more vulnerable to severe labour exploitation in Libya. Still, however, there was an important demand for immigrant workers. Indeed, by 2008 many migrants still viewed Libya, not Europe, as their main destination; or decided to stay there if they failed to cross the Mediterranean. Libya was not (yet), thus, merely a transit country.[111]

The Libyan revolution and its aftermath

The regime of Muammar al Gaddafi was swept away by the Arab Spring after more than forty years in power. In mid-February 2011, demonstrators in Tripoli declared a 'Day of Rage', as had happened before in Tunisia and Egypt. The deadly response of the Libyan government was followed by further protests, and the severe repression prompted an international intervention that supported the opposition forces, until the regime fell with the death of Gaddafi in October 2011.[112] However, the opposition was far from united, and armed militias proliferated in the aftermath of the revolution. A civil war broke out in 2014, and conditions have deteriorated ever since. By 2016, two different governments competed for national legitimacy, while struggling to control their theoretical areas of influence.[113]

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[108] Human Rights Watch, "Libya: Stemming the Flow", p. 18.
[109] Adepoju, *International Migration*, p. 170.
[110] Andersson, "Hunter and Prey", p. 140.
[111] de Haas, "The Myth of Invasion", pp. 1308, 1314.
[112] Norton, "The Puzzle of Political Reform in the Middle East.", p. 147.
[113] Ibid., pp. 147, 152.

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There were close to two million refugees and migrants in Libya before the revolution.[114] The revolution, and the anarchy that ensued, affected their lives in different ways. On one hand, the weakening of the state security forces facilitated the migrants' departure to Europe from the Libyan coasts, as controls had almost disappeared.[115] Figures of arrivals to Italy from Libya reflect this development.[116] On the other hand, abuses by the militias, the authorities, and the local population worsened. In addition to widespread racism, hostility against Sub-Saharan migrants increased because of the alleged collaboration of black African mercenaries with Gaddafi in the repression of the protests.[117]

Many migrants and refugees left Libya during the revolution (both to Europe and to neighbouring African countries),[118] and the inflow of migrants into the country almost stopped. However, it resumed afterwards, and by 2013 it was close to pre-revolution figures.[119] Indeed, some reports count as many as four times more migrants entering the country in 2015 than before the fall of Gaddafi.[120]

By 2013 they were attracted by easier passage to Europe after the revolution—especially compared with other places of departure such as Morocco or Tunisia[121]—, and by perceived good prospects of finding a job and earning the money to pay for their journey across the Mediterranean.[122] However, the situation in Libya was worse than many immigrants anticipated: a weaker economy demanded fewer foreign workers than before, and labour exploitation prevailed—particularly of irregular Sub-Saharan migrants, the most vulnerable collective. As a Beninese explained in 2013: *'[Libyans] sometimes they pay you and sometimes they don't, and if you ask for your salary they take out a gun, and because nobody wants to die, you let it go.'*[123]

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[114] Altai Consulting, "Mixed Migration", p. 79.
[115] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", p. 26.
[116] After a drastic decrease of Arrivals to Italy in 2009-2010, following an agreement between Italy and Gaddafi's regime, in 2011 sea-crossings peaked again. They dropped slightly in 2012 and then rose in 2013, reaching a new peak in 2014. (Massari, "At the Edge of Europe", pp. 17-18)
[117] Ibid., p. 28.
[118] Around 21,000 third-country nationals entered Italy from Libya during the crisis, and nearly 800,000 left for neighbouring countries, according to the International Organization for Migration. (Altai Consulting, "Mixed Migration", p. 132).
[119] Ibid., p. 133.
[120] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", p. 26.
[121] Altai Consulting, "Mixed Migration", pp. 73-74.
[122] Ibid., p. 10.
[123] Ibid., pp. 72-76.

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The generalised abuses and insecurity prompted many Sub-Saharans to continue their journey to Europe—including settled communities who had lived in Libya for many years under the previous regime.[124] Transit migrants were the target of systematic extortion by militias, smugglers, bandits and the authorities alike.[125] By 2015 (and probably before), refugees and migrants crossing the country risked falling into a system of imprisonment and payment, in which they were successively put in detention and demanded a ransom to be freed.[126]

However hard the circumstances described so far, there seems to have been a significant deterioration since the outbreak of the civil war in 2014. By 2017, more than 400,000 Libyans were estimated to be internally displaced by the violence; and the current situation of migrants and refugees has been described by Refugees International as 'hell on earth'.[127]

"As a female, you can't walk alone on the street. Even if they don't shoot you, as long as you're black, they'll just take you and sell you", explained a Nigerian woman.[128]

Reports of migrants being sold as slaves are not uncommon. Serious violations of basic rights also take place both in detention centres run by the authorities and in the warehouses where migrants and refugees are held by smugglers, sometimes for months, until they can cross the sea to Europe. Detention centres are in theory managed by the Libyan administration, but militias and smugglers are also involved and sometimes run the centres themselves.[129]

In any event, the conditions described by migrants both in detention centres and in smugglers' facilities are very similar, and include generalised torture—to extract money from migrants and their families—, rape, forced labour, and killings. Some migrants also die of hunger and disease, due to overcrowding and insufficient food and hygiene. Although the number of migrant and refugee deaths in Libya is not recorded, it is likely to be high.[130]

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[124] Ibid., p. 76.
[125] Massari, "At the Edge of Europe", p. 25.
[126] Gatti, *Bilal*; Massari, "At the Edge of Europe", pp. 25, 28.
[127] Leghtas, "'Hell on Earth'", p. 4.
[128] Ibid., p. 5.
[129] Ibid., pp. 4, 7-9.
[130] Ibid.

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Still, in 2016 the EU started training the Libyan coast guard, which by April 2017 had 'rescued' more than 4,000 people and returned them to Libya—with the likely result that they were locked up in detention centres again. Their conditions had been acknowledged by Federica Mogherini, the EU's High Representative for Foreign Affairs and Security Policy, to be 'unacceptable'.[131]

The extent to which these conditions will deter refugees and migrants from entering Libya to reach the EU remains to be seen. Some testimonies from economic migrants aware of the abuses in Libya suggest that many still consider the risks of emigration worthwhile and a better alternative to poverty.[132]

European strategies to control Sub-Saharan immigration: *'Just keep them out!'*[133]

As we have seen, the migration route that connects Sub-Saharan Africa with Europe through Niger and Libya has been largely shaped by domestic and regional factors, but the influence of the EU and its member states is also evident. Apart from the obvious fact that many migrants and refugees aim to reach Europe, attracted by its image of security and prosperity,[134] certain policies pursued by the European Union and its member states have contributed both to the popularity of this route and to the extreme conditions migrants encounter along the way.

Since the 1990s Europe has incorporated cooperation with its neighbourhood as a fundamental element of its immigration policies.[135] This cooperation has followed a combination of two very different approaches: securitization or border externalization, on one hand, and a preventive or comprehensive approach, on the other.

The first is characterised by the EU's partial transfer to neighbouring countries of its border management and migration control policies—such as measures to fight smuggling and trafficking—and includes readmission agreements and 'capacity building' in those countries for the management of migrant and refugee flows before they reach Europe. The main advantage of this approach seems to be that, as long as refugees and migrants do not reach European soil, the rights and guarantees foreseen in European law are not

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[131] Ibid., pp. 6, 9.
[132] Naranjo, "Los Mil Y Un Naufragios de Kolda"; Puig, "Níger: La Nueva Frontera Europea."
[133] In the words of a European diplomat cited by Kausch and Youngs, "The End of the 'Euro-Mediterranean Vision.'", pp. 966, 974.
[134] Adepoju, *International Migration*, p. 184.
[135] Boswell, "The 'External Dimension' of EU Immigration and Asylum Policy.", p. 619.

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(entirely) applicable to them.[136]

In contrast, policies that follow a more comprehensive approach attempt to address the causes of displacement of migrants and refugees, using instruments such as investment, trade and aid to improve conditions in countries of origin and transit to encourage migrants and refugees to remain there. Although they may be more effective in the long term, they are not popular among European governments as they do not result in visible and immediate reductions in the number of arrivals.[137]

Despite a repeated rhetorical commitment over time to *'a comprehensive approach to migration addressing political, human rights and development issues in countries of origin and transit'*,[138] a narrower approach, characterised by a short-term security focus, has consistently prevailed since the 1990s.[139] Agreements with North African countries such as Libya have played a key role in this system. Aiming to create a 'buffer zone' to stop migration flows from Sub-Saharan Africa before they could reach European territory, Europe moved 'the actual border beyond the borderline'.[140]

This was facilitated by the decades-old public discourse in Europe that treats immigration as a security problem, legitimising extremely restrictive immigration policies detrimental to the basic rights of migrants and refugees.[141] Additionally, the fact that implementation takes place across the EU borders, often by non-EU governments, allows European countries to pass on responsibility for the resulting abuses and limit public scrutiny.[142]

The prevalence of 'externalization' policies is reflected in the present study of transit migration to the EU through Libya and Niger. Both Italy and the EU deliberately overlooked the abuses resulting from their collaboration with Libya for immigration control. Clear violations by Libya of the principle of non-refoulement did not modify this country's classification by the European Commission as a 'safe third country' for refugees at the

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[136] Ibid., pp. 619-620, 623.
[137] Ibid., pp. 619-620, 636.
[138] Council of the European Union, "Presidency Conclusions, Tampere European Council.", p. 3.
[139] Boswell, "The 'External Dimension'", p. 320; Baldwin-Edwards, "'Between a Rock and a Hard Place': North Africa as a Region of Emigration, Immigration & Transit Migration"; Gruszczak, "Immigration Control and Securing the EU's External Borders.", pp. 224-225; Del Sarto and Steindler, "Uncertainties at the European Union's Southern Borders", p. 372.
[140] Del Sarto and Steindler, "Uncertainties at the European Union's Southern Borders", p. 372.
[141] Collinson, *Shore to Shore*, pp. 39-40; Gruszczak, "Immigration Control", pp. 224-225; Boswell, "The 'External Dimension'", p. 623-624.
[142] Del Sarto and Steindler, "Uncertainties at the European Union's Southern Borders", p. 373.

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time.[143]

And the agreements between Italy and Libya were not an exception. Indeed they followed the example of previous bilateral agreements between Spain and Morocco and other African countries,[144] also believed to violate the rights of refugees and migrants.[145] Similarly, EU migration programmes in cooperation with third countries have repeatedly been found to subordinate the respect of migrant and refugee rights to the priority of sealing the borders.[146] Europe has progressively delegated its border management responsibilities, including the respect of fundamental rights, to countries with very questionable human rights records.[147]

Europe's collaboration with Libya had a serious impact on the situation of refugees and migrants in Libya. New penalties for irregular immigrants, such as immediate deportation or imprisonment, were approved in 2004—tellingly, the year when Libya signed its first migration agreement with Italy and the EU lifted its embargo over the country.[148] This exacerbated the marginalisation and vulnerability of Sub-Saharan refugees and migrants in transit and also of those long settled in Libya, causing many, paradoxically, to move on to Europe.[149]

At the same time, other European measures to stop immigration have indirectly increased the popularity of the Niger-Libya route. Alternative routes to Europe once taken by migrants from West Africa were progressively closed by Europe's successful cooperation with relevant transit countries, especially the routes to Spain through Senegal, Mauritania and Morocco.[150] This arguably channelled diverse Sub-Saharan migration flows into the Niger-Libya route studied here.[151]

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[143] Baldwin-Edwards, "'Between a Rock and a Hard Place'", p. 320.

[144] Ibid., p. 321.

[145] de Haas, "The Myth of Invasion", p. 1312.

[146] Such as the 2004-2006 AENEAS programme, or the Thematic Programme of Cooperation with Third Countries in the Areas of Migration and Asylum that replaced it (Mouhib, "At the Borders of the EU. Migration and Democratization Policies Assessed.", p. 210).

[147] Del Sarto and Steindler, "Uncertainties at the European Union's Southern Borders", p. 373.

[148] Human Rights Watch, "Libya: Stemming the Flow", pp. 31, 49, 80.

[149] de Haas, "North African Migration Systems", p. 18.

[150] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", p. 30; Adepoju, *International Migration*, p. 184.

[151] Naranjo, "Los Mil Y Un Naufragios de Kolda."

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In this context, the aftermath of the Libyan revolution of 2011 represented a serious challenge for Europe's (especially Italy's) anti-immigration policies. A new agreement on border security was speedily signed between Italy and Libya in 2012,[152] and in 2013 the EU committed to support Libyan authorities to improve border control,[153] but the anarchy in Libya has complicated implementation: by 2015 government security structures had collapsed, and many areas were controlled by militias instead—including Libya's west coast, from which boats to Europe depart. Indeed, clashes between different militias in this region may respond to attempts to control the lucrative business of transit migration.[154] As mentioned before, Libya is currently the main point of departure of migrants arriving to Europe.[155]

The above explains Niger's newly acquired strategic importance in the eyes of the European Union—although as recently as 2013, missions for political dialogue with African countries foreseen as part of the EU's *'Global Approach to Migration'* strategy did not include Niger.[156] In contrast with Libya, and despite its internal problems, Niger's state authority and territorial integrity are not seriously contested, and the government is believed to 'welcome' the involvement of the EU in the areas of security and development.[157] For the EU, the solution seems to be to treat Niger as its new external border for immigration control: in other words, to build there the 'wall' that has fallen in Libya.[158] In pursuit of this strategy, the EU was to send experts to Niger to improve border control in 2016; and it spent over €1,150 million in the country, mostly destined to limiting irregular migration.[159]

However, Niger poses challenges of its own to Europe's border externalization strategy. It is a poor country with serious internal tensions. The state has a weak presence in the north, the main area of operation for smugglers.[160] Many smugglers are disaffected Tuareg and Tebu Nigeriens who have closer links across the border to Libya and other neighbouring states than with Niger, which provides a solid foundation for migration

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[152] Van Criekinge, "The EU-Africa Migration Partnership", p. 276.
[153] Altai Consulting, "Mixed Migration", p. 97.
[154] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", p. 26.
[155] Leghtas, "'Hell on Earth'", p. 2.
[156] Van Criekinge, "The EU-Africa Migration Partnership", p. 261.
[157] Guichaoua, "Tuareg Militancy", p. 332; European Union External Action Service, "Strategy for Security and Development in the Sahel.", p. 6.
[158] Abellán, "La UE Forja Pactos Con Cinco Países Africanos Para Frenar La Inmigración."
[159] Ibid.; Puig, "Níger: La Nueva Frontera Europea."
[160] European Union External Action Service, "Strategy for Security and Development in the Sahel."

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networks which may be difficult to disrupt.[161] The irregular economy around transit migration is vital for northern Niger, a politically sensitive region. Depriving the restive north of this key economic resource may thus endanger the already fragile stability of the country. In addition to traditional separatist aspirations, the north is now vulnerable to the spread of jihadist movements from Libya and Mali: in 2013, Arlit and Agadez suffered attacks apparently launched by groups expelled from Mali.[162]

These elements point to a delicate political and economic equilibrium in the north of Niger which is vulnerable to European policies to control transit migration. Sound economic alternatives must be provided to northern Nigeriens if their cross-border connections and associated livelihoods are to be curtailed. Mere transfers of funds to the national government may not be sufficient: as vocally requested by a Tebu interviewed in Agadez in 2016, *'If Westerners want to stop the smuggling, they must create job opportunities— not giving the money to Niamey, but coming here'*.[163]

In other words, the fragility of Niger and the diversity of stakeholders when it comes to transit migration require precisely the comprehensive approach to migration so often advocated on paper by the European Union but so unconvincingly put into practice so far. A security element is undoubtedly necessary, not least because of the current insecurity in the entire region.[164] But serious efforts should also be directed to ambitious economic development policies that go beyond announced projects supporting traditional handicrafts in Agadez.[165] In the case of Niger, a better distribution among the population of the profits from uranium mining (which currently benefit largely a French company and France itself) seems urgent.[166] This also serves as a reminder of the fact that structural migratory pressures from Africa to Europe cannot be addressed if the EU's trade and investment policies continue to obstruct the development of African economies.[167]

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[161] Guichaoua, "Tuareg Militancy"; de Haas, "North African Migration Systems", p. 35.

[162] European Union External Action Service, "Strategy for Security and Development in the Sahel"; Guichaoua, "Tuareg Militancy", p. 321-322.

[163] Puig, "Níger: La Nueva Frontera Europea." Translated from the Spanish: *"Si los occidentales quieren parar el tráfico, tienen que crear puestos de trabajo, pero no dando el dinero a Niamey, sino viniendo aquí"*.

[164] European Union External Action Service, "Strategy for Security and Development in the Sahel."

[165] Puig, "Níger: La Nueva Frontera Europea."

[166] Keenan, "Uranium Goes Critical in Niger: Tuareg Rebellions Threaten Sahelian Conflagration.", pp. 454-457.

[167] European fisheries policy in West Africa may also be counterproductive. See LaFraniere, "Europe Takes Africa's Fish, and Boatloads of Migrants Follow."

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Furthermore, as some authors have pointed out, Europe does indeed require cheap immigrant labour (although demand may have receded during the recent economic crisis), and Sub-Saharans with no opportunities at home will continue to provide it.[168] Although several EU initiatives in the region ostensibly aim to promote legal immigration channels,[169] by 2015 West Africa had the highest visa rejection rates by Schengen countries in the world.[170] On the other hand, refugees fleeing war and persecution will keep on seeking protection despite the barriers erected by the 'Fortress Europe'. In the absence of available legal channels, migrants and refugees alike will continue to risk their lives in their attempt to reach Europe.[171]

Conclusion

Migration routes across Africa to Europe are the ever-changing product of the evolving political and economic situation of the countries involved in the migratory process, from Sub-Saharan Africa to the European Union. In the last two decades, structural migratory pressures from West Africa have been progressively channelled towards the Niger-Libya route that ends in Italy. These pressures are shaped by the changing political situation in Libya, Niger's poverty and location, and the EU's restrictive immigration policies in the region. The combination of these factors has turned this route into a very dangerous journey, during which many migrants suffer abuses or lose their lives, either while crossing the desert or sea or at the hands of smugglers and corrupt security forces. Unfortunately, present circumstances and EU initiatives do not suggest that migration is about to decrease or become less dangerous.[172]

Without denying African governments' responsibility for the poverty and violence that prompt emigration, it is the European Union and its member states who are best positioned to improve the conditions of migrants who take this route, and to pursue a more efficient solution to migratory pressures. However, there are economic and electoral limits to the generosity of their immigration and asylum policy—as confirmed by the rise

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[168] de Haas, "The Myth of Invasion", p. 1318.
[169] European Commission, "Aeneas Programme. Programme for Financial and Technical Assistance to Third Countries in the Area of Migration and Asylum. Overview of Projects Funded 2004-2006."
[170] FRONTEX, "Africa-Frontex Intelligence Community Joint Report, 2015.", p. 15.
[171] Boswell, "The 'External Dimension'", p. 625.
[172] European Union External Action Service, "Strategy for Security and Development in the Sahel."; European Commission, "Central Mediterranean Route: Commission Proposes Action Plan to Support Italy, Reduce Pressure and Increase Solidarity."

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of right-wing parties following the Syrian refugee crisis, particularly in countries which initially pursued open-door policies, such as Germany and Sweden.[173] Consequently, an equilibrium needs to be found between reducing irregular inflows in the short term (while respecting basic rights) and reducing migratory pressures in the long run.

The consolidation of this migration route over such a long period of time means that it is likely to be resilient against EU measures aiming to control the flow of migrants: this route is not just a by-product of the fall of Gaddafi six years ago, but rather a whole industry developed over more than twenty years, on which many livelihoods depend, in an extremely poor and unstable region. Any migration-control initiatives will be further complicated by the absence of government authority in Libya and the delicate political balance in Niger, partly dependent on the economic activity associated with transit migration across the north of the country.[174]

Merely reinforcing border controls in Niger thus risks undermining the very feature that makes Niger a viable alternative to Libya: its (fragile) political stability. The real goal of the EU should be to adjust that balance to suit its interests, as well as to stop the mounting deaths of migrants in the desert, in the Libyan 'hell', and at sea in their journey to Europe. Regarding Libya, Europe needs to review its cooperation on anti-immigration policies and adapt it to the current situation in the country, where the mistreatment of migrants and refugees can no longer be ignored.[175] Although migrants' deaths and abuses along the route are not Europe's exclusive responsibility, its policies have had, and will continue to have, a decisive influence on their fate.

To this end, a combination of security-oriented and preventive immigration policies is necessary, together with the creation of legal channels of immigration for Sub-Saharan Africans. Externalization strategies in Niger can have a very positive effect if they are implemented more carefully than in the past, namely ensuring the respect of migrant and refugee rights: Europe's 'encouragement of rights derogations in North Africa' to limit immigration have been more than enough.[176] In such conditions, an effectively closed border to Libya would deter migrants from undertaking the dangerous crossings of the Sahara and the Mediterranean, and thus probably reduce deaths along the journey, while

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[173] Shuster, "European Politics Are Swinging to the Right."
[174] Abellán, "La UE Forja Pactos Con Cinco Países Africanos"
[175] Leghtas, "'Hell on Earth'", p. 5.
[176] Kausch and Youngs, "The End of the 'Euro-Mediterranean Vision.'", p. 966.

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also limiting irregular arrivals into the EU.

For such a measure to be sustainable, however, it needs to be accompanied by ambitious trade, aid, and investment policies to offer Niger, and especially its northern region, an alternative economic resource to transit migration.[177] More broadly, European economic policies should be reviewed to enhance local economic prospects in Africa and reduce migratory pressures to Europe in the long run. EU agricultural and fisheries policies towards Sub-Saharan Africa (two important sectors for local development in the continent) have improved in the last years but their benefits for African economies are still unclear.[178] Fomenting European private investment in the continent could also contribute to this goal at a relatively low cost for European governments.

Finally, but not less importantly, Europe needs to offer a real alternative to irregular migration into the EU—both for economic migrants and for refugees seeking protection. Otherwise, the experience of the past decades indicates that, if the Niger-Libya route is finally closed, new, more dangerous migration routes will replace it.[179]

These proposals may sound very ambitious, but there is no alternative if Europe aims to control migratory inflows. Indeed, the very example of the European Union's policies before and after its southern and eastern enlargements may constitute a precedent of the ability of economic and institutional development policies to reduce the existing migratory pressures to Western Europe.[180] Analyses of European immigration policy towards Africa of the 1990s demonstrate that Europe finds itself almost exactly in the same situation now as twenty years ago.[181] Hopefully a new, more ambitious approach will allow for a more positive assessment in twenty years from now.

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[177] Abellán, "La UE Forja Pactos Con Cinco Países Africanos Para Frenar La Inmigración."

[178] Matthews, "Unfulfilled Expectations? The EU's Agricultural and Fisheries Policies in Africa.", pp. 194-195, 203-205.

[179] According to N. Nyberg Sorensen (Danish Institute for International Studies), cited in Cañas, "Tarifa, Vigilancia Y Rescate."

[180] King, "European Inernational Migration 1945-90: A Statistical and Geographical Overview.", pp. 22-25, 36.

[181] Collinson, *Shore to Shore*; Boswell, "The 'External Dimension'".

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