RESEARCH PAPER

Migrant smuggling and human trafficking from Libya to Europe

What does the media say?

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Summary

The abuse of migrants by organised criminals, traffickers and armed groups has become a common feature of the current migration crisis in Libya. While not all migrants fall victim to trafficking, many experience some form of threat, coercion or exploitation, and many are subjected to forced labour and prostitution. This study analysed the ways in which a sample of English-language news media covered the topics of migrant smuggling and human trafficking from Libya, and the frequency of words used to denote slavery, abuse and financial transactions.

Key points

- News articles analysed in this paper often used the terms 'smuggling' and 'trafficking' interchangeably, and rarely used specific language to denote experiences of migrant vulnerability and exploitation.
- Language in media reports tends to focus on the scale of immigration into Europe, giving lower priority to other important factors, such as abuse of migrants and vulnerability to trafficking.
- Clearer distinctions in media reports between smuggling and trafficking could contribute to a better public understanding of the migration crisis and help improve responses.
- Improving the capacity of news organisations on both sides of the Mediterranean is key to improving public understanding of the complexities of migration.

This paper focuses on:

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Introduction

The dramatic increase in migration to Europe since 2011 has become a key focus of the European press. The United Nations' (UN) *Global study on smuggling of migrants* reported that in 2016 about 375 000 people took smuggling routes across the Mediterranean to Europe and that about 480 000 people journeyed from sub-Saharan countries to North Africa.[1] A recent Europol report estimated that 90% of the migrants reported to have crossed the Mediterranean were aided by smugglers.[2]

Libya has witnessed some of the biggest increases in migrant smuggling and human trafficking in the region since 2011, and with it a steep increase in media coverage. During this time, news articles started to appear worldwide with dramatic headlines using terms such as 'wave' and 'flood', alongside photos of boats of migrants and refugees.[3] Migrant smuggling and human trafficking emerged as hot topics.

This paper presents an analysis of the ways in which migrant smuggling and human trafficking were represented in English news media from around the world reporting on the European migration crisis – specifically, on migration from Libya to Europe – from 2011–2017. It argues for greater scrutiny of how the media frames migration, and for increased support for independent journalism on both sides of the Mediterranean.

Defining smuggling and trafficking

The 2000 UN Convention against Transnational Organised Crime and its protocols (hereafter referred to as 'the convention') – particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air (also referred to as the Palermo Protocols) – are the main international legal instruments defining trafficking in persons and the smuggling of migrants.[4]

Trafficking in persons, according to the convention, is the:

> … recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a

person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.[5]

Slavery – or 'modern slavery' – is another term used to describe human trafficking. Although it is often associated with forced labour, slavery is more accurately an umbrella term for the various forms of coercion prohibited in the trafficking convention and other international instruments (e.g. slavery, forced labour, trafficking in persons, and forced marriage).[6] For example, both the Walk Free Foundation Global Slavery Index and the International Organisation for Migration's (IOM) Human Trafficking Global Database include forced labour and forced marriage in their measures, despite the two different terms 'slavery' and 'trafficking' in their titles.[7]

Smuggling of migrants, on the other hand, is 'the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident'.[8]

'Migrants' is a non-legal term used to refer to people based on a range of factors, some of the most common being nationality, country of birth, movement from one country to another and the individual's length of stay in a foreign country.[9] Legally defined by the 1951 UN Refugee Convention, a refugee is 'someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion'.[10] Asylum seekers are individuals whose request for sanctuary has yet to be processed, according to the UN Refugees Agency. Although there is no internationally accepted legal definition of the term asylum seeker, their rights to seek protection from persecution in another country are enshrined in Article 14 of the 1948 Universal Declaration of Human Rights.[11]

The term 'mixed migration' is a new term used to acknowledge that the same routes are used for different purposes – migrant smuggling, refugee journeys, and human trafficking – and that, as the Danish Refugee Council puts it, 'people of different status and motivations will often migrate in similar directions, using the same migration infrastructure'.[12] However, this term

is more routinely used and understood by multilateral agencies and governments than by the media and the general public.

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The four key distinctions between smuggling and trafficking[13]

- *Transnationality:* Smuggling occurs between countries, while trafficking can be domestic and does not require an element of movement.

- *Nature of the crime:* Smuggling is a crime against the state, while trafficking is a crime against the individual.

- *Purpose:* In smuggling, the purpose is profit, while in trafficking it is exploitation, which can also result in profit.

- *Consent:* Trafficked people do not consent to being trafficked, while migrants are officially considered as consenting to being smuggled, even if they experience abuse or exploitation along the way.

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The key concern in this study is that English news coverage of migration often blurs the distinction between smuggling and trafficking, by using 'smuggling' and 'trafficking' interchangeably. This has important implications for the wider migration debate and policy responses. (An article by Italian news agency Adnkronos, for instance, noted: 'The defendants were arrested in 2014 and belonged to a *human trafficking* gang which *smuggled migrants* to Europe from Libya via Italy.' [Italics authors' own.])[14]

Despite the distinctions laid out in the box above, smuggling and trafficking have similarities and overlaps that can make it hard to distinguish between them: both crimes have perpetrators (smugglers or traffickers), and both crimes are typically associated with the transnational movement of people (although trafficking does not, by definition, need to be transnational in nature). A study of public perceptions of human trafficking in Hungary, Ukraine and Britain found that while the majority of respondents in Hungary and Ukraine associated the term 'trafficking' with slavery or the buying/selling of people, the majority of British respondents associated it with the 'movement of people'.[15]

Smuggling and trafficking also intersect, particularly in the current Libyan context. Migrant smuggling increases migrants' vulnerability to abuse, victimisation

and trafficking, and the majority of migrants from Libya report some degree of maltreatment at the hands of smugglers. In a recent survey conducted by the IOM, 73% of migrants interviewed along the central Mediterranean route (North Africa to Europe) reported at least one type of exploitation.[16]

Data from the Mixed Migration Monitoring Mechanism on migration from Libya, Mali and Niger indicates that in an eight-month period between June 2017 and February 2018, an estimated 3 800 out of a total of 5 800 migrants interviewed, had experienced or witnessed incidents that resulted in death, sexual or physical abuse, kidnapping, robbery and/or detention. Of the incidents, 2 179 occurred in Libya.[17]

Many migrants' fate is death. According to the global findings of the UN's *Global study on smuggling of migrants*, while most (58%) of the deaths of migrants in 2017 were caused (or presumed to have been caused) by drowning, 19% died as a result of harsh conditions or illness.[18]

English news coverage of migration often blurs the distinction between smuggling and trafficking, often using the terms interchangeably

With respect to trafficking, according to the Global Slavery Index, about 40 million people globally are currently in modern slavery.[19] An estimated 48 000 people are estimated to be enslaved in Libya and 25 000 in Tunisia.[20] With respect to the overlap with the smuggling industry, the *Global study on smuggling of migrants* stated that in cases of trafficking in persons, the profits were 'typically generated by the exploitation of victims (for example, through forced labour, sexual exploitation, or removal of organs)', but gave no account of the scale.[21]

A recent report by the Global Initiative Against Transnational Organized Crime described the exploitation of migrants by the smuggling industry in Libya as the 'industrialisation of migration'.[22] The IOM report *Migrant vulnerability to human trafficking* stated that migrants travelling along the route from

North Africa to the central Mediterranean were more vulnerable to exploitation and human trafficking than those coming from the Middle East to Europe.[23]

History of smuggling and trafficking in Libya

The vulnerability of migrants has increased, as migrant smuggling operations have become increasingly susceptible to infiltration by traffickers, and because of the increasingly fragmented smuggling routes. Trafficking and smuggling have long histories in Libya but have undergone significant changes in recent years.

Following World War II, a dire need for unskilled workers for European reconstruction drew huge migration flows across the Mediterranean, particularly from Africa.[24] In response, agreements established during decolonisation enabled North African citizens to enter Europe without visas for decades.[25]

However, the economic crisis at the end of the 1980s led European states to adopt new migration policies that featured stronger border controls and visa requirements, including for citizens of North African countries. While this limited the legal entry of labour migrants, it failed to prevent irregular migration and instead indirectly resulted in increased illegal entry. This is because, as the UN *Global study on smuggling of migrants* states, legal entry is the first and preferred choice of migrants, although often with the intention to overstay.[26]

To bypass the new entry regulations, undocumented North African migrants developed new methods and routes for migrant smuggling, such as the cross-Mediterranean routes of the 1990s and 2000s: the western Mediterranean crossing from Morocco and Algeria, and the central Mediterranean route through Tunisia, Libya and later Egypt (which is also a stop on the eastern Mediterranean route).[27]

North Africa's geographical position between southern Europe and sub-Saharan Africa has enabled people from those regions to use it as a transit point for immigration. The 1990s, host to a number of uprisings, political violence and economic stagnation in Libya, Mali and Algeria, saw major undocumented migration influxes from North Africa. This changed in the 2000s, when initiatives were undertaken to contain the influx.

Increased attention by the international community to migrant smuggling led to agreements such as the

UN Convention against Transnational Crime and its protocols. The containment of these migration flows was guaranteed at the time by authoritarian North African leaders through informal agreements with their European counterparts in exchange for political support for their regimes.[28]

After 2011 and the so-called Arab Spring, North Africa faced crippling security challenges, including weakened border control capacities. In several of the region's countries, political turmoil and terrorist threats forced military, law enforcement and justice authorities to deprioritise migrant smuggling. While domestic human trafficking has always occurred, at different levels, in the countries of the region,[29] transnational human trafficking boomed – particularly in Libya, where the state failure after the fall of Muammar Gaddafi undermined the rule of law and institutional control of its territory.

In particular, the foreign-led regime change of 2011 led to the breakdown of a highly controversial yet effective 2009 agreement between Libya and Italy, under which the Italian military surveyed the Libyan coastline in exchange for a promise from Libya to detain migrants found crossing the Mediterranean.[30] The absence of a central governing authority in Libya and the unprecedented security vacuum that ensued enabled thousands of migrants, even those originally on the eastern or western Mediterranean route, to follow the central Mediterranean route crossing Libya.

Since 2011 the country has been considered a prime gateway to Europe. The International Crisis Group has referred to the Fezzan region of south-west Libya as 'Europe's new border', reporting that the majority of migrants enter Libya from Chad or Niger through the city of Sabha, capital of the Fezzan region, along smuggling routes controlled by different tribes and groups.[31] Underpinning the instability in the country are 14+ active armed factions.[32]

Smuggling, trafficking and the overlap between them

Smuggling networks typically involve an array of actors providing different services at different points. Experts Peter Tinti and Tuesday Reitano describe the typical migrant smuggling operation as a relay race, with actors – sometimes groups of smugglers and sometimes single individuals – continually changing.[33] According to their

book *Migrant, refugee, smuggler, saviour*, the level of sophistication of each role or phase corresponds to the 'costs and complexities of smuggling along that [particular segment of the] route, the level of risk and the scale of demand from prospective migrants'.[34]

Smuggling is an organised form of crime that plays out in a sequence of necessary stages or steps. Migrants crossing Niger and Libya often use the services of a single individual to transport them in a light vehicle, sometimes over less than 100 km. These lone transporters do not operate as part of a group, but would not be there to provide smuggling services without the presence of other actors, up- or downstream.

A migrant smuggling operation has been described as a relay race, with actors – sometimes groups of smugglers and sometimes single individuals – continually changing

Larger networks are typically run not by one person but by several managers, mid-level actors, and a bottom level of brokers and recruiters.

Typically, smuggling networks (irrespective of size) operate on a basis of personal connections or trust: migrants choose certain smugglers based on recommendations or their reputation for success. Then a chain of actors provides services for a price – including planning, gathering information, financing the trip, and carrying out technical functions such as creating false documents, providing life jackets and organising the boats.[35]

Smugglers and migrants often share social ties such as ethnicity or language, and when smugglers seek to promote or advertise their services, they typically do so in their home communities and social groups.[36] In Libya, sub-Saharan nationals are frequently themselves involved in smuggling networks, either as low-level operators or as recruiters or advertisers – intermediaries between their fellow citizens and the smuggling network.[37]

As demand increased and costs were driven down with the rise in migration between 2013 and 2015, trust and community ties disintegrated, and the industry became more fragmented and spontaneous. In such settings, the smuggler profiles change and networks shift. As a result, migrants are at greater risk of abuse and victimisation at the hands of armed groups and traffickers.[38]

Expert analysis and media reports have shown that along the Sahel routes, particularly in Libya, Mali and Niger, smugglers have frequently turned into traffickers.[39] On other occasions they have been seen to work hand-in-hand with traffickers and militias to maximise profit, delivering migrants for the purpose of exploitation.[40]

External interventions also have repercussions on smuggling operations. In late 2013, after the launch of the Italian navy's Mare Nostrum search-and-rescue mission, smugglers' tactics shifted dramatically. Smugglers realised they only needed to ensure that boats had enough fuel to reach the European 12 nautical-mile limit, where they were likely to meet the navy.[41] In this way, military rescue missions in the Mediterranean have contributed to the deterioration of smuggling conditions, making the routes more dangerous. This also reduced the reliability of other elements of the service: boats deteriorated in quality and smuggling costs dropped, resulting in increased demand and the arrival of new smuggling actors.

Another overlap between smuggling and trafficking can be seen in the way migrants present themselves in recipient countries. As immigration has become increasingly restricted in Europe, authorities in North African countries have identified cases in which migrants have described themselves as victims of human trafficking to avoid financial and legal penalties.

In Tunisia, for example, the law grants victims of trafficking the right to a one-month 'recovery and reflection' visa, for the purpose of filing a criminal case against the alleged trafficker, as well as help with their voluntary return to their country of origin.[42] Another challenge is the investigation of foreign fighters returning from Syria and Iraq, who may claim human trafficking victim status to avoid being charged as terrorists.[43]

As the smuggling industry became less dependent on a smuggler's reputation for success, and more characterised by a fragmented array of smugglers making deals with migrants at various points on their

journey, risky payment arrangements between migrant and smuggler became, according to a Danish Refugee Council report, the 'norm rather than the exception'.[44]

In the words of a prominent legal adviser to the UN, Anne Gallagher, 'debt-financed migration, the only way many people will ever be able to afford to move, is closely linked with highly exploitative labour'.[45] Migrants often assist other migrants with the logistics of their journeys in exchange for payment in order to fund their own transportation.[46] This is because migrants, who are poor when they set out, have fewer and fewer resources as the journey goes on. They therefore often agree to perform unpaid labour or sell blood and organs to finance part of their journey or to repay a debt.[47]

Thus, the complicated financial arrangements and shifts in established routes in Libya have resulted in an ever-changing smuggling environment in which the line between smuggling and trafficking is difficult to distinguish. However, trafficking is not simply an inevitable by-product of smuggling but a specific and grave crime. It is vital that the media makes a clear distinction between the two, for reasons set out in the following section.

Representation of smuggling and trafficking in the media

Despite the clear overlap and increased links between smuggling and trafficking in Libya, the two crimes are very different and have starkly different implications for the perpetrator and the migrant or victim. Most importantly, trafficking is inherently connected to abuse and victimisation, and as such is a grave human rights abuse. Migrant smuggling, on the other hand, is usually not intended to victimise or subjugate people but is a service paid for by consenting adults.

From a legal perspective, the differences are also important because they affect whether a migrant is assigned victim status and thus the right to protection and assistance. The convention considers trafficked people victims, but not smuggled migrants. Thus, trafficked people have the right to support and services on arrival in a country, while migrants who arrived via smuggling often face detention and deportation.

Even though the convention calls for the non-criminalisation of migrants,[48] meaning that no criminal proceedings should be undertaken against them, in practice this is not always upheld, and migrants often have limited access to justice for any abuses they encounter.[49]

It is precisely because the implications of the crimes are so vastly different that the distinction matters. The media often provide the only insight into smuggling and trafficking between Libya and Europe, particularly when the space for humanitarian actors is reduced owing to security concerns.

How the news portrays these phenomena plays a role in motivating policy responses, by influencing both policymakers and the general public, who in turn put pressure on policymakers. For example, in November 2017 a CNN special investigation into a large human trafficking/slavery ring in Libya resulted in a number of high-level reactions and policy responses aimed at eradicating trafficking.[50]

Despite the clear overlap and increased links between smuggling and trafficking, the two crimes are very different and have starkly different implications for the perpetrator and the migrant or victim

However, it also the case that the language and framing used by the media responds to incidents as they occur and mimics and reinforces sentiments held by the general public and policymakers. In the United Kingdom (UK), for example, concerns about the impact of rising migration on the European economy, job market and national identity came to a head with the Brexit vote in June 2016. In the year before the vote, migration-related fears were visible in the UK's news reporting and public discourse.[51] A study of news reporting on migration in Britain between 2006 and 2015 found that the two issues most reported on were the illegal status of migrants and the scale of their arrival in Europe.[52]

Thus, just as reporting on trafficking and, perhaps more specifically, the term 'slavery' spurred international response to the plight of trafficking victims, reporting that emphasises the scale and/or illegality of migration

can play into governments' tendency to focus on security and protection responses to migration.[53] In a 2017 IOM report on the coverage of migration, the 'politicisation of migration' was inextricably linked to the ways in which events and issues are represented in the media.[54] Such stories also contribute to debates about human rights, multiculturalism, nationalism, racism and belonging.

With respect to the characterisation of migrants themselves, studies suggest that three of the most common media framings emphasise their illegal status, the objective of controlling them, and their victimhood, and that these fluctuate with the political climate.[55] Media articles that stress the power and control of smugglers and traffickers, and migrants' vulnerability to them, can be used to further the political argument that migration is a criminal and inherently dangerous activity, and expedite efforts to stop it. On the other hand, a lack of distinction between traffickers and smugglers may suit human rights and humanitarian organisations advocating for funding and support for more speedy humanitarian responses to the situation.

A study by the Cardiff School of Journalism, commissioned by the UN High Commissioner for Refugees, on key policies influencing media coverage of the refugee crisis in Spain, Italy, Germany, the UK and Sweden in 2014 and 2015, found that people smugglers, rather than leaders or policymakers, were explicitly blamed for migrant deaths in the Mediterranean, highlighting the importance of accurate reporting on the role of smugglers.[56]

Thus, the terminology, framings, narratives and images used by the media are critical to the discussion of Libya–Europe migration more generally. The media has a dual responsibility both to act as a source of public information and to adequately represent and respond to public sentiment. This is why 'fake news' – or misinformation, misinterpretation, falsehood and the politicisation of issues – is such a concern globally. One fake news publication can mushroom into wave of similar reporting, resulting in many articles based on the same false premise. The more articles that are available, the higher the risk of the issue's being interpreted as important or true by the public.[57]

Media organisations, for logistical, financial and/or political reasons, often misrepresent the migration situation by omitting key details of the story, or by using sensationalist or misleading language to describe the

roles played by smugglers and traffickers. A common example is using both 'smuggling' and 'trafficking' to describe the same incident.

The distinction between the two crimes is often genuinely hard to observe, even for journalists on the ground speaking to migrants and victims. In practice, trafficking is identified by the extent of abuse of an individual and/or a financial transaction involving a person against their will.

Trafficking is identified by the extent of abuse of an individual and/or a financial transaction involving a person against their will

It is characterised by a lack of consent on the part of the victim, although, as is described at length in the Global Initiative Against Transnational Organized Crime's report *Responding to the human trafficking–migrant smuggling nexus*, identifying victims of trafficking, including establishing if consent was present, is 'inherently difficult'.[58]

Smuggling, on the other hand, is identified by the intent of the migrant to cross a border and the presence of assisted or paid-for illegal entry to a country. The migrant's consent to and payment for smuggling services are key to the identification of the crime.

Obtaining this information is challenging for journalists and humanitarian organisations alike, mainly because migrants' and trafficking victims' fears of reprisals, deportation and even prison make them reluctant to answer questions about their experiences. The precarious security situation in Libya also limits journalists' access to key sites. And even if journalists do gather all of the most important information, their editors retain the final say on what goes to print.

To better understand how the smuggling–trafficking nexus is framed in the English news media, this study analysed the language used in a sample of global news reports on migration to Europe, with Libya as the origin or transit country, between 2011 and 2017. The following section details the methodology used in the study.

Methodology

This paper presents the findings of the third phase of the ENACT Incident Monitoring Project, an effort to understand the media's representation of different forms of transnational organised crime in Africa by systematically recording media articles on this topic and analysing their content. The first phase focused on wildlife trafficking in Southern Africa and the second on drug trafficking in East Africa.[59] This phase (the subject of this paper) focused on migrant smuggling and human trafficking in Libya between 1 January 2011 and 31 December 2017.

The research had three phases: media monitoring, desk study and interviews, and analysis. The desk-study phase occurred between January 2018 and July 2018. Interviews were carried out with key experts between March and July 2018.

For the media-monitoring phase, a research team collected a sample of English news articles from sources around the world using a keyword search on the Nexis media monitoring platform between October 2017 and April 2018.[60] Nexis scans over 40 000 news companies worldwide, produced by organisations ranging from local news outlets to global companies. The site employs standards for journalistic credibility, meaning that only content from real news organisations are scanned, which excludes social media and other non-news websites – see more on the implications of this for the research in the limitations section.

The initial search used the following keywords: Libya OR Libyan AND trafficking OR trafficked OR forced labour/labor OR migrant OR immigrants OR refugee OR asylum seeker OR smuggle OR smuggling OR smuggled.

The resulting set of articles was further narrowed using three criteria: (1) the article had to describe a specific event (such as a boat crossing, arrest, deportation, sale of a person, or arrival to a destination) and provide the event's (2) date and (3) location.

This yielded 373 articles. The authors read and analysed the contents of the articles and saved all available information from the articles that met the inclusion criteria, including the full text, into a new database. This database is the source of all data and graphs used in the paper.

The articles were then analysed and indexed for their use of key terms to distinguish the trafficking–smuggling distinction, including how these terms were combined and whether their use changed over time. Terms were chosen for this search based on their connection to the convention's definitions of trafficking and smuggling (presented in the previous section). Table 1 shows the key terms and correlated words used during this analysis. An article was counted if at least one of the indicating words was present.

Table 1: Key terms and their correlated words used in analysis

Key term	Correlated words
Financial transaction	auction, bought, buy, fee, paid, pay, ransom, sell, sold
Slavery[61]	forced labour/labor, prostitute, prostitution, slave, unpaid work
Abuse, rape and violence	abuse, assault, beat, exploit, extort, rape, raping, torture
Detention centre	detention centre/center
Refugee and asylum seeker	asylum seeker, refugee

Results were analysed using thematic analysis according to the following steps adapted from Braun and Clark: familiarising and transcribing data, defining initial categories across the data set, searching for themes, reviewing themes, checking if the themes are consistent and generating a thematic map.[62] Results were written up and analysed with respect to the interviews and desk study.

Limitations

The research is limited by the use of English in searches for a region where Arabic is the main language. Further, the use of Nexis served as a filter for media content published by registered press organisations and media houses. Although Nexis lists a total of 134 English news companies in the database for the continent of Africa, that includes only three English news sources for Libya, three for neighbouring Tunisia and none for Algeria. Given that the search string searched for any article that referenced the term 'Libya' and not material produced by a Libyan or North African press house, it means that the core source for the research was the international (i.e. European, North American and Asian), English-language press. This is why the paper states throughout that the findings, analysis and results are reflective of a sample of the English and international news on the

subject and not representative of media coverage of the issue as a whole.

The following section describes the key findings from the analysis of the 373 articles selected for the study.

Key findings

The year 2013 saw a steep rise in articles focused on migration, when the Libyan migration crisis intensified, and again in 2016 (Figure 1). The articles were published by 120 different news agencies, only 18 of which were based in African countries.[63] The majority of companies were based in Europe, Asia or North America, the implications of which are discussed in the following section.

Figure 1: Number of articles per year, 2011–2017 (total 373)
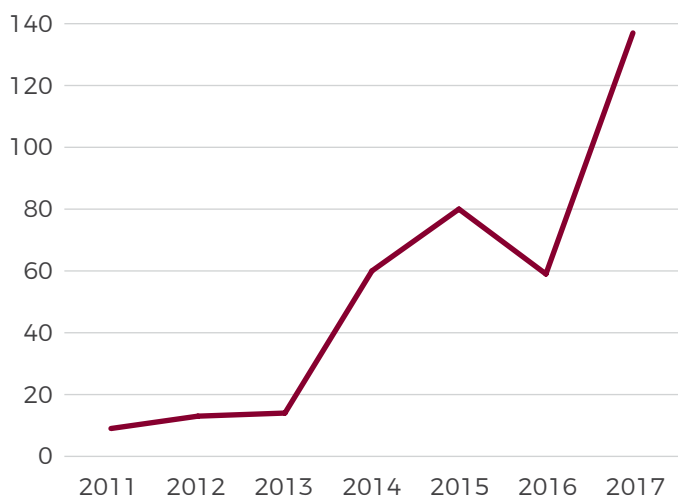
The events the articles reported on most frequently occurred in, or involved at some point, the Libyan cities/towns of Tripoli, Zawiyah or Sabratah, or the Italian island of Lampedusa. Italy was by far the most frequently reported migrant destination, followed by Spain and Germany. The reported origins of individuals mentioned most frequently were as follows:

- Nigeria (49)
- Somalia (21)
- Eritrea (18)
- Syria (16)
- Sudan (15)

Nearly half of the articles (182) mentioned their subjects' gender; of these, the majority referred to both men and women. But when one gender was exclusively mentioned, men (33) were more frequently referenced than women (18). Children under 18 were mentioned in 130 of the articles.

Terminology and framing of migration issues

The majority (64%) of the articles used the terms 'smuggling' and/or 'trafficking'. The remainder described illegal immigration, deaths at sea, or deportation without reference to smuggling or trafficking.

Of the sub-set that used the terms smuggling and/or trafficking, about half of the articles used the terms 'smuggling' and 'human trafficking' together to describe the same incidents; the rest used one or the other exclusively (Figure 2).

Figure 2: Articles that explicitly mention smuggling, trafficking or both (percentage of annual totals)
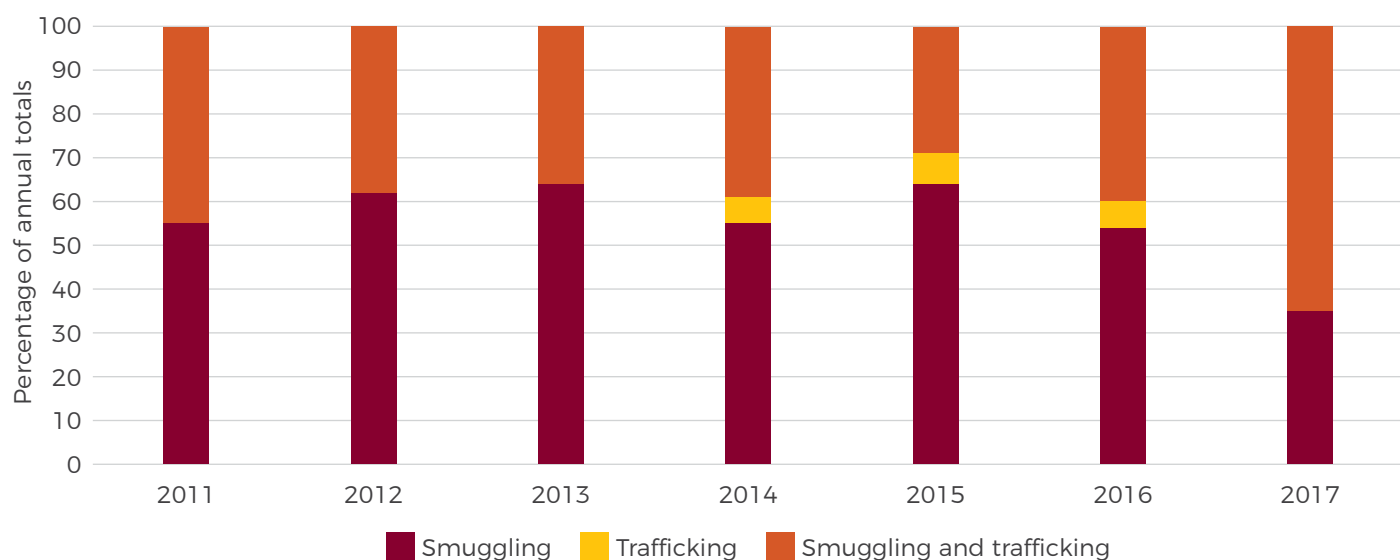
The use of both terms together remained somewhat consistent for most of the study period but spiked in November 2017, around the time the CNN investigation of a human trafficking ring was published. Most articles did not clearly distinguish between the two terms, as the following examples show.

- One article reported that 'British [police] have arrested a man they claim is Mered Medhanie – a 35-year-old *people smuggler* behind a £1 billion *human trafficking* ring'.[64] A few lines into the article the payment for services (characteristic of smuggling, not trafficking) is mentioned: 'It is claimed that Medhanie would charge up to £1,500 a time in order to make the dangerous passage from Libya to Italy.'

- An article titled 'Italy detains 38 in crackdown on migrant trafficking ring' used the term 'trafficking' to label the crime, yet indicated that migrants had paid for the service: 'The vessels set sail from Libya, where a main base of the traffickers is located, and migrants wait in sordid conditions, often for months, for the opportunity to be crammed into the boats after *paying thousands of dollars*.'[65]

- One story using 'trafficking' in the opening line went on to describe smuggling: 'Three suspects were detained Thursday for their involvement in a *human trafficking scandal* ... They confessed to facilitating the smuggling of people from Lebanon by providing them with visas to Sudan, where they are received by gangs that smuggle them illegally to Libya and then to Europe, in return for money.'[66]

The term 'trafficking' appeared by itself (without smuggling) the least often: seven times, all in articles published in 2014–2016. Of the articles that mentioned 'trafficking', either alone or with 'smuggling', the nationalities most frequently cited were (in descending order) Tunisia, Nigeria and Senegal.

Over time the use of other terms to denote the abuse and exploitation of migrants fluctuated more than the terms 'smuggling' and 'trafficking'.

Terms used to describe abuse (abuse, assault, beat, exploit, extort, rape, raping, torture) dropped from 38% of articles in 2012 to 3% in 2014 (Figure 3). This suggests that reporting prioritised the conditions and experiences of migrants more at the start of the crisis than at the times when the crisis escalated around 2014 and 2015.

Detention centres were mentioned just 51 times in the sample, with the highest percentage in 2016.

Figure 3: **Number of articles that use the term refugee, asylum seeker, or abuse**
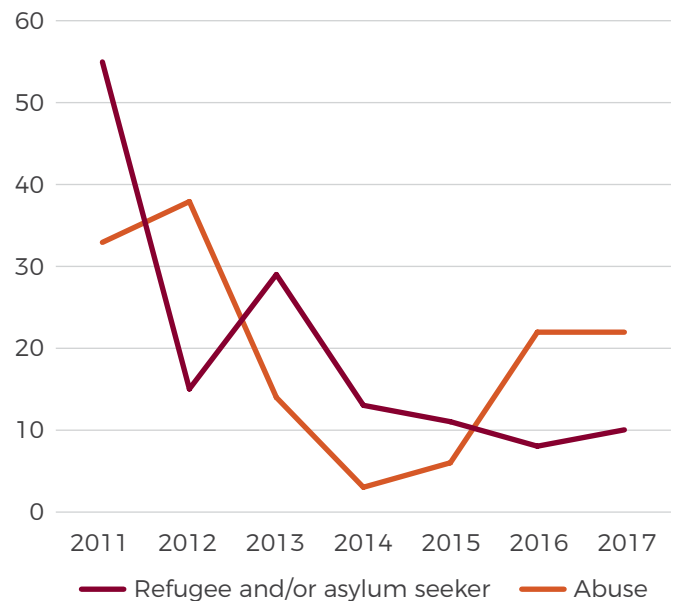

Across all 373 articles, only 39 used the term 'refugee' or 'asylum seeker' to describe the people involved in the incident. The vast majority used 'illegal', 'undocumented' or 'irregular' to describe migrants or immigrants. Use of 'refugee' and 'asylum seeker' declined significantly over time (Figure 3), suggesting that the media's interpretation of the rights of migrants changes over time and may mimic public sentiment and increased concern about the scale of European immigration.

Terms related to slavery (forced labour/labor, prostitute, prostitution, slave and unpaid work) were used in only 16% of the sample, the vast majority in 2017. Terms used to denote slavery did not appear in the sample at all in 2011, the start of the study period, or 2015, one of the peak years of the crisis (Figure 4).

Figure 4: **Use of slavery terms, 2011–2017**

2012 – 14%
2013 – 12%
2014 – 3%
2016 – 17%
2017 – 54%
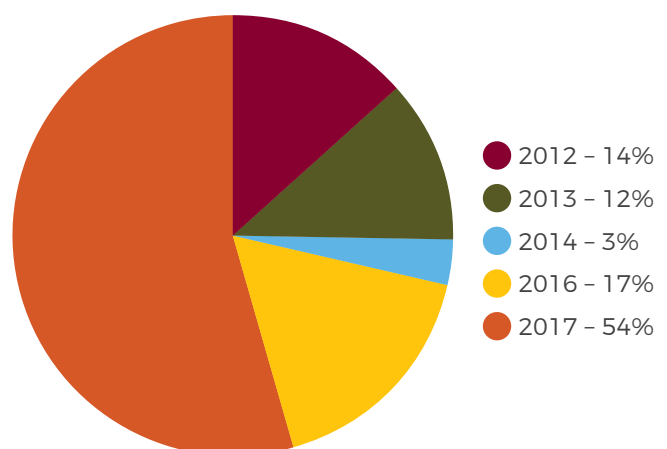
Figure 5: Use of slavery terms in 2017 by month
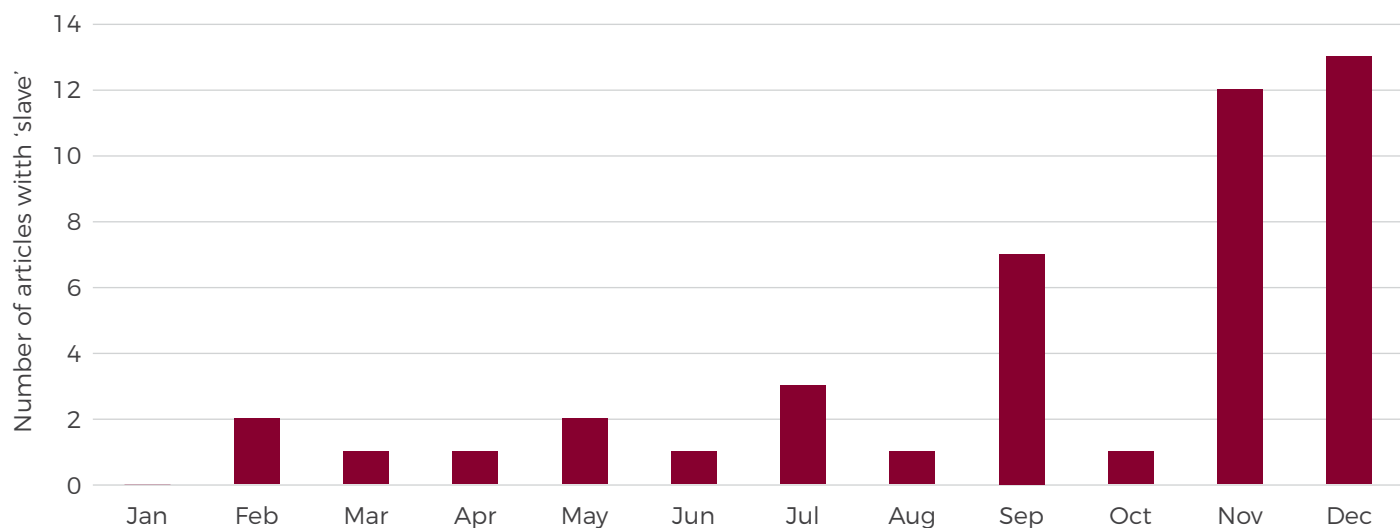
In 2017 the use of slavery terms peaked most dramatically in November and December, around the time of the CNN human trafficking exposé (Figure 5).

None of the 373 news articles used the word 'consent' with respect to a migrant, a key differentiator between smuggling and trafficking.[67] However, 41% referenced a payment between migrant and smuggler, mostly payments made to smugglers. Only 3% articles explicitly described a person being bought or sold. Like slavery and abuse terms, mentions of payment bottomed out when the crisis peaked in 2014 and 2015 but increased from the beginning of 2016 (Figure 6).

Figure 6: Articles mentioning payment terms (percentage of annual totals)

Another factor shaping the terminology is the location or base of the press house. The majority of the publications in the sample are European, Asian or North American. While Nexis has a limited number of North African sources (as noted in the limitation section), the North African press generally, including in Libya, also have less capacity than their counterparts in the Global North: journalists' salaries are less secure, there are fewer politically independent media organisations, and the ongoing armed conflict presents real danger to journalists.

The press in Libya was controlled by the Gaddafi regime; since 2011 just a handful of print media outlets have emerged, with a limited online presence.[68] Freedom House in 2016 ranked the Libyan press as 'not free'.[69]

A 2018 report by International Media Support and Vigilance showed that across North Africa, the increased availability of news through digital sources such as websites and social media, and the role these played in the so-called Arab Spring uprisings of 2011, have led to new laws curtailing who can publish online and what they can publish.[70]

Adding to the challenges, according to Human Rights Watch, at least 91 attacks and threats against journalists took place in Libya between mid-2012 and November 2014, including 30 kidnappings and detentions and eight killings.[71] In such contexts, journalists turn to social media and news websites based outside the country to report on domestic situations.

Neighbouring countries, in particular Tunisia, have a more robust media culture, yet migration stories are a

second-order priority after domestic issues. This means the majority of relevant stories are generated by the European press, which, given the natural tendency of journalists to prioritise issues of national or regional importance, leads to a focus on *immigration* rather than on the factors driving *emigration*.

Further, the North African media's lack of resources often limits news content to repetitions of statements by the departments of defence, police and state-controlled or led non-governmental organisations (NGOs), and international coverage, thereby recycling and reinforcing the same European-leaning narratives.[72]

Thus English-language news reporting on the crisis in Libya is naturally heavily skewed towards the interests of European readers rather than those of the North Africans and sub-Saharan Africans about whom the articles are written. This should be a concern to English news readers, particularly those with policymaking power or influence.

Analysis

The migration route from Libya to Europe has received a great deal of English news coverage since the beginning of 2013, which has played a vital role in exposing the plight of migrants to news consumers in English-speaking parts of the world. Yet individuals' experiences of abuse and trafficking on their journeys are often misrepresented.

Because Libya is the primary transit country between the Sahel and North Africa and Europe, and because of the dominance of media coverage by organisations based outside North Africa, the dangerous incidents that migrants experience in Libya and before they arrive there, including the payments they make and their experiences with trafficking, are often not reported in detail.

The real focus of the English articles reviewed tended to be on the journey, the arrival, and the illegality of entry, which contributes to the English-reading public's interpreting migration through a 'crisis framework'.[73]

Another concern is that the top five countries of origin mentioned in the news articles – Eritrea, Nigeria, South Sudan, Sudan and Syria – are all experiencing political violence or other forms of conflict. This raises questions about how frequently refugees and asylum seekers use irregular and illegal migration routes to Europe, as well

as questions about their rights on arrival. It also shows the value of the term 'mixed migration'. The findings show that the terms used to denote abuse of refugees or asylum seekers have never reached above 40% of the sample, and at one point were as low as 3%.

The use of the words 'smuggling' and 'trafficking' together increased significantly in 2017. On the one hand, this can be viewed as a positive trend that points to greater interest in the topic of migrants as victims of trafficking. On the other hand, with very little detail provided on the differences between trafficking and smuggling, and the frequency with which the terms are misused (as in the examples above), it also points to the need for more accurate reporting.

Naturally, the conflation of trafficking and smuggling, and the ups and downs in the use of key terms to denote abuse and payment are shaped by the different pressures and constraints on journalists, the nature of the news cycle, and the political climate around the topic of migration more generally.

> The experiences of migrants on their journeys and their vulnerability to trafficking are often missing from articles emphasising the scale of the influx

Smuggling, regardless of the extent of abuse experienced by migrants along the way, contributes to irregular migration into European countries and is a grave policy challenge. However, the experiences of migrants on their journeys and their vulnerability to trafficking are often missing from articles emphasising the scale of the influx. This is particularly true when the political focus is on the scale of migration, such as during 2015 and 2016 before the Brexit vote and key European discussions on migration.

The precise language used in reporting is often shaped by public sentiments. For example, a study by the London School of Economics analysed media coverage of three key events that occurred in Europe in 2015 with different reporting tones. Hungary's construction

of the wall on its border with Serbia (July 2015) and the Paris terror attacks (November 2015) were described with 'militarist' and 'securitised' framings, while the death of the young Syrian migrant Alan Kurdi in the waters off Greece (September 2015) used a 'humanitarian' framing in which pleas for empathy and a change of policy direction were common.[74] These events may also have influenced the nature of reporting in the study sample.

While the challenges related to weak and politicised news media may be more pronounced in North Africa, they are not confined to the region. European countries may have much higher rankings on Freedom House's press freedom index but press freedom is increasingly under threat in Europe too, particularly on the topic of migration.

A study by the REMINDER Project published in August 2018, based on interviews with 221 journalists in nine European Union countries – Germany, Hungary, Italy, Poland, Romania, Slovenia, Spain, Sweden and the UK – showed the different media cultures and reporting on migration within Europe.[75]

The core findings were that eastern European media organisations experienced direct government interventions in their reporting on migration, whereas in western and southern Europe, content was affected by 'behind-the-scenes and sometimes two-way relationships between senior media figures and influential individuals (often from, or connected to, government)'.[76] Recent studies by the Committee to Protect Journalists and Reporters without Borders have also detailed threats and abuse experienced by many European journalists covering migration-related stories.[77]

Given the inherent tendency within journalism to write stories affecting one's own country, the picture painted of the migration crisis is likely very different in Arabic and other local languages, and on more informal Libyan and North African publishing sites such as blogs and social media.

This research shows, however, that the representation of the Libyan migration crisis by 120 English news outlets between 2011 and 2017 too often conflated smuggling and trafficking and failed to detail the plight of individuals on their journey. Findings also suggest that 'trafficking in the region may be grossly under reported'.

Conclusion

The migration crisis is deeply complex and journalists have varying abilities to understand and report on the migrant smuggling–trafficking intersection. The blurred lines of migrant consent, caused by debt obligations and the experience of exploitation, cannot easily be summarised, especially when the incentive for most journalists is to produce simple and clear stories. Long investigative stories take resources and time, which are often lacking for journalists on both sides of the Mediterranean.

Since the press both reflects and shapes public opinion, journalists and policymakers must be better informed and more responsible in how they use the terms 'smuggling' and 'trafficking'

At a minimum, with many migrants experiencing abuse and victimisation, there is a dire need for training in the legal parameters of and distinction between smuggling and trafficking for both journalists and humanitarians working with migrants to strengthen reporting.

At the same time, the responsibility also falls on press houses, their customers driving demand and influential public figures to shift the debate from migration through the prism of a crisis towards more evidence-based and nuanced understandings of why people chose to undergo the journey, their understanding of the laws and rights associated with such a decision, and their experiences along the way.

Various competing political agendas in Europe on migration affect what is published on the topic; both in print and online. With the increasing levels of migration to Europe since the outbreak of civil war in Syria and the end of the Gaddafi regime in Libya, both in 2011, attitudes towards migrants, refugees and even smuggled and trafficked people have deteriorated.

Trust in news organisations has weakened over the last decade[78] and continues to deteriorate, along with trust in leaders to effectively respond to the migration crisis.

Because the news cycle is driven by the need to find the latest, biggest event and the most startling statistic, the space for other voices and opinions about what drives migrant flows and the experiences of migrants during their journeys is limited, occurring mainly in longer but less frequent investigative stories. This limits the information the public receives and thus also limits the views and voice of the public on migration-related laws.

A better understanding of the phenomena of migration and trafficking – and the telling of the experiences of migrants, smugglers and traffickers – can contribute to better data collection and enhanced policing, investigation and prosecution of those causing the most harm. This in turn could contribute to the appropriate sentencing of migrant smugglers and traffickers, and the right to protection and support of victims of trafficking.

Since the press both reflects and shapes public opinion, journalists and policymakers must be better informed and more responsible in how they use the terms of smuggling and trafficking. Further, as long as official definitions are long-winded and abstract, the lines between trafficking and smuggling will be hard to understand, and easily blurred by the media and the public.

This raises two key questions: whether the official definitions need revisiting, and what would be required to better enable responders – law enforcement, states, courts, and the media – to more appropriately apply the legal frameworks and terminology to all of the different cases.

There is little that can be done about the tendency of media houses to publish attention-grabbing headlines and trendy terminology, but individual reporters and editors can strive to include more nuance and achieve greater accuracy in stories on this topic to increase public knowledge of the differences between trafficking and smuggling, and why this matters.

Simultaneously, news organisations can strive to better support and fund journalists to carry out investigative stories. Consumers in turn can help drive the media market in the right direction with their purchasing power.

Future research

In terms of reporting, there is a need for much more media coverage of the publications by the many NGOs and multilateral agencies working first-hand with migrants, refugees and other witnesses of experiences with unpaid labour and prostitution on their journeys – examples of which have been cited throughout this paper.

Much more research is also needed into the relationship between the media's reporting on migration and policy responses to it, as well as its impact on public debates on human rights, multiculturalism and European integration. Moreover, replicating the methodology and approach used in this research in Arabic and widening the source base to include informal reporting sources such as social media and influential blogs could yield interesting results and serve as a comparative to the results in this paper.

One way to improve understanding is to improve the quality of journalism on both sides of the Mediterranean. ENACT funds journalism-training workshops focused on technical research and writing skills in Africa to build the capacity of African journalists to report on transnational organised crime. The most recent training sessions were hosted in partnership with the Thompson Reuters Foundation and held in Kampala, Uganda in January 2018 and Dakar, Senegal in February 2018.[79]

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79 For more information on past and upcoming training courses, see ENACT, https://enactafrica.org/training.

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About ENACT

ENACT builds knowledge and skills to enhance Africa's response to transnational organised crime. ENACT analyses how organised crime affects stability, governance, the rule of law and development in Africa, and works to mitigate its impact.

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