



European Commission, DG Migration
& Home Affairs

Study on smuggling of migrants

Characteristics, responses and cooperation with third
countries

Case Study 1: Syria/Lebanon – Egypt – Italy

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1. Executive Summary

This case study has been developed in the framework of the EU-funded “Study on smuggling of migrants: characteristics, responses and cooperation with third countries”. Five case studies served as an information collection tool to contribute to the data collection of the larger study, in order to provide detailed information on the phenomenon of migrant smuggling and policies to address it as occurring in particular countries or along particular route segments.

The rationale for the decision on case study countries and route segments covered has been made based on their relevance according to indicators such as the number of irregular migrants apprehended (particularly based on Frontex data), border type, modus operandi, migration route and relationship with third countries, following the requirements in line with the tender specifications for the Study.

In this case study Syria and Lebanon were selected as the countries of departure, with Egypt chosen as a transit country and Italy as the country of first entry to EU. This case study covers the land/air route from Syria and Lebanon to Egypt, as well as the sea route from Egypt to Italy. This case study focuses on the Central Mediterranean sea border route.

Methodological note

Research methodologies used included desk research, legal and policy analysis, qualitative research and interviews in specific countries along the selected route segments. Information has been collected over the course of the first half of 2015. Thus, the most recent dynamics in regard to flows and policies along the selected routes are not reflected in the case studies. In Syria, due to security risks, fieldwork could not be conducted. Instead, interviews and informal in-depth conversations were conducted with Syrian asylum seekers in Italy and in Jordan. Fieldwork also did not take place in Egypt, due to the security situation and lack of response from authorities. Fieldwork was conducted in both Lebanon and Italy. Interviews were conducted with a variety of stakeholders, including migrants, government representatives, international organisations, civil society organisations, and journalists. Interview partners were selected based on their key expertise on the topic of migrant smuggling for the countries selected and/or along this route.

Overall Trends

It is estimated that as of April 2015, around 7.6 million Syrians have been internally displaced by the ongoing conflict and 4 million displaced to neighbouring countries in the region. Moreover, in 2014 Syrians were the top nationality detected for irregular crossing into the EU, and, together with Eritreans, represent more than 43% of all arrivals via the Central Mediterranean route.

Along this route, smuggling trends have changed and been amended by smugglers in order to circumvent preventative border management measures and entry and residency restrictions adopted by Syria’s neighbours and by receiving EU countries. This has changed both the direction of flows as well as the means used to cross the border, where increasingly the use of fraudulent documents, bribery and crossing between border crossing points has been noted.

The significance of the sea crossing from Egypt and Italy has grown in recent years, especially in 2011 following the Arab Spring, as well as in 2013 and 2014, particularly for Syrians. While Syrian migrants have become more prominent on this route, there are still mixed migration flows, including migrants from a variety of nationalities and backgrounds and including not only economic migrants, refugees and asylum seekers from the Horn of Africa, but also Palestinian refugees and Egyptian nationals who utilise this route on their journey to Italy. The research has shown that Alexandria and its surroundings serve as a major hub city for the organisation and continuation of the journey, since it serves as a critical site for the setup of migrant smuggling operations and migrant smuggling business.

According to the Italian Coast Guard, more than a quarter of the migrants who arrived in Italy in 2014 departed from Egypt (15,413), Turkey (10,341) or Greece (1,508). Moreover, Syrians were the top declared nationality of migrants landed in Italy in 2013 and 2014, representing 25-26% of all arrivals. However, in 2014-2015 arrivals to Italy from Egypt has decreased, due to several widely-reported tragedies along this route deterring migrants, in addition to the intensified strategic dialogue and cooperation between Italy and Egypt in order to prevent migrant smuggling.

Modus Operandi of migrant smugglers

This case study has found that the modus operandi for smuggling operations has adapted to a series of evolving factors including availability and accessibility of routes, the capacity of the smugglers, and the time and the presence of controls.

For Syrians in particular, the lack of state control of territory has on the one hand meant that they may be able to leave the country without using smuggling networks, but on the other hand that at times they may need to either evade or bribe state actors and non-state militias in order to leave.

Social networks and social media have been highlighted by this case study in particular as key in terms of information sharing among migrants on the routes and which smugglers to use, particularly for Syrian refugees. Information on the available options to leave Syria and the onward journeys is dispersed through social networks, particularly through social media accounts, and smugglers also advertise their services on social media. The information on social media provides potential migrants information on how to leave, where to leave, whom to approach, and whom to not approach.

Due to the geography of Lebanon and the difficulty of other methods of exiting the country, the use of document fraud to exit Lebanon by air is considered the most significant smuggling activity. The Syrian crisis has increased demand for false and falsified documents. The cost of such documents varies, depending on the need to alter the name, date of birth, photograph or to add an exit or entry stamp, or if an entire new document needs to be produced. Prices for these falsified documents range from 2,000-10,000 USD.

To reach Egypt, some Syrians pass through Lebanon or other transit countries, including Jordan and Turkey. Once in Egypt, contact with smugglers is normally established through word of mouth or through social media, and migrants are smuggled through private vans owned by smugglers, or through the use of public transport to a seaport town or city. Once the migrants arrive at the seaport, they are usually kept in apartments until departure. The departure is not known in advance, and migrants may be kept in these apartments for extended periods of time. While crossing the Mediterranean route, the modus operandi varies, with some departing on unseaworthy speed boats or wooden fishing boats. Often, smuggling operations from Egypt employ the "mother vessel" technique: migrants normally start the journey in fishing boats, and are then transferred to smaller wooden boats so smugglers can retain the use of the original fishing boat. From Egypt, the journey across the sea to Sicily is can range from 4-5 days in rough sea waters. To afford the price charged for this route, some Syrians remain in Egypt for extended periods of time, working to save up the necessary funds to continue the journey. Thus, the journey can be fragmented and broken up into periods of working in hubs before being able to afford the next leg of the journey, a feature that is present in most of the case studies.

Payment modalities also vary: for the journey from Egypt, it can be paid in advance, paid half in advance and half on arrival, or paid by a third party once the migrant has reached Italy (e.g. through the *hawala* system of informal money transfer or through the practice of leaving money with a trusted third party, who releases payment to the smuggler). Research on Egypt and Italy highlighted that in Egypt smuggling is primarily organised by professional and wealthy smugglers with international connections. Smuggling on this route is dominated by four rich and powerful Egyptian men in Alexandria, who also serve as heads of different criminal groups, and divide and distribute territorial jurisdiction along the Egyptian coastline amongst themselves and, to avoid conflict, operate in different locations to launch boat journeys to Europe. The structure of the network is thus more vertical as opposed to other more informal and horizontally organised smuggling networks dominating smuggling operations elsewhere. The smugglers treat this

source of income as a business, and are concerned about reputation. These “owners” invest in boats and accommodation, and organise bribing the necessary people. Recruiters on this route are often Egyptians, Sudanese, Syrians, Palestinians, Eritreans, Ethiopians and Somalis, who may also be engaged in other careers or employment, and organise migrant smuggling as a side income. Some are also motivated by humanitarian concerns.

Smuggling networks have become increasingly international, and asylum seekers are travelling parts of this route using air, sea and land crossings. However, informal or localised networks of smugglers exist, especially when crossing the Syrian-Lebanese borders. The prices of smuggling operations have increased in relation to the funds that the migrants have access to, making it a service increasingly accessible only to the middle class. The migrants are aware of the risks they face, but turn to assistance by smugglers in the face of stringent border controls and lack of legal avenues to cross borders.

POLICY RESPONSES: Institutional framework and cooperation

A key international framework that is central to policy responses is the UN Protocol Against the Smuggling of Migrants, a supplementary protocol to the UN Convention against Transnational Organized Crime. Syria ratified this protocol in 2009; however it has not been transposed into national legislation. Due to the current conflict, it is unlikely that any strides are being taken towards transposing this and that any policy or legislation in this matter is being enforced. Both Lebanon and Egypt have also ratified this protocol, but not transposed it into law. Thus, for these two countries, prosecution would fall under relevant legislation regulating irregular exit or entry or document fraud. Italy has ratified this Protocol and transposed it into national legislation.

Key stakeholders relevant in terms of migrant smuggling trends from Syria include the Border Directorate of the Ministry of Interior, concerned with border management, and the Syrian Armed Forces, concerned with border control. However, non-state armed groups are becoming increasingly relevant and control large swathes of the country, including border crossings. Recent Syrian policies have also impacted the use of smuggling services, in particular, the implementation of an exit visa for men who are required to do their mandatory military service, in an attempt to prevent Syrian men from fleeing the country to avoid military duty. This has served as a push factor for Syrian men to turn to migrant smuggling services to avoid being conscripted or detained at the border. It is unclear, however, whether and where this requirement is being enforced at border crossings.

An important impact on migrant smuggling trends in this case study, both in terms of direction and modus operandi, has been the implementation of increasingly strict border control and residence policies towards Syrian refugees. As of the beginning of 2015, the Lebanese government has increasingly restricted access of Syrian nationals into its territory, including implementing a sponsorship system. The Egyptian government has also introduced stricter regulations for granting visas to Syrians. Syrians wishing to enter Egypt need a valid passport and visa. Due to such restrictions, an increase in document fraud from Lebanon is becoming more widespread, and migrants are turning to smugglers to assist them with crossing increasingly closed borders.

For Lebanon, key stakeholders dealing with migrant smuggling in Lebanon include the Ministry of Interior (particularly the Directorate General of General Security in charge of border surveillance), the Lebanese Army, the General Customs and the Internal Security Forces, who share responsibilities for border controls. The United Nations Interim Force in Lebanon (UNIFIL) peacekeeping mission has also reportedly had an impact on migrant smuggling activities, as the low number of irregular sea departures from Lebanon has been attributed to their coastline control in southern Lebanon. The issue of availability of options for legal migration abroad, particularly to the EU, was also highlighted as having an impact in migrants turning to migrant smugglers.

In Egypt, key stakeholders include the National Coordinating Committee on Preventing and Combating Illegal Migration under the Ministry of Foreign Affairs, which is a focal point for combatting and preventing irregular migration. Along the border, the Egyptian Security Forces have increased sea border controls and anti-smuggling operations on the route to Italy. In this regard, there have been reports of a shoot-to-stop policy being used to prevent migrant smuggling vessels from departing, as well as arbitrary detention of migrants. Egypt (under the Morsi

government) was originally one of the first countries of destination for Syrians fleeing the conflict, however a change of policy during the following government contributed to a deterioration of their conditions and a decision to move onwards, potentially towards Europe. At the same time, the escalating violence in Libya can also be viewed as a contributing factor in channelling departures to Europe from Egypt.

For Italy, as with other EU countries, the main stakeholders involved in developing policies with regard to irregular migration and bilateral cooperation are, respectively, the Ministry of Interior and the Ministry of Foreign Affairs and International Cooperation. In practice, a number of actors are engaged in border control and search and rescue operations, including: the Navy, Air Force, Carabinieri, Guardia di Finanza, Port Authorities and the Police. Italy's national and local policies have had important impacts on migrant smuggling operations along the Central Mediterranean route. Perhaps the most significant recent national policy with regard to migrant smuggling has been the Mare Nostrum Operation, which was primarily a humanitarian assistance and anti-smuggling operation conducted by the Italian Navy from November 2013 to October 2014. It was considered particularly successful for preventing the deaths of migrants at sea, but has also had an impact on smugglers' modus operandi, notably the use of less seaworthy vessels due to smugglers' assumption that boats would be rescued. In terms of local efforts, investigations by prosecutors in Catania and Palermo (particularly *Operazione Glauco*) have focused on dismantling migrant smuggling networks operating on the North Africa to Italy routes. These investigations led to the identification and arrest (or request for extradition) of several high-level migrant smugglers based in Egypt and Libya, with operations extending into Italy. A number of policy measures have been highlighted by the research, in particular operational cooperation, intergovernmental dialogues and agreements, and technical assistance. Frontex operation Triton, active since the end of Mare Nostrum, 1 November 2014, has been highlighted as key in coordinating European efforts to address migrant smuggling operations in the Mediterranean. A challenge however has been highlighted in terms of availability of resources as well as the ability of the operation to safeguard lives. In the former case, the strong role that merchant ships have played in terms of rescue operations has been highlighted, which presents a challenge in terms of damage to commercial activities and ability to provide adequate first aid assistance. In terms of safeguarding lives, although this is not the main objective of Triton, in comparison with Mare Nostrum, the fact that Triton does not operate in international waters may limit its search and rescue abilities. Operational cooperation between Egypt and Italy has also been highlighted as instrumental in decreasing the number of migrant smuggling operations on the route segment in 2015.

In terms of intergovernmental dialogues, the Khartoum Process, Euro Mediterranean Migration III and the Mediterranean Transit Migration dialogues were particularly highlighted with regard to relevant work conducted on irregular migration in general and migrant smuggling more specifically. The Khartoum Process especially focuses on addressing irregular migration and migrant smuggling from North and East Africa towards Europe. Egypt, Lebanon, and Syria (now suspended) have also concluded Association Agreements with the EU that provide a basis for discussions on migration and mobility. In terms of technical assistance, EU Member States and international organisations have provided support to third countries, including training of police officers and facilitating integrated border management.

2. Introduction

2.1 The case study purpose

This case study has been developed in the framework of the EU-funded “Study on smuggling of migrants: characteristics, responses and cooperation with third countries”, conducted by Optimity Advisors, the European Council on Refugees and Exiles, and the International Centre for Migration Policy Development.

The main object of the larger study is to identify and outline international developments and structures in the area of migrant smuggling, as well as existing ways to facilitate intergovernmental exchange, and to support the development and implementation of co-operation initiatives.

More specifically the study seeks to:

- ★ List and analyse policies, programmes and operational responses implemented by selected EU Member States and third countries aimed to fight against, reduce and prevent migrant smuggling to the EU;
- ★ Map the characteristics of the phenomenon to establish a comparative picture of its scale, characteristics, trends and patterns. Based on this the study team can draw comparative assessments of practices in various parts of the world where smuggling of migrants occurs.
- ★ Draw conclusions based on data collection and case study outcomes.

In this regard, five case studies **served as an information collection tool** to contribute to the data collection of the larger study. Their more specific aim was to provide detailed information on the phenomenon of migrant¹ smuggling and policies to address it as occurring in particular countries or along particular route segments, through the use of desk research, legal and policy analysis, qualitative research and interviews in specific countries along the selected route segments. Data collection has focused on dynamics of migrant smuggling operations and migrant smuggling routes, as well as existing policies and measures to prevent and tackle migrant smuggling.

Across all case studies, information has been collected over the course of the first half of 2015 for countries of departure (i.e. a country from which migrants leave), countries of transit and countries of first entry to the EU². The most recent dynamics in regard to flows and policies along the selected routes are thus not reflected in the case studies. Despite the choice of specific countries, the case studies should not be understood in terms of a singular route logic. Rather, this approach is informed by the insight that migrant smuggling more often than not involves loosely connected networks of smugglers/facilitators, distinct legs of a wider journey, and in geographical terms hubs in transit areas connecting countries of origin/departure and destination/first entry into the EU.

This report is thus one of the five case studies developed as one method contributing to the Study’s final comparative report. The five case studies are:

- ★ Case Study 1: Syria/Lebanon – Egypt – Italy
- ★ Case Study 2: Ethiopia – Libya – Malta/Italy
- ★ Case Study 3: Pakistan – Turkey – Greece
- ★ Case Study 4: Nigeria – Turkey – Bulgaria
- ★ Case Study 5: Greece – Former Yugoslav Republic of Macedonia – Hungary.

¹ The term “migrant” in these case studies is used to refer to all migrants including economic migrants, asylum seekers and refugees traveling in mixed migration flows. When the research refers to specific flows of asylum seekers and refugees those terms will be used.

² For Case Study 5 (Greece – Former Yugoslav Republic of Macedonia – Serbia/Hungary), Greece is chosen as the “country of departure” in order to study secondary movements along the Western Balkan region, even though it is often the first country of entry to the EU as well.

The rationale for the decision on case study countries and route segments covered has been made based on their relevance according to indicators such as the number of irregular migrants apprehended (particularly based on Frontex data), border type, modus operandi, migration route and relationship with third countries, following the requirements in line with the tender specifications for the Study.

For this case study, **Syria and Lebanon** have been chosen as the countries of departure, with **Egypt** being chosen as a transit country and **Italy** as the country of first entry to EU. This case study covers the land route from Syria/Lebanon to Egypt, as well as the sea route from Egypt to Italy. This case study focuses on the Central Mediterranean sea border route.

The findings of this case study are organised into four chapters, with additional appendices that follow.

The introductory chapter is divided into four parts: the basic background on the purpose of this case study in relation to the broader Study; a basic and general description of the case study content as an introduction to this specific case study; the methodology used and challenges in conducting empirical work in each of the case study countries; and the background context on migrant smuggling for each of the countries covered in the case study, including broader patterns and basic policy response information.

The second chapter provides a **description of the characteristics of migrant smuggling operations** on each of the route segments covered. It focuses on the numerical scope, patterns and dynamics of migrant smuggling in each country and on the more qualitative characteristics of the phenomenon from the supply and demand side. The analysis includes descriptions of the modus operandi, the financial aspects of the operations, the relationship between smugglers and smuggled migrants and the risks and dangers migrants face during the smuggling journey.

The policy chapter focuses on the frameworks in place both at an international and regional level, paying particular attention to the engagement and participation in bilateral and multi-lateral cooperation dialogues and initiatives aimed at tackling migrant smuggling between the countries on the route segments and the EU. The chapter also collects information on institutional structures, migration management legislation, policies and programmes developed by each case study country relevant to addressing migrant smuggling.

Conclusions are based on both the characteristics of smuggling operations along the route segments and policy responses in the case study countries. This final chapter is followed by additional information/annexes, including a full list of interviews conducted (Section VI provides details on interviews as per country and interview code used, with personal details removed as per requests of anonymity of interviewees) and the list of references.

2.2 General introduction to the case study

This research report emerges from a desire at the EU level to better understand and address migrant smuggling across the Mediterranean Sea, particularly the Central Mediterranean Route, which has claimed thousands of lives in recent years. Although preventing migrant smuggling has become a priority on the EU political agenda, there continues to be a lack of evidence about this rapidly evolving phenomenon and on the existing policy responses of individual EU Member States and of non-EU Mediterranean countries.

This case study contributes towards filling this evidentiary gap by providing a detailed empirical analysis of migrant smuggling operations on the route departing from Syria and reaching Italy through Lebanon and Egypt (See Figure 1). This route has increased in size and importance since the outbreak of the Syrian conflict in early 2011, which has caused massive loss of human life, internal displacement and an outflow of millions of Syrian refugees who, unless a political solution is reached and peace is restored in their country, will continue seeking safety and better lives elsewhere, including in Europe.

Figure 1: Route from Syria to Europe through Egypt.



Source: *The New York Times*

In 2014, Syrians were the top nationality of migrants arriving irregularly in Europe, with 79,169 Syrians (28% of the total number of migrants) detected crossing EU borders illegally between border crossing points. Among the migrants who reached Europe through the Central Mediterranean Route, Syrians (about 40,000) and Eritreans (more than 33,500) were by far the largest group, together accounting for more than 43% of all arrivals in the Central Mediterranean.³ More information related to Eritreans and smuggling routes from East Africa is included in Case Study 2.

The direct route from Egypt to Italy has also grown as a result of the escalating violence in Libya, which has deterred prospective migrants from using the Libyan route and pushed migrants already based in Libya to take smuggling boats directed towards the southern Mediterranean shores in search for protection. For more information on the smuggling operations and routes from Libya, see Case Study 2. However, in 2014 -2015 arrivals to Italy from Egypt have substantially decreased in concomitance with a shipwreck in September 2014 which caused the death of more than 400 people as well as due to the intensified strategic dialogue and cooperation between Italy and Egypt in order to prevent migrant smuggling operations directed towards the southern European shores via the sea route.

Increasing limitations placed on one route segment has been found to correspond to the opening of another and this report found that Syrians increasingly embark from other transit countries on the East African and Eastern Mediterranean routes (covered in the section "Other trends". Moreover, another important trend concerns the secondary movement of Syrian migrants (and others) from Italy, as it is often not the originally intended final destination. Rather, they wish to reach northern European countries, attracted by existing family and social support networks and by information about the range of rights and services that these EU Member States offer to asylum seekers and refugees.

This report presents updated information on the scope and dynamics of migrant smuggling in the countries of origin (Syria), transit (Lebanon and Egypt) and first arrival in the EU (Italy) and examines the migration management policies and practices adopted by these states in order to combat migrant smuggling, paying particular attention to the cooperation between the various countries along the route and the EU.

³ Frontex (2015) Annual Risk Analysis 2015 Report available online at: http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf Accessed 16 May 2015

The findings in the following chapters stress the mixed nature of irregular migration flows using migrant smuggling networks to reach Italy. The smuggling vessels directed to Europe across the Mediterranean transport people from different geographical origins, cultures, genders, ages and experiences, whose migration profiles during the journey may have been multifaceted as refugees, victims of violence and exploitation, victims of trafficking, unaccompanied minors, labour migrants, migrant smugglers and other categories of migrants driven by a variety of reasons, factors and motivations. Moreover, their migratory plans and trajectories and the length of the journey also vary depending on external circumstances (such as civil conflicts, political unrest, arrest and detention that migrants face in some transit countries), on migrants' access to resources, and on their decisions and actions affected by the policy and opportunity structures in the countries to which they migrate.

In the different contexts and stages of the irregular journey, people's status can change⁴ along with the migration policies and laws that are applicable to their own specific and complex migration experiences. In this sense, the overlapping and mixed nature of current migration routes and flows is here taken into account both with regard to practices along the route, as well as analysis of policy responses aimed at comprehensively tackling migrant smuggling on this route.

2.3 Methodology

The research for all five case studies included desk research, legal and policy analysis, and interviews. The following sections detail the methodology used, particularly with regard to interviews, information on fieldwork, as well as challenges in conducting empirical work in each of the case study countries. Qualitative research aims at collecting a broad spectrum of examples, insights and assessments from different point of views which could otherwise not be generated. Every expert respondent provides a particular point of view, background, experience and interpretations.

Interviews for this study were conducted with persons with diverse backgrounds, including public authorities, migrants, migrant smugglers, and other stakeholders, all with specific inside knowledge and expertise on the topic of human smuggling. While experts are able to distance themselves from the subject in question, affected persons can convey their very personal and subjective perspective of a process or a situation. In addition personal experiences raise new aspects to the research topic and can shed light on aspects otherwise underrepresented. Thus, information is complementary rather than additive. Moreover, through the use of desk research and legal and policy analysis, the research was also able to verify information gleaned from other sources.

Research for the entire case study took place between January and May 2015, the data was gathered through a combination of research methods including desk-based research, semi-structured interviews conducted face-to-face or via Skype with migrants and with other key institutional and non-institutional stakeholders (including government authorities, NGO staff, journalists and other researchers). Additional information was collected through informal conversations and field observations, which allowed the researchers to gain deeper understanding of migrants' experiences during their smuggling journeys on the route from Syria, through Lebanon and Egypt to Italy. The aim was to gather updated and detailed information on migrant smuggling operations in the countries of origin, transit and first arrival in the EU and to examine the policies and practices adopted by each state on the route in order to combat migrant smuggling, paying attention to cooperation initiatives between EU Member States and non-EU countries on the route. In some contexts, due to security reasons, it was impossible to conduct field research missions and interviews with migrants and other stakeholders. In these cases the data sources were primarily desk-based research and remote interviews with key experts.

The research team is formed of three researchers with extensive experience in migration-related research in the relevant countries and conducted most interviews independently. In Italy, interviews with some migrants who only spoke Arabic and African languages were conducted with the assistance of interpreters. Researchers obtained the

⁴ For example asylum seekers become failed asylum seekers or irregular migrants provided with an order to leave, when their asylum application is rejected by the authorities of countries of asylum

informed consent of all interviewees, either orally or in writing, and made sure that research participants understood that the information they shared in interviews was going to be used only for the purpose of the EU-funded research on the smuggling of migrants. With the consent of interviewees, most interviews were voice recorded and, whenever possible, written summaries of interviews were shared with the research participants for feedback and final approval. Some information (based on the level of consent of the interview subject) on the research interviews for this study can be found in the list of interviews and consultations in chapter five. In the report, the identity and other identifying information about the research participants who needed to remain anonymous has been omitted, especially the information of smuggled migrants who shared potentially endangering information about smuggling operations and networks. The following paragraphs describe in greater details the research conducted for each of the countries in this case study.

Methodology – Syria

Due to the ongoing conflict in Syria, it was impossible to conduct field research with conflict-affected populations trying to leave Syria. The empirical data presented in the chapters on Syria were therefore gathered mainly through desk-based research and Skype interviews with 2 researchers and journalists with first-hand knowledge and expertise about migrant smuggling on the Syria-Italy route. In addition to such interviews, information was collected through informal in-depth conversations with 3 male and 2 female Syrian refugees in Jordan and 3 international NGO workers (2 in Italy and 1 in Jordan). The informal conversations and observations gathered in Italy and in Jordan were particularly useful to better understand policy developments inside Syria, especially the changes to the military service regulations and how they impact the internal and international mobility of male Syrian citizens who are called to serve in the army. Informal conversations and demonstrations of Syrian migrants were also the source of information on the role of social media as communication and information systems for smugglers and smuggled migrants.

Informal conversations with representatives of some international NGOs who were distributing relief and emergency assistance to war-affected populations inside Syria, were crucial for gathering updated information about the internal and cross-border refugee movements, which rapidly evolve along with developments in the conflict and the shifting battle frontlines.

Given the impossibility to conduct interviews with the parties involved in the Syrian conflict, this report does not present official statements regarding the migration policies and practices of the Syrian regime and its allies, and of the various armed opposition groups controlling parts of the Syrian territory and official and unofficial border crossing points between Syria and neighbouring countries. The report nevertheless draws upon desk research as well as informal conversations with Syrian refugees and interviews with international NGO workers, who shared information about the key role of these actors in facilitating and/or impeding the internal and cross-border movement of Syrians..

Methodology – Lebanon

In Lebanon the field research was conducted in person in the city of Beirut and through interviews via Skype with four expert stakeholders (including with migration and geo-political experts, scholars and legal experts, both independent and within international NGOs) and two authorities. As Lebanon is a transit as well as a departure country, migrant smuggling is often seen by migrants as the only possibility of leaving difficult social and economic conditions. As a consequence of this, the attitude of migrants towards the research was not cooperative. Indeed, several attempts to interview potential migrants through “snowball sampling” were turned down, not only because they do not perceive smuggling and smugglers as something negative or dangerous for them, but also because they have expressed concern that participation in the research may make it more difficult for them to access such services. Nonetheless, the analysis of migrants’ refusal and these informal conversations have still been integrated into the case study analysis, in order to highlight some of the factors that are at play for potential smuggled migrants. Moreover,

interviews with expert stakeholders were purposefully increased in response, in order to collect more information on the situation in Lebanon. Site selection strategy⁵ to access smugglers was not deemed an appropriate approach, due to the high security risk in going to locations where smugglers operate in Lebanon. It should also be noted that the short research period limited the possibility of gaining trust relations with migrants, smugglers and gatekeepers as an alternative means of access.

Methodology – Egypt

Due to the unstable political and security situation in the country, as well as lack of response from relevant government authorities on the research, travel to Egypt for a field research mission did not take place. An area of concern was the regions of the North Sinai and the remote western desert bordering Libya, affected by counter-insurgency military campaigns launched by the Egyptian government against armed militant groups and smugglers and traffickers of weapons and migrants. At the time of the fieldwork for this study the Egyptian military implemented travel restrictions to these regions as a security measure.⁶ Contact with relevant Egyptian authorities on the research was made numerous times, both directly and through the support of the EU Delegation in Cairo. However, no response was received (as of end of June 2015). Thus, despite attempts to seek the participation of representatives of the Egyptian authorities in interviews for the study, this report does not contain any official statements of relevant Egyptian authorities and cannot therefore fully represent the interests, political positions and policy approaches of the Egyptian government to address the smuggling of migrants from and through the territories under its jurisdiction.

Nonetheless, empirical data focusing on Egypt were alternatively collected through desk-based research, two semi-structured interviews via Skype and additional informal interviews and conversations with key expert stakeholders, including journalists, migrant rights activists and researchers with extensive expertise on migrant smuggling operations through Egypt, some of whom preferred to remain anonymous, given the political sensitivity of the topic. Interviews with migrants smuggled through Egypt were conducted in Italy by the Italian researcher.

Methodology – Italy

In Italy, experts and stakeholders were interviewed at the local (Milan and Sicily) level and at the national level (in Rome). In total, this has included three authority interviews, three interviews with international organisations and experts working in the assistance and reception of migrants and fifteen migrants who used smuggling services. Specifically, in Sicily an expert in medical and psychological assistance was interviewed and in Milan the director of a reception centre was interviewed. In Sicily, prosecutors and investigators working on the sea smuggling route from Egypt were interviewed in Siracusa and Catania. Three locations for the field work with migrants were selected: Rome, Milan and Sicily. Potential asylum seekers from Palestine have been contacted in Rome through informal channels and through use of “snowball sampling”, with the help of an interpreter who offered his services to interview them. Syrian nationals available for interviews were informally met at the “Mezzanino” of the railways station in Milan, where they gathered with volunteers and social workers before being transported to the reception centres. Syrians were also interviewed in a reception centre. The permission to enter the centre was obtained from the relevant office of the Municipality of Milan. Social workers were supportive of the research, and voluntary translators were available in both places.

Finally, after having obtained a specific permission by the local Prefecture, Sub-Saharan African (e.g. Eritrean, Ethiopian, Gambian, Malian, Senegalese, Sierra Leonian) migrants were contacted in a reception centre in Sicily, Ragusa Ibla, where they were waiting for their asylum claims to be examined by an ad hoc Commission. The Ministry of Interior assisted at the local level, facilitating the contacts with the Prefecture of Ragusa. Even here, a voluntary

⁵ This method is a means to establish trust by frequenting sites where migrants or smugglers socialise or meet. See Janine Dahinden & Denise Efiionayi-Mäder (2009), Challenges and Strategies in Empirical Fieldwork with Asylum Seekers and Migrant Sex Workers, In: Else van Liempt & Veronika Bilger (eds), *The Ethics of Migration Research Methodology. Dealing with Vulnerable Immigrants*. Brighton. Portland: Sussex Academic Press, pp. 98-138.

⁶ Personal communication with IOM MENA staff operating in Egypt in January 2015

interpreter assisted the researcher with a young Eritrean asylum seeker who spoke only Arabic and Tigrinya. Due to the short time made available for field research by the project design, and the demanding task of finding available migrants, it was not possible to approach smugglers: building required trust with them takes a longer period of time than available. There was also not sufficient time to reach them in jail, a very difficult and time consuming task.

2.4 General Background on relevant issues regarding migrant smuggling for each of the case study countries

2.4.1 General Background Syria

In March 2015, Syria reached its fourth consecutive year of violence and political unrest, which so far has caused massive human loss and suffering and a complex displacement crisis that costs billions of dollars to the international aid community and to neighbouring host countries in the Middle East. It is estimated that since the start of the conflict in March 2011, 210,000 people have been killed⁷, around 7.6 million Syrians have been internally displaced⁸ and 3,988,857 Syrians have fled to Lebanon, Turkey, Jordan, Iraq and Egypt⁹.

Monitoring the numbers and humanitarian needs of Syrian internally displaced people (IDPs) has been complicated by the ongoing fighting and by access restrictions imposed on humanitarian actors by the Syrian regime and by other armed groups involved in the conflict.¹⁰ As the refugee outflow has continued unabated, Syria's neighbouring countries have enforced stricter border controls and entry and residency policies towards Syrian refugees, discussed in subsequent sections with regard to Lebanon and Egypt in particular. In the long term, the growing obstacles faced by Syrians attempting to flee the conflict in their country and seek protection across international borders may well lead to further internal displacement and to the increase of smuggling of refugees from Syria to neighbouring countries and to countries further afield. According to the Frontex Risk Analysis, as noted in the introduction, in 2014 Syrians were the top nationality detected crossing the EU border between border crossing points. Among those who reached Europe through the Central Mediterranean Route, Syrians and Eritreans were by far the largest group, together accounting for more than 43% of all arrivals in the Central Mediterranean.¹¹

Over the last few years, the smuggling routes favoured by Syrians to reach Europe have changed and been amended by smugglers in order to circumvent preventive border management measures and entry and residency restrictions adopted by Syria's neighbours and by receiving EU Member States. Until the end of 2013, when Lebanon's borders were still open, Syrians usually first crossed by land into Lebanon and then took a plane from Beirut International Airport to either Cairo or Alexandria in Egypt. A number of Syrians also entered Egypt from the Nuweiba Port, arriving from Aqaba in Jordan¹². Syrians did not depart only from Egypt; many crossed the border into Libya and reached the cities of Benghazi and Tripoli, which historically attracted labour migrants from Africa and the Middle East.¹³ Since 2013, the security situation in Libya has worsened to the extent that Syrians no longer feel safe and resort to the service of smuggling networks based in the outskirts of Tripoli, in the coastal villages of Zuwarah and Zlitan, to embark on the dangerous journey across the Mediterranean to reach Europe (See Case Study 2 for more information

⁷ The Assessment Capacities Project (ACAPS) (February 2015) Syria four years on: No end in sight. Mapping the situation for internally displaced Syrians and refugees after four years of civil war. Report available online at: http://reliefweb.int/sites/reliefweb.int/files/resources/s-acaps-report-syria-4-years-on_13_march_2015.pdf Accessed 25 April 2015

⁸ OCHA estimates presented in SNAP (October-December 2014) Regional Analysis: Syria. Research Report available online at: <http://acaps.org/img/reports/p-regional-analysis-for-syria---part-a-overview-and-sectoral-analysis-oct-dec-2014.pdf> Accessed 27 February 2015.

⁹ UNHCR (2015) Syria Regional Refugee Response: Inter-agency information-sharing portal. Available online at: <http://data.unhcr.org/syrianrefugees/regional.php> Accessed 26 April 2015

¹⁰ Norwegian Refugee Council (NRC) & Internal Displacement Monitoring Centre (IDMC) (14 May 2014) Global Overview 2014: people internally displaced by conflict and violence Syria. Report available online at: <http://www.refworld.org/docid/5374746c5.html> Accessed 25 March 2015

¹¹ Frontex. (2015) Annual Risk Analysis 2015 Report available online at: http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf Accessed 16 May 2015.

¹² Syrian Needs Analysis Project (SNAP, June 2013) Legal status of individuals fleeing Syria. Report available online at: http://reliefweb.int/sites/reliefweb.int/files/resources/legal_status_of_individuals_fleeing_syria.pdf Accessed 27 February 2015.

¹³ Fargues Philippe, & Bonfanti Sara. (October 2014). When the best option is a leaky boat: why migrants risk their lives crossing the Mediterranean and what Europe is doing about it. Migration Policy Centre; Policy Briefs; 2014/05, available online at: <<http://cadmus.eui.eu/handle/1814/33271>> Accessed 27 February 2015

on this route).¹⁴ The Eastern Mediterranean route has also become increasingly used by Syrians to reach Europe by crossing into Turkey, then proceeding from smuggling hubs in Istanbul, Izmir, Edirne and Ankara by sea to Greece and from there either by flight, land or boat to reach continental Europe.¹⁵ See Case Study 3 for more information on this route from Turkey to Greece, and Case Study 5 for secondary movements from Greece.

In terms of legal definitions, the Syrian government developed a definition of smuggling in persons in the Legislative Decree No. 29 of 15 January 1970 on The Entry and Exit of Aliens to and from the Syrian Arab Republic and Their Residence Therein (Decree 29/1970).¹⁶ The Decree 29/1970 refers to smuggling as “aiding” and “facilitating” irregular migration and stipulates that making false statements or submitting “incorrect” documents for the purpose of facilitating a person’s entry or residence can be charged with a maximum sentence of 2 years imprisonment and/or a fine of 300-2,000 Syrian Pounds (1.40 - 9.30 Euros) (Decree 29/1070, Article 32). “Aiding” in the attempt or the execution of irregular entry or exit is charged with imprisonment for a period between 3 months and 1 year and/or a fine of 300-2,000 Syrian Pounds (1.40 - 9.30 Euros) (Decree 29/1970, Article 33).¹⁷ The Syrian government has also ratified the UN 2000 Protocols Against the Smuggling of Migrants by Land, Sea and Air, and the 2000 Protocol to Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, supplementing the United Nations Convention against Transnational Organized Crime. The principles contained in the 2000 anti-trafficking protocol has to a certain extent been integrated into Syrian national legislation through a number of presidential decrees and executive orders including the 2010 Legislative Decree No. 3 to Combat Trafficking in Persons and the 2010 Executive Code of the Legislative Decree No. 3. However, the Smuggling Protocol has not been transposed

In terms of key stakeholders involved, according to information collected before and after the outbreak of the Syria conflict in 2011, there are a number of Syrian authorities playing a key role in various aspects of migration and border management. The Borders Directorate of the Ministry of Interior has previously been identified as an essential national body concerned with border management. The Syrian Armed Forces (including the Syrian Arab Army, Syrian Arab Navy, Syrian Arab Air Force, Syrian Arab Air Defence Force, National Defence Forces and paramilitary forces), under the guidance of Ministry of Defence are involved in the current military operations and control the border crossing points in the regime-held territories. Before the outbreak of the conflict, there were also a number of specialised counter-trafficking authorities that were also established in Syria, notably the National Counter Trafficking Committee, which is comprised of all concerned ministries and NGOs responsible for the National Plan on Counter Trafficking¹⁸, and which participated in the drafting of the 2010 Counter-trafficking Law n.3 and the related executive decrees.

Due to the current violence and political instability, however, the Syrian regime is struggling to implement anti-smuggling and anti-trafficking operations as it has lost control of vast parts of the national territory and of most official border-crossing points, which are now controlled by different armed opposition groups.¹⁹ Armed non-state

¹⁴ The Global Initiative. (May 2014). Smuggled Futures: The dangerous path of the migrant from Africa to Europe. Research Report available online at: <http://www.globalinitiative.net/smuggled-futures/> (Accessed 27/02/2015).

¹⁵ Frontex. (2015). Western Balkan Route. Available online on the Frontex web site: <http://frontex.europa.eu/trends-and-routes/western-balkan-route> Accessed 6 March 2015

¹⁶ Syrian Arab Republic: Legislative Decree No. 29 of 1970 – The Entry and Exit of Aliens to and From the Syrian Republic and Their Residence Within. <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=country&category=LEGAL&publisher=NATLEGBOD&type=&coi=SYR&rid=&docid=3ae6b5690&skip=0>

¹⁷ Syrian Arab Republic: Legislative Decree No. 29 of 1970 – The Entry and Exit of Aliens to and From the Syrian Republic and Their Residence Within. <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=country&category=LEGAL&publisher=NATLEGBOD&type=&coi=SYR&rid=&docid=3ae6b5690&skip=0>

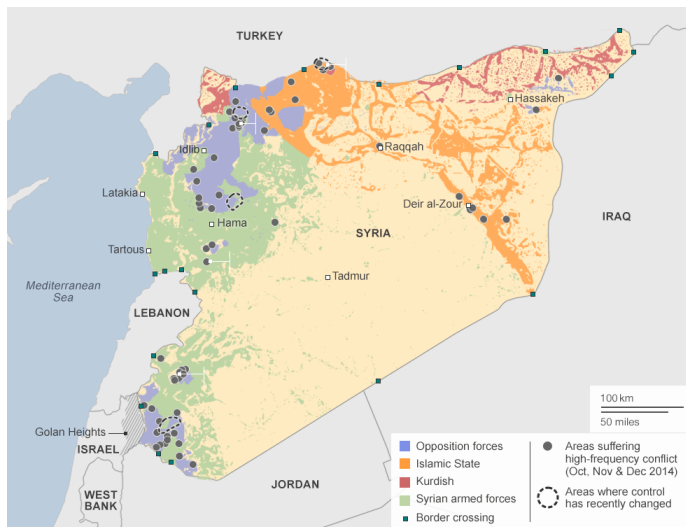
¹⁸ Protection Sector. (2014). Human Trafficking, exploitation and displacement in Syria. Report available online at: <http://syria.unocha.org/content/echoes-syria-issue-6-human-trafficking-exploitation-and-displacement-syria-november-2014-ar> Accessed 27 February 2015

¹⁹ Al-Jazeera and Agencies (5 April 2013) Syrian rebels claim to seize border post. News article available online at: <http://www.aljazeera.com/news/middleeast/2013/04/2013451652550741.html> Accessed 18 May 2015

; Al Monitor (2 April 2015) Syrian opposition seize last border crossings with Jordan. News report available online at: <https://www.middleeastmonitor.com/news/middle-east/17849-syrian-opposition-seize-last-border-crossings-with-jordan> Accessed 24 May 2015; Jordan Times (27 April 2015) Syrian rebels ‘control all Iraq border points’, seize crossing into Turkey. News article available online at: <http://jordantimes.com/article/syrian-rebels-control-all-iraq-border-points-seize-crossing-into-turkey> Accessed 27 April 2015

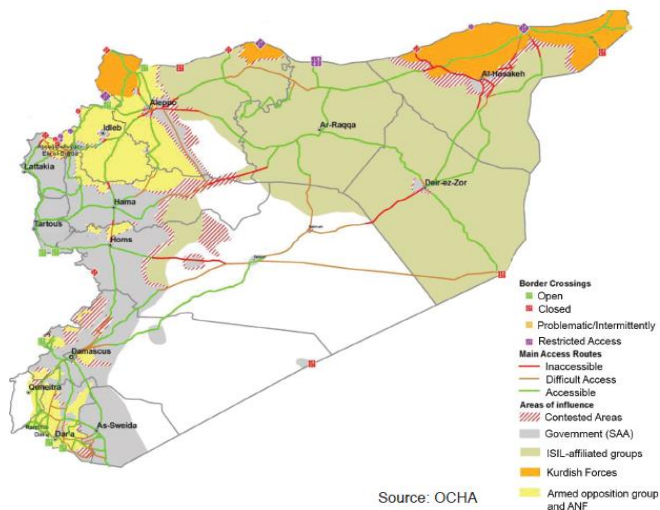
actors fighting in the Syrian conflict and controlling and in some cases facilitating the internal and cross-border mobility of Syrians is essential to understanding Syria's mobility in terms of exit of the country and the use of migrant smuggling networks and patterns. Such actors include the Lebanese Hezbollah supporting the Syrian regular army, the Salafist and Islamic fundamentalist group known as the Islamic State (IS); and more secular armed groups including the Free Syrian Army, Jabhat al-Nusra and the Kurdish People's Protection Units (YPG). The BBC map of the conflict below in Figure 2 shows the latest developments in territorial control in Syria, while the OCHA map in Figure 3 shows the current state of official border crossing points controlled by different factions in the conflict.

Figure 2: Mapping the conflict in Syria, December 2014.



Source: BBC News.

Figure 3: Situation of official border crossing points between Syria and neighboring countries, February 2015



Source: OCHA

Source: OCHA

As shown in Figures 2 and 3, until the beginning of 2015 the official border crossings with Lebanon (Jdaidet Yabws, Arida, al-Dabousiya and Jousiya) were open and tightly controlled by the Syrian regime. The Jdaidet Yabws-Masnaa

crossing was reportedly the busiest crossing point due to daily commuters to Lebanon and those traveling through to Beirut International Airport.²⁰ Since May 2015, the Syrian regular army and Hezbollah engaged in clashes against militants of the Islamic State (IS) and Jabhat al-Nusra in border areas surrounding unofficial border crossings stretching from Zabadani (northwest of Damascus) and Madaya in Wadi Barda through Assal al-Ward in Qalamoun (near the northeast Lebanese border), as well as the crossings in Qusair and Tell Kalakh (near the southern suburbs of Homs).²¹

The numerous official and unofficial border crossing points along the Syrian-Turkish borders are controlled by different armed factions. It was reported that the People's Protection Units (YPG) (Kurdish armed forces) have taken control of the Ain Arab crossing, the Ras al-Ain outlet in Hasakah and Ain Diwar in the extreme northwest of Syria and the Syrian army has retaken the Kassab crossing in Latakia.²²

The Bab al-Hawa crossing in Idlib and Bab al-Salam in Aleppo, in the north of Syria, are under the control of the Islamic State.²³ The Jarablos and Tell Abyad crossings in the north-east are also under the control of the Islamic State (IS). The Turkish authorities closed a crossing in Qamishli in 2013. On the Syrian-Iraqi border in the east, there are the three crossings of Yaarabiya, Abu Kamal and Tanf. The first is in Hasakah and is controlled by the leaders of the YPG. Abu Kamal crossing has been closed for almost two years and the authorities in Baghdad forbid people from crossing there. The Tanf crossing remains the only outlet still under the Syrian government's control in the east.

In the south, the Nasib/Jaber border crossing, the main official crossing point between Syria and Jordan, was seized by the Jabhat al-Nusra in April 2015, pushing Jordan to close the Jaber crossing.²⁴ There are non-regime crossings in west Daraa (southern Syria), the main two being at Tell Chehab and Badiya in Suweida, opposite to the Jordanian city of Ruwayshid, where the members of the Jordanian border authorities are deployed to monitor developments in the fighting and to facilitate the cross-border movement of refugees.²⁵ The control of various areas of Syria have been considered extremely relevant in terms of migrant smuggling, due to payments for safe passage at certain points, as will be further elaborated in the section on Practice.

The following chapter on Practice describes in detail the obstacles to human mobility faced by Syrians internally displaced who try to flee the country and the movement facilitation patterns and systems that emerged in response to such obstacles.

²⁰ Aziz J. (11 May 2015). The battle at Qalamoun. News article available online at: <http://www.al-monitor.com/pulse/originals/2015/05/syria-qalamoun-battle-army-hezbollah-isis-militants-qussair.html#ixzz3aIDireNp> 19 May 2015

²¹ Aziz J. (11 May 2015). The battle at Qalamoun. News article available online at: <http://www.al-monitor.com/pulse/originals/2015/05/syria-qalamoun-battle-army-hezbollah-isis-militants-qussair.html#ixzz3aIDireNp> 19 May 2015; Al-Jazeera (5 July 2015) Syria army and Hezbollah storm rebel-held Zabadani. News article available online at: < <http://www.aljazeera.com/news/2015/07/syria-army-hezbollah-storm-rebel-held-zabadani-150705100934545.html>> (3/9/2015); BBC (22 July 2015) Syria conflict: 'Unprecedented' assault on Zabadani. News article available online at: < <http://www.bbc.com/news/world-middle-east-33624215>> (3/9/2015) Al-Abed T. (17 July 2014). Who controls Syrian border crossings? News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

²² Al-Abed T. (17 July 2014). Who controls Syrian border crossings? News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

²³ Al-Abed T. (17 July 2014). Who controls Syrian border crossings? News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

²⁴ Al-Abed T. (17 July 2014). Who controls Syrian border crossings? News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

²⁵ Al-Abed T. (17 July 2014). Who controls Syrian border crossings? News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

2.4.2 General Background Lebanon

Situated on the Eastern shore of the Mediterranean, Lebanon has a territory of 10,452 sq km.²⁶ The country shares most of its territorial borders, which in total amount to 454 km,²⁷ with Syria, except for the southern part of the country, which extends until the Israeli border. Due to the Syria crisis, this positioning has been especially significant with regard to inflows of Syrian refugees.

There are four official border crossings between Syria and Lebanon: El Arida and El Aaboudieh, in the northern part of the border, Mashaari' Al Qaa, in the north-eastern part and El Masnaa, in the south-eastern part of the Syria-Lebanon border. The Al Masnaa border crossing lies on the shortest route between Beirut and Damascus.²⁸ Moreover, the Al-Amani border crossing exists in the north of Lebanon, but it has not been recognised by the Lebanese government. Porous border areas facilitate irregular border crossing of both people and goods, especially around the official border crossing of Al Masnaa and Mashari' Al Qaa.²⁹

Lebanon has historically been a country of emigration. However, it is also a transit and destination country for economic migrants (domestic workers in particular) and refugees. In 2011, Lebanon granted around 185,000 work permits, although Syrians are not usually counted in the statistics of migrant workers due to special agreements between Lebanon and Syria (effective until January 2015). Some countries of origin of domestic workers (including Ethiopia, Nepal and the Philippines) have issued bans on their citizens' emigration to Lebanon because of the poor working conditions in the country.³⁰ This has reportedly increased the risks for citizens of these countries, particularly with regard to human trafficking, as employment agencies in their countries may make profits while organising the migrant's irregular travel from the country of origin to Lebanon.³¹ (See Case Study 2 for more information on issues related to employment "brokers" arranging migration in Ethiopia.) While this raises concerns related to the risk of human trafficking, migrant workers usually consider Lebanon as country of destination and do not try to proceed to third countries or to Europe. Indeed, the great majority of persons who try to be smuggled out of Lebanon are asylum seekers from Syria, who fled to Lebanon because of geographical proximity (with Syria), and then try to reach countries where asylum-seekers rights are more protected..

Therefore, Lebanon should be considered as a very relevant country of origin or transit, because of the high number of asylum seekers that it hosts on its territory. With a population of 4.467 million in 2013³², Lebanon is currently the country with the highest ratio of refugees per citizen worldwide.³³ Syrians, Palestinians and Iraqis represent the main refugee groups in Lebanon. The number of Syrian refugees registered with UNHCR was 1,180,185 on the 26 March 2015,³⁴ although not all Syrians fleeing to Lebanon have registered with UNHCR and therefore the Syrian population present in Lebanon is estimated to be higher than the number of registered refugees. Lebanon has not set up camps for Syrian refugees, who are hosted by communities or rent rooms. Most Syrian refugees flee to the north of Lebanon (Tripoli area), to the Bekaa valley that borders Syria, or to the Beirut and Mount Lebanon region, while a smaller

²⁶ Presidency of the Council of Ministers, Central Administration of Statistics, The Republic of Lebanon, available online at <http://www.cas.gov.lb/index.php/about-lebanon-en> Accessed 26 April 2015

²⁷ Presidency of the Council of Ministers, Central Administration of Statistics, The Republic of Lebanon, available online at <http://www.cas.gov.lb/index.php/about-lebanon-en> Accessed 26 April 2015

²⁸ *Syrian Border Crossings* (2013) available online at <http://www.mapaction.org/component/mapcat/download/2965.html?fmt=pdf> Accessed 22 April 2015

²⁹ *Syrian Border Crossings* (2013) available online at <http://www.mapaction.org/component/mapcat/download/2965.html?fmt=pdf> Accessed 22 April 2015

³⁰ Frantz, E. (2014), *Breaking the Isolation: Access to Information and Media Among Migrant Domestic Workers in Jordan and Lebanon*, Open Society Foundations.

³¹ Hamill, K. (2013), *Trafficking of Migrant Domestic Workers in Lebanon*, KAFA. Available online at <http://www.kafa.org.lb/studiespublicationpdf/prpdf37.pdf> Accessed 22 April 2015

³² The World Bank, *Lebanon*. Available online at <http://data.worldbank.org/country/lebanon> Accessed 20 April 2015

³³ UNHCR (2014), *Syrian refugees in Lebanon surpass one million*, Press Release 3 April.

³⁴ UNHCR (2015), *Syrian Regional Refugee Response*, available online at <http://data.unhcr.org> Accessed 26 March 2015

number reside in the Southern part of the country.³⁵ After the outbreak of the Syrian crisis, Palestinians from Syria have also fled to Lebanon. As of April 2014, their number was estimated to be around 53,000.³⁶

Lebanon has signed (2002) and ratified (2005), but not yet transposed, the Protocol against the Smuggling of Migrants by Land, Sea and Air.³⁷ The most relevant law with regard to migrant smuggling in the country, however, is the one regulating the status of foreigners in Lebanon, as well as their entry and exit from the country, the July 1962 “Law on the entry and stay of foreign nationals in Lebanon, and their exit.” Article six of this law states that: “No foreign national may enter Lebanon unless he or she passes one of the posts of the Sûreté Générale and on condition that he or she has the regulatory documents and visas as well as a passport in which a transit or residence visa has been affixed by a representative of Lebanon abroad, by an authority responsible for the interests of Lebanese nationals abroad or by the Sûreté Générale.”³⁸ More information on Lebanon’s legal framework is included in the chapter on Policy Responses.

In terms of key agencies involved, the Ministry of Interior and Municipalities is the main institution responsible for the control of the borders. Within the Ministry of Interior, the Directorate General of General Security has the duty of “participating in the surveillance of the territorial, maritime and aerial frontiers.”³⁹ Other agencies involved in the control of the border are the Internal Security Forces (ISF), the General Customs and the Lebanese Army. More information on these institutions is included in the Policy Responses chapter.

2.4.3 General Background Egypt

Egypt is a key transit country along the East African Route and, over the last decade, due to changes in the scale and direction of routes, now converges also with the Central Mediterranean Route.⁴⁰ Initially, the East African Route originated in the Horn of Africa (Ethiopia, Somalia, Eritrea and Sudan) and went eastwards across the Gulf of Aden to Yemen and the Gulf States, or northward through the Red Sea and the Sinai Peninsula to Israel (See Figure 2, and Case Study 2 for more details).⁴¹ Due to the ongoing Egyptian military operations in the Sinai and Israel’s completion of the fence along the Egyptian border, in 2014 the main route for mixed migration has shifted away from the Sinai Peninsula to a new route leading to Europe via the western desert of Salloum at the borders between Egypt and Libya.⁴² The power of the Egyptian government is increasingly challenged in the volatile western desert bordering Libya, which is described by Egyptian officers as a threatening ‘ungoverned space’, created by the Libyan political vacuum and filled by jihadists, arms dealers, drug smugglers and human traffickers.⁴³

³⁵ *Syrian Refugees*, Migration Policy Centre, European University Institute. Available online at <http://syrianrefugees.eu/> Accessed 26 April 2015

³⁶ UNRWA (2015), *PRS in Lebanon*, Available online at <http://www.unrwa.org> Accessed 20 April 2015

³⁷ UNODC, Protocol against the smuggling of migrants by Land, Sea and Air, available online at <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-migrantsmugglingprotocol.html> Accessed on 14 May 2015

³⁸ Law regulating the entry of foreign nationals into, their residence in and their departure from Lebanon, available online at <http://www.refworld.org/pdfid/4c3c630f2.pdf> Accessed on 3 May 2015

³⁹ General Directorate of General Security, available online at <http://www.general-security.gov.lb/> Accessed 15 April 2015

⁴⁰ RMMS (June 2014) *Going West: Contemporary mixed migration trends from the Horn of Africa to Libya & Europe*. Mixed migration research series, study 5 available online at:

http://www.regionalmms.org/fileadmin/content/rmms_publications/Going_West_migration_trends_Libya_Europe_RMMS.pdf Accessed 16 April 2015)

⁴¹ ACP Observatory on Migration (2014) ‘*Behind the Picture: Irregular migration in ACP countries and the global South*’ Background Note available online at:

<http://www.acpmigration-obs.org/sites/default/files/BN%2012%20Irregular%20Migration%20EN.pdf> Accessed 16 April 2015

⁴² UNHCR (2014) *Smuggling and Trafficking from the East and Horn of Africa*. Research Report available online at:

<http://www.refworld.org/pdfid/51d175314.pdf> Accessed 27 February 2015)

⁴³ Aronson G. (22 May 2014). *Egypt threatened by ‘ungoverned space’ on Libyan border* News Article available online at: <http://www.al-monitor.com/pulse/originals/2014/05/egypt-sinai-ungoverned-space-lawless-libya-security-military.html#ixzz3UMKrrsyq> Accessed 22 February 2015

Figure 4: MTM i-Map on Irregular and Mixed Migration Routes from, to, and through Egypt



Source: MTM i-Map

The Egyptian legal definition of migrant smuggling or facilitation of irregular migration has been developed in Law 89/1960 on Entry, Residence and Exit of Foreigners, amended by law 88/2005. Article 40 of this law states that: “Without violating any other stricter sanctions stipulated in other laws, any person who utters false statements or submits incorrect papers in order to facilitate his or someone else’s entry and residence in the Arab Republic of Egypt shall be penalised with incarceration for no more than two years and a fine of no more than two thousand EGP [approx. 270 EUR] or with one of these two punishments.”⁴⁴

In March 2005, Egypt also ratified the 2000 Convention on Transnational Organised Crime and the related Protocol against the Smuggling of Migrants by Land, Sea and Air. In Egypt, the anti-smuggling protocol has yet to be transposed into a unified piece of national legislation.

Within Egypt, there are a number of actors whose work is considered relevant to the smuggling of migrants. The Egyptian authorities who play a key role in migration and border management include:

- ★ The Passports, Emigration & Nationality Administration of the Ministry of Interior
- ★ The Egyptian Search and Rescue Center (ESARC)
- ★ The border security forces of the Ministry of Defense
- ★ The Coast Guard of the Ministry of Defense

The National Coordinating Committee on Preventing and Combating Illegal Migration (NCCPIM) under the Ministry of Foreign Affairs⁴⁵ was established as the focal point for policies and governmental efforts in the field of combating and preventing illegal migration, including migrant smuggling, and ensuring the coordination among interested governmental non-governmental actors, and acting as an advisory body to the national authorities. The committee is responsible for drafting a unified legislation and implementing the 2014-2015 national Action Plan addressing irregular migration, which includes legislative activities, research, awareness raising, international and regional cooperation,

⁴⁴ ICMPD’s unofficial translation of article 40 of Law 89/1960 on Entry, Residence and Exit of Foreigners, amended by law 88/2005.

⁴⁵ Egyptian Ministry of Foreign Affairs (18 May 2015) *The National Coordinating Committee on preventing and combating illegal migration (NCCPIM)*. Press release available online at: <http://www.mfa.gov.eg/English/Ministry/TraffickinginPersons/committee/Pages/NCCPIM.aspx> Accessed 18 May 2015)

and drafting of the national strategy.⁴⁶ There are also a number of government units, committees and non-governmental actors involved with regard to anti-trafficking activities, noted further based on relevance in the section on Policy Responses.

As noted in the national Action Plan, Egypt considers multilateral and international cooperation a key aspect in addressing irregular migration. Accordingly, Egypt has engaged with a number of international actors on the issue, including Interpol, UNODC and IOM, as well as participated in international policy dialogues and processes that focus on (irregular) migration in the Mediterranean region (for example the Khartoum Process). More information on these is included in the chapter on Policy Responses.

2.4.4 General Background Italy

In the last 20 years Italy has received large flows of irregular migrants, especially by sea (See Table 1), coming directly from the Indian continent, the Black Sea, the Balkans and North Africa. Geographically, Italy is a common entry point due to its position at the centre of the Mediterranean Sea on the southern coast of Continental Europe; its sea borders extends for roughly 7,400 miles.

Table 1: Irregular migrants landed in Italy by sea, 2005-2014

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
22,939	22,016	20,455	36,951	9,573	4,406	62,692	13,267	42,925	170,100

Source: MoI

Today the overwhelming majority of mixed migration flows are coming from Libya, but in the past they mainly originated from Albania, Turkey, Malta and other Mediterranean countries. All these routes have been subject to stringent controls in the course of the years, mainly through prevention and diplomatic activities, and thus the number of arrivals via these routes have been drastically reduced.

Currently, in the overall context of smuggling by sea to Italy, the smuggling of Syrian nationals presents specific features. Firstly, since 2011, the routes of asylum seekers escaping from Syria and arriving in Italy have changed several times. Secondly, almost all Syrian nationals pass through Italy as a transit country, but do not select this as a destination country, unlike other national groups. Thirdly, the flows of Syrian nationals landing in Italy are mainly composed of middle-class families and individuals who can afford to pay large sums to contravene the increasing restrictions states impose on migrant movements. Most Syrians fleeing the war have found a more or less temporary shelter in neighbouring countries, such as Lebanon and Turkey. For more information on smuggling routes via Turkey, see Case Studies 3 and 4. In light of the field research results, it seems that Syrians who could sell all their goods before their departure, and who were consequently able to collect enough money, could undertake the long journey to the EU.

The three factors mentioned above are related to specific developments of smuggling activities. For Syrian middle-class families and individuals, smugglers have increased their specialisation and capacity to create new international joint-ventures. As an investigator reported, among smuggling networks, the prospects of higher volumes of business attracted new investors, leading to new *modi operandi* and new smuggling routes.⁴⁷

⁴⁶ Egyptian Ministry of Foreign Affairs (N.D.): *NCCPIM Action Plan 2014-2015*. Available at: <http://www.mfa.gov.eg/Arabic/InsideEgypt/economyindicator/Documents/NCCPIM%20Action%20Plan%202014-2015.pdf>.

⁴⁷ I A 1

Regarding smugglers, specific research has been conducted in previous years on modus operandi and routes,⁴⁸ but comprehensive research results have not been recently published. The exception is a recent book written by a journalist and a researcher, mainly based on personal interviews with smugglers, describing the smugglers' modus operandi and specifically examining the smuggling by sea methods,⁴⁹ although not specifically addressing the Syrian migrant flows. General overviews of smuggling in the Mediterranean Sea have been also presented, including Italy,⁵⁰ but until today no specific research results have been published on the route section from Egypt to Italy.

In Italy, the definition by law of smuggling and facilitated migration has been introduced by Art. 12 of the Legislative decree n. 286/1998, as a part of the main legislative reform regulating migration matters.⁵¹ It is distinct from the crime introduced to punish cases of human trafficking and extreme exploitation of migrants. The article defines the crime of abetting illegal immigration, or migrant smuggling, as "promoting, directing, organising, financing or operating the transport of foreigners in the State, or performing other acts intended to procure illegal entry into the territory of the State." Notably, specific provisions have been set up, at the organisational level, to support investigative tasks at the judiciary and police levels.

Recently new strategies have been defined to facilitate the application of both national laws and international laws at high sea.⁵² Depending on the circumstances, often smugglers are accused of other crimes, such as unintended killing with shipwreck, multiple unintended killing, acts of violence and kidnapping, all of which can be aggravated by the presence of minors. However, legal procedures rarely lead to the dismantlement of smuggling networks, because usually only the drivers of the boats and the crews arrive in Italy. In the long term, big improvements have been made in prevention and prosecution activities, diminishing the capacity of some of the routes. Among the main improvements highlighted by the research are diplomatic activities with Egypt and Turkey, the one-year Mare Nostrum operation (October 2013-October 2014), which reduced the risks of death at sea, and, on the prosecution side, the recent request for extradition of three high-level Egyptian smugglers, and the Operazione Glauco II, respectively run by the Catania and Palermo DDA (local branches of the National Anti-Mafia Prosecutor Office).⁵³ The latter, in April 2015, has dismantled a network of Eritrean and Ethiopian smugglers based in Libya, Sudan and Italy, with connections in northern EU countries.

Current procedures to deal with smuggling involve several authorities in Italy. Main ministries in charge of prevention are the Ministry of Interior and the Ministry of Foreign Affairs and International Cooperation. Police corps and the Navy operate at sea, in search and rescue operations. Frontex activities are also relevant; three border control operations have been launched involving Italian territorial waters in 2014: Hermes (in Central Mediterranean area) and Aeneas (in the Eastern Mediterranean area) have been active until September 2014, while Triton was launched on 1 November 2014.⁵⁴ Prosecution activities are led by the judiciary with the Anti-Mafia Directorate, working in close cooperation with all police corps. A new capacity of reaction has been put in place by the Italian authorities, with a more intense engagement in actions at sea dispersed at the national and international levels.⁵⁵ Across Italy, civil society organisations and local administrations are also involved in reception and assistance activities for asylum seekers and irregular arrivals.

⁴⁸Monzini 2007, 2008, 2010

⁴⁹De Nicola, Musumeci 2014

⁵⁰Triandafallidou and Maroukis 2012; *The Global Initiative against Transnational Organised Crime* 2014; Frontex quarterly reports

⁵¹Testo Unico sull'Immigrazione, <http://www.altalex.com/index.php?idnot=51626>

⁵²DNA 2014

⁵³More details are presented below, in the section on policies.

⁵⁵ Procura di Catania, 2014

3. Migrant smuggling along the selected route

This section covers the main evidence collected in the course of this study on patterns and practices of migrant smuggling operations along this route, focusing on the specific route segments of Syria-Lebanon, Lebanon-Egypt and Egypt-Italy. Within each route section, the relevant information available is included in sub-sections on dynamics, scale and patterns; modus operandi; smugglers organisation and migrants' relations with smugglers. Of note is that the route from Egypt to Italy along the Central Mediterranean Route has certain complementarities with Case Study 2, which examines the route from Libya towards both Malta and Italy. In the final section of this chapter, "Other trends", findings that have been illuminated in the course of the research but that fall outside the selected routes and route segments have been included, such as other routes for migrants departing from Syria and secondary movement from Italy.

3.1 Route segment Syria – Lebanon

3.1.1 Dynamics, scale and patterns

It is estimated that a third of the entire Syrian population, about 7.6 million Syrians, have been internally displaced by the ongoing conflict between the Syrian Armed Forces (SAF) and their paramilitary allies on one side and armed opposition groups on the other.⁵⁶ The Syrian government has refused to recognise the population that has been forced to flee the conflict as internally displaced, referring to them instead as "people who have left their homes"⁵⁷ and has imposed access restrictions on humanitarian agencies, hampering their monitoring and data collection on IDP numbers, movements and physical protection needs.⁵⁸ More information on this is included in the Syria section of the chapter "Policy Responses". Since March 2011, 3,988,857 million Syrians have fled to Lebanon, Jordan, Turkey, Iraq and Egypt (See Figure 5).⁵⁹

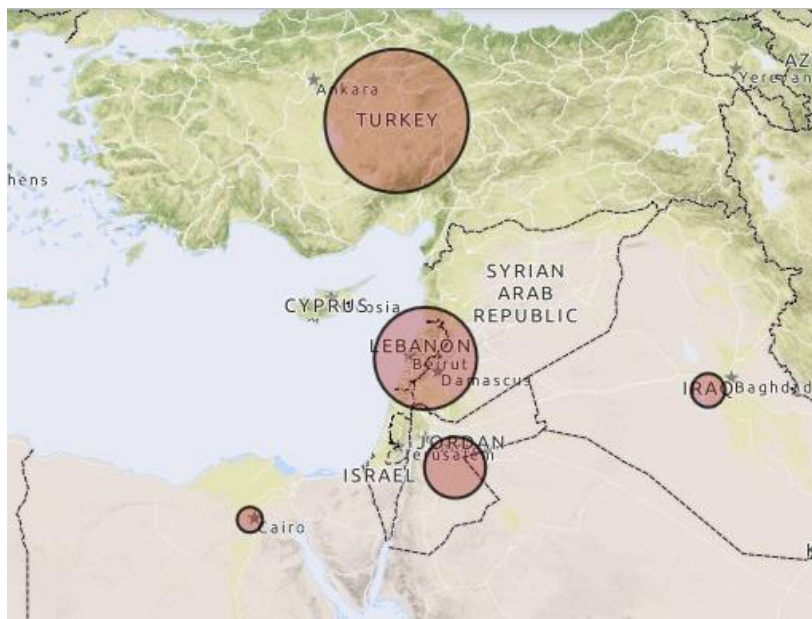
⁵⁶ UNHCR. (2015). *Syria Regional Refugee Response: Inter-agency information-sharing portal*. Available online at: <http://data.unhcr.org/syrianrefugees/regional.php> Accessed 12 March 2015

⁵⁷ NRC & IDMC (14 May 2014) *Global Overview 2014: people internally displaced by conflict and violence Syria*. Available online at: <http://www.refworld.org/docid/5374746c5.html> Accessed 25 March 2015

⁵⁸ IDMC. (2014). *Syria: Forsaken IDPs adrift inside a fragmenting state*. Research Report available online at: <http://www.internal-displacement.org/middle-east-and-north-africa/syria/2014/syria-forsaken-idps-adrift-inside-a-fragmenting-state> Accessed 25 March 2015

⁵⁹ UNHCR. (2015). *Syria Regional Refugee Response: Inter-agency information-sharing portal*. Available online at: <http://data.unhcr.org/syrianrefugees/regional.php> Accessed 12 March 2015

Figure 5: Persons of Concern from Syria in the region



Source: UNHCR

3.1.2 Modus Operandi

All the parties involved in the conflict have failed to protect civilians from ongoing violence and these groups reportedly targeted non-combatants. For civilians, the flight to safe areas has been impeded by bombings on populated areas, sieges, arrests, kidnappings at checkpoints and shooting at those who attempt to cross international borders.⁶⁰ The movement of civilians and their access to humanitarian assistance is particularly restricted in besieged areas of rural Damascus, including the Yarmouk Palestine refugee camp, and in the governorates of Dera'a in the southwest, Homs and Hama in the west, Aleppo in the northwest, Deir-ez-Zor in the east and Ar-Raqqa in the northeast of the country.⁶¹ In order to escape the shelling and fighting, and safely reach the borders between Syria and neighbouring countries, Syrian refugees, including women, children and elderly people travel by foot and by car for several days.⁶² A journalist, who reported from opposition-controlled areas inside Syria in 2014, explained that the patterns of human movement within Syria are not necessarily forms of smuggling, as most Syrians independently reach the border with neighbouring countries by their own means of transportation or by hired cars.

However, on their way out of the country, Syrians are displaced multiple times through a number of governorates and take several exit routes, with the most common transit cities being Damascus, Tartous and Latakia.⁶³ Moreover, in order to exit the country, there are reports that they pay elements of the different armed groups controlling the besieged areas to be smuggled out.⁶⁴ There are also young Syrian men who cannot move inside Syria because they are wanted by the Syrian Armed Forces (SAF) for several reasons. Some because they are military defectors or have been called to serve either in the compulsory or reserve troops and they refuse to take up arms and be sent to the

⁶⁰ IDMC. (2014). *Syria: Forsaken IDPs adrift inside a fragmenting state*. Research Report available online at: <http://www.internal-displacement.org/middle-east-and-north-africa/syria/2014/syria-forsaken-idps-adrift-inside-a-fragmenting-state> Accessed 25 March 2015

⁶¹ SNAP (October–December 2014) *Regional Analysis: Syria*. Research Report available online at: <http://acaps.org/img/reports/p-regional-analysis-for-syria---part-a-overview-and-sectoral-analysis-oct-dec-2014.pdf> Accessed 27 February 2015

⁶² UNHCR Jordan (19 March 2015) *Fighting and despair triggers rise in numbers fleeing Syria to Jordan*. News Story available online at: <http://www.unhcr.org/550b14ce6.html> Accessed 27 April 2015

⁶³ Ayoub Maysa, & Khallaf Shaden (September 2014). *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015.

⁶⁴ EG (Skype)/OS/1

frontline to fight for any party in the conflict. Some are wanted for political reasons, and some others are wanted because their names are similar to the names of other wanted citizens. In general all men in these categories face difficulties in obtaining an exit authorisation from the Military Recruitment Department in the Ministry of Defence and the Syrian intelligence, and therefore are not allowed to leave the country through official border crossing points.⁶⁵ Syrians on such wanted lists, inside and outside the besieged areas, resort to the assistance of smugglers and it takes several weeks and plenty of logistical arrangements in order to avoid going through checkpoints, the frontlines and to reach the borders safely.⁶⁶ Some young Syrian men reported being smuggled by elements of the Free Syrian Army (FSA), in exchange for payments of 50,000 Syrian pounds (about 234 EUR) per person to pass through checkpoints and to be transported on FSA vehicles along countryside roads far from the frontlines and to be dropped in border areas.⁶⁷

For Syrians who are not in the besieged areas but in areas under government control, they can move within the country but still require sufficient money in order to bribe officers to pass checkpoints.⁶⁸ However, the dynamics at Syrian checkpoints are unpredictable: officers may demand sums of money that the people trying to cross may not be able to pay, thus risking being maltreated and not permitted passage. Moreover, officers at checkpoints have lists of wanted individuals and may stop and arrest any person whose name is on the list, as noted above.

Media sources also confirm bribing as a tool used for smuggling migrants across the Lebanese border. Al Akhbar⁶⁹ describes how the same modus operandi is used to smuggle both people and arms through the northern Lebanese border. Smuggled migrants or goods are hidden in secret places within cars, so that they are not discovered during inspections. The smuggler interviewed by the newspaper Al Akhbar also confirmed corruption at checkpoints. In December 2014, a police patrol arrested a member of the Internal Security Forces for smuggling Syrians across the border in exchange for money.⁷⁰

As will be further discussed in the section on Policy Responses, in Lebanon, since the beginning of 2015 the Lebanese government⁷¹ has increasingly restricted access of Syrian nationals in its territory. As a response, Syrians try to enter Lebanon either through official border points, or through migrant smuggling in the form of false documents, bribing or using unofficial entry points situated along the border between Syria and Lebanon. The use of false documents mainly concerns having proof that the person willing to cross the border will only use Lebanon as transit country, as they already have a visa for a third country.

As for migrant smuggling occurring between official border crossings, this is facilitated by the nature of the Lebanese-Syrian border. A report released before the outbreak of the Syrian war links pervasive smuggling activities with unpaved roads and smuggling passages that extend across the border.⁷² Mules are reported as means of transportation in smuggling activities concerning both goods and human beings, especially in mountain regions near the eastern border.⁷³

As discussed above and in the Policy Responses section below, while Lebanon applied an open door policy, most Syrians left their country without resorting to the services of smugglers. Once in the first country of transit, a portion of them embarked on the smuggling journey to Europe. The introduction of stricter border controls and entry visa

⁶⁵ Informal conversations with Syrian male refugees in Jordan

⁶⁶ Informal conversations with Syrian male refugees in Jordan; Danish Immigration Service. 26 February 2015 Syria: Military Service, Mandatory Self-Defence Duty and Recruitment to the YPG. Report available online at: <http://www.refworld.org/docid/54fd6c884.html> 27 April 2015

⁶⁷ Informal conversations with Syrian male refugees in Jordan

⁶⁸ EG (Skype)/OS/1

⁶⁹ Bahjat, Z., (2013), *Syria's Northern border open to smugglers for the right price*, Al Akhbar 5 August. Available online at <http://english.al-akhbar.com/node/16643> Accessed on 20 April 2015

⁷⁰ (2014), *Lebanon arrests ISF sergeant for smuggling fugitives across border*, Al Akhbar 16 December. Available online at <http://english.al-akhbar.com/node/22902> Accessed on 20 April 2015

⁷¹ Interview LB/Other stakeholder/1

⁷² NowLebanon(2009), *Lebanon-Syria Borders*. Available online at <https://now.mmedia.me/Library/Files/EnglishDocumentation/Other%20Documents/Border%20Report%20NOW.pdf> Accessed on 20 April 2015

⁷³ Abu Hamadan, T., (2013), *Lebanese smugglers take advantage of Syria war*, Al Monitor 8 December. Available online at <http://www.al-monitor.com/pulse/ar/security/2013/12/lebanon-smugglers-syria-war.html> Accessed 20 April 2015

restrictions by Syria's neighbours has led a growing number of Syrians to seek the assistance of smugglers to bypass border controls and restrictions between Syria and neighbouring countries. See the "Other trends" section for more information on Syrians embarking from other transit countries.

Communication and social media

Internally displaced Syrians reportedly know the available route options out of Syria and onwards. Information circulates very rapidly inside Syria and across Syrian communities abroad through crowd-sourcing and informal social networks. In order to organise their trip, Syrians collect information about the available journey options through various means, including through word of mouth with other Syrian family members and friends who embarked on the journey and arrived to Europe already, as well as through the use of social media. Social media are the main means through which information flows; every Syrian family has several Facebook, Skype, WhatsApp and Viber accounts.⁷⁴ More information on this, particularly on key secondary destinations within Europe, is included in the section "Other trends" on secondary movements, below.

All this information helps potential migrants in their decision making process on how to leave, where to leave and whom to approach, trust and involve and whom not to. The web is also used by migrants to share identification details of smugglers who deceive and steal migrants' money and are therefore blacklisted by web-based communities of migrants. Migrants also use Facebook groups to vet the best smugglers, sharing phone numbers and comparing routes and prices.⁷⁵ Thus, smugglers and their performance, failures and success are to a great extent observed and communicated quickly and in detail within the refugee/migrant community and to potential clients. This again puts certain pressure on the smugglers performance and their business. In order to advertise their services also smugglers widely use social media platforms by posting advertisements with colourful maps and pictures of European sites on dedicated web pages to provide price details, services (not) offered and prices charged.

Migrants use Viber and Skype to call each other and the smugglers for free.⁷⁶ Social media as well as Viber communication are of particular importance for the Eastern Mediterranean route and are less important on the route via Lebanon and Egypt.

When migrants call the smugglers in Egypt, Lebanon, Turkey and other countries, some Syrian, Palestinian and Egyptian smugglers provide detailed information about the smuggling journey packages that they can sell to the migrants. Other smugglers disclose less information and tell the migrants that in order to know the details they need to reach the first transit country from which the smuggling journey starts.⁷⁷ In the absence of large-scale survey data, it is difficult to establish how successful the advertisements available in social media are in attracting and convincing Syrian prospective migrants to purchase smuggling packages. However, from informal conversations and interviews with Syrians and other migrants in Jordan and in Italy, it appears that social media are a critical means of information and communication for migrants considering smuggling options. Due to frequent power cuts and state censorship of social media platforms, access to the Internet and to social media is intermittent in the regime controlled areas, but it is mostly available in most areas under the control of opposition groups and to Syrian refugees in neighbouring countries such as Lebanon.⁷⁸

⁷⁴ Informal conversations with Syrian male refugees in Jordan

⁷⁵ Yeginsu Ceylan (5 February 2015) *Promise of Europe Lures Syrians and Smugglers*. The New York Times news article available online at: http://www.nytimes.com/2015/02/06/world/europe/promise-of-europe-lures-syrian-refugees-and-smugglers-to-turkish-coast.html?_r=0 Accessed 27 February 2015)

⁷⁶ Informal conversations with Syrian male refugees in Jordan

⁷⁷ Informal conversations with Syrian male refugees in Jordan

⁷⁸ EG (Skype)/OS/1

3.1.3 Supply side: Smugglers and their organisation

The smuggling operation along this route can either be carried out by a single smuggler, or by an organised network. In 2015, the newspaper Naharet⁷⁹ reported a case of a gang of Lebanese, Syrian and Palestinian nationals, based in the city of Zahle (Bekaa Valley), that were arrested for both smuggling migrants across the Syrian-Lebanese border and for kidnapping people in exchange for ransoms.

There are however only few reports of refugees facing violence and human rights abuses at the hands of smugglers and facilitators on the way out of Syria. Rather, there are reports that inside Syria, aside from the provision of smuggling and transportation services against payment, there is still some form of solidarity between internally displaced persons and their smugglers/facilitators, who often belong to the same communities as the migrants.⁸⁰

3.2 Route segment Lebanon-Egypt

3.2.1 Dynamics, scale and patterns

After reaching Lebanon, Syrians and Palestinians either stay in the country or attempt to continue to a third country. In Egypt, the UNHCR has as of March 2015 registered 133,862 Syrian refugees, but the Government of Egypt estimated that the number of Syrians in Egypt is higher and ranges between 250,000 to 300,000 people.⁸¹ This difference in numbers on the one hand can be due to the fact that some Syrians did not register with UNHCR, rather staying in the country on annual or temporary residence permits or, on the other hand due to a potential inflation of numbers due to attract attention and support for the Egyptian government's needs in dealing with their refugee population. Since Egypt introduced stricter regulations for granting visas to Syrians, as of July 2013 the route section from Lebanon to Egypt has become less relevant.⁸² While before July 2013 Syrians could obtain a visa at an Egyptian airport, now it is required that they obtain a visa from the Egyptian Embassy in Lebanon.⁸³ An interviewee who asked to remain anonymous suggested that on the basis of anecdotal evidence that the Egyptian Embassy is also restricting the granting of visas to Syrians based on the changed official stance of the Egyptian government towards the Assad regime.⁸⁴ This has discouraged Syrians from using Egypt as country of transit. Instead they attempt to travel to Turkey and, if they are planning to proceed to a European country, continue from Turkey.⁸⁵ See section on "Other trends" in this report, as well as Case Studies 3 and 4 for more information on this route.

Attempts of migrant smuggling by sea have been recorded in Lebanon, but this does not seem to be a prevalent form of smuggling. A discouraging factor in the southern part of the coast is the coastline control by the United Nations Interim Force in Lebanon (UNIFIL). Especially active in the south of the country, the Maritime Task Force, deployed in 2006, supports the Lebanese Navy in monitoring territorial waters and the Lebanese coastline.⁸⁶ Rather, migrant smuggling by air through the use of document fraud has become increasingly important in departing from Lebanon.

3.2.2 Modus Operandi

Given the restrictions noted above on the Lebanese-Egyptian route section,⁸⁷ the difficulties in sailing from the Lebanese coastline with irregular boats and the geography of Lebanon (which shares land borders with only Syria and

⁷⁹ (2015), *State Security Busts Kidnapping Gang Smuggling Syrians to Lebanon*, Naharet 29 January. Available at <http://www.naharnet.com/stories/en/165267> Accessed on 20 April 2015

⁸⁰ EG (Skype)/OS/1

⁸¹ UNHCR et al. (2014) *2014 Syria Regional Response Plan: Egypt*. Policy report available online at: <http://www.unhcr.org/syriarrp6/docs/syria-rrp6-jordan-response-plan.pdf> Accessed 26 April 2015

⁸² (2013), *Egypt restricts Syrian influx, sparking fears of discrimination*, Al Akhbar 10 July. Available at <http://english.al-akhbar.com/node/16381> Accessed on 20 April 2015

⁸³ Interview LB/Other stakeholder/3.

⁸⁴ Interview LB/Other stakeholder/3. While the Egyptian president Morsi was supportive of the Syrian opposition, the following presidents of the country changed the approach towards a more pro-Assad stance in the conflict.

⁸⁵ According to the Turkish Ministry of Foreign Affairs, "Ordinary and official [Syrian] passport holders are exempted from visa for their travel up to 90 days within 6 months starting from the first entry date." <http://www.mfa.gov.tr/visa-information-for-foreigners.en.mfa>

⁸⁶ <http://unifil.unmissions.org/Default.aspx?tabid=11584>

⁸⁷ For Palestine refugees also on the route passing through Turkey.

Israel), document fraud in order to exit Lebanon by air is considered a significant smuggling activity. Moreover, the Syrian crisis has influenced the increasing request of false documents.

Since the start of the Syrian crisis, the Lebanese local media (The Lebanese Daily Star) has reported several cases of networks engaged in document forgery. In March 2015, the Internal Security Forces arrested a Syrian man who was part of a network based in Hamra district (Beirut).⁸⁸ During the same month, one Palestinian and two Lebanese women were detained for providing migrants with false visas to Sudan.⁸⁹ In January, 2014, the General Security warned against a network that produced false Schengen visas (the arrested member of the network was a Syrian national). The network would ask 10,000 USD for a false visa, and then convinced the migrants to travel to an "African state", from where they were told they could enter the Schengen area.⁹⁰ In December 2013, The Lebanese Daily Star reported the possibility of buying original Syrian passports and IDs for 2,000 USD.⁹¹ The prices of false documents depend on whether on the one hand the valid document needs to be altered by changing the name, date of birth, picture, or by adding a visa stamp to suit the identity of the holder and their purpose, or on the other hand if a whole new document needed to be produced (i.e. either forged or stolen), with the former being cheaper than the latter and prices ranging from 2,000-10,000 USD. The Daily Star quotes a female Syrian refugee who said that "it was fairly easy for Syrians to obtain such documents through third party sources (...) 'There are specific people we know, who we can contact to get such documents,' she said, adding that she believed they were Syrian army officers with ties to the regime. Their market is mainly Syrians who support the opposition and don't possess identity documents, and are afraid of being arrested if they applied in person."⁹²

Between the 16-24 November 2013, the Lebanese General Security arrested 21 people for reasons related to forged documents.⁹³ In May 2014, a case of 49 Syrians and Palestinians arrested at Beirut airport for having false documents was reported.⁹⁴ Most carriers of false documents are discovered at Beirut airport when they try to board a flight,⁹⁵ which shows the difficulties in using this smuggling technique. The main challenge for investigative activities of these networks is that most people arrested with false documents obtained them from a third party, and reportedly do not have any information on who actually provided them with the documents.⁹⁶ In spite of the number of arrests because of counterfeit documents, an interviewee who requested to remain anonymous revealed that as of 2014, the demand for false documents in Lebanon has become so high that those producing them have difficulties meeting the demand.⁹⁷ The high level of requests is likely to have led to an increase in the price of counterfeit documents since the start of the crisis, with higher prices being especially difficult to bear for numerous families.

In November 2013, The Daily Telegraph reported that the price for being smuggled from Lebanon to Europe can reach 10,000 British pounds (around 13,000 Euros). A travel agent based in Beirut reportedly provides fake passports and European visas. After flying from Beirut to Istanbul, migrants are smuggled to Bulgaria⁹⁸ and then to other European

⁸⁸ (2015), *Lebanon arrests Syrian man accused of forging documents*, The Daily Star 28 March. Available online at <http://www.dailystar.com.lb/News/Lebanon-News/2015/Mar-28/292496-lebanon-arrests-syrian-man-accused-of-forging-documents.ashx> Accessed 20 April 2015

⁸⁹Zaatari, M., (2015), *3 Arrested in Sidon over human trafficking*, The Daily Star 12 March. Available online at <http://www.dailystar.com.lb/News/Lebanon-News/2015/Mar-12/290504-police-interrogate-south-lebanon-travel-agents-suspected-of-human-trafficking.ashx> Accessed on 20 April 2015

⁹⁰ (2014), *General Security warns of fake Schengen visa scam*, The Daily Star 25 January. Available online at <http://www.dailystar.com.lb/News/Lebanon-News/2014/Jan-25/245227-general-security-warns-of-fake-schengen-visa-scam.ashx> Accessed on 20 April 2015

⁹¹Kullab. S. (2013), *False documents give refugees false hope*, The Daily Star 14 December. Available online at https://www.google.com.lb/search?q=False+documents+give+refugees+false+hope&aq=chrome..69i57.203j0j4&sourceid=chrome&es_sm=93&ie=UTF-8 Accessed on 20 April 2015

⁹²Kullab. S. (2013), *False documents give refugees false hope*, The Daily Star 14 December.

⁹³Kullab. S. (2013), *False documents give refugees false hope*, The Daily Star 14 December.

⁹⁴ (2014), *Lebanon arrests 49 refugees at Beirut airport over fake documents*, Al Akhbar 3 May. Available online at https://www.google.com.lb/search?q=Lebanon+arrests+49+refugees+at+Beirut+airport+over+fake+documents&aq=chrome..69i57.529j0j9&sourceid=chrome&es_sm=93&ie=UTF-8 Accessed 20 April 2015

⁹⁵Kullab. S. (2013), *False documents give refugees false hope*, The Daily Star 14 December.

⁹⁶Kullab. S. (2013), *False documents give refugees false hope*, The Daily Star 14 December.

⁹⁷ Interview LB/Other stakeholder/1

⁹⁸ Although the article only concerns Bulgaria, smuggling can occur towards Greece as well.

countries, with Sweden being reported as the favoured destination.⁹⁹ Smuggling is allegedly carried out through bribing migration authorities and staff in European embassies.¹⁰⁰

Until July 2013, the open-door policy adopted by the Morsi government facilitated the entry of Syrians without visa seeking refuge in Egypt. Syrians trying to reach Europe through the Central Mediterranean Route generally flew to Egypt from Amman or Beirut and entered Cairo or Alexandria on a regular visa. However, the new El-Sisi government, which came to power in July 2013, imposed visa restrictions and security checks on Arab nationals, including Syrians.¹⁰¹ Hundreds of Syrians arriving at Egyptian airports without entry visas were sent back to the country of transit from which they travelled, usually Jordan, Lebanon, or Turkey.¹⁰² This has caused a sharp decline in the rate of arrivals from Syria and registrations with UNHCR.¹⁰³ Once in Egypt, the Syrians mainly go to the cities of Alexandria, Damietta and Greater Cairo, where they establish contacts with smugglers, mostly through word of mouth, and negotiate their smuggling to Italy by sea.

3.2.3 Migrants and their families/communities

Observations of the situations of highly educated Syrians and Palestinians from Syria in Lebanon suggest that smuggling is often the last means of migrating to which Syrians and Palestinians resort, after one or multiple failed attempts to travel to Europe in a regular way, for example through working visas and/or university scholarships. This was confirmed by informal conversations with potential migrants in Lebanon. Migrant smuggling is considered the only alternative to strict legal migration channels, due to which migrants must remain in transit countries and may be at risk of human rights violations.¹⁰⁴ This latter point has been noted in relation to the fact that in Lebanon, Syrian new-borns risk being without official documents due to difficulties in registering new-born babies. Observations and informal conversations clarify that this is considered a push factor for reaching a country where the baby will not be without documents, and could eventually gain that country's citizenship, with the hope of securing fair opportunities for babies and children.

In Egypt, Syrian refugees primarily come from Dera'a, Aleppo, Hama, Damascus city and suburbs, Idleb, Homs and other war-torn areas in Syria.¹⁰⁵ Among the Syrians who reached Italy on boats from Egypt in 2013 and 2014, there are also Palestinian refugees from contested areas of Aleppo, Dara'a and greater Damascus, where more than fifty percent of the 540,000 Palestinian refugees in Syria have been internally displaced and their houses and livelihoods in camps and urban settlements destroyed and besieged by different armed groups.¹⁰⁶ The 70,000 Palestinians who have managed to enter Egypt, Jordan and Lebanon face a lack of legal status that exposes them to harassment, arrest, detention and *refoulement* (See Policy Responses chapters).¹⁰⁷

⁹⁹ See Case Studies 3 and 4 for more information on this route

¹⁰⁰ Sherlock, R. and Malouf, C. (2013) *Rich refugees pay thousands to flee war-torn Syria in luxury*, The Telegraph 14 November. Available online at <http://www.telegraph.co.uk> Accessed 15 April 2015

¹⁰¹ UNHCR. (2014). Smuggling and Trafficking from the East and Horn of Africa. Research Report available online at: <http://www.refworld.org/pdfid/51d175314.pdf> Accessed 27/02/2015

¹⁰² Ayoub Maysa, & Khallaf Shaden. (September 2014). Syrian Refugees in Egypt: Challenges of a Politically Changing Environment. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27/02/2015

¹⁰³ UNHCR et al., November 2013

¹⁰⁴ Restrictive measures towards entry and renewal of residency for Syrians in Lebanon are discussed in the section on Policy Responses.

¹⁰⁵ Ayoub Maysa, & Khallaf Shaden (September 2014). *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015

¹⁰⁶ Syria Needs Analysis Project (SNAP). (March 2014). Palestinians from Syria. Thematic report available online at: http://reliefweb.int/sites/reliefweb.int/files/resources/palestinians_from_syria_march_2014.pdf Accessed 27 April 2015

¹⁰⁷ Syria Needs Analysis Project (SNAP). (March 2014). *Palestinians from Syria*. Thematic report available online at: http://reliefweb.int/sites/reliefweb.int/files/resources/palestinians_from_syria_march_2014.pdf Accessed 27 April 2015

3.3 Route segment Egypt – Italy

3.3.1 Dynamics, scale and patterns

The Egyptian government does not provide official information about the number and nationalities of migrants who leave Egypt every year through regular and irregular channels. However, in 2015, the main forced migrant groups registered with UNHCR in Egypt include: Sudanese forced migrants fleeing violence (30,060 people); Somali refugees who fled the protracted conflict in their country (8,400 people); Eritrean refugees who sought asylum due to human rights abuses or forced conscription in Eritrea (2,763 people)¹⁰⁸; Ethiopian refugees who fled political persecution (2,810); and Iraqi refugees mainly generated by the 2003 war in Iraq (6,410 people).¹⁰⁹ Currently, 120,000 Syrians are assisted by the UNHCR in Egypt.¹¹⁰ These nationalities also correspond to the most detected smuggled migrants arriving to Italy from the East and Central Mediterranean Route, along with about 50,000 Palestinians in Egypt who are under the mandate of UNRWA.

The importance of the direct route from Egypt to Italy has grown in recent years. Originally established for sea crossings of Egyptian nationals, the organisation of these crossings increased in 2011 with the Arab Spring. Successively, in 2013 and especially in 2014, it has been mainly fuelled by the demand of both Syrian nationals escaping war and travelling through Egypt, and by Syrians already established in Egypt but who decided to leave the country after the political change in 2013.¹¹¹ In total, around a quarter of the incoming flows was composed by Syrian nationals in 2013 and 2014: 11,307 landings of Syrian nationals were recorded in 2013, from a total of 42,925 arrivals, and 42,323 in 2014, from a total of 170,100 recorded landings.¹¹² Landings of Syrians in 2015 are currently low (as of mid-May 2015), it is not clear yet whether this represents a change in route or a statistical anomaly.

In recent times, the route has also been used by Palestinian asylum seekers fleeing worsening living conditions in their areas. According to official Italian data¹¹³, the number of arrivals of Palestinian nationals, not included in the first 10 main national groups until 2012, grew to 1,075 in 2013 (position n. 10), and 3,518 (position n.7) in 2014. Yearly arrivals of Egyptian nationals rose from 2,728 in 2013 to 4,095 in 2014 (see Table 2). Among Palestinian and Egyptian nationals arriving irregularly in Italy, almost all are young males and the percentage of minors is almost 50%; according to the experts, their families pay the trip for them, with great sacrifices, in the hope for a better life for their sons. Often these young boys become victims of exploitation in informal labour markets in Italy.¹¹⁴ To a much lesser extent, Sub Saharan Africans are also transported through this route. The 2015 Frontex Risk report states that there were 45,298 arrivals of irregular migrants to Europe through the Central Mediterranean Route between January and December 2013, and 170,816 arrivals between January and December 2014. In 2013, Syrians, Palestinians and Egyptians generally departed by sea from Egypt, while migrants from the Horn of Africa and West Africa departed mostly from Libya.¹¹⁵

¹⁰⁸ Personal communication from UNHCR Egypt, number of Eritreans registered with the UNHCR as of 31 March 2015.

¹⁰⁹ UNHCR Egypt. (2015). 2015 *UNHCR country operations profile - Egypt*. Available on the UNHCR Egypt web site at: <http://www.unhcr.org/pages/49e486356.html> Accessed 29 April 2015

¹¹⁰ UNHCR Egypt. (2015). 2015 *UNHCR country operations profile - Egypt*. Available on the UNHCR Egypt web site at: <http://www.unhcr.org/pages/49e486356.html> Accessed 29 April 2015

¹¹¹ Bauer (2014)

¹¹² Source: Italian Ministry of Interior

¹¹³ Source: Italian Ministry of Interior

¹¹⁴ Monzini (2015)

¹¹⁵ Frontex (2014). *Annual Risk analysis 2014*. Available online at:

http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2014.pdf Accessed 27 February 2015

Table 2: Declared nationality of migrants* landed by sea, 2013-2015 (updated 13/5/2015)

2013		2014		2015		* This data may also include migrants in the process of identification
Syria	11,307	Syria	42,323	Eritrea	7,802	
Eritrea	9,834	Eritrea	34,329	Sub Saharan ¹¹⁶	4,704	
Somalia	3,263	Mali	9,908	Somalia	4,190	
Egypt	2,728	Nigeria	9,000	Nigeria	3,431	
Nigeria	2,680	Gambia	8,691	Gambia	2,525	
Gambia	2,619	Palestine	6,082	Syria	2,325	
Pakistan	1,753	Somalia	5,756	Senegal	2,130	
Mali	1,674	Senegal	4,933	Mali	1,664	
Senegal	1,314	Bangladesh	4,386	Sudan	1,416	
Tunisia	833	Egypt	4,095	Ivory Coast	914	
others	4,920	others*	38.583	others*	5,103	
Total	42,925	Total	170,100	Total	36,204	

Source: Italian MoI

According to data from the Italian Coast Guard, in 2014, more than a quarter of the migrants who arrived in Italy reached the eastern coasts of Sicily departed from Egypt (15,413), Turkey (10,341) or Greece (1,508) (See Figure 6). From Egypt and Turkey migrants face several days (usually 4 or 5) at high sea in very difficult conditions. At the moment, the route between Libya and Italy, the main sea smuggling route since 2002, has increased due to the lawlessness of the political situation in Libya; it has expanded over the last two years and partially re-adapted for the passage of Syrian asylum seekers. It was considered too dangerous and not used by the most affluent Syrian nationals who could afford alternative journeys by air or passing through Greece, but has been revitalised in recent times, as the other routes have been increasingly patrolled.¹¹⁷ For more information on the route from Libya, see Case Study 2. Thus, previously used sea routes have been re-opened and among these the Egypt-Italy route is considered a relevant one as it provides access to the Eastern Italian shores. However, diplomatic negotiations between Italy and Egypt and anti-smuggling operations by Egyptian authorities reportedly decreased the number of departures from Egypt.¹¹⁸ Routes from Turkey, Greece and Albania, all ending in Eastern Sicily or in the Eastern coasts of Southern Italy (Calabria and Apulia), have been progressively and alternatively re-established.¹¹⁹ Generally, if controls of central authorities are strengthened, smugglers shift the departure operations to other countries or to more hidden areas, also using small boats departing from beaches instead of big ships departing from main ports.¹²⁰ Figure 6 shows the main flows of migrant vessels, as well as the number of migrants rescued and assisted from the country of departure.

¹¹⁶ Due to the high number of arrivals, Italian authorities were not able to identify the nationality of migrants on the spot, as soon as they arrived. Thus this category represents those people initially identified as from Sub-Saharan Africa, for whom the process of identification is ongoing.

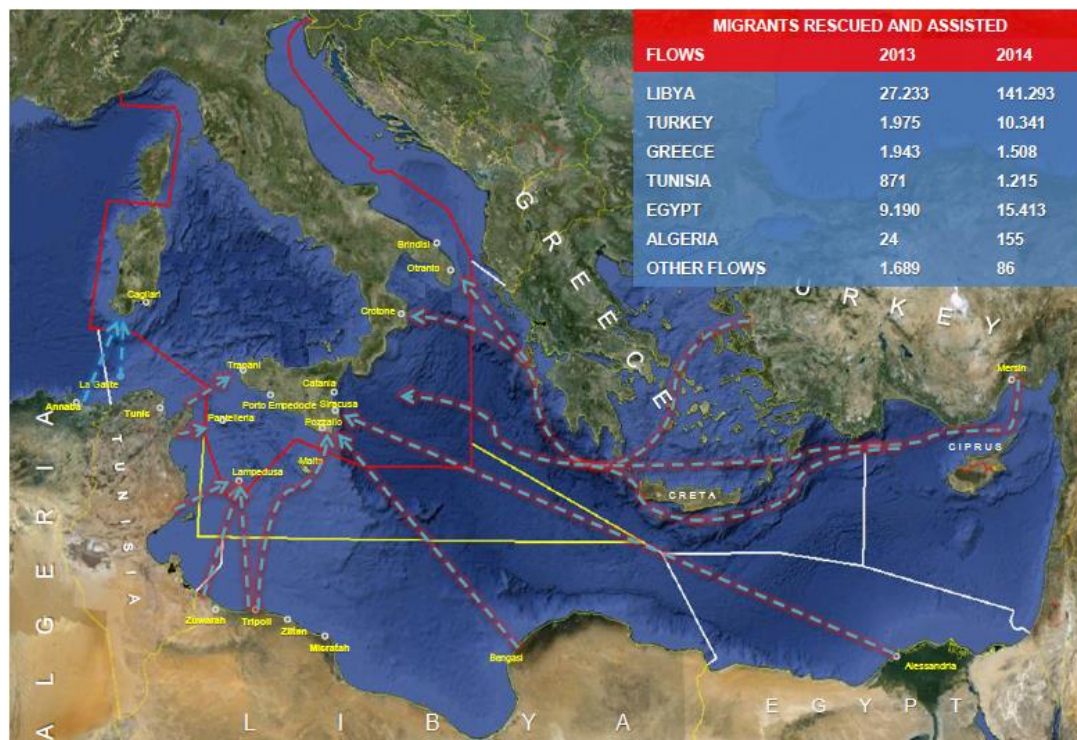
¹¹⁷ I A 3

¹¹⁸ I A 1

¹¹⁹ See "Other trends" section, as well as the other Case Studies for more information.

¹²⁰ I S 4

Figure 6: Italy – Rescued and assisted migrants 2013-2014



Source: Italian Coast Guard

In Italy the relevance of the smuggling issue is growing day by day and the Central Mediterranean route is where several major incidents of boats capsizing and sinking have occurred, including the April 2015 tragedy in Libyan waters south of Lampedusa that claimed the lives of almost 900 people¹²¹, as well as the September 2014 tragedy in which a boat from Egypt was deliberately sunk by migrant smugglers, causing the loss of life of approximately 500 people¹²². This tragedy in particular has impacted the use of the Egypt-Italy route: the capacity of the direct route from Egypt to Italy has decreased, as this tragedy led to a lack of trust toward the smugglers operating on this route. One of the migrants interviewed for this research, a survivor of this shipwreck, stayed two days at sea. His experience was marked by fear and anguish and he reported: "there are no words in my language to describe what I had to live in these days. (...) They are mafia people, horrible and dangerous people, I already knew it before leaving. But smugglers' services are the only resource available to leave from Gaza and reach Europe."¹²³

Despite the policy responses of Italy and Egypt, this route has very recently been reactivated (April 2015), facilitated by the good sea conditions in springtime.¹²⁴ In 2015, up until 28 April, two boats arrived in Italy from Egypt, with a total of 655 migrants.¹²⁵

¹²¹ BBC (19 April 2015) 'Mediterranean migrants: Hundreds feared dead after boat capsizes' News article available online at:

<<http://www.bbc.com/news/world-europe-32371348>> Accessed 21 April 2015

¹²² Walker, P (2015), "Migrant boat was 'deliberately sunk' in Mediterranean sea, killing 500", 15 September. Available online at: <<http://www.theguardian.com/world/2014/sep/15/migrant-boat-capsizes-egypt-malta-traffickers>>.

¹²³ I M P S 1

¹²⁴ I A 3

¹²⁵ Source: Ministry of Interior

3.3.2 Modus Operandi

This research has found that the modus operandi for smuggling operations constantly changes and adapts to a series of evolving factors including availability and accessibility of routes, the capacity of the smugglers and the influence of smuggling networks, the methods and logistical arrangements, and the time and the presence of controls.¹²⁶ The smuggling journeys of different migrant groups through Egypt, and even of individuals within the same migrant group, also vary depending on the reasons and circumstances in which the migrants left their country of origin as well as their legal status and living conditions in Egypt. Access to material resources to cover the costs of the smuggling journey is another critical factor influencing the smuggling experience of each individual. Migrants' migratory plans evolve over time and are affected by changing circumstances, constraints, opportunities and risks that migrants face on the route, which determine the duration of each smuggling journey.

To embark on the ship in Egypt, migrants from all nationalities must first reach the port of Alexandria, Egypt's second largest city and the hub of the smuggling networks on the Egyptian coast. There they establish contacts with smugglers, mostly through word of mouth, and negotiate their smuggling to Italy by sea. Some migrants are driven to Alexandria by the smugglers in closed vans, other migrants reach Alexandria by public buses or by train and are given a meeting time and place to meet the smugglers.¹²⁷ In Alexandria, migrants are confined by the smugglers in rented apartments in nearby Damietta (in another governorate) or in Al Marmoura¹²⁸, often sharing with other migrants also waiting to be smuggled. The migrants are forced to remain in the apartments until the time of their embarkation. When their turn arrives, migrants are loaded on buses and taken to isolated beaches, where they board vessels: often old, faulty, unseaworthy speed boats or wooden fishing boats.¹²⁹ Crossing in a fishing boat takes, in good sea conditions, around four to five days. During the boat journey, migrants are transported in high seas from fishing boats to smaller wooden boats to continue their journey, known as the "mother vessel" technique and also observed and noted by Italian investigators. This is the technique that was used in the tragedy mentioned above of September 2014. It entails that when the boat loaded with migrants arrives at more than one hundred miles outside the Italian border, all migrants are moved onto a smaller boat, to allow the first fishing boat to go back and ship new loads. The mother vessel (i.e. the vessel delivering migrants to another smaller vessel) navigates accompanied by the smaller boat, or it can be approached by it at high sea.

Smuggling operations can also collect migrants even in the course of their route: in Cyprus, in Crete (Greece), or Libya. In these cases the "mother vessel" departs empty or almost empty from a port and loads migrants in secret locations along the route. Passengers are waiting in secrecy, and after being taken to a beach, they are initially loaded onto small boats or lifeboats, and then transferred on the "mother vessel" waiting for them far away, at anchor.¹³⁰ It is clear that to reduce the risks of seizure of the ship, smugglers prefer to deliberately endanger the passengers, obliging them to get on smaller boats without any safety measures and loaded significantly more than the boat's capacity.¹³¹ In order to make more profit, smugglers load the boat with a number of migrants which always far exceeds the legal capacity of the vessels and this increases the risk for the migrants of capsizing and sinking, especially when the journey takes place in rough sea conditions.¹³²

It is apparent that those smuggling networks originating in Egypt have very good international connections at the origin of the journey, although not necessarily at the end. Joint ventures between Egyptian and Turkish smugglers have led to complex routes: for this, it seems they have operational activities in Greece, at Pireus and in Athens,

¹²⁶ European Commission. (15 January 2015). *Facts and Figures on the arrivals of migrants in Europe*. European Commission - Fact Sheet available online at: <http://europa.eu/rapid/press-release_MEMO-15-3261_en.htm> Accessed 23 February 2015

¹²⁷ Bauer W. (2014) *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen>> Accessed 21 April 2015

¹²⁸ I A 3

¹²⁹ EG (Skype)/OS/1

¹³⁰ Bauer (2014); I M PS 1, I A 3

¹³¹ Procura di Catania (2014); Frontex. (2014). *Annual Risk analysis 2014*. Available online at: http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2014.pdf Accessed 27 February 2015

¹³² Coleman Jasmine. (9 January 2015). *Migrant ghost ships: Who are the people smugglers?* BBC news article available online at: <http://www.bbc.com/news/world-europe-30715001>. Accessed 27 February 2015

Omonia Square.¹³³ As a high ranking Italian police officer reported¹³⁴, the organisational capacities of the Egyptian smuggling organisations, and their inter-connections, have recently increased along all routes directed to Italy.

Financial aspects - cost of operations, payment modalities and fees

According to media reports, migrants pay an amount that usually varies between 3,000 to 4,000 USD (or even more) for the trip from Egypt to the Italian coasts.¹³⁵ The recruiter or broker gets a commission of 300 USD for each migrant paying 3000 USD for the boat journey to Europe.¹³⁶ According to an analysis by an Italian investigator, while some years ago they could pay with money transfers, half in advance, half after their arrival, usually now they have to pay all in advance.¹³⁷ However, another report suggests that the payment for the smuggling journey of Syrians from Egypt may still take place through use of the *hawala* system, with payment taking place usually before the journey, either to a third party trusted by both sides or, when the migrant does not have any trustworthy person who can hold the payment, the money is deposited at a money transfer agency such as Money Gram or Western Union, protected by a security code. Only when the passenger successfully reaches Italy or Malta and informs the third party of their arrival at the desired destination, the third party releases the money to the smuggler. Otherwise, the migrants call the smuggler by phone and give him the security code with which the smuggler can collect the payment from the money transfer agency.¹³⁸

Nevertheless, all migrants interviewed for this study in Italy made a payment up front, with no warranties or use of *hawala* system envisaged.¹³⁹ Negotiations are possible and prices vary a lot, for example, those who have family in Egypt pay half price. Families pay a collective price, while children usually are not charged.¹⁴⁰ Among the interviewees arriving via this route, for example, a Syrian family spent 4,400 USD in total for the sea crossing from Damietta to Italy; in this case they paid the complete sum in advance.¹⁴¹

The Palestinian migrants from Gaza interviewed for this study mainly crossed into Egypt through the Gaza-Egypt smuggling tunnel corridor at Rafah with the support of smugglers for about 300 USD.¹⁴² When the migrants reached the end of the underground tunnel on the Egyptian side, there were Egyptian smugglers, who took them by car to El-Arish, one of the smuggling hubs close to the border with Gaza. There, they negotiated prices with different smugglers to be smuggled to Italy from Alexandria and paid in advance 2,500 USD; including transportation in vans to Alexandria, accommodation while waiting to embark and the boat journey.¹⁴³

Among the migrants interviewed in Italy who departed from Egypt, it seems that few among the smuggled migrants buy from the smugglers multi-stage "travel packages"¹⁴⁴ to reach northern European destinations, with transit in Italy. More frequently, they find the deals on their way and travel (and pay) stage by stage.

3.3.3 Supply side: Smugglers and their organisation

The smuggling of migrants in Egypt are led by networks of facilitators of different nationalities, including Egyptians, Sudanese, Syrians, Palestinians, Eritreans, Ethiopians and Somalis, who perform specialised roles including ship owners, recruiters, brokers, skippers, bus drivers and owners of apartments in the coastal cities.¹⁴⁵

¹³³I A 3

¹³⁴I A 1

¹³⁵ Bauer W. (2014) *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen>> Accessed 21 April 2015 I A 3

¹³⁶ Bauer W. (2014) *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen>> Accessed 21 April 2015

¹³⁷I A 3

¹³⁸ Kingsley P. (17 September 2014). *Desperate Syrian refugees risk all in bid to reach Europe*. The Guardian News article available online at: <http://www.theguardian.com/global-development/2014/sep/18/desperate-syrian-refugees-europe-mediterranean> Accessed 22 February 2015

¹³⁹I M SY 5

¹⁴⁰I A 3

¹⁴¹I M SY 5

¹⁴² IMPS1, IMPS2, IMPS3

¹⁴³ IMPS1

¹⁴⁴ This would be where payment includes the initial travel to Italy and then subsequent secondary movement to ultimate destination.

In neighbourhoods with a high concentration of Syrian refugees in Cairo and in other key cities, there are several Egyptians and Syrian-Palestinian sales agents (or brokers), who are often engaged in ordinary jobs such as shop owners and professional careers but who also engage in smuggling activities. Their involvement in the smuggling business is partly driven by humanitarian motivations and partly by the desire to earn more money as an easy side income. They care about their reputation as professional sales agents and therefore take care of their customers, providing them with the necessary advice and information on the available journey options.¹⁴⁶ Some of the Syrian sales agents who worked in Egypt are now in Germany and in other European countries where they have filed asylum claims. They worked in the smuggling circles until they saved enough money in order to pay for their own irregular journey to Europe.¹⁴⁷

The men who lead the smuggling business are reportedly very rich Egyptian and Palestinian men, who invest their financial capital into buying boats and bribing coast guards to ensure that there is no interference with the normal flow of the business.¹⁴⁸ In particular, the smuggling business is mainly dominated by four rich and powerful Egyptian men in Alexandria, reportedly very well connected to the Egyptian Coast Guards. These four men are also heads of a sort of different mafia groups [*baldadgiya* in Egyptian dialect], which divide and distribute territorial power along the Egyptian coastline amongst themselves and, in order to avoid conflict, operate in separate sectors from which they launch the boat journeys to Europe.¹⁴⁹ If, for weather related reasons, one of the groups has to operate in the territory of another, the former will compensate the latter. They employ young Egyptians specialised in different technical aspects of the journey. This logistical support includes the drivers of mini buses who transport smuggled migrants within Egypt to key transfer points, as well as the persons responsible for the rental of flats in downtown Alexandria and the hideouts where smuggled migrants are kept secluded before being taken to the beach. The persons responsible for securing accommodation in Alexandria pay the landlords rent that are three times the normal rent to ensure that landlords cooperate and do not report them or the smuggling operations to the police. There are also young people in charge of directing the migrants during their transfer from the buses to the beach and if migrants are not running fast enough they beat them with sticks in order to force them to run faster to reach the embarkation point on the beach. There are also a number of teams in charge of the transporting migrants onto a number of different motorboats or large fishing boats. When one team in charge of the motorboat or large fishing boat returns to the coast, another team takes over the group of migrants and takes them to the fishing vessels, using the "mother vessel" technique.¹⁵⁰

Investigators in Siracusa¹⁵¹ confirm the above; investigations led to the identification in Alexandria of three very skilled and professional migrant smugglers who are able to organise and select the boats, manage the logistics and recruit the crews. According to information collected by the Italian prosecutors, usually these organisers engage the crew of the boats for a single journey, on low wages, and sailors or skippers are recruited among people who usually frequent the sea port areas in Egypt, in the area close to Alexandria.¹⁵² The three mentioned smugglers provide the captains of the boat, usually a fishing boat without flag that is 10 to 25 metres long, with a satellite telephone and a GPS, and they are able to load the boat with migrants and to assist the navigation along the way, with the assistance of other boats again using the "mother vessel" technique. The organisers have all contacts and instruments to repair the boats, even at high sea. For the three smugglers identified by investigators in Siracusa, a request of extradition

¹⁴⁵ Al-Jazeera. (17 January 2015). *For refugees, the 'trip of death' begins on Egypt's beaches*. News article available online at: <http://america.aljazeera.com/articles/2015/1/17/for-refugees-thetripofdeathbeginsonegyptsbeaches.html>. Accessed 27 February 2015

¹⁴⁶ Bauer W. (2014). *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen>> Accessed 21 April 2015

¹⁴⁷ EG/Skype/OS/1

¹⁴⁸ EG/Skype/OS/1; Bauer W. (2014). *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen>> Accessed 21 April 2015

¹⁴⁹ EG/Skype/OS/1; Bauer W. (2014). *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen>> 21 April 2015; Kingsley P. (17 September 2014). *Desperate Syrian refugees risk all in bid to reach Europe*. The Guardian News article available online at: <http://www.theguardian.com/global-development/2014/sep/18/desperate-syrian-refugees-europe-mediterranean> 22 February 2015

¹⁵⁰ EG/Skype/OS/1

¹⁵¹ I A 3

¹⁵² De Nicola, Musumeci 2014; I A 1

has been issued in December 2014, and it is still pending; remarkably, one of the smugglers is already in jail in Egypt.¹⁵³

All migrants reported that smugglers were very professional and not working for humanitarian purposes on this section of the route. Apart from a military group which assisted with removing an asylum seeker from Syria to Turkey for the equivalent of 8 USD,¹⁵⁴ all smugglers worked for high profits. According to authorities, smuggling is attracting an increasing number of high-level smugglers working at the international level in other illegal sectors.¹⁵⁵ The tragedy of September 2014 noted previously is important to highlight for the ruthlessness with which the smugglers destroyed the vessel on which migrants were travelling. In this case, the migrants on board the “mother vessel” refused to transfer onto the smaller, less seaworthy vessel. In response, one of the smugglers used their own boat to ram and intentionally sink the one on which the migrants were sitting, causing the loss of life of approximately 500 migrants.¹⁵⁶

In 2014-2015, investigations carried out in Catania and Siracusa led to the arrest of dozens of facilitators and to the identification of some networks¹⁵⁷ (see Tables 3 and 4 for data on arrests of facilitators). With the help of wiretapping and the collaboration of the crew, in 2013 the DDA in Catania led the first investigation of a “mother vessel”, and two others followed.¹⁵⁸ These investigations led to the identification of three smugglers based in Egypt¹⁵⁹, already mentioned above, who have been identified by Egyptian authorities and described as “influential persons”. However, it is well known that the most influential smuggling actors are not arrested in Italy because they reside abroad. Regarding nationalities, according to Italian investigators, there is strong cooperation between different nationalities of smugglers in Egypt. This is also confirmed by information collected by EMN: Syrians cooperate with facilitators from Iraq, Turkey and Palestine on this route.¹⁶⁰

¹⁵³ BlogSicily. *Sulle Tracce Dei Trafficanti di Uomini Richieste tre Estradizioni all’Egitto*. 19 December 2014 <http://catania.blogsicilia.it/sulle-tracce-dei-trafficanti-di-uomini-richieste-tre-estradizioni-allegitto/281376/>

¹⁵⁴I M PS 4

¹⁵⁵I A 1

¹⁵⁶ Walker, P (2015), “Migrant boat was ‘deliberately sunk’ in Mediterranean sea, killing 500”, 15 September. Available online at: <<http://www.theguardian.com/world/2014/sep/15/migrant-boat-capsizes-egypt-malta-traffickers>>.

¹⁵⁷ Procura di Catania 2014

¹⁵⁸I A 2

¹⁵⁹I A 2

¹⁶⁰EMN (2014)

Table 3: Facilitators reported to courts, arrested 2010-2014, first 6 nationalities and number of Egyptian nationals

2010	2011	2012	2013	2014 (to 30/9)
Italy	Italy	Italy	Italy	Italy
China	China	China	Egypt 181	Egypt 151
Morocco	Egypt 95	Egypt 118	China	Bangladesh
Egypt 51	Unknown	Unknown	Morocco	Tunisia
India	Senegal	Morocco	Unknown	China
Unknown	Tunisia	Tunisia	Albania	Morocco

Source: ENM (2014)

Table 4: Facilitators reported to courts, not arrested 2010-2014, first 6 nationalities and number of Egyptian nationals

2010	2011	2012	2013	2014 (to 30/9)
Italy	Italy	Italy	Italy	Italy
China	China	China	Egypt 31	Egypt 151
Morocco	Egypt 64	Egypt 47	China	Bangladesh
Egypt 84	Unknown	Unknown	Morocco	Tunisia
India	Senegal	Morocco	Unknown	China
Unknown	Tunisia	Tunisia	Albania	Morocco

Source: EMN (2014)

According to Italian authorities, migrants in the recent past on this route were treated with greater attention, and smugglers tried to avoid the main risks. They had a reputation to preserve, and crossings were mostly organised in spring and summer, when the sea is more favourable. This has changed dramatically. Crossings are now performed

even in winter, when the Mediterranean is not easy to navigate without reliable boats, and the treatment of migrants has acutely worsened, as has been noted above.¹⁶¹ Migrant smugglers, it seems, do not care much about their reputation anymore as was the case in the past. We can assume that demand is simply high enough so market competition between smugglers is not much of an issue anymore.

Currently migrants may be forcibly boarded onto unsuitable boats and rubber dinghies, more frequently than before, without any protection, such as lifejackets. According to an investigator, at the moment smuggling of migrants on this route is one of the most profitable and least punished crimes in transnational illicit markets, and migrants have the same role as drugs or the exploitation of prostitution, they are treated as commodities.¹⁶²

3.3.4 Migrants and their families/communities

Before embarking on the boat journey, a significant number of Syrians lived and settled in Egypt. Some worked in Egypt for long periods of time ranging from one to three years before leaving for Europe. In order to generate income (which can be used to fund the onward journey), they either informally worked for Egyptian employers in the retail and service sectors or they ran their own small businesses in basements or in rented shops.¹⁶³ The main factor that reportedly led Syrians to consider leaving Egypt was the negative impact of the new restrictive visa regime imposed on Syrians by the Al-Sisi government, which impeded the movement of Syrian businessmen, who could no longer ensure that when they left the country for business trips they would be let in again by the Egyptian authorities. Another critical factor leading many Syrians to leave was the growing hostility they were facing from members of the Egyptian host community, reportedly fomented by TV and radio shows promoting the idea that Syrians are a threat to national security and competitors against Egyptians in the local labour market.¹⁶⁴

Most Syrians who relied on the services of smuggling networks to directly reach Europe are migrants who could mobilise the necessary material resources, connections and support mechanisms to embark on the irregular migration to Europe. In order to pay for the smuggling journey, most of the migrants interviewed in Italy invested all their savings, sold their houses, cars, jewellery and businesses and contracted debts with families and friends in order to collect enough money to leave.¹⁶⁵ Some reported that they left their home with all their money hidden on their bodies.¹⁶⁶ Some are only surviving in Italy with money sent from time to time by their families living elsewhere.¹⁶⁷ Those without these necessary resources are unable to leave Syria.

Most Syrian families are separated and scattered between the countries of origin, transit and destination and have lost contact or have limited opportunities to communicate with their relatives. Some of the Syrians who embark on the journey are minors, aged between 15 and 17 years, who are usually sent by their families to spare them from being recruited by competing armed factions to fight in the conflict. The families usually invest most their savings to send these young men abroad, who can already speak good English and have higher chances of reaching Europe safely.

In 2014, the Save the Children teams operating on Italian territory were able to provide first-hand emergency assistance to Syrian migrants aged from a few months old to 40 years old, men and women, individuals, couples and

¹⁶¹ I A 1

¹⁶² I A 1

¹⁶³ Bauer W. (2014) *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<< <http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen> > 21 April 2015; Ayoub Maysa, & Khallaf Shaden (September 2014). *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <<http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx>> 27 February 2015

¹⁶⁴ Bauer W. (2014) *My escape to Europe*. Cover story of DIE ZEIT N° 23 / 2014 available online at: <<< <http://www.zeit.de/zeit-magazin/2014-05/zeitmagazin-23-themen> > 21 April 2015; Ayoub Maysa, & Khallaf Shaden (September 2014). *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <<http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx>> 27 February 2015

¹⁶⁵ IT/M/SY/4; IT/M/SY/5; IT/M/SY/6; IT/M/SY/8; IT/M/SY/9

¹⁶⁶ I M SY 9

¹⁶⁷ I M PS 2

entire families with children, as well as unaccompanied minors.¹⁶⁸ According to Save the Children, the Syrian men who flee are generally young people who are wanted by the government to serve in the military, either in the mandatory or reserve troops (as previously noted). Many refugees do not hold identity and travel documents as they lost them when they were forced to flee their homes, or left them behind with their families or with other trusted people when they started their journey, as they were advised to do so by smugglers in order to avoid identification once they reach Europe. This has been confirmed by an Egyptian expert interview: Agents in Egypt advise Syrians not to take any travel documents with them, so as to avoid identification when they reach Europe.¹⁶⁹

Demand for the services of smugglers is high. Almost all migrants interviewed for this case study had been supported both emotionally and financially by their families before departure, and almost all reported no other options were available for them, other than leaving.¹⁷⁰ All explained that there are no gains for them, and this is the only solution they could see to survive. In the words of a father of a family with three children: "We thought it was better to die at sea instead of seeing our sons killed by other people, it was better to take the risk while thinking of succeeding than being slaughtered."¹⁷¹ Three young men interviewed stated that before leaving Syria they were victims of armed group and physical attacks and were injured; each one reported to have had at least one relative who was killed.¹⁷²

The vast majority of migrants smuggled and trafficked in the Sinai Peninsula come from Eritrea (an estimated 90%), but there are also a small number of other nationalities (an estimated 10%), mainly Ethiopians, Somalis and some Sudanese.¹⁷³ The age of Eritrean migrants varies, starting from accompanied and unaccompanied minors aged 14 years up to men and women in their fifties, with the majority of smuggled migrants being under thirty years of age. Among the smuggled migrants in the Sinai Peninsula there are many young Eritrean men and women who left their country in order to avoid compulsory conscription in the national military service.¹⁷⁴ Originally, the Eritrean government established that each citizen should serve in the national service for a period of eighteen months.¹⁷⁵ However, in practice, most Eritreans actually serve the national service for an indefinite period of time, usually until the age of fifty, and they cannot obtain a passport until they are discharged, after having completed their national service.¹⁷⁶ This means that many Eritreans turn to smugglers to flee the country, because if they have not finished serving the national service they cannot obtain a passport and they are not allowed to leave the country.¹⁷⁷ Eritreans are particularly at risk of becoming victims of trafficking because human traffickers are aware that they can extort large amounts of money as a ransom from the migrants and their relatives in the diaspora who have financial resources to finance the irregular journey of their relatives. In 2014, Europol reported that individuals of Eritrean origin living in Sweden and in another two European countries, were extorted from several thousand Euros for the release of kidnapped Eritrean migrants held hostage in the Sinai Peninsula by organised criminal groups of Bedouin origin.¹⁷⁸ Research conducted by Van Reisen et al. (2014) estimated that there are slightly more men than women among the Sinai hostages, and women are often young mothers with children left behind in their country of origin or young girls who become pregnant during the journey as a result of sexual violence at the hands of smugglers and traffickers.¹⁷⁹

¹⁶⁸ Save the Children Italy (2014) "The boat is safe and other lies": Why Syrian families are risking everything to reach Europe. Research Report available online at: <http://reliefweb.int/report/italy/boat-safe-and-other-lies-why-syrian-families-are-risking-everything-reach-europe> Accessed 27 February 2015

¹⁶⁹ EG (Skype)/OS/1

¹⁷⁰ I M EG 6; IM PS 1; I M PS 4; I M SY 7; I M SY 8, I M SY 9

¹⁷¹ I M E 1; I M PS 4; I M SY 5; I M SY 8; I M SY 9

¹⁷² I M SY 9

¹⁷³ van Reisen et al., 26 September 2012

¹⁷⁴ van Reisen et al., 26 September 2012

¹⁷⁵ EG (Skype)/OS/2

¹⁷⁶ EG (Skype)/OS/2; The Economist. (10 March 2014). *National service in Eritrea: Miserable and useless*. Article available online at: <http://www.economist.com/blogs/baobab/2014/03/national-service-eritrea> Accessed 29 April 2015

¹⁷⁷ The Economist (10 March 2014) *National service in Eritrea: Miserable and useless*. Article available online at:

<http://www.economist.com/blogs/baobab/2014/03/national-service-eritrea> Accessed 29 April 2015

¹⁷⁸ Europol (March 2014) *Irregular migrants from the Horn of Africa with European sponsors kidnapped for ransom and held in the Sinai*. Policy Brief available online at: <https://www.europol.europa.eu/content/irregular-migrants-horn-africa-european-sponsors-kidnapped-ransom-and-held-sinai> Accessed 23 February 2015.

¹⁷⁹ van Reisen et al., 26 September 2012

Migrants who were smuggled through the Sinai and Libyan deserts by a network of Sudanese, Egyptian and Libyan smugglers described how their smuggling journey turned into a trafficking experience. They reported that at a certain point during the journey, usually when they reached an isolated desert area, the smugglers kidnapped and abused them to extort a ransom from their relatives in exchange for their release and onward travel. A common technique used by traffickers in the Sinai Peninsula is to call the migrants relatives and have them online as they physically abuse their victims. The relatives hear the screams and the kidnappers demand the ransom for the victims' release.¹⁸⁰ Many Eritreans interviewed by UN agencies, human rights organisations and journalists have shared details of their experiences of rape, burning, mutilation and deformation of limbs, electric shocks, and other forms of violence at the hands of traffickers in the Sinai and in detention facilities in Egypt and Libya.¹⁸¹

Migrants become more vulnerable along the journey, with risks heightened at each stage. As reported by a Syrian national, fear starts from the very beginning, before the sea crossing: "we left with cash on us and this was a source of anxiety, because we were afraid to be robbed during the journey."¹⁸²

During their journeys, most migrants interviewed in the course of this study travelled in groups of mixed nationalities.¹⁸³ Usually they had good relationships with the other migrants travelling in the group, but had a difficult time with the smugglers. However, the opposite situation has also occurred: a Syrian asylum seeker remembers that on his boat the crew treated them well, considering that the boat was too small and they were all crouched with water coming in. However, among the passengers some problems arose, mainly arguments, and also some thefts.¹⁸⁴ During the travels difficulties arise from the extreme physical and psychological conditions: for example the co-existence of very young children and nervous people speaking different languages, in the middle of the sea, with a lack of food and water, and all crowded in one spot depending on each other.

Migrants who passed through Egypt to reach Italy by sea interviewed for this research were all from Syria and Palestine, except one Egyptian. Among the interviewees, some arrived directly from Egypt, others followed different routes: one asylum seeker from Gaza transited through Egypt but reached Italy through Libya, while another, the Egyptian national, first reached Croatia by air, with regular travel documents and visa, and then entered Italy by land.¹⁸⁵ Often Italy is the chosen destination, especially by Syrian asylum seekers, because it was proposed as the best option by the agent.

Some features identified on this route are similar to other routes. For reasons of trust, the intermediary or recruiter, or broker, usually belongs to the same nationality or ethnic group as the migrant and he, in our research always a male, very often cannot be considered a "recruiter" simply because he is approached by the migrants rather than actively recruiting them: it is the migrant who looks for him, not vice versa.

For example, the interaction between the sales men or brokers and Syrian migrants is facilitated by the fact that the brokers are themselves Syrians and often have roots inside the Syrian communities in Egypt. The Syrians recommend professional and trustworthy sales agents through word of mouth. The agents directly negotiate with each migrant or asylum seeker, and more often they do not recruit, but are approached by their clients. However, some sales agents are highly competitive and repeatedly call potential customers to offer them travel packages. As in Syria, if a sales

¹⁸⁰ van Reisen Mirjam, EstefanosMeron, &RijkenConny (4 December 2013). *The Human Trafficking Cycle: Sinai and Beyond*. EEPA Research report available online at: http://www.eepa.be/wcm/dmdocuments/Small_HumanTrafficking-Sinai2-web-3.pdf Accessed 27 February 2015

¹⁸¹Amnesty International. (2013). *Refugees and asylum seekers face brutal treatment, kidnapping for ransom, and human trafficking*. Amnesty International Research Report available online at: <http://www.amnestyusa.org/research/reports/egyptsudan-refugees-face-kidnapping-for-ransom-brutal-treatment-and-human-trafficking> Accessed 27 February 2015; Human Rights Watch. (2014). "I Wanted to Lie Down and Die" *Trafficking and Torture of Eritreans in Sudan and Egypt*. Available online at: <http://www.hrw.org/reports/2014/02/11/i-wanted-lie-down-and-die-0> Accessed 21 February 2015; Europol. (March 2014). *Irregular migrants from the Horn of Africa with European sponsors kidnapped for ransom and held in the Sinai*. Policy Brief available online at: <https://www.europol.europa.eu/content/irregular-migrants-horn-africa-european-sponsors-kidnapped-ransom-and-held-sinai> Accessed 23 February 2015

¹⁸²I M SY 8

¹⁸³I M PS 1; I MPS 3;

¹⁸⁴I M SY 5

¹⁸⁵I M E 6

agent fails to provide a service several times, or deceives the migrant, the migrants share this information on social media or through verbal communication. Some smugglers take care of maintaining a good professional reputation at all stages of the smuggling process while others, once they received the payment from the migrants, no longer seem to care about their reputation and treat migrants as commodities. Unlike on other routes, the relevance of reception/detention camps on the Syria-Lebanon- Egypt-Italy route for contacting smugglers has not been found among the interviewees.

According to the migrants, agents at a first glance appear to be quite reliable people, and for each travel or for crossing each border, only one is responsible for negotiation and agreements.¹⁸⁶ Relationships are good at this stage of entering a business relationship and until the deal is made negotiations are possible. The offers vary from “all included” travels, meaning including food and accommodation (not an entire route), to short crossings, meaning only to cross the border. Once the fee is paid, the migrants know that they cannot negotiate anymore and that for ease of processing they should follow the given instructions.¹⁸⁷

The main means of communication between Syrian migrants and the brokers are mobile phone calls and free calls on Viber. Social media does not seem to be a popular means of information and communication between smugglers and migrants in Egypt but rather on other smuggling routes taken by Syrians, such as the Eastern Mediterranean route.

Migrants interviewed in Italy said they had no contacts of intermediaries before leaving, they found them along the way by asking around.¹⁸⁸ Usually they had a face-to-face meeting with one or more agents, and tried to select the best one: some report they did it according to their own instinct, because no precise information was available to facilitate their choice. Eventually, especially in Greece, on their route to Italy, they used Facebook to get find initial contacts.¹⁸⁹ In need of smugglers, migrants try to collect information about the reputation of the smugglers in their immediate environment, i.e. among others who have fled. Most reported that they had no specific information on the journey beforehand. Before their difficult adventure, they only knew that several facilitators run the route and that payment should be made in advance, for each border to be crossed. They also knew that they could apply for asylum once in Europe, and that they should try to prevent policemen in Italy from taking their fingerprints.¹⁹⁰

A number of migrants interviewed in Italy for this case study reported that after paying the smugglers in Egypt they had very little information about the exact travel route and the type and conditions of the boats. In one case, when they initially approached the smugglers and sought information about the journey, the smugglers told them that the journey by boat was difficult but that they were going to travel on safe boats. However, soon after having paid 4,400 USD, they realised that they had been deceived, that the travel was dangerous and that they had paid thousands of dollars for services with which they were not going to be provided.¹⁹¹

During their wait in apartments in Alexandria, migrants reported being locked up for periods as long as ten days along with many other migrants mainly from Eritrea, Somalia, Ethiopia and Sudan. In the shared apartments there was a general atmosphere of fear and suspicion among migrants who had very limited contact with the Egyptian middlemen, who entered the flat only to distribute food and water. The interaction between the smugglers and the migrants was limited to the smugglers giving orders and the migrants executing them quietly for fear of being beaten, left behind or even killed. Kept in these apartments, sometimes for weeks, they may even be forbidden to speak among themselves.¹⁹² More often they have to stay hidden, receive scarce food and water, they cannot smoke or open the windows, they do not know anything about their immediate future, and often they are menaced.

¹⁸⁶ I M SY 9

¹⁸⁷ I M SY 5

¹⁸⁸ I M E 6; I M PS 1, I M PS 2;

¹⁸⁹ I M SY 8; I M SY 9

¹⁹⁰ I M SY 9

¹⁹¹ IM/SY/5

¹⁹² I M PS 3

Inhumane treatment described by migrants waiting for their departure has been reported not only in Libya and in the Sinai, in the so-called “safe houses”¹⁹³, but also, with analogous features, in other regions of Egypt¹⁹⁴, in Greece¹⁹⁵, and even in Italy.¹⁹⁶ According to the evidence collected, intimidation and the use of violence increases at all stages: during the days at the “safe houses”, during embarkation procedures, and during the sea crossings.¹⁹⁷ Use of violence and arms traumatise migrants, with long-lasting effects.¹⁹⁸

The exact date of departure is usually unknown. The uncertainty over a period of time keeps migrants anxious. They never know when they will leave but need to be always ready to depart immediately: it may be at any given time, and often they wait for days or weeks in anxiety.¹⁹⁹ In all cases, the travel organisers decide everything; migrants cannot make their own decisions after the deal was made. Because of this, it is clear that even the best business relationships may dramatically change once the migrant is en route. Often smugglers foresee the use of force and psychological violence on the already stressed “clients” to make managing the migrants easier. Asylum seekers from Palestine who decided to leave through Egypt by boat were well informed about this, they reported they knew that smugglers were mafia-type criminals and were violent people, but they accepted the risk in advance, as they had no other alternatives. They had been told that smugglers treat their clients as commodities and that they are always open to killing their passengers.²⁰⁰

Embarkation procedures can also be rich with dangers.²⁰¹ On the beaches of Egypt, often policemen arrive while rubber dinghies and small boats are being loaded with migrants and are moving towards the anchored “mother vessel”. A Palestinian asylum seeker, after four days spent in an apartment in Alexandria, was brought with his group in a minibus to the beach, at night, by armed men. On the beach they met other groups of armed men and migrants. In total they were around 600 migrants, but the last group who came by bus, around 100 persons, was caught by the Egyptian police and arrested.²⁰²

The Egyptian military has also been condemned for implementing a “shoot-to-stop” policy targeting migrants crossing from Egypt to Israel²⁰³ and for firing on smuggling vessels heading for Europe, which in some cases led to the deaths of Syrians and Palestinians.²⁰⁴

Normally, once on board, the migrants are effectively treated like commodities. They may be locked in the hold of the ship. Food and water are often distributed in insufficient quantities, and conditions of hygiene and lack of space create terrible hardship, favouring the spread of disease. Often there is not toilet on board. Moreover, migrants often are deliberately endangered in order to attract rescue operations, and *modus operandi* of smugglers may foresee abandoning the boat or ship at sea without crew.

At sea, smugglers expose both migrants and crew to great perils, especially during travels in winter. In the words of a Syrian asylum seeker, “it was really difficult on the boat, we were really afraid and we wanted to go back but was not possible. During the second day by boat the sea was really high, we vomited all the time and we were sure we could

¹⁹³This is the name for old, ruined, big houses or garages which are rented by the organisers of smuggling to accommodate the migrants before departure. Usually in these places living conditions for migrants are extremely difficult, as poor food and water are distributed, rooms are very crowded, and often migrants cannot go out for fear of being arrested by police. Also, they are often menaced by armed men who are in charge of maintaining control in the “safe house”.

¹⁹⁴I M PS 3

¹⁹⁵I M PS 4

¹⁹⁶I A 1

¹⁹⁷I S 5

¹⁹⁸I M PS 1

¹⁹⁹I M PS 1, I M PS 2, I M SY 9

²⁰⁰I PS 3, I PS 2

²⁰¹I M SY 9

²⁰²I M PS 3

²⁰³ Van ReisenMirjam, MeronEstefanos, &RijkenConny. (26 September 2012). *Human Trafficking in the Sinai: Refugees between Life and Death*. Tilburg University/EEPA Research report available online at:

http://www.eepa.be/wcm/dmdocuments/publications/Report_Human_Trafficking_in_the_Sinai_Final_Web.pdf Accessed 27 February 2015

²⁰⁴ Global Detention Project. (October 2014). *Egypt Detention Profile*. Available online at:

<http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

die at any moment. Also the sailor was really afraid.”²⁰⁵ In the experience of a migrant who departed from Alexandria’s beaches, the crew composed of twelve armed men, including the captain. The boat was not comfortable, didn’t have a toilet, and for around 500 people, of whom around were 100 children, it was too small. On the boat there were no problems with the other passengers even if when situation was difficult, but there were difficulties with the crew. Food was scarce, and even water became scarce after two days.²⁰⁶

Sometimes migrants are forced to get into the boats, old and unsuitable, and other times they may be forced to change boats during the navigation, even in very dangerous situations and sometimes resulting in death.²⁰⁷ In one case, during a crossing from Alexandria, in the middle of the night, the smugglers wanted to force the passengers to move to another boat which was very old and very small. Migrants, already exhausted, decided all together to rebel and to overcome the decision of the smugglers. The argument ended with a shipwreck resulting in more than 400 deaths at sea and the smugglers escaping on a speedboat.²⁰⁸ In another case, the one mentioned previously in September 2014, after 3 days of navigation, during the night, two other smaller boats, one a big, modern boat, and the other smaller, older and not seaworthy, approached the boat carrying the migrants. The crew asked all the passengers to move onto this second, very old boat. The migrants – all together – decided to refuse to do so, as it was too risky and dangerous for them. At this point, the smugglers left, leaving the boat without the crew in the middle of the sea, in the darkness. The crew moved onto the second vessel, the good one, and returned the way they came. More or less an hour later, they were back and rammed the boat of the migrants, probably as revenge. The migrants’ boat sank, and only a total of 60-80 persons were able to survive the shipwreck. One interviewed migrant was among the survivors and, after two days at sea, he remained alone with another man, shipwrecked. At a certain point, a ship could see them and came to their rescue. He and his companion were rescued and assisted by the crew of this ship, but the captain refused to stop the engine and to look for the others who survived the shipwreck. The captain and his crew had already rescued other shipwrecked people during the same journey but the captain had not planned to rescue anyone else, including the two of them: it was the sailors who insisted and convinced the captain to rescue them when they saw them at sea.²⁰⁹ In sum, migrants report they have to adapt to pay smugglers and obey them because no other options are available for travelling.²¹⁰

An additional risk faced by the migrants who are smuggled through Egypt is connected to the lack of proper documentation and regular entry and residency permits in the transit countries, which exposes the migrants to a constant risk and fear of being arrested, arbitrarily detained for indefinite periods of time without charge, and deported.²¹¹ The Egyptian authorities refuse to grant UNHCR and other human rights bodies access to detainees, who reportedly face torture and human rights abuses and are frequently denied access to procedural safeguards and adequate legal representation.²¹²

3.4 Other relevant recent trends on the selected route sections

3.4.1 Other routes to Egypt via Jordan

To reach Egypt, most Syrians pass through a transit country. The majority of the Syrians interviewed by Ayoub and Khalaf²¹³ transited through Lebanon (which is covered in the section “Lebanon-Egypt”) while others went via Jordan and Turkey. Jordan’s borders remained officially open to refugees from Syria, but since the beginning of 2013 the

²⁰⁵ I M PS 1

²⁰⁶ I M PS 1

²⁰⁷ I M PS 1

²⁰⁸ I M PS 1

²⁰⁹ I M PS 1

²¹⁰ I M E 6; I M PS 1; I M PS 2, I M PS 3; I M SY 7; I M SY 8

²¹¹ Global Detention Project (October 2014). *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27/02/2015

²¹² Global Detention Project. (October 2014). *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

²¹³ Ayoub Maysa, & Khalaf Shaden (September 2014) *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015

Jordanian government has introduced a series of restrictions on the categories of Syrian nationals who are granted access to its territory. Restrictions are reportedly applied on Palestinian refugees from Syria, as well as on Syrian nationals attempting to enter Jordan through the formal border crossing points.²¹⁴ In 2014 Jordan experienced a decrease in the number of Syrian refugees' arrivals, but as of April 2015 a surge in fighting in the southern governorate of Dera'a pushed an increasing number of Syrians to seek refuge across the border. Most Syrians arrive by land through the Al-Ruwashaid informal border crossing in the Azraq governorate are taken to the Azraq refugee camp, as the Zaatari refugee camp in the governorate of Mafraq has reached full capacity.²¹⁵ From Jordan, Syrians travel either by plane, land or sea through the Aqaba port to the coast city of Taba in Egypt. Since 2013, Jordan has closed its air borders to most categories of incoming Syrians, but it does allow the exit of Syrians with valid passports and travel documents.²¹⁶ It is unclear whether Jordanian border officers check the visas of Syrian travellers prior to their departure from Jordan. The Jordanian authorities restrict Syrians' entry into the Aqaba free zone²¹⁷ and there are very few reports of Syrians being smuggled to Egypt through the Red Sea with forged documents after the imposition of entry visa restrictions on Syrians from the Al-Sisi government. According to an expert interview²¹⁸, some Syrians paid 2000 Jordanian dinars (ca. 2500 Euro) to buy fake Syrian IDs and passports in Jordan and it was reported that the fake documents bought in Jordan are of very good quality, to the extent that they are better than the documents issued in Syria. With the forged documents, Syrians travel by land to the Jordanian coastal area of Aqaba where they can take the ferry to Taba, instead of taking a flight to Egypt, because it was reportedly easier to bribe the Egyptian border officers for an entry visa stamp in Taba than at the airport.²¹⁹

3.4.2 Other routes to Italy

Given the strict entry and residency regulations progressively adopted by Jordan and Lebanon, a growing number of Syrians go to Turkey, the only country that until now has maintained an open door policy approach towards Syrian nationals. Turkey's visa-free regime, however, only applies to holders of valid passports who enter Turkey via official land and air borders. Those who do not possess the necessary travel documents rely on the services of smugglers present on both sides of the border to enter Turkey, irregularly crossing by land from unofficial border points close to the Turkish border cities of Hatay, Kilis and Şanlıurfa.²²⁰ Some of these crossing points have historically been used as routes for commercial smuggling of goods.²²¹ It is reported that the same groups of smugglers of goods operating across the borders between Syria and neighbouring Turkey, are now involved in smuggling refugees out of Syria as they know the porous border areas and routes well and may use their family and tribal connections with the border guards to operate unchecked.²²² From Turkey, Syrians then proceed from smuggling hubs in Istanbul, Izmir, Edirne and Ankara by sea to Greece or Italy and reach continental Europe from there by other means (See Case Studies 3 and 5 for more information). This route is reportedly more expensive for migrants because it is safer than the Central Mediterranean route passing through Egypt and Libya, two countries affected by political instability and conflict.²²³

²¹⁴ Norwegian Refugee Council, & International Rescue Committee. (November 2014). *No Escape: Civilians in Syria Struggle to Find Safety Across Borders*. Report available online at: <http://reliefweb.int/report/syrian-arab-republic/no-escape-civilians-syria-struggle-find-safety-across-borders> Accessed 25 March 2015

²¹⁵ ORSAM. (2014). *The situation of Syrian refugees in the neighbouring countries: findings, conclusions and recommendations*. Available online at: http://www.orsam.org.tr/en/enUploads/Article/Files/201452_189ing.pdf Accessed 21 February 2015

²¹⁶ Aweiscot, R. (October 2014) *No Syrians Are Allowed Into Jordan, Agencies Say*. The New York Times news article available online at: www.nytimes.com/2014/10/09/world/middleeast/syrian-refugees-jordan-border-united-nations.html?_r=0 Accessed 21 February 2015

²¹⁷ SNAP. (October-December 2014) *Regional Analysis: Syria. Research Report* available online at: <http://acaps.org/img/reports/p-regional-analysis-for-syria---part-a-overview-and-sectoral-analysis-oct-dec-2014.pdf> Accessed 27 February 2015

²¹⁸ EG(Skype)/OS/1

²¹⁹ EG(Skype)/OS/1

²²⁰ Amnesty International (20 November 2014) *'Turkey: Border abuses and destitution aggravating plight of Syria refugees'*, research report available online at: <https://www.amnesty.org/en/articles/news/2014/11/turkey-border-abuses-and-destitution-aggravating-plight-syria-refugees/> Accessed 16 April 2015

²²¹ Abu Hamadan (8 December 2013) *'Lebanese smugglers take advantage of Syria war'*, Al-Monitor news article available online at: <http://www.al-monitor.com/pulse/security/2013/12/lebanon-smugglers-syria-war.html#> > Accessed 16 April 2015; Herbert Matt (2014) *'Partisans, Profiteers, and Criminals: Syria's Illicit Economy'*, *The Fletcher forum of world affairs*, 38:(1).

²²² Abu Hamadan (8 December 2013) *'Lebanese smugglers take advantage of Syria war'*, Al-Monitor news article available online at: <http://www.al-monitor.com/pulse/security/2013/12/lebanon-smugglers-syria-war.html#> > 16 April 2015; Herbert Matt (2014) *'Partisans, Profiteers, and Criminals: Syria's Illicit Economy'*, *The Fletcher forum of world affairs*, 38:(1).

²²³ Frontex (2015). *Western Balkan Route*. Available online on the Frontex web site:

Until 28 April 2015, Italian authorities intercepted 6 ships coming from Turkey, with a total of 700 migrants.²²⁴ Boats loaded with hundreds of migrants without documents, leaving from ports in Turkey have landed more intensively in 2014 in the lower part of the Italian Adriatic sea, as well as small yachts and vessels. Big ships sometimes were lacking the most basic navigational instruments, but were sailed by very skilled crews. In 2014, 13 “ghost ships” with hundreds of migrants each were found at sea. These ships were left alone at the border of the Italian territorial water, without crew and captain, in order to avoid their own arrest; migrants were rescued at great risk by the Italian authorities, often in terrible weather and sea conditions. Most of them departed from the Turkish part of Cyprus or from the Turkish border area with Syria. From Turkey, for travel on such “ghost ships” passengers pay up to 6,500 USD. It normally is an old ship, which costs the smugglers around 600,000 EUR, and can contain over 600 migrants. Thus the profit for smugglers in total was calculated to be as high as around 3,500,000 USD.²²⁵

This “ghost ships” modus operandi has now however reportedly ended, after diplomatic dialogues on this issue were undertaken between Italian and Turkish authorities.²²⁶ After the increase in prevention activities by Turkish authorities, other routes departing from Turkey have been reinforced. Especially for Syrian asylum seekers, who are able to pay higher prices, new services have been put in place. An alternative route is the Turkey-Greece-Italy journey. Asylum seekers from Syria, and also Afghanistan, Iraq and even Eastern African countries, travel on this route. They pay high prices for the crossings: up to 5-6,000 USD, leaving from Turkey, arriving in Greece and departing from there to reach Italian shores.²²⁷ Yachts and sailing boats with professional crews from Ukraine or Belarus also service these routes.²²⁸ In 2015, until 28 April, Italian authorities intercepted 15 boats from Greece, with a total of 418 migrants.²²⁹ The transportation of migrants through Greek territorial waters, or directly departing from Greece is with powerful dinghies, sailing boats and yachts.²³⁰ The route from Albania to Italy, suppressed years ago, has been recently resurrected, with faster two engine rubber-dinghies.²³¹ Quite interestingly, due to the high profits it brings, some Italian facilitators are now involved, departing from Brindisi, Apulia, and returning with migrants. In these cases it seems that accomplices in Italy would then bring the migrants to the borders with other European countries.²³²

As an example of the treatment of migrants, as well as the segmented and various trajectories a person can take along their entire journey, the experience of a Palestinian student who had residence in Syria is illuminating. He left Syria and by travelling alone was able to arrive in Turkey with public transportation. There he found smugglers, compared their offers and prices and decided to go to Greece. In Greece, authorities reportedly intimidated him to leave the country. He decided not to attempt to reach Italy from Patras, as it was considered too risky; instead he went to Crete, because he had friends living there. After three months spent with these friends, he found a Greek intermediary promising a passage on a ferry to Italy. The negotiations were difficult, as the deal was not based on mutual trust, and he had to give his money to a third party, another intermediary, who would pay the sum to smugglers once he safely arrived in Italy. He paid 3,000 Euro. He was transported to an area called Khanja, in the western part of Crete, a rural area that is not very populated, with several natural caves, where he was kept in one of these caves along with at least 100 other migrants. Smugglers told him he had to wait there for a boat that would come soon. He protested and was threatened by the smugglers (reportedly Egyptian) with guns, to oblige him to follow their instructions. In the cave there was no toilet, and as food only eggs and potatoes were distributed. He had to stay in the cave for 28 days total. Here, from other migrants, he learned that there were similar caves around, hosting up to 230 people each. Only men were kept in the caves, while women and children were hosted in small houses in the nearest villages. He also discovered that the boat they were waiting for was arriving from Egypt.

<http://frontex.europa.eu/trends-and-routes/western-balkan-route> Accessed 6 March 2015

²²⁴ Source: Italian Ministry of Interior

²²⁵ I A 3

²²⁶ I A 1

²²⁷ I M SY 8

²²⁸ I A 1

²²⁹ Source: Ministry of Interior

²³⁰ De Nicola, Musumeci 2014

²³¹ I M SY 8

²³² I A 1

Effectively, when the boat arrived it was already loaded with other migrants. It made a stop-over at high-sea to collect them (using the “mother vessel” technique noted previously), and they were all transported with rubber dinghies to get on the boat. In the other boat they joined 15-16 migrants, while their smugglers returned to the mainland. The total count at the end was over 200 people, all heading to Italy.²³³

Another migrant interviewed in Italy found smuggler contacts in Athens (having arrived there using smuggling services from Turkey, see Case Study 3). After paying 3,000 USD, he was moved to the western Greek shores, after a 5 hour trip in a closed van, with lots of people locked inside. After arriving, during the night, he went to a beach where there was a rubber dinghy with a sailor. They were 34 persons, and the crossing was difficult. It took 13 hours to get the Italian coasts, and they landed close to Otranto (Castro), Apulia and the sailor went back as soon as they arrived. He was a kind person, probably Greek, but they do not know. Smugglers were responsible both for the passage by car/van to the boats, and the sea crossing.²³⁴

On this route from Greece to Italy, two Syrian nationals paid 4,400 Euro upfront per person to cross the sea between Western Greece and Italy.²³⁵ Another three boys had to spend 3,000 USD each on the same route to Greece-Italy.²³⁶

From Greece to Italy, some migrants had positive experiences with smugglers, stating: “their services are very expensive, they are difficult people, but they were reliable”²³⁷, or “the smugglers were just looking for money, and they were fine.”²³⁸ The three students from Syria reported “they did their job, it is an expensive service, and for this reason now we will try to reach another EU country without smugglers.”²³⁹

Finally, other minor routes landing in Italy are departing from Tunisia toward southern Sicily, and from Algeria to Sardinia. In these minor routes, few smugglers are involved, because more often the migrants themselves collectively buy a boat for the travel, share the price and manage the travel on their own.²⁴⁰ It seems that Syrian nationals do not use these routes.

3.4.3 Other routes via Sudan and Libya

The route through Turkey is not available for Palestinians, for whom it is currently very difficult to obtain a visa to Turkey.²⁴¹ A route used in particular by Palestinians involves travelling from Lebanon to Sudan, and then proceeding from Sudan to Libya and Europe. In March 2015 The Daily Star, a Lebanese newspaper, reported the case of Palestinians from ‘Ain el Helwe’ refugee camp, situated south of Beirut, who were smuggled from Libya to Italy. They left Lebanon through Abu Dhabi, Sudan and then Libya. Palestinian sources revealed to The Daily Star that migrants are usually taken by plane to Sudan and then from there by land to Libya. Lebanese security forces have also uncovered a business of forging visas to Sudan.²⁴² Smugglers reportedly charge between 8,000-10,000 USD to transport Palestinians from Lebanon into Europe through Sudan and Libya.²⁴³ Transterra Media also reported a dialogue (via Skype) between a Palestinian refugee from Yarmouk camp in Syria, currently living in Lebanon, and a smuggler based in Sudan. In the dialogue, the smuggler offered to provide the migrant a visa to Sudan, which would

²³³ IM PS 4

²³⁴ I M SY 9

²³⁵ I M SY 8

²³⁶ I M SY 9

²³⁷ I M SY 5; I M SY 7;

²³⁸ I M SY 8

²³⁹ I M SY 9

²⁴⁰ I A 1; Procura di Catania (2014)

²⁴¹ Interview LB/Other stakeholder/1

²⁴² Zaatari, M., (2015), *Palestinians risk life and limb to escape Lebanon*, The Daily Star 11 March. Available online at <http://www.dailystar.com.lb/News/Lebanon-News/2015/Mar-11/290340-palestinians-risk-life-and-limb-to-escape-lebanon.ashx> Accessed 20 April 2015

²⁴³ Zaatari, M., (2015), *ISF detains three involved in human trafficking to Europe*, The Daily Star 13 March. Available online at <http://www.dailystar.com.lb/News/Lebanon-News/2015/Mar-13/290623-isf-detains-three-involved-in-human-trafficking-to-europe.ashx> Accessed 20 April 2015

allow the migrant to enter Sudan and afterwards reach Libya through the desert. The whole trip from Lebanon to Italy through Sudan-Libya would cost 3,200 USD.²⁴⁴

Other Palestinian migrants interviewed for this study in Italy paid 1,300 USD to Egyptian smugglers to be taken by car from Rafah to the border between Egypt and Libya in the Salloum region and then paid 1,600 USD to the Libyan smugglers for their boat journey to Italy, which took an average of two days.²⁴⁵ See Case Study 2 for more information on the route from Libya.

Eritreans and other Eastern African migrants transiting via Egypt are usually driven on pickup trucks for about four days across Sudan to reach the border area near Halayeb between Sudan and Egypt. In Halayeb, migrants are handed over to Egyptian smugglers who take the migrants in closed vans directly to Alexandria, where they then take a boat to Europe.²⁴⁶ This is a new route that began last year as an alternative to Libya, due to the conflict, and each migrant pays an average of 2,500 USD. A second route goes directly by land from Sudan to Libya. Eritreans usually do not pay to leave Eritrea, they pay approximately 1,500 USD to be smuggled to the border between Sudan and Libya, then they pay about 1,600 USD to be smuggled through the desert on pickup trucks to the coast of Libya, and finally they pay around 1,800 USD to embark on the sea journey to Europe. Thus in total every smuggled migrant would pay around 5,000 USD to be smuggled from Eritrea to Europe by land and sea through Libya.²⁴⁷ More detail on this route is included in Case Study 2.

In the journeys of Eastern Africans, there are two payment modalities. Some migrants pay in advance the cost of the journey from Sudan to Libya in Sudan, and then when they arrive in Libya they have already paid. Other migrants deposit the money with a relative or with someone they trust and this person pays the smugglers or a broker when the migrants ask them to pay, usually after they arrive in the desired destination (*hawala* system). More common is this latter mode, in which the money is sent to either Sudan or Libya through the *hawala* system. The most common way is to pay once the migrants arrive to the smuggler in Libya, where the migrants then pay for both the journey from Sudan to Libya and for the subsequent sea journey to Europe. Thus in this case, there is prior payment via the *hawala* system first, and then full payment before departure in Libya (not based on safe arrival in the desired destination). The currency of payments is US dollars.²⁴⁸

Smugglers of Eritrean and other East African migrants through Egypt and Libya are reportedly primarily Eritreans working with Sudanese and Libyans. Members of the Rashaida ethnic group, assisted by Eritrean interpreters and middlemen, are often mentioned in testimonies of Eritreans who have been smuggled through the Sinai.²⁴⁹ This group is also specifically mentioned in Case Study 2, with regard to the route from Ethiopia to Libya via Sudan. The smugglers tend to be young men, under the age of forty, who do not have any other profession and initially become involved in the smuggling business to make a living, but then start making good profit and remain in the business to earn more money. Very few Eritrean female smugglers were met by a researcher interviewed for this case study who conducted research on migrant smuggling in Libya and Sudan.²⁵⁰

3.4.4 Secondary movements from Italy

Regarding secondary movements, the main final destination countries for Syrian nationals are primarily Sweden and Germany, due to the established family networks in these countries and the asylum programmes that are available to them.²⁵¹ Germany, Sweden and Italy are currently the three EU countries hosting a large number of asylum seekers.

²⁴⁴ (2014), *Syrian Palestinian refugees risk their lives to reach Europe*, Transterra Media 15 December. Available online at <https://www.transterramedia.com> Accessed 20 April 2015

²⁴⁵ I M PS 3

²⁴⁶ EG (Skype)/OS/2

²⁴⁷ EG (Skype)/OS/2

²⁴⁸ EG (Skype)/OS/2

²⁴⁹ Humphris Rachel. (March 2013). *Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt UNHCR New Issues in Refugee Research Paper No. 254.*

²⁵⁰ EG (Skype)/OS/2

²⁵¹ I S 1; I S 3

For this research, asylum seekers from Palestine interviewed in Rome and Syrian nationals interviewed in Milan, were on their way to other EU countries.

Few among smuggled migrants buy from the smugglers multi-stage “travel packages” to reach northern European destinations, with transit in Italy. More frequently, they travel stage by stage, without a precise plan. According to investigations in Catania, usually for migrants and asylum seekers arriving through the Egypt-Italy route, secondary movements to other EU countries is not organised beforehand, or at least relevant networks have not been found.²⁵² However, according to investigations led by Operazione Glauco II, in Sicily smugglers present offers to reach EU countries in reception centres, especially in the main reception centre in Mineo, which hosts more than 4,000 migrants. But this is not the case with Syrian nationals. In the case of more wide and organised networks, mainly for African migrants and not for Syrian nationals, migrants are contacted and transferred, then made prisoners in abandoned houses or in apartments, until they are able to pay the smugglers money requested from their families, and thus be able to reach other EU countries.²⁵³ According to a prosecutor of the DDA²⁵⁴ this kind of organisation has been reduced after the Mare Nostrum Operation, due in part to the re-organisation of the logistics of public assistance. In Sicily, according to some investigators, some connections exist with the Italian mafia organisations for logistical purposes and the Italian mafia groups can force the smugglers to the pay for every landed migrant, however no evidence has been collected for this claim. According to other sources, the Italian mafias’ main interests are mainly in the management of the reception centres for migrants.²⁵⁵

Currently most migrants land in Sicily and are moved to other Italian regions. As already mentioned, all migrants interviewed for this research, in Sicily, Milan and Rome were travelling or had travelled in stages, finding their way on the road, step by step. Smuggling routes out of Italy usually depart from Northern Italy to reach Germany or Sweden, or other EU countries, by car. Prices are as high as 800-1,000 Euro to reach Munich from Milan and smuggling agents or recruiters are found outside of reception centres, sometimes even inside the reception centres, or at central railway stations. Long negotiations occur, which can last for days, and often the asylum seekers who left return to the reception centres after few days because they were robbed, or cheated by the smugglers. It is reportedly quite a difficult task for social workers to identify the intermediaries and keep them away from the centres. Often they repeatedly return and pretend to be relatives of people living inside the centres.²⁵⁶

As noted previously, social media are the main means through which information flows, especially through the use of Facebook, Skype, WhatsApp and Viber accounts.²⁵⁷ After arriving in Egypt, Turkey, Greece, Hungary, Italy and other destinations, information about their journey is shared online by the migrants, including: pictures of fake travel documents; the rubber boats and other means of transportation; drawings and maps of the routes; information about the times and places of the journeys, as well as the phone numbers of smugglers and brokers in different countries. In the case of Table 5 below, a table of immigration rights and services granted to refugees in various northern EU Member States was posted to a Facebook group page, in order to provide potential migrants with information on possible destinations.

As shown in Table 5 below, chat rooms and Facebook groups are important virtual spaces where migrants encounter and share their experiences of travel, the challenges they face on the route, and details about reception and assistance offered to refugees by different European receiving countries. It is clear that such details are considered especially relevant with regard to Germany, the Netherlands, Sweden, Norway and Denmark and can play a crucial role in terms of migrant decision-making on routes, as well as secondary movements from Italy.

²⁵² I A 3

²⁵³ See Operation GLAUCO II (2015), launched after the shipwreck of 3 October 2013, and leading to the arrest of a transnational organisation of smugglers in April 2015; also in the Procurer Office of Siracusa two similar cases are pending; I A 3.

²⁵⁴ I A 2

²⁵⁵ I A 1; I A 2

²⁵⁶ I S 1

²⁵⁷ Informal conversations with Syrian male refugees in Jordan

Table 5: Table of immigration rights and services granted to refugees by Northern EU Member States

Denmark	Norway	Sweden	The Netherlands	Germany	Country/ Question
5 months maximum	Between 6 and 9 months	Between 10 and 16 months	6 months to 1 year maximum	3 to 5 months after residency	Time to obtain family reunification
Kr. 10500 per adult, after rent and taxes kr.5500 equal to \$90	\$450 per person before residency, between \$1300-\$1600 per person after residency	\$200 per person before residency, between \$900-\$1100 per person after residency	220 Eur per person before residency, 1400-1600 Eur per family depending on need after residency	300-330 Eur before residency, after residency 370-390 Eur	Stipends
Temporary residency for 5 years, then apply for permanent residency and obtain citizenship for 8 years if you speak the language and work	Temporary residency for 3 to 5 years, in case the war ends return to your country, in case the war doesn't end can apply for permanent residency if you meet the requirements	Temporary residency for 5 years, you cannot apply for permanent residency but you can apply for citizenship if you meet the requirements	Temporary residency for 5 years, if the war ends return to your country, if the war doesn't end apply for permanent residency	Temporary residency for 1 to 3 years, if the war ends return to your country, if the war doesn't end apply for permanent residency	Type of Residency
Between 1 and 2 months	Between 6 and 9 months	Between 3 and 5 months	Between 1 and 3 months	Between 3 and 5 months	Time to obtain residency
Stay in furnished house, a month/ month and a half after issuance of residency	Single people stay in camp while families in temporary rooms until issuance of residency	Single people stay in camp while families in temporary rooms until issuance of residency	Stay in a house paid by the State of the Netherlands, families are given a house two months after issuance of residency, single people settled in a camp	First you'll stay in a camp and after issuance of residency you can rent a house	Accommodation

Source: Facebook group page translated into English

4. Policy Responses to migrant smuggling among and in the countries selected

This section covers the main policy responses of national authorities of Syria, Lebanon, Egypt and Italy in addressing migrant smuggling, including not only national legislation but also relevant international and regional cooperation, bilateral and multilateral agreements, projects and initiatives, and governmental and civil society actors involved.

The section proceeds first with those policies and structures in place which are relevant for migrant smuggling in particular or irregular migration in general along a specific route segment. Following this, the national context will be presented for each country in turn.

4.1 Policies directed towards the selected routes

4.1.1 Route segment Syria-Lebanon

Since the beginning of 2015, a new policy response towards the migration route between Syria and Lebanon has been enforced by the Lebanese authorities, with the aim of discouraging the entry of refugees.²⁵⁸ Before January 2015, Syrians could enter Lebanon by land from one of Lebanon's four official border crossing points (Arida, Aboudieh, Ka'a, and Masna'a) without a passport, stay for six months and then renew their stay for another six months (without any fees).²⁵⁹ After that first year, refugees had to either exit and re-enter Lebanon, or pay an annual fee of 200 USD to renew the permit. This Lebanese policy facilitated the transit of Syrians who used Beirut International Airport to travel onwards by plane, as Damascus airport stopped or reduced flights due to the unstable security situation.²⁶⁰ Although Lebanon has generally had an open border policy towards Syrian refugees, increasingly restrictive border measures as of late 2014, which include denying access to Syrians coming from so called "safe areas", have caused a decrease in the number of Syrian refugees registered by UNHCR as of late 2014.²⁶¹ In October 2014, the Lebanese Minister for Social Affairs announced that Lebanon would not accept additional refugees from Syria, except for "emergency cases".²⁶²

In January 2015, Lebanon introduced new entry and residency rules for Syrian citizens. They now must have valid passports and meet certain criteria, which can include having minimum amounts of cash on hand and a hotel booking.²⁶³ They also have to disclose the purpose of their entry into Lebanon and meet the requirements of one of a number of categories, among which are tourism, business, study, transit, medical care, or visa application to a foreign embassy.²⁶⁴ There is currently no category for refugees who are fleeing conflict or persecution. Indeed, the category for "displaced" requires, for Syrians already registered with UNHCR, to fall also under another entry category, while for Syrians not registered with UNHCR it requires them to comply with criteria (not yet finalised) for exceptional cases to be determined by the Ministry of Social Affairs.²⁶⁵ Cases that do not fall under the above mentioned entry categories can enter Lebanon only under the sponsorship (*kafala*) of a Lebanese citizen.

Regulations for the renewal of residency have also changed since January 2015. Syrian refugees registered with UNHCR have to present, among other documents, a "pledge not to work," in which the Syrian national states that she

²⁵⁸ (2015), *Lebanon Interior Minister defends new Syria visa rules*, The Daily Star 5 January. Available at <http://www.dailystar.com.lb/News/Lebanon-News/2015/Jan-05/283105-lebanon-interior-minister-defends-new-syria-visa-rules.ashx> Accessed 4 May 2015

²⁵⁹ Norwegian Refugee Council, (2013), *The Consequences of Limited Legal Status for Syrian Refugees*.

²⁶⁰ Kadi Samar. (10 March 2015). *Tight Lebanon entry rules dissuade would-be Syria refugees*. The Daily Star Lebanon news article available online at: <http://www.dailystar.com.lb/News/Lebanon-News/2015/Mar-10/290206-tight-lebanon-entry-rules-dissuade-would-be-syria-refugees.ashx> Accessed 14 March 2015

²⁶¹ European Council of Refugees and Exiles, (2014), *UNHCR: Registration of Syrian refugees drops in Lebanon due to restrictions on border crossings*. Available online at <http://www.ecre.org/component/content/article/70-weekly-bulletin-articles/880-unhcr-registration-of-syrian-refugees-drops-in-lebanon-due-to-restrictions-on-border-crossings-.html> Accessed 2 May 2015

²⁶² European Council of Refugees and Exiles, (2014), *UNHCR: Registration of Syrian refugees drops in Lebanon due to restrictions on border crossings*. Available online at <http://www.ecre.org/component/content/article/70-weekly-bulletin-articles/880-unhcr-registration-of-syrian-refugees-drops-in-lebanon-due-to-restrictions-on-border-crossings-.html> Accessed 2 May 2015

²⁶³ BBC. (5 January 2015). *Syrians entering Lebanon face new restrictions*. News article available online at: <http://www.bbc.com/news/world-middle-east-30657003> Accessed 22 February 2015

²⁶⁴ Frangieh, G., (2015), *Lebanon Places Discriminatory Entry Restrictions on Syrians*, Legal Agenda 22 January. Available online at <http://english.legal-agenda.com/article.php?id=679&folder=articles&lang=en> Accessed 27 April 2015

²⁶⁵ Norwegian Refugee Council, (2015), *Legal Status of Refugees from Syria – Overview of the new entry and renewal regulations*.

or he will not be working in Lebanon. Moreover, they are asked to provide evidence of their financial means (bank statements, money in cash, money transfer transaction, humanitarian assistance voucher, etc.). They also have to pay 200 USD.²⁶⁶

If a Syrian is not registered with UNHCR, he/she needs a “pledge of responsibility” from a Lebanese citizen. The Norwegian Refugee Council has reported many cases of beneficiaries who were not able to secure a Lebanese sponsor.²⁶⁷ There are also cases of Lebanese citizens who have asked for money in exchange for a pledge of responsibility (in one reported case a sponsor required 350 USD)²⁶⁸ or of cases where the potential sponsor was discouraged by the General Security Office to sign the pledge, due to the fact that being responsible for the Syrian national means also taking responsibility for any offence perpetrated by the Syrian national.²⁶⁹

At the time of writing, the long-term impact of the new set of entry and residency restrictions on Syrian nationals’ mobility inside and outside Lebanon is unclear. However, it has been reported that the stricter immigration and residence policy has slowed the flow of Syrians escaping the war and has complicated their transit to Beirut International Airport to take a flight to Cairo or to other destinations.²⁷⁰

As for Palestinian refugees from Syria, they are commonly in situations of even greater vulnerability than Syrian refugees. Until May 2014, they were given a transit visa, which was then converted into a residence permit valid for three months and renewable four times (12 months in total). After that, they would need to pay 200 USD to remain in Lebanon. However, refugees and NGOs reported to Amnesty International that authorities have refused to renew Palestinian refugees’ permits, without giving any particular reason.²⁷¹

Given the restrictive policies that Lebanon is implementing on those trying to cross the Lebanese-Syrian border, it is reasonable to expect an increase in migrant smuggling activities across the border, as it is now more difficult to cross in a regular way. Equally, it is reasonable to expect an increase in forged documents to cross the border, for example with a false proof of transit. Another concern regarding the new regulations derives from the sponsorship system that could lead to a risk of exploitation and other abuses, as the Syrian refugee is completely dependent on the decisions of the Lebanese sponsor, and could easily be threatened to comply with the sponsor’s requests, if he or she would like to keep a regular status in Lebanon.

Aside from raising the risk of migrant smuggling cases on the Syrian-Lebanese border, the new policies – especially those related to the renewal of residency – are foreseen to push many refugees into irregular status, or to encourage migration towards a third country.

4.1.2 Route Segment Syria-Egypt

The previously implemented open door policy, adopted by the Morsi government, facilitated the entry without visa of Syrians seeking refuge in Egypt. Since the regime change in July 2013, however, the new El-Sisi government has imposed visa restrictions and security checks on Arab nationals, including Syrians.²⁷² In particular, Syrians who wish to enter or transit through Egypt are required to hold a valid passport or passport replacing documents valid for at least 6 months from the date of arrival. As part of the new entry policy approach, Syrians coming to Egypt by air and land borders are now required to have a visa and a security approval from the Egyptian State Security Authorities

²⁶⁶ Norwegian Refugee Council, (2015), *Legal Status of Refugees from Syria – Overview of the new entry and renewal regulations*.

²⁶⁷ Norwegian Refugee Council, (2015), *Legal Status of Refugees from Syria – Overview of the new entry and renewal regulations*.

²⁶⁸ Norwegian Refugee Council (2015), *Legal Status of Refugees from Syria – Consequences of Recent Changes*.

²⁶⁹ Norwegian Refugee Council (2015), *Legal Status of Refugees from Syria – Consequences of Recent Changes*.

²⁷⁰ Kadi Samar. (10 March 2015) *Tight Lebanon entry rules dissuade would-be Syria refugees*. The Daily Star Lebanon news article available online at: <http://www.dailystar.com.lb/News/Lebanon-News/2015/Mar-10/290206-tight-lebanon-entry-rules-dissuade-would-be-syria-refugees.ashx> Accessed 14 March 2015

²⁷¹ Amnesty International, (2014), *Denied Refuge*. Available online at

https://www.google.com.lb/search?q=denied+refuge+amnesty&aq=chrome..69i57j69i60l3j69i61j69i60.2937j0j4&sourceid=chrome&es_sm=93&ie=UTF-8 Accessed 15 April 2015

²⁷² UNHCR. (. (2014). *Smuggling and Trafficking from the East and Horn of Africa*. Research Report available online at:

<http://www.refworld.org/pdfid/51d175314.pdf> Accessed 27 February 2015

before they enter.²⁷³ Former president Mohamed Morsi had severed diplomatic relations with Syria, closed the Syrian embassy in Cairo and withdrawn Egypt's diplomatic delegation in Damascus. The El-Sisi government has subsequently negotiated with the Syrian regime on the restoration of consular relations and the reopening of the Egyptian consulate in Damascus and the Syrian consulate in Cairo.²⁷⁴

As a result of the new Egyptian entry visa policy, hundreds of Syrians arriving at Egyptian airports without entry visas were sent back to the country of transit from which they travelled, usually Jordan, Lebanon, or Turkey.²⁷⁵ The El-Sisi government justified these new measures as a response to the deteriorating security situation after June 2013²⁷⁶, and this has caused a sharp decline in the rate of arrivals from Syria and registrations with UNHCR.²⁷⁷

4.1.3 Route segment Egypt-Italy

As for Egypt's present policy approach to prevent irregular migration and migrant smuggling operations by sea to Italy, at an EU Neighbourhood Policy Meeting in Barcelona on 14 April 2015, Egyptian Foreign Minister Sameh Shoukry urged the EU and Egypt's neighbours in North Africa to step up dialogue and cooperation efforts in order to together address rising threats of terrorism and irregular migration. In April 2015, Egypt also hosted and chaired the first meeting of an African-European initiative the Khartoum Process, which is specifically focused on the fight against irregular migration and migrant smuggling from the North and East Africa region towards Europe. The Sharm el-Sheikh working plan to combat irregular migration and migrant smuggling was approved during this meeting but there are no details as of May 2015 of the operational approach developed in the new working plan.²⁷⁸

In the first quarter of 2015, migrant smuggling by boat from Egypt to Italy decreased, most likely due to strengthened sea border controls and anti-smuggling operations implemented by the Egyptian Security forces in Alexandria, leading to the arrest and prosecution of a number of smugglers and of hundreds of migrants, who were caught attempting the sea crossing to Italy. The Egyptian military forces have been recently accused of resorting again to a shoot-to-stop policy to prevent migrant vessels from leaving Egypt, which has caused the death of two migrants.²⁷⁹ A number of migrant rights groups have recently called upon the Egyptian government to immediately release at least 30 migrants and refugees from Syria (including also Palestinians from Syria) and Somalia, held in arbitrary detention in the Karmooz police station in Alexandria, despite an earlier order by the Public Prosecutor to release them. The migrants began a hunger strike in protest against the treatment they received from the Egyptian authorities.²⁸⁰ Given the new visa and residency restrictions that Egypt has imposed on Syrians and on all other nationalities, some analysts expect that in a couple of years Egyptian smugglers will run out of clients and Turkey and Libya will become even more central smuggling nexus points on the route to Europe.²⁸¹

Negotiations and bilateral agreements between Italy and Egypt aimed at tackling irregular migration flows have materialised into several different agreements that are considered important tools, specifically: the agreement on

²⁷³ IATA(29 January 2015) New Visa Requirements for Syrian nationals, available on the Timaticweb at: <https://www.timaticweb.com/cgi-bin/tim_client.cgi?ExpertMode=TINEWS/N1&user=EK&subuser=EMIRATES> Accessed 2 February 2015

²⁷⁴ Khortam H (10 July 2013) Daily News Egypt article available online at: <<http://www.dailynewsegypt.com/2013/07/10/new-requirements-for-entry-of-syrians/>> Accessed 21 June 2015

²⁷⁵ Ayoub Maysa & Khallaf Shaden (September 2014). Syrian Refugees in Egypt: Challenges of a Politically Changing Environment. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015

²⁷⁶ Ayoub Maysa & Khallaf Shaden (September 2014). *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015

²⁷⁷ UNHCR et al. (November 2013). *Joint Assessment for Syrian Refugees in Egypt*. Available online at: <https://data.unhcr.org/syrianrefugees/download.php?id=6025> Accessed 21 February 2015

²⁷⁸ Raslan A. (26 April 2015). *Egypt leads a Europe-Africa movement to tackle illegal migration*. Al Asema news article available in Arabic online at: <http://www.3asma.com/98620.html> Accessed 28 April 2015

²⁷⁹ Salah Ziad. (10 April, 2015). *La marine de guerre Egyptienne bombarde une embarcation d'immigrants africains: crime de guerre au large de la Méditerranée*. Journal de l'Oranais News Article available online at: <http://www.oranais.com/actualites/la-marine-de-guerre-egyptienne-bombarde-une-embarcation-dimmigrants-africains-crime-de-guerre-au-large-de-la-mediterranee.htm> Accessed 21 April 2015

²⁸⁰ IRRI. (16 March 2015). IRRI and other rights groups call on Egypt to end arbitrary detention of refugees. Press release available online at: <<http://www.refugee-rights.org/Publications/PR/PR.html>> Accessed 21 April 2015

²⁸¹ EG (Skype)/N/1

police cooperation on organised crime and terrorism of June 2000; the agreement on employment of November 2005; the Cooperation Agreement on Readmission on January 2007; and the signing of the Memorandum of Understanding in December 2009, the latter of which was also intended to contain irregular migration.²⁸² In 2010, during a meeting in Cairo between the then Italian Minister of Interior Roberto Maroni and the Egyptian counterpart Habib Ibrahim El Adly to discuss shared security concerns, Italy supplied the Egyptian authorities with two boats to control its territorial waters and prevent migrant smuggling operations across the Mediterranean.²⁸³ After the fall of Mubarak, in 2011 Italy and the Egyptian transitional government engaged in dialogue and Egypt's representatives affirmed their commitment to the above-mentioned agreements on cooperation to tackle irregular migration signed by the previous government and signed a new MoU on migration and employment. Bilateral negotiations continued between Italy and Egypt after the fall of the Morsi government but there are no reports of the signing of new bilateral agreements between the two countries. However, Italian authorities, particularly the Ministry of Interior and the Ministry of Foreign Affairs, have reportedly strengthened their diplomatic relationships with Egypt and Turkey in order to prevent migrant smuggling flows departing from these countries.²⁸⁴ As a result of the bilateral diplomatic dialogue on smuggling matters, as well as Egyptian anti-smuggling operations, recently landings from Egypt to Italy have been reduced.²⁸⁵

4.2 National policy framework: Syria

The Syrian government has not taken responsibility for the millions of Syrians who were displaced by the conflict, who are not recognised as IDPs but rather as people who left their homes. In violation of international humanitarian law, the Syrian authorities have also severely restricted the access and work of international humanitarian agencies inside Syria and, except for a few cases, have prevented them from monitoring the IDPs' humanitarian needs and delivering aid to populations in opposition-held areas.²⁸⁶ All the parties involved in the conflict failed to protect civilians from the ongoing violence and reportedly targeted non-combatants whose flight to safe areas was impeded by bombings on populated areas, sieges, arrests and kidnappings at checkpoints and shooting at defenceless civilians attempting to cross international borders.²⁸⁷

Since the outbreak of the Syrian conflict, the Syrian government has reportedly conducted arrest campaigns and enacted new regulations regarding military service, recalling citizens who have already completed the compulsory military service for conscription in the reserve duty.²⁸⁸ In August 2014, the Syrian Government amended Legislative decree No. 30 of 2007 on the mandatory military service with Decree No. 33, which, inter alia, changes the amount of exemption fees and stipulates that Syrian male citizens called to serve either the compulsory or the reserve service cannot leave the country without an exit authorisation from the Military Recruitment Department at the Ministry of Defence and from the Ministry of Interior. There are reports of many Syrian young men, drafted to serve in the army, whose movement inside Syria is restricted as they must hide and avoid checkpoints where they could be arrested, detained and forcibly conscripted.²⁸⁹ The "Practice" section on Syria describes in detail the obstacles to human mobility faced by Syrians internally displaced who try to flee to neighbouring countries and the movement facilitation patterns and systems that emerged in response to such obstacles.

²⁸²Paoletti E. (19 December 2012). *Migration Agreements between Italy and North Africa: Domestic Imperatives versus International Norms*. Policy Analysis available online at the Middle East Institute web site: <http://www.mei.edu/content/migration-agreements-between-italy-and-north-africa-domestic-imperatives-versus> Accessed 12 March 2015

²⁸³ Paoletti E. (19 December 2012). *Migration Agreements between Italy and North Africa: Domestic Imperatives versus International Norms*. Policy Analysis available online at the Middle East Institute web site: <http://www.mei.edu/content/migration-agreements-between-italy-and-north-africa-domestic-imperatives-versus> Accessed 12 March 2015

²⁸⁴ I A 1

²⁸⁵ Ministry of Interior, 2015

²⁸⁶ IDMC (2014) Syria: *Forsaken IDPs adrift inside a fragmenting state*. Research Report available online at: <http://www.internal-displacement.org/middle-east-and-north-africa/syria/2014/syria-forsaken-idps-adrift-inside-a-fragmenting-state> Accessed 25 March 2015

²⁸⁷ IDMC. (2014). *Syria: Forsaken IDPs adrift inside a fragmenting state*. Research Report available online at: <http://www.internal-displacement.org/middle-east-and-north-africa/syria/2014/syria-forsaken-idps-adrift-inside-a-fragmenting-state> Accessed 25 March 2015

²⁸⁸ Immigration and Refugee Board of Canada. (21 May 2013). *Syria: Requirements and procedures to obtain a passport from abroad, specifically for a Syrian citizen living in Jordan as a temporary resident*. Report available online at: <http://www.refworld.org/docid/51dd25a10.html> Accessed 8 March 2015

²⁸⁹ Immigration and Refugee Board of Canada. (21 May 2013). *Syria: Requirements and procedures to obtain a passport from abroad, specifically for a Syrian citizen living in Jordan as a temporary resident*. Report available online at: <http://www.refworld.org/docid/51dd25a10.html> Accessed 8 March 2015

In terms of other legislation relevant to migrant smuggling, legislation on immigration and residency within Syria is considered particularly relevant and is regulated through the following national legislation:

- ★ Legislative Decree No. 29 of 15 January 1970 on “The Entry and Exit of Aliens to and from the Syrian Arab Republic and Their Residence Therein” (Decree 29/1970) regulates the entry, exit, and residence of “aliens”, who are defined as persons who “do not enjoy the nationality of the Syrian Arab Republic or the nationality of another Arab country.”²⁹⁰ Decree 29/1970 (article 2) states that foreigners (“aliens”) entering Syria are obliged to be in possession of a visa. In line with the definition of “alien” inherent to Decree 29/1970, non-Syrian Arab nationals were generally exempt from visa requirements and did not need a visa in order to enter Syria. However, entry visa requirements were re-established for Iraqis in October 2007.²⁹¹
 - This decree in particular regulates migrant smuggling, referred to as “aiding” and “facilitating” irregular migration. According to Decree 29/1970, making false statements or submitting “incorrect” documents for the purpose of facilitating a third persons’ entry or residence is charged with maximum 2 years imprisonment and/or a fine of 300-2,000 Syrian Pounds (Decree 29/1070, Article 32). “Aiding” in the attempt or the execution of irregular entry or exit is charged with imprisonment for a period between 3 months and 1 year and/or a fine of 300-2,000 Syrian Pounds (Decree 29/1970, Article 33).
- ★ Act 42 of 1975 regulates the exit and entry of Syrian Arab nationals, as well as Palestinian refugees registered in Syria, including regulations on the issuance of passports.²⁹²
- ★ Law N. 50 of 2004 related to civil service and emigration, which stipulates that the emigration of civil servants is subject to authorisation and an exit visa. A wife should generally follow her husband in emigration (Family Code, 1953) and can be prevented from emigrating alone by her husband (decision n°876 of 1979). An exit visa is required for aliens. Irregular migration and irregular exit is penalised with 3 months in prison and/or 100 to 500 Syrian pounds (ca. 0,50-2€).²⁹³
- ★ The 2012 Constitution (Article 38) states that: “no citizen may be deported from the country, or prevented from returning to it; be extradited to any foreign entity; and that every citizen shall have the right to leave the territory of the state, unless prevented by a decision from the competent court or the public prosecution office or in accordance with the laws of public health and safety.”²⁹⁴
- ★ In relation to the above issues with regard to military service, Legislative decree No. 30 for 2007 clarifies the mandatory military service law (exemption from military service). This decree regulates the situation of all Syrian citizens who could buy their freedom from military service after five years abroad and with the payment of 6,500 USD. These measures were aimed at facilitating tourist visits on the part of Syrian expatriates and their descendants, as well as to improve public funding. Decree no. 30 of 2007 was amended through Decree No. 33 on 6 August 2014 which brought changes to the military exemption fees for individuals with residence of no less than 4 years abroad, who now have to pay 8,000 USD, instead of the previous amount of 15,000 USD (the latter of which had been raised from the original 6,500 USD). Compensation for individuals who were born in an Arab or foreign country until they reached the age of 18 is set at 2,500 USD

²⁹⁰ Syrian Arab Republic (15 January 1970) *Legislative Decree No. 29 of 1970 - The Entry and Exit of Aliens to and from the Syrian Arab Republic and Their Residence Therein*, 15 January 1970, available at: <<http://www.refworld.org/docid/3ae6b5690.html>> Accessed 18 May 2015

²⁹¹ Migration Policy Centre (April 2013). *Migration Facts Syria*. Available online at: http://www.migrationpolicycentre.eu/docs/fact_sheets/Factsheet%20Syria.pdf Accessed 27 February 2015

²⁹² Migration Policy Centre (June 2013) ‘*Syria Migration Profile*’; report available online at: http://www.migrationpolicycentre.eu/docs/migration_profiles/Syria.pdf Accessed 18 May 2015

²⁹³ Migration Policy Centre. (April 2013). *Migration Facts Syria*. Available online at: http://www.migrationpolicycentre.eu/docs/fact_sheets/Factsheet%20Syria.pdf Accessed 27 February 2015.

²⁹⁴ ILO (2012) *The Syrian Arab Republic Constitution*, unofficial English translation. Legal document available online at: http://www.ilo.org/aids/legislation/WCMS_125885/lang--en/index.htm Accessed 13 March 2015

from the previous amount of USD 500.²⁹⁵ Article 49 of the most recent Decree n. 33 also requires a written authorisation to leave the country from the Military Recruitment Department at the Ministry of Defence and from the Ministry of Interior for military officers and for civilians called to join the military service.²⁹⁶

- ★ Regarding labour emigration, governmental strategy has been to facilitate temporary low-skilled labour migration, in particular toward Lebanon. Agreements were reached on Syrian workers with Lebanon (various years during the 1990s), Qatar (2003 and 2008) and the United Arab Emirates (2008). There were also manpower agreements with Jordan (2007) and Kuwait (2008), among others.²⁹⁷

The Syrian government has also issued specific legal instruments that have been considered relevant in the fight against migrant smuggling and human trafficking such as:

- ★ 1961 Law No. 10 Syrian Penal Code and the Suppression of Prostitution Act.
- ★ 1974 Act of Juvenile Delinquents.
- ★ 2003 Law No. 30 on organizing the transplantation of human organs transfer law.
- ★ 2005 Legislative Decree No. 33 establishing the commission for combating money laundering and funding terrorism.
- ★ Decree of the Interior Ministry n°29 (12/03/2007) entry of female migrant workers and their stay as domestics, and Arab and foreign nannies.
- ★ Decree n°62 of 2007 related to sanctions for contract violation.
- ★ 2013 Legislative Decree No. 65 and Decision No. 2644 is aimed to tackle potential risks of trafficking of migrant labourers for the purpose of labour exploitation by organising the work of Private Agencies for the recruitment and employment of foreign domestic workers, conditions and rules of their employment within the territory of the Syrian Arab Republic.
- ★ 2010 Legislative Decree No. 3 to Combat Trafficking in Persons and 2010 the Executive Code of the Legislative Decree No. 3.

In June 2011, the Syrian government issued an executive order outlining the implementation of its comprehensive anti-trafficking law, Decree No. 3, which provides a definition of human trafficking and the legal foundations for prosecuting trafficking offenses and protecting victims, distinct from human smuggling.²⁹⁸ The increasingly violent unrest during the subsequent period however undercut any anti-trafficking law enforcement efforts.²⁹⁹

Regarding international legal framework, in 2009, Syria ratified the 2000 United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air. The protocol was ratified on 8 April 2009 but has not been transposed into a unified piece of national legislation. Syria also ratified

²⁹⁵Sabbagh H. (6 August 2014) *President al-Assad Issues Legislative Decree Amending the Mandatory Military Service Law*. Syria Arab News Agency (SANA) Press release available online at: <http://www.sana.sy/en/?p=9155> Accessed 3 February 2015

²⁹⁶Sabbagh H. (6 August 2014). *President al-Assad Issues Legislative Decree Amending the Mandatory Military Service Law*. Syria Arab News Agency (SANA) Press release available online at: <http://www.sana.sy/en/?p=9155> Accessed 3 February 2015

²⁹⁷ Migration Policy Centre (April 2013). *Migration Facts Syria*. Available online at: http://www.migrationpolicycentre.eu/docs/fact_sheets/Factsheet%20Syria.pdf Accessed 27 February 2015

²⁹⁸ United States Department of State (19 June 2013). *2013 Trafficking in Persons Report - Syria*. Available online at: <http://www.refworld.org/docid/51c2f38518.html> Accessed 27 February 2015

²⁹⁹ United States Department of State (19 June 2013) *2013 Trafficking in Persons Report - Syria*. Available online at: <http://www.refworld.org/docid/51c2f38518.html> Accessed 27 February 2015

the Protocol to Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children in the same year. The Syrian government has also ratified the following international treaties and conventions directly or indirectly relevant to migrant smuggling and trafficking in persons:

- ★ 1948 The Universal Declaration of Human Rights
- ★ 1976 The International Covenant on Civil and Political Rights,
- ★ 1976 The International Covenant on Economic, Social and Cultural Rights
- ★ 1987 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- ★ 1989 The Convention on the Rights of the Child
- ★ 2002 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- ★ 2002 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- ★ 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Syria has not ratified the 1951 Geneva Convention on the Status of Refugees and the 1967 protocol related to the Status of Refugees amending the 1951 Geneva Convention. There is also no national law regulating asylum or refugee status determination procedures. Since 1991, the Syrian government has authorised UNHCR to set up offices in its territory to conduct registrations, distribution of cash and in-kind assistance and refugee status determination procedures. UNHCR deals with refugee-status determination procedures for asylum seekers of all nationalities except for Palestinian refugees who are under the mandate of UNRWA.³⁰⁰

Despite Syria ratifying these international legal instruments, the reports of the Independent International Commission of Inquiry on the Syrian Arab Republic provide extensive evidence that since the start of the 2011 conflict the Syrian government has failed to comply with the principles contained in the various human rights conventions it has ratified. The 9th report submitted by the Commission to the Human Rights Council on the 5th of February 2015 states:³⁰¹

By causing such large-scale displacements as a result of its unlawful attacks, the Government has failed in its obligations under international human rights law to protect civilians from such displacement. It has also failed to comply with its duties under customary international humanitarian law to take all possible measures to provide displaced civilians shelter, hygiene, health, safety and nutrition and to ensure that members of the same family are not separated.

The Syrian government and its ally Hezbollah armed militias control most official border crossing points between Lebanon and Syria while most other official and unofficial border crossing points are controlled by armed non-state opposition groups including the Islamic State in Iraq and Syria (ISIS/IS), the Free Syrian Army, Jabhat Al-Nusrah and the Kurdish People's Protection Units (YPG). See Figures 2 and 3 in the introduction for more information on

³⁰⁰ Kagan M. (2011) "We live in a country of UNHCR": The UN surrogate state and refugee policy in the Middle East. *Research Paper No. 201*. UNHCR New Issues in Refugee Research: Geneva: UNHCR.

³⁰¹ The Independent International Commission of Inquiry on the Syrian Arab Republic (5 February 2015) *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic* available online at: <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/019/37/PDF/G1501937.pdf?OpenElement>>

areas controlled by the different actors. In non-regime held areas the regime of Bashar Al-Asad has lost the capacity to enforce migration management policies and monitor cross-border movements not only of people, but also of goods and weapons and other forms of criminal activity.³⁰² During a workshop on trafficking in persons and counter-trafficking methods in February 2015, the Syrian Minister of Interior Maj. Gen. Hassan Maruf affirmed that one of the main obstacles in the fight against trafficking in persons is the lack of information sharing and collaboration between the Syrian government and its neighbours.

In February 2014 Security Council Resolution 2139 was passed, and it requires all parties in the Syrian conflict to allow free access to humanitarian aid. The SCR 2139 was supplemented on July 2014 by a SCR 2165, allowing direct humanitarian access across four border crossings controlled by the Jordanian and the Turkish authorities (and not controlled by the Syrian government). Despite these Security Council Resolutions, the Syrian regime refuses to authorise the presence of international organisations and obliges those who are already in Syria with limited presence to work through the Syrian Arab Red Crescent.³⁰³ The organisations that are not authorised to operate within the Syrian borders mostly carry out cross-border operations through the Lebanese and Jordanian borders. Given that several of the official border crossing points are no longer under the control of the Syrian regime, some analysts also questioned the feasibility of SCR 2139 and SCR 2165.³⁰⁴

Since the beginning of the conflict, the cooperation between the Syrian regime of Bashar Al-Asad and the governments of neighbouring countries on border control and migration management has been limited. Both Turkey and Jordan have reportedly supported armed opposition groups by allowing the US and other countries to train and arm opposition fighters present in their territories³⁰⁵ and by facilitating the shipment of arms into Syrian territory.³⁰⁶

Due to the deteriorating security situation inside Syria, no comprehensive information on national authorities entrusted and tasked with migration governance and border control in regime-held and in opposition controlled areas could be collected at this point. However, according to information collected before and immediately after the outbreak of the Syria conflict in 2011, the following Syrian authorities play a key role in various aspects of migration and border management:

- ★ The Borders Directorate of the Ministry of Interior has previously been identified as an essential national body concerned with border management.
- ★ Syrian Armed Forces (including the Syrian Arab Army, Syrian Arab Navy, Syrian Arab Air Force, Syrian Arab Air Defence Force, National Defense Forces and paramilitary forces), Ministry of Defense
- ★ Armed non-state opposition groups including the Islamic State (IS), the Free Syrian Army, Jabhat Al-Nusra and the Kurdish People's Protection Units (YPG) are in control of most official and unofficial border crossing points, with the exception of the official border crossings along the Syrian-Lebanese border, which are still under the tight control of the Syrian regular army and its ally, the armed militias of Lebanese Hezbollah

³⁰² al-Abad Tareq (17 July 2014) *Who controls Syrian border crossings?* News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

³⁰³ HRW, 28 March 2014

³⁰⁴ Al-Abad T. (17 July 2014). *Who controls Syrian border crossings?* News article available online at: <http://www.al-monitor.com/pulse/security/2014/07/who-controls-syrian-border-crossings.html#ixzz3YQmYg1mP> Accessed 26 April 2015 (translated from Arabic into English by Pascale Menassa)

³⁰⁵ Al Jazeera And Agencies. (5 April 2013). *Syrian rebels claim to seize border post.* News article available online at: <http://www.aljazeera.com/news/middleeast/2013/04/2013451652550741.html> Accessed 24 April 2015

³⁰⁶ Laub Z., & Masters J. (11 September 2013). *Syria's Crisis and the Global Response.* Council of Foreign Relations Publication available online at: <http://www.cfr.org/syria/syrias-crisis-global-response/p28402> Accessed 16 May 2015

- ★ The Immigration and Passports Department of the Ministry of Interior, is in charge of issuing and renewing travel and residency documents for Syrian and foreign nationals.³⁰⁷
- ★ The Ministry of Foreign Affairs in charge of Syrian Embassies and Consular Sections issuing identity and travel documents for Syrian nationals abroad

Moreover, there have also been a number of counter-trafficking authorities and activities, including the Directorate for Counter Trafficking within the Ministry of Interior³⁰⁸, the National Counter Trafficking Committee (which is made up of all concerned Ministries and NGOs responsible for the National Plan on Counter Trafficking)³⁰⁹, and two safe houses for victims of trafficking, run by the Association for Women’s Role Development, a Syrian NGO, although it is unclear if they are still operating³¹⁰.

Before the outbreak of the war, the Syrian regime actively participated in a number of cooperative frameworks focusing on facilitating dialogue on and capacity building regarding irregular migration and migrant smuggling. This has included the EuroMed Process (Barcelona Process) and the Mediterranean Transit Migration Dialogue (MTM). As an Arab Partner State (APS) of the latter, Syria contributed to the elaboration of the Arab and European Partner States Working Document on the Joint Management of Mixed Migration Flows and its recommendations. This document is the result of the joint ICMPD-Europol-Frontex project “Towards a Comprehensive Response to Mixed Migration Flows” implemented in collaboration with UNHCR between 2006 and 2008.³¹¹ Syria also hosted a MTM i-Map Expert Meeting in Damascus in June/July 2009 and contributed to the 2010 Joint Assessment on Irregular and Mixed Migration Routes and Flows Towards and in the Mediterranean Region.³¹²

Furthermore, in cooperation with the Syrian Ministry of Interior, in 2010 the International Organization for Migration (IOM) implemented the project “Capacity Building for Border Control Management”, and “Addressing Irregular Migration by Developing Migration Law in Syria” focused on tackling irregular migration in Syria.³¹³

EU-Syria relations are embedded in a Cooperation Agreement of 1977. Prior to the conflict, the EU’s engagement in Syria covered, inter alia, capacity building in the field of border management within the framework of the “Regional programme on justice, police and migration”, as established in the Barcelona Declaration, initiating the Euro-Mediterranean Partnership.³¹⁴ However, since the outbreak of the 2011 conflict, as part of the EU comprehensive policy approach to the Syrian crisis, the EU has progressively implemented a series of restrictive measures including sanctions and the suspension of Syria’s membership and participation in a number of EU’s regional, financial and technical assistance programmes. Syria’s membership to the European Neighbourhood Policy and the entry into force of the Draft Association Agreement has been frozen since May 2011, restricting the EU-Syria cooperation within this

³⁰⁷ Syrian Ministry of Interior (16 April 2015) ‘Migration and Passport Procedures’ available at: <<http://www.syriamoi.gov.sy/new/index.php?req=554&cat=56>> Accessed 16 April 2015; Immigration and Refugee Board of Canada (21 May 2013) *Syria: Requirements and procedures to obtain a passport from abroad, specifically for a Syrian citizen living in Jordan as a temporary resident*; information contained in the passport. Report available online at: <http://www.refworld.org/docid/51dd25a10.html> Accessed 8 March 2015

³⁰⁸ Protection Sector (2014) *Human Trafficking, exploitation and displacement in Syria*. Report available online at: <http://syria.unocha.org/content/echoes-syria-issue-6-human-trafficking-exploitation-and-displacement-syria-november-2014-ar> Accessed 27 February 2015

³⁰⁹ Protection Sector (2014). *Human Trafficking, exploitation and displacement in Syria*. Report available online at: <http://syria.unocha.org/content/echoes-syria-issue-6-human-trafficking-exploitation-and-displacement-syria-november-2014-ar> Accessed 27 February 2015

³¹⁰ IRIN. (2 February 2009). *SYRIA: First shelter for trafficked people opens in Damascus*. Press release available online at: <http://www.irinnews.org/report/82686/syria-first-shelter-for-trafficked-people-opens-in-damascus> Accessed 12 March 2015

³¹¹ ICMPD. (2007) *Arab and European Partner States Working Document on the Joint Management of Mixed Migration Flows*. http://www.icmpd.org/fileadmin/ICMPD-Website/MTM/FINAL_Working-Doc_Full_EN.pdf

³¹² <http://www.unhcr.org/>

³¹³ ICMPD & IOM (2010) *Linking Emigrant Communities for More Development – Inventory of Institutional Capacities and Practices*. Policy Report available online at:

http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=41_7&products_id=582 Accessed 13 February 2015

³¹⁴ *Barcelona Declaration and Euro-Mediterranean Partnership*. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:r15001>

framework. As a response, the Syrian government withdrew its participation from the Union for the Mediterranean. More updated information on EU-Syria relations is available on the website of the European Commission.³¹⁵

4.3 National policy framework: Lebanon

Lebanon has signed many of the major human rights conventions, though it is not a signatory of the 1951 Geneva Convention concerning asylum, or of its 1967 Protocol. Moreover, it has not signed the Convention on the Protection of the Rights of Migrant Workers and their Families.³¹⁶ As the principle of non-refoulement is a *jus cogens* norm³¹⁷, Lebanon is subject to the respect of non-refoulement. The country has also signed the Convention against Torture, which imposes Lebanon not to return a person to a country where there are substantial grounds for believing that the person would be subject to torture.³¹⁸

Lebanon is also a signatory of the Palermo Protocols; in 2002 Lebanon signed, and in 2005 ratified, both the "Protocol against the Smuggling of Migrants by Land, Sea and Air" and the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children". Following the ratification of the Palermo protocol against Trafficking in Persons, in September 2011 the Lebanese government passed Law Number 164 "Punishment for the Crime of Trafficking in Persons."³¹⁹ However, the Smuggling Protocol has not been transposed into law.

The most important national law regarding refugees in Lebanon is the Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country (Law of Entry and Exit), of 10 July 1962. The law grants any foreigner the right to seek asylum if her personal life or liberties are threatened for political reasons.³²⁰ Article 32 of Lebanon's Law of Entry and Exit states that a foreigner who enters Lebanon illegally can be imprisoned for a period of one month to three years and even face deportation.³²¹

Other relevant legislation concerning migrant smuggling in particular and migration in general in Lebanon are the following:

- ★ 1962 Law n° 320 on the control of entry and exit from Lebanese border posts, which lists the documents and information that should be provided when passing through a border post.³²²
- ★ 1925 Decree n°15 modified by law of January 11, 1960, on the transmission of nationality, which happens through *ius sanguinis* via patrilineal affiliation.³²³
- ★ 2010 Decree n° 4186, amending Decree n° 10188 of 28 July 1962 on the implementation of the law regulating the entry and stay in Lebanon, as well as leaving the country. The decree granted foreign husbands and children of Lebanese women courtesy residency rights. This was in reaction to problems

³¹⁵ EU (2015) *The EU's relations with Syria*, available online at: < <http://eeas.europa.eu/syria/> > Accessed 18 May 2015

³¹⁶ *Rule of Law in Armed Conflicts Project, Lebanon*, available online at www.geneva-academy.ch/RULAC Accessed 25 April 2015

³¹⁷ Farmer, A., (2009), *Non refoulement and jus cogens: limiting anti-terror measures that threaten refugee protection*, Georgetown Immigration Law Journal, Vol. 23:1.

³¹⁸ OHCHR, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, available online at <http://www.ohchr.org>

Accessed 25 April 2015

³¹⁹ ICMPD (2013), *Trafficking in human beings in Lebanon*. Available online at <http://www.icmpd.org/Trafficking-in-Human-Beings-in-Lebanon-A-Stock-Taking-Report.2510.0.html> Accessed 20 May 2015

³²⁰ Frontiers Ruwad Association, (2008), *Double Jeopardy*. Available online at http://www.frontiersruwad.org/pdf/FR_DoubleJeopardy_Eng_FINAL_5January2009.pdf Accessed 25 April 2015

³²¹ Tabar, P., *Lebanon: a Country of Emigration and Immigration*, Lebanese American University.

³²² ILO, NATLEX, available online at

http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=39238&p_country=LBN&p_count=117&p_classification=17&p_classcount=18 Accessed 14 May 2015

³²³ Migration Policy Centre (2013), *Migration Profile Lebanon*, European University Institute. Available online at http://www.carim.org/public/migrationprofiles/MP_Lebanon_EN.pdf Accessed 15 April 2015

affecting children born from the union of a Lebanese woman and a Palestinian man, as these children would be denied citizenship rights.³²⁴

- ★ 2010 Law n° 129 amending article 59 of the Labour Code of 1946. This law revoked work permit tariffs and the reciprocity conditions, a step aiming at improving the conditions of Palestinians in the labour market.³²⁵
- ★ 1964 By-Law n° 1 7561 regulating the work of foreigners in Lebanon and its Amendment. It regulates non-Lebanese labour based on a preferential principle granting the Minister of Labour the prerogative of selecting yearly the jobs and professions that should be exclusively limited to Lebanese citizens.³²⁶
- ★ 1995 Decision n°. 621/1 on occupations reserved to only Lebanese nationals, among which include all types of administration and banking jobs, concierge, hairdresser, elementary, secondary and high school teacher, etc.³²⁷

In terms of the national institutions involved in addressing migrant smuggling, as noted in the introductory section, the Directorate General of General Security within the Ministry of Interior is considered an essential stakeholder, particularly due to its primary role of surveillance of the land, sea and air borders. It is this Directorate that has issued the new set of regulations mentioned in the section “Policy responses directed towards the selected routes” with regard to Syrians entering Lebanon. Within this Directorate, they are also reportedly recently conducting additional research on the relevance of migrant smuggling operations for Lebanon. This Directorate cooperates with the other agencies involved in border control, notably the Internal Security Forces (ISF), the General Customs and the Lebanese Army. The Internal Security Forces is a police force that contributes to the surveillance of Lebanon’s land, air and sea borders. The General Customs are responsible for the clearance of persons and good, and the collection of customs duties. The Lebanese Army controls land border and crossings.³²⁸ The Ministry of Social Affairs is also a significant stakeholder, as it is involved in providing services and registration of Syrian arrivals and cooperates with UNHCR in terms of humanitarian assistance to Syrian refugees. As noted in the section “Policy responses directed towards the selected routes”, this Ministry is charged with establishing the new criteria for the exceptional reasons to admit Syrian refugees under the humanitarian category, outside of the other categories established by the Directorate General of General Security.

Before the outbreak of the Syrian war, addressing migrant smuggling at the Lebanese-Syrian border had not been considered an urgent issue for the Lebanese governments, as Syrians were allowed to enter Lebanon without a visa and therefore migrant smuggling was not a relevant phenomenon. As there is no political solution of the Syrian crisis in sight, the Lebanese actors responsible for the control of the border are in the process of shaping national policies and stronger coordination to fight migrant smuggling. However, this remains only one among many political, economic and social challenges that Lebanon is facing due to its internal political situation and the significant influx of refugees.

After the withdrawal of the Syrian Army in 2005, the demarcation of the borders became one of the 14 March³²⁹ coalition’s main demands. However, the strong presence of Hezbollah militants in the Bekaa Valley has led to a *de*

³²⁴OECD, Lebanon, available online at <http://genderindex.org/sites/default/files/datasheets/LB.pdf> Accessed 15 May 2015

³²⁵UNDP, Project Document, available online at <http://www.lb.undp.org/content/dam/lebanon/docs/CrisisPreventionRecovery/Projects/3241.PDF> Accessed 14 May 2015

³²⁶Lebanese-Palestinian Dialogue Committee, Right to Work, available online at <http://www.lpcd.gov.lb/Rights/Areas-of-Work/Right-To-Work.aspx> Accessed 20 April 2015

³²⁷Beit Atfal al-Sumud (2004), *Institutionalised discrimination against Palestinians in Lebanon*, available online at <http://www.hic-mena.org/documents/NISCVT-HIC%20CERD%2004.pdf> Accessed on 14 May 2015

³²⁸*Developing capability for integrated border management in Lebanon*, available online at <http://www.eu-ibmlebanon.com> (Accessed 25 April 2015.)

³²⁹The 14 March coalition is a coalition of political parties with an anti-Syrian political stance.

facto control of the eastern part of the Lebanese border by Hezbollah, although it is gradually stepping back in some areas with predominant Sunni communities, where the Lebanese Army is assuming a more prominent role.³³⁰

The withdrawal of the Syrian Army also allowed the establishment of new initiatives in Lebanon supported by EU Member States with regard to border management over the past decade. In terms of migrant smuggling, these initiatives are relevant especially in the form of travel document security. Since 2006, Germany has cooperated with Lebanese authorities on the issue of border management. In the framework of the project “Establishing a Technical Support Unit for Integrated Border Management (2006-2008)” a permanent German advisor team was set up in Lebanon. In 2008, France also started the “FSP project” aiming at boosting security and border control at Beirut airport. Since the beginning of the Syrian crisis, in 2012, the European Union has funded a border management project called “Developing National Capacity for Integrated Border Management in Lebanon”, which aims at strengthening cooperation at three levels: within a Ministry or an agency; between different Ministries and border agencies; and at the international level, with other countries and international organisations.³³¹ As of the beginning of 2015, Lebanese agencies are reportedly looking at ways to improve cooperation, which could include the negotiation and establishment of Memoranda of Understanding, which would serve as an operational basis for improving coordination in controlling the border.³³²

Cooperation with the European Union has been significant in terms of its support in the development of Lebanese migration and border control policies, primarily as a donor. Financial aid to Lebanon targets the following areas: security sector, border management, crisis response, recovery and stabilisation and assistance to the refugees from Syria.³³³

Being a country of origin and transit of migration towards the European Union, Lebanon and the EU have signed a number of agreements that attempt to regulate development policies and migration policies, between the two territories. The main agreements between Lebanon and the EU are the following:

- ★ The EU-Lebanon Association Agreement entered into force in 2006. It forms the legal basis for EU-Lebanon cooperation in various fields, including migration. In particular, art. 68 explicitly references the importance of cooperation on irregular migration and in terms of readmission of irregularly present own nationals on the other’s territory: “The Parties agree to cooperate in order to prevent and control illegal immigration. To this end: (a) each of the [EU] Member States agrees to readmit any of its nationals illegally present in the territory of Lebanon, upon request by the latter and without further formalities once such persons have been positively identified as such, (b) Lebanon agrees to readmit any of its nationals illegally present on the territory of a Member State, upon request by the latter and without further formalities once such persons have been positively identified as such. [...]”³³⁴
- ★ The European Neighbourhood Policy (conceived after the 2004 EU enlargement) supports political and economic reforms in EU’s neighbouring countries, including Lebanon, and gives greater emphasis to bilateral relations between the EU and its neighbours.³³⁵ One of the goals of the European Neighbourhood

³³⁰ LB/Other stakeholder/2

³³¹ Developing National Capability for Integrated Border Management in Lebanon, available online at <http://www.eu-ibmlebanon.com/en/programme> Accessed on 20 April 2015

³³² (2015), *Better border management key to curbing terrorism*, The Daily Star 14 February, available online at <http://www.dailystar.com.lb/News/Lebanon-News/2015/Feb-14/287391-better-border-management-key-to-curbing-terrorism.ashx> Accessed on 20 April 2015

³³³ Delegation of the European Union to the Republic of Lebanon (2015), *Technical and Financial Co-operation*. Available online at <http://eeas.europa.eu> Accessed 24 April 2015

³³⁴ *EU-Lebanon Association Agreement*, EU Neighbourhood Library <http://www.enpi-info.eu> Accessed 28 April 2015.

³³⁵ *The European Neighbourhood Policy (ENP)*, EU Neighbourhood Info Centre. Available online at <http://www.enpi-info.eu> Accessed 28 April 2015

Policy is strengthening security,³³⁶ which includes the fight against internationally recognised crimes such as migrant smuggling.

- ★ As of May 2015, the European Union and Lebanon are discussing a Mobility Partnership (Dialogue on Migration, Mobility and Security) similar to those stipulated with Jordan, Tunisia and Morocco. The Partnership will focus on facilitating legal migration and mobility, reducing irregular migration, promoting international protection and maximising the development impact of migration and mobility (according to the EU's Global Approach to Migration and Mobility).³³⁷
- ★ Aside from the Dialogue on Migration, Mobility and Security, Lebanon is part of other inter-governmental dialogues concerning migration: the Global Forum for Migration and Development, the EUROMED Process (also called Barcelona process) and the Dialogue on Mediterranean Transit Migration (MTM).³³⁸

The United Nations also plays an important role at the Lebanese national level in combating migrant smuggling. The UN Agency UNODC provides support in terms of fighting international crime. UNIFIL, the UN Interim Force in Lebanon, was established as a peacekeeping mission in south Lebanon and one of its aims is to assist the government of Lebanon in ensuring the return of its effective authority in the area.³³⁹ Although its mandate focuses on arms smuggling,³⁴⁰ its control, especially of the sea border, has reportedly played a deterrent role for irregular departures of boats from the Lebanese southern coasts.

Lebanon is host to a great number of humanitarian actors, in an effort to cope with the Syrian refugee crisis. As in the case of Syria, the majority of these international organisations and non-governmental organisations are focused on providing services, particularly humanitarian aid, to refugees and displaced persons from the Syria conflict. The following bodies work with refugees in Lebanon: United Nations High Commissioner for Refugees (UNHCR); national and international NGOs and UN agencies involved in the Syrian Refugee Regional Response³⁴¹; the United Nations Relief and Work Agency for Palestine Refugees (UNRWA), which has responsibility also for Palestinians fleeing from Syria into Lebanon; and the International Organization for Migration. Although they do not specifically deal with counter-smuggling activities, their aim is resettlement of refugees in third countries or the improvement of living conditions of refugees, which in some cases might be a deterrent factor from using migrant smuggling operations, especially for refugees who are willing to remain close to Syria while waiting for an improvement in political conditions that would allow them to return.

The main international organisation dealing with economic migrants in Lebanon is the International Labour Organization. While it has traditionally helped the improvement of the conditions of migrant workers and migrant domestic workers bounded to the sponsorship (*kafala*) system, it also tackles the worst forms of child labour especially related to the Syrian crisis. Other actors involved with migrant domestic workers are Caritas, the national NGOs KAFA, Insan and others, and the embassies of countries of origin of migrant domestic workers.

4.4 National policy framework: Egypt

Immigration and residency within Egypt is regulated through several pieces of national legislation. In particular, the Law of Entry and Residence of Aliens in the Territories of the United Arab Republic and their Departure There from (Law No. 89 of 1960 as amended by law No. 88 of 2005), provides a legal definition of smuggling or facilitation of

³³⁶ European Union External Action, What is the European Neighbourhood Policy?, available online at http://eeas.europa.eu/enp/about-us/index_en.htm Accessed 14 May 2015

³³⁷ Lebanese Republic, Ministry of Information, (2014), *Launch of the EU Lebanon Dialogue on Migration, Mobility and Security*. Available online at www.nna-leb.gov.lb Accessed 28 April 2015

³³⁸ See http://eeas.europa.eu/euromed/index_en.htm; <http://www.icmpd.org/MTM.1558.0.html>; <http://www.gfmd.org/>

³³⁹ UNIFIL Mandate, available online at <http://unifil.unmissions.org/Default.aspx?tabid=11553&language=en-US> Accessed 15 May 2015

³⁴⁰ "Assist the Government of Lebanon, at its request, in securing its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel.", UNIFIL, <http://unifil.unmissions.org/Default.aspx?tabid=11553&language=en-US>

³⁴¹ These are outlined in detail here: <http://data.unhcr.org/syrianrefugees/partnerlist.php?undefined>.

irregular migration and establishes the type of punishment for the crimes of illegal border crossing and smuggling. For irregular entry and irregular exit, the punishment is established as up to 6 months in prison and a fine of 200-1000 EGP for the migrant or the person who assists him (i.e. a smuggler); 2-5 year prison sentence and 1000-5000 EGP fine if the migrant comes from a country in conflict with Egypt. For fraudulent documents, the punishment is up to two years in prison and/or up to 2000 EGP fine for document falsification.³⁴²

Article 40 of Law 89/1960 on Entry, Residence, and Exit of Foreigners, as amended by Law 88/2005 (AR) which provides a legal definition of irregular migration into Egypt³⁴³. Articles 27 (Detention pending deportation), art. 30 (Failure to honour expulsion order), art.31bis, (Reasons for issuing a deportation order) art.38 and art. 40 of Law 89/1960 on Entry, Residence, and Exit of Foreigners (AR), as amended by Law 88/2005 (AR), regulate the detention of irregular migrants.³⁴⁴

Moreover, the Presidential Decree Security of the Eastern Border of Arab Republic of Egypt (1995) is also considered relevant in addressing migrant smuggling. Art. 2 of the presidential decree states that anyone convicted of entering or exiting the country illegally through the eastern border can face imprisonment and a fine of up to five thousand Egyptian pounds. However, it is reported that this law is applied inconsistently depending on the nationality of the migrant, on where and when a migrant is apprehended and on judges and police forces' discretion.³⁴⁵ A number of migrant and human rights groups have criticised Egyptian detention policies and practices, which expose the irregular migrants to administrative detention for indefinite periods of time without charge, until migrants' deportation.³⁴⁶ The Egyptian authorities have refused to grant UNHCR and other human rights bodies access to detainees, who reportedly face torture and human rights abuses and are frequently denied access to procedural safeguards and adequate legal representation.³⁴⁷ Finally, in reference to this, the 2014 Constitution provides several guarantees that can be relevant to the situation of detained non-citizens, including the right to challenge detention (Article 54), the right to be protected from torture and abuse (Article 55), and the provision of judicial oversight over all places of detention (Article 56). Non-citizens who are charged with crimes stemming from their immigration status are to be considered innocent until proven guilty in a fair court of law (Article 96).³⁴⁸

In March 2015, the Egyptian Foreign Ministry announced that from 15 May 2015 all individual visitors who wish to enter Egypt will be required to obtain entry visas at embassies instead of on arrival at Egyptian airports.³⁴⁹ This decision reportedly stemmed from a need to give Egyptian intelligence services more time to assess individuals who want to visit Egypt and prevent access to individuals that may represent a threat to the country's national security and public order.³⁵⁰ There is confusion on whether the system will remain unchanged for tourist groups, who will still be able to obtain visas at airports.³⁵¹

In April 2015, the Egyptian Union for Human Rights (EUHR) presented to the Egyptian Parliament a 17-article draft law to counter illegal immigration, which calls for the punishment of the crimes of committing, participating in or

³⁴² http://www.migrationpolicycentre.eu/docs/migration_profiles/Egypt.pdf.

³⁴³ http://www.carim.org/public/legaltexts/LE3EGY1050_840.pdf

³⁴⁴ Global Detention Project (October 2014) *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

³⁴⁵ Global Detention Project (October 2014). *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

³⁴⁶ Global Detention Project (October 2014) *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

³⁴⁷ Global Detention Project (October 2014) *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

³⁴⁸ Global Detention Project (October 2014) *Egypt Detention Profile*. Available online at: <http://www.globaldetentionproject.org/countries/africa/egypt/introduction.html> Accessed 27 February 2015

³⁴⁹ Mourad M (17/3/2015) 'Egypt tightening visa rule for individual visitors'. Reuters news article available online at: <http://www.reuters.com/article/2015/03/17/us-egypt-tourism-idUSKBNOMD1YI20150317>> Accessed 21 April 2015

³⁵⁰ Mourad M (17/3/2015)) 'Egypt tightening visa rule for individual visitors'. Reuters news article available online at: <http://www.reuters.com/article/2015/03/17/us-egypt-tourism-idUSKBNOMD1YI20150317>> Accessed 21 April 2015

³⁵¹ Porter L (25/3/2015) 'Confusion mounts over Egypt visa rules' The Telegraph News article available online at: <http://www.telegraph.co.uk/travel/destinations/africaandindianocean/egypt/11494454/Confusion-mounts-over-Egypt-visa-rules.html>> Accessed 24 April 2015

inciting migrant smuggling with penalties ranging between 15 years in prison and death sentences for those acts of migrant smuggling that led to the death of migrants.³⁵²

Egypt has also ratified the UN Convention against Transnational Organized Crime and the supplementary Protocol against the Smuggling of Migrants by Land, Sea and Air (as well as the Trafficking Protocol). The Anti-Smuggling protocol was ratified on 1 March 2005 and so far it has not yet been transposed into a unified piece of national legislation. In terms of other international treaties and conventions relevant to migrant smuggling, Egypt has ratified the following:

- ★ 1951 Geneva Convention on the Status of Refugees and the 1967 Protocol related to the Status of Refugees amending the 1951 Geneva Convention. Egypt in fact participated in the drafting of the 1951 Convention. Egypt acceded to the 1951 Convention and its 1967 Protocol but made reservations to Articles 12(1), 20, 22(1), 23 and 24, which guarantee refugees equal treatment with nationals with regard to personal status laws, social services, housing, education, social security and welfare, and some labour laws.³⁵³ Therefore, Egypt preserves its discretion on these matters and refugees have restricted access to most state services and to the job market. The Egyptian state does not run its own asylum system. Following a 1954 MoU between the Egyptian government and the UNHCR, the UN Refugee Agency is responsible for receiving, registering, and interviewing asylum seekers for refugee status determination.
- ★ 1963 Vienna Convention on Consular Relations
- ★ 1966 The International Covenant on Civil and Political Rights
- ★ 1966 The International Covenant on Economic, Social and Cultural Rights
- ★ Party to the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. It again made reservations with regard to social services and labour market access in order to protect nationals that face poor social services and high unemployment.³⁵⁴
- ★ 1974 International Convention for the Safety of Life at Sea
- ★ 1981 African Charter on Human and Peoples' Rights
- ★ 1982 United Nations Convention of Law of the Sea
- ★ 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- ★ 1989 The Convention on the Rights of the Child
- ★ 2002 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

³⁵² Mostafa M. (27 April 015) *EUHR proposed sentences ranging from 15-years to death to counter illegal immigration*. Daily News Egypt article available online at: <<http://www.dailynewsegypt.com/2015/04/27/cabinet-to-discuss-anti-illegal-immigration-draft-law-on-wednesday/>> Accessed 4 May 2015

³⁵³ Ayoub Maysa, & Khallaf Shaden (September 2014) *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015

³⁵⁴ Ayoub Maysa, & Khallaf Shaden (September 2014) *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*. Paper published in the CMRS New Series: Cairo Studies on Migration and Refugee, available online at: <http://www.aucegypt.edu/GAPP/cmrs/Pages/Publications.aspx> Accessed 27 February 2015

- ★ 2002 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- ★ 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their - Families

Egypt has not ratified the 1979 International Convention on Maritime Search and Rescue³⁵⁵ but there is no public information available about the reasons behind Egypt's non-adherence to the principles of the SAR convention. Egypt's non-adherence to the SAR Convention may have implications in terms of the Egyptian government's understanding of responsibility and collaboration with Italian and European authorities in the implementation of search and rescue operations involving people-smuggling vessels in Egyptian, and Lybian SAR areas and for disembarking stranded migrants on the Egyptian coasts.

In terms of the national institutions involved in addressing migrant smuggling includes:

- ★ The Ministry of Manpower and Emigration cooperates with Arab and EU countries and international organisations in order to manage legal migration flows and tackle irregular emigration to Europe, encourage demand for regulated labour migration of Egyptian nationals; and share information on irregular migration with selected destination countries.³⁵⁶
- ★ Within the Ministry of Defence, the Border Security Forces and the Coast Guard have been noted for recent activities in combatting migrant smuggling operations leaving from the Egyptian coast. Their primary role is to maintain Egypt's borders.
- ★ The Passports, Emigration & Nationality Administration of the Ministry of Interior facilitates administrative procedures related to regular migration, in particular visa issuance, registration of documents of foreign origin, registering international marriages and divorces of Egyptians, issuing and registering educational and labour certificates for citizens travelling abroad. Within the Ministry of Interior
- ★ Ministry of Foreign Affairs in charge of Egyptian embassies and consular sections world wide provides Egyptian citizens abroad with an array of assistance and services including emergency repatriation, renewal of passports, or authorization of personal documents.

Moreover, there are also a number of coordination bodies set up to work on issues related to irregular migration. The National Coordinating Committee on Preventing and Combating Illegal Migration (NCCPIM) under the Ministry of Foreign Affairs is in charge of a number of tasks. It provides advice to the cabinet through the Minister of Foreign Affairs. It formulates a unified Egyptian position with respect to irregular migration and expresses this position in international fora. It monitors Egypt's implementation of the provisions of the 2000 Anti-Smuggling Protocol supplementing the 2000 Transnational Organized Crime Convention and prepares annual reports on the progress made by Egyptian authorities in tackling irregular migration. Moreover, it is responsible for reviewing relevant national legislation, drafting a new unified legislation, and implementing the national action plan to fight illegal migration 2014-2015. This Action Plan focuses on five key areas³⁵⁷:

³⁵⁵ IMO (2015) *Status of Conventions*, report available on the IMO web site at:

<<http://www.imo.org/About/Conventions/StatusOfConventions/Pages/Default.aspx>> Accessed 18 May 2015

³⁵⁶ Migration Policy Centre (June 2013) *Migration Profile: Egypt*, report available online at:

<http://www.migrationpolicycentre.eu/docs/migration_profiles/Egypt.pdf> Accessed 18 May 2015

³⁵⁷ Available at: <http://www.mfa.gov.eg/Arabic/InsideEgypt/economyindicator/Documents/NCCPIM%20Action%20Plan%202014-2015.pdf>

- ★ Legislative Activities, including the drafting of a bill on “Illegal Migration”, ensuring effective implementation of current relevant national laws and developing a proposal on the establishment of a compensation fund for “victims of illegal migration”.
- ★ Documentation Activities and Data Collection, including preparing the first field study on irregular migration and collecting best practices in combating irregular migration.
- ★ Awareness Activities, including the development of research and panel discussion, documentaries on the topic, visits to target governates and reinforcing cooperation with civil society in the area.
- ★ International and Regional Cooperation for Preventing and Combating Illegal Migration, including in particular regional (especially with Arab and African countries), international (with UN Agencies and IOM considered key partners) and bilateral (with countries of origin and destination) cooperation
- ★ Draft of a National Strategy, which should focus on the four principles of prevention, protection, prosecution and partnership and will follow after the completion of the field study.

As noted above in the Action Plan, this Committee also collaborates with international and local non-governmental organisations and civil society in the implementation of information and awareness raising campaigns about the risks and dangers of irregular migration, as well as training and capacity building programmes for law enforcement bodies and personnel specialised in combating illegal migration.³⁵⁸ There is also a similar National Coordinating Committee devoted to trafficking in human beings, thus the issues are indeed dealt with separately and differentiated. Finally, the Higher Committee for Migration coordinates all bodies involved in migration and mobility policy development, ensures coherence in policy implementation at a national level.

Bilateral cooperation is also explicitly noted in the 2014-2015 Action Plan as a key area in addressing irregular migration. Aside from the bilateral agreements noted with regard to Italy (see “Policies directed towards the selected routes, above), another example of Egypt’s bilateral cooperation that is considered relevant with regard to migrant smuggling operations includes the Four Freedoms Agreement between Egypt and Sudan, which provides reciprocal rights for citizens of both countries with regards to work, freedom of movement, residence, and property ownership. This agreement is currently not being implemented but in 2014 the new Egyptian President Abdel Fattah Al-Sisi and his Sudanese counterpart President Omar Al-Bashir talked about activating the Four Freedoms Agreement, which would grant Sudanese and Egyptian citizens reciprocal rights to work, reside, and transit through these two countries.³⁵⁹

Egypt has also several bilateral cooperation agreements with Sudan, Greece, Italy and the EU based on the 2004 Association Agreement on fighting illegal migration from Egypt to EU Member States and on the readmission of illegal migrants of Egyptian nationality.

Cooperation with international actors has also been highlighted as key in addressing migrant smuggling. Egypt’s participation in Interpol has been relevant in terms of collection and sharing of information on criminal activity in the country (e.g. migrant smuggling operations). Egypt became a member of INTERPOL on the 7 September, 1923 and the Egyptian Ministry of Interior acts as Egypt’s National Central Bureau for Interpol. Interpol Egypt’s activities focus on ensuring police information flow among Interpol states, and also in particular to strengthen border security, as

³⁵⁸ Egyptian Ministry of Foreign Affairs (2015) ‘The National Coordinating Committee on preventing and combating illegal migration (NCCPIM)’ available online at: <http://www.mfa.gov.eg/English/Ministry/TraffickinginPersons/committee/Pages/NCCPIM.aspx> Accessed 18 May 2015

³⁵⁹ Sudan Tribune (24 February 2013). *Sudan-Egypt relations hit speed bump over Four Freedoms accord*. News article available online at: <http://www.sudantribune.com/spip.php?article45646> Accessed 12 March 2015; The Cairo Post (20 October 2014) *Egypt: Sisi and Bashir meet press after 2-day visit* news article available online at: <http://nbsc.me/2014/10/20/sisi-bashir-meet-press-2-day-visit/> 18 May 2015.

part of the strategy to boost national security and prevent criminal activity in Egypt. A further elaboration on Interpol's engagement in the region can be found at Interpol's website.³⁶⁰

UNODC has also worked with governments in North Africa (including Egypt) to strengthen their legal and technical capacities to prevent and suppress transnational crime, including smuggling of migrants, through its Impact Programme.³⁶¹ The UNODC Regional Office Egypt has organised training workshops for police officers on combating migrant smuggling and human trafficking in 2011.³⁶²

Finally, Egypt's cooperation with IOM has also been noted by the Action Plan as an area for continued strategic cooperation. Egypt has already cooperated with IOM on a number of projects relevant to migrant smuggling, including in particular awareness raising activities through the production of a documentary ("The Path"³⁶³) for key stakeholders and at-risk communities about the risks of irregular migration (primarily focused on human trafficking) and the promotion of education and training possibilities as positive alternatives. Other relevant projects have included the "Education and Training for Egyptian Youth in Fayoum Governate: Alternatives to Promote Regular Migration and Positive Alternatives" and "Stablizing At-risk Communities and Enhancing Migration Management to Enable Smooth Transitions in Egypt, Tunisia and Libya".³⁶⁴ More information is available on the IOM Regional Office's website information on projects and on its project fact sheet on combating trafficking in persons.³⁶⁵

As of April 2015 Egypt participates in several migration dialogues relevant to migration in the Mediterranean Region, sub-Saharan Africa and North East Africa, including: the Africa-EU Migration, Mobility and Employment Partnership (MME), the EUROMED Process (Barcelona Process), the Rabat Process, the Joint Migration and Development Initiative and the Dialogue on Mediterranean Transit Migration (MTM). These processes and dialogues deal with the issue of migrant smuggling primarily within the context of broader discussions on irregular migration. However, Egypt also participates in the the joint EU-Horn of Africa Migration Route Initiative otherwise known as the Khartoum Process, which is focused on the fight against irregular migration and migrant smuggling from the North and East Africa region towards Europe. Egypt also participates in various regional fora addressing inter alia migration issues, including the African Union and the League of Arab States.

Relations between the EU and Egypt are bound by the Association Agreement, which came into force in 2004 and includes relevant sections on combating irregular migration and on the readmission of irregular migrants of Egyptian nationality.³⁶⁶ EU-Egypt relations are further embedded in the Action Plan 2007-2013, adopted in March 2007 under the European Neighbourhood Policy which aims at, inter alia, reinforcing cooperation between the EU and Egypt on migration management. In 2011, Egypt declined the offer made by the EU to start a Dialogue on Mobility, Migration and Security, which would have led towards the conclusion of a Mobility Partnership. At the end of his visit in Egypt, Commissioner Avramopoulos renewed the EU's interest in engaging in a reciprocally beneficial dialogue on Migration and Mobility with Egypt, expressing the hope that Egypt will participate with a key role in projects developed as a part

³⁶⁰ Interpol (2015) Egypt. Available online at: <http://www.interpol.int/Member-countries/Africa/Egypt> Accessed 13 March 2015

³⁶¹ UNODC (2015) Impact Programme. Available online at: <http://www.unodc.org/unodc/en/human-trafficking/2008/impact-programme.html> Accessed 12 March 2015

³⁶² UNODC (2015) Impact Programme. Available online at: <http://www.unodc.org/unodc/en/human-trafficking/2008/impact-programme.html> Accessed 12 March 2015

³⁶³ Available at: https://www.youtube.com/watch?v=T_eRKraxmbQ

³⁶⁴ European University Institute (June 2013) *Migration Profile. Egypt*. http://www.migrationpolicycentre.eu/docs/migration_profiles/Egypt.pdf

³⁶⁵ IOM Egypt (2012) *Combating Human Trafficking in Egypt 2012 Fact Sheet*. Available online at: <http://www.egypt.iom.int/Doc/Counter%20Trafficking%20Fact%20Sheet%20Egypt%20%282012%29.pdf> Accessed 21 February 2015; IOM MENA Office (2015) *Projects*. Available online at: <http://www.egypt.iom.int/projects.htm> Accessed 16 February 2015

³⁶⁶ EU External Action Service (EEAS) (2015) *EU relations with the Arab Republic of Egypt* available online at: http://www.eeas.europa.eu/egypt/index_en.htm Accessed 18 May 2015

of the joint EU-Horn of Africa Migration Route Initiative, also known as the Khartoum Process.³⁶⁷ More information on EU-Egypt relations is available on the web site of the European Commission ENP – Egypt.³⁶⁸

Furthermore, there is also cooperation with Palestinian authorities in the framework of the European Union Border Assistance Mission in Rafah (EUBAM Rafah). Launched in 2005, this initiative's role is to monitor the operations of the border crossing between the Gaza Strip and Egypt. In 2013, the Council extended the mandate of the mission until 30 June 2014, and it has been extended again on the 3rd July 2014 until 30 June 2015.³⁶⁹

4.5 National policy framework: Italy

In terms of international instruments, Italy is a state party to the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons (ratified 2 August 2006) and the Protocol against the Smuggling of Migrants by Land, Sea and Air (ratified August 2nd 2006 and transposed into Law 146/06).

The following conventions also apply and all of them are considered extremely important to assure the protection of human life at sea and at the same time the detection of facilitators: United Nations Convention of Law of the Sea (1982) (ratified 13 January 1995); the International Convention for the Safety of Life at Sea (1974) (ratified 23 May 1988); the International Convention on Maritime Search and Rescue (1979) (acceded 22 August 1989). A correct interpretation of these conventions, together with an analysis of the Italian jurisdiction, has allowed to define the legal possibilities of the Italian authorities in order to intervene at high sea for searching for possible facilitators in the boat, even in the case that the boat is outside national waters. Italian authorities are currently engaged at the international level in order to promote a more consistent application of existing international legal instruments.³⁷⁰ At the multi-lateral level Italy has recently sponsored the ECOSOC Resolution 2014/23 on *Strengthening international cooperation in addressing the smuggling of migrants* at the 25th session of the Commission on Crime Prevention and Criminal Justice.

Moreover, recent European resolutions, communications and regulations of relevance for the Italian Government are the following:

- ★ European Parliament resolution of 23 October 2013 on migratory flows in the Mediterranean, with particular attention to the tragic events off Lampedusa (2013/2827(RSP)) recognises the efforts of the Italian government to manage the infra-Mediterranean mixed-migration flows;
- ★ Communication from the Commission to the European Parliament and the Council on the work of the Task Force Mediterranean, December 4th 2013 (TFM) (COM(2013) 869) put the issue on a high level in the EU Agenda and proposed a new European approach to better address migratory and asylum flows, and prevent migrant deaths in the Mediterranean;
- ★ Regulation of European Parliament and Council establishing the European Border Surveillance System (EUROSUR), becoming operative on December 2nd 2013 created a new framework for action and information exchange for the prevention of accidents and border control.
- ★ Facilitator's Directive 2002/90/EC: Due to the relevance of the issue, Italy updated its legislation to prevent and punish smuggling of migrants in 1998, before the Directive 2002/90/EC was put in place. In fact, the pre-

³⁶⁷ European Commission (2015) *Statement by Commissioner Avramopoulos at the end of his visit to Egypt*, available online at: <<< http://europa.eu/rapid/press-release_SPEECH-15-4923_en.htm >>> Accessed 18 May 2015

³⁶⁸ European Union. (2015). *Country Strategy Papers (CSP) 2007-2013 Policy Report* available online at: http://eeas.europa.eu/egypt/index_en.htm Accessed 13 March 2015

³⁶⁹ EU (2014) *Mission de l'UE d'assistance à la frontière au point de passage de Rafah (EU BAM RAFAH)*, report available online at: http://eeas.europa.eu/csdp/missions-and-operations/eubam-rafah/documents/pdf/factsheet_eubam_rafah_en.pdf (Accessed 18 May 2015)

³⁷⁰ DNA (2014)

existing national laws were sufficient to cover the subject matter of the said Directive. The Testo Unico sull'Immigrazione (TUI), Article 12, contains the definition of the crime referred to under Article 1 of the Directive, and the corresponding sanctions. The TUI was adopted on 25 July 1998 and entered into force on 2 September 1998.³⁷¹

In terms of cooperation with other EU Member States, in Italy the rules on the procedure of extradition are contained in Articles 697 to 719 of the Code of Criminal Procedure. In particular, Article 13(4) of the Criminal Code regulates the extradition of Italian citizens. Italy is bound by Article 6(2) of the European Convention on Extradition, and the definition is also in accordance with the Convention relating to extradition between the Member States of the European Union.

Due to the high numbers of smuggled migrants arriving on its territory, Italy has adopted specific instruments to combat migrant smuggling and protect smuggled migrants. In Italy the definition by law of smuggling and facilitated migration was introduced in 1998 by art. 12 of the Legislative decree n. 286/1998, as a part of the main legislative reform regulating migration matters.³⁷² The law article defines the crime of abetting illegal immigration, that is to say promoting, directing, organising, financing or operating the transport of foreigners into the State, or performing other acts intended to procure illegal entry into the territory of the State. It is distinct from the crime introduced to punish cases of trafficking and extreme exploitation of migrants. Due to the relevance of the migrant smuggling operations directed towards its territory recently, Italy has also adopted specific instruments to combat migrant smuggling and to protect smuggled migrants, described further below: the Inter-ministerial decree to define specific roles of different authorities, since 2003; and most recently the Mare Nostrum operation (2013-14), the DNA guidelines (2014), the national plan for the reception of mixed migration flows (2014).

At the operational level, specific provisions have been recently set up, to fully support investigative tasks at the judiciary and police levels. More precisely, in 2014 new strategies have been defined to facilitate the application of both national laws and international laws at high sea.³⁷³ It is also worth to note that, depending on the circumstances, often facilitators are accused of other crimes, such as unintended killing with shipwreck, multiple unintended killing, acts of violence or kidnapping, sometimes aggravated by the presence of minors. As noted previously, usually only the drivers of the boats arrive in Italy, and they often are migrants themselves, not belonging to criminal networks but paying for their travel with this service. Nonetheless, legal proceedings have been able to dismantle some smuggling networks. In the long run, some improvements have been realised in terms of prevention and prosecution activities.

Focused primarily on safeguarding migrants' lives and the identification of smugglers, a new policy was adopted with the Mare Nostrum Operation (see Table 6), a humanitarian assistance and anti-smuggling operation conducted by the Italian Navy, in force from November 2013 to 31 October 2014. The operation, launched after the shipwreck of the 3 October 2013, has been considered successful in preventing the deaths of migrants at sea, but its results are controversial. It was also critiqued because some observers, at both the national and international level, consider rescue in international waters a "facilitation" of the smuggling process. Moreover, in some cases experts noted it had an effect on migrant smuggling practices, because smugglers subsequently commenced to use less resistant boats, confident that the migrants would be rescued at high sea. Also, a "Device for Naval and Maritime Security Surveillance" has been set up to coordinate operations at sea.

³⁷¹ <http://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=1998-08-18&atto.codiceRedazionale=098G0348¤tPage=1>.

³⁷² Testo Unico sull'Immigrazione, <http://www.immigrazione.biz/normative.php?pag=3>

³⁷³ DNA 2014

Table 6: Mare Nostrum Operation (18 October 2013 – 31 October 2014)

Migrants rescued by the Navy	156,362
Search and rescue operations at sea	439
Smugglers arrested	366
On-board inspections	15
Captured and seized ships (including 5 Mother-Ship)	9

Source: Italian Navy

The sea borders are now patrolled by Italian forces and by Triton, a Frontex operation, under guidance of the Italian Ministry of Interior and in coordination with Guardia di Finanza and Port Authorities. The EU has recently approved an extension and enlargement of the Triton operation as currently naval forces and aircrafts are not able to assure a proper safeguard of lives; however, the operational area of activity of Triton is inside the 30 miles off the Italian coasts, while Italian authorities operate even at high sea. Between 1 January 2015 and 28 April 2015, 26,215 migrants were rescued. Triton activities resulted in the rescue of 1,906 migrants, while Italian authorities took charge of 24,309 migrants at sea, also with assistance requested to commercial ships, as can be seen in Table 7. Italy also participates in the Frontex coordinated European Border Patrols Network (EPN) along with France, Spain, Portugal, Malta, Slovenia, Greece, Cyprus, Romania and Bulgaria.

Table 7: Rescue operations at sea after 31 October 2014, date of end of Mare Nostrum Operation

	Italian authorities	Triton Operation
1/1/2014 -28/4/2014	24,563	
1/11/2014-31/12/2014	10,971	4,903
1/1/2015 - 28/4/2015	24,309	1,906

Source: Italian MoI

However, due to the overall scarcity of means at sea, both on the Italian side and Triton side, merchant ships are often called by the Italian Coast Guard, and directly involved in rescue operations. As remarked by the International Maritime Organisation (IMO), ship companies are currently facing serious problems, because they are obliged to perform this duty, which damages their commercial activities in the short and long term. Also, their crews and ship structures are not technically prepared to provide rescue operations and adequate first aid assistance. According to IMO, the current situation creates an intolerable strain on rescue services of merchant vessels, and it poses a threat

to navigational safety and the marine environment. As an example of the distress at sea the IMO reported that in only one day, 15 February 2015, 12 boats with 2,225 migrants on board were rescued, involving 3 Coast Guard, 2 Navy, 2 Guardia di Finanza and 4 merchant ships.³⁷⁴ Moreover, in 2014 merchant vessels rescued a very high proportion of migrant smuggling boats/vessels, especially as compared with other authority institutions, only surpassed by the Italian Navy.

Investigative authorities also face some difficulties in investigating and prosecuting migrant smugglers. As already mentioned, in Italy usually it is only possible to arrest those who transport migrants, those who eventually receive them to collect their money, and/or organise their exploitation in labour markets or their irregular travels to other EU countries. At sea, limitations may arise because in some circumstances police cannot apprehend smugglers using faster vessels, especially considering that the first priority is to safeguard the lives of migrants. However, authorities have had success in addressing the use of “mother vessels” at high sea, as police may act to seize it, arrest the crew and thus damage the asset of the smuggling organisation. Italian law, read in accordance with the international conventions and instruments, and when specific conditions occur, allows for the seizure of such ships, the capture of the crew and the punishment of the criminal organisation, even if the ship remains far from the borders and out of the 24mile zone.³⁷⁵ The Procura Nazionale Antimafia (DNA – Anti-Mafia Prosecutor Office) in 2014 issued an important document directed to the DDA (Anti-Mafia Directorate or Prosecutor District Office) sharing this approach.³⁷⁶ Directives have been issued to police (SCO, Servizio Centrale Operativo) which coordinates the local Squadre Mobili, and the Navy. A team on irregular migration-related crimes has been created at Catania District’s Prosecutor Office and at the Siracusa Prosecutor Office. In Eastern Sicily, the Catania, Siracusa and Ragusa prosecutor offices combined have processed half of the total accusations for facilitation of irregular migration to Italy.³⁷⁷ In Italy, since the beginning of 2015, 69 facilitators have been arrested and 15 boats seized.³⁷⁸

Table 8: Number of boats used for irregular migration recorded by the authorities, year 2015 (up to 28 April)

	Total n. of boats	Seized	Sunk	Adrift
Commercial ships	1	1		
Vessels	51	5	7	40
Sporting boats	3	5	1	
Rubber dinghies	127	5	15	112
Fishing boats	4	1	2	1
Total	199 (12 n.i.)	15		153

Source: Italian MoI

³⁷⁴ IMO (2015)

³⁷⁵ Inside the limit of 24 miles the Guardia di Finanza is responsible of the operations at sea, while out of 24 miles, the Navy is responsible for it. The Coast Guard is always responsible in case of rescue.

³⁷⁶ Procura di Catania (2014)

³⁷⁷ I A 2

³⁷⁸ Source: Ministry of Interior

Once the facilitators are arrested, investigations, if they are possible, are complex: firstly because of language problems. Usually extensive research with wiretaps is required. Some large networks of facilitators operating in Italy have been dismantled, but not their organisational heads. Even if the network behind the landing is discovered, and collaboration is established between police forces of third countries, a lack of international cooperation typically prevents the prosecution of the smugglers located abroad. According to an investigator, smugglers are mainly based in Egypt, Tunisia, Turkey, and Libya.³⁷⁹ The frustration arising from being incapable of catching the smugglers recently lead three Italian NGOs to send the UN Secretary General a list of the names, addresses, photos, operational facilities and telephone numbers of smugglers identified by migrants who survived.³⁸⁰

The main ministries relevant with respect to activities and policies on addressing migrant smuggling, including participation in international programmes and migration dialogues, signing of bilateral and re-admission agreements to tackle smuggling and reduce facilitated irregular migration activities are: the Ministry of Interior, Department of Civil Liberties and Immigration, Department of Public Security and the Ministry of Foreign Affairs and International Cooperation. The Ministry of Interior, through Prefectures, coordinates the efforts of the different organisations and agencies all over the Italian territory. "A National Plan for Tackling the Extraordinary flow of TCNs, Adults, Families and UAMs" was signed by the Government on 9 July 2014 for reception activities.

The Navy, Air Force, Carabinieri, Coast Guard, Guardia di Finanza, Port Authorities and the Police are in charge of safety and security at sea, search and rescue operations, and first investigations at sea. Coordination mechanisms and main competences of each body are defined by the Inter-ministerial Decree of 14.7.2003 of the Ministry of Interior to combat irregular migration.

In the field of prosecution, the District Prosecutor Offices of Catania, Siracusa and Ragusa are in charge of the investigations and prosecutions. When crimes are committed by criminal organisations, the DDA (Anti-Mafia District office) of Catania is in charge of investigations; the Police, Guardia di Finanza, and Carabinieri are directed by the judiciary during investigations in both cases.

For initial reception and qualification of landed migrants in the landing ports of eastern Sicily, Augusta, Pozzallo, Catania, personnel of the Military Corp of the Italian Red Cross, IOM (International Organization for Migration), Save the Children, Italia Onlus and UNHCR provide primary assistance to migrants and asylum seekers after their landing with coordination by the local Prefectures, in the framework of *Progetto Presidium*.³⁸¹ Third Sector (Associations and NGOs), and local health structures are also involved at the local levels, in ports and their surroundings.

³⁷⁹I A 1

³⁸⁰Vita. 21 April 2015. *Tre ong consegnano all'Onu la lista dei trafficanti di migrant "Andateli a prendere"* <http://www.vita.it/it/article/2015/04/21/tre-ong-consegnano-allonu-la-lista-dei-trafficanti-di-migranti-andateli/132876>, accessed 23 April 2015

³⁸¹Ministero dell'Interno, (2014)

Table 9: Other data for the year 2014

Total of irregular migrants landed by sea (Italian MoI)	170,100
Total of women (Italian MoI)	18,190
Total of unaccompanied minors (Italian MoI)	13,026
Estimated deaths at sea (Mediterranean Sea) (UNHCR)	3,419
Asylum seekers and migrants in reception and assistance centres (30.11.2014) (Fondazione Moressa)	65,462
Asylum claims (40% more than in 2013) (UNHCR)	65,700

For secondary reception, Regions, Provinces, Municipalities, Third Sector (Associations and NGOs), SPRAR and local health structures provide humanitarian assistance after the first assistance schemes are applied. Different types of centres are set up. A large number of minors are assisted in eastern Sicily; at least 5,000 are under the charge of local municipalities. The Ministry of Interior, through Prefectures, coordinates the efforts of the different organisations and agencies all over the Italian territory.

Some problems have arise in the regional distribution of the would-be asylum seekers and negotiations with local authorities, as the demand for reception is growing. Moreover, human rights advocates and NGOs have recently published books, based on research in the field describing the inhumane conditions in most reception centres³⁸² and the inefficient management of the funds for dealing with irregular migrants.³⁸³ Most of migrants do not want to stay in Italy because of the manner they are received: recent reports at the international level address the lack of legal guarantees for undocumented migrants in Italy.³⁸⁴ The vulnerability of smuggled migrants and the risk for them to be exposed to extreme forms of work exploitation have been addressed by relevant research.³⁸⁵

Italy has signed a number of technical assistance programmes with North African countries (Egypt, Tunisia, Libya, Algeria in the past) for strengthening police cooperation and promoting training, and memorandums of understanding with West African countries (Nigeria, Ghana and Niger). As reported by EMN, the agreements concern: a) the control of irregular immigration and the development of irregular migrants' identification systems; b) training and technical assistance for police forces; c) the exchange of personnel and strategic information; d) equipment and technologies

³⁸² Medici per I diritti umani (2013)

³⁸³ Lunaria (2013)

³⁸⁴ International Commission of Jurists 2014

³⁸⁵ OSCE 2013, Monzini 2015; Massari 2013

for controlling seas and borders; e) economic support for building and maintaining detention facilities for irregular migrants in the countries of origin and transit; and f) repatriation management.³⁸⁶

Moreover, Italy is involved in a number of EU-funded projects with third countries on the topic of irregular migration. According to EMN, the main projects in this regard have been:

“Some of these projects have been completed (*Across Sahara I*, with Libya and Niger; *Across Sahara II*, with Libya and Nigeria; *Sahara-MED: prevention and management of irregular migration flows from Sahara Desert to Mediterranean Sea*, with Libya; *Programme for Stranded Migrants in Libya and Morocco (LIMO)*, with Libya and Morocco; *A comprehensive approach to the effective management of mixed migration flows in Libya*, with Libya; *Enhancing the cooperation to fight trafficking in human beings from Nigeria to Europe*, with Libya; *Lutte contre l’immigration illégale et le trafic des êtres humains à travers la participation des familles victimes de l’émigration clandestine, des associations organisées de la société civile et des institutions locales*, with Morocco; *Back to the future – A transnational network for unaccompanied minors*, with Albania). Others are still under way: *Support to the Libyan authorities to enhance the management of borders and migration flows*, with Libya. The activities of these projects include: training of police personnel employed to manage migration flows, fight illegal immigration and the trafficking of human being; support assisted voluntary return; acquire information for investigative and intelligence purposes; and provide technical means and equipment. The above projects provided for a general exchange of information, but did not lead to the setting up of a data exchange mechanism.”³⁸⁷

Moreover, readmission agreements for irregular migrants have been signed with 22 countries: Slovenia, Macedonia, Romania, Georgia, Hungary, Lithuania, Latvia, Estonia, Yugoslavia, Croatia, France, Austria, Albania, Bulgaria, Morocco, Slovakia, Tunisia, Switzerland, Greece, Spain, Algeria, and Nigeria.

Table 10: Repatriations and readmissions, 2010-2015

2010	2011	2012	2013	2014	2015 (up to 30/5)
16,086	25,163	18,592	16,482	15,726	5,048

Source MoI

Inter-ministerial dialogue has also recently been reinforced with Turkey and Egypt, producing a strengthening of measures for prevention of the departures, or prosecution. In Egypt, the Ministry of Interior has appointed a liaison officer and an expert on migration issues: he is currently the only one in the Southern Mediterranean area after the departure of another expert based in Libya.

At the international level, Italy participates in the major migration dialogues: the 5+4 and Euromed since 2002; the Rabat process since 2006; and GFMD. It also organises significant conferences on the topic, within the context of these inter-governmental processes and dialogues. A Euromed meeting was held in Rome on 19 December 2014, entitled “*Changing the narrative. Fostering a positive approach to migration in the Mediterranean*”, with representatives attending from almost 40 different southern Mediterranean and European countries: EUROMED promotes economic integration and democratic reforms across 16 neighbours to the EU’s south in North Africa and the Middle East and facilitate cooperation mechanisms.³⁸⁸ Italy participates³⁸⁹ in the Rabat process, facilitating

³⁸⁶ENM Ad Hoc Query on Facilitation of irregular immigration to the EU 2014

³⁸⁷ ENM Ad Hoc Query on Facilitation of irregular immigration to the EU 2014

³⁸⁸ *Euro-Mediterranean Partnership* http://www.eeas.europa.eu/euromed/index_en.htm

migration dialogue with the West, Central and North Africa regions. In the East Africa region, Italy participates in the process of strengthening cooperation on migration issues: on 28 November 2014, a ministerial conference was organised in Rome with representatives of 40 European, Horn of Africa and Mediterranean African countries, and regional organisations, for the launch of the *Khartoum Process (EU-Horn of Africa Migration Route Initiative – HoAMRI)*, the collaboration framework specifically aimed at combating migrant smuggling and human trafficking through legal reform, capacity building and cooperation.

³⁸⁹ *Rabat Process* <http://processusderabat.net/web/>

5. Conclusions

Migrant smuggling on the Syria-Lebanon-Egypt-Italy route has become particularly visible in recent years, in correspondence to the outflow of Syrian refugees escaping the war since 2011. Following the unfolding violence and the absence of rule of law in Libya, since 2011 Egypt has increasingly become a point of convergence between the East African and the Central Mediterranean routes, where migrants from different countries of origin in the Middle East and Horn of Africa embark on smuggling boats directed to the southern shores of Europe.

Smuggling along this route presents its own dimensions, shaped by three interdependent variables: the policies carried out by the authorities of the different countries involved, the actions of the smugglers organisations, and migratory pressures, mostly fuelled by war and fleeing populations. In the short term, a reduction of the legal possibilities of travelling for Syrian nationals and an extension of stricter law enforcement provisions to control border and/or prosecute smugglers has been recorded in the states in the region concerned: Syria, Lebanon, Jordan, Egypt, Turkey, Greece, Italy. Unable to travel through legal channels, migrants turn to smuggling networks. In the long run, countries of origin and transit of these mixed migration flows have enforced increasingly restrictive policies and effective controls. Migrant smuggling has increased along this route in particular because a portion of the Syrian population is able to pay the relevant sums to leave their origin country, or their first settlement country, and to overcome the increasing difficulties to travel irregularly in search of asylum and decent living opportunities.

As a counter strategy, smugglers tend to expand the geographical context of their activities. The organisational capacities of smuggling organisations, and especially their inter-connections, have recently increased, with the creation of joint ventures between smugglers at the international levels. The increase in the use of the sea routes departing from Egypt and Turkey in 2014 is a result of the smugglers looking for new outlets, and it also reveals the pressure on Syrians living in these transit countries to continue their travels and reach EU countries. The analysis included in this report has shown some of the dynamics that have determined the geographical changes in the routes: mainly the difficulties experienced by Syrians in Lebanon and in Egypt, after the introduction of new regulations limiting their rights to stay in these countries, and specifically the weak situation of Syrian nationals in Egypt after the end of the Morsi regime. Also, it shows that smuggling networks moving people without documents from one country to another, by air, land and/or sea put in place new strategies to satisfy the needs of more affluent people. Prices paid to smugglers by middle-class individuals or entire families escaping war in Syria are higher than prices paid previously by other travellers, mixed migration flows who were coming from more impoverished regions of the Horn of Africa, other African states, or Afghanistan and Iraq.

In the region it is clear that different forms of smuggling techniques co-exist, and modus operandi as well. For example, for the transport of Syrian migrants from Turkey to Italy, two new and very expensive modus operandi have been recorded: the use of big ship directly from Turkey, which are abandoned at high sea to avoid detection, or the use of fast rubber dinghies with professional sailors from the coast of Turkey to those of Greece, and subsequently from Greece to Apulia in Italy. In Egypt, in recent years the use of the “mother vessels” technique, requiring the use of at least two boats for each transport of migrants (and good technical skills) has increased, leading to an unprecedented flow of migrants departing by sea. Even if the flow from Egypt by sea is recently decreasing, it is foreseen a persistence of the flow over the time. Such examples illustrate that several methodologies existing within single routes can change over time, rapidly.

Finally, even with the growth of measures taken to prevent and tackle smuggling on all routes, Syrian nationals and other migration flows (particularly of asylum seekers) cope with all obstacles and rely on smuggling networks in order to try to escape from their situation, pushed by desperation to leave their countries. Often they are aware of the risks and dangers they have to face, but still want to pay for the expensive services of the smugglers because this is seen as the only opportunity for them to move, due to limitations of legal opportunities. Their vulnerability has increased across the route, and we cannot determine if a growth in cooperation between countries will lead to a reduction of these flows, unless safety and a decent way of life is also ensured in the countries origin and larger spectrum of legal migration opportunities are available in the transit and destination countries.

6. Interviews and consultations

Information included here is based on the level of consent given by each interviewee. Interview codes have been produced by combining the place of interview(ee), with the type of interview (w.g. migrant, NGO, authority), with the nationality of the interviewee (only for interviews with migrants and smugglers) and the number of the interview.

	Code	Organisation	Type
1	I A 1	Guardia di Finanza, Headquarters, Rome	Authority
2	I A 2	DDA, Procurer Office in Catania	Authority
3	I A 3	Procurer Office in Siracusa	Authority
4	I S 1	Progetto Siria- Fondazione Arca (reception centre), Milan	NGO
5	I S 2	Volunteerat Mezzanino, Stazione Centrale, Milan	NGO
6	I M PS 1		Migrant
7	I M PS 2		Migrant
8	I M PS 3		Migrant
9	I M PS 4		Migrant
10	I M SY 5		Migrant
11	I M E 6		Migrant
12	I M SY 6		Migrant
13	I M SY 7		Migrant
14	I M SY 8		Migrant
15	I M SY 9		Migrant
16	I S 3	International Organization for Migration (IOM)	International Organization

17	I M GM 10		Migrant
18	I M SEN 11		Migrant
19	I M ML 12		Migrant
20	I M GM 14		Migrant
21	I M SL 15		Migrant
22	I M ERI 13		Migrant
23	LB Other stakeholder 1	University	Other stakeholder
24	LB N 2	International Crisis Group	NGO
25	LB N 3	Norwegian Refugee Council	NGO
26	LB Other stakeholder 4		Other stakeholder
27	LB A 5		Authority
28	LB A 6		Authority
29	EG (Skype)/OS/1		Other Stakeholder
30	EG (Skype)/OS/2		Other Stakeholder

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