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Containing Illicit Flows at African Borders

Pitfalls for Europe

Judith Vorrath

The recent rise in migration to Europe has put borders and their security back on the political agenda of the European Union and its member states. Alongside stricter control of the Union's external borders, border security also plays a growing role in cooperation with third states. The action plan adopted by European and African heads of state and government at the Valletta summit on migration in November 2015 includes assistance for strengthening national capacities at land, air and sea borders. In particular in the immediate southern neighbourhood, this support is intended to contribute to stemming irregular migration and human smuggling. European programmes to combat illicit flows and organised crime at borders outside the EU have existed for some time, for example to interrupt cocaine smuggling via West Africa. The experience to date reveals potential pitfalls of this approach and underlines the necessity to think beyond technical border management.

The smuggling of migrants essentially refers to the profit-oriented facilitation of persons crossing borders illegally. Thus, in addition to saving lives, the European Union's efforts to enhance protection of its external borders in the Mediterranean also aim at combatting transnational crime and disrupting migrant smuggling networks. This is also the objective of the EU's Operation Sophia, launched in 2015, to which Germany contributes naval vessels and a contingent of up to 950 personnel. Although the mission has succeeded in rescuing migrants at sea and identifying individual traffickers on the boats, it has not succeeded in undermining the business model of the organised networks along the central

Mediterranean route. Confronted with a persistently strong demand for smuggling services, the EU and its member states are seeking possibilities to contain migrant movements before they reach the EU's external borders. The key to this is intensifying cooperation with third states in border protection and management. This year, through the Seahorse Mediterranean Network, the EU wants to boost the ability of North African, and above all Libyan, border security agencies to tackle irregular migration flows and illegal trade in their coastal regions and waters. But European actors are also pursuing initiatives to stop illicit flows – whether of people, or of goods such as drugs and arms – at the borders of

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third states further afield than the immediate southern neighbourhood. Experience in West Africa, however, suggest that there can be drawbacks associated with this engagement.

Not all good things go together

The formats used by the EU and its member states in cooperating with African countries to strengthen border security can be politically ambivalent, not only due to problematic human rights situations and authoritarian governance in certain transit countries. They may more generally undermine the objective of stabilisation prioritised in the May 2017 Report on the Review of the European Neighbourhood Policy. Promoting peace and stability is also on Europe's agenda for West African states like Mali, Niger and Nigeria, with which the EU is planning border management programmes as part of the migration partnerships concluded in 2016. Even before this, the EU and its member states were supporting measures to improve border control capacities and fight organised crime. These initiatives tend to rest on the assumption that Europe's internal and external security interests readily converge in such projects. For example, interrupting cocaine trafficking before the drugs reach European markets would at the same time deprive violent non-state actors in West African conflict regions of their smuggling revenues. That calculation, however, underestimates the complexity of political power structures existing between state forces, non-state armed groups and criminal networks. These may include political-criminal arrangements that even persist or regroup after peace accords, as in the case of the 2015 Agreement on Peace and Reconciliation in Mali. A largely isolated, technical approach to strengthening border security is therefore problematic: Firstly, because it can displace smuggling routes (for example into Mali's unstable north in response to tighter controls in Niger) and a stronger security presence in smuggling hubs can

generate tensions (already visible in Agadez in northern Niger). Secondly because migration partnerships boost the standing of governments in affected states and increase their bargaining power, with – as in Mali – potential effects on the balance of power in peace processes.

These complex linkages of conflicts and illicit economies mean that measures aiming at stabilisation and peacebuilding on the one hand and those addressing organised crime and border security and management on the other need to be better coordinated with one another. As emphasised by a study prepared for the United Nations Department of Political Affairs, alongside improving analytical capacities the crucial point is to weaken the political influence of criminal actors and ensure that UN interventions do not inadvertently facilitate illicit economies or criminal infiltration, for example of UN police reform programmes. This guidance should also apply to the EU, which already possesses excellent analytical capabilities, especially at Europol, and is at the same time present on the ground with civilian missions such as EUCAP Sahel Mali and EUCAP Sahel Niger. While cooperation and coordination between EU missions and agencies is important, very precisely defining the objectives of partnerships with third states is even more crucial, in order to avoid interference between measures in different areas.

Capacity-building between “remote control” and local realities

Before international attention increasingly turned to migration, Europe's interest in addressing organised crime in West Africa centred largely on the flourishing drug trade. While the quantities seized fell initially, the region has apparently become more important as a transit route for South American cocaine again in recent years. According to the 2016 World Drug Report about 58 percent of the cocaine smuggled through Africa ends up in Europe – from West Africa apparently still mainly by sea

and air. The focus of drug enforcement is therefore primarily on the main entry and exit points than on controlling the borders as a whole. Thus in most West African states the EU's Cocaine Route Programme launched in 2009 concentrates on enhancing surveillance and communications at international ports and airports. In some cases EU member states are also running their own projects there. Improving co-operation between and within regions along the route represents another way of containing drug flows. In practice, the Cocaine Route Programme also contributes to combating illegal trade in other goods and irregular migration. It is, however not – as often claimed – working as a “remote control” for enforcing European security interests, given that the approaches of the EU and its member states at the interface of internal and external security are rarely coherent. Above all, capacity-building does not automatically translate into effective action against illicit flows and organised crime. The detection of individual cases of drugs or arms trafficking may have a certain deterrent effect, but frequently leads only to the arrest of “foot soldiers” at the borders. Furthermore, law enforcement agencies and courts in partner countries do not necessarily pursue cases energetically. While this approach may occasionally disrupt illicit trade flows it usually fails to break up the criminal networks behind it. In the case of high-value goods such as cocaine, seizure at borders outside the EU can at least cause sporadic financial losses if the amounts are large enough and the drugs are actually destroyed. But in the case of human smuggling, those intercepted before reaching their destination will usually try anew, often relying on the services of traffickers again.

The “comprehensive approach” propagated in the EU's own migration policy is therefore all the more important. However, an evaluation of EU support to border management and the fight against organised crime released in 2013 concluded that the engagement in West Africa had frequently

been characterised by a narrow security focus on migration and that reform processes had hardly been addressed. In implementing the EU partnership with Mali the EU Emergency Trust Fund for Africa until June 2017 supported above all projects in the area of security, including one to reinforce border control in central Mali. Even before the issue of migration became so prominent, West Africa's land borders had been under scrutiny on account of the transnational circulation of small arms and the growing terrorist threat in certain West African states. But lack of trust between neighbouring states and diverging approaches to border management are not the only impediments to implementing projects for enhanced border protection. A strong security focus at land borders can also have negative side-effects.

The political economy of porous borders

A number of the coastal countries of West Africa are not only important transit points for the cocaine trade, but also among the main states of origin of African migrants seeking to reach Europe across the Mediterranean. In the first four months of 2017 almost half the roughly 37,000 trans-Mediterranean arrivals in Italy originated from Nigeria, Guinea, Côte d'Ivoire or The Gambia.

This points attention to the national borders within the region, which are commonly seen as very porous due to many unofficial crossing points. These are also used by persons who – despite the existing arrangements for freedom of movement within the Economic Community of West African States (ECOWAS) – are unwilling or unable to present the documents required to cross legally. Simply expanding the official presence at these land borders, however, is not an adequate solution. Often enough the official crossing points act as obstacles to inter-regional trade and economic integration. This was also the conclusion of an ECOWAS Task Force that visited seven West African states, when it

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reported in May 2017. The practice of bribery to secure passage has negative effects on trade as well as security. And once a particular border regime has become established, it is often difficult to soften or adapt it in the interests of cross-border cooperation. Although the EU propagates the integrated approach in border management, the balance between security and openness to legal movement of goods and persons is not always upheld in cooperation projects. Moreover, at land borders within the region informal arrangements and a prevalent smuggling economy are frequently of great significance for the borderlands themselves. For border communities that tend to be neglected by the state, the border is often an important economic factor as they can profit from smuggling and employment opportunities around official border crossings. If measures are too heavily slanted towards repression, these sources of income may dry up.

It must also be noted that authorities other than the official public ones may exercise influence and control at the borders, sometimes embedded in informal arrangements with the central state. Border management in many West African states involves local officials continuously re-negotiating modalities with local authority figures and transnationally linked communities. When external measures ignore the specifics of the political economy of the periphery they are at best ineffectual – and can potentially even generate insecurity. A large-scale survey of residents along Tunisia's border with Libya found that more than 90 percent regarded restrictions on cross-border trade and the region's under-development as the principal sources of insecurity, rather than the terrorist threat upon which international attention focuses. Border communities should therefore be included in the process of building and enhancing the border security architecture, and an intensified state presence should not focus solely on the security sector. That is especially relevant in connection with measures funded through the Emergency

Trust Fund for Africa, which currently holds about €2.85 billion. The projects established to realise its goals – amongst others promoting education and employment as well as border protection and management – need to be sensibly joined up.