

LIBYA

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## From Hand to Hand

The migratory experience of  
East African refugees and  
migrants in Libya

April 2019



**UNHCR**  
The UN Refugee Agency

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## Summary<sup>1</sup>

Despite a seven-fold decrease in overall refugee and migrant sea arrivals from Libya to Italy between 2017 and 2018, the proportion of East African refugees and migrants among overall arrivals in Italy increased in 2018. In 2018, 14% and 7% of all sea arrivals in Italy were of Eritrean or Sudanese nationality, compared to only 5% each in 2017.<sup>2</sup> Also, while in 2017 Eritreans did not figure among the top five sea arrivals to Italy, in 2018 Eritreans were the first nationality arriving in Italy from Libya.<sup>3</sup> Research shows that refugees and migrants from East Africa have distinct migratory profiles in Libya, as they mostly come to the country with the intention to transit further towards Europe, moving in closed smuggling networks and facing particularly severe protection risks *en route*.<sup>4</sup> At the same time, they are also among those refugees and migrants in Libya who can register as populations of concern with the United Nations High Commissioner for Refugees (UNHCR), despite Libya not being a signatory to the 1951 Refugee Convention.<sup>5</sup>

Still, little is known about the 115,000 individuals originating from East African countries, namely Somalia, Ethiopia, Sudan (including Darfur and South Sudan) and Eritrea, in Libya in 2018 (17% of the total refugee and migrant population in Libya).<sup>6</sup> This is mostly associated to their transitory profiles, which make this population group challenging to access in Libya, for researchers and humanitarian actors alike.

This report aimed at investigating the (1) migration trajectories, (2) smuggling networks and (3) protection risks faced by refugees and migrants originating from East Africa while crossing Libya. Based on longitudinal analysis of comparable data collected in late 2016,<sup>7</sup> the assessment also aimed at exploring (4) key changes in the mixed migration dynamics of East African refugees and migrants in Libya between late 2016 and 2018, coinciding with several migration measures implemented in Libya and the Sahel region since early 2017. Findings draw on qualitative primary data collected through 30 in-person, semi-structured, in-depth interviews with refugees and migrants originating from East Africa conducted in Italy and 12 key informant interviews conducted in Libya, Tunisia and Italy between 12 December 2018 and 12 January 2019.

**The assessment finds that the dynamics which make East African refugees and migrants a vulnerable and hard to reach population in Libya have exacerbated over the course of 2018.** It finds that, with the crackdown on smuggling in parts of the country, East African refugees and migrants are faced with an overreliance on few highly organised smuggling rings, leading to an ever-increasing blurring of the lines between smuggling and trafficking of East African refugees and migrants in the country.<sup>8</sup> Due to limited legal ways out of Libya, East African refugees and migrants have few alternatives to accessing exploitative smuggling networks to reach safety.

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<sup>1</sup> This assessment was conducted by IMPACT Initiatives in partnership with UNHCR.

<sup>2</sup> UNHCR, [Mediterranean Data Dashboard](#), accessed 21 February 2019.

<sup>3</sup> UNHCR, [Mediterranean Data Dashboard](#), accessed 21 February 2019.

<sup>4</sup> Bram Frouws, Director of the Mixed Migration Centre, interviewed by The Guardian, [Refugees at high risk of kidnapping in Horn of Africa, research reveals](#), 9 January 2019.

<sup>5</sup> **NB:** Libya has not ratified the 1951 Refugee Convention. However, Libya's Government of National Accord allows UNHCR access to persons of concern from nine nationalities (Syria, Iraq, Palestine, Eritrea, Somalia, Ethiopia (Oromo), Sudan (Darfur), Yemen and South Sudan), as they are countries producing persons unable to return to their homes due to generalised violence. UNHCR continues to advocate for access to other nationalities.

<sup>6</sup> IOM DTM, [Libya's Migrants Report, Round 23](#), December 2018.

<sup>7</sup> Comparable data collected in the framework of a study conducted by IMPACT, Altai Consulting and UNHCR between the end of 2016 and early 2017. UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>8</sup> 'Human trafficking' and 'migrant smuggling' are two distinct crimes that often are erroneously conflated or referred to interchangeably. A key difference is that victims of trafficking are considered victims of a crime under international law; smuggled refugees and migrants are not—they pay smugglers to facilitate their movement. **Source:** US Department of State, [Human Trafficking & Migrant Smuggling: Understanding the Difference](#). For a full definition of each term please see, on **smuggling:** The [Smuggling of Migrants Protocol](#) supplementing the United Nations Convention against Transnational Organized Crime defines the smuggling of migrants in Article 3 as the 'procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.'. On **trafficking:** Article 3, paragraph (a) of the [Protocol to Prevent, Suppress and Punish Trafficking in Persons](#) defines Trafficking in Persons as 'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of

## Migration trajectories from East Africa across Libya

- **Interviewed refugees and migrants reportedly reached Libya from East Africa moving along three main routes; all entered Libya from the eastern region of Alkufra, bordering Sudan.** In order to reach Sudan, respondents transited across three main routes: (1) originating from Eritrea and Ethiopia, with Ethiopia serving also as country of transit for refugees and migrants originating from Eritrea and Somalia; (2) originating from Somalia through Yemen by sea and then to Sudan; and (3) a route entering Sudan through South Sudan, which was reportedly used by both South Sudanese and Somali respondents. For almost half of respondents (13 out of 30), migration to Libya was the result of a secondary movement from a country of first displacement in the region, where they had settled for some time, before deciding to move on.
- **Migration routes and stopover sites within Libya remained similar between early 2017 and late 2018.**<sup>9</sup> Bani Waleed remains a strategic stopover for networks sending refugees and migrants to the capital, Tripoli, or directly to coastal areas along the Lampedusa triangle, an area which comprises a 200 km portion of the Libyan shoreline between Zwara and Misrata.<sup>10</sup> Interviewed refugees and migrants reportedly moved across Libya in large groups, which in five reported cases ranged between 100 and 500 people. Dynamics at embarkation seem to have adapted to the increased patrolling activities performed by the Libyan Coast Guard along the western coast, with respondents reporting having spent longer time in the last stopovers before embarkation, and having reached the beach just few hours before departure.
- **Time spent in Libya to transit to Europe substantially increased between early 2017 and late 2018.** While in 2016 and early 2017 East African refugees and migrants reportedly only spent few weeks in Libya, between entering the country and transiting to Italy, the relative majority of respondents interviewed in December 2018 had stayed in Libya between one and two years. The extended length of stay was reportedly due to an increase in repeated kidnappings and the sale of refugees and migrants<sup>11</sup> to other smuggling networks, as well as due to the increased difficulties to cross the Mediterranean Sea. While in late 2016 East African refugees and migrants reportedly waited only between four to seven days at the last stopover site before embarkation,<sup>12</sup> individuals interviewed in December 2018 reported waiting up to six months before reaching the coast.<sup>13</sup>

## Smuggling dynamics

- **All interviewed refugees and migrants moved across Libya within a closed smuggling network with no freedom of movement during their entire time in the country.** Types of shelters in which individuals were held, provided by smuggling networks, included large warehouses, mansions and farms. Housing conditions were reportedly extremely poor, with respondents reporting overcrowding, presence of infectious diseases as a result of poor hygienic conditions and insufficient access to drinking water. Almost half of interviewed refugees and migrants had reportedly witnessed deaths of fellow refugees and migrants in the shelters in which they were held (14 out of 30).
- **Smuggling dynamics of East African refugees and migrants in Libya changed between late 2016 and 2018.** While already in late 2016 East African nationals tended to rely on highly organised transnational smuggling networks, in 2018 the number of networks reportedly decreased, leading to a consolidation of fewer, but more powerful and exploitative networks. Further, as smuggling reportedly became more difficult

*a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.'*

<sup>9</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>10</sup> Global Initiative, [The Human Conveyor Belt: trends in human trafficking and smuggling in post-revolution Libya](#), March 2017.

<sup>11</sup> Defined as 'the sale of human beings as commodities, against their will.'

<sup>12</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>13</sup> Six respondents reporting having waited between one week and one month, two between one and three months, and two between three and six months.

over the course of 2017 and 2018, interviewed refugees and migrants reported that the only criterion whereby they could choose a smuggler was their track record in bringing clients to the final destination (Italy), no matter the experiences on the way. As a result, even where smugglers engaged in severely exploitative practices this did not negatively impact their business, as refugees and migrants had no better alternatives to turn to. This signifies a sharp shift to how smuggling networks operated in 2016, when positive feedback about smugglers, including on the journey, was key to securing future business, indicating the heightened vulnerability of refugees and migrants engaging in the journey in 2018.

- **The primary reported payment modality was paying upfront for the entire journey in the country of origin or country of first displacement.** This suggests a significant shift to payment modalities in late 2016, when East African refugees and migrants tended to pay their smuggler step-by-step, upon each successfully reached key transit point along their journey. Paying upfront is a modality which is generally associated with a higher risk of bonded labour, human trafficking or kidnapping for ransom, as it erodes refugees and migrants' safeguards towards smugglers and increases their vulnerability.

### Protection risks

- **Most reported protection risks faced by East African refugees and migrants diversified and escalated over the course of 2018, with most tied to East African respondents' condition of captivity in Libya.** While in early 2017 most reported protection risks were related to crossing the desert or the sea,<sup>14</sup> in 2018 protection risks while in captivity were the most reported protection risks. While in 2017, top reported types of mistreatment faced in Libya by East Africans were threat and extortion,<sup>15</sup> in the framework of this assessment the most reported forms of abuse were **torture** (reported by 12 respondents) and the practice of being **sold** for extortive or trafficking purposes (reported by eight respondents). Torture with **electrocution**, beatings and **food deprivation** were reported as common practices used by smuggling networks to extort money from refugees and migrants, beyond the sum originally agreed upon for the journey.<sup>16</sup>
- **Among 30 individuals interviewed in Italy in December 2018, 14 reported having been kidnapped at least once while crossing Libya.** One respondent reported having been kidnapped and then sold three times during his transit. Kidnappings were reportedly perpetrated by competing smuggling networks.
- **East African respondents' access to coping mechanisms and support networks was extremely limited in Libya.** Reportedly, respondents were only able to communicate with support networks, such as their family back home or diaspora in Europe, to solicit money once kidnapped, when allowed by the kidnapping entity or in the rare cases when individuals managed to escape from captivity. Money, which used to be one of the main coping mechanisms reported by East African respondents in the past, was reportedly not effective anymore to save respondents from harm. According to individuals interviewed, there was no amount of money that could protect them from the violence suffered when in the hands of smugglers. None of the respondents had accessed humanitarian support while in Libya.

**East African refugees interviewed consistently reported having moved across Libya with the single aim to escape from the country.** In three cases, participants mentioned having felt relieved once on the boat to Italy, as they reportedly preferred dying at sea than spending another day in Libya. Coming from countries such as Eritrea, Ethiopia, Somalia and South Sudan, respondents felt they could only move northwards. Due to the limited legal pathways respondents found available, at origin, in countries of first displacement and in Libya, engaging smuggling networks was reportedly the only option for them to leave Libya, despite the severe protection risks they faced as a result.

<sup>14</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>15</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>16</sup> For the definition of the terms 'torture', 'being sold', 'food deprivation' and 'electrocution' please consult the Glossary section of the report.

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## Geographic Classifications

Administrative levels currently identified in Libya:

<b>Region</b>	Highest administrative division below the national level
<b>Mantika</b>	Second administrative level corresponding to a 'district'
<b>Baladiya</b>	Third administrative level corresponding to the 'municipality'
<b>Muhalla</b>	An area or neighbourhood smaller than and most often included in the municipality

## Abbreviations and Acronyms

<b>DCIM</b>	Department for Combating Illegal Migration
<b>ETM</b>	Evacuations Transit Mechanism (ETM)
<b>EU</b>	European Union
<b>GNA</b>	Government of National Accord
<b>HNO</b>	Humanitarian Needs Overview
<b>IOM</b>	International Organisation for Migration
<b>LCG</b>	Libyan Coast Guard
<b>MENA</b>	Middle East and North Africa region
<b>MHub</b>	Mixed Migration Hub
<b>MoU</b>	Memorandum of Understanding
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNSMIL</b>	United Nations Support Mission in Libya
<b>VHR</b>	Voluntary Humanitarian Return
<b>WASH</b>	Water, sanitation and hygiene
<b>4Mi</b>	Mixed Migration Monitoring Initiative



## Glossary of Terms

**Bonded labour** The term 'bonded labour' falls within the definition of forced or compulsory labour, defined by the ILO [Forced Labour Convention, 1930 \(No. 29\)](#), as 'all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.' Bonded labour is the pledge of a person's services as security for the repayment for a debt or other obligation, where the terms of the repayment are not clearly or reasonably stated, and the person who is holding the debt and thus has some control over the labourer, does not intend to ever admit that the debt has been repaid. Source: *Jordan, Ann (February 2011). 'Slavery, forced labour, debt bondage, and human trafficking: from conceptual confusion to targeted solutions' program on Human Trafficking and Forced Labour. Washington College of Law: Centre for Human Rights & Humanitarian Law.*

### Cruel, inhuman or degrading treatment

The term 'cruel, inhuman, or degrading treatment or punishment' means the cruel, unusual, and inhumane treatment or punishment as defined by the [United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment](#) done at New York, December 10, 1984, without geographical limitation.

**Electrocution** The injury or killing of someone by electric shock. Source: [Oxford Dictionary](#).

**Food deprivation** Food deprivation is total or partial restriction of food or contamination or manipulation of food provided to an individual. Source: United Nations, editor. Istanbul Protocol: manual on the effective investigation and documentation of torture and other cruel, inhuman, or degrading treatment or punishment. Rev. 1. New York: United Nations; 2004.

**Selling of human beings** Human beings sold as commodities, against their will.

**Smuggling** The [Smuggling of Migrants Protocol](#) supplementing the United Nations Convention against Transnational Organized Crime defines the smuggling of human beings in Article 3 as the 'procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.'

**Torture** The 1985 United Nations [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) defines torture as: '... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a [confession](#), punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. [...] It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.'

**Trafficking** Article 3, paragraph (a) of the [Protocol to Prevent, Suppress and Punish Trafficking in Persons](#) defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

## Introduction<sup>17</sup>

Among the 663,000 refugees and migrants estimated to be in Libya in 2018, 115,000 (17%) originate from East African countries, namely Somalia, Ethiopia, Sudan (including Darfur and South Sudan) and Eritrea.<sup>18</sup> Refugees and migrants from East Africa have distinct migratory profiles in Libya, as they mostly come to the country with the intention to transit further towards Europe and move through Libya in closed smuggling networks. They are also among those refugees and migrants in Libya who can register as populations of concern with the United Nations High Commissioner for Refugees (UNHCR).<sup>19</sup> While East African refugees and migrants have been arriving in Italy via boat already since 2014, in relative terms they were more represented in 2018 than they were in previous years. This is particularly remarkable given that total refugee and migrant sea arrivals from Libya to Italy decreased seven fold between 2017 and 2018, reportedly as a result of a variety of migration measures implemented in the country since early 2017.<sup>20</sup> While in 2017 108,409 refugees and migrants were registered at arrival in Italy, in 2018 only 15,342 refugees and migrants reached Europe from Libyan shores.<sup>21</sup> This has largely been attributed to a range of migration measures implemented by the European Union (EU) and some of its Member States with Libya's Government of National Accord (GNA).<sup>22</sup> These measures have included a Memorandum of Understanding (MOU) signed between Italy and Libya's GNA to improve border security along the western coast and southern borders in February 2017, EU-supported border management capacity building activities for Libyan security and coast guards, as well as an increase in return operations for refugees and migrants from Libya to their areas of origin and safe third countries.<sup>23</sup> Further, in August 2018 the Libyan coast guard reportedly extended the Libyan Search And Rescue (SAR) zone off Libya's western coast, in a maritime area previously mostly coordinated by the Italian coast guard. This has enabled Libyan authorities to return shipwrecked individuals to Libya, rather than carrying them to European shores, coinciding with a doubling of the risk of death at sea and to the decrease in the number of arrivals in Italy.<sup>24,25</sup>

Still, in 2018, 14% and 7% of all sea arrivals were of Eritrean or Sudanese nationality, compared to only 5% each in 2017. Further, while in 2017 Eritreans did not fall under the top five of irregular sea arrivals in Italy, in 2018, they were the first nationality arriving in Italy from Libya.<sup>26</sup> Due to their transitory profiles, East African refugees and migrants tend to be particularly hidden from the humanitarian community. Past research has shown that East

<sup>17</sup> This assessment was conducted by IMPACT Initiatives in partnership with UNHCR.

<sup>18</sup> IOM DTM, [Libya's Migrants Report, Round 23](#). December 2018.

<sup>19</sup> **NB:** Libya has not ratified the 1951 Refugee Convention. However, Libya's Government of National Accord (GNA) allows UNHCR access to persons of concern from nine nationalities (Syria, Iraq, Palestine, Eritrea, Somalia, Ethiopia (Oromo), Sudan (Darfur), Yemen and South Sudan), as they are countries producing persons unable to return to their homes due to generalised violence. UNHCR continues to advocate for access to other nationalities.

<sup>20</sup> Please consult UNHCR, [Mixed migration routes and dynamics in Libya: the impact of EU migration measures on mixed migration in Libya](#), April 2018.

<sup>21</sup> This data is based on a review of all data available on refugee and migrant departures from Libya, interceptions, deaths and missing figures conducted by Matteo Villa, migration researcher at the Institute for International Political Studies (ISPI), based in Milan, Italy. Data sources include UNHCR, IOM, the Italian Ministry of Interior and relevant press sources. The dataset is available [here](#).

<sup>22</sup> For further information, please consult UNHCR, [Mixed migration routes and dynamics, May – December 2018](#).

<sup>23</sup> ASGI, [Italy-Libya agreement: The Memorandum text](#), February 2017; [EU External Action, Factsheet on the relations between Libya and the European Union](#), January 2018; Return operations herein mentioned include the EU-supported [Voluntary Humanitarian Return programme](#) of IOM and the [humanitarian evacuations and resettlement programme](#) by UNHCR.

<sup>24</sup> Euronews, [Prompted by EU, Libya quietly claims right to order rescuers to return fleeing migrants](#), 7 August 2018. Accessed 13 January 2019. Reported impacts of Libyan coast guards' coordination on rescuing lives at sea include ignored distress calls, dangerous interceptions and complicity of the Libyan coast guard in human smuggling and abuse. For further information please consult: Human Rights At Sea (July 2018): [Commentary on the ongoing Central Mediterranean situation](#); AP news (June 2018): [Spanish rescue ship told not to respond to distress call](#); AYS Daily Digest 24/06/18: [Stranded on the "Lifeline"](#); Amnesty International (August 2018), [Between the Devil and the Deep Blue Sea - Europe Fails Refugees and Migrants in the Central Mediterranean](#); Amnesty International (December 2017): [Libya's dark web of collusion: Abuses Against Europe-Bound Refugees and Migrants](#), 11 December 2017; UN Security Council, Letter Dated 1 June 2017 from the Panel of Experts on Libya Established Pursuant to Resolution 1973 (2011) Addressed to the President of the Security Council, 1 June 2017, S/2017/466, para 105, available at: <http://www.refworld.org/docid/5b641bee4.html>.

<sup>25</sup> Calculation based on dataset consolidated on basis of different data sources, available at Villa, M., [here](#), last accessed 16 January 2019.

<sup>26</sup> UNHCR, [Mediterranean Data Dashboard](#), accessed 21 February 2019.

Africans are also particularly vulnerable to severe protection risks in the country.<sup>27</sup> The relative increase in the number of refugees and migrants originating from East Africa who have reached Italy from Libya in 2018 hence raises questions as to the specificity of their migratory experience to and within Libya. It also unveils the need to better understand the particular smuggling dynamics East African refugees and migrants rely on to reach Europe, as well as the protection risks they may face as a result.

This assessment was conducted with the aim to increase understanding of the migratory experience of East African refugees and migrants transiting through Libya on their way to Europe. It is based on interviews with refugees and migrants originating from East Africa who arrived in Italy between July 2017 and December 2018, after having transited through Libya. The assessment focuses on (1) migration trajectories, (2) the smuggling dynamics affecting the journey of refugees and migrants across Libya, (3) the protection risks faced, and (4) key changes in the mixed migration dynamics of East African refugees and migrants in Libya between late 2016 and 2018, coinciding with several migration measures implemented in Libya and the Sahel region since early 2017. This assessment adopted qualitative research methods in a view to investigate the key dynamics related to the migration trajectories, smuggling networks and protection risks faced by refugees and migrants originating from East Africa while crossing Libya. Findings draw on primary data collected through 30 in-person, semi-structured, in-depth interviews with refugees and migrants originating from East Africa conducted in Italy and 12 key informant interviews conducted with humanitarian workers and migration experts in Libya, Tunisia and Italy between 12 December 2018 and 12 January 2019. Additional longitudinal analysis was conducted on the basis of comparable data collected in the framework of a previous study carried out in Libya between the end of 2016 and early 2017,<sup>28</sup> to assess changes in the experiences of East African refugees and migrants in the country over time.

This report consists of five chapters: the first present the methodology employed; the second analyses refugees and migrants' trajectories from East Africa across Libya, on the way to Italy, and reported housing conditions in Libya; the third provides an overview of the key dynamics related to the smuggling operations in Libya, namely how smuggling networks operate, payment modalities, and dynamics at embarkation; the fourth presents key protection risks faced by East African refugees and migrants in Libya in 2018 and, finally, the fifth chapter analyses key changes in the mixed migration dynamics of East African refugees and migrants in Libya between late 2016 and 2018, coinciding with recently implemented EU migration measures in Libya since early 2017.

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<sup>27</sup> Bram Frouws, Director of the Mixed Migration Centre, interviewed by The Guardian, [Refugees at high risk of kidnapping in Horn of Africa, research reveals](#), 9 January 2019; UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>28</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

## Methodology

### Methodology Overview

Qualitative research methods were adopted in order to investigate most recent dynamics related to the migratory experience of refugees and migrants originating from East Africa across Libya. Analysis is based on primary data collected through individual interviews with refugees and migrants originating from East Africa who arrived in Italy between July 2017 and December 2018, after transiting through Libya.

### Population of Interest

Refugees and migrants interviewed were sampled purposively on the basis of their (1) nationality, (2) migration route and (3) date of arrival in Italy. As such, only refugees and migrants originating from five countries in East Africa, namely Eritrea, Ethiopia, Sudan, South Sudan and Somalia, and who arrived in Italy by sea after having crossed Libya between July 2017 and December 2018, were included in the population of interest for this assessment. The timeframe was selected in a view to identify changes following the adoption of migration measures implemented in Libya and the Sahel region since early 2017.<sup>29</sup>

### Secondary data review

The secondary data review informed the research design, including the definition of the research questions and the development of the data collection tools. Furthermore, secondary data was used to triangulate primary data, and to provide a reference for longitudinal analysis, to assess changes over time. Key secondary data sources were the UNHCR series of publications on mixed migration in 2018,<sup>30</sup> a study conducted by UNHCR in 2016/2017 on 'Mixed Migration Trends in Libya' and the Mixed Migration Hub (MHub) study on 'Conditions and Risks of Mixed Migration in North East Africa' published in 2015.<sup>31</sup> All secondary data used is referenced throughout the report.

### Primary data collection

Findings draw on primary data collected through 30 in-person, semi-structured, in-depth interviews with refugees and migrants originating from East Africa and 12 key informant interviews conducted with humanitarian workers and migration experts active in Libya, Tunisia and Italy between 12 December 2018 and 12 January 2019. The questionnaires were noted in written format, with data then coded with qualitative data analysis software Atlas.Ti. Key terminology was defined at the onset of the research design and revised upon piloting of tools to ensure that enumerator teams were using uniform terminology and definitions when noting down respondents' responses. Key terms and definitions pertaining to protection-related questions have been added to the glossary section of this report.

### Individual interviews with refugees and migrants

Interviews with refugees and migrants were conducted in Sicily and mainland Italy by data collectors in the respondents' mother tongue (Tigrinya, Arabic, Amharic), and in Arabic and Amharic for participants from Somalia. Data collection was carried out by field staff, trained on qualitative data collection methods and in best practices in

<sup>29</sup> An unofficial translation of the Memorandum of Understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the security of borders between the State of Libya and the Italian Republic can be found [here](#); and see European Council, "[Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route](#)", 3 February 2017.

<sup>30</sup> UNHCR, [Mixed migration routes and dynamics in Libya: the impact of EU migration measures on mixed migration in Libya](#), April 2018; UNHCR, [Access to Cash and the Impact of the Liquidity Crisis on Refugees and Migrants in Libya](#), June 2018; UNHCR, [Refugees and migrants' access to food, shelter & NFIs, WASH and assistance in Libya](#), November 2018.

<sup>31</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017; MHub, [Conditions and Risks of Mixed Migration in North-East Africa](#), study 2, November 2015.

interviewing refugees and migrant populations. For protection purposes, only refugees and migrants aged 18 or above were included in the study. Data collection sites were identified on the basis of the estimated presence of the target population, assessed through a mapping exercise conducted in November 2018.

Figure 1: Demographic profile of interviewed refugees and migrants (by gender and age) in Italy

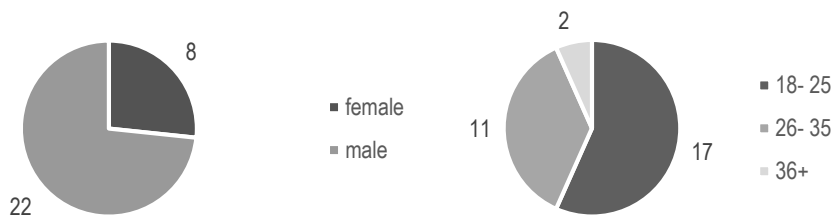
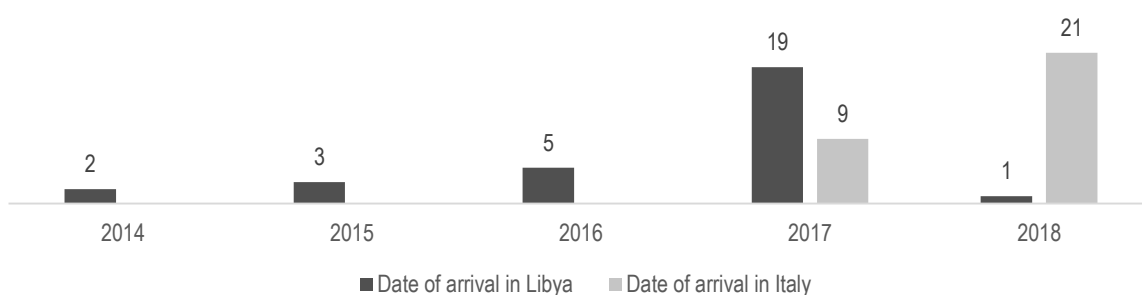
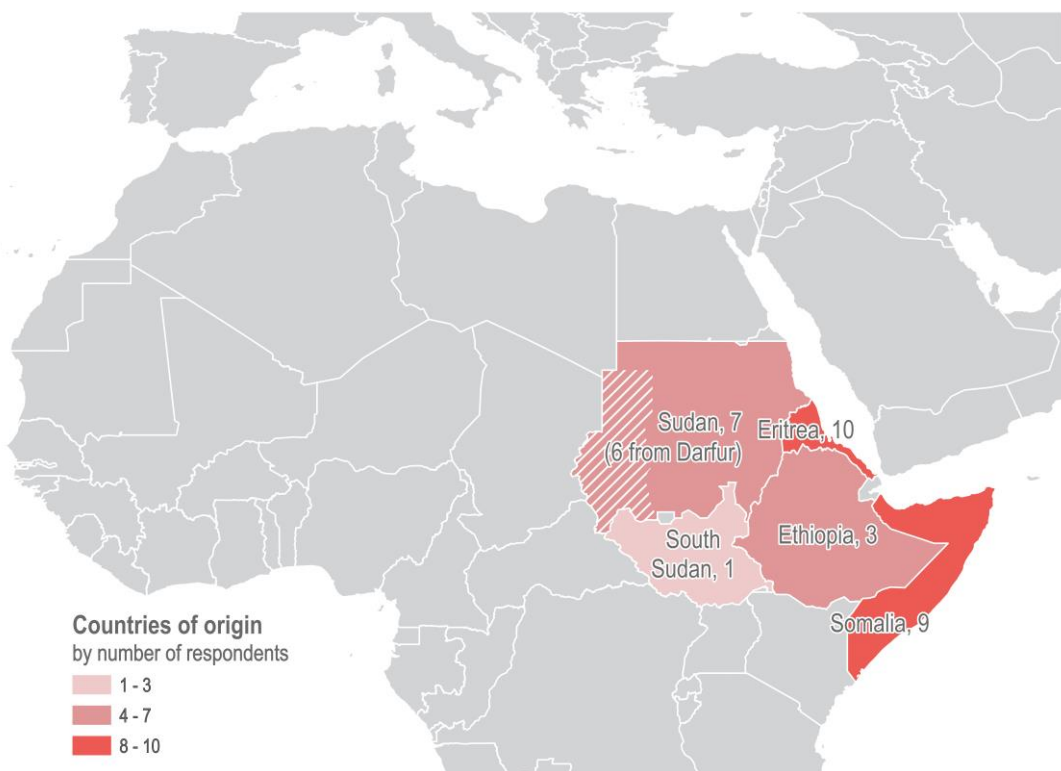


Figure 2: Interviewed refugees and migrants by date of arrival in Libya and in Italy



Map 1: Number of refugees and migrants interviewed in Italy, by country of origin



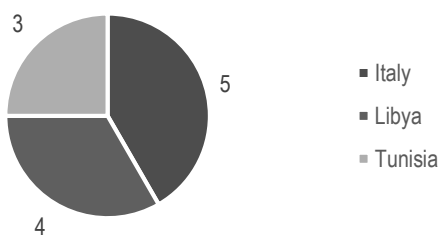
### Key informant interviews

Within the framework of this assessment, 12 in-depth, semi-structured individual interviews were conducted with key informants based in Italy, Libya and Tunisia, to triangulate information collected through refugee and migrant interviews. Key informants were selected on the basis of their specialised knowledge, among humanitarian workers and staff of reception centres in Italy, as well as humanitarian aid workers and policy specialists in Libya and Tunisia. Key informant interviews were administered both in-person and remotely.

Map 2: Number of individual interviews of refugees and migrants by data collection site



Figure 3: Number of key informant interviews by key informant location



## Ethics procedures

Data collection activities adopted a ‘Do No Harm’ approach to avoid causing any harm or injury to assessment participants. The assessment adhered to the following guiding principles to ensure that data collection was ethically sound:

- **Informed consent:** this assessment was conducted with participants aged 18 years or above only. In line with Italian legislation, respondents gave their written consent to take part in the assessment and participated in interviews on a voluntary basis. Before the beginning of the interview, each participant received a paper copy of the information note, which detailed the data collection objective, output and methodology and provided a dedicated phone number for complaints in case of staff misconduct. The information note was drafted in the mother-tongue of the participant, with the exception of Somali respondents who received it either in Arabic or in Amharic.
- **Confidentiality:** this assessment ensures that the confidentiality of the information provided by respondents is respected. All personal information was made anonymous in datasets and excluded from the final report.
- **Ethics in data collection:** the research design and development of data collection tools took into account the sensitivity of the issues discussed. In this view, data collectors received a dedicated training on conducting data collection with vulnerable groups, identifying signs of distress and managing sensitive data collection situations.

## Challenges and limitations

- The original sampling frame drawn during the research design phase included a larger number of respondents. However, the sample size was reduced over the course of data collection, due to challenges encountered in identifying respondents falling within the population of interest. During the first two weeks of the assessment’s implementation, an extensive mapping exercise was conducted, mapping the presence of the population of interest in 125 data collection sites in both Sicily and mainland Italy, through both direct and remote assessment techniques. The 125 data collection sites included 90 official reception centres for refugees and migrants and 35 informal gathering sites. Still, given the highly mobile profile of the population of interest, a smaller number of respondents than planned was identified for data collection, suggesting that East African refugees and migrants remain hard to reach also once in Europe.
- As this assessment employed qualitative research methods, results are indicative only and cannot be generalized for the entire population of refugees and migrants in Italy originating from East Africa who were in Libya between July 2017 and late 2018.
- All findings are based on self-reported information only, as such there is a risk of recall bias, especially when accounts of the journey across several locations are made or when information is associated with extremely traumatising events.
- The sample included eight women out of 30 respondents. Despite representing a relatively high share of female respondents compared to other studies on East African refugees and migrants previously conducted,<sup>32</sup> the experiences of female refugees and migrants originating from East Africa in Libya may still be underrepresented in this assessment.
- Only three participants originated from Ethiopia and one from South Sudan. As such, their perspectives may be underrepresented in this study.
- The views and experiences of refugees and migrants originating from East Africa who moved to other European countries after arrival in Italy may also be underrepresented in this study.

<sup>32</sup> See sub-section ‘secondary data review’ in the methodology section for more information.

## Findings

### Migration trajectories of refugees and migrants from East Africa across Libya

*This sub-section of the report outlines the most reported migration trajectories of interviewed refugees and migrants originating from East Africa who reached Italy by sea and by crossing Libya between July 2017 and December 2018. It presents the most reported stopovers and routes taken, while detailing the mode of moving and key embarkation points.<sup>33</sup>*

### Migration routes from East Africa

The majority of refugees and migrants interviewed for this assessment had engaged in long journeys before reaching Libya. Interviewed refugees and migrants from East Africa mostly spent between one and two years in Libya (15/30), with a third of respondents reportedly transiting through Libya in less than one year (10/30). Interviewed refugees and migrants from Eritrea and Ethiopia had reportedly had the shortest journeys across Libya, which for six out of 13 respondents lasted less than one year.

Almost all of interviewed refugees and migrants entered Libya from **Sudan** (28 out of 29 interviewed refugees and migrants who answered this question), with the exception of one Sudanese respondent who had entered Libya from Chad.<sup>34</sup> In order to reach Sudan, respondents transited across three main routes: (1) one originating from Eritrea and Ethiopia, with Ethiopia serving also as country of transit for refugees and migrants originating from Eritrea and Somalia; (2) a second one extending from Somalia through Yemen by sea; and (3) a third entering Sudan through South Sudan, which was reportedly used by both South Sudanese and Somali respondents. The use of these three primary routes by East African refugees and migrants is also supported by secondary sources.<sup>35</sup>

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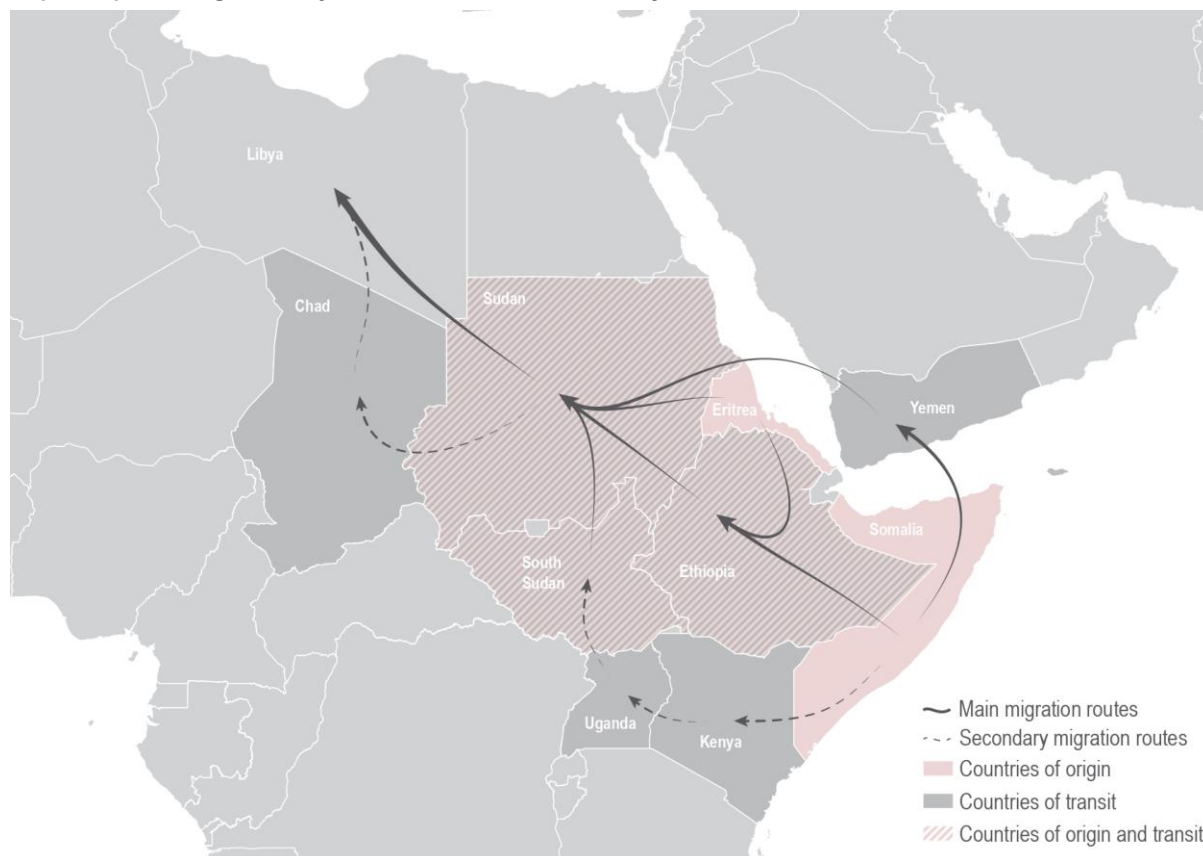
<sup>33</sup> For the purposes of this study, embarkation points are defined as the last location where the respondent spent at least one night before embarking for the irregular sea crossing from Libya to Southern Europe.

<sup>34</sup> One respondent declined to answer to this question.

<sup>35</sup> Clingendael, [Multilateral Damage: The impact of EU migration policies on central Saharan routes](#), September 2018.



Map 3: Reported migration trajectories from East Africa to Libya



The relative majority of refugees and migrants had reportedly crossed two countries (13 out of 30), namely Sudan and Libya, between leaving their countries of origin and reaching Italy. A third of interviewed refugees and migrants (10 out of 30), all originating from Somalia and Eritrea, had reportedly crossed between three and five countries, passing through Yemen, Kenya and South Sudan or Ethiopia before entering Sudan.

**Somali respondents had reportedly the longest journeys before reaching Libya.** In order to reach Sudan, four out of nine respondents originating from Somalia had already crossed the sea twice, first from Somalia to Yemen and then from Yemen to Port Sudan (Sudan). Somali refugees and migrants were reportedly smuggled across the Gulf of Aden to Yemen, and then brought further north to cross the Red Sea to Port Sudan in Sudan. On the way to Khartoum, Atbara was mentioned by two respondents as a preferred stopover when coming from Port Sudan. Since the beginning of 2018, an increasing number of refugees and migrants have been reported missing or dead along this route, as a result of drowning incidents off the coast of Yemen.<sup>36</sup> One respondent from South Sudan mentioned having stopped in Mellit and Malha, in Sudan, before entering Libya from Alkufra, taking the Western route from the North Darfurian capital, El-Fasher, which is reportedly more used by Sudanese from Darfur and refugees and migrants moving from Kenya.<sup>37</sup>

### Key entry points into Libya

Two thirds of interviewed refugees and migrants arrived in Libya in 2017 (19/30), with the large majority of them entered Libya from Sudan. Alkufra region (*muhalla*) was indicated as the most reported entry point to Libya, as 22 out of 30 interviewed refugees and migrants reported having spent at least one night there. Once in Alkufra, interviewed refugees and migrants reportedly stopped in oases such as Rbaaniah (reported by three out of 22

<sup>36</sup> IOM, [A Region on the Move](#), Mid-year trends report – January to June 2018, IOM Regional Office for the East and Horn of Africa.

<sup>37</sup> Clingendael, [Multilateral Damage: The impact of EU migration policies on central Saharan routes](#), September 2018.

respondents) or Tarzibu (reported by one out of 22 respondents). Alternatively, eight out of 30 respondents went immediately to other locations, predominantly in the Western part of the country, such as Bani Waleed, Brak or Sebha.<sup>38</sup> At the end of 2016, Alkufra was already reported as the main entry point for refugees and migrants originating from East Africa.<sup>39</sup> As of January 2019, dynamics related to border crossings reportedly remained stable, despite the continued fragility of the security situation in the South of Libya.<sup>40</sup>

### Main stopovers in Libya

Most reported **stopovers** within Libya were Bani Waleed (14/30), Tripoli (6/20), Brak and Sebha (4/20). On average, interviewed refugees and migrants stopped in three locations while crossing Libya (including entry points, stopovers and embarkation points). Considering the length of time respondents reportedly stayed in Libya (half of respondents spent between one and two years in the country), this suggests that East African refugees and migrants spent up to several months in each stopover site.

**Bani Waleed** already emerged as a new hub for refugees and migrant smuggling in Libya in 2017, following a spike in hostilities in Alajabih, whereupon Ethiopian and Eritrean smuggling networks reportedly relocated their operations to the city.<sup>41</sup> According to the Global Initiative, since then, Bani Waleed has acted as a *'logistics staging post for networks sending migrants to the capital or directly to coastal areas'*.<sup>42</sup> Bani Waleed, Sabratha and Alkufra were also reported as the most dangerous stopovers, respectively by five, four and three out of the 18 respondents who answered this question.<sup>43</sup>

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<sup>38</sup> Two respondents reported having stopped first in Bani Waleed, two in Brak, two in Sebha, one in Ashshwayrif and one arrived in Tripoli by plane.

<sup>39</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>40</sup> UNSMIL, [UNSMIL Statement on the Security Situation in Southern Libya](#), Press release 19 October 2018.

<sup>41</sup> Global Initiative, [The Human Conveyor Belt: trends in human trafficking and smuggling in post-revolution Libya](#), March 2017.

<sup>42</sup> Global Initiative, [The Human Conveyor Belt: trends in human trafficking and smuggling in post-revolution Libya](#), March 2017.

<sup>43</sup> For more information on protection risks, please consult the sub-section 'Most reported protection risks'.

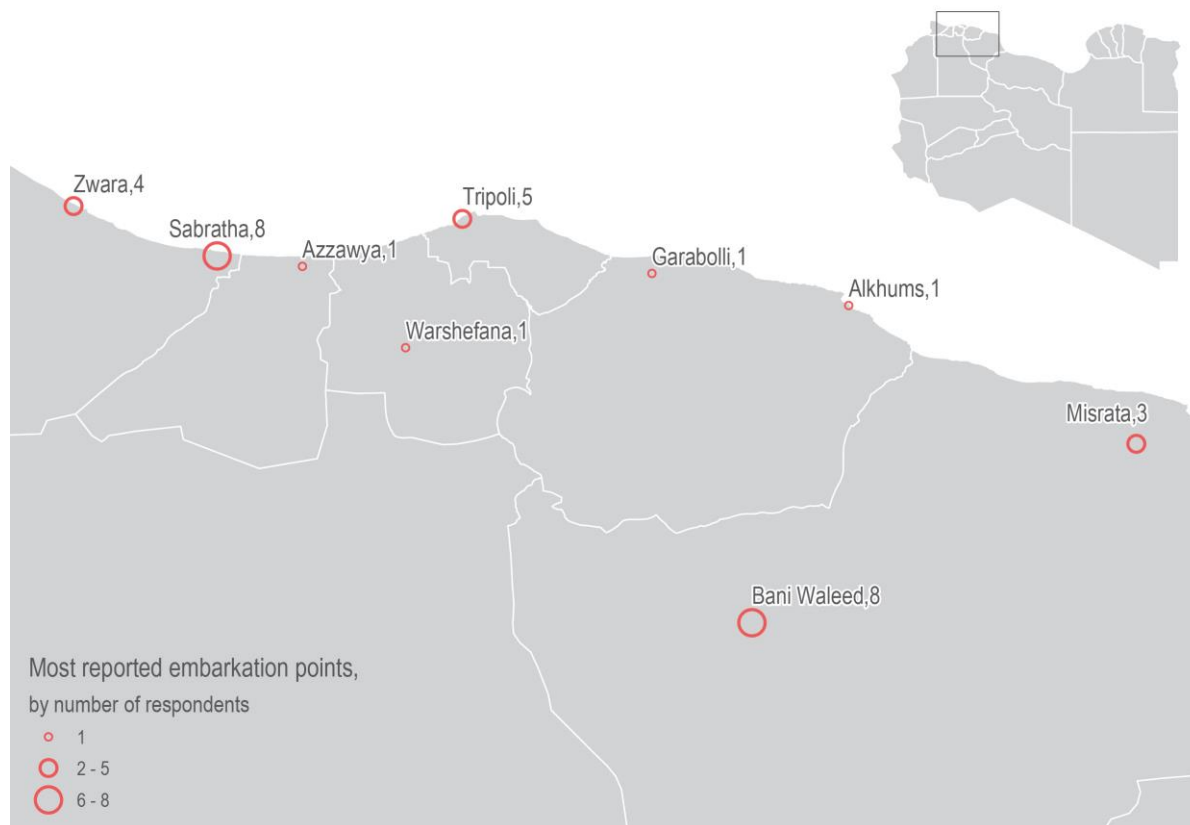
Map 4: Reported migration trajectories within Libya



## Embarkation points to Europe

Despite not being immediately located on the coast, Bani Waleed was reported as the main embarkation point,<sup>44</sup> used by 8 out of 30 respondents, along with Sabratha (8/30) and Tripoli (5/30). Interviewed key informants confirmed a concentration of activities on the eastern and western coasts outside of Tripoli. Embarkation activities have historically been concentrated along the Lampedusa triangle, comprising a 200km portion of the Libyan shoreline between Zwara and Misrata, due to the presence of significant smuggling activities.<sup>45</sup>

Map 5: Most reported embarkation points



## Modes of moving

**All interviewed refugees and migrants moved across Libya with the help of a smuggling network.** Respondents reported that the migration routes used were defined by the smuggling network, and that they had not been made aware of how the journey would be organised, in terms of either stopovers, transportation modes or shelter types prior to departure. Participants also declared having refrained from asking questions about the route after having received threats, or being exposed to degrading and painful treatment, such as being forced to drink water with soap. In two cases, participants reported having travelled blindfolded. According to respondents, routes were chosen by smugglers in order to avoid police checks or minimise the risk of assaults by militias or armed groups (reported by 6 participants).

<sup>44</sup> In the eight reported cases Bani Waleed was the last location respondents could name before embarking, hence they are likely to have embarked along the coast close to Bani Waleed.

<sup>45</sup> Global Initiative, [Human Smuggling from the Horn of Africa](#), May 2017.

*“It was the smuggler’s decision [to stop there]. They had a building which they could use as a prison for us in Alkufra.”*

Somali, female, 26 years old

In terms of transportation means, the majority of interviewed refugees and migrants reported having crossed Libya in light vehicles (21/30), including cars and pickups. Five respondents among them added having moved across locations in large convoys. In other cases, refugees and migrants reported having used trucks (12/30).

**Interviewed refugees and migrants reportedly moved across Libya in large groups**, which in five reported cases ranged between 100 and 500 people. One participant mentioned having noticed that large convoys would depart from the location where he was held captive every three days, with 4 covered Toyota pickup cars transporting an average of 18 people. Ten respondents added that smugglers scheduled transportation operations by night only. Since the beginning of 2018, increasing accounts of the use of convoys of 4x4 vehicles for smuggling purposes have been considered as a sign of the smugglers’ heightened capacity to collude with local actors.<sup>46</sup>

When asked to describe the organisation of their journey, half of interviewed refugees and migrants reported having interacted with **armed Libyan men**. Eight respondents reported having interacted with smugglers who were at the same time members of these armed men, who let them cross the border between Libya and Sudan unnoticed. Other respondents (six), reported having accessed smuggling networks by relying on the support of these armed men, who were either ensuring safe passage at embarkation (reported by three respondents), protecting the compound (reported by two respondents), or at the border between Libya and Sudan (reported by one respondent).

## Access to shelter in Libya

### Shelter types

As all interviewed refugees and migrants moved across Libya within a closed smuggling network, they reported having had no choice over the type of shelter they were held in. The large majority of respondents reported having been held captive at least once in **large warehouses** (27/30), sometimes located in a compound (3/27). **Big houses** described as mansions were also reported by 17 out of 30 respondents among the types of housing where they had resided in while crossing Libya in the hands of smugglers.

*‘The place was like a very big mansion built in the middle of the desert. The mansion can accommodate around 5,000 people at a time, and it is owned by a rich smuggler.’*

Eritrean, male, 26-35 years old

While crossing South-East Libya, eight respondents reported having stayed in **farms**. According to key informants, hosting refugees and migrants in farms is an established practice in the South of Libya, where smugglers rely on Libyan families to provide food and shelter in exchange for free labour. Within the framework of the present study, three respondents reported having slept in warehouses of farms belonging to a Libyan family, who reportedly provided them with food and supervised respondents while they were forced to engage in bonded labour in the fields. While waiting for embarkation, three respondents had reportedly resided in **houses by the sea**. In comparison, at the end of 2016/ early 2017, main shelter types included warehouses, farms and houses by the sea, while the use of big mansions was relatively less reported.<sup>47</sup>

### Shelter conditions

Reported housing **conditions** were generally very poor. While describing the main challenges related to housing conditions, refugees and migrants reported having slept on the floor (reported by 18 respondents) and in overcrowded rooms without sufficient space to lie down (reported by six participants). Furthermore, 13 respondents

<sup>46</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

<sup>47</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

added that shelters presented very limited water and sanitation (WASH) facilities, with one respondent reporting the presence of only one toilet facility for every 1000 people. Interviewed refugees and migrants added that they seldom had access to water for showering purposes while in Libya, if not in extremely vulnerable situations such as the case reported by a woman travelling with her baby, who was exceptionally allowed to shower every three days.

*'Bad hygienic conditions was one of the main reasons for the sickness and death of migrants held captive inside the hall.'*

Eritrean, male, 26-35 years old

Participants reported that the limited provision of drinking water was also due to the insufficient availability of WASH facilities, and subsequent need to limit their use. Interviewed refugees and migrants from Eritrea and Ethiopia appeared to be especially traumatised by the risk of dying because of easily treatable diseases, poor hygienic conditions or lack of access to medicines, reported by six Eritrean and five Ethiopian respondents.

### Shelter management

**When held in large compounds, refugees and migrants reported that people were divided across rooms depending on nationality (reported by three participants), the payment status (reported by three participants), or by smuggler.** Separation by nationality was reportedly aimed at easing management of large groups and the distribution of tasks among smugglers according to their nationality and/or language skills. Distributing refugees and migrants across the facility on the basis of the status of their payment reportedly allowed smugglers to manage more easily transportation to embarkation points. Finally, refugees and migrants who had been kidnapped while transiting through other smuggling networks were reportedly distributed in different rooms, in order to clearly identify who belonged to which smuggling network and had consequently to be released in case of the payment of a ransom.<sup>48</sup>

<sup>48</sup> See sub-section 'smuggling dynamics' for more information.

## Smuggling dynamics

This sub-section investigates the main dynamics related to the smuggling of refugees and migrants originating from East Africa across Libya between mid-2017 and 2018. The section presents the key findings related to how smuggling networks operate, payment modalities and embarkation operations from Libya.

### Smuggling networks

#### Providing combined services

**Interviewed refugees and migrants accessed highly specialised smuggling networks in order to reach Italy, which relied on a number of smugglers situated along respondents' countries of origin, transit (including Libya) and Italy.** A relative majority (13/30) of refugees and migrants interviewed reported having dealt with different smugglers while crossing Libya. Each of them was reportedly in charge of a specific leg of the journey, on behalf of a bigger smuggling network. In such cases, respondents often reported having had the first contact with the 'head' smuggler over the phone, and having then dealt with his affiliates while *en route*. Smugglers were all described as young men, in their early twenties, mostly of Libyan or Sudanese nationality (respectively reported by 21 and 12 respondents). Other nationalities of smugglers included Eritrea and Chad, as reported by five and four respondents. Already at the end of 2016 smugglers active in smuggling East African refugees and migrants were reportedly mostly providing combined services (organised from origin to destination)<sup>49</sup> and were already described as highly hierarchical and transnational.<sup>50</sup>

**According to interviewed refugees and migrants, how they judged a smuggler's 'success' changed in 2018, compared to before.** As three respondents from Eritrea and Ethiopia explained, refugees and migrants relied on the advice of family and friends in Europe, in order to identify the smuggling network that would organise successful sea crossings to Italy. Reportedly, while in the past smugglers' success was judged on the basis of their providing a swift and safe service, in the course of 2018 this changed, due to the increased difficulties in smuggling individuals to Europe. As a result, individuals held that smugglers' reputability in 2018 was based on their clients reaching Italy, no matter the experiences on the way, raising severe concerns around the protection risks refugees and migrants within smuggling rings may face as a result.

Participants contacted the first smuggler either in the **first country of transit**, or in their country of origin (respectively indicated by 14 and 10 out of 26 participants who answered this question), with Sudan being the most reported first country of transit. Other countries where respondents reportedly accessed smuggling networks were Ethiopia, South Sudan and Egypt.

#### Fewer and stronger smuggling networks

The progressive emergence of highly organised smuggling networks in Libya has been reported since late 2016/ early 2017, when militias started to be increasingly involved in the smuggling business, by either taxing smuggling activities in the controlled territory and/or directly running human smuggling networks. Their presence reshaped the market, raising barriers to entry as the capacity to move safely across locations became a key factor driving the positioning of a smuggling network in the market.<sup>51</sup> According to secondary sources, over the course of 2018, smuggling activities have progressively been concentrated in the hands of **fewer, well-organised smuggling networks**.<sup>52</sup>

*'After that [the first contact], it is like a chain which means one smuggler links you with other smugglers.'*

Eritrean, male, 26 – 35 years old

<sup>49</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>50</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>51</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

<sup>52</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

As collected primary data suggests, these smuggling networks still seem to dominate **the route from East Africa**, as intensification of controls at the border with Sudan and along the coastline increased the competitiveness of actors who have the capacity to either circumvent or collude with local controls, pulling out of the market smaller players in the smuggling industry.<sup>53,54</sup>

## Smuggling dynamics along the coast

### Before reaching the coast

**Respondents reported having waited longer than expected at embarkation points.** In four reported cases, respondents waited in the last shelter between one and six months, before being transferred to the coast for embarkation. In these cases, respondents were informed by smugglers that delays were due to (1) un conducive weather conditions (six respondents), (2) clashes between smugglers, militias, and GNA-affiliated institutions along the route (four respondents) and (3) presence of GNA-affiliated actors along the route or at the embarkation point – both the Department for Combatting Illegal Migration (DCIM) or the LCG (three respondents). This suggests a change since the end of 2016, when smugglers tended to concentrate activities more on the coastline, and accommodated refugees and migrants in coastal transit houses for between four to seven days only.<sup>55</sup>

### Reported operations on the beach

Embarkation operations reportedly lasted few hours. According to four respondents, once arrived on the beach, respondents waited for all people to arrive, suggesting that refugees and migrants hosted in different facilities were embarked on the same boat, or that multiple transfers were necessary to bring everyone on the shore. Two respondents added that, in two different cases, the smugglers identified one to two passengers designated to drive the boat, and gave them instructions. **Embarkation operations** reportedly took place mostly by night (as reported by nine respondents), and generally involved large numbers of people, ranging between 100 and 300 in 7 reported cases.

*'I don't think that the route has changed, but for sure the situation [in Libya] and the time needed for embarkation has changed. Because at the moment, as the smugglers explained us, there is so much control on the sea and heavy conflict among smugglers.'*

Eritrean, male, 18-25 years old

Refugees and migrants mostly reported having been embarked in rubber dinghies. While describing operations at embarkation, two respondents reported having been transhipped from a small boat to the rubber dinghy in open water. According to recent reports, the change in transshipping practices may be a sign that smugglers are adapting their practices in order to respond to the increased patrolling of the LCG.<sup>56</sup>

In six reported cases, participants' **attempt to embark failed**. In two cases, embarkation failed because refugees and migrants were **kidnapped by other smugglers** while trying to embark. Participants explained that experienced smugglers deployed a large number of armed men at embarkation points, and distributed them along two lines in order to create a safe passage for refugees and migrants to reach the boat. In two other cases, embarkation was postponed due to the reported **presence of police authorities** on the beach. Finally, two respondents had their embarkation postponed because the boat's engine was broken.

<sup>53</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

<sup>54</sup> For more information, please also consult: UNSMIL/OHCHR, [Desperate and Dangerous: Report on the Human Rights Situation of Migrants and Refugees in Libya](#), 18 December 2018.

<sup>55</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>56</sup> UNSMIL/OHCHR, [Desperate and Dangerous: Report on the Human Rights Situation of Migrants and Refugees in Libya](#), 18 December 2018.



## Payment modalities

### Prices and payments

Reported average **price** for the full journey (from the country of origin or the country of first movement) was 5,500 USD, with prices ranging from a minimum of 800 USD to a maximum of 14,000 USD (calculation based on 16

reported payments). Reported average price for the sea crossing leg was 800 USD, with prices ranging from a minimum of 200 USD to a maximum of 3,500 USD (calculation based on 12 reported payments). At different points of the journey respondents were asked to pay more than what had been agreed upon departure, under the threats of being tortured or sold. The highest reported prices included the payment of one or more ransoms.

*'We stopped in a place in the middle of nowhere, because the smuggler wanted to be paid again. I did not have money, so I was sold to other smugglers.'*

Somali, male, 18-25 years old

### Payment schemes

When asked about payment modalities, ten participants reportedly paid **up-front for the entire journey**, either at arrival in Alkufra (seven out of 10) or before arriving in Libya, either in the country of origin or in the first country of transit (three out of 10). Four respondents specified having paid step-by-step, by making multiple transfers in different locations. In contrast, respondents from East Africa interviewed in late 2016/ early 2017 mainly paid for the journey step-by-step, processing the first payment before leaving their country of origin, and executing larger payments at arrival in transit countries. Paying upfront is a modality which is generally associated with a higher risk of bonded labour, human trafficking or kidnapping for ransom, as it erodes refugees and migrants' safeguards towards smugglers and increases their vulnerability.<sup>57</sup>

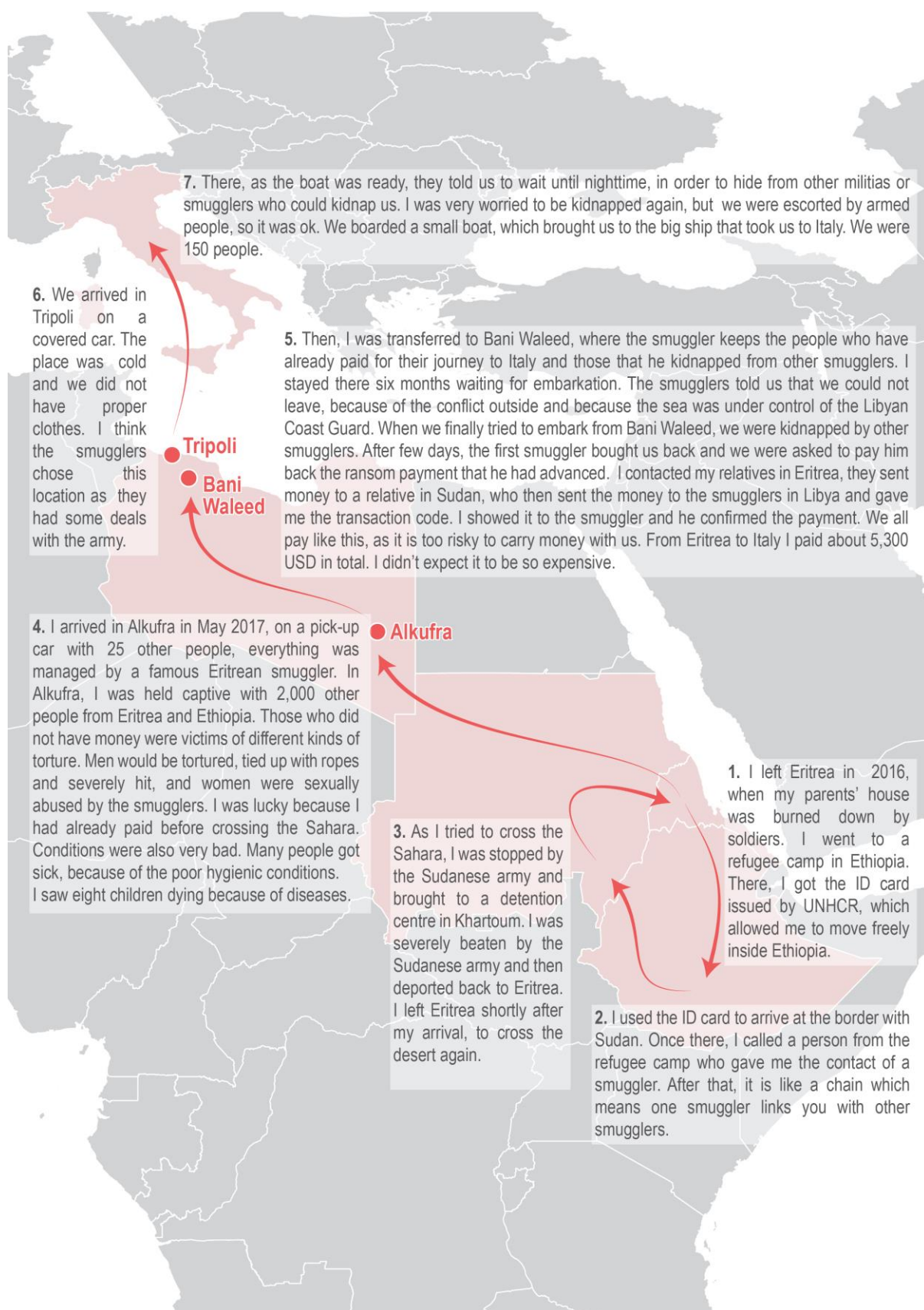
**Payment mechanisms** used by interviewed refugees and migrants varied, often combining cash payments with international bank transfers and *hawala*.<sup>58</sup> **Cash** was mostly used either to process the first payment (in two out of eight cases), or by respondents who reportedly earned money by working at different stages of the journey (in six out of eight cases). Diaspora in Europe and North America also reportedly played a role in providing financial resources to interviewed refugees and migrants, when in need to raise additional money, for instance when held against ransom or for a higher fee charged by the smugglers *en route*. Comparable payment mechanisms and types of financial transactions were reportedly used by smuggling networks already in late 2016 / early 2017, including international bank transfers made directly to smugglers or through a third-party insurance.<sup>59</sup>

<sup>57</sup> Global Initiative, [Understanding Contemporary Human Smuggling as a Vector in Migration: a Field Guide for Migration Management and Humanitarian Practitioners](#), May 2018.

<sup>58</sup> UNHCR describes the *hawala* system as a 'process through which individuals can transfer funds without actually physically moving any funds. It is based on the trust placed in tribal, ethnic or family networks and has historically been present in many Islamic countries. Cash is given to a hawala dealer in one location, who then calls another hawala dealer in the destination location, often in another country. The hawala dealer in the destination location then hands over the cash - the sum collected in the source country minus a commission - to the intended recipient, who was given a password to use. The hawala operators keep a tally of the money that they owe to each other and periodically settle their accounts. Money transfers completed via a hawala system can be very quick, often taking just minutes to process, and leave no trace.'

<sup>59</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

Map 6: Case study of an Eritrean man's journey from Eritrea to Italy, 26-35 years old



## Most reported protection risks<sup>60</sup>

This sub-section of the report presents the most reported types of protection risks faced by interviewed refugees and migrants originating from East Africa while crossing Libya. It presents an account of the most reported types of unlawful treatment suffered by respondents, while discussing the instrumental use of these practices made by smuggling networks active in Libya.

### 1. Prolonged captivity

**Most respondents reported having been held in captivity throughout the journey while crossing Libya.**

Those who enjoyed some freedom of movement while moving within smuggling networks were: (1) one pregnant woman, who was allowed to go outside of the compound once a day to breath fresh air, after the death of another pregnant woman due to dehydration; (2) one man subjected to bonded labour,<sup>61</sup> who was allowed to move during the day to reach the work site, while the employer had confiscated his documents. In late 2016/ early 2017, captivity was mostly associated with trafficking activities, and not a widespread phenomenon,<sup>62</sup> with traffickers reportedly holding refugees and migrants in isolated locations, asking for a ransom or forcing them into prostitution.<sup>63</sup> Primary data collected in 2018 suggests that the phenomenon of prolonged captivity has now become a common pattern in the migration of East African refugees and migrants across Libya, with trafficking and smuggling activities increasingly interrelated.<sup>64</sup> This is supported by findings of a 2018 UNSMIL report, which found that refugees and migrants from Eritrea and Somalia appear to be the most vulnerable to prolonged captivity while in Libya.<sup>65</sup>

*'The magazine was next to the torture room, I was very scared because I could hear the pain of the people being tortured all day and night.'*

Somali, male, 26-35 years old

**Being held in captivity with no freedom of movement substantially increased refugees and migrants' vulnerability to protection risks during their transit in Libya.**

At the end of 2016 and in early 2017, most reported protection challenges faced by East African refugees and migrants were related to the routes taken, i.e. risks related to crossing the desert or the sea crossing.<sup>66</sup> In contrast, protection risks reported by East African refugees and migrants interviewed in late 2018 were mostly related to their interaction with smugglers in prolonged captivity, including accounts of multiple kidnappings, torture and bonded labour.

<sup>60</sup> For a definition of protection-related key terms please consult the glossary section at the beginning of this report.

<sup>61</sup> The term 'bonded labour' falls within the definition of forced or compulsory labour, defined by the ILO [Forced Labour Convention, 1930 \(No. 29\)](#), as 'all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.' Bonded labour is the pledge of a person's services as security for the repayment for a debt or other obligation, where the terms of the repayment are not clearly or reasonably stated, and the person who is holding the debt and thus has some control over the labourer, does not intend to ever admit that the debt has been repaid. Source: *Jordan, Ann (February 2011). 'Slavery, forced labour, debt bondage, and human trafficking: from conceptual confusion to targeted solutions' program on Human Trafficking and Forced Labour. Washington College of Law: Center for Human Rights & Humanitarian Law.*

<sup>62</sup> Article 3, paragraph (a) of the [Protocol to Prevent, Suppress and Punish Trafficking in Persons](#) defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

<sup>63</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>64</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

<sup>65</sup> UNSMIL/OHCHR, [Desperate and Dangerous: Report on the Human Rights Situation of Migrants and Refugees in Libya](#), 18 December 2018.

<sup>66</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

## 2. Multiple kidnappings

The risk of **kidnapping** was the most reported protection concern cited by East African refugees and migrants interviewed. Among 30 individuals interviewed, 14 reported having been kidnapped at least once while crossing Libya. One respondent reported having been kidnapped and then sold three times during his transit.<sup>67</sup>

*'My journey was totally disorganised; I was sold from one smuggler to the next.'*

Somali, female, 18-25 years old

Once kidnapped, kidnappers reportedly asked respondents for a ransom to be paid either by the victim's family or friends, often solicited by torturing the victim while on camera or during phone calls.<sup>68</sup> In six cases, a former smuggler paid respondents' ransom, who then added the cost of the ransom paid to the sea crossing price. In one case, the respondent's ransom was paid by a Libyan man, who then forced him into **bonded labour** as a reimbursement mechanism, for an amount of time proportionate to the ransom paid. One participant reported that kidnappings were orchestrated by smuggling networks, as an additional revenue stream.

Interviewed refugees and migrants were reportedly kidnapped either before entering Libya (three), at arrival in Alkufra (three), while held captive following an assault (two), while *en route* between stopovers (one), or when trying to embark (one). Since 2018, attacks on housing premises where refugees and migrants are held captive by armed groups have been increasingly documented.<sup>69</sup> More than 15 per cent of the refugees and migrants interviewed by the Mixed Migration Monitoring Initiative (4Mi) were kidnapped during their journey in 2018, many of whom were East Africans, mostly Eritreans, Ethiopians and Somalis.<sup>70</sup> Overall, the phenomenon of kidnapping of East African refugees and migrants in particular seems to have increased, compared to late 2016/ early 2017, when kidnappings of refugees and migrants (as well as of Libyans) reportedly mostly occurred on the streets in urban areas of Tripoli, Sebha and Bani Waleed, less systematically than found in 2018.<sup>71</sup>

## 3. Torture and other cruel, inhuman or degrading practices

Beyond kidnappings, a **number of other unlawful and dehumanising practices** aimed at extorting additional resources were reported by refugees and migrants in relation to their time in captivity. Such practices, including physical and sexual violence, were reportedly used as dehumanising weapons to elicit ransom payments.<sup>72</sup>

Interviewed refugees and migrants reported having witnessed several **deaths** of refugees and migrants in captivity (reported by 14 respondents). Most witnessed deaths were reportedly due to the lack of food and water and poor WASH services accessed while in captivity. Four participants reported having witnessed the death of 5 to 10 people (including children) because of diseases like diarrhoea, malaria or tuberculosis. Three participants reported having witnessed the death of 3 to 8 people (including children) because of starvation. Other deaths were reported while *en route*, either because of shootings among militias and governmental forces along the Sahara Desert Route (one account) or because of drowning at sea (one account).

Among interviewed refugees and migrants, twelve reported having been victims of **torture** while in captivity, often done on camera, with the aim of extorting money. Reported torture practices included electrocution (three reported cases) and the use of ropes to block the victim, while hitting him in the most sensitive part of the body with iron sticks (two reported cases). Accounts also included torture practices targeting children travelling with families.

<sup>67</sup> Defined as 'the sale of human beings commodities, against their will.'

<sup>68</sup> The 1985 United Nations [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) defines torture as: '... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a [confession](#), punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. [...] It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.'

<sup>69</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

<sup>70</sup> The Guardian, [Refugees at high risk of kidnapping in Horn of Africa, research reveals](#), 9 January 2019.

<sup>71</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>72</sup> Global Initiative, [Responding to the Human Trafficking- Smuggling Nexus: with a focus on the situation in Libya](#), July 2018.

Among respondents interviewed only men had reportedly been victims of these incidents. Women were reportedly more exposed to **sexual abuse** (five participants witnessed regular sexual abuses of women while held in captivity), which was also reported by men (one participant reported having witnessed regular sexual abuses of men while in captivity).

*'When they brought me to the small room, they tied my hands behind my back and filmed me being beaten. They sent this to my mother to get her to send money for my release. But she couldn't, she didn't have any money.'*

Somali, male, 18-25 years old

**Food deprivation** was also reportedly used as a strategy to extort money. Among interviewed refugees and migrants, 16 mentioned the lack of food among the key challenges related to their time in captivity, and two mentioned that food portions would vary depending on the status of the payment.

Accounts of torture and other inhuman and degrading practices were especially reported by refugees and migrants from **Somalia** (ten out of fifteen among refugees and migrants who were reportedly victims of torture while in Libya were of Somali origin).

#### 4. Bonded labour

When unable to pay, refugees and migrants were reportedly either **sold** or forced into **bonded labour**. Eight interviewed refugees and migrants reported having **been sold** at least once during their transit in Libya. Once sold, refugees and migrants were either tortured for the sake of extorting money, or forced into bonded labour. Types of reported bonded labour included: (1) working in the fields or in the kitchen of a warehouse (for those individuals who were in full captivity) and (2) working in construction or in the collection of shell (presumably unexploded ordnance), for those allowed to move for work-related purposes during the day only.

*'I was always afraid that they would sell me to other smugglers since I didn't pay all the money they had asked for.'*

Somali, male, 18-25 years old

Interviewed refugees and migrants from **Sudan and Somalia** reported **having spent longer time in Libya** compared to other nationality groups, because of a relatively higher exposure to bonded labour (reported among the main reasons for protracted stay in a given location, by six respondents). As bonded labour was sometimes reportedly used as an alternative source of revenues for smugglers, in case of lack of financial resources, it can be assumed

that respondents originating from Sudan and Somalia spent more time in Libya in order to raise the necessary resources to pay the amount of money requested by smugglers. Their higher exposure to the risk of bonded labour, compared to Eritrean and Ethiopian respondents, may be because Eritrean and Ethiopian nationals in Libya tend to have higher financial resources or better established diasporas in Europe who can support them financially if in need.<sup>73</sup>

#### 5. General insecurity

The context of widespread violence in Libya was also reported by refugees and migrants among the main risks associated with the journey across Libya. Signs of enduring clashes, shootings and conflict in locations where refugees and migrants reportedly stopped while transiting across Libya also increased respondents' sense of insecurity and discouraged them from attempting to escape from captivity.

<sup>73</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

## Key changes in mixed migration dynamics for East African refugees and migrants in Libya between late 2016 and 2018

In the following sub-section, key changes found in mixed migration dynamics of East African refugees and migrants between late 2016 and 2018 are presented, comparing refugees and migrants' experiences in Libya over the course of the timeframe studied, coinciding with migration measures implemented in Libya over the course of 2017 and 2018 in Libya and its southern neighbours. Findings are based on primary accounts of respondents on changes witnessed, as well as on additional longitudinal analysis based on comparable data collected in late 2016 in Libya and Italy.<sup>74</sup>

### 1. Longer and more dangerous journeys

#### Longer journeys

The journeys of East African refugees and migrants across Libya recorded in 2018 were longer than in the past. The majority of refugees and migrants interviewed in the present assessment reportedly spent between one and two years in Libya, compared to several weeks, which was mostly reported among East African refugees and migrants in late 2016.<sup>76</sup> This was also confirmed by key informants interviewed, and explained by the prolonged time spent in captivity and continued kidnapping respondents interviewed in December 2018 faced.

*'At the time there were many soldiers who patrolled around the sea. This is why the smuggler was planning to take us to the ship by using his connection with people whom he knew in Zwara.'*<sup>75</sup>

Ethiopian, male, 26-35 years old

Among interviewed refugees and migrants, seven respondents mentioned recent **migration measures**, implemented by the EU in 2017, among the key factors that have negatively affected their migratory experience, as they held that, as the sea crossing and smuggling became more difficult, smugglers became more exploitative of refugees and migrants. Interviewed refugees and migrants considered that the implementation of these measures had led to **longer journeys** across Libya, as it took longer to successfully transit and fewer smugglers were operating in the country.

The increased patrolling of the LCG on the coastline was reported by respondents as one of the reasons provided by smugglers to justify prolonged captivity after requested payments had been made. Three respondents also reported having been brought to several embarkation points before being able to leave by boat, due to LCG presence. As a consequence, **time spent at embarkation points also increased**, with ten respondents reporting having waited between one week and six months before being able to reach the coast.<sup>77</sup> In late 2016, East African refugees and migrants reportedly waited only between four to seven days for this last leg of the journey.<sup>78</sup>

#### Increased exposure to more severe protection risks

Half of respondents (15/30) considered crossing Libya to be more difficult in 2018 compared to few years ago. When asked to explain why, the most reported reason was a change in the protection risks refugees and migrants faced during the journey in Libya.

<sup>74</sup> Comparable data collected in the framework of a study conducted by IMPACT, Altai Consulting and UNHCR between the end of 2016 and early 2017. UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>75</sup> City in the north-west of Libya.

<sup>76</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>77</sup> Six respondents reported having waited between one week and one month, two between one and three months, and two between three and six months.

<sup>78</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

Reported changes in protection risks included: (1) longer time spent in **captivity**, (2) higher risk of **kidnapping**, (3) higher risk of contracting a **disease** with no access to medicines and (4) enduring **conflict** among smugglers, militia groups, and government-affiliated actors. Firstly, while in late 2016/ early 2017 most reported risks were related to crossing the desert or the sea,<sup>79</sup> captivity emerged as the key protection issue, as

*'I think that my experience would have been different had I transited some years ago because before in Libya there was no human exploitation.'*

South Sudanese, male, 18-25 years old

it was associated with the risk of dying because of torture or diseases.<sup>80</sup> Secondly, a higher risk of kidnapping was reported by five respondents as an emerging protection risk. Respondents reported that kidnapping of East African refugees and migrants in 2018 was much more systematic than in the past. This is also confirmed by other secondary sources, as some migration experts have argued that *'it is possible that smugglers are increasingly turning to kidnapping as they look for alternative sources of income because of the decreasing number of people travelling through certain routes'*.<sup>81</sup> Thirdly, the increased risk of contracting a disease while held captive emerged as a direct consequence of increasingly overcrowded facilities used by smugglers, with very limited WASH facilities. According to some refugees and migrants and key informants interviewed, the risk of assaults from other armed groups or smuggling networks reportedly increased over 2018, leading to smugglers increasingly concentrating refugees and migrants in fewer, more overcrowded facilities. Finally, the perceived rise in the level of violence among smugglers and other actors was also mentioned as a factors making migration more difficult.

## 2. More exploitative smuggling dynamics

Smuggling dynamics of East African refugees and migrants changed between late 2016 and 2018. While already in late 2016 East African nationals tended to rely on highly organised transnational smuggling networks, in 2018 it was found that their number had decreased, leading to a consolidation of fewer, but more powerful, networks. According to key informants and secondary sources, as a result of this reconfiguration, refugees and migrants smuggled within these networks have become more vulnerable.<sup>82</sup> This is because, due to a more limited choice among smuggling networks, refugees and migrants have less options to change smugglers in case of abuse.

**Accordingly, in late 2018 respondents' understanding of a smuggler being 'successful' and 'recommendable' changed.** Reportedly, while in the past smugglers' success was judged on the basis of their providing a swift and safe service, in the course of 2018 this changed, due to the increased difficulties in smuggling individuals to Europe. As a result, individuals held that smugglers' reputability in 2018 was based on their clients reaching Italy, regardless of the experiences on the way. This is how many respondents justified the abuses they faced by their smugglers and why they would still recommend them to individuals aiming to reach Italy.

**A further change in the smuggling dynamics identified between late 2016 and late 2018 is related to payment modalities.** Most East African refugees and migrants interviewed in December 2018 reportedly paid upfront for their entire journey from the country of origin or country of first displacement. This suggests a significant shift in payment modalities when comparing with late 2016, when East African refugees and migrants tended to pay their smuggler step-by-step, upon each successfully reached key transit point along their journey. Paying upfront is a modality which is generally associated with a higher risk of bonded labour, human trafficking or kidnapping for ransom, as it erodes refugees and migrants' safeguards towards smugglers and increases their vulnerability.<sup>83</sup>

<sup>79</sup> UNHCR, [Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges](#), July 2017.

<sup>80</sup> For more information on the risks encountered during prolonged captivity, please consult sub-section 'Most reported protection risks'.

<sup>81</sup> Bram Frouws, Director of the Mixed Migration Centre, interviewed by The Guardian, [Refugees at high risk of kidnapping in Horn of Africa, research reveals](#), 9 January 2019.

<sup>82</sup> Global Initiative, [Understanding Contemporary Human Smuggling as a Vector in Migration: a Field Guide for Migration Management and Humanitarian Practitioners](#), May 2018.

<sup>83</sup> Global Initiative, [Understanding Contemporary Human Smuggling as a Vector in Migration: a Field Guide for Migration Management and Humanitarian Practitioners](#), May 2018.

### 3. Reduced access to support networks and coping mechanisms

#### Family and friends as primary support network

Interviewed refugees and migrants indicated family and friends in the country of origin and other refugees and migrants in Libya as the top reported support networks in Libya (mentioned by 12 respondents each). However, **since all interviewed East African refugees and migrants were held captive during their entire stay in Libya, respondents were only able to communicate with support networks to solicit money once kidnapped, when allowed by the kidnapping entity** or, in rare cases, when individuals managed to escape from captivity.

*'I arrived there on foot after having escaped from the farm in Alkufra, I did not know where I was going, I just ran and ran away from the farm. I was very scared and hungry. I stopped in [location] because I found a place where I could hide.'*

Sudanese, male, 26-35 years old

The diaspora in countries of destination was reported as key support network accessed by five respondents (three from Ethiopia and two from Eritrea), activated when respondents were in need of financial resources, to pay for some legs of the journey or to pay for respondents' ransoms when kidnapped. In one case, family and friends in the country of origin also reportedly acted as a cashier, sending money that the participant had previously saved, upon request. In two remaining cases, respondents had received the support of Libyan men met by chance after having escaped from captivity, who provided them with housing and food in exchange for paid work. One participant slept outdoors in front of a mosque for one week after having escaped from captivity.

Interviewed refugees and migrants from Sudan were found to have access to stronger diaspora networks in Libya, which was reported as a key support mechanism, providing information, access to smuggling networks, work opportunities or temporary housing. This is likely due to the long history of Sudanese circular labour migration to the country, and the presence of a large Sudanese community in Libya.

#### Limited access to humanitarian support

Prolonged time spent in captivity reduces refugees and migrants' capacity to access other types of support networks in Libya. In a 2018 report, UNSMIL states that refugees and migrants crossing Libya are at 'risk of arbitrary arrest or capture at checkpoints or on the streets by security forces, members of armed groups and private citizens'.<sup>84</sup> As such, even when individuals manage to escape from smuggling channels, they tend to hide and become hard-to-reach.

None of the 30 East African refugees and migrants interviewed had received support from a humanitarian organisation while in Libya. Among individuals interviewed, time in captivity and the need to hide from governmental authorities, smugglers, and other militia groups also affected the level of awareness about available humanitarian support. **Among interviewed refugees and migrants, 7 out of 30 respondents reported being aware of the presence of UN agencies in Libya, but had accessed only incomplete information**, related to the International Organisation for Migration (IOM)'s Voluntary Humanitarian Return (VHR) programme or UNHCR registration activities at DCIM centres.<sup>85</sup> Two other respondents had been informed by other refugees and migrants of UNHCR registration activities but were not aware of their objectives and purposes.

#### Less effective coping mechanisms

Some respondents pointed to the reduced effectiveness of money as a coping mechanism among the key factors negatively affecting most recent migration through Libya. East African refugees and migrants reported

<sup>84</sup> UNSMIL/OHCHR, [Desperate and Dangerous: Report on the Human Rights Situation of Migrants and Refugees in Libya](#), 18 December 2018.

<sup>85</sup> See sub-section 'Limited access to legal pathways once in Libya' for further information.



that money did not protect them or other refugees and migrants from spending long time in captivity- which it did in the past. According to individuals interviewed, there was no amount that could protect them from the violence suffered when in the hands of smugglers. In previous studies, financial resources were reported to one of the main coping mechanisms for refugees and migrants in Libya.<sup>86</sup>

**In contrast, the only coping mechanism mentioned by interviewed refugees and migrants to reduce their exposure to protection risks was to attempt to escape from smuggling networks and hide.** While held kidnapped, six respondents reportedly escaped intermittently from the premises where they were held captive. Among them, two escaped while forced to work in the fields, two escaped by hiding within a group of people who had already paid their ransom, and, in the two remaining cases, a smuggler helped the participants to escape, and then connected them to another smuggling network. All the interviewed refugees and migrants who had reportedly escaped from captivity after having been kidnapped were male.

#### 4. Increased levels of desperation as access to legal pathways remains limited

##### Limited access to legal pathways before arriving to Libya

**East African refugees and migrants interviewed motivated their complete reliance on dangerous and often exploitative smuggling networks on the lack of alternative pathways to leave their countries of origin.** Coming from some of the top 10 refugee-producing countries in the world, respondents reported active conflict in Somalia (reported by three respondents), persecution by the Eritrean Government (reported by three respondents) and the Sudanese Government (reported by one respondent from Darfur) as reasons for feeling compelled to leave. At the same time, respondents showed a high level of distress associated with the feeling of having had no choice but to enter into exploitative smuggling channels to leave their countries of origin. Lack of access to alternative legal pathways was mentioned by five respondents from Eritrea as a key factor shaping their decision to engage in irregular border crossings to reach Europe.

##### Most reported drivers of migratory movements from East Africa

The need to escape from conflict and violence was the most reported driver of the decision to leave the country of origin, as reported by respondents. Among them, five respondents originated from Eritrea, and mentioned conscription and lack of rule of law as key factors influencing their decision to leave. Others, notably Somali respondents, described the high level of violence, due to the protracted conflict in the country of origin, as the main reason prompting their decision to leave.

Lack of access to legal documentation **in countries of first displacement in the region** was reported by two respondents from Eritrea among the key factors that influenced their decision to reach Europe by crossing Libya. Among the 30 refugees and migrants interviewed, 13 had previously engaged in migration movements to other countries of first displacement, either to neighbouring countries or to the Middle East and North Africa region, and decided to cross Libya to reach Europe as a **secondary movement**. Respondents from Eritrea, Ethiopia, Sudan and Somalia reported having been exposed to the risk of detention for lack of legal documentation on the way to Libya. Among them, eight reported having been arrested and detained in Sudan, Ethiopia and Egypt. In four out of these eight cases, participants reportedly decided to migrate to Libya and then Italy while held in **detention in countries of first displacement**.

These accounts are in line with regional trends registered since 2015, which consider migration from East Africa to Europe mostly originating from secondary movements, due to poor living conditions experienced in countries of first displacement.<sup>87</sup> In 2015, a report from the Mixed Migration Hub (MHub) stressed how the lack of safe and

<sup>86</sup> REACH/Start Network, [Refugees and Migrants' Access to Resources, Housing and Healthcare in Libya: Key Challenges and Coping Mechanisms](#), December 2017.

<sup>87</sup> MHub, [Conditions and Risks of Mixed Migration in North-East Africa](#), study 2, November 2015.

regular migration pathways from East Africa drove refugees and migrants to resort to high-risk smuggling channels towards Europe.<sup>88</sup>

### Limited access to legal pathways once in Libya

#### **Once in Libya, refugees and migrants from East Africa have limited legal pathways to leave the country.**

The main means to leave is through UNHCR's Humanitarian Evacuation Programme, offered to the most vulnerable of individuals of nine nationalities UNHCR can access in Libya.<sup>89</sup> Individuals are identified mostly in official detention centres and can be temporarily relocated to Evacuations Transit Mechanism (ETM) in Niger, in a view to be resettled to third countries. Between November 2017 and December 2018, 2,886 out of 56,240 registered refugees and asylum seekers have been evacuated to third countries through the UNHCR Evacuation Programme.<sup>90</sup> Alternatively, IOM's VHR programme, through which individuals can be returned to their countries of origin, commenced in early 2018 to offer return support to Somali nationals. This was a new development, considering that Somalis are a population of concern for UNHCR in Libya. Between January and July 2018, 150 Somali refugees and migrants returned to Somalia through the VHR programme.<sup>91</sup>

#### **Only four out of thirty respondents were aware of the available, albeit limited, channels to return back to their countries of origin or be transferred to save third countries.**

Two Sudanese respondents reported having met fellow nationals who decided to go back to Sudan because they were injured or sick. In one case, the respondent mentioned the case of a group of refugees and migrants from Sudan who went to the Libyan police to be arrested and deported to their country of origin, as they considered it as the only way to leave Libya other than re-entering smuggling channels.

High levels of desperation, due to the **lack of alternative channels to smuggling networks to leave Libya**, were reported by key informants among the main issues affecting East African refugees and migrants' experience in Libya in late 2018.

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<sup>88</sup> MHub, [Conditions and Risks of Mixed Migration in North-East Africa](#), study 2, November 2015.

<sup>89</sup> Libya's GNA allows UNHCR access to persons of concern from nine nationalities (Syria, Iraq, Palestine, Eritrea, Somalia, Ethiopia (Oromo), Sudan (Darfur), Yemen and South Sudan), as they are countries producing persons unable to return to their homes due to generalised violence, in a restricted number of DCIM centres Libya.

<sup>90</sup> UNHCR, [Update on Libya](#), 19-25 January 2019.

<sup>91</sup> IOM, [A Region on the Move](#), Mid-year trends report – January to June 2018, IOM Regional Office for the East and Horn of Africa.

## Conclusion

East African refugees and migrants, notably Eritrean, Somali, Darfuri, South Sudanese and Ethiopian nationals, have distinct migratory profiles in Libya, as they mostly come to the country with the intention to transit further towards Europe and are hence hard-to-reach by the humanitarian community. They are also among the nine nationalities that UNHCR can register as populations of concern in Libya, despite Libya not being a signatory to the 1951 Refugee Convention.<sup>92</sup> The aim of this assessment was to shed light on the specific experiences of East African refugees and migrants in Libya, with a focus on: (1) their migration trajectories from East Africa and across Libya, (2) the smuggling dynamics affecting their transit in Libya, (3) the protection risks faced and (4) key changes in the mixed migration dynamics of East African refugees and migrants in Libya between late 2016 and 2018, coinciding with several migration measures implemented by the GNA in partnership with the EU in Libya and the Sahel since early 2017.

**The assessment finds that the dynamics which make East African refugees and migrants a vulnerable and hard to reach population in Libya have exacerbated over the course of 2018.** It finds that, with the crackdown on smuggling in parts of the country, East African refugees and migrants are faced with an overreliance on few highly organised smuggling rings, leading to an ever-increasing blurring of the lines between smuggling and trafficking of East African refugees and migrants in the country.<sup>93</sup> Due to limited alternative legal ways out of Libya, East African refugees and migrants have few alternatives to accessing exploitative smuggling networks to reach safety.

- **The majority of East African refugees and migrants interviewed spent between one and two years in Libya, held captive by their smugglers or kidnappers throughout their stay in the country.** While respondents used comparable routes to those reported by East African refugees and migrants interviewed in late 2016, the majority of them had not been aware, during the journey, of the routes they were taking and where within Libya they were at a given time. As a result, respondents were entirely reliant on their smugglers.
- **Reportedly as a result of a crackdown on smuggling in parts of Libya since early 2017, there are fewer smuggling networks operating on the Eastern route in Libya via Alkufra than in the past.** Those that remain have become more exploitative, with smuggling networks taking advantage of East Africans' limited alternative options to leave Libya. Both refugees and migrants and key informants interviewed reported that refugees and migrants were completely at the mercy of their smuggler. East African refugees and migrants interviewed in December 2018 reported that, due to the overall increased difficulty to smuggle people across the Mediterranean, a smuggler's success was now based on their managing to take their client to Europe, no matter the protection risks faced on the way. This meant that

<sup>92</sup> **NB:** Libya has not ratified the 1951 Refugee Convention. However, Libya's GNA allows UNHCR access to persons of concern from nine nationalities (Syria, Iraq, Palestine, Eritrea, Somalia, Ethiopia (Oromo), Sudan (Darfur), Yemen and South Sudan), as they are countries producing persons unable to return to their homes due to generalised violence. UNHCR continues to advocate for access to other nationalities.

<sup>93</sup> 'Human trafficking' and 'migrant smuggling' are two distinct crimes that often are erroneously conflated or referred to interchangeably. A key difference is that victims of trafficking are considered victims of a crime under international law; smuggled refugees and migrants are not—they pay smugglers to facilitate their movement. **Source:** US Department of State, [Human Trafficking & Migrant Smuggling: Understanding the Difference](#). For a full definition of each term please see, on **smuggling:** The [Smuggling of Migrants Protocol](#) supplementing the United Nations Convention against Transnational Organized Crime defines the smuggling of migrants in Article 3 as the 'procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.'. On **trafficking:** Article 3, paragraph (a) of the [Protocol to Prevent, Suppress and Punish Trafficking in Persons](#) defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

dangers and protection risks faced by respondents in Libya reportedly did not negatively impact smugglers' reputation for future migration, provided respondents reached Italian shores.

- **As a result of changing smuggling dynamics, protection risks faced by East African refugees and migrants in Libya have diversified and escalated, with kidnapping, torture and being sold the most reported protection risks** faced by East African refugees and migrants interviewed in December 2018. Coping mechanisms which worked in the past, such as paying one's way out, were reportedly ineffective in December 2018, due to the repeated circular nature of kidnappings in the country, which meant that respondents were never able to solicit sufficient funds to be safe. None of the individuals interviewed reportedly had access to humanitarian support while in Libya, mostly due to their condition of captivity throughout their time in the country.

While some legal pathways for East African refugees and migrants exist in Libya, notably UNHCR's Humanitarian Evacuation Programme, refugees and migrants interviewed tended to have almost no awareness of alternative legal pathways to leave Libya. Coming from countries such as Eritrea, Ethiopia, Somalia and South Sudan, respondents felt they could only move northwards. Due to the limited legal pathways respondents found available, in countries of origin, in countries of first displacement and in Libya, engaging smuggling networks was reportedly the only option for them to leave Libya.

This assessment aimed to investigate key dynamics related to the migratory experience of refugees and migrants originating from East Africa across Libya. **Further information gaps on this area of research identified in the course of this study include:**

- **Decision-making and protection risks in countries of first displacement:** almost half of respondents decided to migrate irregularly to Europe via Libya after having spent significant time in countries of first displacement in East Africa and the Middle East and North Africa region, notably in Sudan and Egypt. The decision to move on towards Europe was shaped by respondents' inability to build a life in the region, including limited access to legal documentation to stay. More information is needed to shed light on the experiences of East African refugees and migrants in these countries and the conditions which shape their stay and decision making over further migration.
- **Social networks, diasporas and level of interaction between countries of origin, countries of first displacement in the MENA region, East Africa and Europe:** while secondary data suggests that East African refugees and migrants along the Central Mediterranean Sea route are among the best connected people on the move, limited primary data is available on the level of interaction between East African refugees and migrants along the route, at origin, in transit and in Europe. Such information would help understand the feedback mechanisms at play, as well as support the identification of potential efficient and reliant information channels to make the journey safer for people *en route*.
- **Long-term impact of the crackdown on smuggling in Libya on East African refugees and migrants in the region:** the root causes of East African migration towards Europe are unlikely to change in the near future. Legal channels to leave the region, be that in countries of origin, such as Eritrea or Sudan, or in countries of transit, such as Libya, remain extremely limited. At the same time, this study found that changing smuggling dynamics reportedly led to an exacerbation of protection risks for East African refugees and migrants in Libya. In response to the risks faced, the question arises to what extent East African refugees and migrants may commence to re-route their journeys to Europe through other irregular routes, such as the Western Mediterranean route, and what protection risks they may face as a result.

## Annexes

### Annex 1: List of participants

Form ID	Gender	Age	Arrival in Libya	Arrival In Italy
ITA1801_ER_1	male	16 - 35	2018	2018
ITA1801_ER_10	female	16 - 35	2017	2017
ITA1801_ER_2	male	18 -25	2017	2018
ITA1801_ER_3	male	16 - 35	2017	2017
ITA1801_ER_4	female	36+	2017	2018
ITA1801_ER_5	male	16 - 35	2017	2018
ITA1801_ER_6	female	16 - 35	2017	2017
ITA1801_ER_7	male	16 - 35	2017	2018
ITA1801_ER_8	female	18 -25	2017	2018
ITA1801_ER_9	male	16 - 35	2017	2018
ITA1801_ET_1	male	18 -25	2017	2017
ITA1801_ET_2	female	18 -25	2017	2017
ITA1801_ET_3	male	16 - 35	2017	2017
ITA1801_SO_1	female	18 -25	NO	2018
ITA1801_SO_2	female	18 -25	2017	2018
ITA1801_SO_3	female	16 - 35	2015	2017
ITA1801_SO_4	male	18 -25	2016	2018
ITA1801_SO_5	male	18 -25	2016	2017
ITA1801_SO_6	male	18 -25	2017	2017
ITA1801_SO_7	male	16 - 35	2017	2018
ITA1801_SO_8	male	18 -25	2017	2018
ITA1801_SO_9	male	18 -25	2016	2018
ITA1801_SSD_1	male	18 -25	2014	2018
ITA1801_SUD_1	male	18 -25	2014	2018
ITA1801_SUD_2	male	18 -25	2016	2018
ITA1801_SUD_3	male	18 -25	2017	2018
ITA1801_SUD_4	male	16 - 35	2015	2018
ITA1801_SUD_5	male	36+	2015	2018
ITA1801_SUD_6	male	18 -25	2016	2018
ITA1801_SUD_7	male	18 -25	2017	2018