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Article

Leaving at All Costs: Implications of the Italy-Libya Border-Externalization Policy on Migrant Smuggling and Trafficking Facilitation

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Abstract: *The literature on EU's border-externalization practices in Africa is ample but the case of Italy-Libya's Memorandum of Understanding (MoU) and its implications on African lives has received insufficient attention. Between 2014 and 2016, Nigerian nationals were the second-highest number of boat arrivals in Italy via Libya – a number that significantly reduced following the implementation of the MoU and related EU migration management initiatives in Africa. In light of the above, an important question arises: has this extra-territorialization of EU borders in Africa merely prevented Nigerians from arriving their destination or has it also stopped them from initiating the perilous journey? Relying on in-depth interviews from relevant stakeholders, we evaluate how migration and anti-trafficking experts in Nigeria interpret the effect of EU's extra-territorialization policies in curbing irregular migration from Nigeria. The findings of the study suggest that while border externalization measures have reduced the odds of successfully arriving the destination country – Italy – they do not prevent irregular migration and trafficking facilitation from Nigeria to Libya.*

Keywords: *border-externalization; European Union; Libya; Migration; Nigeria; Trafficking*

1. Introduction

Over the last few decades, the European Union (EU) and some of its member states have increasingly approached the outsourcing of border security as a geopolitical, if not existential priority (Al-Dayel et al., 2021; Fontana, 2022). This practice is known as border externaliza-

tion. Broadly, it refers to policy measures which are geared towards migration management in third countries, and which obligate these third countries to bear the attending political, social, and sometimes, economic costs (Stock et al., 2019). A key element of externalization is the immobilization of would-be migrants in their countries of origin or transit spaces through border control and migrant interception systems (Stock et al., 2019).

Border externalization as a European migration control mechanism has received considerable attention in academic scholarship. For example, Baker (2019) examined the operational success of externalization in significantly limiting sea arrivals in Italy. Wirtz et al. (2023) studied the inordinate perils of migrant routes resulting from hardened borders. Other researchers have discussed the problematic nature of what is considered a "safe country of origin" has been discursively framed by European policymakers to justify the immobilization of fleeing migrants from Africa (Giuffré et al., 2022; Aucoin and Yahia, 2019). Externalization has also been explored in relation to ethical debates about violations of the principle of non-refoulment and related violations of the rights of forced migrants to safety (Becucci, 2020; Moreno-Lax and Lemberg-Pederson, 2019). Taken together, these studies acknowledge EU's desperation to transfer the moral, political, and economic costs of irregular or forced migration to third countries. Interestingly, individual EU members such as Denmark and Italy have sought to independently strike bilateral externalization agreements with African countries, although these efforts remain part of EU's overall migration mitigation strategy in Africa (Giuffré, 2017). Accordingly, this article will focus on the EU-sponsored Memorandum of Understanding (MoU) on Migration signed by the Italian government and the Libyan government in 2017. The Italy-Libya MoU is the focus of this article for historical reasons (both countries have had similar agreements in the past) and for the nature and consequences of the agreement on the lives of migrants and trafficked persons.

Our aim is to unpack the implications of the Italy-Libya externalization agreement (also known as the Memorandum of Understanding 2017, and hereafter referred to as "the MoU") in mitigating irregular migration or smuggling from Nigeria to Libya. Since current evidence suggests that the MoU has significantly curbed sea arrivals from Africa to Italy through the Central Mediterranean, the article draws from the perspectives of antitrafficking and smuggling stakeholders in Nigeria to determine if this reduction of sea arrival in the destination country (Italy) implies a reduction of irregular migration from the originating country (Nigeria). Nigeria presents an important case study to assess the implications of the MoU for several reasons. In 2011, there were 6,078 irregular migrants from Nigeria attempting to cross via the Central Mediterranean, representing the second most identified nationality detected along this route (Frontex 2012). Nigerian sea arrivals in Italy peaked in 2016 with 33, 807 arrivals (IOM 2017). In 2017, however, and following the implementation of the MoU, the numbers began to decline as 17,426 arrivals were recorded (IOM 2017). Further, in the first quarter of 2022, only 239 Nigerians were recorded to have arrived in Italy (UNHCR 2022). In effect, Italy had managed to limit the arrival of irregular migrants and trafficking victims to its shores by 96 percent within the first five years of implementing the MoU. While this is indicative of the MoU's operational success in keeping out one of the most represented groups of irregular migrants from reaching Italian shores, several questions also arise. Since the MOU hinders trafficked victims or smuggled migrants from Nigeria from reaching their destination, does it also impact on their ability to embark on the migratory route? Has it scaled down migrant

smuggling and trafficking facilitation from Nigeria in the here and now? The above questions make Nigeria a useful and urgent case study.

Several scholars have explored the implications of Italy's border externalization policy in Libya for Nigerian migrants. Daniel et al. (2022) studied the trafficking and use of drugs among Nigerian-returned migrants from Libyan detention centres. Bisong (2022) explored how the EU's border policy in Libya disposes West African migrants towards unmitigated risks and vulnerabilities. Molobe and Odukoya (2021) conducted a cross-sectional study on the migration frustration and trauma of Nigerian-returned migrants in Libyan detention centres. Less studied, but of similar concern is the implication of the MOU in deterring irregular or trafficked migrants from initiating the journey, or rather, embarking on the imperiled migration route. Investigating the trend of migrant smuggling and trafficking facilitation to Libya in the wake of the MoU contributes to an understanding of Europe's border management practices in Africa and their implications on African lives. Or rather, the capabilities of these border-hardening practices in stalling the movement of smuggled or trafficked migrants and their determination to stay on the move regardless of the costs.

The article is sectioned into four parts. The next section provides an overview of the MoU, addressing its historical context, current scope, and operational outcomes. The second section discusses Fontana's (2022) concept of *human insecurity traps* as a helpful framework that foregrounds the perception of interviewed stakeholders on the trends of irregular migration from Nigeria in the wake of the MoU. The third section provides an overview of the research data and methodology. The fourth section discusses the findings, which look at the perceived trend of irregular migration from Nigeria to Libya and the human insecurity traps that define the post-externalization experiences of irregular or trafficked migrants.

2. The Italy-Libya Memorandum of Understanding (MoU)

The Central Mediterranean route from Libya to Italy which courses through Niger is the main hub for migrant smuggling to Europe. Migrants from West Africa typically travel through Agadez in Niger to Sebha in Libya, which is their main port of embarkation to Italy. In 2014, boat arrivals in Italy from Libya stood at 83 percent (Adepoju, 2016). The high number of crossings had begun in 2011 following NATO's bombing campaign in support of Gadaffi's toppling by the Libyan revolutionaries. According to Wirtz et al. (2023), security personnel loyal to Gaddafi rounded up African migrants and sent them on large fishing vessels to cross the Mediterranean in a last attempt of forestall Europe's intervention in Libya. As a result, illegal border crossings spiked to 64,300 compared to 4,500 the previous year (Wirtz et al., 2023). While Libya has been a preferred route for African migrants intending to reach Europe (especially Eritrean refugees), Italy had in the past managed to limit these crossings through several policies. The Treaty on Friendship, Partnership and Cooperation between Italy and Libya (signed in August 2008) and the Technical Protocol (signed in February 2009) represent previous attempts by Italian authorities to combat irregular migratory flows from Libya to the Mediterranean Sea. However, following the landmark case of Hirsi Jamaa v Italy (2012) in which the European Court of Human Rights (ECtHR) ruled that Italian authorities had violated EU Human Rights Conventions by arresting Eritrean migrants at sea and returning them to Libya (Giuffré, 2017), Europe needed a new response. With the pushbacks of boat refugees from European seas to North Africa no longer tenable, a new institutional framework to deal

with boat arrivals seemed inevitable. Whatever the case, the floodgates of wanton migrant smuggling and boat arrivals from Libya to Italy from 2011 which necessitated the Italy-Libya MoU of 2017 could be traced back to the collapse of the Muammar Gadaffi regime and the state failure that ensured in its wake. Keeping track of this historical context enables an understanding of the MoU not as a particularly radical border control measure by Italy or the EU but the reorganization of a suspended practice.

On the eve of the EU Summit in Malta in February 2017, the President of the EU Council, Donald Tusk had promised the closure of the Central Mediterranean migration route (Nakache and Losier, 2017). In line with this promise, Italy and the UN-backed government in Libya signed the Memorandum of Understanding on February 3, 2017, with the stated aim of combating illegal migration, human trafficking and reinforcing the border security between both countries (Nakache and Losier, 2017). The bilateral cooperation was subsequently renewed in 2020 for another three years. Article 1 of the agreement contains Italy's commitment to providing economic and technical support to Libyan Defence Ministry, border guard, coast guard and associated bodies in charge of combating illegal migration (MoU, 2017). In Article 2 of the accord, Italy accepts to fund the establishment of reception centres in Libya where migrants and refugees will be held until their voluntary or forced return to their home countries (MoU, 2017). In Article 4 of the MoU, both parties pledge to find rapid solutions to the problem of illegal migration to Europe in full respect of international human rights treaties (MoU, 2017). In effect, since 2017, Italy provides the financial support and training to sustain the operations of the Libyan Coast Guards (LYCG) to intercept migrant boats in Libyan territorial waters. While Italy provides €10.5 million per year for international missions to support the LYCG, the EU adopted in July 2017 a €46 million programme known as the EU Border Assistance Mission in Libya (EUBAM), which is designed to strengthen Libya's overall border control and counter-smuggling capacity (European Commission, 2017). EUBAM was further extended from October 2023 until June 2025 for a financial cost of up to €53.4 million (European Union, 2023).

Justification for the policy rests on several practical, albeit ethically shaky grounds. The President of the European Council had pronounced that the policy was to "help reduce the number of irregular migrants and save lives at sea" (Nakachie and Losier, 2017). In reality, externalization has kept migrants out of the Central Mediterranean but may not have necessarily saved lives at sea. Prior to externalization, Italy set up Operation Mare Nostrum in 2013 enabling its naval forces to rescue migrants and refugees in distress at sea. One year after, criticism over its cost and concerns that sea rescue was an open invitation for migrants led to its discontinuation. More people died at sea following the abandonment of the Operation Mare Nostrum (Camilli and Paynter, 2021). In short, between 2014 and September 2020, more than 20,300 people reportedly died in the Mediterranean (Fontana, 2022). Nevertheless, Moreno-Lax and Lemberg-Pederson (2019) pointed out that in the first two years after the MoU, LYCG performed 19,452 pullbacks as a result of Italy/EU's support. Thus, the idea that externalization is motivated by anti-criminal and humanitarian motives is not particularly persuasive. At any rate, the reality of migrants drowning at sea during crossings raises little ethical concerns, if at all, for Italy or the EU since the moral responsibility for their wellbeing has shifted to actors in origin and transit spaces (Stock et al., 2019). Also worthy of note is the regularity of migrant deaths in the Sahara between Agadez and Sebha. Migrants are known to survive on little water and food, crammed into trucks with a considerable number suffering and dying

from asphyxiation (Adesina, 2021). Niger Republic therefore plays an important role as EU's border enforcement partner. More than half of all migrants who arrived in Lampedusa, Italy passed through Niger's transit hub, Agadez (Horvath and Schwab, 2023). And prior to the Italy-Libya MoU, the EU had influenced the passing of law No. 36 in Niger Republic to investigate and severely punish migrant smugglers and human traffickers (Frowd et al., 2023; Zandonini, 2018). Since one of the largest identifiable groups of those who lost their lives in the Mediterranean were Sub-Saharan Africans, the Italy-Libya MoU served as a mostly maritime security measure to prevent migrants who might have slipped through Niger. Accordingly, the EU-funded Nigerien counter-smuggling measure and the MoU serve as organically reinforcing migration control governance.

Meanwhile, the MoU has been criticized for its ethical pitfalls and human rights concerns. Nakache and Loiser (2017) argues that the MoU does not establish an independent monitoring mechanism for the detention centres which are inhuman, severely overcrowded and with detainees subjected to serial exploitation with no access to lawyers or judicial authorities. Giuffré (2017) reckons that there are zones of anomalous control within Libya with over 2,000 militia groups operating in the country and ruling the coastline. Majority of these armed groups are not under the authority of the UN-backed government. Libya is thus, neither a safe place for migrants and refugees to be detained nor are Libyan authorities fit for the pullback operations they are mandated to carry-out in the MoU. Furthermore, since some of the detention centres are run by militia groups and are far from Tripoli, egregious human rights violations that occur in these camps are beyond the administrative oversight of the Directorate of Combating Illegal Migration (DCIM) which had set up the militia-run detention centres (Malakooti, 2019).

Moreover, in areas where the UN-backed government has managed to stifle human smuggling activities by militia groups, these groups have turned to the abduction, extortion and forced labor of migrants as alternate means of exploitation (Reitano and Crime, 2018). Kuschminder and Triandafyllidou (2020) analyzed the centrality of migrant smuggling to the economy of Libyan tribal militia groups like the Tobou, indicating that the MoU has fallen short of effective implementation due to the fragmented political authority in Libya. This does not imply the border enforcement is not living up to expectations of its backers, the EU and Italy. Indeed, there is evidence that arrival of migrants in Italy has sharply declined (Horvath and Schwab, 2023), even though it has come at a cost of increased danger and vulnerability for both forced, trafficked, and smuggled migrants.

3. Conceptual Framework: Human Insecurity Traps

Iona Fontana's (2022) concept of *human insecurity traps* attempts to piece together how the enforcement of physical borders arising from externalization practices not only inhibits mobility but also generates human insecurity by preventing vulnerable people from escaping critical and pervasive threats. Fontana submits that the human security of people-on-the-move in the Mediterranean and in the EU appears entangled in various (in)humanitarian borderlands. Irregular or forced migrants contend with conflicting environments where the objectives of the protecting state are antithetical to the needs of vulnerable groups caught in precarious circumstances. For Fontana, borders have always been significant in shaping human mobility and in determining how and who navigates (in)security, thus, those who face violent conflicts, re-

pression, economic destitution, environmental disaster among other insecurities are naturally inclined to seek a haven from threats to their security (Fontana, 2022). Migration therefore presents a veritable means of eloping from an insecure landscape to a secure one. However, since migration is perceived as a question of control over sovereign territorial domains, mobility may become an inherently risky affair as migrants face the gatekeepers of mobility (Fontana, 2022). Migrants seeking to escape desperate situations (sometimes through desperate means) are forced to confront EU's myriad border practices and discourses designed to securitize them and effectively seal-up irregular channels of mobility available to them. Precisely, human insecurity traps can be summed as:

> "...physical, but also psycho-social spaces where a downward spiral of sustained insecurity is enacted through migrants' encounters with a continuous series of border(ing)s, dysfunctional or uncaring norms and institutions…that can ultimately threaten their lives and livelihoods. In human insecurity traps, people on the move muddle through in a vicious cycle of insecurities and a continuous struggle for mobility and safety. The need to move in search of protection, on the one hand, and the hazards of the journey on the other; border enforcement, on the one hand, and the lack of legal mobility channels, on the other" (Fontana, 2022, p. 470).

From the foregoing, the concept's ultimate strength as a guide for understanding the harmful consequences of EU's externalization policy on Africa lies in its appreciation of an agent-based perspective of irregular migration. And how these agents fare against border-hardening practices motivated by geopolitical concerns. In describing how the Mediterranean transformed from a 'porous border' into a hard maritime wall, and how other associated border practices created 'Fortress Europe', the concept typifies a structuralist understanding of externalization. Similarly, Fofana paints a portrait of migrants as those who exercise agency even in the face of perilous odds. Agency is defined as one's capacity to shape one's life and exploit opportunities for oneself (Triandafyllidou, 2019). In effect, the insecurity that traps the migrant enroute their destination is not strictly a manifestation of externalization, but a calculated risk adopted by the migrant in lieu of their material condition. This ties into previous studies on agent-based rationalization of migration outcomes whereby migrants disregard information about high levels of risk in their journey in the belief that although previous migrants may have been harmed along the route, they will be among the few who succeed (Okorie and Okeja, 2024). The social navigation model of migrant decision-making also indicates that irregular migrants are prepared to navigate a perilous route in so far as the perceived benefits outweigh the risk (Kuschminder, 2021). In this case, the decision to leave is anchored on the fact that hope-filled uncertainty is preferred to hopeless certainty. As Fontana reckons, migrants are destined to fall into human insecurity traps as they seek an exit from their troubled circumstances to exist elsewhere.

Interestingly, the ideation of borders and mobility becomes**,** in this case, oppositional and at once, organically reinforcing. Since humans have a natural inclination to escape insecurity and seek safety, their attempts will typically face opposition from gatekeepers of mobility through means that will render the migration route insecure. While insecurity (whether physical or economic) provokes the migrant's decision to embark on an irregular route to Europe, they are constrained to contend with hard border policies introduced by the practice of externalization. Migrants, as Fontana reckons**,** "are caught between rocks and hard places shaped by a complex interplay of practices and discourses, physical borders and borderings setting up

visible and invisible walls, at different levels" (Fontana, 2022, p. 470). If in the past, sea arrivals from North African coasts to European borders signified a passage of safety for migrants escaping precarious conditions in their home countries, externalization practices have transformed these routes into insecure passages. Clearly, the array of EU/Maritime Security anti-smuggling practices, increased funding for the expansion of surveillance systems, and migrant detention centers in transit countries in Africa collectively embodies the insecurity faced by people on the move.

Fontana's imagination of the perils of EU's externalization initiatives presents an important framework for understanding the implications of the Italy-Libya MoU on African migrants. That said, while the concept harmonizes a structuralist and an agent-based perspective on externalization, it is not without weaknesses. The first is that it fails to appreciate how the political partnerships under which externalization policies in Africa are operationalized produce the conditions that swell the corridors of irregular migration in Africa. For Fontana, the road towards human (in)security traps begins from the need to exit one's border(s) due to conflict or economic survival. But wars or economic mismanagement do not simply happen on their own. They are factors occasioned by the failure of politics, often by kleptocratic and rent-seeking dictatorial authorities that are legitimized by European governments. For example, repressive regimes in Niger, Tunisia and Libya have been financially strengthened by EU's funding for border externalization projects. Ironically, repressive regimes excel in nepotism and rent-seeking while economic growth and political freedoms worsen. These conditions often prepare the ground for political turmoil and citizens scrambling across borders for safety.

Secondly, Fontana (2022) did not fully capture the constitutive elements of border externalization in Africa, focusing mainly on anti-smuggling practices in third countries that result in violence against migrants. This, however, underplays several ancillary initiatives geared towards ameliorating the miseries of externalization. Projects funded by the EU Emergency Trust Fund for Africa (EUTF) have supported the return and reintegration of returnee migrants in Libya and other transit countries (Bisong, 2022). The concept ought to have accounted for this attempt to cushion the suffering of those falling into insecurity traps arising from externalization. These weaknesses, nevertheless, do not undermine the utility of the concept in understanding EU's contemporary externalization practices in Africa.

4. Methods and Research Design

This article is based on interviews conducted between January and March 2023, in Abuja, Nigeria. The Federal Capital Territory, Abuja, is home to most antitrafficking and countersmuggling stakeholders operating in Nigeria. A purposive sampling method was used in identifying and selecting the organizations that fit the purpose of the study. The relevance of each organization to the study was determined on account of their mission, objectives and the activities that define the organization. The interviewed cohort comprised national and international antitrafficking and migration agencies, as well as civil society organizations concerned with migration and human trafficking. Individuals who served in the antitrafficking or migration units of these organizations were identified as key informants whose knowledge and experience would lead to answers on the issues investigated or provide illuminating insights on the subject matter. The recruitment of participants for this study commenced after a full ethical approval with certificate number: NHREC/05/01/2008B-FWA00002458-1RB00002323 was re-

ceived from the University of Nigeria Teaching Hospital's Research Ethics Committee. The guiding principles of the data collection included confidentiality, informed consent, anonymity, and full disclosure to all participants.

A total of 14 persons were interviewed. This comprised four individual in-depth interviews (IDIs) and four focus group discussions (FGDs) for the 10 others. Evidently, a limited number of stakeholders were interviewed due to the narrow objective(s) of the study. Given that hundreds of experts work in migration and antitrafficking agencies across Nigeria, 14 experts constitute a relatively small sample. However, emphasis was on eliciting the opinion of experts who are aware of the MoU as a migration regulatory initiative than arriving at a representative sample.

Furthermore, the selected stakeholders possessed the information power to discuss, satisfactorily, their experiences as antitrafficking and counter-smuggling practitioners. Information power is the assumption that the more information the sample holds relevant to the actual study, the lower the number of participants needed (Malterud et al., 2016, p. 4). The interviews led to obtaining useful information and data saturation was achieved.

The aim of the study was to explore how antitrafficking and counter-smuggling stakeholders in Nigeria perceived the external trafficking and smuggling trend in the context of diminished arrivals of Nigerians in Italy following EU's extra-territorialization policies. Since there is conclusive quantitative evidence indicating that a significantly smaller number of Nigerians are arriving in Italy through the Libyan embarkation points, the study asked stakeholders if this meant a reduction of external human trafficking and smuggling from Nigeria or whether the trend subsisted but smuggled or trafficked migrants are unable to get on the boats. This question was to determine the efficacy of the MoU as a deterrence policy against migrant smuggling or trafficking facilitation from Nigeria (and West Africa) to Europe. Importantly also, this question was intended to elicit responses that may provide insights about the applicability of Fontana's concept of human insecurity trap as the defining experience of migrants on the move to Libya.

Notably, the perception of the study participants was deemed relevant, credible and a sufficient basis to draw inferences on the implications of the MoU on irregular migration or human trafficking from Nigeria for two reasons. The first is that human trafficking is a clandestine crime in which reliable data on trends are difficult to obtain. Participants themselves reiterate this in the course of our discussion as indicated in the next section. The perception of antitrafficking agencies or practitioners is needful in filling the void of reliable quantitative data. Reliability and credibility of the data are strengthened by the fact that the interviewed key informants are individuals who are driving the antitrafficking and counter-smuggling programs in their respective agencies or actively engaged in the voluntary return of irregular migrants and victims of trafficking. Thus, an agglomeration of their experiences provides sufficient basis for making informed inferences and analysis on the trends of trafficking and smuggling from Nigeria to Libya since 2017. Furthermore, to ensure the credibility of the results of this study, we adopted data triangulation as a validating strategy. Combining two or more data approaches in the investigation of research enhances the comprehensiveness of the findings (Joslin and Muller, 2016). The qualitative in-depth interviews are therefore complemented with extensive secondary literature and quantitative secondary data. Both are then reconciled with the primary data obtained from the study participants for trustworthiness and to reach a more scientific conclusion regarding the phenomenon under investigation. Finally, it is necessary to clarify

that the responses provided by the interviewed participants are theirs alone and do not necessarily represent the views of their respective organizations on the topic.

Table 1. Interviewed Stakeholders

Participant Names (Represented by the pseudonym "P")	Interview Method	Stakeholder Organization	Stakeholder Type
P1	FGD	UNODC	International
P2			
P3			
P4	FGD	IOM	International
P5			
P6	FGD	UNHCR	International
P7			
P8			
P9	FGD	NIS	National
P10			
P11	IDI	NAPTIP	National
P12	IDI	WOTCLEF	Civil Society Organization
P13	IDI	DEVATOP	Civil Society Organization
P14	IDI	NACTAL	National

5. Results and Analysis

The results are presented in the following two sections: (1) externalization and the trends of irregular migration from Nigeria to Libya and (2) imperiled routes and undeterred migrants. These two sections reflect the perception of interviewees on the trends of irregular migration post the Italy-Libya MoU as well as their knowledge of the current dangers confronting these migrants.

5.1. Externalization and the trends of irregular migration from Nigeria to Libya

While there is incontrovertible evidence pointing to the significant reduction of sea arrival of Nigerian nationals in Italy due to externalization, there has been a lack of clarity on whether this also prevented Nigerians from initiating the journey to Libya. Framed differently, since less Nigerians are arriving in Italy via Libya, does it imply the trend of irregular migration or migrant smuggling from Nigeria to Libya has decreased? Majority of the interviewees acknowledged that embarkation to Italy from Libya was now exceedingly difficult and dangerous**,** but this has not slowed down the trend of irregular migration. This was because push factors for irregular migration, such as economic destitution, insecurity, and threats of political

upheavals remained pervasive in Nigeria. Nigerians still moved to Libya in spite of the MoU either due to lack of proper information (P9, P6, and P7) or because they believed they would succeed where others have failed (P1, P2, and P12). Both national, international, and civil society stakeholders made the point that there has been an increase in awareness initiatives to sensitize citizens against irregular migration to Europe through Libya but that such efforts alone may not necessarily prevent people from leaving.

National antitrafficking and counter-smuggling experts noted that there has been increased training of border personnel to profile Nigerians leaving through the land borders with Niger to ensure they are not trafficked migrants or irregular travelers. An official of the Human Trafficking Unit of the Nigerian Immigration Service (NIS) mentioned that,

> "The Comptroller General, [Muhammed] Babandede introduced migration management measures into the work of the NIS in 2016. So, there was specific training of NIS officers in collaboration with IOM and NAPTIP, annually. What happened was that awareness increased, as officers who were trained went back to their duty posts to train others. There were enhanced border checks. We tried to deploy more officers to the Nigerian borders which are known to be porous. So, there has been increased surveillance and patrol" (P9).

Similarly, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) developed the rapid screening test at the border crossing points to enable the identification of potential trafficking or smuggling victims. In reality, these irregular migration control initiatives are not always effective as national stakeholders themselves acknowledged. Nigerians are able to get across the Niger border to Libya with ease given the freedom of movement guaranteed by the ECOWAS membership of both countries (Kuschminder, 2021). Further, the Displacement Tracking Matrix of the International Organization for Migration (IOM), indicates that 93 percent of Nigerian nationals who were found in Libya came in through Niger (IOM, 2022). Worthy of note is that while the majority of the interviewees believed that the trends of irregular migration from Nigeria to Libya has not abated, they are also unable to provide statistical trend to support this. For instance, P2 mentioned the following:

> "Bear in mind, it is near impossible to obtain or identify the exact numbers of smuggled migrants or trafficked victims. You can only be sure human trafficking or migrant smuggling has occurred when the person is rescued. Exact figures are nearly impossible. It is akin to asking how many armed robbers are in Nigeria? You can only know this from the number of those nabbed by the law enforcement agencies. There are people who are being smuggled that also move across the border with legal or required documentation and you may not be able to prove that they are being smuggled or are irregular migrants at this point."

Apparently, in the absence of statistical evidence that the MoU had not bucked the trend of irregular migration from Nigeria to Libya, stakeholders relied on their experiences in their respective positions and the information available to them to dismiss the efficacy of the MoU in the above context. They mentioned that irregular migrants and migrant smugglers understand that they are engaged in an illegal act, and thus, continue to adapt ways to keep their activities clandestine and away from state authorities. For example, P9 mentioned that migrant smuggling is still seriously ongoing due to a spike in the demand for ECOWAS Travel Certificate (ETC) since more stringent procedures were introduced for the acquisition of passports. The ETC is a non-biometric travel document that can be issued to a citizen without capturing their

fingerprints and invites limited scrutiny from the issuing authority – the Nigerian Immigration Service compared to the national passport. Similarly, P13 reckoned that "smugglers or traffickers do not relent. Once their modus operandi is exposed, they change their approach, but they do not stop their activities. So, people are still leaving or assisted to leave."

Quantitative data on Assisted Voluntary Return (AVR) of Nigerian migrants in Libya seems to confirm the perception of stakeholders that externalization did not stem migration from Nigeria to Libya (IOM, 2018). For instance, between April 2017 and October 2018 (approximately 18 months after the MoU came into force), IOM helped at least 10,000 Nigerian migrants stranded in Libya to return home (IOM, 2018). Further, the agency has assisted the safe return of 19,452 Nigerians from Libya between April 2017 and February 2022 (IOM, 2022). Seeing as only 500 Nigerians were returned in 2022, it is reasonable to assume that the number of irregular migrant departures from Nigeria to Libya might be dwindling, or perhaps, the benefits of assisted return have not gotten to other Nigerians. Moreover, IOM's 2022 Displacement Tracking Matrix programme identified Nigerians as one of the most represented nationalities among the 679,974 migrants in Libya (IOM, 2022). Interestingly, a 2021 survey of irregular migrants in Nigeria conducted by UNODC mentions that 62% of those surveyed affirmed that they would still embark on the perilous journey given the dangers they had witnessed on their first attempt (UNDOC, 2022). One may infer that while externalization enables Italy/EU to prevent sea arrivals from the Central Mediterranean Sea, it does not necessarily deter aspiring migrants from initiating the journey.

5.2 Imperiled routes and undeterred migrants

The second major theme that emerged from the interview data is the understanding of the research participants regarding the unmitigated dangers faced by Nigerians on the move to Libya. The participants seem acutely aware of the vulnerabilities and disadvantages suffered by Nigerian migrants in Libya, as some of the interviewed persons were involved in AVR trips to Libya to bring back stranded Nigerians. P2, who was part of the Nigerian government AVR team to Libya in 2017 mentioned that:

> "The MOU empowered the warlords in Libya to capture and imprison trafficked and smuggled migrants in detention camps where their human rights were being violated. Many of them were subjected to hard labor and there were those held in human farms, where people's organs were being harvested. Some were kept in underground cellars and exploited for agricultural labor. So, you can put the drop [reduced sea arrivals] down to these practices, not necessarily that there were less departures from Nigeria. Many simply met terrible conditions in Libya where they were exploited or killed and so never able to make it to Italy anymore."

The above is not an uncommon fallout of EU's extra-territorialization of borders as the situation in Libya echoes similar perils of migrant smuggling from Senegal (Maher, 2018) and Somalia (Majidi, 2018). Importantly, the literature on border externalization is clear on the fact that**:**

> "Control, surveillance, and extra-territorialization of borders have led people to travel on riskier, more remote routes where the likelihood of obtaining help or contacting friends and relatives in case of danger is remote. As new routes must be devised to avoid increasing immigration enforcement…the dangers and risks of migration emerge" (Majidi, 2018, p. 109).

Relatedly, study participants also mentioned that some of the migrants or trafficked persons who initially travelled to Libya for sea departure to Italy had to make their way into Mali when their conditions in Libya became unbearable. As P1 surmised, "A lot of them took refuge at the IOM office in Mali between 2018 and 2019." These responses tie into Fontana's ideation of the debilitating conditions awaiting African migrants enroute the Central Mediterranean given externalization barriers. Our findings therefore aligns with previous studies that point out the dangers confronting Nigerian migrants in Libya in the here and now (Al-Dayel et al., 2021; Aucoin and Yahia 2019). Further, in their interviews with Nigerian victims of trafficking in Italy, Adeyinka et al. (2023) found that the average number of days spent in Libya by the 31 participants was 19 months, in which period they suffered abuse, detention and forced prostitution. In addition, it was sometimes the case for people to arrive as migrants and then captured at sea and delivered to closed locations where they were sold to traffickers (Daniel et al., 2022). Interestingly, not only were some Nigerian migrants unable to reach Italy, they were also unable to exit from the first transit country – Niger – and make it to Libya. P12 who was also on an AVR mission in Niger noted the following**:**

> "It will interest you to know that our organization joined A-TIPSOM Nigeria, NACTAL and NAPTIP to bring back 20 trafficking victims from Niger in January 2022. It was realized that thousands of Nigerians are trapped in Niger as irregular migrants. Unfortunately, only 20 were brought back, including a child."

The above instance aligns with previous studies affirming the operational achievement of the EU-backed migration control in Niger and its migrant immobilization agenda (Frowd et al., 2023; Ugwukah, 2022; Adesina, 2021; Stock et al., 2019). As Baker (2019) reported, departures from Agadez to Libya used to be publicly organized and often accompanied by military escorts. However, since the passage of Law 2015-36 which criminalized this activity, migrant smuggling has become exceedingly risky. Between mid-2016 and April 2018, Niger's security forces arrested more than 282 drivers and confiscated 300 to 350 vehicles in Agadez and on the road to Libya (Adesina, 2021). This partly explains why many Nigerians and other African migrants are trapped in Niger. As of February 2021, IOM had rescued more than 29,500 of Niger-trapped migrants or trafficked persons through its AVR programme. The harms experienced by Nigerian migrants, whether in Libya or Niger are known to the EU authorities, but extra-territorialization has proven to serve as the most convenient solution against irregular migrants. The insecurity traps and other concomitant tragedies arising from the heavily policed migrant routes are of little consequence to either African states which are (co)executors of the policy or EU governments that do not have to face scrutiny over it from their own public.

In any case, it is unlikely that the EU will rethink externalization in the near future given the complementary regulations enacted to 'soften' its blow. Initiatives like the *EU-IOM Joint Initiative for Migrant Protection and Reintegration* to return migrants from Nigeria and other African nations from Libya back home for reintegration appear to serve as the carrot accompanying the externalization stick. Similarly, there was the *Telling The Real Story (TSR)* initiative funded by the EU between 2019-2021 and handled by the UNHCR to enlighten the Nigerian public on the need to choose regular migration over the risk-laden irregular route. There is no indication yet, that these sensitization or awareness campaigns are doing or will do enough to dissuade citizens from experiencing unmitigated hardship and disadvantages that arise from

seeking clandestine actors and routes to Europe. Current research demonstrates that people are often aware of the risks of traversing perilous migratory routes but their belief in the payoffs provides sufficient motivation for them to initiate the journey (Kiriscioglu and Ustubici, 2023; Fontana, 2022; Kuschminder, 2021). Whatever the case, Italy and the EU appear determined to strengthen their externalization policies in Africa (O'Carroll, 2023) as core aspects of their contemporary foreign policy.

6. Conclusion

Drawing from the perspectives of migration and antitrafficking experts in Nigeria, this paper has demonstrated the implications of the Italy-Libya MoU on migrant smuggling and trafficking from Nigeria. The extra-territorialization policy has evidently led to a decline in the arrival of Nigerian nationals in Italy, but has not succeeded in stemming irregular migration or trafficking from Nigeria to Libya. Discussions with antitrafficking experts and counter-smuggling stakeholders indicates a belief that irregular migration may have lessened, but not to a degree that is readily predictable or significant. Traffickers and smugglers were also believed to consistently vary their methods, adjusting efficiently to national border enforcement and related mitigatory measures. Importantly, the study found that irregular migrants were not always uninformed about the exceeding risks of the Niger-Libya route, but desperation for social mobility remained a motivating factor, enabling people initiate the journey while hoping on a favorable outcome. That said, the widening anti-immigrant sentiments currently sweeping across European countries indicates that the EU's externalization practices in Africa is likely to be strengthened than abate. Also, since Niger had in November 2023 abrogated its agreement with the EU and demilitarized the Agadez-Libya route, irregular migrant presence may start building at Libyan embarkation points once again. A situation that exposes the fragility of border-externalization agreements with weak local buy-ins. Beyond treaty worries, it imperative for African governments, particularly the Nigerian political leadership to wake up to the task of governance and meet the economic aspirations of its people (Okorie and Okeja, 2023). Without hope of a viable or secure economic future, it is unlikely that Nigerians or other African groups will stop risking their lives in desperate migratory routes however hardened they come.

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Conflicts of interest

The authors declare no conflict of interest.

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