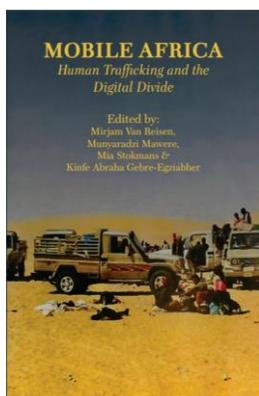


The Plight of Refugees in Agadez in Niger: From Crossroad to Dead End

Morgane Wirtz

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Chapter 9

The Plight of Refugees in Agadez in Niger: From Crossroad to Dead End

Morgane Wirtz

Introduction: Migration, a capricious market

A pile of adobe bricks, winding alleyways and brownish facades decorated with Tuareg patterns: that is how you might describe the old city centre of Agadez in Niger. The city is located at 2,394 km from Sabha in Libya, 869 km from Tamanrasset in Algeria, and 554 km from Kano in Nigeria. Since its founding in the 12th Century, it has been a commercial harbour. Everything transits through Agadez: 4WD Hilux vehicles from Libya, Algerian carpets, Burkinabe shea butter, tramadol, marijuana, cocaine, Kalashnikovs, handguns and, of course, migrants and refugees.

The city of Agadez was always an important leg on migratory routes. Until 2011, most of the people travelling through Agadez were moving towards Libya, the final stage of their journey. At that time, Muammar Gaddafi would hold in his territory the migratory waves that now continue their journey all the way to

The European Union's policy to control migration from Africa has led to the restriction of the free movement of people from Agadez in Niger to Algeria and Libya – despite the fact that the Economic Community of West African States guarantees such movement. This has left migrants and refugees in dire situations, restricting their options and ultimately making their journeys more perilous. It has also left 'migration business professionals' without a source of income, stifling a trade that has existed for generations. The impact of the EU's policy is that Agadez has been transformed from a migratory hub into a land of lost migrants and refugees.

Europe. Most Africans would manage to earn a decent income as a worker in Libya. But when the United Nations (UN) forces commenced bombing on Gaddafi's forces, the spill over was the opening of a new gateway for migrants and refugees to Europe through the Mediterranean Sea.

Agadez witnessed the mass arrival of migrants. As soon as they would step off the bus, they would be sent to ghettos with hundreds more of their kind to wait for Monday to come. When it finally arrived, hundreds of vehicles escorted by military would bring them all the way to Libya. In the back of the trucks, groups of around 25 migrants and refugees wrapped up in hoods and turbans would cling to a piece of wood in order to stay inside the vehicle, all of them prepared to undergo such conditions during the three to five-day journey through the desert. Their goal: to reach Europe. Those were good times for professional smugglers like Abdoulaye Sidi, who used to fill a vehicle every week:

We used to ask for up to 120,000 West African CFA francs (XOF) (EUR 183) or XOF 150,000 (EUR 228) per passenger for the trip from Agadez to Sabha. The driver gets XOF 70,000 (EUR 107) and I keep XOF 50,000 (EUR 76) [total: XOF 1,250,000 or EUR 1,887 for a full vehicle]. That's making money! There is no better source of income except for cocaine. Because you make easy money. You do not have to sell anything. (Abdoulaye Sidi, interview with Wirtz, face-to-face, Agadez, 20 February 2019)

In October 2013, a drama raises the migration issue in Niger – 92 persons are found dead of dehydration in the desert. Their destination was Algeria. The Government of Niger becomes aware of the dangers related to transporting the migrants. Two years later, they decide to start penalising the trade: on 26 May 2015, the Parliament of Niger adopts Law 2015–36 banning all commercial activities related to migration (République du Niger, 2015). Transporting migrants and refugees becomes trafficking – on paper. In fact, during the first months after it was promulgated, the law was not applied and migration professionals kept working without any change.

At the same time, the European Union (EU) offered support to the Nigerien authorities to fight illegal migration. At the European Council, the High Representative for Foreign Affairs and Security Policy and Commission Vice-President Federica Mogherini declared:

We have agreed on reinforcing our presence in Niger: 90% of migrants from Western Africa travel through Niger. Only by working jointly with countries of origin and transit, with the African Union and the UN, we will succeed to tackle the root causes of the emergency while disrupting criminal organisations and helping migrants to escape from them. (Council of the European Union, 2015)

Following the Summit in Valetta in November 2015, the EU set up a fiduciary fund worth EUR 1.8 billion with the aim of helping Niger in the fight against clandestine migration. In effect, Agadez became an external border of the EU. Niger is a member of the Economic Community of West African States, which guarantees the free movement of people, goods and services in its territory. Regardless, Law 2015–36 was implemented and migration professionals started to be heavily sanctioned. Authorities, the judiciary, the police and the army were trained to fulfil their new task: to eradicate clandestine migration by hunting down and judging all those making profit on migrants and refugees passing through Agadez.

One might say they did their job. In July 2018, European Parliament President Antonio Tajani reported a 95% drop in the migratory flow through Niger to Libya and Europe between 2016 and 2017. That success for the EU is due to both the repression campaign carried out by Nigerien authorities and the regional conditions. Even though lots of migrants and refugees still want to reach Europe, only a few of them dare to cross Libya, knowing they will be either kidnapped, imprisoned, tortured, raped or even killed. Algeria could be an alternative, but the risks are high: if they were to be rejected – as is often the case – they will be sent back to the starting point of their journey.

Agadez has been transformed from a migratory hub into a land of lost migrants and refugees. Migration keeps going, but its form has

changed. Some young Africans still stop in the city on their way to Libya or Algeria. However, a lot of foreigners end up there after being expelled from Algeria or fleeing Libya, roaming around in search of money in order to continue their journey. Most migration professionals have quit. New smugglers have replaced them, bringing with them new kinds of abuse, exploitation and extortion.

The main research question addressed in this chapter is: *What is the current situation of migrants, refugees and smugglers in Agadez (Niger) in the context of implementation of Law 2015–36*. In order to answer this question, the consequences of repression for all the players is investigated. The goal is to inform the reader of the situation currently prevailing in this town in the north of Niger and to warn about the impact of the EU's foreign policies.

Immersion in Agadez

This chapter presents an explorative ethnographic investigation of Agadez after the introduction of law 2015–36. It follows a grounded theory approach, allowing the researcher to explore a setting without any prior theoretical framework in an extended case method (Burawoy, 2009; 2013). This approach is particularly relevant to understanding situations that are new, in which the researcher immerses him/herself to access hitherto unexplored terrain. This type of research respects the natural setting and focuses on the specifics of the context of the situation under consideration seeking high ecological validity (the validity of findings in context) (Chapter 2, *Network Gatekeepers in Human Trafficking: Profiting from the Misery of Eritreans in the Digital Era*, by Mirjam Van Reisen, Klara Smits, Mia Stokmans & Munyaradzi Mawere). The situation in Agadez was chosen given the focus it received from EU-driven policy on migration and human trafficking following the EU's policy transition in 2014 (Chapter 17, *The Representation of Human Trafficking in Documentaries: Vulnerable Victims and Shadowy Villains*, by Nataliia Vdovychenko, and Chapter 19, *The Shaping of the EU's Migration Policy: The Tragedy of Lampedusa as a Turning Point*, by Klara Smits & Ioanna Karagianni).

All the interviews and observations in this chapter were made in Agadez between September 2017 and March 2019. The immersion was carried out during 18 months by staying in the city with local journalists, while sharing the same living conditions. Every day brought something new. Many people were interviewed in such a way as to catch the complexity of life in Agadez. The impact of the law 2015–36 was explored focusing on three groups: migrants, refugees and those engaged in their facilitation, referred to as ‘migration business professionals’.

The first group of players are the migrants. In this research we shall keep the focus on those whose main goal is, or has been, to reach Europe. These migrants were met on the street, at the bus station and in the ghettos. Those transiting through Agadez all have different stories. Some are just stopping there until they can find a car that will carry them to Maghreb, others are fleeing from Libya or have been rejected from Algeria. Some stay in Agadez while they try to find the financial means necessary, or decide whether or not, to continue their journey north or south. Finally, some people remain in Agadez and settle.

The second group of players consists of refugees and asylum seekers. Most of them arrived in Agadez at the end of 2017 and beginning of 2018. The United Nations High Commissioner for Refugees (UNHCR) or UN Refugee Agency sends most of the refugees to the capital Niamey, while most of the asylum seekers are hosted in a camp 15 km from Agadez.

The last group of players is called the ‘migration business professionals’. This group consists of smugglers, coaxers, drivers, car owners, ghetto chiefs, ghetto owners, retailers of canisters, sticks or hoods, and restaurant owners. Between 2011 and 2015, the people of Agadez made a lot of money from migration and, as a result, the number professions related thereto diversified. The smugglers organise the migrant’s journey. They work as a network linking the country of departure to the final destination. Coaxers manage the migrant’s life in the city. They fetch them at the bus station and drive

them to the ghettos. They also buy them certain products and work as currency exchange agents. Drivers transport migrants and refugees from point A to point B. Car owners rent their vehicles to drivers. Ghetto chiefs – often migrants or refugees working to pay their own journey – are responsible for organising daily life inside the ghetto. Ghetto owners rent houses to migrants, coaxers or smugglers. Before they leave, migrants or refugees acquire the equipment useful for the trip: canisters to carry water through the desert, sticks to help them hold on to the truck, and hoods and gloves to protect themselves from the wind, sand and sun. Migration professionals do not necessarily fall into only one category: some of them are involved in different aspects of the business.

Interviews were also conducted with local authorities, members of civil society, police, representatives of the judiciary, journalists and experts. While we could meet with some of the interviewees only once, we had the chance to ride along with others over a few days.

All the players spoke of their own free will. They were selected based on the relevance of their testimony with regards to the topic under inquiry and the assessment of mutual trust. Their words were cross-referenced with other sources of information. Thanks to the encounters and meetings in Agadez during the immersion, the author was able to reach a global view on the situation and swiftly grasp the background to an interviewee's testimony.

Within the 18 months that the immersion lasted, the situation in Agadez evolved. With each day that passes, fewer people work in the network. More and more migrants and refugees are roaming around the city not knowing where to go next. Many people who we met at the beginning of the immersion had already left the city, going either north or south. Some migration professionals whom we had the chance to interview are now in jail. Others quit because of the lack of 'customers' or because they were afraid of being arrested.

In order to write this chapter, the author drew on material gathered during the past two years so that the reader will have the benefits of

the most relevant testimonies. In addition, more recent interviews were completed with migrants, smugglers, refugees, and representatives of UNHCR so as to update or substantiate information. The combination of all this material should provide the reader with a comprehensive picture of the current situation on migration in Agadez.

Agadez: A crossroad after repression

Migrants

Mohammed Baldé is sitting on a holey plastic mat, gazing at the ground. His face is illuminated by the rays coming through a skylight. There is no window and no door in this ghetto, only holes in the walls covered by messages left by the previous tenants. The curious observer can read such things as: ‘He who tries nothing, has nothing. We’re going to Europe’, ‘Where there’s life, there’s hope’, ‘A blessed child will know suffering, but not shame’, ‘God alone decides’ and ‘Freedom of movement’.

“Me too, I’ll leave someday. And I’ll leave my mark on the wall”, says Mohammed (Mohammed Baldé, interview with Wirtz, face-to-face, Agadez, 19 February 2019). Eleven months ago, this 19-year-old boy decided to leave the Ivory Coast and travel to Europe. He graduated in geology, but he could not find a job in his native country. He tried twice to get to Libya. However, twice the driver was arrested and sent to jail.

That’s why I’m still here. Because my older sister sent me money. But when the authority caught us, they caught the driver. We lost our money because the driver was sent to prison. And that’s why you must do what the driver tells you to do. It is for the good of us all. (Mohammed Baldé, interview with Wirtz, face-to-face, Agadez, 19 February 2019)

Like most of the migrants, Baldé does not trust the smugglers and the drivers with whom he gets involved, even though he listens to them. He knows that at the first disagreement, his transporter will not hesitate to abandon or beat him. “Once, the vehicle broke down and

a young one wouldn't help us push. The driver broke his arm. They're bastards, you see. They use violence" (Mohammed Baldé, interview with Wirtz, face-to-face, Agadez, 19 February 2019).

When Mohammed Baldé first arrived in Agadez, he was taken under the care of an Ivorian smuggler. Eight months later, the smuggler quit and left town. He was afraid that he would be arrested and he had understood that smuggling migrants was not as profitable as it used to be. Mohammed was then transferred to another ghetto. The house is just dilapidated walls, a dirt floor and empty rooms. A few canisters, a furnace, old books, a map of Africa and a Red Cross poster are the only furniture. "It's better here," Mohammed explains. "Earlier, I was with two or three hundred other migrants" (Mohammed Baldé, interview with Wirtz, face-to-face, Agadez, 19 February 2019). If places gathering tens of migrants can still be found on the perimeter of Agadez, they have become uncommon and out of reach. After the law banned all economic activities related to illegal migration, the smugglers became cautious.

During his stay in Agadez, Mohammed saw a lot of migrants passing by. But as the months passed, the flow dropped off. "For now, the newcomers in the ghetto are the ones who've been rejected from Algeria and decided to try again," he explains (Mohammed Baldé, interview with Wirtz, face-to-face, Agadez, 19 February 2019). Foreign nationals from the coastal lands of West Africa keep arriving in town. They are mostly from Nigeria, Burkina Faso, Ghana, Guinea Conakry, Gambia, Senegal, Ivory Coast, Togo, Benin, Mali or Liberia. They are hoping to find a path to Europe. As Mohammed laid out, a lot of them do not come straight from their native land, but are fleeing Libya or they were sent back to Niger by the Algerian authorities. According to IOM, 25,000 migrants from West Africa, among them 14,000 Nigeriens, were expelled from Algeria in 2018 (Bachir, Pascual & Kane, 2019). They are often left at the border in the middle of the desert and they keep going on foot until they reach Assamaka, where IOM takes over.

However, this is not enough to discourage all the survivors from Algeria and Libya. Some of them will try again. For example, Boubakar arrived in Agadez after spending seven months locked up in a container in Libya. We find him curled up deep inside a ghetto.

Every day, they brought me one pack of cigarettes, one litre of water and only biscuits. That's the only thing they were giving me there. The man did not beat me with his hand. He used a stick to beat me. All my body swelled up. If you saw me [before], I was twice the size. The man beat me. Every time he beat me. Sometimes, the passengers [...] they cried because of the way I looked. I couldn't even walk. (Boubakar Dibba, interview with Wirtz, face-to-face, Agadez, 22 October 2017)

After being released, Boubakar was brought to a garden in Brak, in the centre of Libya, where he was forced to work for three months without getting paid. However, these misadventures have not turned him away from his dream of going to Europe.

Europe is a very nice place. It's different from Africa: too much stress, too much thinking. The poverty is too much. But if you are in Europe, you live a simple good life. Even if you don't have anything, you live a good life, simple life, good health, you understand. In terms of educations, its standards are different from Africa. (Boubakar Dibba, interview with Wirtz, face-to-face, Agadez, 22 October 2017)

In Gambia, Boubakar studied business and management. He could not graduate as he was short of money. Most of the migrants in Agadez enjoy basic education. They ran away from their native countries hoping to find a better financial situation elsewhere. However, now the migrants cannot find a job and still have to provide for their families. Yet they are not from the poorest segment of the population. These migrants were able to save the money needed to undertake such a trip. In January 2019, the trip from Sabha to Agadez cost between XOF 200,000 and 300,000 (between EUR 305 and 458). In 2011, it cost around XOF 150,000 (EUR 229).

Estimating the total cost of a journey all the way from any West African country to Italy is no easy task and depends on the itinerary, the mishaps and the various bargains that might happen along the way. Migrants spend money at each control station. They need to bribe security forces something between XOF 2,000 and 20,000 (between EUR 3 and 30) just to be allowed to keep going. Before getting to Agadez or after leaving the city, they face the risk of being deported, in which case they will have to pay even more for the same trip. Some smugglers make migrants use bypass roads by bike or 'bush taxi' in order to avoid control points. Of course, this additional service comes at a cost. Migrants are also sometimes conned by smugglers and end up paying twice for the same trip. Finally, migrants can lose a lot of money if they are kidnapped in Libya. Ransoms can be thousands of euros.

As it is, some migrants arrive in Agadez empty-handed. The majority then turn to their family or friends in their home country or the diaspora for money. Others start looking for a job. Yet, finding an employer in Agadez is a challenging undertaking. Most of the locals themselves are jobless. Some rare migrants manage to find a job in construction, hair salons, garages or restaurants. Women can find it easier to be hired as waitresses, because Nigeriens women will not take the job. Several of them also slip into prostitution to earn quick and easy money. Myriam, a 26-year-old from Nigeria, has been walking the streets to finance her trip back to Lagos.

I did it to make some money. The first time they paid well. The thing was classic. He took me in a way classic. So that was the first time. [...] It's not that I did it as soon as I arrived in Agadez. It took me like a month, two months. If you don't do it, who is going to help you? So it's because of money. [...] You feel bad because what you did. They didn't train you for that. You feel bad in your heart because it's not work that you can be proud of. (Myriam, interview with Wirtz, face-to-face, Agadez, 19 November 2017)

Like a lot of the prostitutes in Agadez, Myriam works freely and of her own account. Be that as it may, the trafficking of Nigerian women takes place through Agadez as well. Nigerian women are brought

from their native land to Agadez or all the way to Europe in order to work as sex workers. Most of the time they have been approached by some rich man or woman making promises of bringing them to Italy for free.

Every migrant in Agadez abandoning their European dream and deciding to go back home can apply for the IOM programme. The United Nations has three transit centres in the area; 300 people can be held in Arlit, 150 in Dirkou and 1,000 in Agadez. IOM also rescues migrants who were lost or abandoned in the desert. This includes those expelled from Algeria. In 2018, 9,419 people who were in trouble in the Sahara were assisted by IOM; 98% of them join the Assisted Voluntary Return and Reintegration programme. Through this plan, IOM prepares the necessary administrative documents and escorts the migrants back to their home country. In addition, it gives support to help them reintegrate in their home community.

A young Senegalese and a Guinean are among the volunteers hosted in the Agadez IOM transit centre. They were taken in Assamaka, after having been deported by the Algerian authorities. The police have confiscated all their possessions, including their cell phone and even the money they had sewn into their clothes. They shared:

- I am going home with IOM because I don't even have one cent to buy water. And there are dangers.

- And how can he go to Algeria, at this point in time?

- Yes. Because I know it is dangerous. We don't know if Algeria is going to become like Libya. That is the problem. We are scared. You have to start by saving your life.

- We have to go back home, to gain momentum, to think. (Anonymous migrants, Agadez, February 2019)

Other migrants in Agadez keep their distance from IOM. Their reasons vary: some are not sure about going home, others owe money to too many people in their home land, some refuse to go back empty-handed or they do not trust IOM.

A good example is Aboubakar: he has been roaming around Agadez for three years. In 2014, he climbed on a boat headed for Italy. The boat sank. The 29-year-old Gambian was forced to go back. After that he was kidnapped in Libya, escaped and, finally, ended up in Agadez. In his mind, making another attempt at crossing to Europe is out of the question. “Too much risk. There is no government, no law in Libya. It is not safe” (Aboubakar, interview with Wirtz, face-to-face, Agadez, 19 February 2019). Now that Yahya Jammeh (the leader of Gambia from 1994 to 2017) is out of office, Aboubakar feels that he is ready to go home and see his son. He will, nevertheless, wait until he has gathered enough money to cover the whole journey, rather than apply to IOM. “IOM, right now, they take your video and your fingerprint”, he explains (Aboubakar, interview with Wirtz, face-to-face, Agadez, 19 February 2019).

An increasing number of migrants remain in Agadez, wondering which way to go and how to finance their ride. Others decide to settle in Agadez. Despite the road from Agadez to Italy still being used, people are increasingly giving up on that itinerary. In the ghettos, migrants will tell you that it is safer to go through Timbuktu in Mali and reach Algeria or fly to Morocco and cross the Strait of Gibraltar. As of today, Agadez is no longer the gateway to Europe: it has become Europe’s border. And that border has been closed.

Refugees

In March 2019, 2,619 persons had already been transferred from Libya to Niamey through the Emergency Transit Mechanism (ETM). This programme, set up by UNHCR, targets extremely vulnerable refugees in Libya. Most of them are Eritrean and Somali. Once in Niamey, they apply to be recognised as refugees by the government of Niger. If their file is approved, they become candidates for resettlement. A delegation from American and European countries comes to the Nigerien capital on a regular basis and selects a certain number of refugees and offers them asylum in their territory. According to UNHCR, between September 2017 and January 2019, 1,242 evacuees left Niger to be resettled in Europe, the United States or Canada (UNHCR, 2019b).

In Agadez, UNHCR counted 1,666 registered persons in March 2019 (UNHCR, 2019a). Almost all of them are from Sudan and are seeking asylum in Niger. They came there by the hundreds, surprising everyone, between December 2017 and March 2018. The majority come from Darfur and, before they tried to reach Libya or Europe, they had been living for years in camps for deported people in Sudan. After Gaddafi's fall, they suffered from both racism and the absence of the rule of law in Libya. A young Sudanese refugee remembers how he was turned into a slave:

Four of us were working without receiving any salary. We would be beaten all the time. Sometimes we would spend two days eating only dry bread. I would moisten it with water. After three months, three of us ran away. The fourth one was lost. He was no longer able to do anything. Then he remained. (Wirtz, 2018)

Be that as it may, Sudanese refugees receive little support after reaching Agadez. One year after having submit their applications for asylum, only 39 persons, the most vulnerable, have received an answer (Davies Kamau, interview with Wirtz, face-to-face, Agadez, 1 March 2019). Niger, one of the poorest countries in the world, has become a safe haven for Malians, Nigerians, and refugees. However, the population of Agadez seems rather hostile to these asylum seekers who are often seen as connected to Sudanese rebels or mercenaries operating in southern Libya. "They are related to countries that are at war: Libya, Chad, Sudan. They speak Arabic like most of the terrorists. We are afraid that they might set up terrorist bases here", explains Mano Aghali, Deputy at the National Assembly of Niger (Wirtz, 2018). Many incidents have occurred between the Sudanese and the local communities. Some Sudanese have been accused of theft, fights and the harassment of women.

In May 2018, over 140 people were arrested by the Nigerien security forces. "Despite the awareness-raising we did, they kept walking every night close to the military base", explain the UNHCR chief of office in Agadez (Davies Kamau, interview with Wirtz, face-to-face, Agadez, 1 March 2019). After talks with UNHCR, the women and fathers were released, but the others were moved from Agadez and

left in Madama, at the border with Libya. Only 13 of them came back. The others are probably in Libya or Algeria, explained Davies Kamau. It is really uncommon for Niger to expel people.

Due to these tensions, most of the Sudanese asylum seekers have been installed in a 'Humanitarian Centre', 15 km away from the city. The atmosphere is there depressing. Interviews end in tears. According to the asylum seekers, seven persons have already tried to commit suicide and a lot of them are going mad. They have nothing else to do but keep reliving how much they suffered in Sudan and Libya. Many people complain of insomnia. They are scared in the middle of the desert and they keep wondering, "who are we"?

We came here a long time ago and actually we faced several problems. Here in the camp, we are afraid during the night. We don't even dare to go to the bathroom alone. I have to wake up my husband to ask him to escort me. Recently, I had a miscarriage. I lost my child when he was nine months. A lot of women here have miscarriages [...] We are scared. (Anonymous asylum seeker, interview with Wirtz, face-to-face, Agadez, 27 February 2019)

In June 2018, UNHCR made it clear that no resettlement in European or American country would be organised for the Sudanese in Agadez. During the following six months, around 500 Sudanese left the city, probably disappointed and tired of waiting for a decision from the state regarding their application for asylum (Davies Kamau, interview with Wirtz, face-to-face, Agadez, 1 March 2019). Now, they might be working in gold mines in Niger, in Libya or on the way to Europe. In March 2018, one of the Sudanese asylum seekers, Mudatheir, affirmed his determination to risk his life once more:

I have to follow my dream. I am not going to feel happy if I am a failure. That doesn't mean I am going to be a failure all my life, but I have to follow my dream. I am not going to lose hope. So if one road closes in a state, you have to take another road. So it's going to open. If this road is closed, I am going to open a new one. (Mudatheir, interview with Wirtz face-to-face, Agadez, March 2018)

Not long after the interview, Mudatheir left for Libya. At the time this chapter was written, he had reached Zawiyah on the coast, after enduring long months of work and misadventure in Tripoli in Libya. He is getting ready to cross the Mediterranean Sea. He dreams of studying law in the United Kingdom.

Smugglers

Many migration professionals have quit as a consequence of Law 2015–36. Some of them because did not want to keep doing something that had become illegal, others because of the decrease in the number of migrants wanting to reach Libya, which rendered the activity much less profitable. Hence, Law 2015–36 has had heavy consequences in Agadez.

When the law was implemented, authorities promised some kind of compensation to migration professionals willing to quit and register a file. In January 2019, 2,345 applications for compensation had been submitted and analysed in Agadez; 981 were declared eligible and 371 have already received help (Bachir Amma, president of the ex-smugglers' association, interview with Wirtz, face-to-face, Agadez, 25 February 2019).

This compensation consists of XOF 1,500,000 XOF (EUR 2,264) worth of material aimed at helping applicants to start a new business. These materials are being allocated by high up authorities and the Nigerien non-governmental organisations (NGO) Karkara, which funded by the EU fund to fight clandestine migration.

Bachir's case is significant. He is the president of the ex-smugglers' association. He received what he needed in order to be able to open a restaurant: tables, chairs, an oven, casseroles, plates, cutlery, rice and spaghetti. Now he makes between XOF 70,000 and 140,000 (between EUR 106 and 216) per week. When he was smuggling, he could make XOF 1,250,000 (EUR 1,887), yet he does not complain.

We were doing a legal job. We had papers to do that job. Hence, when the law was adopted, we were upset. Later, however, with what happens in Libya and in the

desert, we may really say that we are happy with what the EU has given us. Because the work has become dangerous. [...] I am happy with what I earn. I work legally, everything is fine. [...] There is no one I can think about who has got troubles or who is dead. (Bachir, interview with Wirtz, face-to-face, Agadez, 25 February 2019)

Bachir's case is an exception. First, because only a few of the beneficiaries of the fund have been able to make a decent living out of their new business. Second, because many ex-professionals complain about the fact that, about two years after they quit their work, their file has not been reviewed and they have not received any compensation. Some of them are talking about going back to smuggling. The way the files are being handled is also being criticised.

That money, actually, when it came, it is a mess. [...] Agadez made it a public thing. Everyone came and was interested. There are many people. You do not even know who's for real and who isn't. You do not know to whom you must or must not give. [...] And us, very unfortunately, frankly, we did not give our names. Because we do not want to be identified, we do not want to be known by the whole world, we do not want any trouble with anyone. (Anonymous ex-smuggler, interview with Wirtz, face-to-face, Agadez, 1 December 2018)

The promise of financial compensation did not convince everybody. Certain smugglers keep organising journeys towards Libya and Algeria. According to Abdoulaye, an ex-smuggler, some of them are newcomers.

Now the majority are foreigners. You can see Burkinabe people who have settled. There are Malians and Ivorians as well. They are here. They have settled. Even Togolese people. They do stuff, they say they have a restaurant, but it is made-up. Migrants come to them, they host them and then they leave for Libya. That's how they do it now. (Abdoulaye, interview with Wirtz, face-to-face, Agadez, 20 February 2019)

Today most of the drivers are Libyan nationals. They do not speak French. They merely come and collect the cargo in the ghettos to transport them to Libya.

Smugglers have many ways to avoid being spotted by the police forces. Very few migrants still reach Agadez through the bus station. And if they do so, they do so alone and not as a group. They are in contact with their smuggler before arriving, they have contacts numbers and addresses, and they have been told who they should speak with and who they should not. Some of them arrive in Agadez by 'bush taxi' or by smaller secondary buses in order to remain under cover. Different hosting strategies have been developed. Legally, nothing stops you from hosting a foreigner. Yet, in order to avoid being arrested on their departure day, migrants and refugees planning on leaving to the north keep quiet even in the city. Several of them will not leave the ghetto before dark. Smugglers often harbour migrants and refugees in their own home. Sometimes, passengers are being hosted out of town, in the fields. There are also greater ghettos around the city.

Once the migrants and refugees are ready to go, drivers take them, usually by night. Different strategies exist that allow them to leave the city. Some of them will go in the direction of Tahoua, in the south of Agadez, and then Algeria. Others know the roads to avoid checkpoints. Others still cross the border by bribing the police. In spite of all the training provided in the fight against clandestine migration, the police force remains corruptible. As Nigeriens, not all police officers agree with Law 2015–36. Like many fellow Nigeriens, they believe that the law was enjoined by the EU and should not be applicable within the Economic Community of West African States region, where freedom of movements of goods and people is guaranteed. In addition, some of them were earning money from migration before it was banned. They are, therefore, suffering a deficit:

Sometimes, the police see but they do not see. Do you get it? They are already used to making a lot of money with smugglers. Now, there are none. When migrants would cross checkpoints, the police could stop them and make all the foreigners step down. Each person would pay XOF 5,000 (EUR 8), sometimes even XOF 10,000 (EUR 15). They would profit from each vehicle. That's for getting to Agadez. But when leaving, each migrant would give XOF 2,000 (EUR 3) to

the national police. (Abdoulaye, interview with Wirtz, face-to-face, Agadez, 20 February 2019)

Once they have left the city, drivers take by-pass roads in order to avoid being spotted by security forces. “No one can control the Sahara” is a common saying among drivers:

We created a new route. In the past, it was the path used by drug traffickers. That route is so far from everything that, if your vehicle breaks down, you're sure to die. It's only gazelles down there. Sometimes, you might even worry about driving over one. It could cause troubles to the car. (Wirtz, 2017)

Taking by-pass roads increases the risks. In the case of a breakdown, the chances of finding help are low. That is why, since Law 2015–36 was implemented, there has been an increase in the casualties in the desert. “Four months ago, we had a flat tyre. We couldn't manage to take it off. While we went looking for help, nine people died of dehydration” (Wirtz, 2017).

Many migrants and refugees die falling from the truck as well. Drivers are so scared of being arrested that they do not stop to pick them up. At the smallest sign of movement in the desert, they get scared. As soon as they see a vehicle they believe to be from the military, they speed up and sometimes this causes accidents. Sometimes they decide to get rid of the migrants and refugees and leave them in the middle of the desert:

Drivers, who are Libyan nationals, do not know the Nigerien military. As soon as they spot a military vehicle, they think it's a patrol that's going to take them in and send them to jail or kill them. The thing is ... they're afraid. Therefore, they threaten migrants with a weapon and command them to step out and run away. They leave the migrants there. And perhaps, the patrol they spotted had nothing to do with these people. Hence, the military turns on the passengers and the passengers stay there. One day, two days. [...] That's how they die. (André, ex-smuggler, interview with Wirtz, face-to-face, Agadez, 1 December 2018)

For all those reasons, migrants and refugees tend not to trust the smugglers. Most of them deny payment until they arrive at their destination. This can generate confusion, as migrants and refugees and drivers often do not agree on who has paid how much and to whom the payment was made. If a driver does not receive his payment from a migrant, he will place him in a ‘credit house’. They are places where migrants and refugees are locked up in Libya until their debt is paid. Jailers leave phones at their disposal for them to ask their family and friends for money. Once they are connected, migrants and refugees are tortured in order to generate their family’s pity and ensure payment. Libyans in search of manpower can also come and buy workers by paying their debt at the ‘credit house’. That’s how many migrants and refugees become slaves.

Conclusion: Roaming migrants, blocked asylum seekers, unemployed smugglers

The combination of the situation in Libya and Law 2015–36 has had a large impact on migratory flows through Agadez in the direction of Europe. Migration has always been part of life in this town in the north of Niger. As its residents say: “it couldn’t be otherwise”. But the situation is different now from what it was eight years ago. This chapter describes the current situation of migrants, refugees and smugglers in Agadez (Niger) in the context of implementation of Law 2015–36.

From this research it is concluded that the journey has become a lot more perilous for the migrants. Many of them live through hell in Libya or in the desert before coming back to Agadez. Their stories are hard to tell. Listening to them is no easy task either. Some of them suffer from psychological trouble. Others come back with physical scars. In all cases, their pockets are empty.

Due to the situation in Libya and Law 2015–36, the cost of the journey has increased. Prices have gone up as the number of migrants and refugees has dropped and as the drivers are taking the risk of being arrested and sent to jail. In addition, the relationship between

migrants and refugees and migration professionals has deteriorated. Passengers have always feared their drivers and drivers have always despised their passengers. Yet today, migrants and refugees know before leaving that their driver might abandon them in the desert or sell them to a ‘credit house’ in Libya.

Lastly, the road has got longer. Migrants and refugees make longer stops, trying to earn some money for their onward journey. They are often forced to turn back and start again by a different path. One of the main consequences of Law 2015–36 is that more migrants and refugees are roaming around the Sahel. Some of them are going back home with IOM, although they are not necessarily sure that they will not try to go to Europe again later.

Regarding refugees, many leave a chaotic Libya and gather in neighbouring countries. Niger barely manages to welcome everybody. It is following agreements with UNHCR that the Nigerien state will serve as a transit land for refugees applying for resettlement. Furthermore, UNHCR has had to convince the authorities to house asylum seekers in Agadez. And yet the situation of the 1,666 Sudanese stuck in Agadez registered with UNHCR has not changed in a year. Left alone, some of them feel like going back to Libya and making a new attempt at reaching Europe, which is in total contradiction with the EU policies currently being applied in that region.

Migration professionals have likewise suffered from the deterioration of the situation in Libya and the implementation of Law 2015–36. The majority have ended up jobless. The decrease in migration has had an impact on the city’s economy, as migrants and refugees used to inject money on each level: from the smuggler to the canister retailers and the police.

Those migration professionals who actually received the compensation that was promised in return for quitting are few at this point in time. The migration professionals who have found themselves jobless may easily slip into petty crime or become prey for terrorist groups operating in the region. Some smugglers who kept

working and newcomers to the business have seen their profits increase as a result of the rise in the price of crossing the desert. However, the risks taken by professionals have also grown. They can now be arrested and imprisoned, they can face breakdowns and accidents in the desert, and they often end up with blood on their hands. By operating illegally, smugglers have become criminals.

This chapter aimed at sketching a general picture of the situation of migrants, refugees and smugglers in Agadez. Several topics have been mentioned, without development. Many issues need further investigation and more thorough study. Despite the contact made with the authorities and security forces during the immersion in the city, their comments have not been reproduced here. In future research it would be compelling to bring our attention to the citizens of Agadez who are not directly involved in migration and the decrease in migratory flows.

Finally, it is important to underline that the aim of this work is not to judge Law 2015–36, but to merely highlight its consequences. Prohibiting all economic activities related to migration has had a serious impact on Agadez. The chaotic state of affairs in Libya has brought about similar effects. In spite of the adverse impact of the law, one question remains unanswered: what would migration in Agadez look like if the law had never been implemented?

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