Research Article

The Routes of Migrants in Europe: Transnational Organized Crime (TOC) and its Role in Human Smuggling

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Abstract

The European Union is facing the biggest migratory pressure it has experienced since it came together as a union. The exceptional increase of the number of migrants and refugees directed to the EU has resulted in an exponential growth of the role of organized crime groups which are taking advantage of the current humanitarian crisis. In order to maximize their profits, criminal syndicates operating in the European migrant smuggling market have evolved from domestic nature to more transnational characteristics, developing a complex system of transnational illegal networks. This paper analyses the nature and the role of criminal actors involved in migrant smuggling, focusing on the main features of this market describing the two main smuggling routes controlled by these networks, the Central Mediterranean route and the Balkan route.

Keywords: Migrants smuggling, Transnational crime organizations, Crminal network, Central Mediterranean route, Balkan route, Smuggling market

Introduction

Due to the ever-increasing demand of fleeing from critical homeland situations, criminal organizations have occupied a decisive role in the "migrant's affair". Their structure and illegal activities have evolved from domestic nature to more transnational characteristics. To evade the closure of the borders and the restrictions imposed by the European Union, the criminal structure has to assume a multinational approach helped by international intermediaries, which having rooted within the country, can offer concrete and immediate solutions to the migrants' issues. To reach Europe, the smugglers use two main routes: (i) the Mediterranean from North Africa to Italy; (ii) the Eastern land-route from Turkey via Greece, Macedonia, Serbia and Hungary. In 2015, the latter was favored as migrants could easily pass through extremely porous borders without any substantial control by the domestic military officers. Irregular migrants also travel along the Western Mediterranean entry route to enter the EU in Spain. However, this route is less significant than the Eastern and Southern Mediterranean entry routes. The complex and ever-shifting dynamics of migration flows, coupled with the limitations of existing protection capacity in several countries suggest that the next crisis for the European Union will not be far away. The weaknesses and loopholes in asylum legislation, in fact, pave the way for the growth of international traders in the affair of human trafficking. According to Europol, TOCs are expert in circumventing legislative obstacles and are adept at instructing irregular migrants to follow an established modus operandi. The obstruction of the migrant flux, alimenting the finding of alternatives routes, reinforces the control of local traffickers on human smuggling. Furthermore, the expiry of short-term resident's permits and the forced staying into unsafe conditions make migrants an easy prey for traffickers. Smugglers can either run independently legitimate business, sustained by corrupt officials or be part of criminal organizations which are variously structured in terms of size and networking skills. Of note, important differences among transnational organized criminal groups in terms of specialization and professionalism have been observed.

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How to cite this article: Frontuto P. The routes of migrants in Europe: Transnational Organized Crime (TOC) and its Role in Human Smuggling. *J Adv Res Humani Social Sci* 2017; 4(1): 9-20.

Digital Object Identifier (DOI): https://doi.org/10.24321/2349.2872.201702

ISSN: 2349-2872

The purpose of this paper, mainly directed at European policy makers and public opinion, is to analyze the nexus between migrants and smugglers and the evolution of the criminal organizations involved in the smuggling of migrants from Africa and Middle East to Europe in order to provide a comprehensive framework and to obtain a better understanding of this phenomenon. The role of criminal organizations is currently underestimated and considering the uncertainty of the Mediterranean scenario (primarily the chaotic situation in Libya) it is expected to grow in the coming years. It is therefore essential to understand how traffickers operate and how they are able to replace the States and the European Union in the management of migration.

In particular, three questions characterize the development of the research

- What is exactly migrants smuggling and in which sense it differs from human trafficking?
- What are the particular characteristics of this market in Europe?
- How do criminal organizations operate in the Mediterranean area and what are the differences between the Central Mediterranean route and the Balkans route?

This research will be structured trying to answer these three questions: primarily, the theoretical and methodological approach used and the terminological definitions of smuggling and trafficking will be described. The body of the work will proceed to the identification of the main aspects of the smuggling market that, as Bilger, Hofmann and Jandl (2006) argue, can be understood as "a transnational service industry linking service providers to their clients". Subsequently the TOC activities will be analyzed considering two specific cases such as the crime organizations operating along the Mediterranean route and the Eastern route paying attention to the identification of similarities and differences between the working methods of these networks.

Theoretical Framework

Due to the acceleration of globalization, the traditional theoretical perspectives of international relations cannot exhaustively explain the phenomenon of transnational organized crime. Realist and liberal scholars explain that globalization is only a fad that poses new challenges to states but there isn't any non-state actor who can be equal in capacity to a state. Consequently, the role of non-state actors, like transnational crime organizations, 'is absolutely ignored' (Zabyelina, 2009: 13). Recently an interesting point of view has emerged: the sovereignty-eroding international system theory claimed that the international system is undergoing crucial transformations. As Susan Strange explains in the Retreat of the State (1996), after the collapse of former Soviet Union and the globalization development, the state power has become more diffused in world economy, however, this power has been transferred from nation-states to non-state actors and the market, sometimes illegal markets, has become increasingly important. Crime organizations have been able to capitalize these trends more quickly and effectively than governments; their success depend on the international cooperation among them and their capacity to operate through fluid network structures rather than more formal hierarchies. Criminal gangs coming from mutually hostile ethnic populations, for example those operating in former Yugoslavia, act jointly without regard to officially declared animosity and ethnic origin and interact each other. As sustained by Sterling, this cooperation has resulted in a so-called Pax Mafiosa, "a period of relative peace through a symbiotic co-existence between state authorities and criminal groups, as well as between rival criminal mafia who choose to cooperate driven by mutual profits in the favorable international setting of the free market" (Zabyelina, 2009: 19). From theoretical perspectives, these actors play behind the scene as "transnational diplomacy" among different domestic mafias. Indeed, the constant growth of TOC activities (especially those concerning the human smuggling) corroborates this hypothesis. The activities pursued by global criminal organizations, taking experience from the procedures generated by illegal markets, were exponentially expanded and qualitatively developed. Indeed, criminal actors involved in migrants' smuggling are "no longer unitary and independent players but rather constitute important nodes in the interdependent matrix of state and non-state actors" (Zabyelina, 2009: 21).

Methodology

Due to the difficulty of monitoring people's flow in a precise and constant way, there are obvious methodological limitations on estimating the movement of smuggled migrants across Europe. Moreover, the perception of smuggling phenomenon is dramatically complicated by the current worldwide geopolitical conditions. In fact, ISIS geographical expansion as well as the chaotic situation in the Middle East and Africa has led to an exponential growth in the number of those who leave their homeland. According to the latest UNHCR report in 2014, 59.5 million of people have left their homeland with a significant increase compared to 51.2 million estimated a year earlier and 37.5 million ten years ago. On the other hand, the Europol has estimated the organized criminal groups in 3600 active units in Europe. These groups are increasingly networked and are characterized by a group leadership approach and flexible hierarchies. In few years, these organizations not only transcended their national dimensions toward more multi-ethnic compositions but also expanded their activities harnessing the process of globalization. Above and beyond these considerations, it must be noted that the business of

human smuggling is difficult to estimate. Indeed, the almost complete reticence of most migrants in denouncing and providing useful information about the traffickers make the evaluation and the comprehension of this phenomenon very vague. For this reason the statistical data available about their involvement in smuggling of migrants are to be considered as general indicators not exhaustive for analyzing the phenomenon. Despite of these limitations, it should be noted that statistical methodologies are slowly being harmonized among European Union member States and more reliable estimations are currently accessible. For example, Frontex Risk Analysis Unit performs monthly statistical data and information exchanges on irregular migration trends and developments and elaborates regional measurements and situational overviews of the phenomenon. Key indicators such as detections of illegal border crossing, detections of illegal border-crossing at border-crossing point, refusals of entry, detections of illegal stay, asylum applications, detections of facilitators and detections of fraudulent documents have been successful employed to give a general framework around the phenomenon of human smuggling. Furthermore, Europol has recently developed a useful document regarding the criminal activities and groups affecting the EU. The Serious and Organized Crime Threat Assessment (SOCTA) is able to provide precious information to Europe's law enforcement community and decision-makers, this statement brings the attention to a new breed of 'network-style' organized crime groups, defined much less by their ethnicity or nationality and much more by their capacity to operate on an international basis with multiple partners and in multiple crime areas and countries. Frontex and Europol reports have highlighted that a single source of information (in particular the official data produced by governments) is not completely reliable. In order to obtain an unambiguous estimation of TOCs involvements in human smuggling, a combination of sources (NGO activities, smuggler interviews and so on) is needed. Thus statistical resources together with qualitative and quantitative methodologies will be used.

Definition of Smuggling and Trafficking

Trafficking in people and smuggling of migrants have both become major topics of international governmental attention. These two concepts are easily confused because of a few similarities and partial overlap often existing between both phenomena. In some cases it may be difficult to understand quickly whether a case is one of human smuggling or trafficking; they are distinct activities only in theory while in practice many victims of trafficking begin their journey voluntarily and many incidents of trafficking start out with migrants being smuggled. They have common elements but there are some important differences between them. In 2000, the United Nations has adopted two distinct protocols in order to distinguish human smuggling and human trafficking. These protocols were the first real attempts to differentiate between human trafficking and human smuggling and provide a significant foundation for a general definition of these terms. The Protocol Against the Smuggling by Land, Sea and Air defines smuggling as:

"The procurement, in order to obtain directly or indirectly, of a financial or other material benefit of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" (UNODC, 2004: 54-55).

In other words, it is a mutual financial agreement between the smuggler and migrant to illegally transport a person across an international border.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons as:

"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, the abuse of power or a 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs" (UNODC, 2004: 42).

Trafficking differs from smuggling in three points: 1) Purpose of the crime 2) Consent 3) Border crossing.

The purpose of trafficking is always exploitation and it can occur over an indefinite period of time while the purpose of smuggling is to obtain a financial or other material benefit by facilitating illegal entry into or illegal residence in another country. The consent of a trafficked person is not relevant to the crime because of the coercive, deceptive or threatening actions of the trafficker, while migrants have generally consented to being smuggled; in the case of smuggling, one individual pays another in order to facilitate his/her illegal travel from one country to another. Once the country of destination is reached, the relationship between the smuggled migrant and the smuggler ends with the payment for the service provided. Thus an essential feature for smuggling is the consent of the migrant for the migration process. The consent implies that there is a considerable level of trust between the smuggler and the migrant; in absence of this condition there is no relation between smugglers and migrants. On the other hand the trafficking process presupposes an initial establishment of trust but it disappears almost immediately: confidence is replaced by a relationship based on coercion and exploitation. As Burke (2008: 105) has argued "human smuggling, with its mutually voluntary participation from both the migrant

 ISSN: 2349-2872

and the smuggler, largely occurs within labor and asylum migration" while "human trafficking predominantly occurs within the forms of forced sex and forced labor". Finally, smuggling entails a connection with the international migration as it consists of the illegal entry of a person in a foreign country while human trafficking does not necessarily implies a border crossing; in fact, victims of transnational trafficking often cross borders legally (e.g., with tourist entry visas) but end up as undocumented migrants by overstaying their maximum visa duration. Due to these respective essential features the most fundamental difference between smuggling and trafficking is the fact that "in human trafficking, the person trafficked is regarded as a victim while in human smuggling the country of destination, which had its immigration laws broken, is the victim" (Ogboru and Kigbu, 2015: 226); in other words, "trafficking is a crime against the individual whereas smuggling is a crime against the state" (Monzini et al., 2015: 13).

The Market

The actors: who are the smugglers

Migrant smuggling, as stated by Väyrynen (2003), "has become a world-wide industry that 'employs' every year millions of people and leads to the annual turnover of billions of dollars"; an industry that is rapidly flourishing and has its point of maximum expansion in the Mediterranean area. According to Europol, in fact more than one million irregular migrants reached the EU in 2015, a number that is almost five times higher than in 2014; in most cases (90%) migrants used facilitation services provided by migrant smuggling networks (Europol Report, 2016: 5) with an increase of 10% than the previous year (European Commission, 2015: 21). Criminal organizations involved in migrant smuggling towards Europe are estimated to have had a turnover of between EUR 3 - 6 billion (Europol Report, 2016: 13). Who are the members of these criminal networks? Analysis made by international bodies (such as Europol Interpol and UNODC) provide the most accurate information about the business of human smuggling which is "possibly more ethnically diversified in the European Union than in North America" (Shelley, 2014: 8). Europol states that in 2015 only the number of those who were suspected to be involved in migrant smuggling was more than 10000 and that they originated from more than 100 countries with a clear predominance of smugglers from Bulgaria, Egypt, Hungary, Iraq, Kosovo, Pakistan, Poland, Romania, Serbia, Syria, Tunisia and Turkey (Europol Report, 2016: 7). Evidences and information collected in the Europol Report 2016 suggest that the share of the so called amateur smugglers is significantly dropping while a considerable number of these individuals belongs to transnational crime networks: about half of these groups (44%) are exclusively composed of non-EU citizens, 30% are composed of EU nationals only and in one out of the four cases there is the presence of both EU and non-EU elements (Europol Report, 2016: 7). Of note, criminal networks that operate in the Scandinavian countries and Belgium are generally composed of members of the same nationality while those active in the rest of the EU are more heterogeneous, nevertheless, it has been demonstrated that "Swedish citizens have also been in contact with Bedouin organized crime groups and worked for them as cash handlers based in Europe for payment of ransoms" (European Commission, 2015: 60). Analyzing the overall situation of organized crime in the Western Balkans, Stojarova (2007) has shown that Balkan criminal groups do not organize themselves according to ethnic rules and they often encompass more than one ethnicity. Indeed, most recent Balkan criminal organizations are less hierarchical more flexible and they change their structure according to the specific nature of their criminal activities. Evidences suggest that in the migrant smuggling affaire, even those groups in which the ethnic homogeneity has always been a distinctive feature (like Albanian and Kosovan gangs) have created transnational networks in order to maximize their profits. As reported by Izabella Cooper, spokeswoman for Frontex, smuggling groups in the Balkans usually hire Afghan or Syrian representatives to act as their agents on the ground and handling contact with potential customers (Lyman and Smalesept, 2015). In support of what has been said, Hungarian and Slovak authorities supported by Europol have recently dismantled an organized migrant smuggling network composed of Afghan, Hungarian and Slovakian nationals operating from Slovakia: "the members had precise roles within the organization: the Afghan nationals were mostly involved as recruiters while most of the drivers were from Slovakia. The recruiters were permanently in contact with the facilitators. When a group of migrants was ready for the journey, the drivers would pick them up in Budapest and would transport them to the destination" (Europol, 2016). It has been observed that even Belgian and Dutch women have been hired by Balkans clans in order to reduce suspicions and minimize risks (Shelley, 2014: 8); however, there is still a high prevalence of males (85%) in the management of the traffic and their average age is 35 (UNODC, 2011: 48). Suspects with non-EU nationalities often work as organizers who orchestrate migrant smuggling along entire migration routes and they can be based both in the country of destination and in transit countries operating as local coordinators. Those who are active inside the EU have often acquired the nationality of the country in which they work or have residence permits in those countries (Europol-Interpol, 2016: 7). Traffickers who operate outside the EU (especially North and West African) are former agents of the secret service and police, small businessmen (trading in fruit, household appliances or jewelry), offenders involved in other criminal activity (such as drug smuggling) or members of terrorist groups hostile to the regime of their countries (UNODC, 2011: 58); as reported by UNODC (2011: 2), West African smugglers are, in most cases, migrants

themselves who use their experience to help other migrants in exchange for remuneration. They may then become specialized professional smugglers or use their knowledge to finance the completion of their journey to Europe.

Roles and Structure

All the studies on the subject agree that smugglers are working according to a clear division of tasks and that the principle of division of labor is strictly respected. Thus, it has been observed that there is a range of different actors who perform distinct roles in the smuggling process. Criminal networks operating in the Mediterranean area are typically composed of several key individuals such as: smuggler/ top men, recruiters, guides, drivers or skippers, spotters/ messengers, money collectors, forgers (passports/formal documents), suppliers (boat makers, boat owners, car/ bus owners), corrupt policy officials (immigration officials) and corrupt service providers (train conductors etc.) and enforcers; their number depends on the type and scale of the smuggling network in which they are involved in as the range of services provided to migrants. As reported by the Financial Action Task Force (2011: 13) "they go from the small-scale smugglers arranging ad hoc services to larger smuggling networks dividing the work among the actors involved [...] and where anti-smuggling law enforcement strategies are particularly robust, sophisticated networks have replaced small-scale businesses". These networks cluster to form hubs where the intensity of smuggling activities is the greatest. So-called "hotspots", where gang activities are concentrated, include cities along the Balkan route from the Middle East such as Istanbul, Izmir, Athens, Budapest and along the central Mediterranean route such as Algiers, Benghazi, Cairo, Casablanca, Misrata, Tripoli and Rome as well as major continental hubs like Berlin, Calais, Zeebrugge and Frankfurt (Europol, 2016: 6-7); usually located in these hubs, top men controls the migrant smuggling operations and deal with all the actors involved, according to their respective spheres of influence. TOC's degree of professionalism is much higher than local criminal syndicates: they can provide falsified or real documents (stolen or altered), housing and support in many countries and are often involved in other criminal activities including the corruption of officials and drug smuggling. Characterized by a high flexibility, these criminal networks can change routes and means of transportation when a traditional route is blocked. This means that the routes used by smugglers may sometimes be simple and direct, other times circuitous; thus, the time between departure and arrival may vary from some days to several months or even years. Of note, routes may change rather quickly based on a number of factors (in primis, the tightening of border controls), while hubs have the potential to persist and grow in importance over longer periods of time; in this sense hubs are the nodes connecting changing routes. Due to these considerations, a transformation of the smuggling market from a complex and crowded system in an oligopoly has to be expected: larger criminal networks will gradually take over smaller and local organizations especially where the criminal activities are largely concentrated.

Prices, Payment Methods, Costs

A recent study of the Directorate for Migration and Home Affairs of the European Commission has pointed out that price, quality and risk vary across routes and suppliers are able to differentiate between customer needs (European Commission, 2015: 45). Indeed, costs are widely different and they are based on the mode of transport, distance traveled, number and characteristics of those being moved and local conditions like the cost of avoiding detection by immigration authorities. Smuggling by air is obviously a less frequent way chosen by migrants to reach Europe due to its high cost but is likely to become more attractive in the future because of the increased border controls and the perception of this transport system as safer than land or sea voyages. Flights can be organized from the country of origin directly to a European nation or via multiple countries before reaching the destination; they are usually booked as part of a full travel package which also include the provision of fraudulent documents. Sea routes (from Libya to Italy and from Turkey to Greece) and the Balkan route (before its closure) are the main routes of entry in Europe for irregular migrants and constitute the most profitable source for human smugglers not counting the proceeds from the so called secondary movements which take migrants to destination in Western and Northern Europe such as the United Kingdom, Germany, France, Belgium, Netherlands, Denmark and Sweden. Of note, "the smuggling business can be compared with the 'tourist market' with its low seasons and high seasons; low detections in winter and high detections in spring and summer are an established pattern. Nevertheless, in this context 'season' does not only refer to seasons of the year or tourist seasons but also to times of different intensity of border control (European Commission, 2015: 43); it has been reported, for example, that during the football championship in 2014, more than 1000 migrants were smuggled from Turkey to Greece on a much lower price (900 € instead of the usual price that ranged between 2000 and 7000 €) due to the circumstance that the policemen were watching the game (European Commission, 2015: 34). According to The Migrant's Files (2015), a consortium of journalists and statisticians from over 15 European countries, migrants have paid smugglers around €16 billion during the period 2000 – 2015. Through hundreds of sources, from news articles to direct testimonies to court documents and private archives, this organization has analyzed thousands of payments to smugglers to estimate the size of the trafficking market; the result is a complete and accurate picture of the smugglers' remuneration that also indicates the minimum and maximum costs incurred by migrants depending on

 ISSN: 2349-2872

their nationality and the route taken. With regards to the two routes taken into account, data processed by The Migrant's File (2015) can be summarized in these terms:

- Central Mediterranean Route: In 2015, the cost for those coming from sub-Saharan area or Middle East and traveling along the central Mediterranean route towards Italy ranged between 134 and 8000 € with an average price of 1500 €. Significative differences have been observed according to the migrant's nationality: a sub-Saharan African is expected to pay no more than 1000 € while the journey cost from the Lybic coasts for a Syrian is 2300 €
- Balkan Route: Before the closure of route due to the EU-Turkey agreement, the average price for crossing the Balkans countries and reach the central Europe was 1893 € with a minimum cost of 105 € and a maximum of 3974 €, however, it must be also considered the cost borne by the migrants for passing the Turkish-European border: to cross the Aegean sea or the land border between Turkey and Bulgaria, smugglers' average price was about 1900 € with few economic differences between the sea and the land route

It should be noted that the high increase in the volume of irregular migrants using smuggler's services does not seem to have increased prices; this circumstance suggests that the market supply is relatively elastic because of its capacity to expand itself as demand increases while the market demand is inelastic: the quantity of migrants using smuggling services, in fact, doesn't decrease even if there are little changes in price (European Commission, 2015: 5).

With regard to payment modalities, cash is obviously the preferred one by smugglers, due to the necessity to place, layer and integrate their profits into the legitimate economy in the most safe way: it has been reported that almost 52% of total transactions occurs in this way followed by money transfer systems (20%) and other forms of remunerations such as labor exploitation (Europol Report, 2016: 13). Existing literature on the subject has shown that the most common transfer system used by migrants who travel along the Balkan route or the central Mediterranean route is Hawala, an informal value transfer mechanism based on the performance and honor of a huge network of money brokers, primarily located in the Middle East, North Africa, and the Horn of Africa (European Commission, 2015: 47). This kind of arrangement consistof several passages: a migrant approaches a hawala broker in one city (usually located in the country of origin) and give him the sum of money corresponding to the smugglers' payment; the hawaladar will then provide to the migrant and the smuggler a receipt. At various points along the journey, the migrant contacts the hawaladar to release funds to other hawaladars in transit countries; the money will then be released to the smuggler once the migrant confirmed his or her safe arrival either for each completed stage or after having reached Europe. However, most recent analysis suggests that payment after safe arrival seems not to be an option anymore or at least to be declining due to high risks connected with the journeys, especially sea voyages as reported by the Directorate for Migration and Home Affairs of the European Commission: "When leaving Libya migrants seem to need to pay all in advance and in the case of failure (e.g. when boats are intercepted and returned or have to return for technical or other reasons etc.) they cannot claim any discount for the next try" (European Commission, 2015: 44). A similar circumstance has been proven by Antonopoulos (Antonopoulos and Winterdyk, 2006: 10) along the Balkan route where at least half or even all of the payment is usually received by the smuggler before the journey without any guarantee that the client will reach the destination alive and well. Thus, it has to be expected a different use of money transfer systems (compared with the traditional hawala mechanism) or a further increase in cash payments and labor exploitation of migrants. Migrants with little financial means may opt for a "pay-as-you-go" package in which they pay bit by bit for different parts of the journey to smugglers who may not be linked with one another.

The analysis of costs incurred by criminal organizations in conducting smuggling operations is much more problematic due to the poor availability of information. According to Koser (2009: 13), about 50% of the money paid by migrants is destined to the network of people who are involved in the smuggling process (recruiters, facilitators, money collectors and so on) while the other 50% is the criminal organizations' profit. However, there are some differences between the two routes; costs of the Balkan route are strictly linked to the length of the chain, the number of the drivers involved as well as the quantity of fuel and vehicles necessary for the smuggling operation obviously depend on the starting and arrival points. It has been reported, for example, that crossing from Turkey to Bulgaria and traveling towards Sofia implies an expense of about 1700 € (1000 € for the car, 500 € for the guide and 200€ for the person who bought the car) not counting other costs such as corruption of public officials (European Commission, 2015: 45). On the other hand, evidences suggest that criminal networks operating along the central Mediterranean route support higher expenses. Lybic smugglers interviewed by Kirkpatrick (2015) state that transporting migrants by road towards Libya requires a bribe of more than $100 at each local militia checkpoint for each truck carrying 15 to 20 migrants plus a monthly payoff (up to 18000 €) to a local militia chief for the permission to use a secure departure point; renting an accommodation where migrants are kept until their departure may cost 5000 € per month while an Egyptian or Tunisian captain for the boat might get around 6000 €. Nevertheless, the major cost is represented by boats: a Zodiac rubber dinghy used to transport groups

of 20 migrants to a waiting vessel can cost 3500€ and a secondhand ship that holds 250 migrants for a one-way voyage can run up to 75'000 € (Kirkpatrick, 2015); scrap ships that can be used repeatedly may cost around 700'000 € (Coleman, 2015).

The Mediterranean and the Western Balkan Route: Main Features and TOCs Modus Operandi

The Central Mediterranean Route

Although the Balkan route surpassed Libya in the quantity of flows in summer 2015, the numbers from Libya have remained high; in 2015, about 154,000 migrants entered Europe via the Central Mediterranean Route with an increase of more than 1,000% against 2012 (Toaldo, 2015). In detail, data processed by Frontex (2015) for 2015 report that on a total of 153'946 detections along the Central Mediterranean route, people coming from Nigeria were 21'914, Eritrea 38'791 and Somalia 12'430; migrants with other nationalities (mainly other Africans) were 80'811. The number of migrants arriving in Italy in the first five months of this year was roughly in line with the same period of 2015, but, in the month of May 19'000 migrants reached the Italian shores, double the amount if compared with the previous month (Frontex, 2016). However, the disposal of the Balkan route, due to the EU-Turkey agreement does not seems to have influenced this increase; as reported by Frontex (2016), until now "the high number of detections of migrants in the Central Mediterranean in May was not related to changes in routes used by migrants stranded in Turkey with no new signs of a significant shift of the nationalities prevalent on the Eastern Mediterranean route". As well as in 2015, in the first five months of 2016 the route from Libya to the European Union was primarily used by migrants from the Horn of Africa (notably through Chad and the Sudan) and Central/Western African countries (mainly through Mali and the Niger). This data suggests that the two markets remain rigidly separated and criminal networks operating in the Mediterranean basin keep, at present, their different features and zones of influence. What are the characteristics of criminal networks acting in Africa and dominating the Central Mediterranean route? What is their modus operandi?

According to Monzini (2008), smuggling networks operating along the Central Mediterranean route are not powerful and sophisticated criminal cartels but rather small and flexible organizations which work on a short time-scale. Her analysis, based mainly on judicial records and interviews with law enforcement officials in Italy, is probably still valid for criminal syndicates that smuggle migrants from Central and West Africa to Italy, Malta and Spain: it has been reported, in fact, that those who begin their journey from these countries prefer the "pay-as-you-go method" (UNODC, 2011: 28), which implies a subdivision of the trip in several and independent phases, conducted by various smugglers who may not be linked together. Although the weight of West Africa migration (particularly from Nigeria) has grown in recent years and UNODC (2011: 28) has observed an increase in full-package services in coastal cities such as Lagos, Lomé and Accra, most of the migratory flows comes from East Africa where criminal clans have reached a high degree of specialization, especially if compared to their West African counterparts. Evidences suggest that the theoretical approach based on the concept of the evolution of local criminal organization into transnational criminal networks, is particularly suitable to describe human smuggling between the Horn of Africa and Europe. In this case, in fact, the market of the migrants is controlled by sophisticated and integrated international networks, formed by key individuals in communication with each other and operating mainly among Europe (in particular Italy), Libya, Ethiopia, and Sudan (Sahan Foundation and IGAD, 2016: 18). As evidence of what has been said, intercepted phone calls provided by the District Anti-Mafia prosecutor of Palermo have highlighted an extensive use of Tigrinya by smugglers, a language predominantly spoken in the Horn of Africa (Messina, 2015). At the top of these criminal syndicates there are smugglers who are predominantly Eritrean in nationality; they collaborate with ethnic Somalis, Ethiopians and Sudanese in order to be able to operate easily across borders and the different communities of the Horn of Africa. These ringleaders are "the financial overlords of the trade, coordinating the transport and storage of human cargo by generating the principal revenue for paying of transporters and corrupting law enforcement agents in Ethiopia and Sudan, for renting out armed militia convoys and vast warehouses for the storage of human cargo in transit hubs – notably Ajdabiya, Libya – and for procuring passenger and support boats for the final sea journey launched from coastal locations near Tripoli. Thus while migrants and refugees travelling from the Horn of Africa to the Central Mediterranean physically pass through the hands of discrete groups of drivers and transporters that hand the travellers over to each other near national borders and at other transfer points along the journey, the 'duty of care' owed to paying 'customers' is typically assumed by the small ring of individuals who extract the greatest financial returns from the business" (Sahan Foundation and IGAD, 2016: 18). As already mentioned in chapter 2, recruiters play a key role; they enter in contact in specific hubs with migrants and deal with them financial and logistical aspects of their journey; after the recruitment stage, the actual smuggling operation begins. Most smuggling routes from the Horn of Africa lead Northwest into Libya where over 80% of boat departures towards Italy take place; however, some migrants travel to Egypt where embarkation points are set between Damietta and Alexandria or between El-Hamam and Alexandria (Altai Consulting, 2015: 8). Sudanese smugglers are responsible for the journey to Libya: having established a solid partnership with Arab Zuwayya militias,

 ISSN: 2349-2872

they can easily carry migrants in pick-up trucks (capable of transporting up to 120 migrants) from the border regions towards Sabha, Rabyanah and Ajdabiya (Sahan Foundation and IGAD, 2016: 15). Ajdabiya, in particular, is the main city where "safe houses" are located; before crossing the sea, in fact, migrants and refugees are usually kept in private houses while smugglers gather more passengers. As reported by Amnesty International (2015: 26), "at that point, they would have usually already paid the fees required for the crossing and have been unable to retract their decision to cross the Mediterranean even when they became more aware of the associated risks"; those who are unable to pay are held by smugglers and have to work for free for the smugglers. Usually they are forced to clean houses, wash cars or work on farms until they negotiate the fee down to what they can afford; in cases documented by Amnesty International (2015: 24) the captivity period in the Sahara desert ranged from several days to one month. Once smugglers are ready, migrants continue onwards to the northern coast of Libya where they board boats for Europe. They may be taken down to departure points in cars, closed vans, buses or trucks; transfers occur generally during the night and migrants may even be able to walk several kilometres to the departure point in small groups to avoid detection. Most of the boat departures along the Central Mediterranean route take place from the north-west of Libya, from the coastal cities of Zuwara (the main embarkation point in North Africa), Sabratah, Garabulli and, to a lesser extent, from Misratah and Tobruk (Amnesty International, 2015: 26). These locations are nominally under the control of various militia loosely aligned with the Libyan General National Congress and can be used as entry and exit points for other contraband, such as the smuggling of diesel fuel to Malta (Sahan Foundation and IGAD, 2016: 28). As reported by UNODC, "at the point of embarkation, mobile phones, belts, cigarettes and other items such as passports and other identity documents are taken away from migrants, so generally they cannot be linked to smugglers upon interception. There have been some incidents in which fraudulent documents have been found on migrants smuggled at sea, intended for use in onward travel or to facilitate their irregular stay in countries of destination. Depending on what is convenient for smugglers, family groups may be put on the same boat or separated to discourage them from cooperating with authorities upon interception which could compromise the journey of their family members" (UNODC; 2011: 26). Finally, the most perilous part of migrants' journey begins. Existing literature has pointed out the existence of at least two methods used by criminal networks to cross the Mediterranean:

- Firstly, the use of a single vessel (usually wooden fishing boats or Zodiac inflatable rubber boats) per voyage. Fishing vessels used to transport migrants generally end up at the bottom of the sea and were never intended for use in more than one journey. Unlike previous years, the recruitment of professional skippers is sharply dropping; more often the boats are piloted by the migrants themselves, who are not professional seamen (UNODC, 2010: 33)
- Secondly, the departure of several vessels from the coast simultaneously with the intention of saturating operational resources of the recipient coastal state. On numerous occasions the crew would set the vessels on autopilot and either abandon the boat or hide among other passengers to avoid arrest (FRONTEX, 2016)

In both cases, smugglers rely on the fact that migrants will be intercepted and rescued by the authorities of European countries.

The Balkan Route

During 2015, the Balkan route has experienced its highest peak in terms of migration flows; data provided by Frontex (2015) speaks of 764'038 detections, of which 466'783 only in the last three months of the year. Other sources speak of more than one million migrants; this impressive number, however, is due to a peculiarity of the Balkan route: it involves refugees and migrants entering the EU (via Greece), exiting it (via Macedonia) only in order to re-enter it again (via Hungary). As the Macedonian border with Greece is much more porous than the Hungarian border with Serbia, refugees and migrants were increasingly being trapped into a limbo (Amnesty International 2015: 67) and resulting in a duplication of the number of detections. Nevertheless, all the analysis' agree that the Balkan route accounted last year the main gateway to Europe. The top-ranking nationality was Syrian followed by Iraqis and Afghans; earlier in the year, unprecedented numbers of Kosovo nationals crossed the Serbian-Hungarian border illegally. Despite thorough interviews of a proportion of migrants during the screening procedure indicated a high degree of falsely claimed nationalities, there is no doubt that Syrians and Afghans represented the majority of the flows. Due to the EU-Turkey agreement and stricter border policies applied by the Former Yugoslav Republic of Macedonia at its border with Greece, the number of migrants arriving on the Greek islands last April reached less than 2'700, plunging by 90% compared to the previous month (Frontex, 2016). This circumstance had a direct impact on the Balkan route: detections of migrants at EU's external borders in the region fell by a quarter in April compared to March and more than half if compared with April 2015 (Frontex 2016). Nevertheless, data reported does not mean a cessation of smuggling activities in the area: in June 2016, in fact, Europol has supported the Sirocco-2 action day to dismantle migrant smuggling criminal networks operating along the Western-Balkan channel. This operation, conducted by all relevant countries from the South East European region, has led to the arrest of 39 migrant smugglers and 580

smuggled migrants, sign of a still vital presence of criminal networks in the area (Europol, 2016).

Wherever they started their journey, most of migrants who use the Western Balkans route have to take the Eastern Mediterranean route, crossing the sea from Turkey to the Greek islands with rubber boats or the Turkey-Bulgaria borders where a different, yet linked, network takes over. During this stage, migrants are part of a group of a dozen or 20 people at maximum (Johnson, 2015). The criminal networks serving specific hubs in Turkey (Izmir, Bodrum and Istanbul) are very efficiently organised. As evidenced by Frontex (2016), these networks recruit migrants (mainly Syrians, Afghans, Pakistanis or Bangladeshis) and organize transportation to the departure points on the coast; smugglers also provide information about the asylum processes in different EU member states and sell forged documents, especially Syrian passports. Unlike what happens along the central Mediterranean route, Turkish smugglers do not necessarily accompany their clients during these initial phases but instruct them how to best cross by using high-tech mobiles with GPS and Google maps. A similar situation occurs in Bulgaria: in response to increased arrests of drivers in Bulgaria, facilitators are paid to buy a car or bus and instead of driving migrants to Sofia, they would leave the car near the border refuelled and with the keys inside for the migrants to drive to Sofia by themselves (European Commission, 2015: 39). Furthermore, it has been reported that third country national smugglers use falsified EU travel documents in order to conduct safely the smuggling operation. As reported by the Directorate for Migration and Home Affairs of the European Commission (2015: 39), "after crossing the border, migrants would continue their journey either walking or by rented bicycles, taxi or public transport on the other side (e.g. from Greece through the FYRoM and further on into Serbia) or would be picked up by smugglers and taken to the next border section, any other strategic place in a city or to a reception centre". Key points along the Balkan route are Athens, where migrants can wait several days in "safe houses" (rented by the criminal networks) before continuing their journey; Lojane, a predominantly Albanian village in Macedonia where migrants meet the smugglers (mainly Albanian or Macedonian nationality) who will take or guide them across the border between Macedonia and Serbia on foot or by car; Subotica, a city in northern Vojvodina that represents "the final resting place before the Serbia-Hungary border; the last stop on the bus from Belgrade, and a destination for taxis and trains carrying refugees and migrants. Here, refugees and migrants make arrangements with smugglers to help them reach the border" (Amnesty International, 2015: 46). Migrants can also opt for an alternative route, reaching Bosnia and from there passing the Croatian border; as reported by Väyrynen (2003: 14), "those crossing the borders from Bosnia to neighbouring countries are often assisted by the 'organizers' who have established among themselves networks of delivery in which the migrants are moved from one enclave to another. The 'organizers' also often have semi-permanent relations with the local authorities. Such relations are usually rife with corruption as has been witnessed by the situation on the Bosnian-Croatian border". During the last stages of the smuggling operation European criminals are more involved: the alleged gang, believed to be responsible for the truck carrying 71 migrants towards Austria (who died along the voyage), is composed mainly of Bulgarian and Hungarian criminals (Townsend, 2015). This consideration suggests that along the Balkan route prevail the "pay as you go" approach and that criminal networks involved (Turkish, Balkan and European) are at the same time closely linked and independent, operating in their own territories and "handing" migrants. In other words, along the Balkan route exists a complex and fluid system of criminal networks acting on a transnational level but that should not be confused with a unified organization characterized by a "mafia"- style hierarchy; the result is a form of "transnational diplomacy" involving national crime groups and based on the shared interests of exploiting the smuggling market.

Conclusions

This article has illustrated how, through contractual agreements, repeated interactions and a peaceful cooperation among geographically-dispersed criminal organizations, migrants smuggling in Europe has become, after the drug business, the most lucrative industry and the fastest growing market for criminal syndicates in 2015; considering the tangled international situation and the weak struggle against the financial aspects of human smuggling, it is to be expected that this trend will continue in the coming years. For organized crime groups operating both along the Central Mediterranean route and the Balkan route, in fact, smuggling people across borders is a "low-risk, high-profit" business: smugglers still benefit from low risk of detection and punishment while the supply/demand ratio is highly lucrative, generating a turnover of between 3 - 6 billion. As a result, smugglers of migrants operating in the Mediterranean area are becoming more and more organized, establishing professional and fluid networks that transcend nationalities and regions, involving both EU and non-EU actors. These criminal actors - who are according to Zabyelina (2009: 21), "no longer unitary and independent players but rather important nodes in the interdependent matrix of state and non-state actors" - have acquired a predominant role in the recent refugee crisis and have replaced the States and the European Union in the management of migration: due to the restriction of the borders, in fact, the "transnational diplomacy" among different domestic criminal organizations represents for migrants the most secure and reliable mean to reach Europe; not by chance, 90% of the migrants arriving in the

EU use facilitation services provided by migrant smuggling networks at some point during their journey. Despite the amateur smugglers phenomenon is still present, international smuggling networks are taking complete control over the two main routes to reach Europe, thanks to a successful use of social media and their high flexibility in providing services: criminal networks can change routes and means of transportation in response to changed circumstances and are able to range from pre-planned and highly sophisticated smuggling operations (which include providing counterfeited documents, "safe houses" and useful information about asylum legislation) to simple smuggling services (such as guiding a migrant over a border).

The findings of this study indicate that networks flourished in the Mediterranean area have evolved both in their structure and their modus operandi. Smugglers operating along the Central Mediterranean route, especially those active in the Horn of Africa, are the most professional, organized and profitable, thanks to the growing flow of refugees and asylum seekers fleeing from conflicts and poverty. On the other hand, organized crime groups in the Balkans and Turkey, although more hierarchical and localized than their African counterpart, have become transnational in nature in order to maximize their profits. As described in this research, there are several similarities between these criminal syndicates: the presence of hubs along the two routes, the division of tasks in the smuggling process, the important role played by key figures such as ringleaders and recruiters, the corruption of public officials, the involvement in other criminal activity, an intensive use of social media and the exploitation of migrants who cannot afford entirely the payment of the journey, are common elements for both networks. Nevertheless, significant differences have been observed: in primis, the nationality of the "customers": while criminal networks operating along the Central Mediterranean route serve mainly African migrants, Syrians and Afghans refugees turn primarily to the Turkish and Balkan organizations. Despite the restriction of the Balkan route, these networks are still playing a central role in the smuggling of migrants coming from Asia and the Middle-East; evidences suggest, in fact, the opening of a new front from Turkey to Italy with the involvement of the same criminal actors operating along the Balkan route. Secondly, there are wide differences about prices, costs and transportation modalities between the two routes. The reality of smuggling in the Mediterranean, as described, is constantly growing and evolving; nowadays the international human trafficking is probably more complex and intricate than drugs market. And there is no doubt that the role of TOCs will continue in being central on the international stage.

Acknowledgements

I would like to express my deepest appreciation to all those who provided me the possibility to complete this research. A special gratitude I give to the Institute of International Relations of Prague for its guidance and constant supervision as well as its support in completing the project. In particular, I would like to express my special gratitude and thanks to my supervisor Miroslav Nožina, whose sincere and valuable guidance has been fundamental. I am grateful for data collection provided by Maria Ruxanda Ursa and for her valuable comments. Thanks to Adele Alagia and Elisa Pedone whose contributions in stimulating suggestions and encouragement helped me in writing this article. As ever, the author is solely responsible for the errors and the ideas contained in this paper.

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