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HUMAN TRAFFICKING, SMUGGLING AND GOVERNANCE IN LIBYA: IMPLICATIONS FOR STABILITY AND PROGRAMMING

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HUMAN TRAFFICKING, SMUGGLING AND GOVERNANCE IN LIBYA: IMPLICATIONS FOR STABILITY AND PROGRAMMING

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ACRONYMS

CSO	Civil Society Organizations
CTIP	Countering Trafficking in Persons
DCIM	Directorate for Combating Illegal Migration
DRG-LER	Democracy, Human Rights, and Governance – Learning, Evaluation, and Research Activity
EU	European Union
FRAP	Flexible Research and Analysis Platform
GI	Global Initiative for Combating Transnational Crime
GNA	Government of National Accord
HRW	Human Rights Watch
INGO	International Non-governmental Organization
IOM	International Organization for Migration
ISIL	Islamic State
LAAF	Libyan Arab Armed Forces
LCG	Libya Coast Guard
LNA	Libya National Army
LYD	Libyan Dinar
MPCA	Multi-purpose Cash Assistance
NGO	Non-Governmental Organization
NORC	National Opinion Research Center at the University of Chicago
ODA	Office of Disaster Assistance
OTI	Office of Transition Initiatives
R&R	Strengthening Local Capacities for Resilience and Recovery (UNDP program)
SFL	Stabilization for Libya (UNDP program)
UN	United Nations
UNHCR	United Nations High Commission for Refugees
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USG	United States Government

GLOSSARY OF TERMS AND DEFINITIONS

Back door (aka "back way"): Term used by West Africans, particularly Gambians and Senegalese to refer to the irregular journey to Europe (Micallef 2017, 7)

Circular migration: "The systematic and regular movement of migrants between their homelands and foreign countries, typically seeking work. [...] Circular migration should be differentiated from one-time emigration or out-migration and eventual permanent return migration." (Constant et al. 2012, 4-5)

Coxeur: Middleman in Libya with whom the migrant is already in contact.

Detention facilities: For the purpose of this research, detention facilities include all types of facilities in which migrants are detained against their will, whether or not they are recognized by the state. In fact, besides state-controlled detention centers (DC's) – under the Directorate for Combatting Illegal Migration or DCIM – there are tens, if not hundreds of detention facilities across Libya that range from make-shift dormitories in abandoned houses to properly organized detention hangars with surveillance cameras. Some of these detention facilities only host migrants in transit along their route and offer them basic services (food and toilets); others are concentration camps where migrants survive in abysmal health and sanitation conditions with barely any food, and where they are systematically raped and/or tortured. Increasingly, detention facilities are morphing into the latter as a result of the drop in departures and the consequent drop in the earnings coming from fees for the transit and departure of migrants. To offset their losses, human traffickers and smugglers often turn to extortion. The concentration camp type of facilities are referred to as "ghetto", "campo", "terkina" (mostly for transit centers), "garage" (mostly for torture centers), or "hangars".

Gidan bashis: Credit houses where migrants are sold to groups who specialize in exploiting migrants for money, often through torture and extortion.

Hawaladar**:** Informal financial agent or broker

Illegal migration's circular economy: The concept of circular economy refers to an economic system that minimizes or eliminates the waste of resources throughout the economic cycle. Here the economic system is "illegal" migration in Libya. We put the term illegal in quotation marks because currently all migration in Libya is "illegal", since authorities do not issue visas to migrants.[1] In this system the resources are illegal migrants, whose direct or indirect exploitation is not "wasted" along their entire journey. The resource is not just labor (willing or forced), it is also the willingness to pay for

[1] Although Libyan authorities declare that legal procedures to issue work permits and visas to migrants still exist and are valid, they no longer seem to be applied. In theory, the existing legal procedure requires migrants to obtain a work contract first, and then ask for a visa. Moreover, according to an IOM labor migration officer (author interview, May 2020), in early 2020 the Libyan Ministry of Labor was negotiating a bilateral agreement with Niger and with other countries to streamline the issuing of permits to these foreign nationals in Libya. In fact, official Libyan authorities declare that legal procedures to issue work permits and visas to migrants still exist and are valid. However, this mechanism no longer seems to be applied. Since 2018, IOM could not provide or recall seeing any evidence that a migrant had obtained official permits. Meanwhile, in Eastern Libya, the Military Investment and Public Works Committee (MIPWC) – a Libyan equivalent of Egypt's Armed Forces Engineering Authority - facilitated the arrival of foreign workers from Egypt and Bangladesh through Tunisia and Jordan. Each migrant pays $500 to the MIPWC to obtain the authorization to go to Libya and work. Allegedly, the Bayda-based Thinni government is vehemently opposed to this practice (IOM officer in Libya, author interview, May 2020).

transportation, food, or other services, and the ability to mobilize resources to prevent torture and death, and to buy freedom. Thus, the resources are migrants themselves. In fact, money is made by smugglers who move migrants across borders along Libya's migration routes, and through sea routes to Europe. Money is extorted from migrants and their relatives by traffickers who get hold of migrants along their journey. Lastly, money is made by state officials who pocket foreign funds destined to contain migration and to improve the condition of migrants in detention, who sell migrants to traffickers and smugglers, and/or who "rent" detained migrants as forced laborers, and/or extort money in exchange for food or freedom. In this cycle, both state and non-state actors benefit from migration all along its steps, rendering illegal migration in Libya akin to a circular economic system.

Makhzen*:* Warehouses (plural *makhazen*)

Manadeeb: (plural of mandub) Migrants' agent / representative / broker, also termed *wakil*

Muhareb: Smugglers who facilitate migrants' journeys

Passeurs: Transporters

Samsar: Smugglers who take migrants to a holding location until there are enough of them to organize a convoy. At that point, Samsar invite a muhareb to come pick up the migrants and transport them.

Smuggling: The process in which one individual pays another in order to facilitate his/her illegal travel from one country to another. An essential feature of smuggling is the consent of the migrant to the migration process (Nourhan et al, 2015). UNODC defines human smuggling as "the procurement for financial or other material benefit of illegal entry of a person into a State of which that person is not a national or resident". It must be noted that unlike trafficking, a case can be made that "human smuggling is morally permissible under some conditions even if it is illegal" (Aloyo and Cusumano 2018). Note that Smuggling turns into trafficking when:

- A smuggler extorts a ransom from a migrant;
- Migrants are sold to other smugglers and lose control of their destiny;
- A smuggler changes the agreement along the way. For instance, a migrant paid to be transported to Tripoli but the smuggler drops him in Sebha.

Trafficking: The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or position of vulnerability, or 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 (e.g. prostitution, sexual servitude, forced labor, removal of organs, slavery). While smuggling requires the illegal crossing of an international border, trafficking does not necessarily have to be transnational. The most fundamental difference between smuggling and trafficking is the fact that trafficking is classified as a crime against the individual whereas smuggling is a crime against the state (Nourhan et al, 2015).

EXECUTIVE SUMMARY

This report examines trends in smuggling and trafficking in and through Libya, and the extent to which smuggling and trafficking interact with governance and country or regional stability. The collapse of the Libyan regime in 2012 led to a proliferation of loose arms in North Africa and the Sahel, contributing to the continued erosion of the rule of law in Libya and in neighboring countries.[2] The region is characterized by various forms of illicit activity – from kidnapping for ransom; trade in weapons, drugs and contraband; to human trafficking – that have only been exacerbated by the prolonged conflict in Libya, which includes uncontrolled flows of irregular migration. Moreover, terrorism in the region and in Libya in particular, is increasingly linked to a range of organized criminal activities, including human trafficking.[3] As part of United States Agency for International Development (USAID) Countering Trafficking in Persons (C-TIP) efforts, USAID seeks to deepen its understanding of how patterns of human trafficking enable local conflict, and how trafficking influences governance and overall stability in Libya. To be clear, this report does not seek to analyze the impact of human trafficking and smuggling on a specific conflict, be it national or local. It aims to analyze the impact on the level of conflict, on proneness to conflict, which will be referred to as "conflictuality". Drawing from the evidence captured, this report seeks to identify overall implications for USAID strategies and approaches to dealing with governance issues in Libya, and to offer recommendations with respect to current and potential USAID programmatic directions or initiatives.

With these goals in mind, the report examines the following questions:

(1) What are the political, economic, social and broader regional factors fueling conflict in Libya?

(2) To what extent do human trafficking and smuggling contribute to conflictuality in Libya?

(3) To what extent do human trafficking and smuggling tie to other forms of illicit activity in Libya?

(4) What do human trafficking and smuggling networks look like – key actors? Involvement of state actors?

(5) What interventions exist to combat human trafficking and smuggling? Where are the gaps?

METHODOLOGY

Due to the limited availability of accurate information on illicit trade given the clandestine nature of the activity and volatile security conditions in Libya and the Sahel, this report draws on grey literature (such as reports, working papers, government documents, white papers and evaluations produced by government agencies, research institutions, non-governmental organizations, and academic centers), media and news articles, in addition to scholarly journals.

[2] Significant outflows are noted from Mali as well, a country also plagued by internal strife that has exacerbated by instability in Libya.

[3] Joint special meeting of the Counter-Terrorism Committee, the UN Security Council, "The nexus between international terrorism and organized crime," 2019, https://www.un.org/sc/ctc/wp-content/uploads/2019/05/Concept-note-final-web.pdf.

The methodology also draws on targeted data analysis to gather information on the local channels and networks through which migrant smuggling occurs and links to criminal or destabilizing organizations and networks. To facilitate data collection, NORC engaged the Global Initiative against Transnational Organized Crime (Global Initiative) to conduct qualitative data gathering within Libya through an informed network approach. Global Initiative is a network of global and regional experts working on human rights, democracy, governance, and development issues that are affected by organized crime. It maintains a program of research in Libya and publishes on the topic of human smuggling.[4] Importantly, Global Initiative has a network of local researchers and contacts located throughout Libya. Global Initiative worked with the NORC research team to develop questions related to human smuggling / trafficking and local governance that were presented to its network of trusted researchers in Libya. Although not a representative sample, the data from the network provides a rare and invaluable in-country perspective that the team analyzed and triangulated against the results of the more traditional evidence review sources described above.

Before conducting network fieldwork, the NORC team conducted a literature review for available evidence and analysis on the topics of research, including any existing documentation developed by Global Initiative. The NORC team then agreed on the most important questions through a validation workshop, and also conducted in-depth interviews with key experts to inform the paper. Global Initiative network researchers carried out data gathering October 1-December 27, 2019.

KEY FINDINGS

THE IMPACTS OF HUMAN TRAFFICKING AND SMUGGLING ON GOVERNANCE AND ECONOMIC DEVELOPMENT

As observed in many countries around the world, large and easily accessible economic resources and weak state institutions can give birth to powerful forms of organized crime, which in turn stifles the growth of state institutions and market economy. Organized crime can develop an industry of corruption, extortion, and violence that prevents market competition, effectively distorts democratic governance, and penetrates state institutions.

Illicit trade weakens state governing institutions. In Libya, human trafficking and smuggling, along with other criminal activities, offer a large and easily accessible economic resource that constitutes a key factor in the destabilizing growth of organized crime. At a time when the Government of National Accord (GNA) and the Libyan Arab Armed Forces (LAAF) are engaged in deep conflict, both camps officially endorse and legitimize well-armed and established traffickers and smugglers within their ranks. Over time, this "institutionalization" of corruption and organized crime leads to reverse take-over of state institutions by criminal organizations.

Trafficking undermines the legitimacy of local officials and prevents participatory governance. When their economic and military strength allows, human traffickers and smugglers, and other criminal groups, impose a governance system whereby local officials are allied to them. Furthermore, criminal organizations corrupt or take over justice and security organizations in order to

[4] See, for example, https://globalinitiative.net/human-trafficking-smuggling-nexus-in-libya/.

protect their interests, to the detriment of the public interest. The towns of Zawya, Garabulli, and Kufra offer three clear examples of this destabilizing mechanism.

Fueling corruption and shrinking the space for the licit economy. Human trafficking and smuggling constitute a significant source of income in Libya at a time when Libyans are confronted with protracted economic hardship. Once well-organized and powerful, organized criminal networks branch out from their businesses to control many types of lucrative economic activities through corruption or direct threats. Ultimately, the growth of the illicit economy in Libya cripples the already weak private sector, and hampers the development of an open and competitive market economy. Smugglers use their position of strength to rig public tenders and to drive out competitors. Moreover, state-endorsed and foreign-funded armed groups that include the coast guard, counter-migration units, detention center guards and administration – all of whom have ties to human traffickers and smugglers – profit from the "illegal migrants circular economy", created by the EU policy towards migration in Libya. The result is an institutionalization of organized crime.

Disruptions of circular migration patterns that support regional economies. Libya is not just a country of transit for migrants. To the contrary, Libya is primarily a country of destination, mostly for circular migration – at least it was until 2017, when the EU's support to state and non-state armed groups led to a dramatic drop in departures. One outcome of this support was the increased extortion of migrants through which human traffickers and smugglers have tried to offset their losses. In addition to the suffering of migrants in Libya, their families also endure severe psychological and economic hardship because they are increasingly forced to send money to save the life of their migrated family members. This new "business model" led to a drop in both the size and the nature of circular migration, whereby younger, unskilled migrants replaced skilled ones. This shift hurt Libya's economy, which is heavily reliant on migrants, and the economies of several African countries that greatly benefit from the remittances sent by their citizens working in Libya.

THE IMPACTS OF HUMAN TRAFFICKING AND SMUGGLING ON PEACE AND SECURITY

Trafficking provides cheap labor that fuels the conflict. The large numbers of young men, some of whom were fighters who had been forcibly recruited, provide Libyan armed groups with a large pool of human resources that can be used to support their war efforts. This support can be direct, through migrants' enrollment in Libyan armed groups and participation in fighting, or indirect, through their engagement in loading, transporting, and unloading weapons and ammunition.

Human trafficking and smuggling can fuel local conflict and dampen peace prospects. The large amount of income suddenly generated by the increase in human trafficking and smuggling and other highly profitable illicit activities since 2011 caused rapid changes in the distribution of power and wealth among tribes, ethnic groups, and towns. During these times marked by economic hardship and lawlessness, these changes often lead to intra- and inter-communal conflicts. In fact, many local conflicts in Libya since 2011 can be attributed at least in part to these dynamics.

Trafficking and smuggling dislocate communities' internal cohesion and disrupt social stability. Human trafficking and smuggling are highly lucrative activities that often disrupt social stability by quickly empowering low-skilled youth and criminals who do not respect the rule of law and social norms. Typically, successful new traffickers are young men who are willing to break the law and use

violence. Once empowered and enriched, these young men may adopt highly destabilizing behaviors in their own families, tribes or ethnic groups, and towns.

Illicit trade and human trafficking create a permissive environment for terrorism. Violent extremist groups are aided by the well-developed human trafficking and smuggling activities that they can tax in the territories they control, and from which they can buy services, such as safe transportation across national borders, or purchase weapons. Moreover, violent extremist groups can also recruit or forcibly enroll migrants although it seems that in order to do this, they must first assert their control over a territory over time. Lastly, Islamic State (ISIL) fighters can use well-established human smuggling mechanisms to reach Europe.

Human trafficking fuels racism against black Africans, and degrades relations among Libyans of different ethnicities. Human trafficking and smuggling seems to be one of the drivers of racism towards black Africans in Libya. In turn, this racism can also degrade inter-ethnic relations between non-black and black Libyans, either as a result of conflating black Libyans and African migrants, or by mimetism, that is replicating attitudes and behaviors observed in others.

THE STABILIZING IMPACT OF HUMAN TRAFFICKING AND SMUGGLING

Notwithstanding the many ways in which human trafficking and smuggling destabilize Libya, there are also ways in which these dynamics have a stabilizing effect on the local economy and on conflict. In a country marked by lawlessness and insecurity, any mechanism that can prevent or help resolve conflict, even if it is the result of criminal activity, should probably be preserved until a better one is established, unless we can prevent the adverse consequences that may result from its disruption.

Trafficking and smuggling support local economies. The most depressed areas in Libya are small towns far from the coast, which feel regularly neglected by the state. Many of these areas are precisely those through which human trafficking and smuggling networks operate. In these areas, human trafficking and smuggling offer sources of livelihood for the youth, who are largely unemployed. They also offer young men an opportunity to belong to a "business" group, which may prevent them from enrolling in terrorist armed groups, or from fueling conflicts. Also, Libya's economy heavily relies on migrants, and human smugglers provide the organizational infrastructure through which migrants come in and out of Libya. Lastly, human smugglers also offer an opportunity to young Libyans to migrate abroad in search of a better future, at a time when their country does not offer many promising prospects.

Trafficking and smuggling regulate interactions among tribes and ethnic groups. Human trafficking and smuggling can either aggravate or prevent inter-tribal or ethnic conflict. Once well-established and coordinated among local groups, human trafficking and smuggling can have a stabilizing effect on local peace and security. In fact, the communities involved in these illicit activities have an interest in carrying them out in a peaceful and orderly fashion to maximize benefits and minimize costs. If they fought each other, they would both create uncertainty about their future earnings, and jeopardize current ones. The type of impact that such illicit activities – and others – may have on security and stability appears to be tied to how well-organized these activities are, and to how much each community respects agreements. The interference of other actors, such as foreign armed groups and national forces, can disrupt equilibria among local tribes and ethnic groups, providing exogenous incentives to break agreements and compromise the status quo.

PROGRAM RECOMMENDATIONS

Help local Libyan authorities distinguish migrant smuggling from trafficking, and focus on the latter. The international community should help Libyans fight crime and human rights violations, not migration per se.

Encourage and support local authorities to provide migrants with work permits. Official work permits will protect migrants from abuses by Libyan authorities. Moreover, permits may help combat and contain criminal exploitation of foreign labor vs. legally paid migrants and help highlight their positive impact on the Libyan economy.

Support the development of an effective subnational migration governance structure. Support the Directorate for Combating Illegal Migration (DCIM) to develop Libya's migration management and facilitate coordination between national and subnational DCIM units, and between those units and local authorities. Currently, DCIM plays almost no role in migration management in key migration hubs, such as Bani Walid and most towns in southern Libya.

The following recommendations are consistent with the USAID Libya Program Plan 2018-2020:

Adopt targeted economic measures for communities who reside on Libyan migration routes. These might include: **(**1) providing support to develop livelihood opportunities for youth and training on entrepreneurship and income generation strategies; (2) cash-for-work projects that provide short-term income to local Libyan and migrant workers, while constructing or rehabilitating key local infrastructure, such as schools and healthcare facilities; and (3) providing cash assistance for essential items (e.g. food, water, cooking gas, and transportation) during times of need, using the multipurpose cash assistance (MPCA) program created by USAID's Office of U.S. Foreign Disaster Assistance (OFDA).

Develop a specific research and monitoring capacity focused on human trafficking and smuggling. Given the constantly changing landscape on the ground in Libya, international donors should continue to support the systematic generation of granular, context-specific information and analysis on the interplay between organized crime – particularly human trafficking and smuggling – and governance and stability in Libya. In addition, human trafficking and smuggling and Libya's context writ large are very fluid and changing. Thus, programs focusing on these activities must be equipped with very strong in-country monitoring and evaluation mechanisms that can provide *ad hoc* context-specific and timely tailoring and close verification of ongoing activities.

Adopt a human rights-based approach. USAID can explore leveraging its local governance and civil society programs to support civil society monitoring of human trafficking, engaging local academic institutions and researchers to study the impact of human smuggling and trafficking on their communities, and identifying and supporting local initiatives that provide protection to migrants.

1. INTRODUCTION

THE CURRENT LIBYAN CONTEXT

Eight years after the collapse of the Ghaddafi regime, Libya suffers from institutional division and the fundamental breakdown of the fabric of society. Moreover, the country is still mired in a civil war, which turned from a low-intensity confrontation to an open conflict on April 4, 2019. On that date, the self-proclaimed Libyan Arab Armed Forces (LAAF, aka the LNA) launched an assault on armed groups in Tripoli, which are loosely affiliated with the United Nations (UN)-backed government, the Government of National Accord (GNA). The absence of a unified front toward Libya among foreign actors, and the increasing presence of weapons and foreign mercenaries (Russians, Syrians, Chadians, and Sudanese, *inter alia*) indicate that the prospect of a political solution in the short term is unlikely.

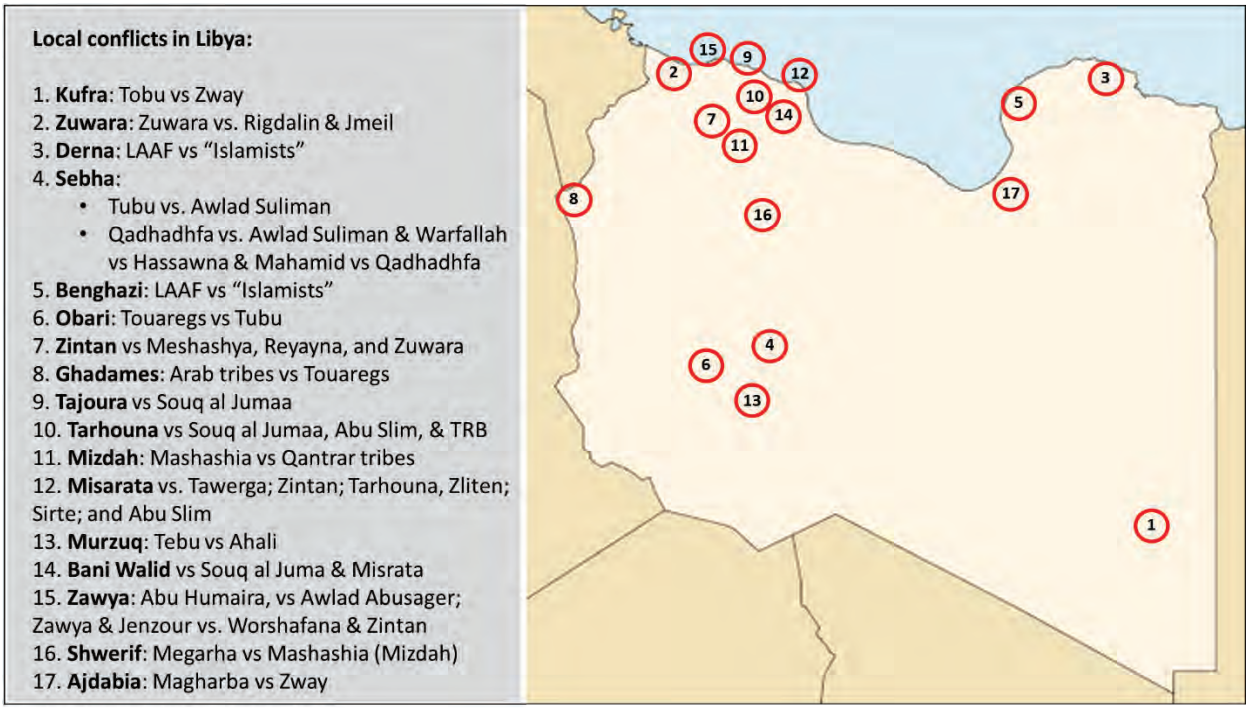
In addition to the national-level conflict, dozens of ethnic, tribal, and/or geographic communities are pitted against one other in localized conflicts mostly driven by economic interests and justified by historical grievances. Map 1 below provides an overview of most localized conflicts in Libya. Not all of them are active conflicts. However, all of them continue to compromise relationships among the communities involved. The competition among local and national actors and their need for armed support and financial resources to support the cost of fighting push decision-makers to see criminals and their lucrative businesses as assets rather than liabilities.

The destabilizing effects of foreign interference notwithstanding, the roots of Libya's conflicts and instability are anchored in numerous and profound endogenous challenges.[5] First, most of Libya's national institutions are weak and ineffective following decades of occupation by external powers and 42 years of dictatorship under Ghaddafi. Second, the country's institutions emerged in shambles from the 2011 revolution, only further weakened and divided. Notably, ongoing contestation for control of the state resulted in the cooptation of justice, security, and defense authorities by non-state actors, or in the control of institutions by competing military rulers (Romanet Perroux, 2017). Consequently, Libya's institutions are particularly vulnerable to the penetration of organized crime through forcible takeover or corruption.

Additionally, post-Ghaddafi authority incorporated almost all non-state armed groups that were fighting Ghaddafi's forces during the 2011 revolution into the state security apparatus. The legitimization of these non-state armed groups and their absorption as such into state security and defense structures dramatically undermined state-building efforts in Libya. In particular, armed groups incorporated kept the same internal chain of command and allegiance to their previous ideological, communal, and/or economic interests. Hence, state-recognized armed groups continued to operate as militias and pursued their own interests more often than not, in opposition to the interests of the state and the Libyan nation.

[5] For an in-depth analysis of Libya's structural challenges, see Romanet Perroux (2019).

Map 1. Local conflicts in Libya



The Libyan economy also significantly influenced the trajectory of the country's political transition. Given that Libya's wealth is almost entirely generated by the sale of hydrocarbon resources, which is managed by central state institutions, armed groups competed with each other for control of these institutions. The concentration of public funds in a few central institutions made "the winner-takes-all" creed the de facto rule of the game. This centralization of power and wealth provided more incentives for armed groups to compete over the control of the capital and of key state installations, thereby preventing political debate and impeding the state-building process.

2. ORGANIZED CRIME IN LIBYA

ILLICIT ECONOMY

The illicit economy in Libya includes a range of different, but often interconnected profitable activities. To a large extent, the scale and type of illicit activities in the country are a function of geographical location and they vary across time. For instance, the most dominant illicit activity for communities along the human migration route is usually human smuggling and trafficking. Conversely, communities that are close to the border (particularly with Tunisia and Egypt) largely exploit smuggling activities, namely fuel, but also soft and hard drugs, cigarettes, and even food. In large cities, by contrast, illicit currency exchange is more prevalent than other forms of illicit activities, although that has now decreased compared to the period between 2015 and 2018, due to the drop in black market exchange rates that resulted from Libyan economic reforms, as will be discussed later. This said, there is a considerable level of geographic overlap among illicit activities. For instance, the city of Zawiya – a city between Tripoli and the Tunisian border – is known for human and fuel smuggling given that it has an oil refinery and is also a hub for human migration. Only two types of smuggling activities constitute exceptions: heavy drug

trafficking (e.g. cocaine) and weapons smuggling are separate from other smuggling activities (Micallef, author interview, 12 September 2019). Lastly, the nature and distribution of illicit activities constantly change in response to constraints and opportunities, usually adapting very rapidly to changing circumstances.

The most prevalent and lucrative illicit activity after drug and weapons trafficking in Libya is fuel smuggling (Micallef, authors interview, 12 Sep. 2019). It is estimated that one third of Libyan subsidized fuel is being diverted from formal selling channels annually (Eaton 2019). Every year, the Libyan government allocates substantial financial resources to subsidize the price of fuel. As a result, smugglers, in activity that has been ongoing for decades, move the commodity to neighboring countries. Private cars with modified fuel tanks cross Libyan borders on a daily basis as smugglers sell their load of Libyan fuel abroad at hefty profit. During the Ghaddafi regime, actors smuggled fuel on a limited scale, because of pervasive state surveillance and policing. Fuel smuggling was used by the regime as a tool to "strengthen families or tribes deemed to be compliant [to the regime], at the expense of those that were not" (Micallef 2017, 4). Activities also heavily involved regime intelligence services who controlled who could exploit smuggling and held the scale of the business in check. When the international community levied sanctions against Libya in the 1990s, the regime occasionally even encouraged smuggling activities (Micallef et al 2019, 52-53).

After the 2011 revolution, smuggling of fuel expanded dramatically due to the collapse of the Libyan state security apparatus, and to wide differences between fuel prices in Libya and neighboring countries. The political crisis that was exacerbated by the election of the House of Representative in June 2014 resulted in the breakup of most central state institutions. The large depreciation of the Libyan dinar that resulted from the political crisis rendered transnational smuggling even more lucrative (Zway 2017, 18).

The deterioration of the security situation in Libya and the lack of control and enforcement also contributed to the emergence of a domestic black market for fuel and cooking gas. In addition to being smuggled abroad, fuel and cooking gas are diverted from formal distribution networks, and sold domestically at higher prices than official ones through parallel illicit networks, with the complicity of security authorities (Micallef et al 2019, 64). The highly-profitable and unbridled diversion of Libyan fuel from the formal distribution network caused the emergence of 'ghost stations' across Libya, which are gas stations that only exist on paper. In late 2017, the National Oil Corporation (NOC) launched an investigation into fuel smuggling in western Libya. It found that of the "105 petrol stations surveyed to which fuel is delivered regularly, 87 of them – 83 per cent – were non-operational" (Eaton 2019). The extent to which the owners of these 87 gas stations have ties into the main fuel supplier in the area, the Al-Zawiya Oil Refinery, is unknown. However, the scale of the phenomenon betrays the connivance of state authorities. Besides the ghost stations, black market dealers and smugglers also buy a large quantity of fuel from operating fuel stations to smuggle it abroad or re-sell it on the domestic black market for a higher price (Eaton 2019). Armed groups are heavily involved in this business in many ways. Firstly, they collect "protection" fees to allow the passage of fuel trucks, which is referred to as a protection economy. Secondly, since most militias are officially recognized by the state and are affiliated to the ministry of interior or to the ministry of defense the state officially allocates them fuel, which they illicitly sell on the black market (Eaton 2019).

The result of this large-scale fuel smuggling is an unlikely paradox whereby the citizens of a country that extracts and exports an immense amount of oil and gas find there is not enough for themselves.

Incredibly enough, Libyans are often forced to buy fuel and cooking gas from the Libyan black market at higher prices than what their neighbors pay for Libyan fuel. At times, typically during clashes, conflict-affected communities have no other choice than buying fuel from the black market at prices that can be up to 15 times the official one (Eaton 2019). Fuel diversion is particularly common in the south of Libya due to the security situation. The same phenomenon often happens with other subsidized goods such as wheat, sugar, and bread, although to a lesser extent (Zway 2017, 16).

The other mass-scale illicit activity is the black market for foreign currency exchange. Although Libya has long been black market for foreign currencies, the depreciation of the Libyan dinar caused a dramatic expansion of this black market. For instance, unofficial estimates indicate an increase in the number of currency exchange dealers at Tripoli's Souq al-Turk "from around 200-300 pre-crisis to nearly 2,000 dealers by mid-2016" (Zway 2017, 19). Allegedly, most of the new currency dealers are trade businessmen who make use of their privileged access to foreign currency through the Letters of Credits (LC). These are issued by the state to allow the financial transactions in foreign currency that are needed for importing goods. Under the restrictive measures on wire transfers imposed by the Libyan Central Bank, LCs were almost the only way to obtain foreign currency at the official exchange rate. Because of the huge difference between the official rate and the black-market rate (at its peak, the exchange rate between LD and USD was 1 to 9.5, whereas the official exchange rate was 1 to 1.4), obtaining foreign currencies at the official rate and selling them at the black-market rate generated tremendous profits (Harchaoui, 2018). One of the perverse effects of this illicit trade was that trade businessmen imported fewer goods or none at all, preferring to sell their foreign currency on the black market. Of course, this illicit activity builds on, and fuels widespread corruption of Libyan border control and customs authorities (Harchaoui, 2018).

At its peak, between 2016 and 2018, the illicit sale of foreign currencies provided by the state through LCs were the most sought-after illicit business. Many Libyans referred to it as the 'cleanest' business, which means that it did not involve human or fuel smuggling. Tripoli militias largely participated in this business by developing ties with employees inside the bank or through blackmailing and extorting bank employees (Zway 2017, 23 and SAS, 2018, 10). The LCs-linked illicit business also helps explain the interest of armed groups to control key installations in Tripoli, and their interest in protecting the state authorities (Presidential Council and GNA) who grant them LCs. Presently, there is still profit to be made through LCs, but it is not as profitable as it used to be, as the economic measures adopted by the GNA and Central Bank of Libya in September 2018 greatly reduced the gap between the official exchange rate and the parallel exchange rate.

The activities explained above are only a few of a spectrum of illicit activities that shape Libya's reality. Libya's illicit economy seriously threatens state-building efforts and perpetuates conflict. It creates an enabling environment for both state (e.g. corrupt political elites) and non-state actors (e.g. armed groups) to generate substantial revenues. Libya's illicit economy also provides economic opportunities for two other sets of actors. Firstly, it fuels small criminal gangs who profit from raids and kidnappings along the routes and around the hubs of illicit businesses (Micallef et al 2019, 58). Secondly, it supports small businesses that provide services to support criminal activities, such as renting of warehouses, catering, and the provision of cheap labor. It is important to keep in mind that as these two sets of actors depend on the criminal economy, and with no alternative economic opportunities, any attack on this economy could potentially be perceived as an attack on them too.

HUMAN TRAFFICKING AND SMUGGLING

Due to the large flow of migrants through Libya on their way to Europe since 2011, the facilitation of this migration flow became a lucrative business. This promising business led to the emergence of several actors who are direct beneficiaries, and it has affected and been affected by local and national dynamics in Libya over the past nine years.

ACTORS

The first and most common actor is the smuggler. Smugglers typically provide "transportation services" for migrants crossing the southern Libyan borders illegally and wanting to head up north to cross the Mediterranean. Some of them work as freelancers, offering their services to different brokers. Others work within a well-established network of smugglers and brokers (Alslawi, authors' interview, 3 Sept. 2019). These smugglers are mostly young Libyans for whom money is the most important incentive. Reportedly, individuals as young as 25 years old may earn millions of dinars in cash and properties from smuggling illegal migrants from one place to the other (Alslawi, authors' interview, 3 Sept. 2019). Although it is a fairly open business, most of Libya's territory, particularly in the south, is divided into areas of influence of local tribes or ethnic groups. Hence, smugglers often operate within territories under their tribe or ethnic group's control. For instance, the road from Murzuq to Sebha is controlled by Tabu ethnic group. The next segment on the same route which stretches from Sebha to Brak Elshati is under the control of the Magharha tribe. This is not to say that tribes run smuggling activities themselves. It means that only smugglers from the tribe or ethnic group that control a specific territory can freely and safely operate within it. Often tribal or ethnic leaders do not approve of smuggling and trafficking activities, but they are powerless to stop them (Alslawi, author interviews, 3 Sept. 2019).

A second set of actors is the Detention Center (DC) guards. In 2012, the Ministry of Interior established the DCIM.[6] Among several duties, the DCIM is in charge of managing all DCs in the country. The DCs host all individuals that violate the conditions of entry, exit, or residency in Libya. Most of the DCs are located in the north of the country and in large cities. The DCIM was created to reassert control of DCs operating beyond the state's purview (EEAS 2017, 37). The number of DCs under the oversight of the DCIM varies between 17 and 36 (Amnesty 2017, 27). Confirmation of the exact number of official DCs that are currently active is difficult, since the DCIM frequently shuts down centers and opens others. Moreover, it is not clear which DCs are actually under the purview of the DCIM oversight and to what extent, and which are not, given that many of the DCs are run by militias which operate DCs unsupervised. (Amnesty 2017, 27). DCs drew international attention because of the horrific conditions of detained women, men and children. Numerous reports found the direct involvement of guards in torturing and extortion of migrants (inter alia, see Amnesty 2017, and PCEU 2019).

Another key actor is the Libyan Coast Guard (LCG). The LCG is a law enforcement agency that is tasked to combat all illegal activities within the Libyan territorial waters (EEAS 2017, 40). Organizationally, the LCG is under the Ministry of Defense. The LCG coordinates with the DCIM regularly for disembarkation and handling of migrants who are intercepted at sea and brought back to DCs. In 2019, the LCG intercepted over 9,000 migrants at sea. (UNHCR Dec. 2019 Update). The LCG is a highly fragmented institution. Internal problems and the lack of coordination with the DCIM has

[6] Cabinet Decree No. (145) of 2012. Full text is available at https://security-legislation.ly/node/32243

occasionally led the LCG to free migrants at disembarkation rather than hand them over to the DCIM authorities. The LCG also played a very controversial role at the peak of the human trafficking and smuggling activities in Libya. As will be explained later in the report, some of the units inside the LCG made a fortune from cooperating with smugglers, and some smugglers were in fact LCG officers themselves (Micallef, authors' interview, 12 Sept. 2019).

In addition to these actors, there are the Samsar (fixer) and the Mandoob (broker). Both play a key role in human trafficking and smuggling operations in Libya. The Samsar facilitates the rental, or sometimes sale of migrants to local businesses who benefit from cheap labor. In many cases, migrants need to work to pay smugglers for their release and/or transportation along the next leg of their journey. The Mandoob facilitates the transfer or sale of migrants from one smuggler to another.

Although the terms human smuggling and human trafficking are used interchangeably in the context of Libya, there is a difference between the two both in legal terms and in practice, as clarified in the "definitions" section at the beginning of this report. Given that the scope of this research is to understand the overall impact of the business of human trafficking and smuggling on governance and stability in Libya; the terms 'Human Trafficking and Smuggling' (HTAS) will be used henceforth.

HUMAN TRAFFICKING AND SMUGGLING MECHANISMS

Because of Libya's geographical location, HTAS activities are common there. Prior to the 2011 revolution, the phenomenon was very limited in scale and was run by loosely connected groups, diaspora facilitators, and migrants (Micallef 2017, 7). In addition to being limited, the regime tightly controlled and monitored HTAS. The regime also used HTAS as a political tool to pressure European countries. The famous €5bn "Friendship and Cooperation" agreement signed in 2009 between the Italian Prime Minister Silvio Berlusconi and Colonel Ghaddafi clearly demonstrated Ghaddafi's use of migration control as a bargaining chip. In the agreement, Libya committed to strengthening its counter-HTAS efforts in exchange for economic investments and reparations. Two years after signing the agreement, the number of migrants crossing the sea dropped from 37,000 in 2008 to only 4,500 in 2010 (Micallef 2017, 4).

After the 2011 revolution, the market for HTAS experienced 'liberalization', which meant that barriers for new smugglers and traffickers were completely lifted. Since then, HTAS in Libya has become an "illicit trade embedded across the country, encompassing and feeding on the political economy and geopolitics of Libya's Southern, Eastern and Western borders" (Micallef 2017, vi). The collapse of the state security apparatus was the primary trigger for this liberalization. Specifically, it was the widespread availability of weapons and the involvement of armed groups that allowed the business to flourish (Micallef 2017, 8). Consequently, the market experienced an expansion and an industrialization through the development of new facilitative mechanisms. One of them is the *Hawala*[7] system, which is an informal financial system that relies on a large transnational network of intermediaries to facilitate payments between migrants/diaspora families and smugglers, as well as between smugglers themselves (Micallef 2017, 6). To be clear, hawala mechanisms have existed throughout Africa for decades. However, in Libya they greatly expanded alongside the development of human trafficking and smuggling. The expansion of hawala in Libya was also aided by the large influx of Syrians migrants in 2012 and 2013

[7] *Hawala* is an Arabic word that means a financial transaction.

whose greater financial capabilities helped structure and improve the efficiency of the HTAS business in Libya (Micallef 2017, 5).

As was the case with other illicit activities, HTAS business experienced another substantive expansion after the 2014 political crisis. Among several other reasons, this expansion was tied to the depreciation of the Libyan dinar against foreign currencies. As a result of the political crisis, armed groups gained more power and extended their territorial control. In turn, they facilitated the expansion of "smugglers' logistical capacity and further increased efficiency, opening the Libyan territory to a lot more 'business'" (Micallef 2017, vii). Besides providing territorial access, powerful militias that previously had only secured safe passage for migrants in exchange for a fee, actively entered the business of HTAS and seized control of the main migration routes in Libya. The high degree of profitability of human trafficking and smuggling between 2014 and 2017 and the access to foreign currencies that they provided drove several militias to enter these businesses. In turn, these developments led to the emergence of transnational consortia of smuggling networks capable of handling large volumes of migrants across a large territory.

It must be noted that, as a result of the European stigmatization of immigration through Libya and the Central Mediterranean Route, Libya is perceived as a country of transit that is crossed by migrants whose sole objective is to reach Europe. The historic reality is quite different. Most migrants either aim to live in Libya, or to work there for a period of time ranging from months to years before returning to their countries of origin. This latter phenomenon is called circular migration. However, over the last few years Libya is increasingly becoming a country of transit, due to increasingly common and escalating conflicts, economic hardship, and violence against migrants.

The expansion of HTAS has also led to an increase in the number of human rights violations in Libya. In April 2017, International Organization for Migration (IOM) asserted that it had evidence of slavery in Libya (BBC 18 Nov. 2017). Raising further alarm for the situation of the migrants in Libya was the realization that there was no information on migrant registration or any sort of data on the number of migrants detained at the different DCs, thus impeding efforts to track disappearances (GI and Clingendael Institute 2019). The kind and level of abuse and extortion experienced by migrants in Libya is widely documented. Amnesty International's 2017 report titled *Libya's Dark Web of Collusion* is one of the several well-investigated reports on the matter.[8]

Since mid-2017, the business of human smuggling and trafficking has been declining. Principally, this decline has been driven by the controversial Italian cash-for-migration-control strategy, which was jointly implemented with Italy and the GNA. The strategy financially incentivized the emergence of counter-human trafficking and smuggling businesses in Libya. Traffickers and smugglers became state security units supposedly fighting the very activities they had carried out. Local conflicts between different armed groups across the migration route also affected human trafficking and smuggling, as will be detailed in the sections analyzing the links between human trafficking and smuggling, governance, and stability. One example is the violent conflict that escalated in 2015 between Tuareg and Tebu in Ubari, which caused great disruption to the HTAS activities within this key migratory route. In fact, this event almost shut down the flow of migrants coming from Ghat, a key hub for migrants coming from western African (Global Initiative and Clingendael Institute 2019, 25).

[8] The full report is available at https://www.amnesty.org/download/Documents/MDE1975612017ENGLISH.PDF

However, these recent developments do not mean that the human smuggling and trafficking business is less lucrative. Actually, some suggest that even after the decline in activity, trafficking and smuggling continued to be lucrative as smugglers adapted to the new market climate by charging higher prices than before (Khairallah, authors' interview, 7 Sept. 2019).

The repercussions of ongoing war in Tripoli dramatically affected human trafficking and smuggling as soon as conflict erupted in April 2019. Access to embarkation points around Tripoli became very limited due to continuing clashes, and fighting drew in some of the militias involved in human trafficking and smuggling. Only 345 migrants departed from Libya in April 2019, which is only 9% of the equivalent figure in April 2018 (Global Initiative monitoring May 2019, 10). Though HTAS surged again after May 2019, the total number of departures barely reached 40% of the total number of departures in 2018 (UNHCR Dec. 2019 Update).

However, human traffickers and smugglers were also undeterred by the ongoing war in Tripoli, and they adopted new mechanisms. For instance, at the embarkation points, smugglers have begun to concentrate embarkation activities over a short period of time to overwhelm the LCG and maximize the likelihood of getting some boats safely through (Global Initiative monitoring May 2019, 10). Additionally, smugglers have focused their activities on easy-to-access and relatively less risky embarkation points, such as Zliten and Al-Khoms, which are easily accessible from Bani Walid, a key migration hub.

LINKS BETWEEN HUMAN TRAFFICKING, SMUGGLING AND OTHER ILLICIT ACTIVITIES

Human trafficking and smuggling have characteristics and mechanisms that are peculiar to the hosting and transfer of human beings. However, there is a great deal of interplay between HTAS and other smuggling activities such as fuel, goods, drugs, etc. The substantive expansion of the HTAS business in 2014 took place for other illicit activities as well. This across-the-board expansion was largely due to the development of a hybrid criminal organization that brought together criminal networks who possessed the know-how and militias who had territorial control. This cooperation between criminal groups produced economies of scale linked to improved efficiency and cost-effectiveness. For instance, the development of a large-scale maritime fuel smuggling trade provided an enabling environment for the development of mass-scale sea crossing of smuggling boats. Specifically, besides building on domestic factors such as the logistical infrastructure and the protection economy, HTAS capitalized on the regional and international criminal networks that had been established for fuel smuggling in the aftermath of the 2011 revolution.

At the micro level, many smugglers trade different commodities alongside migrants, in the same truck (Khairallah, authors' interview, 7 Sept. 2019). Also, some smugglers switch back and forth between different kinds of illicit activities depending on the market climate and the profitability of each trade. For instance, when HTAS became politically toxic and not as lucrative, Abu Grein and Ahmed al-Dabbashi – both sanctioned by the UN Security Council for their smuggling and trafficking activities – oriented their focus toward trafficking of hashish, which remained largely under the radar of local law enforcement and international bodies working on Libya.

3. IMPACTS OF HUMAN TRAFFICKING ON GOVERNANCE AND ECONOMIC DEVELOPMENT

As observed in many countries around the world, large and easily accessible economic resources and weak state institutions can give birth to powerful forms of organized crime, which in turn can stifle the growth of state institutions and market economy. To be sure, organized crime groups does aim at becoming the state; they prefer to control the state to the extent that this allows them to prosper through illicit activities and the coercive take-over of licit ones. The development of the Colombian cartels and the scourge of the four mafia organizations in Italy are proverbial examples of how organized crime can develop an industry of violence and extortion that effectively distorts democratic governance and penetrates state institutions.[9]

THE WEAKENING OF STATE INSTITUTIONS

In Libya, along with other criminal activities, human trafficking and smuggling provide a large and easily accessible economic resource, contributing to the destabilizing growth of organized crime. Weak state institutions, and more specifically the associated lawlessness and insecurity, provide the ideal environment for this growth. In addition, national and local conflicts push state authorities – both the GNA and LAAF - to officially endorse and legitimize well-armed and established traffickers and smugglers within their ranks. Confronted with an existential threat, this is often their only choice. Over time, this "institutionalization" of corruption and organized crime leads to reverse take-over of state institutions by criminal organizations. Paradoxically, international organizations often ended up reinforcing these actors to contain migration. As militias, traffickers, and smugglers recycle into security forces officially tasked to control migration, paid and supported by the European Union, the rule of law and state institutions continued to erode (Micallef and Reitano 2017, Michael et al 2019).

It must be noted that both the GNA and the LAAF have officially recognized, endorsed, or enrolled traffickers and smugglers. Hence, these actors have penetrated state institutions in both Eastern and Western Libya. In 2018, a report described how "Tripoli's armed groups are developing into powerful criminal networks that link commanders with politicians, influential businessmen, and the incumbents of key administrative positions" (SAS 2018, 16). In an example of the power and influence of human smugglers, in March 2019 Mohamed al-Khoga, militia commander in charge of the Tariq al Sikka detention center and suspected of being heavily involved in human trafficking and smuggling, prevented Colonel Abdelhafiz Mabrouk, the new head of the DCIM, from taking office (Micallef, authors interview, Oct 2019). Colonel Mabrouk was appointed by the ministry of interior and tasked to close some DCs. All-Khoga and his loyalists strongly resisted the decision and temporarily laid siege around the DCIM offices. Colonel Mabrouk acknowledged widespread corruption and collusion between traffickers, militias, the coast guard and even the government itself: "They are in bed with them, as well as people from my own agency" (Michael et al 2019). In fact, official DCs, which are nominally under the control of DCIM, are part and parcel of the human smuggling and trafficking business in Libya (this mechanism is explained in the section on the economic influence of human trafficking and smuggling).

The management of migrants in al-Khoms offers yet another example of the extent human smugglers have infiltrated state institutions and the extent of corruption from within institutions. Al-Khoms is a town of 200'000 inhabitants 120km East of Tripoli. Between 2018 and 2019, the area between Garabulli

[9] For more on the development and functioning of mafia, see Gambetta (1996).

(60km East of Tripoli) and al-Khoms was one of the most important and active areas for human smuggling. Although interior minister Fathi Bashagha ordered the closure of the al-Khoms DC in July 2019, DCIM officials reported in early September, dozens of migrants disembarked in al-Khoms and were transferred to the DC where traffickers and smugglers held migrants until they received money for their release.[10] Further investigations by Global Initiative researchers indicate that a corrupt network operates similarly around the al-Khoms port. This network comprises:

- The Karawana militia led by Amir Bin Amir (aka Karwana), whose headquarters are near the port;
- Ali Bu Sittin, an experienced criminal who is the linchpin connecting the LCG, al-Khoms detention center officials, and the port security;
- "Bolis", another criminal go-between for the al-Khoms detention center and officials at al-Khoms port.
- Key figures of the LCG in al-Khoms, including "Sniew", a powerful Misrati; and
- Allegedly Mohamed Burifat, the head of the Investigation and Arrest Unit of the DCIM in al-Khoms

Reactions to the arrest of Fahmi Salim Musa Bin Khalifa from Zuwara (Zaptia 2017), considered the "king of smuggling," are also telling. In August 2017, the town's most prominent and respected security enforcement unit, the Zuwara Counter Crime Unit or "Mukhannain" ("the masked men") arrested Fahmi Slim in Zuwara. This arrest resulted in widespread popular discontent that led to the marginalization of the security group. Since then, the Mukhannain are unable to target local smugglers. Meanwhile, the Zuwara Security Directorate intercepts migrants on the coast or in safe houses while allowing local smugglers to go free. As a result, during the summer of 2019, Zuwara became, once again, one of the most active migrant departure points in Libya (Global Initiative monitoring, August 2019, 2).

Zawya is another city that epitomizes the reverse take-over of state agencies by human traffickers and smugglers, and more broadly by criminal armed groups. The narrative summary of reasons provided by the UN Security Council for the listing of Mohammed Kachlaf among individuals targeted by sanctions portrays well the extent to which criminal networks have extended their control over Zawya:

> *Mohammed Kachlaf is the head of the Shuhada al Nasr brigade in Zawiya, Western Libya. His militia controls the Zawiya refinery, a central hub of migrant smuggling operations. Kachlaf also controls detention centers, including the Nasr detention center – nominally under the control of the DCIM. As documented in various sources, the network of Kachlaf is one of the most dominant in the field of migrant smuggling and the exploitation of migrants in Libya. Kachlaf has extensive links with the head of the local unit of the coast guard of Zawiya, al-Rahman al-Milad, whose unit intercepts boats with migrants, often of rivalling migrant smuggling networks. Migrants are then brought to detention facilities under the control of the Al Nasr militia, where they are reportedly held in critical conditions* (UNSC/SC 13371 - LYi.025, 2018).

[10] To provide a sense of the income generated by human smuggling activities, in mid-2019, the price for a single place on a rubber boat was approximately LYD2 500 (€440 at the unofficial exchange rate at that time). A local researcher estimated that a boat carrying 100 migrants would create a profit of around LYD175 000–LYD200 000 (€31 000–€35 000) once costs were considered. In a context deeply affected by conflict and economic hardship, it is easy to imagine how criminal groups coopt security forces and corrupt state officials.

Similarly, in the East, a 2019 report concluded, "The military's strategy of predation is blurring lines between licit and illicit economic activities, both falling under the control of a military actor [the LAAF]. This overlapping of the economic interests of military actors and smugglers reinforces the merging of illicit and legal interests" (Global Initiative and Noria Research 2019, 2). The same report pointed out that "the LNA deployed a strategy to sponsor armed groups in spite of their known involvement in the human-smuggling business, providing them with political and military support."

UNDERMINING THE LEGITIMACY OF LOCAL OFFICIALS AND PARTICIPATORY GOVERNANCE

There is also evidence of the destabilizing effect of human trafficking and smuggling on state institutions at the local level. Democratic and participatory local governance rest on popular participation, and on the popular accountability of local elected officials. Human traffickers and smugglers, and other criminal groups prefer to impose a governance system whereby local officials are allied to them. Furthermore, criminal organizations corrupt or take over justice and security organizations in order to protect their interests, to the detriment of public interest.

The case of Zawya illustrates particularly well how human traffickers and smugglers distort local governance by disempowering local security and municipal officials. Local politics, economy, and security are largely dominated by the Awlad Buhmeira network, which is involved in fuel and human smuggling among other activities. Allegedly, this criminal network is headed by Ali Busriba, Professor at Zawya University and member of the House of Representatives.[11] During the 2011 revolution, Ali Busriba joined the revolutionaries as a tank driver. He created the Nasr militia and appointed Mohamed Kashlaf as its commander. Kashlaf allows Busriba to profit from lucrative criminal activities and to control security from behind the scenes, while pursuing his political ambitions undisturbed.

In 2017, the inhabitants of Zawya elected their local representatives. One of the candidates was Wajdi al-Tayeb, a well-respected political science professor at Zawiya University. Ahead of the elections, Ali Busriba met him and allegedly offered to support him to be the mayor of central Zawiya if he promised to cooperate with him in the future, but he refused. Despite al-Tayeb's qualifications and honesty, he was not elected and local contacts asserted that he lost because he lacked the support of powerful players. Thus, Ali Busriba endorsed another candidate, Jamal Bahr, who became Zawya's mayor after Busriba provided a large sum of money to his campaign. According to local informants, since his election, Jamal Bahr has served the economic and political interests of the Awlad Buhmeira network:

> *At first, [the mayor] was honest and hardworking, but when you make allies who are corrupt they corrupt you. Even if you resist they will corrupt you. There is no direct proof, but when he became mayor he gave contracts to Hassan Busriba – the brother of Ali – contracts to clean the city, to rebuild roads. Hassan imported a facility to recycle the rubbish and got an LYD 6 million contract which came to an end on 4 April.* (Zawya informant, Global Initiative interview, Oct 2019)

In November 2018, Jamal Bahr disbanded the municipal Majlis al-Shura (Advisory Council), which advises the mayor. Islamists who were Busriba's rivals controlled the Shura. In this way, the Islamists lost both

[11] Multiple author interviews with Libya researchers.

the municipality and the Shura, leaving local governance under the control of the Awlad Buhmeira criminal network.

GARABULLI

The collusion of powerful militias with human traffickers and smugglers also contributes to insecurity and weak governance in Garabulli, particularly during the period leading up to June 2016. Garabulli is a small town 60 km east of Tripoli, whose history as a human-smuggling hub stretches from before 2011 to the present. The Bayou Battalion, a Misrati militia that dominated the town, protected the locality and effectively controlled local governance. Local contacts interviewed in 2016 lamented that the Bayou Battalion controlled the main checkpoint controlling access to Garabulli, which it used to tax smugglers. Local inhabitants also blamed the militia for protecting people smugglers and facilitating their development in Garabulli, which in their eyes explains the dramatic increase in migrant departures from the town between 2013 and 2016. In addition to supporting local human traffickers and smugglers, local inhabitants lamented that members of the Bayou Battalion were arrogant and harassed residents.

Before drawing causal connections between human trafficking and smuggling and weak governance, however, it must be highlighted that Garabulli's local municipal and law enforcement authorities were unable to counteract the intrusion and the dominance of the Bayou Battalion in the first place. Garabulli and the surrounding area have long been attractive for human smugglers precisely because of its weak governance and rugged terrain, which is difficult to police. The area offers embarkation points that are isolated, mountainous and rugged, which makes it difficult for law enforcement to access. Garabulli is also equidistant between bigger neighboring towns, sitting at the intersection of the areas that they control. The Garabulli case provides an example of how human trafficking and smuggling can result from weak governance while simultaneously causing weak governance.

KUFRA

The strengthening of armed groups involved in human trafficking and smuggling also affected local governance in Kufra, and corrupted security and defense forces. Kufra is a small town in the southeast of Libya with a population of about 65,000, two-thirds of which belongs to the Arab Zway tribe, and one-third to the Tubu tribe. The Kufra Military Zone is commanded by Belqasim al-Abaaj, a Zway from Kufra who headed the local branch of Libya's Military Intelligence for two decades under Ghaddafi. Given the large authority granted to the military governor appointed by the LAAF, there is limited room for participatory governance. Furthermore, the fact that members of the Zway tribe dominate both Kufra's security and defense forces, and the municipal council, casts serious doubts on their ability and willingness to govern and police the Kufra region impartially.

Belqasim al-Abaaj and the LAAF heavily rely on the Subul al-Salam militia, an armed group formed of Zway fighters that became the largest military actor in the southeast of Libya owing to the strong support the militia received from the LAAF.

Despite the media rhetoric and communication campaigns through local social media pages[12] (most of which have been removed since) that describe Subul operations against human trafficking and smuggling, the 2019 report concludes:

> *Measures recently taken by the military governor to counter smuggling activities do not seem to have had any impact on smuggling in al-Kufra* (Global Initiative and Noria Research 2019, 15).

Quite the opposite, Subul al-Salam is directly involved in human trafficking and smuggling. The same report says "sources close to the group claim that several members of Subul al-Salam are directly involved in the smuggling business and transport of migrants. Moreover, migrant convoys travel along the road and pass by checkpoints controlled by the group" (Global Initiative and Noria Research 2019, 15). In August 2019, a contact in Kufra described how Subul al-Salam and by extension the LAAF are involved in human smuggling:

> *At the moment the LNA is unofficially participating in migrant smuggling in the area of Kufra as Subul al-Salam controls the migration routes and some big names in the LNA in Kufra and their sons are well-known to be part of this...* (Kufra informant, Global Initiative interview, August 2019)

These allegations echo those explicated in the UN Panel of Experts report: "The Subul al-Salam Brigade, affiliated with LNA, is involved in the smuggling of migrants despite being mandated by LNA to combat trafficking at the border. The brigade provides escorts to convoys from the border with the Sudan to Kufra at a rate of 10,000 dinars per pickup. In Kufra, it holds migrants at the al-Himayya camp, where extortion and forced labor have been reported" (UNSC/S 812, 2018, 15).

The Subul al-Salam accumulated wealth through its direct participation in, and control over human trafficking and smuggling. This control enables the group to play a central role in local governance, distorting the social contract between citizens and local officials. A local contact explained that:

> *The Kufra Municipality has received hardly any funding from the Interim Government. But Subul al-Salam has given it LYD 12 million. When people are in need they forget the morals or principles. The municipality accepted this money and has used it to fund the roads and hospitals, lots of projects. Maybe if the municipality and Kufra Military Zone had a budget and didn't need the money from Subul al-Salam they would have their own ideas about stopping human smuggling and other things like that.* (Kufra informant, Global Initiative interview, October 2019)

It must be noted that although recent security and governance dynamics shaped by the involvement of the LAAF dictate the ways through which human trafficking and smuggling destabilize the region, trafficking and smuggling activities have been present for decades, if not centuries. Whether their presence has destabilizing or stabilizing effects, therefore, depends on factors that are exogenous to the illicit trade itself, and that have linkages to the level of social integration and cooperation. To be sure,

[12] See: https://www.libyaakhbar.com/libya-news/688216.html?__cf_chl_jschl_tk__=4ef63e2f4d7c6545d50e97fb9bcec53b660dfdb0-1581868453-0-ARFSpnxdEj4d6claySy1IL50a3tqW1wQx5YP2igzUjOq0g0REbOCjwBz78X72KQchIRuvboIlzo6umi_YkayG6SPsCnOL6XVVc6JHQ6spVNtx68GmEwqfn0JwEgh6kYG5hIRc0E3D8oKT_IYTVfR6Eg0zLOwGiUHsZ1XmICGP5mWazDZYEr61H10FG3pzXb3FniADAgBiMc6GKPluIL--JABfmXACKhRXTCcjVQO1VPe7qsYVr06Icpd7N_Ccu9IZQeY0toz3jdax68X8PK5-Q5e7xNm-bhPCb3d_Itbm4gVBsXqChJ4YAMoEVTEEtH0qQ

when social tensions exist among communities such as in Kufra, human trafficking and smuggling exacerbates conflicts over the control of power.

CORRUPTION AND THE SHRINKING SPACE FOR LICIT ECONOMY

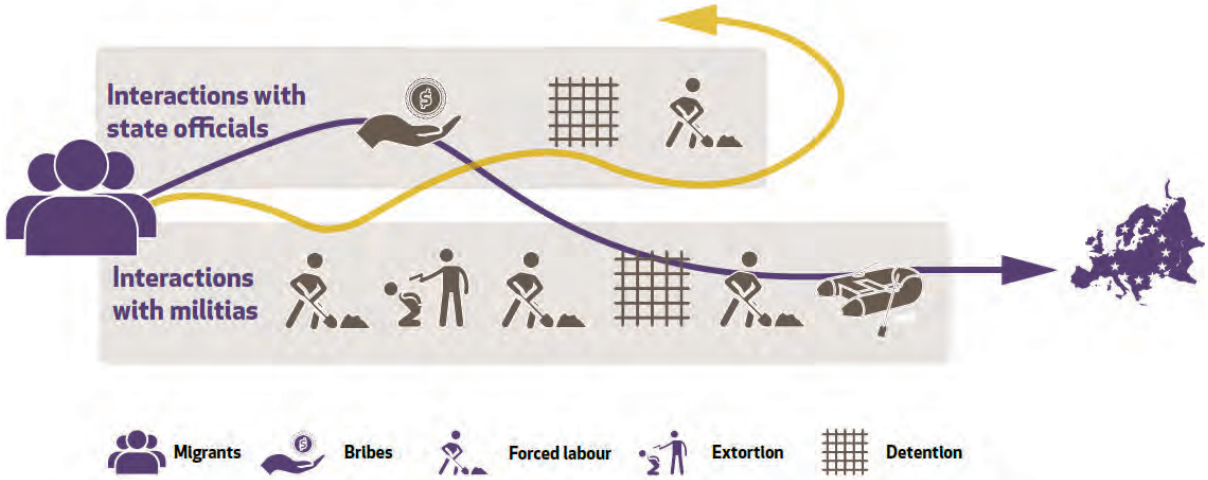
Human trafficking and smuggling constitute large sources of income in Libya, at a time when Libyans are confronted with protracted economic hardship. Once well organized and powerful, organized criminal networks branch out from their businesses to control all lucrative economic activities through corruption or direct threats. Ultimately, the growth of the illicit economy cripples the already small private sector, and it hampers the development of an open and competitive market economy. Smugglers use their position of strength to rig public tenders and to drive out competitors.

Human traffickers and smugglers utilize migrants as cash machines, charging them along their route to Europe. However, following the 2017 dramatic drop in arrivals and departures to and from Libya, traffickers and smugglers had to diversify their business. Given strong international pressure to crack down on migration and the emergence of new economic opportunities provided by foreign entities (notably Italy and the European Union) willing to support counter-migration units, several armed groups turned their coats and re-branded as migration-fighting units. These newly state-endorsed and foreign-funded armed groups profit from the "illegal migrantion's circular economy" in a number of ways:

- Salaries they receive as DC guards or simply as members of state security units
- Extorting money from detained migrants in exchange for food or freedom
- Exploiting forced labor, renting migrants services (typically for cleaning or construction) to local companies
- Embezzling state funds allocated for providing food to detained migrants
- Embezzling funds allocated to the refurbishment of detention facilities

State actors collude with human smugglers and traffickers to keep migrants in Libya, thereby developing a criminal carousel that links traffickers, the Libyan coast guard, and detention center guards. This carousel allows the exploitation migrants along all the steps of their migration journey. Migrants embark in boats after paying hefty sums, the Libyan coast guard intercepts most of them and brings them back to detention centers or allegedly sells them to other actors. Migrants are extorted or exploited through forced labor until they are able to pay for their release. Those who attempt another departure are typically re-intercepted at sea, and they re-enter this criminal carousel again, fueling a circular economy that does not waste any opportunity to extract financial benefits at every step. Figure 1 below provides a visual sketch that approximates the carousel just described. However, it does not clearly convey the fact that migrants can be trafficked through multiple cycles of extortion and detention through criminal and official networks, the boundaries of which are often blurred.

Figure 1. Resource Predation on Migration by Militias and the State



Source: Global Initiative 2018, 5

The official endorsement of criminal groups involved in human trafficking and smuggling under the auspices of and with the financial support of Italy and the EU effectively institutionalized corrupt and criminal practices, further weakening Libya's stability and economy. A 2017 report aptly summarizes this phenomenon: "The hyper focus on stemming the flow of migrants via Libya by Italy and the European Union (EU), is encouraging an anti-smuggling business to emerge. Militia leaders, sensing an imminent end to the political status quo, are attempting to launder their reputations by accepting incentives to serve as law enforcement partners of international donors. This co-option creates instability, sabotages the state-building process and further drives the exploitation and abuse of migrants in the country" (Micallef and Reitano 2017). The case study of Zawya vividly shows institutionalization of organized crime around construction and other formal sectors.

Even the European Union – which provides a very large financial contribution to UN organizations operating in DCs – indicated in a leaked report: "Some of the detention centers are alleged of having links to human trafficking," and "serious cases of corruption and bribery in the centers have been detected." The note concludes that "[the detention centers] form a profitable business model for the current Libyan government" (PCEU 2019, 9). By law, all illegal migrants arrested in Libya have to be sent to DCs that are run by the DCIM, Ministry of Interior. However, after the revolution, not all DCs are under the control of the state and the ones that are supposedly under the control of the state are also run by militias.

Based on multiple interviews conducted with migrants by Global Initiative researchers in Malta between August 2018 and September 2019, there is no doubt that migrants in detention centers are used for cheap or free labor in Libya. Sometimes this is coerced. For example, Global Initiative researchers received reports of forced labor taking place in the Ain Zara detention center in 2018, where a group of 70 to 80 migrants was taken out and put to work in the construction sector.

Instances of reported corruption occur at the highest levels of Libya's detention center management. A senior member of the DCIM interviewed by the Global Initiative in July 2019 described corruption and embezzlement within the organization under the former director, Mohamed Bash, and Mohamed al-

Marana (aka al-Shibani), present undersecretary for migration within the interior ministry, as well as other officials connected with the DCIM.

Mohamed Bishr left the DCIM and Libya in August 2018 after being accused of gross embezzlement of public funds. The Rada Special Deterrence Forces actively pursued Bishr following the issuing of an arrest warrant issued by the Attorney General's office. The DCIM official interviewed said that the allegations on Bishr are well founded and that he embezzled as much as LYD 90 million (equivalent to $64 million at the official exchange rate) during his tenure as head of DCIM. For instance, a DCIM official asserted that the state body was invoiced up to LYD 40 million for the refurbishment of seven DCs in the south which have been closed since 2013 and remain closed to this day, among which one is in Rebiana, an oasis 33 km south of Kufra.

Similarly, officials believe that al-Shibani, who became the *de facto* chief of the DCIM after Bishr's departure in August 2018, carried out the very same practices of his predecessor. The DCIM official stated:

> *Al-Shibani is a silent partner in a company called Buwabat al-Najoum, which has been given some LYD 13 million in contracts by DCIM in various areas. Al-Shibani is also a partner in a cleaning company called Mirat, which also received some LYD 600, 000 in contracts. I visit our DCs regularly, I have never seen any cleaning take place in the centers, only by the migrants themselves. We need a lot of services and there are companies that could deliver them but the money gets diverted into corruption.* (DCIM official, Global Initiative interview, 2018)

ZAWYA

In Zawya, where the institutionalization of organized crime is particularly developed, the enrichment mechanisms described above are well-streamlined and more systematic. Construction companies come regularly to pick up migrants in detention centers to work for them. They benefit from very low labor costs, center guards earn money for it, and migrants may benefit from getting out of DCs. For example, a migrant detained in Zawiya in June 2017 reported:

> *The only thing I know is that this center was supported by Italy. Within the center we got new mattresses from the Italian government and they still had the stickers from Italy on. They [the detention center administration] were paid in Euro, they were very well funded. I got this Information from the detention center administration whilst I was working there. An Italian organization comes and pays for food, drinks, mattresses and everything. We would see a lot of cars full of money coming in and out of the detention center. Sometimes I would be sent to a local shop to buy them stuff. They would open bags and I would see tons of Libyan dinar inside.* (Migrant detained in Zawya, Global Initiative interview, Aug 2018)

As explained in a previous section, criminal actors from the Awlad Buhmeira tribe involved in the migration sector (human smuggling and running detention centers) exert political influence and are active in the broader economy, most famously through the control of the Zawya Refinery but also through other lucrative businesses. For instance, members of a powerful network headed by Ali Busriba opened the Nasr Medical Centre in Zawiya in October 2019. A local inhabitant interviewed at the time of the opening of the medical center declared:

> *Officially, nobody knows who owns the medical center…but we actually know that it is the same Busriba network behind it, nobody else can get this money together for something like this, and it is in the area they control where nothing can happen without them. But officially it is not known.* (Zawya inhabitant, Global Initiative interview, October 2019)

The same Awlad Buhmeira network also apparently controls Zawiya University. Another inhabitant of Zawya who is well informed about university management reports:

> *They [Awlad Buhmeira network] control the Zawiya University. Hamza Kushlaf, who is the brother of Walid Kushlaf [another Awlad Buhmeira bigwig], is the General Registrar of the University. He controls the contracts with maintenance and construction. Hamza Kushlav gives a lot of contracts to Ali Busriba and his family, especially in catering and other things. He also sells the cars and trucks that belong to the university to them. There are Facebook pages in Zawiya that expose all of this. A lot of money has been taken out of the university budget. The new dean, Miftah Mrabit, said that between 2012 and 2017, 400 million LYD have gone missing. Miftah Mrabit was appointed by Walid Kushlav. He talked about the missing money because there is no evidence linking it to Walid Kushlav so it's a way of opening an investigation and controlling it. This way they neutralize the accusations.* (Zawya inhabitant, Global Initiative interview, October 2019)

The university is a considerable asset, with around 40,000 students enrolled. Another lucrative and reliable business is municipal street cleaning. The Awlad Buhmeira network extended its control over that too, using ruthless mafia-like methods, which were described by a local informant:

> *Hassan Busriba, the brother of Ali Busriba, sent his militiamen to blow up the trucks of the General Cleaning Company. They did this because the General Cleaning Company was still a state-run company. When the trucks were blown up, the contracts were put out to public tender and Hassan got an annual contract for LYD 6 million.* (Zawya inhabitant, Global Initiative interview, October 2019)

Lastly, Zawya's new mayor Jamal Bahr who was backed by the Buhmeira network helped the Sicumin oil services company owned by Ali Busriba's business associate and Tunisian Mafioso Shafiq Jaraya secure very large contracts with Zawya's oil refinery. Aided by the Mayor's contacts with the National Oil Corporation in Tripoli, Sicumin received the contracts for building and maintaining infrastructure, and for importing equipment (Zawya informants, Global Initiative interviews, October 2019)

While the overlaps between human trafficking and smuggling and other formal sectors of the economy and the institutionalization of crime is clear, it is important to stress that the power of the network around Busriba existed prior to Qaddafi, and was firmly established by the revolution and its aftermath. Although human trafficking and smuggling contributed to strengthening the network, it cannot be considered as the central pillar of the network's strength, nor is it its most lucrative activity. The control of the Zawya refinery is probably the main basis of the network's power and wealth.

DISRUPTED CIRCULAR MIGRATION PATTERNS SUPPORTING REGIONAL ECONOMIES

Unlike the prevalent perception outside of Libya, the country has been a destination before and besides being a country of transit for migrants. This is explained by the better economic conditions that existed in Libya compared to other African countries until recently. National economic data indicate that Libya

tends to have a higher GDP per capita than its North African neighbors (see Table 1 below), and the difference is even greater compared to sub-Saharan countries. Until 2011, Libya also had the most favorable indicator in the region in terms of poverty and economic decline. Lastly, Libya is a very large country for a very small population, as can be deduced from its population density compared to other North African countries (see Table 1 below). In other words, Libya had several attractive features for African migrants. A 2014 labor market research aptly put it:

> *Healthy oil revenues have allowed the government to rely on foreign workers filling the skills requirements of the labor market. The total number of foreign workers was estimated at 2 million before the revolution.* (Abuhadra and Ajaali 2014, 9)

Libya's economy heavily relied on migrants, and the economies of several African countries greatly benefited from the remittances sent by their citizens working in Libya. In 2011, the IOM estimated that 2.5 million migrant workers lived in Libya prior to the 2011 revolution, including 1 million Egyptians (IOM 2011, 2). Before the 2011 revolution, studies on migrants in Libya show that most of them were able to send large portions of their earnings to their country of origin (Zampagni et al. 2017, 24-29). Inevitably, this situation changed with the 2011 revolution, and even more with the two national conflicts (2014-2016, and 2019-present) and the number of ongoing local conflicts across the country.

Table 1. Socio-economic Indicators for North African Countries

	Morocco	Algeria	Tunisia	Libya	Egypt	Average (excluding Libya)
GDP per capita (purchasing-power-parity) (1)	5,193	7,305	9,650	12,686	6,474	**7,156**
Poverty and Economic Decline (2)	6.0	5.2	5.0	4.6	6.5	**5.7**
Population density (3)	72.9	15.4	68.7	3.6	84.2	**60.3**

Note (1): Current international dollar. International Monetary Fund (2014)

Note (2): Composite index including economic deficit, government debt, unemployment, youth employment, purchasing power, GDP per capita, GDP growth, inflation. Scale from 1) Most stable; to 10) Most at-risk of collapse and violence. Messner et al. (2011).

Note (3): Midyear population divided by land area in square kilometers. Counts all residents regardless of legal status or citizenship--except for non-permanently settled refugees. World Bank (2015)

The Danish Refugee Council's Mixed Migration Center carried out more than 5,000 interviews of migrants in Libya between May 2017 and June 2017. Almost 40% of migrants interviewed in the summer of 2017 reported that they intended to stay in Libya, 13% sought to reach Europe, and almost 50% were undecided. Just two years later, in the summer of 2019, 19% of those surveyed said that Libya was their final destination, while 27% were undecided (Mixed Migration Centre 2019, 13).

However, besides conflict, another factor has changed the profile of migrants in Libya, with heavy consequences for the Libyan economy. As indicated in an earlier section, in 2017 the dramatic drop of departures to Europe forced human traffickers and smugglers to change their "business model".[13] They

[13] For a more detailed description of this transformation see Global Initiative and Clingendael, 2019.

increasingly offset loss of income from the decreased transit of migrants with extortion. As a researcher aptly put it, since 2017 there was a steady increase in indentured labor "where migrants and asylum seekers become vehicles for reverse-remittance through kidnappings and arbitrary detention by criminals and armed groups" (Micallef 2017, 1). Nowadays, the current scale of this phenomenon is so large that it can be conceived as industrialized extortion. In Bani Walid alone, a researcher and former member of an NGO providing assistance to migrants in Libya estimates that there are between 12 and 15 such migrant detention facilities, each hosting from a few hundred to a few thousand migrants (Former International Non-Governmental Organization (INGO) worker, author interview, November 2019).

The first consequence of the increased violence, both in scale and severity, is borne by the migrants themselves who are systematically brutalized. Families of migrants in their country of origin also bear the cost of the large-scale violence. Besides enduring emotional hardship, instead of receiving money, families must pay to keep their family members alive. For years, remittances from African migrants in Libya robustly supported economies in countries, such as Niger, Chad, Sudan, and Eritrea. Now, families in some of these countries must borrow money to ensure the release of their relatives in Libya. A researcher focusing on the Sahel asserted that before 2011, Sudanese were only circular migrants while now they try to go to Europe because of the violence in Libya (Tubiana, author interview, October 2019). This destabilizes micro-economies across the region.

Libyans unwittingly pay the price for the drop in migrant numbers, and the changed nature of migrant profiles. The labor market research mentioned earlier highlights the profound and widespread impact on Libya's economy:

> *Given the declining numbers of migrants present in Libya since 2011, organizations employing foreign workers continue to experience labor shortages. This is the case because, with the change in the profile of migrants, the available skill sets have also changed".* (El Kamouni-Janssen et al, 2019, 49)

Libyan businessmen in many towns across Libya are well aware of the economic value of skilled but low-wage foreign workers. Bani Walid is a key node along Libyan migration routes for human traffickers and smugglers. As a result of poor governance and security, human traffickers and smugglers are able to run criminal DCs in places like Bani Walid, where migrants are reportedly beaten, tortured, and raped, and are victims of extortion. As a result, circular migrants increasingly stay away from Bani Walid. Skilled workers have become rare, and migrant wages have increased in the city (El Kamouni-Janssen et al. 2019). Similar phenomena and outcomes are evident in Zawiya and Ghat, and as such, Libyans are paying the price for the drop in migrant numbers and the changed nature of migrant profiles.

The mayor of Sirte interviewed in November 2019 also lamented that the cost of labor increased and that skilled foreign workers – typically Egyptians – became very rare following violence and killings suffered by Egyptian workers in Libya (Sirte mayor, author interview, Nov 2019). He provided the following explanation for the increased cost of labor: Cost of labor increased in the last couple of years because migrants pay more money to get to Sirte. Smugglers are asking more money, and migrants (from Egypt for instance) are no longer able to come by themselves without using smugglers. Also, the Egyptian government is making it more difficult for their citizens to come to Libya after the 2015 massacre of Egyptians" (Sirte mayor, author interview, Nov 2019).

4. DESTABILIZING IMPACTS OF HUMAN TRAFFICKING ON PEACE AND SECURITY

Relevant to the relationship between human trafficking and stability is the extent to which human trafficking and smuggling contribute to conflict, terrorism, and insecurity, and how they do it.

MIGRANTS AS SOURCES OF CHEAP AND AVAILABLE MANPOWER FOR CONFLICT

The large presence of young men, some of whom were forcibly recruited, provides Libyan armed groups with a large pool of human resources that they can use to support their war efforts. This support can be the direct enrollment of migrants in Libyan armed groups and their participation in fighting, or indirect, by loading, transporting, and unloading weapons and ammunitions, washing and maintaining weapons, and cleaning and maintaining tanks and armed pick-up trucks (aka "technicals"). Typically, the migrants who are most often recruited by Libyan armed groups as either fighters or as logistical support are those coming from Chad, Sudan, and Niger because they usually speak Arabic, which facilitates training and communication, and because many of them were former fighters. Moreover, these migrants are cheaper to employ than Libyan nationals and their family members are unlikely to demand compensation for their deaths.

INDIRECT SUPPORT

Since 2018, an increasing number of reports denounced the forcible use of migrants to support fighting in Libya. Time and again, detained migrants are used in an indirect manner to move weapons and ammunition, and/or to maintain military equipment (UNSMIL-OHCHR. 2018; HRW, Jan 2019; HRW, April 2019; and HRW, July 2019). Since mid-2019, this trend has intensified, with migrants regularly reporting that detention centers (DCs) were being used as weapons and ammunition depots with the forced support of migrants (migrants in Tripoli DCs, multiple author interviews, 2019-2020). A researcher who carried out numerous interviews of migrants in Libya in late 2019 reported:

> *Pro-Haftar forces used to visit [Gharyan's detention center] and ask migrants to work for them. Yemane said they once abducted 15 men, who were never seen again. […] On June 26, GNA forces recaptured Gharyan. The next day, they broke the detention center's locked gate with a car and asked the migrants to fight for them. […] As fighting in Tripoli is ongoing, militias asked Yemane to enlist with them for $1,000 a month. "I saw many migrants who were recruited that way and then injured.* (Tubiana, 2019)

In an interview with the Saudi-owned news outlet Asharq Al-Awsat, Qureisia, the former media official for the anti-ISIS room in Sabratha declared:

> *Armed militias are now exploiting immigrants to provide logistical support to warriors, such as transferring equipment from a combat zone to another. […] The militias are luring some immigrants with money, or promising them to travel to Europe.* (Asharq Al-Awsat, 2019)

In the same article, a military leader in the Libyan Arab Armed Forces told Asharq Al-Awsat:

> *The slave market is always operating for immigrants, especially for African nationalities [...] They are cheap labor, and this type of immigrants are exploited by militia [sic] in exchange for food and drink. During military operations, we found them working in transporting and unloading military equipment, in welding*

> *workshops and armored vehicles maintenance, and in preparing sandbags for the fighters.* (Asharq Al-Awsat, 2019)

Besides statements reported in the news, which are often questionable or one-sided, it is difficult to gather reliable and unequivocal evidence of systematic forcible recruitment of migrants to support war efforts. Nonetheless, several migrants interviewed by GI researchers in Libya and in Malta in 2019 reported several instances of forcible recruitment to support the conflict. A 22-year old Sudanese migrant from Darfur who was held in a detention center at the Salah al-Din DC between May and July 2019 reported that in July 2019 armed men associated with the GNA took about 50 of the 102 detained male migrants from the detention center and forced them to join the war effort. According to this testimony, none of the migrants got paid for their services:

> *They come [sic] and forced us. They said: 'either you come with us or we will hurt you or your family'. They took anyone, no matter the nationality. Then they took us to a military camp. [There] they either force you to fight or, if you refuse, they put you to clean weapons or carry stuff. If you refuse any of that, they might send you back to detention. But sometimes those who refuse are killed and they would also kill your brother and then force you to work for them. I refused [to carry a gun] and was forced to clean weapons like Kalashnikovs and sometimes transport them, too.* (Sudanese migrant in Libya, GI interview, Nov 2019)

A Nigerian migrant interviewed in November 2019 said that migrants were recruited to support militias at a place called Muhata (which means "station" in Arabic) in the coastal town of Zuwara. Some migrants were promised a daily salary of up to Libyan dinars (LYD) 500 – well above the average salary for Libyan soldiers. However, the interviewee doubted that this salary would actually be paid out in the end.

> *They are just talking about a lot of money to convince you to join. They say 'come and see, come and see and you can defend this place against Haftar'. They take in all nationalities, as long as you are healthy. I know a Nigerian migrant who went with them. Some people do that. Once you are in Libya for long, you are frustrated.* (Nigerian migrant in Libya, GI interview, Nov 2019)

As mentioned earlier, Sudanese migrants have been especially sought after by militias. A 25-year old migrant from the Blue Nile State in Sudan who had been smuggled through Libya reported:

> *Sudanese are being used for the military. This is happening mostly in Khoms and in the territory under its control. This is happening to Sudanese migrants. I don't not know if it is happening to other Africans. This is not happening at the disembarkation, but once they are in detention centers.* (Sudanese migrant in Malta, GI interview, Sept 2019)

A Darfuri migrant from Jada who left Sudan in April 2017, recounted how a militia group kidnapped him and other Sudanese migrants from his home in Gharyan during Ramadan 2019 (between 5 May and 3 June 2019). He and his friends were then forced to aid in the war efforts of that militia either as fighters or as laborers in the military encampment.

> *They [the militiamen] said that everyone had to climb onto their car. We were kidnapped. I don't know the name of the military group but on their car it said "56". We were 17 people at home: 16 Sudanese and one Nigerien. We were taken to a military base which was a camp full of military cars. Then the adults as well as the young ones were forced to do work for this militia. We used to pick up the weapons and transport them. The younger ones were not forced to shoot and act as soldiers but the adults were given weapons.*

> *This lasted for 19 days and was around Ramadan this year. After that time, I managed to escape.* (Sudanese migrant in Malta, GI interview, Sept 2019)

A 26-year old Egyptian migrant interviewed by GI in Malta on 21 August 2018 was a detainee at the al-Nasr detention center in Zawiya. He reported that in June 2017 he observed a special section of the detention center in which some migrants were separated from the rest and taken from time to time to support the militia controlling the center. He said these migrants were treated better than the rest of the detained population, adding that they would be "*dressed better and in uniforms.*"

As many of the accounts above hinted already, often migrants are not only forced to move or clean weapons, and to simply provide logistical support to conflicts. Hundreds if not thousands of migrants are also forcibly enrolled as fighters or recruited as paid mercenaries. Both camps appear to carry out these practices.

DIRECT SUPPORT

The direct use of foreign fighters in Libya has long been documented (Tubiana and Gramizzi, 2018). More recently, research reported the presence of human smugglers among the LAAF's forces attacking Tripoli (Khalil 2019, 2). In the Tajoura DC in Eastern Tripoli, a journalist who interviewed dozens of detained migrants reported at least four directly confirmed cases of refugees registered with UNHCR who had supported the locally-based armed groups (Al-Daman Brigade), one of whom even participated in fighting in return for money, clothes, food, and better living conditions in the DC. In addition to them, more than a dozen detained migrants from Sudan, Somalia, South Sudan, Eritrea and Ethiopia were forced to load weapons in a garage next to the hangar where they were detained and were asked to follow the soldiers outside the detention center to transport weapons (foreign journalist, author interview, April 2019).

Migrants who would speak with the UN or the EU during official visits were punished afterwards, as was the case of a South Sudanese who was brought to the underground isolation room on 25 October 2018 after speaking with UN delegation and the Dutch embassy during their visit in the Tajoura DC:

> *The time I was in the isolation room, the police used to beat me on my legs and on my back and threw cold water on my body. I don't know how I could survive. They used to ask me if I was a Christian and if I would say yes, the treatment would be worst. [sic]* (South Sudanese migrant, foreign journalist interview, April 2019)

Research conducted throughout 2019 by GI on Sub-Saharan Africans mercenaries participating in the Libyan conflict revealed that Mahamid Arabs joining militias in Southern Libya are at the center of this phenomenon. Mahamid Arabs stem from Chad, Western Sudan and Eastern Niger. Their recruitment as mercenaries is a transnational trade, connecting Chadian and Sudanese fighters with theatres in Libya, as well as Yemen, where they are recruited by Saudi brokers to fight the Houthis. In addition to the characteristics that make them preferable recruits along with other non-Mahamid Arab Sudanese and Nigeriens, Mahamid Arabs are sought after because their physical traits resemble many Libyans and Yemenis, which means their employment is visually less obvious. Poor communities are targeted where work as mercenaries can offer much needed money: a local contact asserted that these young recruits are paid both an initial down payment of LYD 2 000 –3 000 as well as a monthly salary of LYD 500 (multiple GI interviews in Chad and Libya, 2019).

It remains unclear to what extent deception is used in the recruitment of young mercenaries. A local contact reported that many young men are promised work and citizenship in the UAE before being sent to Yemen. However, recruits are instead transported to Libya. Throughout 2019, but especially in the wake of the April 2019 LAAF advance on Tripoli, large groups of young male Mahamid Arabs - often between the ages of 13 and 20 - were detected travelling from northern Chad to southern Libya.

One of the central actors in this trade is the Arab Awlad Suleiman 116 Brigade, led by Massoud Jeddi, who has been heavily involved in both recruiting and transporting new mercenaries to Tripoli. Initially bought for 2 000 – 3 000 LYD, in Benghazi and Jufra, the recruits are being transferred to handlers for 5 000-8 000 LYD. In many cases, these fighters would be given some training in camps at Tamanhint in southern Libya to increase their value before being transferred (multiple GI interviews in Libya, 2019). Armed groups like the Chadian militant group Conseil de commandement militaire pour le salut de la République (CCMSR) are also agents for fighters, arranging for the placement of young Mahamid Arab fighters within Libyan, Saudi and Emirati armies and earning up to 8 000 LYD in cash per mercenary, as well as recruiting young Chadians for criminal activities such as hijacking of convoys.

The forced enrollment of migrants as fighters typically peaks during intense conflicts. After the war that erupted in the coastal town of Sabratha in October 2017, and in the run up to this conflict, the Global Initiative also received testimonies of migrants who claimed to have been forced to fight or assist combat. Three Sudanese migrants aged 19 – 25 reported being forced to fight in the vicinity of the Roman ruins in Sabratha by the Anas al-Dabbashi Brigade, run by the UN-Sanctioned human smuggler Ahmed Al Dabbashi. Another Sudanese migrant interviewed in February 2018 in Tripoli recounted that he was removed from a detention center in the town, two weeks after having been intercepted at sea, and told that he could earn his freedom by fighting.

It must be noted, whilst numerous sources have previously reported on the presence of mercenaries, the Sudanese migrants from Darfur interviewed denied awareness of any Darfuris coming to Libya with the motivation to fight as mercenaries. All of those interviewed were forced and only knew of instances of Darfuris being forced. What is certain is that the financial resource that mercenaries represent for smugglers complicates the Libyan conflict, adding resources and power to parties who control smuggling and trafficking routes whilst potentially endangering migrants as well. A local contact in Kufra explained:

> *Politically, any tribe or militia that controls smuggling routes can put pressure on the political and military parties (LAAF and GNA). As known, the Libyan conflicting parties who fight for power heavily depend on the Sudanese and Chadian mercenaries. Tribes, towns or militias who control the smuggling routes can bargain [with] the conflicting political parties in exchange for allowing or facilitating the movement of mercenaries through the southern border. Therefore, without tacit agreements or political allegiances, bringing mercenaries becomes more complicated and difficult.* (Kufra informant, GI interview, Nov 2019)

In April 2019, migrants detained in Tajoura told a foreign journalist that there was a place called "the garage" in front the main hangar where migrants were kept and where they were cleaning and loading weapons:

> *There are many types of weapons e.g. RPG, big green rockets and closed boxes. We have also [sic] to repair soldiers' cars that have machine guns on top. They give uniforms to the migrants who are working in the military compound in order to identify them.* (Foreign journalist, author interview, April 2019)

The Tajoura detention facility is located inside a military compound that is controlled by the al-Daman Batallion, a member of the coalition fighting against the LAAF. Officially, the Tajoura detention center is run by the DCIM (although it was nominally closed in July 2019). However, the al-Daman Batallion controls the military base housing it and therefore *de facto,* it controls the DC as well.

The author visited a number of centers in Tripoli in February 2019, and although he was able to interview the center's commanders right in front of the hangar, and a few meters away from this place called "the garage", Tajoura was the only DC in which he was not allowed to enter the hangar where migrants were detained. However, it was clear that military equipment, including tanks, belonging to the militia controlling the compound were only a stone's throw away from the hangar where migrants were detained. Based on previous attacks against military facilities in Tripoli, including those hosting migrants, it was evident that it was only a matter of time before the Tajoura DC would be attacked, and that migrants could be harmed.

Thus, unsurprisingly, on 2 July 2019, two air strikes destroyed first, an alleged mechanics maintenance shop (maybe the so-called "garage"), and a few seconds later, a large section of a hangar where 126 migrants were detained, just a few meters from it. At least 53 detainees were reported killed, and many more wounded (HRW, July 2019; Romo, 2019; and Browne and Triebert, 2019),

FUELING LOCAL CONFLICT AND DAMPENED PEACE PROSPECTS

The 2011 revolution allowed ethnic and tribal groups to question the age-old distribution of power and geographical spheres of influence as described in the introductory section on Libya's illicit economy. More specifically, the liberalization of trafficking following Ghaddafi's fall allowed several new actors to enter the market of human trafficking and smuggling. The large income suddenly generated by these and other highly profitable illicit activities caused rapid changes in the distribution of power and wealth among tribes, ethnic groups, or towns. During these times, marked by economic hardship and lawlessness, these changes often caused intra- and inter-communal conflicts. In fact, many local conflicts in Libya since 2011 can be attributed at least in part to these dynamics.

KUFRA

The Tebu are a semi-nomadic black African group present in several countries across the Sahara, notably in southern Libya, Chad, and Niger. The Zway is an ethnically Arab tribe whose members live in Eastern Libya, mostly in Kufra and in Ajdabya. As mentioned in a previous section, the Zway make up around two-thirds of the population of Kufra. The town is largely isolated from the rest of the country, sitting deep in the South east of Libya, near the borders of Egypt, Sudan, and Chad. Smuggling is deeply rooted as a source of livelihood and a way of life in Kufra. In the words of a local Tebu:

> *Smuggling is a lifestyle in the border zones. This isn't new, it is an old story. Smuggling is just part of life of people in Kufra, Ghat, Qatrun. These places are isolated and there are no development projects, no entrepreneurs. Left on their own like this, people turn to smuggling. For 42 years, there was no effort to stop smuggling, only if the relationship with the EU was good would they try to do anything…in Zawiya there wasn't big time smuggling, for example, because Ghaddafi wouldn't let a smuggling gang get big close to his own base. But in Kufra, peoples' fathers have been doing this. It is their life and they know very well how to do it, how to keep it secret. They are professional.* (Kufra Tebu contact, GI interview, Nov 2019)

The control over smuggling routes, including of humans, are of fundamental importance to the power of the different groups in Kufra, both economically and due to the political leverage that comes from the control of borders and roads. As a Zway man from Kufra put it:

> *Control of smuggling routes is very lucrative and greatly reflects on the economic and security situation, no doubt controlling smuggling routes means controlling all types of smuggling and preventing opponents from reaching those areas. Controlling the smuggling routes basically means controlling movement – entry and exit – and imposing taxes on anyone who wants to smuggle [taxes can be up to LYD 500 per car, with up to 100 cars crossing a day]. Also, any tribe or militia which controls smuggling routes can put political pressure on the big authorities like the LNA and the GNA. It's well known that in Libya the fighting parties depend on Sudanese and Chadian mercenaries. Tribes, towns or militias who control the smuggling routes can bargain to allow mercenaries to pass through the southern border in exchange for concessions.* (Kufra Zway contact, GI interview, Nov 2019)

The Ghaddafi regime gave the Zway, favored over the Tebu, the upper hand and allowed the Zway a great deal of control over the illicit economy of greater Kufra. The Tebu, on the other hand, retained an edge largely on the basis of their knowledge of the desert and kin connections across the Sahara into Sudan, Chad and Niger. After the revolution, Tebu smugglers started using their new position of strength to try to elbow out Zwayya competitors on the routes leading north from Kufra, and cut them out completely south of the town. These tensions erupted in 2012, and continued with varying intensities through 2016, leaving a major impact on migratory flows in the region. After 2016, the Zway seized control of Kufra itself and the road leading north from the town. They also gradually squeezed Tebu smugglers from smuggling routes linking north Darfur and northeast Chad to southeast Libya:

> *The war in Kufra broke out in 2011 after large numbers of Chadian (Tebu and Guraan) smuggling gangs entered to the south of Libya and imposed fees on smugglers. Most of the smugglers during the Qaddafi era were from [the] Zway tribe because the Tebu population at that time was very small. Now, after the outbreak of the Libyan revolution, tens of thousands of Chad and Niger's Tebu entered Libya and managed to control some routes of smuggling, imposing a new reality.* (Kufra Zway contact, GI interview, Nov 2019)

Lastly, in August 2019, a contact in Kufra described how the control of human trafficking and smuggling by Subul al-Salam and more broadly by the LAAF, results in discriminatory law enforcement based on tribal identity:

> *Today only certain smuggler gangs operate. [Since mid-2018] Subul Al-Salam has banned Tebu from smuggling from Sudan to Kufra.* (Kufra Tebu contact, GI interview, Aug 2019)

In conclusion, the conflict between Zway and Tebu has historical roots that developed during the Ghaddafi regime. In addition, the influx of foreign Tebu from Chad and Niger after 2011, which altered local demographics, is a large source of tensions between them and the Zway (as with other Arab tribes and groups of southern Libya). Competition for the important sources of income and influence granted by human trafficking and smuggling is a large driving factor in the war that broke out in 2011 between the two groups, and in subsequent clashes. As the UN Panel of Experts reported: "[In Kufra] local authorities complained that "irregular migration" fueled chaos in Libya, spurring competition among armed groups over the "easy money" generated through the protection offered to the smugglers' convoys" (UNSC/S 812, 2018, 15).

ZUWARA

Zuwara, a small coastal town in northwestern Libya, 60 km from the border with Tunisia, is one of the most popular departure points for irregular migrants on the Libyan west coast, and has been since the beginning of this phenomenon towards the mid- to late-1990s. In August 2015, three ships full of migrants sank off the town's coast, killing around a total of 650. Among these accidents, the biggest single one occurred on August 27 that year in Libyan waters. Only 197of 450 on board survived. As has happened previously, some of the dead bodies floated ashore along Zuwara's popular beaches, where families flock for respite. This incident exhausted the patience of local residents. Citizens mobilized into large public protests calling for action against smugglers. In the weeks that followed, 60 smugglers were arrested - an unprecedented event in Zuwara. This event betrayed tensions among citizens, some supporting law and order, and others benefiting from human trafficking and smuggling.

By 2000, the changes resulting from the concentration of human smuggling activity in Zuwara were already evident, according to multiple Zuwarans interviewed for this project, as well as in previous research conducted by Global Initiative since 2015. There was palpable inflation in real estate, and an escalation in the organization of social events such as weddings. Both are social displays of wealth that indicate how some smugglers invest their newfound wealth to leverage status. Smugglers often invested their money in legitimate businesses and properties in respectable neighborhoods, which in turn, helped smugglers marry into respected families and in this way laundered not only their illicit proceeds but also their reputations. On average, people employed in the regular economy, even with jobs considered well-paying, would only expect to be able to marry and start a family at around the age of 30-35. However, different actors involved in human smuggling and trafficking managed to establish themselves financially much sooner. This started altering the perception towards smugglers and towards the value of honest jobs, at least among a part of Zuwarans:

> *I remember a family in which the father was a well-known cardiologist in Tripoli, the daughter married a known smuggler… This was around 20 years ago. It was the talk of town. At the time the general consensus was that this was wrong and that the family had sold their daughter cheap … eventually, a greater number of people started feeling that this was okay, but to this day, there is division on this question.* (Zuwaran former militia man, GI interview, Dec 2019)

As public attitudes towards smuggling changed, more people were attracted to the enterprise, particularly youngsters. Many youth would skip school and instead act as runners for established smuggling operations. Youth were intermediaries, finding African migrants wanting to travel to Europe, grouping them and then connecting them with an actual smuggler. This work earned them up to $100 per head, according to a Zuwaran contact, as far back as the early 2000s, which meant that with a few days work, they could effectively earn more than their parents would with a regular job with the state. Of course, this had disruptive consequences for the job market:

> *In the 2000s and even immediately after the revolution, before the business became totally overtaken by militias, you even had graduates and other well-educated people getting into the smuggling business, sometimes even abandoning their studies to pursue this illegal work.* (Zuwara civil society activist, GI interview, Nov 2019)

MEDIATION AND PEACE

Connections between human smugglers and Libyan fighting groups can also have a negative impact on the prospects of mediation and peace. The income generated by the smuggling of migrants to fight as mercenaries within the ranks of Libyan armed groups creates a strong incentive for the continuation of fighting. Thus, human traffickers and smugglers have a vested interest in the continuation of the national confrontation as long as it generates an income for them. Moreover, a protracted conflict offers better guarantees for the preservation of human trafficking and smuggling activities and income than a peace deal or even a victory of one of the two coalitions.

UNDERMINING COMMUNITY COHESION AND SOCIAL STABILITY

Human trafficking and smuggling are highly lucrative activities that often disrupt social stability by quickly empowering low-skilled youth and criminals who no longer accept rule of law and social norms. Typically, successful new traffickers are young men who are willing to break the law and to use violence. Once empowered and enriched, these young men can adopt highly destabilizing behaviors for their own family, tribe or ethnic group, and town.

UM AL-ARANIB

Um al-Aranib, a majority Tebu town in the south of the Fezzan, emerged as one of the key smuggling hubs on the trans-Sahara migration routes in the years after 2011. This was a process that attracted people from all over Africa, including Tebu groups from Chad, eventually leading to chaos in the town.

One particularly notorious area was the 'Chinese Company Buildings', a large housing project on the edge of Um al-Aranib which was developed by a Chinese company before being abandoned in an unfinished state during the revolution. After the revolution, members of the local community rented out units to the Tebu and others from across southern Libya and the Sahel. Eventually the Chinese Company Buildings area devolved into a notorious base for human smugglers and bandits who formed gangs and began to affect south west Libya. Human trafficking and smuggling activities flourished, along with kidnapping and other criminal activities. A local contact interviewed in November 2019 explained what the impact of this criminality had on the local community:

> *From 2013 to 2018 Um al-Aranib was the big center for human smuggling and the town was crazy. People from all over Africa were there doing business, from Eritrea, Sudan and West Africa. By 2017 there were only 30 percent of Libyans in town and there was a lot of chaos and crime. It was crazy. The smugglers had money and would come in from the desert to party with music, prostitutes from all over the world, vodka, and drugs. It was a nightmare. But all the people of Um al-Aranib were making money. You could make more from just selling water than a good job anywhere else, so people put up with the chaos. But then the kidnap for ransom business started to get out of hand. You could make so much from just one ransom that people from all over were coming to Um al-Aranib and staying there and using it as their base to then kidnap people from all over southern Libya, even as far as Kufra.* (Um al-Aranib contact, GI interview, Nov 2019)

The rapid growth of foreign human smuggling and kidnap gangs plaguing southwest Libya became a serious concern for the local Tebu, who were collectively blamed by the other residents of the Fezzan, as well as by opportunistic leaders from the north. Facing chaos in their town, and without any

assistance from either western or eastern governments, the Tebu of Um al-Aranib chose to act alone after a major incident happened:

> *One day a gang from Murdi [a region in north eastern Chad] kidnapped five Arabs. People from the Jalawi family went to address this and a fight broke out and five of the members of the Jalawi family [a very large and powerful family in Um al-Aranib] were killed. In the Kutuba, the Tebu constitution, killing another Tebu is totally banned, it's the worst thing and if you do it you can never live among the Tebu again. So this was the last straw. All the Tebu of the Fezzan mobilised. In one day only, 130 armoured trucks got mobilised in Murzuq and attacked the foreigners who had already fled from Um al-Aranib after killing the Jalawi guys. They chased them all the way back to Chad until the Chadian army turned them back.* (Um al-Aranib contact, GI interview, Nov 2019)

This mobilisation[14] was pivotal for the emergence of the Khalid Bin Walid Brigade as the most powerful Tebu militia in Um al-Aranib. The militia – which is Madkhali Salafist – had been previously formed by the Jalawi family. However, its rise to prominence was linked to the incident with Chadian smugglers. In addition to illustrating the destabilizing impact that human traffickers and smugglers can have on social stability, it also suggests that these activities contribute to the emergence of highly conservative religious groups.

GARABULLI

Garabulli's history as a human-smuggling hub stretches back to before 2011. After the revolution it continued this role as one of the key hubs. For a period in the run up to 2016, human smuggling rose dramatically under the protection of the Bayou Battalion, a Misratan militia which dominated the town and effectively controlled local governance.

The tensions caused by the Bayou Battalion's arrogant governance and collusion with the town's smugglers erupted in June 2016 when two Bayou Battalion militiamen refused to pay an old man for items they had taken from his shop. The militiamen burned down the man's house and an ensuing tit-for-tat conflict escalated very quickly, sucking in much of the town's youth. Locals attacked a weapons depot, which exploded, killing more than 40 people. Enraged, they attacked the main checkpoint and the Bayou Battalion was driven out. The checkpoint was then destroyed. After this, human smuggling in the town was halted, an illustration of the extent to which the Bayou Battalion had been protecting the human smuggling operation, and also the unpopularity of people smugglers without this protection.

During an interview conducted in 2016, a Tripoli-based security source from Garabulli said:

> *I know a man who has land close to the coast and who was very angry that the land next to his was being used to [sic] by smugglers to host migrants before they take the boats. When he went to complain to the smugglers…these guys are kids of 20 to 25…they confronted him with weapons. After a while they were joined by the Misratans [of the Bayou Battalion].* (Garabulli contact, GI interview, 2016)

[14] Details about this mobilization can be found on a Facebook post dated October 17, 2018 on the "Triangle security room" page, available at https://www.facebook.com/permalink.php?story_fbid=2174094946171776&id=1713794835535125

Violence in Garabulli erupted again in July 2018, when Tarhuna's Kani Battalion took over the town and aggressively confronted local smugglers. During an interview carried out in the first half of 2019, a local inhabitant stated:

> *The Kaniyat were able to secure the municipality completely and arrested the drug traffickers, others fled. They chased the human traffickers who were active in Garabulli as well. Before the security situation in Garabulli was bad because local armed civilians from the area were in control of the city and they were also trafficking drugs and illegal immigrants.* (Garabulli contact, GI interview, 2019)

However, the Kani Battalion's intervention was not aimed at restoring security and stability, but rather asserting their control over human trafficking and smuggling. Like their predecessor, the Kani fighters were violent and destabilizing. A Garabulli resident lamented:

> *The Kaniyat know the importance of controlling the coast near Garabulli, there is no other security body around here, only they can make decisions. We do not know whether the brigade is also involved in human smuggling because there are some areas we never go to out of fear that we will be arrested by their gunmen, who can kill you if you do not comply with their orders. We also know that the profits of human smuggling are very large, but no one knows what the Kaniyat are doing by the coast* (Garabulli contact, GI interview, 2019).

FACILITATING AND SUSTAINING TERRORIST GROUPS

Although its membership size in July 2019 was reportedly in the low hundreds – a marked drop compared to the preceding years – ISIL remains present and active in Libya. In addition to ISIL, there are an estimated 100-200 fighters affiliated to Al-Qaida in Libya, reportedly centered around the small town of Awbari in the southwest (UNSC/S 570, 2019, 9). The conflict between LAAF and GNA creates favorable conditions for the re-emergence of these terrorist groups because Libyan security and defense forces are absorbed by the conflict. Moreover, fighting produces death, destruction, and disenfranchisement that are a fertile ground for the development of violent extremism. Also, foreign patrons, whose aims may be frustrated through conventional warfare could see an interest in funding terrorist groups to wage an asymmetric fight against their opponent, as observed in Syria. In addition to these factors, violent extremist groups are aided by the well-developed human trafficking and smuggling activities:

> *Although purged from the coastal areas, ISIL fighters remain a significant threat in the subcoastal region, from south of the oil fields in the east to the borders with Algeria in the west. [Its] sources of income include extortion of citizens (protection rackets) and taxation of human trafficking networks.* (UNSC/S 570, 2019, 9)

The same mechanisms were pointed out in a more recent article:

> *[Islamic State militants] have seized trucks carrying fuel and gained other revenue by taxing human traffickers and arms smugglers.* (Raghavan, 2019)

It is clear that traffickers and smugglers can provide useful services and goods to terrorists who are willing to pay:

> *The movement of fighters in small numbers from the Syrian Arab Republic and Iraq to Libya and Algeria was detected through the Sudan. Algeria reportedly intercepted and expelled up to 100 Syrians who attempted to enter the country from the south, after transiting Turkey and the Sudan using forged passports and assisted by criminal networks.* (UNSC/S 570, 2019, 9-10)

It is fair to imagine that foreign terrorist fighters wanting to go to Libya also benefit from the same support from criminal networks. In fact, in 2016, the UN reported:

> *Foreign ISIL operatives are relatively new to the area and are consequently less connected to local armed groups. Nevertheless, in order to ensure its south-eastern supply line from the Sudan and Egypt to Sirte, ISIL has struck a deal with Arab armed groups around Al Kufra to protect its convoys.* (UNSC S/627, 2016, 4)

The presence of terrorist groups and their links with human traffickers and smugglers are not limited to the south of Libya. A database tracking ISIL-related incidents (i.e. attacks, checkpoints, kidnappings) in Libya between 1 March 2018 - 31 March 2019 shows they are almost evenly spread between all three regions of Libya ((Trauthig, 2019, 9). For instance, in the coastal town of Zawya that we already cited multiple times, the UN Sanctions Committee asserted:

> *The al-Dabbashi clan, and the connected Anas al-Dabbashi militia have long-standing links with Islamic State in the Levante (ISIL) and its affiliates. Several ISIL operatives have been in their ranks, including Abdallah al-Dabbashi, the ISIL 'caliph' of Sabratha.* (UNSC/SC 13371 - LYi.023, 2018)

Furthermore, a 2017 article found:

> *Last year, the mayor of Sabratha publicly accused the Dabbashi clan of having concealed the presence of IS members in the area; also that it ordered the abduction of four Italian workers in 2016.* (Mannocchi, 2017)

Human trafficking and smuggling can also help ISIL fighters to reach Europe. The defense attaché to Libya of a European country asserted without a doubt that known terrorists had made it to Europe by embarking on boats along with migrants, although the numbers are extremely low (defense attaché, author interview, Aug 2019; and Mullins, 2019). Research that examined previous terror attacks in Europe (i.e. Berlin 2016; Manchester 2017) concluded that terrorists had exploited migration paths between Libya and Europe (Trauthig, 2019, 12).

Lastly, terrorist groups can also benefit from the abundance of desperate migrants, which makes it easier to find willing or forced recruits (for an analysis of jihadist foreign fighters in Libya see Zelin, 2018). A migrant interviewed in Tripoli that we will call "Isaak" recounted his experience in the hands of the Islamic State. In 2015, he was detained by human smugglers in Shwarif along with dozens of migrants. ISIS raided the camp and brought them near Sirte, where they had set-up a camp in the desert. They asked each migrant to stae his or her religion, and they killed those who were Christian. Having grown up with Muslims, Isaak was able to recite Qu'ran verses and convince the terrorist that he was Muslim. The terrorists forced several migrants to fight alongside them, choosing Sudanese and Somalis in particular, because they were Muslims and spoke Arabic fluently (migrant in Tripoli, author interview, Feb 2019). Although our researchers were not able to validate these claims, a 2019 report asserts:

> *IS in Libya has been upscaling its recruitment efforts regarding migrants of sub-Saharan origin and has seemingly proven successful at it. While fighters from sub-Saharan Africa have been crucial for IS in Libya*

> *from the start, especially as foot soldiers, as of 2018, appeals directed at this group to join IS have increased.* (Trauthig, 2019, 15)

However, in order to exploit migrants and draw fighters, it seems that terrorist groups must first assert their control over a territory over time. Since the defeat of ISIL in Sirte, local contacts and researchers have not reported incidents of terrorist groups directly exploiting or recruiting migrants, although this topic is particularly difficult to investigate.

DEGRADING LIBYAN ARAB - BLACK LIBYAN RELATIONS AND FUELING RACISM

Human trafficking and smuggling also appears to be a driver of racism towards black Africans in Libya. Such intolerance contributes to the erosion of inter-ethnic relations between Libyans who consider themselves Arabs and those who consider themselves black Libyans (notably the Tebu). According to numerous interviews with migrants, it appears that kidnapping, torture for ransoms and slave labor are primarily directed at black migrants. A Nigerian migrant who barely escaped death during his journey through Libya in 2019 reported:

> *In Sabha, every black man is a target. We black in Libya [sic] — we're money to Arabs. The minute they get us, they can sell us* (Mark, 2018)

Based on migrant accounts, Arab migrants such as Syrians, Palestinians, and Egyptians are less likely to be exposed to abuse than black Africans, and this is probably linked to racism.

To be clear, racism was already quite prevalent in Libyan society before the 2011 revolution. A 2006 report noted at that point in time that racism was already exacerbated by the illegal status in which migrants inevitably found themselves in Libya due to the legal system that made it virtually impossible for migrants in Libya to obtain a legal status:[15]

> *For sub-Saharan Africans, there are additional difficulties faced from society at large, notably racism. Testimonies of some of the Egyptian respondents, as well as those of sub-Saharan Africans, describe a situation in which sub-Saharan Africans face greater difficulties both from state officials, such as police officers and prison guards, and from ordinary members of society by virtue of the color of their skin. The difficulties faced, which are compounded by their irregular situation.* [sic] (Hamood, 2006, 29)

As attitudes of racism can be elusive, dynamics are difficult to investigate; thus, it is difficult to establish a link between racism and human trafficking. However, Table 2 presents some of the findings of nation-wide surveys on individual attitudes and perceptions that were carried out in North African countries between 2013 and 2014. Results on questions gauging the level of tolerance towards foreigners are quite telling. The largest differences between Libyans and their North African neighbors is in regards to

[15] "Libyan law criminalizes irregular entry into, stay in or exit from the country with a penalty of imprisonment pending deportation, without any consideration of individual circumstances or protection needs. Foreign nationals in vulnerable situations, including survivors of trafficking and refugees, are among those subjected to mandatory and indefinite arbitrary detention. Libya has no asylum system, has not ratified the 1951 Convention relating to the Status of Refugees, and does not formally recognize the United Nations High Commissioner for Refugees (UNHCR)." See also UNSMIL & OHCHR, 2018, 5.

North African neighbors is in regards to attitudes towards migrants and towards people of other races in general, which are much more negative among Libyans.

Table 2. Post-2011 Tolerance Indicators for North African Countries

	Morocco	Algeria	Tunisia	Libya	Egypt	Average (excl. Libya)
Tolerance towards other races (1)	86%	80%	83%	45%	N/A	**83%**
Tolerance towards immigrants (2)	89%	72%	81%	41%	N/A	**81%**
Tolerance to other religions (3)	81%	57%	70%	46%	N/A	**70%**
Openness to other religions (4)	1.53	1.29	1.46	1.20	N/A	**1.42**

Note (1): "Select groups you would not wish to have as neighbors: People of a different race". 0) Selected; 1) Not selected. Year: 2013. World Values Survey (WVS) (2013)

Note (2): "Select groups you would not wish to have as neighbors: Immigrants/foreign workers". 0) Selected; 1) Not selected. Year: 2013. WVS (2013)

Note (3): "Select groups you would not wish to have as neighbors: People of a different religion". 0) Selected; 1) Not selected. WVS (2013)

Note (4): "The only acceptable religion is my religion". Scale from 1: Strongly agree; to 4: Strongly disagree WVS (2013)

Previous levels of racism notwithstanding, interviews with migrants, Libyans, INGO workers, and researchers over the last two years suggest that racism appears to be increasing among Libyans, particularly towards black Africans (multiple Libyan, migrants, and foreign researchers and INGO workers, author interviews, 2017-2020). A Libya researcher and former INGO worker who has regularly interviewed migrants over the last few years recalls how black African migrants are called by fellow migrants and Libyans alike:

> *Blacks are idiots; they make irrational decisions, such as risking their life in the desert or on ships, or deciding to pay only under torture; they are lazy workers; they fall off trucks that transport them through the desert.* (Libya researcher and former INGO worker, author interview, Oct 2019)

During a visit to DCs in Tripoli, the author observed a different attitude of DC authorities towards black Africans compared to other migrants. In one DC (i.e. Al Sabaa DC), black Africans were detained separately from other migrants. They were crammed up in a "special" detention section with much poorer hygiene conditions, and with much lower access to IOM doctors who visited the DC on a weekly basis (Al Sabaa DC, author visit, Feb 2019). Unlike their fellow DC inmates, these migrants were never allowed to come out in the courtyard. As a result, their health and mental conditions were notably worse.

Three causes seem to have contributed to fueling racism towards black Africans:

- The increased commoditization of human beings – particularly black Africans - as a result of human trafficking and smuggling,
- The strong signal sent by the EU that black African migrants are unwelcome and dangerous,

- The adverse consequences of the EU externalizing to Libya its containment of migration,[16] which often resulted in anti-migrant campaigns, rather than anti-crime efforts.

EU and EU member states' (notably Italy's) policy to contain migration and the demonization of migrants in many European countries have promoted the idea that migrants are dangerous and a threat to be contained. Moreover, the primacy of national "security" and the containment of migration associated with it, trumps the imperatives to help vulnerable human beings and protect their rights. It also promotes moral relativism and the division of human beings into two distinct categories: nationals who must be protected at all costs, and migrants whose plight is secondary to the safety, security, and economic well-being of the former.[17] These attitudes and behaviors may have spread to Libya, contributing to degrading the perception of migrants in the eyes of authorities.

A Cameroonian university student who crossed Libya in 2017 was interviewed by a Time magazine journalist. Based on her ordeal, she pointed out the consequences of EU policy towards migration and the cooperation of EU countries with Libyan authorities:

> *Joy, who speaks the polished French of an educated woman, says the E.U. directive to curb migrant arrivals not only emboldens corrupt Libyans, but also amplifies their deep-seated prejudice against black Africans. The Libyans understood that if the EU doesn't want blacks to come, it means we are not valuable as humans. […] The EU is essentially rewarding these militias for abusing us, for raping us, for killing us and for selling us.* (Baker, 2019)

A young migrant from the Ivory Coast who was detained in an informal DC by a militia reported, "They treat us as slaves. They do not like blacks. They are racist." And the militiaman guarding her and other migrants confirmed her allegations in his statements to a journalist, saying, "It is like the plague. They will destroy everything and contaminate us. We must send them home" (Al Jazeera, 2014). A recent article by a Chinese writer based in London provides a damning analysis of EU policies and attitudes towards migrants:

> *Migration into Europe has been portrayed as an "invasion" of different cultures" and a "clash of civilizations" – in a way that is similar to the justifications of the colonial era, where the colonized were cast as racially inferior beings*. (Pai, 2020)

In addition to the negative impact on migrants themselves, increased racism in Libya can also degrade the relationship between non-black and black Libyans, particularly affecting the Libyan Tebu population, and to some extent other non-Arab minorities (such as Touareg, Ahali, and people from the town of

[16] "The European Union has so far pledged roughly $160 million for new detention facilities to warehouse migrants before they can be deported back to their home countries and to train and equip the Libyan coast guard so that it can intercept migrant boats at sea. Individual EU member states have earmarked tens of millions of dollars more as they consider a recent request, reportedly in the range of $900 million, by Libya's U.N.-backed government in Tripoli for a list of equipment needed to combat migrant smuggling. […] these policies have empowered militias and criminal syndicates that have allied themselves with the U.N.-backed government and lined up for European largesse". See Tinti, 2017.

[17] As an example, former Italian minister of interior Matteo Salvini closed Italian ports to INGO rescue ships with migrants on board. In the summer of 2018, in two occasions Mr. Salvini went as far as prevented the disembarkation of rescued migrants from Italian coast guard ships (Gregoretti and Diciotti) that had rescued them at sea, on the grounds of protecting the Italian people. See also Biondi, 2018 and Euractiv, 2018.

Tawergha). These intolerant and derogatory attitudes can contribute to the degrading of inter-ethnic relations among Libyans themselves. Two mechanisms that can explain the spread of racist attitudes towards migrants to black Libyans are conflation and mimetism. Non-black Libyans could conflate black Libyans and African migrants, adopting derogatory attitudes towards both. Another mechanism is simply mimetism, that is replicating attitudes and behaviors observed in others. In this case, the demonization of migrants by European countries, and the increasingly violent attitudes and inhuman treatment that human traffickers and smugglers reserve to migrants provide very negative examples.

One indication of this trend is the increased use of derogatory statements made by Libyan Arabs in Sebha against Tebu. These appeared on social media during the 2018 conflict between the Arab tribe Awlad Suleiman, and the Tebu. Racist attitudes towards black Africans and black Libyans have also been fueled by Haftar public calls for "foreign mercenaries" and Africans writ large to "immediately leave Libyan territory and return to their countries," as well as the demonization of African foreigners present in Libya (Middle East Monitor, 2018).

5. STABILIZING IMPACTS OF HUMAN TRAFFICKING AND SMUGGLING

Notwithstanding the many ways in which human trafficking and smuggling destabilize Libya, there are also ways in which they have a stabilizing effect on the local economy and on conflict. These stabilizing mechanisms are particularly important in a country whose local economy is severely depressed in most of the territory, and in which the weakness of state authorities cannot guarantee security and justice. In a country marked by lawlessness and insecurity, any mechanism that can prevent or help resolve conflict, even if it results from criminal activities, should probably be preserved until better ones are established.

SUPPORTING LOCAL ECONOMIES

Ninety-five percent of Libya is composed semi-arid territory, most of which is poorly connected to the rest of the country and to the rest of the Africa region. Apart from the major coastal towns, where most Libyans live as can be in part deduced from the share of urban population reported in Table 3, Libyans are split into small communities far from each other that survive on very limited economic activities. The population density in Libya, less than four inhabitants per square kilometer, provides an unequivocal indication of Libya's demo-geography. Although reliable figures are not available, 2012 estimates from the World Bank indicated that half of young Libyan were unemployed – a much higher figure than in other North African countries in which youth unemployment is already very high. The current level of youth unemployment in Libya is probably much worse. Lastly, Libya's bureaucracy constitutes a potent obstacle to the development of the private sector. The key global indicator used to measure a country's bureaucratic obstacles to business is the time required to start a business. In Libya, the World Bank estimated that in 2012, a new business would need 35 business days to complete all necessary procedures, more than three times the average among North African countries (see Table 3 below).

Table 3. 2011* Socio-economic Indicators for North African Countries

	Morocco	Algeria	Tunisia	Libya	Egypt	Average (excl. Libya)
Total unemployment (% total labor force) (1)	8.9	10.0	18.3	17.7	12.0	**12.3**
Youth unemployment (% total labor force) (2)	18.6	27.5	37.6	48.7	34.7	**29.6**
Time required to start a business (days) (3)	12	24	12	35	8	**14.0**
Urban population (% of total) (4)	58.7	68.9	66.3	78.0	43.0	**59.2**
Population density (5)	72.9	15.4	68.7	3.6	84.2	**60.3**

* Except where indicated otherwise.

Note (1): Share of labor force without work but available for, and seeking employment (modeled ILO estimate). World Bank (2015)

Note (2): Unemployment rate among individuals ages 15-24 (national estimate). Year 2012. World Bank (2015)

Note (3): # of calendar days needed to complete the procedures to legally operate a business. Year: 2012. World Bank (2015)

Note (4): People per sq. km of land area. World Bank (2015)

Note (5): Midyear population divided by land area in square kilometers. Counts all residents regardless of legal status or citizenship--except for non-permanently settled refugees. World Bank (2015)

The most economically depressed areas in Libya are small towns far from the coast, whose inhabitants feel neglected by the state. Many of these areas are precisely those through which human trafficking and smuggling networks operate (i.e. Bani Walid; Zillah; Shwarif; Brak al Shati; Ghadames; Sebha; Obari; Murzuq; Qatrun; Um el Aranib; Rebiana; Tazirbu; Jaghbub and others). In these localities, human trafficking and smuggling offer a rare source of livelihood for the youth, which are largely unemployed and there are also practices that has deep roots in the history of transnational trade routes on which these communities have survived for millennia, and which they regard as acceptable traditional sources of livelihood. Lastly, many of these isolated areas are also those where violent extremist groups such as Al Qaeda and ISIL seek refuge and try to recruit members. Thus, in these economically depressed areas, human traffickers and smugglers offer young men an opportunity to make a living and to belong to a group, which may prevent them from enrolling in terrorist armed groups, or from fueling conflicts (Molenar et al. 2017; Tuniana et al. 2018; and Tubiana and Gramizzi, 2018).

After 2011, the Niger-Libya cross-border smuggling opened widely to small players. After 2015, however, the EU began adopting a strong policy to crack down on human trafficking and smuggling, thereby cutting off many of these young players from smuggling activities and destabilizing the local economy:

> *The criminalization of both smugglers and migrants was at odds with the fact that transporting migrants was regarded as both a 'normal' and 'licit' occupation in northern Niger – and one that has contributed to economic development and stability in the region.* […] *smugglers now drive on various new or little-used roads […that] partly merge with existing drug trafficking routes, reportedly occasioning new ties between drug traffickers and migrant smugglers, since both activities are now seen as similarly criminal.* (Tubiana et al. 2018, 23)

According to an investigation of the impact of EU policy on combatting human trafficking and smuggling, in the case of Niger, it seemed that smuggling prevented youths to turn to terrorism, while anti-smuggling policies pushed youth to join terrorist groups (Tubiana, Author interview, Oct 2019). This may provide lessons for Libya.

In addition, as indicated in the previous section entitled "Disruption of Traditional Circular Migration Patterns Supporting the Libyan and Regional Economies", Libya's economy heavily relies on migrants. Human smugglers provide the organizational infrastructure through which migrants come in and out of Libya. A businessman from Bani Walid who was interviewed in 2019 had a very clear idea of how important migrant workers are for his business, and for Libya's economy writ large:

> *My business relies on [the labor of] migrants; they are the only capital that exists in this country in the present dire circumstances.* (El Kamouni-Janssen et al, 2019, 48)

His assessment is supported by the World Bank that carried out an enterprise survey in 2015. Its findings highlighted how much some Libyan economic sectors rely on migrants:

> *Construction, trade and tourism enterprises reported using between 60 and 70% foreign workers, with Libyans only accepting and holding key positions such as managers, accountants and engineers.* (World Bank 2015, 15)

Lastly, human smugglers also offer an opportunity to young Libyans to migrate abroad in search of a better future, at a time when their country does not offer many promising prospects. Not surprisingly, since 2011, Libyans are increasingly present among migrants crossing the Mediterranean.

REGULATING ETHNO-TRIBAL GROUP INTERACTIONS

Once well established and coordinated among local groups, human trafficking and smuggling can have a stabilizing effect on local peace and security. In fact, the communities involved in these illicit activities have an interest in carrying them out in a peaceful and orderly fashion to maximize benefits and minimize costs. If they fought each other, they would both create uncertainty about their future earnings, and jeopardize current ones. This is particularly visible in southern Libya, where tribes and ethnic groups who fought each other cooperate for the good functioning of an enterprise in which they each play a necessary but not sufficient role. These dynamics can be observed in the relationship between the communities of Sebratha, Mutrud, and Zawya, between Tebu, Goran, Magarha, and Zaghawa tribes, between Touareg and Tebu in southwestern Libya, and between Magarha and Awlad Suleiman tribes in Sebha. Focusing on illicit activities along the coastal area between Zawya and Sebratha, a researcher explained:

> *Despite the fact that the factionalism is nominally political or ideological, in most cases militias are drawn into partnerships across towns on practical considerations concerning the undermining of common enemies. Joint activity identified during focused monitoring and fieldwork at various points of the reporting period include cooperation on departure operations between networks based in Sabratha, Surman, Mutrud and Zawiya as well as cooperation on disruptive activity masked as law enforcement, both at sea and on land.* (Micallef, 2017, 14)

Conflict between Sebratha and Zawya re-emerged in the following years due to a variety of reasons, which indicates that the stabilizing effect of joint human trafficking and smuggling activities depends on other factors. Similarly in southern Libya, an inhabitant of Kufra explained:

> *In general, there aren't wars about human smuggling, people fight over other things but people-smuggling gangs don't settle their problems through fighting. They come to agreements to avoid fighting and conflict – even between groups, they don't care about tribal differences. They just care about profit.* (Kufra contact, GI interview, Sept 2019)

One of the reasons that the relationship between Tebu and Touareg had remained peaceful for over a century until their historical peace accord broke down in August 2014 is the cooperation between these two groups in the management of cross-border migration flows, as highlighted by researchers of the Sahel area:

> *Migration also contributed to the coexistence of Tuareg and Tubu communities, who had to cooperate to cross each other's territories, in spite of being in conflict within Libya. The new migration policy threatens to upset these fragile balances.* (Tubiana et al. 2018, 29)

The relation between the Arab Magarha tribe and the Tebu ethnic group also provides a clear example of the mechanism whereby cooperation on human trafficking and smuggling stabilizes inter-communal relations. The Magarha tribe dominates the vast desert area that stretches from Shwayrif (400 km south of Tripoli) southwards to Brak al-Shati (300 km further south). Movements from the Libyan Desert to the coast of Tripolitania in the west, cross this area. The control over this territory has given the Magarha an important and deeply rooted role in trans-Saharan smuggling networks, including human trafficking and smuggling. One result of this has been the development of strong commercial relations between the Magarha tribe and Tebu communities, who largely control smuggling in the far south of the Fezzan – the next Libyan stretch of territory towards the Sahara. The ties between these two important communities were used to mediate, and in part avoid conflict during the campaign by the LAAF to extend its grip over the Fezzan in February and March 2019.

In Ghaduwa and Murzuq, the LAAF encountered stiff resistance that led to open fighting, in part because it relied on the 116 Brigade that is largely composed of and managed by Awlad Suleiman with whom the Tebu do not cooperate in human trafficking and smuggling activities. By contrast, when the LAAF relied on the 12th Infantry Brigade, which is dominated by the Magarha tribe and commanded by Mohammed Bin Nayl, they had far more success and fighting was largely avoided. Reflecting the good ties between the Magarha and the Tebu, a contact at the time explained that Bin Nayl has a relationship with the leader of the Supreme Council of Libyan Tebu, Zilawi Mina Saleh al-Tabawi.

> *Bin Nayl was able to use this relationship to gain access to Tebu areas for the LAAF. There wasn't any need to fight, they just wanted to go to the area to show it is theirs and Bin Nayl could negotiate that. Doing this, Bin Nayl allowed the LAAF to show that it had entered Qatrun [by 26 February], and then eventually all the southern border areas.* (Tebu contact, GI interview, Mar 2019)

A video showing Bin Nayl entering Qatrun in a friendly manner illustrates the way that this was achieved through good communal ties.[18] At the time this came as a surprise, given how much resistance there had been initially. Contacts stressed that this was in part thanks to the shared interests of smuggling. A significant portion of these interests relate to human smuggling and trafficking. Research carried out by the Global Initiative since 2015 confirmed multiple relays between Magarha and Tebu human smugglers in the southern neighborhoods of Sabha, around Tajouri, but also in Brak al-Shaati itself, which serves as a major hub for warehousing, extortion labor and sexual exploitation of migrants. The same dynamic emerged after the brief war that pitted Ahali and Tebu in Murzuq in August 2019. After the Ahali had been expelled from Murzuq, a contact from Sebha reported:

> *Some people in Sebha want to fight against the Tebu in Murzuq, some individuals among the Awlad Suleiman. But at the tribal level there is no desire. The Magarha have their business interests with the Tebu, so they don't want a war.* (Sebha contact, GI interview, Aug 2019)

In conclusion, human trafficking and smuggling can either aggravate or prevent inter-tribal or ethnic conflict. The type of impact that these illicit activities – and others may have on security and stability appears to be tied to how well organize these activities are, and to how much each community (i.e. tribe or ethnic group) respects agreements. The interference of other actors, such as foreign armed groups (e.g. Chadian and Sudanese rebel groups), and national forces (e.g. LAAF and GNA-affiliated forces) can disrupt peaceful relations between local tribes and ethnic groups, providing exogenous incentives to break agreements and compromise the status quo.

6. COMBATTING THE DESTABLILIZING EFFECTS OF HUMAN TRAFFICKING AND SMUGGLING: EXISTING INTERVENTIONS, GAPS AND PROGRAMMATIC RECOMMENDATIONS

WHO IS DOING WHAT?

Most of the international focus on migration in Libya – among actors such as, IOM, UNHCR, Médecins Sans Frontières (MSF), and several others – centers on three kinds of interventions. The most common area of intervention focuses on supporting vulnerable migrants, victims of trafficking and smuggling, by providing basic humanitarian assistance (e.g. medical assistance, food, and clothing), by helping them return to their home country if they wish to, providing legal assistance through registration of asylum seekers and refugees, and resettling a few thousands of them per year in other countries. Most of these activities take place at detention centers, some at disembarkation points, and increasingly, in urban settings where migrants may live outside of detention. A relatively recent approach to helping asylum seekers was the establishment of the Gathering and Departure Facility (GDF) in December 2018 (although it became active in early 2019). It is located in Tripoli and it is the first center of its kind in Libya. The GDF was established as a transit site to host refugees who had been identified for a solution outside of Libya, pending their evacuation. The GDF is managed by the Libyan Humanitarian Relief Agency (LibAid) with the financial support and technical assistance of UNHCR (mostly with EU funds) and is under the oversight of the Ministry of Interior. Due to the recent clashes in the capital, the presence of military activities close to the center, and the overcrowding of the GDF (close to 900

[18] See video posted on Facebook by Mohamed Lifares in February 2019, available at https://www.facebook.com/son.libya.1276/videos/2218786458440012/

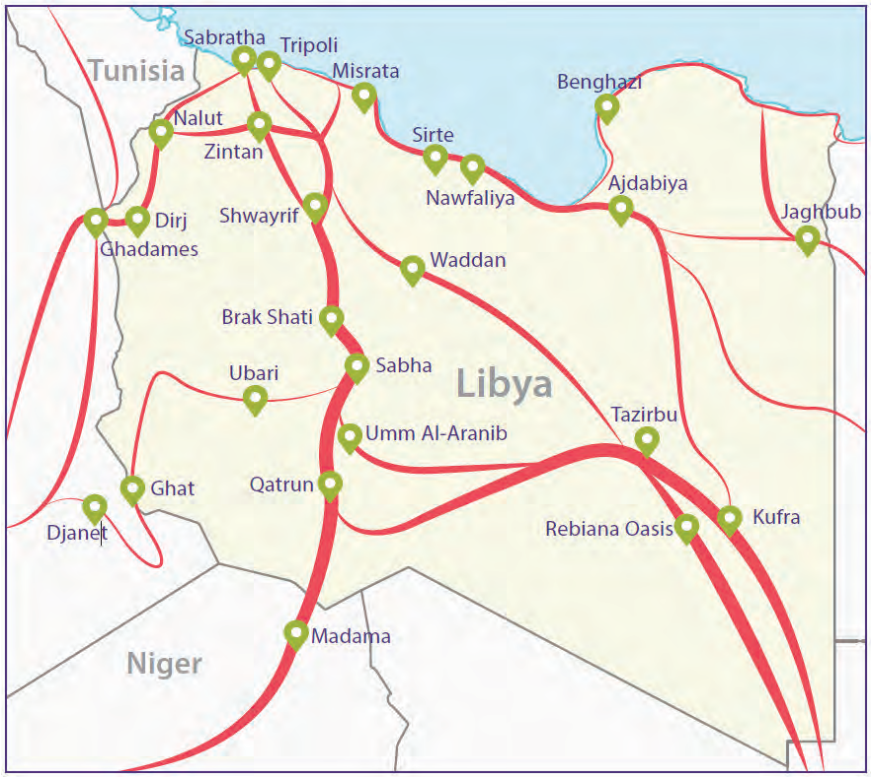
individuals entered the GDF spontaneously since July 2019), UNHCR suspended its operations at the GDF (UNHCR, 2020). However, there are allegations that the decision may have been motivated by other reasons, given that "for months [the GDF] been effectively controlled by the DCIM and militias associated with it, and had become unsanitary and dangerous. […] the facility had increasingly been seen as tarnishing the agency's reputation" (Creta, 2020).

The second kind of intervention is more focused on the host communities – Libyan communities that were strained by migration. The goal is to improve the life conditions of and provide economic opportunities for host communities, which ultimately lifts the burden for hosting migrants and provide jobs for migrants as well. These interventions also seek to decrease tensions that may arise among Libyans in response to the increasing focus of international programs on migrants at a time when non-migrant Libyans are facing protracted economic hardship, lawlessness, and insecurity. While most programs of the first kind take place in Tripoli and to a lesser extent Benghazi and other major coastal towns, interventions that target host communities take place along the main migration routes, largely in the south of the country (see map in Figure 2 below). Two important programs of this kind are "Stabilization for Libya" (SFL) and "Resilience and Recovery" (R&R), both carried out by the United Nations Development Program.

The third kind of intervention focuses on strengthening the capacity of the Libyan authorities who deal with migration issues, namely the DCIM, LCG, and to a certain extent, the police and judiciary apparatus. Support mainly consists of capacity building activities and of material support provision. These interventions are most closely linked to combating human trafficking and smuggling. The largest program of this kind is the EU Integrated Border Assistance Mission in Libya (EUBAM Libya) which aims at supporting Libyan institutions in the areas of border management, law enforcement and criminal justice.[19] Another large program focusing on capacity-building is carried out by the International Centre for Migration Policy Development (ICMPD). ICMPD's program focuses on migration governance, which aims to contribute to good governance in Libya by strengthening the capacity of public institutions to effectively govern migration. Besides these large-scale programs, there are other smaller scale ones. For instance, the American Bar Association (ABA) and the United Nations Office on Drugs and Crime (UNODC) have organized workshops on the topic of human trafficking and smuggling for law enforcement officers.

[19] The current mandate of the mission finishes on June 30, 2020.

Figure 2. Routes and Trends along Libya's Key Smuggling Hubs



Source: Micallef, 2017, 10

PROGRAM RECOMMENDATIONS

A sizable portion of the international development and humanitarian support provided to Libya is directed towards migration-related issues. However, very little is done to tackle the businesses of human trafficking and smuggling themselves. And to be fair, for the time being, it is unrealistic to try to curb the business of smuggling for several reasons. Firstly, Libyan state institutions, whether in the East, West, or South are *de facto* captured by armed groups as explained throughout the report, largely because of the large amount of income that human trafficking and smuggling and other illicit activities generate. Secondly, important segments of Libyan society rely on human trafficking and smuggling, without which many local economies would struggle or collapse. Thirdly, Libya's judicial authority is at a standstill, and national security institutions are either incapable of cracking down on criminal networks, or they are absorbed by the protracted national conflict. Fourthly, Libyans and international actors alike (notably the EU, Italy, and France) are conflating human trafficking with human smuggling, and with migration writ large, often for reasons of political expediency (GI, 2018, 14).[20] As a consequence, counter-trafficking measures end up combating migration rather than combating its criminal exploitation. Lastly, the demonization of migrants, largely manufactured by some European leaders and *de facto* embodied by a European agenda on migration, has permeated Libyan society, fueling and merging with an already deep and widespread racism as described above.

[20] As Reitano et al. note: "Identifying a situation as one of trafficking helps to strengthen the legitimacy of responses that may otherwise be politically unpalatable" (Global Initiative, 2018, 14).

Moreover, as GI's Tuesday Reitano and her colleagues aptly put it, the goal of ending migrant smuggling, the goal of protecting migrants from trafficking and exploitation, and the goal of reducing levels of irregular migration are "not one and the same, and, in the framework of some responses, may be mutually exclusive." They point out that the only strategy that can achieve all three goals simultaneously is "to increase the available number of safe and legal routes to Europe as well as to other destinations, and to encourage freedom of movement and trade in the regions of source and transit." (GI, 2018, 13). This strategy does not appear to be viable for the foreseeable future.

Nonetheless, and in spite of the challenges identified above, the practitioners and international donors, such as USAID, consider several program interventions and strategies. In addition to strengthening the capacity of Libyan institutions that contrast human trafficking with supporting vulnerable migrants, international actors might:

- **Help local authorities distinguish migrant smuggling and trafficking, and focus on the latter.** The U.S. government should support a policy that fights human rights violations without criminalizing migrants attempting to cross the Mediterranean. The European Union's narrow focus on preventing migrants from crossing to Europe has sent a wrong message to actors involved in human smuggling and trafficking. It has nudged actors to generate profits through exploitation and extortion. International actors should reward Libyan security actors and promote interventions that target criminals who abuse migrants, setting an example for other security actors to follow.[21]

- **Encourage and support local authorities to provide migrants with work permits.** The inclusion of migrants in the labor market through the issuing of official work permits will protect them from abuses by Libyan authorities. Moreover, it may help contrast and contain the criminal exploitation of foreign labor and can help highlight their positive impact on the Libyan economy.[22] Recent Libya political talks in Berlin included this issue, and the latest discussions between international cooperation and development actors and DCIM indicate that Libyan authorities may have become more open to issuing work permits to foreign workers (UNHCR official, author interview, Mar 2020). Moreover, there are several loopholes in the Libyan local governance law (Law 59/2012) that municipal authorities can use to issue work permits to foreign workers. In fact, several mayors already do. Nonetheless, these stop-gap measures should be coordinated with the Ministry of Labor, and must be accompanied by efforts to amend, streamline, or develop the Libyan legal framework regarding foreign workers.

- **Support the development of an effective subnational migration governance structure.** Support DCIM to develop Libya's migration management and facilitate coordination between national and subnational DCIM units, and between them and local authorities. Currently, DCIM plays almost no role in migration management in several key migration hubs, such as Bani Walid and most towns in southern Libya.

[21] For instance, in January 2018, a group of criminals kidnapped migrants and sent videos showing them being tortured to their families. These videos quickly circled back to Libya, and a Tripoli militia was able to arrest these criminals and free the migrants. (Moore, 2018)

[22] A 2019 research explains how developing mechanisms to issue work permits to migrants can produce economic gains, while keeping the host-country government in control of the migration flows (Lokshin and Ravallion 2019).

The following recommendations are consistent with the USAID Libya Program Plan 2018-2020 and their Objective 1 – To improve the accountability of governance institutions and their alignment with citizen interests, as well as their other two Objectives as described below.

- **Adopt targeted economic measures for communities who reside on Libyan migration routes**. USAID should help create alternative income and employment opportunities for youth involved in human trafficking and smuggling, and help respond to immediate needs when they arise. These projects should pursue the short-, medium-, and long-term economic support objectives. Projects should be carried out in parallel, apportioning resources and emphasis among them based on a specific assessment of local needs, opportunities and constraints at a given time and place:

  - **Targeted training and support to develop livelihood opportunities**. Involve targeted youth in training on entrepreneurship and income generation strategies in exchange for a modest stipend that covers transportation and some of the opportunity cost of dedicating time to the training rather than to other more lucrative but dangerous activities. These projects should provide small entrepreneurship grants and help create a sustainable enabling environment for youth-led enterprises.

  - **Cash-for-work** projects that provide short-term income to local workers (Libyans and migrants) while constructing or rehabilitating key local infrastructure, such as schools and healthcare facilities. These projects must be developed in close partnership and coordination with local authorities (i.e. the municipal council, traditional councils, community leaders, NGOs), ensuring the inclusion of all community groups. To this end, UNDP's SFL approach can serve as an example.[23] This inclusive, deliberative process helps ensure that projects respond to genuine and common needs, and benefit the entire local community, thereby avoiding fueling inter-communal tensions (i.e. follow conflict-sensitivity principles).

  - **Cash assistance** for essential items (e.g. food, water, cooking gas, and transportation) in times of need, using the multipurpose cash assistance (MPCA) program created by USAID/OFDA. Overall, there are no structural, protracted humanitarian needs among Libyans. However, conflict and national disasters can create immediate humanitarian needs for short periods. The presence of cash assistance programs that can be rapidly scaled up may help reassure isolated communities along the migration routes and signal that they do not need human trafficking and smuggling as a safety net.

These targeted economic measures respond to the second objective of increasing opportunities for licit economic growth and participation laid out in the USAID Libya Program Plan. UNDP has also been carrying out the first and second type of projects in 20 Libyan municipalities along migration routes through the "Strengthening Local Capacities for Resilience and Recovery" (R&R),[24] and in part through the "Stabilization Facility for Libya" (SFL)[25] programs. However, these programs do not target youth

[23] Notably the Social Peace Assessments and the Consultative Workshops.

[24] More information on the R&R program is available at https://www.ly.undp.org/content/libya/en/home/projects/Strengthening-Local-Capacities-for-Resilience-and-Recovery.html

[25] More information on the SFL program is available at https://www.ly.undp.org/content/libya/en/home/projects/Stabilization-Facility-for-Libya.html

actively or potentially involved in human trafficking and smuggling. On a smaller scale, IOM's community stabilization program also carries out similar activities in the municipalities of Sabha and Al Qatrun. IOM activities include the restoration of basic infrastructure and essential services, support to livelihood opportunities, civil society capacity building, socio-cultural activities, and support to local governance. The Office of Transition Initiative's Libya program (LTI) also carries out some of the above-mentioned activities to improve stability in strategic areas, increase citizens' confidence in public institutions, and reduce the influence of extremist groups in strategic areas. One of LTI's strengths is its ongoing action research and monitoring capacity, which can serve as an example for the research recommendation below.

- **Develop a specific research and monitoring capacity focused on human trafficking and smuggling.** Given the constantly changing landscape on the ground in Libya, international donors should continue to support the systematic generation of granular, context-specific information and analysis on human trafficking and smuggling. Currently, most of the information focuses on migration flows, and human trafficking and smuggling dynamics. More information and analysis should be produced on the interplay between organized crime and governance and stability in Libya. Regular research should build on the conceptual framework and analysis offered by this report. Moreover, the most crucial element in the type of projects highlighted above is the selection of beneficiaries. These projects can only be effective if they target youth who are actively involved in human trafficking and smuggling or who are likely to engage in these activities in the future. Identification of these individuals is difficult and highly context-specific. Hence, it must rely on very strong and accurate localized field research on human trafficking and smuggling and on cooperation from local researchers, informants, and authorities. In addition, human trafficking and smuggling and Libya's context writ large are very fluid and changing. Thus, programs focusing on these activities must be equipped with very strong in-country monitoring and evaluation mechanisms that can provide *ad hoc* context-specific and timely tailoring and close verification of ongoing activities. The Flexible Research and Analysis Platform (FRAP) adopted under OTI's LTI3 program constitutes a good example of an action research and monitoring mechanism.

- **Adopt a human rights-based approach**. USAID can explore leveraging its local governance and civil society programs to intervene as follows:

  - **Support civil society organizations that could monitor abuses and raise local awareness of human trafficking and smuggling.** Collaborate with local CSOs to monitor and inform citizens on the prevalence of extortion and exploitation of migrants, focusing primarily on towns along the migration routes. Help CSOs inform migrants, citizens, and law enforcement authorities about migrants' rights and exercise pressure on local security authorities to respect them. Carry out these efforts jointly with local religious leaders, traditional leaders, and local authorities.

  - **Engage local academic institutions and researchers to study the impact of human smuggling and trafficking on their communities.** No information on human trafficking and smuggling can be more granular and timely as that produced locally through the methodological support of international experts. Moreover, the production of information and analysis on human trafficking and smuggling by local researchers can greatly help local communities to grasp the impact of these businesses on local governance and peace in their community. Thus, USAID

should collaborate with local academic institutions, researchers, and CSOs in the towns along the migration routes to carry out research on local human trafficking and smuggling dynamics.

– **Identify and support local initiatives providing protection to migrants**. A few civil society initiatives have emerged in Libyan towns situated along migration routes to assist migrants. One example is the safe house in Bani Walid, which is a community-run safe place for migrants. These initiatives help take migrants off the streets, thereby providing a counterpoint to human trafficking and crimes against migrants. They also help improve attitudes towards and perceptions of migrants. USAID should identify and support these initiatives, and encourage other communities across the migration route to develop similar ones.

Developing a strong research and monitoring capacity focused on human trafficking and smuggling, and fostering a human rights-based approach with Libyan counterparts (CSOs, academic institutions, authorities) can help USAID achieve its third Libya Program Plan 2018-2020 objective to enhance the ability of communities to address drivers of instability and conflict.

In short, international strategies aimed at combatting human trafficking and smuggling should focus on strengthening Libyan state institutions to protect migrants while safeguarding Libyan institutions. Institutional support should focus on migration management and on the rule of law, through direct assistance and by encouraging and supporting Libyan authorities to combat human rights abuses. In parallel, international actors should help Libyan authorities integrate migrants in the labor market, highlighting their great contribution to Libya's economy. At the programmatic level, international actors should focus on stabilizing Libyan communities, notably through economic development and good governance, while helping to develop alternative livelihood opportunities for human traffickers and smugglers. In order to carry out these programs successfully, international actors must equip themselves with timely and context-specific research and monitoring capacity that focuses specifically on human trafficking and smuggling.

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ANNEX A: ASSESSMENT STATEMENT OF WORK

Tasking Request N016: Libya C-TIP/Smuggling/TOC Research

Date of Request: March 25, 2019

Type of Task:

- Auxiliary Studies

SOW:

Research Questions:

(1) What are the political, economic, social and broader regional factors fueling conflict in Libya?

(2) To what extent do human trafficking and smuggling contribute to conflictuality in Libya?

(3) To what extent do human trafficking and smuggling tie to other forms of illicit activity in Libya?

(4) What do human trafficking and smuggling networks look like – key actors? Involvement of state actors?

(5) What interventions exist to combat human trafficking and smuggling? Where are the gaps?

We are asking NORC to respond to the research questions with a literature review drawing on information from organizations such as the Global Initiative against Transnational Organized Crime.

Dates of performance and timeline:

To be completed by October 1, 2019, later revised to March 2020.

Deliverables:

- Regular calls with USAID's CTIP team
- Draft Literature Review to be reviewed by USAID
- Final Literature Review responding to USAID Feedback
- Present at the October CTIP Evidence Summit

Submission Instructions:

Please submit a concept note and budget within 2 weeks.

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