



IN FOCUS: MIXED MIGRATION IN NORTH AFRICA QUESTIONS AND ANSWERS

About: MHub is the regional knowledge hub and secretariat for the North Africa Mixed Migration Task Force, comprising of DRC, IOM, OHCHR, RMMS, Save the Children, UNHCR, UNICEF and UNODC. It promotes a human rights-based approach to ensure the protection of people moving in mixed and complex flows to, through and from North Africa.

Q: Are all migrants, refugees and asylum seekers in Libya waiting to cross the Mediterranean Sea irregularly to Europe?

A: There are a range of movements to, through and from Libya and only a relatively small number of migrants, refugees and asylum seekers in Libya cross the sea.

While there are no official figures on the number of migrants in Libya, IOM estimated the migrant stock in Libya prior to the 2011 crisis as 2.5 million.¹ Large numbers of foreign nationals fled the country in 2011, and in June 2013 it was estimated that 1.8 – 1.9 million migrants, refugees and asylum seekers remained in the country, with a predicted growth rate of 50,000 – 100,000 new entrants per year.² In comparison to these estimates, the number of people making the sea crossing irregularly from Libya is relatively small. In 2016, there were 181,436 irregular arrivals recorded in Italy via the Central Mediterranean route from Libya – less than 10% of the total foreign population estimated to be in Libya in 2016. In recent years, hundreds of thousands of people have passed through Libya with the specific purpose of transiting to Europe. However, far greater numbers of migrants remain in Libya for work, despite the ongoing insecurity and conflict. Research has also found that many migrants and refugees who cross to Italy from Libya did not originally intend to travel to Europe.³ It was only after experiencing difficult conditions or violence in Libya that they decided to travel onward across the Mediterranean.⁴ Others had been forced or aggressively recruited by smugglers to make the crossing to Italy. Refugees are also present in Libya; many of whom are from Syria, Palestine and Eritrea and have been in Libya for many years. For refugees facing limited safe and regular pathways to Europe, and a lack of protection space in their regions, many have no other option than to transit irregularly through Libya in search of access to protection in Europe.

Q: Has the EU–Turkey agreement diverted flows from the Eastern Mediterranean route to the Central Mediterranean route?

A: There is no evidence to suggest that flows have rerouted from the Eastern to the Central Mediterranean route.

While the EU–Turkey agreement of March 2016 has reduced flows from Turkey to Greece, there is no evidence to suggest that those populations have rerouted to the Central Mediterranean. Firstly, the 2016 increase along the Central Mediterranean route to Italy is far smaller than the decrease seen along the Eastern Mediterranean Route to Greece. In fact, comparing 2015 and 2016 data, the decrease along the Eastern route (683,273) is in fact 24 times higher than the increase registered along the Central Mediterranean route (27,549).⁵ In addition, in considering the population profiles, it is clear that the nationalities arriving to Italy in 2016 are very different from those who were arriving to Greece in 2015 and early 2016. While those arriving to Greece in 2015 were mainly from conflict zones in the Middle East (particularly Syria and Iraq) as well as from Afghanistan, the nationalities registering the strongest increases in Italy in 2016 were West Africans (from Nigeria, Guinea, Ivory Coast, Gambia, Senegal and Mali).⁶ In terms of Syrian sea arrivals to Italy, there has in fact been a significant decrease from 2015 figures of more than 7,400 arrivals, down to around 1,200 in 2016.⁷

Q: Would migrants, refugees and asylum seekers stop making their journey if they were aware of the risks they encounter en route to Europe?

A: Being aware of the risks of traveling irregularly to Europe does not necessarily deter people from attempting to make the journey.

Research has found that many people moving through irregular channels are aware of the dangers of their chosen route, and still choose to travel.⁸ Importantly, many refugees, migrants and asylum seekers weigh the risks of the journey against the dangers and difficulties at home and the benefits and opportunities at their destination. For forced migrants, staying in their country may feel far more dangerous than the short-term risk entailed in reaching a place of safety. For others, the difficult conditions at home and the prospects at the intended destination may outweigh the risks associated with the journey.⁹ Available information suggests that

the assessment made by migrants, refugees and asylum seekers regarding the success of their journey is in fact quite accurate – by far the majority of people who attempt an irregular crossing to Europe succeed in reaching their destination.¹⁰ Nonetheless, while the majority of people arrive to Europe, they face many dangers en route that they may not have been aware of prior to traveling. The level and quality of information available to people moving irregularly differs across nationalities, ages, education levels, and migration motivations. MHub surveys with new arrivals in Italy found that 90% of male and 97% of female respondents from West Africa began their journey without feeling fully aware of the risks and conditions along their chosen route. In comparison, among respondents from the Horn of Africa these numbers declined to 43% for males and 74% for females. Despite this, only 45% of those surveyed reported that they would not have travelled if they had known the risks.¹¹ Many studies have shown that learning about the risks of the journey will not necessarily deter people from traveling.¹²

Q: Are transnational smuggling rings the main driver of migration in North Africa?

A: Smuggling rings primarily respond to – rather than create – a demand for smuggling services.

Smuggling rings, while becoming increasingly more organized and professionalized, are not a main driver of migration.¹³ Smuggling services function within a market logic of supply and demand, whereby smugglers in most cases offer the only viable mode of travel for migrants, refugees and asylum seekers. In North Africa, the harsh terrain that needs to be traversed renders independent travel almost impossible, and the majority rely upon a smuggler at some point in the journey, if not throughout.¹⁴ In an era of unprecedented forced displacement,¹⁵ the tightening of border controls has limited refugee and asylum seekers' access to protection space through regular channels pushing them towards the use of such illicit services. While smuggling services are a response to demand, evidence suggests that smugglers do play a role in recruiting and coercing refugees, migrants and asylum seekers to use their services.¹⁶ However, decisions to migrate are complex and affected by many factors – demographics, poverty, natural disasters, inequality, political violence, poor governance, oppressive regimes, and the shifting migration and asylum policies in destination countries.¹⁷ A policy focus on combatting smuggling operations in isolation does therefore not address the root causes of migration, and in some cases may in fact aggravate protection issues. For example, the policy of destroying smuggling vessels has been linked to more risky practices, such as using smaller, riskier vessels.¹⁸

Q: Are search and rescue activities in the Mediterranean a pull factor that lead to increased crossings?

A: Search and rescue activities are not a pull factor motivating people to cross the sea, but do influence smuggling dynamics at sea.

While Search and Rescue operations (SAR) certainly influence smuggling practices and migration dynamics at sea in complex ways, these operations do not encourage people to make the dangerous journey in the first place. Many people are fleeing violence, vulnerability or insecurity in their home countries and have a number of factors compelling them to make the journey. Available data shows the number of crossings did not reduce following the closure of the year-long Italian SAR operation Mare Nostrum in October 2014 – the journey simply became more deadly. There was a sharp increase in the death toll recorded in the first four months of 2015, with 1,687 deaths recorded, compared to 50 in the same period in 2014, with almost identical arrival figures. In the absence of Mare Nostrum, rescue operations defaulted to large commercial ships, which are not equipped for rescue operations, but would encounter vessels in distress. Between January and May 2015, 39,250 people were rescued in the Mediterranean, and 11,954 of these were by cargo ships – making these ill-equipped ships the main actor undertaking rescue in that period.¹⁹ In 2015, more than 1,500 deaths occurred in the process of rescue.²⁰ While EU leaders agreed in May 2015 to strengthen SAR capacity with a series of operations, these operations have had far less resources than Mare Nostrum, and a greater focus on border control and anti-smuggling activities, rather than rescue.²¹ While rescue operations were diminished, the number of crossings have not decreased since the closure of Mare Nostrum, and in fact, 2015 saw the highest recorded number of arrivals across the Mediterranean. While SAR operations are not a pull factor leading to increased crossings, these activities do influence smuggling dynamics in complex ways. Reports suggest that smuggling practices have played off the presence of rescue ships – at times abandoning boats once rescue services are notified, and leaving migrants to steer the vessels. There is also evidence that smugglers may be using poorly constructed boats with limited supplies of food, water and fuel assuming they would soon be rescued, and also potentially using the presence of rescue operations as a “selling point” to reassure migrants about the security of traveling.

Q: Is the reference “illegal immigrants” to people making the crossing from North Africa to Europe correct?

A: People making the crossing are not “illegal immigrants” as no person is illegal, but they may be irregular migrants.

While crossing a border without documents may constitute a violation of immigration legislation, it does not make an individual “illegal”. In contexts where it is a criminal offence rather than an administrative offence, it still does not render the person “illegal”. For refugees, the UN Refugee Convention prohibits states from subjecting refugees and asylum seekers to penalties such as fines or imprisonment on account of their illegal entry or presence. Even for other migrants, violations of immigration laws are usually considered administrative rather than criminal offences. In 1975, the UN General Assembly requested all agencies to use the terms ‘non-documented’ or ‘irregular’,²² while in recent years a number of key media outlets have stopped using the term “illegal immigrant” to describe those making the crossing from North Africa via the sea to Europe, and instead use the terms “undocumented” or “irregular”.²³

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