The Khartoum Process and human trafficking

Audrey Lumley-Sapanski, Katarina Schwarz and Ana Valverde-Cano

The Khartoum Process's emphasis on stopping northward migration comes at great cost to vulnerable refugees and asylum seekers.

Sudan ranks 14th in the world for prevalence of modern slavery per capita.[1] Different types of abuse and exploitation occur along mixed migration routes from East and West Africa to and through North Africa – routes travelled by people from Sudan, as well as people moving through Sudan from countries such as Eritrea and Ethiopia.[2] According to the International Organization for Migration, 66–77% of migrants along these routes have experienced either work without payment, forced labour, being held against their will, or being targeted for an arranged marriage. Within Sudan's refugee camps, which are characterised by poor living conditions and inadequate security, refugees are vulnerable to predation by smugglers or traffickers. These vulnerabilities are borne unequally, with women in particular subject to gender and sexual violence.

The EU Horn of Africa Migration Route Initiative, referred to as the Khartoum Process (KP), was launched in November 2014 by 37 State signatories alongside European Union and African Union commissioners in charge of migration and development. It was intended to produce concrete action to prevent and tackle human trafficking and smuggling, and placed the onus of work to curb illegal migration on State actors. It ties development money to migration control, making funding contingent on African States' capacity to influence the flows of 'illegal' migrants.[3]

The Emergency Trust Fund for Africa (EUTF) contributed an initial €40 million to the Khartoum Process for 2016–19. These funds are distributed between policy harmonisation (12.5%), capacity building (62.5%), protection (17.5%) and awareness raising (7.6%). The majority of money allocated to capacity building went to law enforcement, justice and border security.[4]

Border enforcement and insecurity

For some groups, like pastoralists, the ability to cross borders is a historical right and essential for their livelihoods. For others, like Eritreans, migration represents a method of seeking protection from an authoritarian regime. In focusing on controlling irregular migration, and more specifically stopping onward migration, the KP ignores the root causes of migration without investing in alternatives.

The policy approach has been to crack down on smugglers and traffickers ... rather than looking at drivers and why people are moving in the first place. (researcher, March 2021)

The absence of legal and safe paths for mobility has made resorting to smugglers to travel along the Central Mediterranean Route via Sudan to Libya inevitable. Forced to use less traversed routes to cross borders, protection seekers are vulnerable to traffickers and exploitation. Smugglers are also known to sell migrants to traffickers. The fact that migration has been made illegal allows traffickers and smugglers to act with impunity in many cases; traffickers use it to their advantage, manipulating migrants' legal status to prevent engagement with legal authorities.

The Rapid Support Forces (RSF) – mainly former Janjaweed militias which have recently been integrated into the armed forces – have been assigned the task of border management within the government of Sudan. According to experts, these underpaid militias-turned-soldiers are rewarded with supervision of migratory routes as a source of additional revenue. Concerns have been raised about the purpose and use of EUTF funds which may be enabling traffickers: that by providing funding to Sudan for border management, the EU is effectively complicit in human rights abuses

UNHCR/Hassan Gamary

Nineteen-year-old Rumaysa holds up a sign saying "I want to live in safety". During a campaign by UNHCR in 2018, members of the refugee and host community in eastern Sudan came together to demonstrate solidarity against human trafficking. The campaign sought to highlight the risks to refugees, IDPs and host populations and to raise international awareness of the problem.

and trafficking committed by the RSF. An interviewee familiar with the RSF described the benefits of this position, which allows them to tax migrant caravans and to engage in trafficking to benefit themselves:

They play the dual role of being officially tasked with stopping migrants and also profiting from it on the side. There are definitely instances where they've physically ferried migrants, but…if they also come across a group of migrants they'll exploit them because they can. (independent researcher, Sudan, March 2021)

Border agents also engage in sexual exploitation. Interviewees identified cases in which women and girls were abducted and sexually exploited by border agents. The KP–EUTF partnership is therefore indirectly contributing to the trafficking of vulnerable populations while giving lip service to policing irregular migration.

Predation in protected space

The fact there is an encampment policy for hundreds of thousands of refugees who could be there for two or three generations by now, with still no legal ways to generate an income… it increases vulnerability to modern slavery, forced labour, risks of trafficking and onward movement. (NRC staff member, March 2021)

In the words of one interviewee, camps function as 'honey pots' for smugglers and traffickers. Refugees are unable to work legally and are denied a pathway towards long-term residence or citizenship. The lack of livelihood or educational opportunities contributes to a drive towards onward migration. As the above interviewee continued, "There is a disproportionately high number of young people faced with the prospect of staying in a refugee camp for the rest of their lives. It's not something that anyone wants to do."

Predatory traffickers feed on refugees' despair, with little fear of interference from local camp administrators. A law enforcement official described the camps as "huge, impersonal places, where the gangs can walk in and take people out."[5]

Call for interventions

The externalisation policies of the EU have contributed to this outcome by encouraging

the adoption of a migration policy which prioritises border securitisation through rhetoric and spending. The critical problem with this policy is that it ignores questions of security of humanitarian protection seekers. More so, it provides funds and surveillance tools redirected from other development and humanitarian programming which are being used by a security force that has a history of perpetrating human rights abuses. Separately but equally problematically, the emphasis on restricting migration results in a lack of legal migratory pathways, which in turn contributes to prolonged displacement within camps where refugees suffer deprivation. This then leads to a desire for onward migration that traffickers exploit. The emphasis on stopping northward migration comes at an enormous cost.

What can be done? Our research calls for three interventions. First, refugees who accept the terms of camp residence deserve protection from predation. International actors engaged in the region, such as UNHCR, the Norwegian Refugee Council[6] and MMC[7], should advocate for alternatives to the encampment policies and for pathways to local integration. Second, the EU should not use the promise of funding to coerce Sudan or other Horn of Africa States into migration compliance. The government of Sudan should challenge the EU's position and work with IGAD countries[8] to open borders. Lastly, the question of the RSF's involvement is serious and problematic. If the RSF continues to receive EU resources to police borders, it is imperative to hold the EU accountable for tracing how those resources are used. The agreements should be transparent with identified measures of accountability.

Audrey Lumley-Sapanski
Audrey.lumley-sapanski1@nottingham.ac.uk
Rights Lab Research Fellow in Migration and Integration

Katarina Schwarz ***@KLMSchwarz***
Katarina.schwarz@nottingham.ac.uk
Rights Lab Associate Director (Law and Policy), Assistant Professor in Antislavery Law and Policy, School of Law

Ana Valverde-Cano ***@IurisTantumAV***
ana.valverde-cano@nottingham.ac.uk
Rights Lab Research Fellow in Antislavery Law and Policy

University of Nottingham

1. Global Slavery Index www.globalslaveryindex.org

2. IOM (2020) 'Migration in West and North Africa and across the Mediterranean' bit.ly/IOM-migrationWNAfrica-2020

3. Oette L and Babiker M A (2017) 'Migration Control à La Khartoum: EU External Engagement and Human Rights Protection in the Horn of Africa', *Refugee Survey Quarterly* 36(4):64–89; European Parliament, DROI Subcommittee (2020) 'EU External Migration Policy and the Protection of Human Rights'

4. Reitano T (2016) 'The Khartoum Process: A Sustainable Response to Human Smuggling and Trafficking?', Institute for Security Studies https://issafrica.s3.amazonaws.com/site/uploads/policybrief93.pdf

5. Interview, Trainer, ROCK, 2021

6. Global co-lead of the Camp Coordination and Camp Management (CCCM) Cluster

7. MMC, the Mixed Migration Centre, is the lead collector of migration data in the region.

8. The Intergovernmental Authority on Development (IGAD) is an eight-country trade bloc in Africa. It includes governments from the Horn of Africa, Nile Valley and the African Great Lakes.

BY-NC-ND