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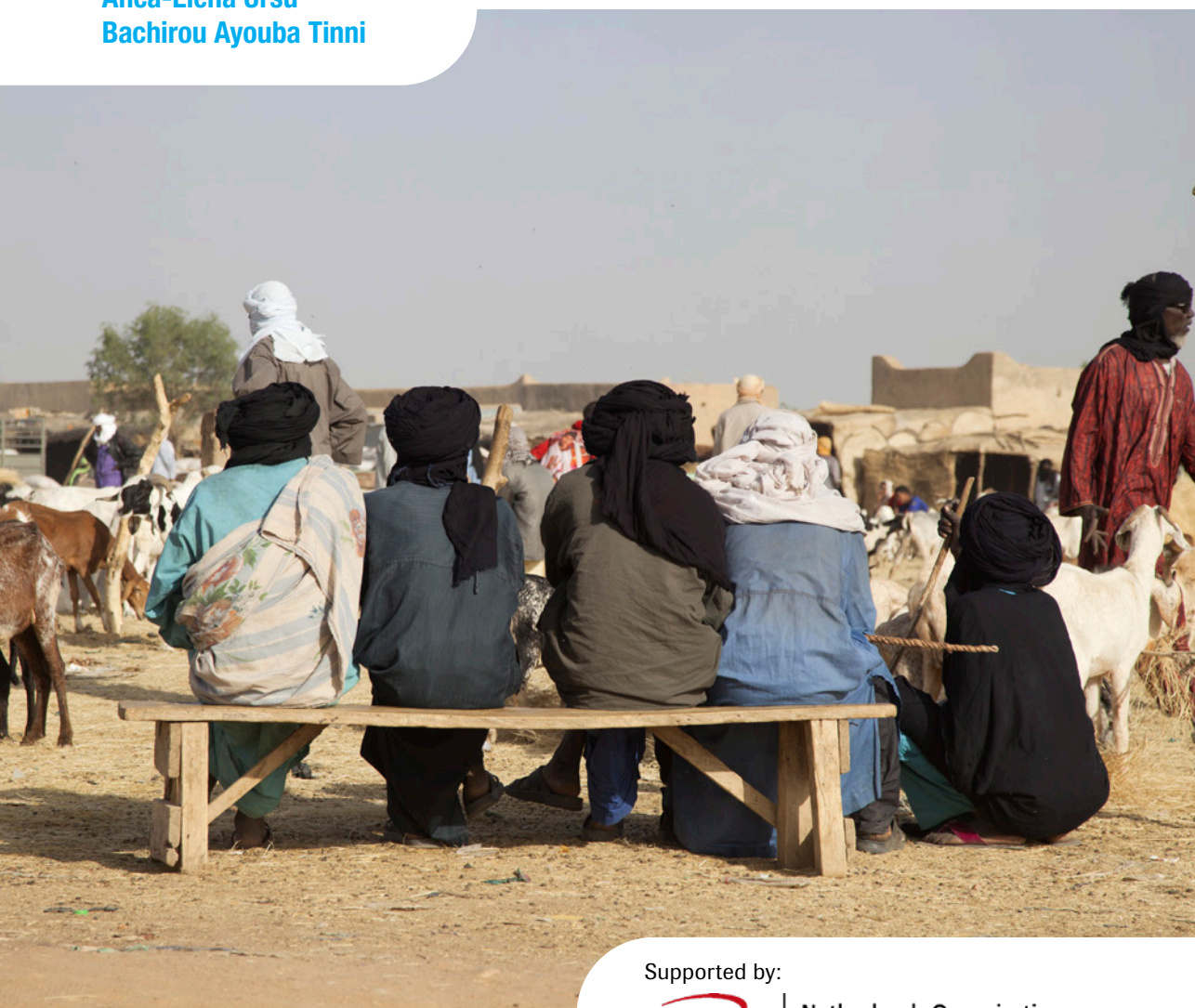
Netherlands Institute of International Relations



# Local governance opportunities for sustainable migration management in Agadez

Fransje Molenaar  
Anca-Elena Ursu  
Bachirou Ayouba Tinni

**CRU Report**



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October 2017

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# Abstract

This report explores the effects of migration and the implementation of migration policies in north Niger. The report shows that the Agadez community has become increasingly frustrated with local political authorities who are seen to work to the advantage of the European Union (EU) rather than their own population. This is a troubling development, especially because our survey results show that local state authorities do not inspire high trust levels in their population to begin with. In addition, the report describes how the Agadez region is experiencing an increase in insecurity on various dimensions. These two dynamics suggest that – although the region is relatively stable for now – care should be taken to invest in policies that boost the legitimacy of local authorities by supporting the reinvigoration of the quality and accountability of institutions across service-delivery areas. In addition, care should be taken to address potential radicalisation and conflict dynamics to ensure that the Agadez region remains a beacon of stability in an otherwise volatile region.

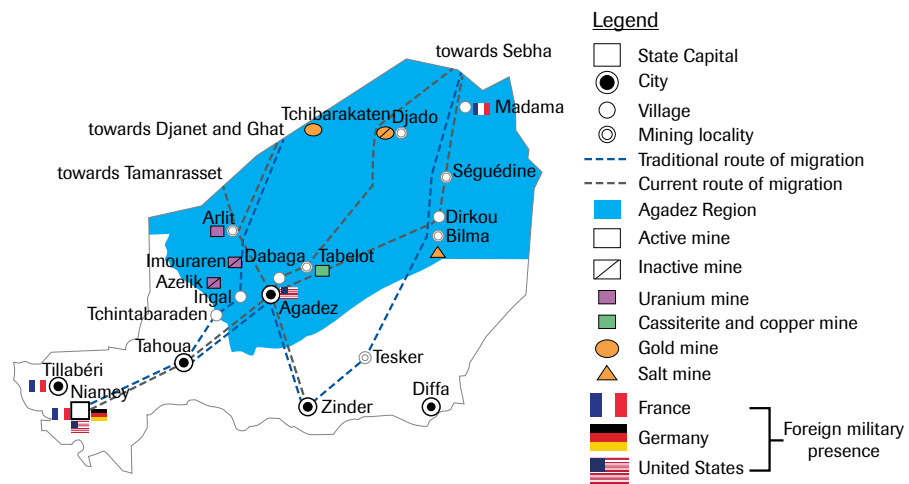


Figure 1 Map of Niger

# Executive summary

In late 2016, EU-sponsored efforts to address irregular migration resulted in the reconfiguration of the Agadez migration industry. The arrests of drivers and ghetto operators (the people in charge of the walled compounds of private residences where migrants are lodged during their stay in Agadez), as well as the confiscation of the pick-up trucks used to transport migrants through the desert, resulted in a substantial drop in the number of migrants that the International Organization for Migration (IOM) recorded in transit from Agadez to Libya and Algeria. The latest in a series of developments restricting economic opportunities in the region, the policies targeting irregular migration resulted in a decline in both direct employment in the migration industry and the demand in related secondary sectors. This report explores the extent to which local authorities have been able to cushion the fall for their population and to which the potential grievances sprouting from this economic duress have created conflict risks in the region.

The report asserts that implementation of the policies targeting irregular migration has pitted the local population of Agadez against local state authorities. People feel that these authorities have been unable to provide alternative economic opportunities when the migration industry was shut down. Such perceptions harm the legitimacy of local state authorities, who our survey results show experience relatively low levels of trust to begin with – especially when compared to traditional and religious authority figures. Local state authorities are very much aware that they need to take action to address the negative impact of migration-mitigating measures in Agadez. In recent months, they have therefore embraced a Reconversion Plan that offers former migration facilitators seed funding for alternative economic endeavours. Given that international partners could be mobilised to provide funding for a pilot project only, however, the implementation of the Reconversion Plan contributed to frustration and feelings of injustice among the applicants that were not allotted any funding. A quick win to boost the legitimacy of local authorities would be to fund the entire Reconversion Plan and to investigate how this initiative could be connected to broader programmes of sustainable private-sector development.

Implementation of migration-mitigating policies also resulted in more insecurity in the Agadez region – on various dimensions. Migrants are the first – and most obvious – victims of this insecurity. Both their stay in Agadez and their journeys through the desert have become more clandestine, more expensive, and more prone to human rights violations and hardship. Insecurity also extends to the Agadez population, in that many armed young men have taken to banditry to support their immediate economic needs. Looking into radicalisation and conflict dynamics more generally, our survey

and interview data indicate that Agadez is relatively stable for now. The data also show, however, that this stability depends more on a mix of accumulated experiences through various preceding rebellions, informal safety nets and safeguards implemented at the elite level than on effective development policies addressing the local population's grievances. Given that the international spotlight has been turned on Agadez, it seems an opportune moment to start thinking about ways in which to invest in policies that address potential radicalisation and conflict dynamics and that ensure that migration policies are implemented in line with international commitments to human rights and rule of law, citizens' participation and protection, and accountability of state security forces.

In particular, the report's recommendations highlight several local initiatives that provide opportunities for development or to strengthen the legitimacy of state institutions. These range from using local consultative mechanisms to plan interventions in the region, to investing in decentralisation and local service delivery, to working with key partners to inform the local population of the possibilities and limitations of international development projects, to proposed changes of the Reconversion Plan to make it more conflict-sensitive. To strengthen security in the region, the report proposes ways to invest in communal and migrant security, suggests the involvement of local communities in the identification of migrants' human rights violations, identifies ways to invest in bottom-up conflict management and proposes that all interventions in the region be designed in a PVE/CVE manner. It concludes that to date the Agadez population has not benefitted significantly from the funding invested in the region to address migration and that it is time to turn this tide.



# List of Abbreviations

ANFICT	Agence Nationale de Financement des Collectivités Territoriales [National Agency for Local Authority Funding]
CFA	Communauté Financière d'Afrique [Financial Community of Africa]
COCORAT	Commission Consultative Régionale de l'Administration Territoriale [Regional Consultative Committee of the Territorial Administration]
CVE	Countering Violent Extremism
DDR	Disarmament, Demobilisation and Reintegration
EPGA	Economie Politique et Gouvernance Autonome
EU	European Union
EUTF	European Union Trust Fund for Africa
HACP	Haute Autorité à la Consolidation de la Paix [High Authority for the Consolidation of Peace]
IOM	International Organization for Migration
ODI	Overseas Development Institute
PAEIRA	Plan d'Actions à Impact Economique Rapide à Agadez [Plan with rapid economic impact in Agadez]
PVE	Preventing Violent Extremism
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
XOF	International Organization for Standardization denomination for XOF currency

# Introduction

Niger is a relatively calm state in an otherwise instable region. Mali, its direct neighbour to the west, is subject to open conflict in the centre and north of the country, resulting from a toxic combination of land conflicts between sedentary populations and (semi-) nomadic herders, separatist movements and armed extremist groups. Several of these armed extremist groups are strongly connected to al-Qaeda in the Islamic Maghreb, whose main base of operations is located in Niger's northern neighbour Algeria. The Libyan state, Niger's other neighbour to the north, has fractured into a violent compound of armed militias, some of whose ethnic ties extend into Niger as well.<sup>1</sup> This geography of armed (extremist) violence overlaps with age-old trade and trafficking routes and, not coincidentally, with routes used to facilitate irregular migration to Algeria and Libya – with Agadez at its centre.<sup>2</sup>

Agadez – Niger's largest province – stretches across more than half the state's territory and includes landmarks such as the Ténéré desert, the Bilma sand dunes and the Aïr mountains.<sup>3</sup> It is a sparsely populated region, home to as few as 3 percent of the Nigerien population. A substantial proportion of Agadez residents are nomadic or semi-nomadic people. Agadez's strategic position at the centre of caravan trails of earlier times and of modern-day cross-border trade and trafficking routes has resulted in the development of an economy that is strongly based on mobility and trade networks – migration being an important element in this mobility-based economy. As described in this study's companion report [Migration and Markets in Agadez: Economic alternatives to the migration industry](#), the implementation of the 2015 Law Against the Illicit

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- 1 At the same time, Boko Haram's activities in the Lake Chad Basin increasingly sharpen local conflicts over access to resources in south-eastern Niger. International Crisis Group. 2017. 'Niger and Boko Haram: Beyond Counter-insurgency,' Report no. 245, Brussels, ICG.
  - 2 Irregular migration is defined here as migration undertaken by persons 'who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, lacks legal status in a transit or host country' (Malakooti, A. 2015. *Migration Trends Across the Mediterranean*, Paris, Altai Consulting and IOM, 3). Irregular migration flows are integrated by 'temporary and reversible movements' [circular migration], 'long-term migration', and 'forced migration [refugees].' (Guilmoto, C.Z. and Sandron, F. 2003. *Migration et développement*, Paris, La Documentation Française). Although the majority of migrants in Agadez are regular West African migrants travelling freely under the ECOWAS (Economic Community of West African States) protocol, (the debates surrounding the) implementation of the 2015 law has framed these migrants as irregular migrants. Legally speaking, migration becomes irregular only when ECOWAS citizens cross the border with Libya and Algeria without valid travel documents.
  - 3 It thereby constitutes the largest subdivision of an African state.

Smuggling of Migrants<sup>4</sup> in the second half of 2016 has, however, resulted in a drop in recorded migration flows from Agadez to Libya and Algeria of late.<sup>5</sup> This has aggravated a decade of economic opportunities becoming increasingly scarce in the Agadez region and has increased economic hardship for the Agadez population.<sup>6</sup>

This report argues that future migration policies should be mindful of Agadez's geographic location amidst instability combined with the increase in economic grievances that the implementation of migration-mitigating measures has resulted in.<sup>7</sup> This is particularly relevant given that a recent study by the Overseas Development Institute (ODI) identifies "several structural dynamics that are influencing trajectories of radicalisation at the macro level in the Agadez region".<sup>8</sup> All these factors suggest that migration policies cannot be implemented sustainably without looking into how these measures affect the responsiveness of the state to address civilian grievances, potential dynamics of radicalisation and economic development. According to the United Nations Development Programme (UNDP), "violent extremism in Africa is setting in motion a dramatic reversal of development gains and threatening to stunt prospects of development in decades to come."<sup>9</sup> Migration policies that do not take into account the need to prevent or counter violent extremism (PVE/CVE) thereby threaten to undermine one of their own objectives, which is to invest in development to address the root causes of migration.

This report therefore sets out to explore how migration policies could be designed in a manner that is mindful of potential conflict and radicalisation patterns. Building on

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4 République du Niger. 2015. 'Loi 2015-36 Relative au Trafic Illicite de Migrants' (Law Against the Illicit Smuggling of Migrants) (hereinafter 'the 2015 law').

5 This report is part of a series studying the effect of migration and migration policies on Agadez. This report's companion report [Migration and Markets in Agadez: Economic alternatives to the migration industry](#) situates the migration industry of Agadez in the broader context of the town's political economy. The synthesis report [A line in the sand: Roadmap for sustainable migration management in Agadez](#) summarizes both reports' findings and recommendations.

6 Several other key economic sectors, such as tourism, artisan handicrafts and uranium and goldmining, had also declined over the past decade due to rebellion, a terrorist threat and the (temporary) closures of mines and mining sites. See this study's companion report [Migration and Markets in Agadez: Economic alternatives to the migration industry](#).

7 This concern is expressed by the Agadez state authorities as well. See Commune d'Agadez. 2016. 'Rapport de la table-ronde sur la problématique de la migration dans la commune urbaine d'Agadez,' 9.

8 McCullough, A., Schomerus, M. and Harouna, A. 2017. 'Understanding trajectories of radicalisation in Niger,' London, Overseas Development Institute, 6. It should be noted that these authors define radical as "a body of thought or action that diverges from and challenges the mainstream" and radicalization as "the process that precedes, but does not always lead to, terrorism and violent extremism". Ibid., 9.

9 United Nations Development Programme (UNDP). 2017. *Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment*, New York, Regional Bureau for Africa, 4.

survey data, focus group discussions and key informant interviews (see appendix 1 for an overview of the research methodology), the report first maps the main *local governance structures* to acquaint the reader with the authorities in charge of the implementation of migration and development policies in the region – as well as other potentially relevant actors often overlooked by policy makers. This section also discusses the effect of current migration policies on the legitimacy of state authorities and identifies key entry points for migration policies that strengthen rather than weaken the existing institutional framework and that contribute to the satisfaction of the Agadez population with local governance actors. The report's second section identifies how migration policies have affected security in Agadez on various dimensions. The third section offers concrete policy recommendations to address several unintended consequences of migration management policies in the region.

# 1 Legitimacy of state authorities

The UNDP notes that ‘a sense of grievance towards, and limited confidence in, government is widespread in the regions of Africa associated with the highest incidence of violent extremism.’<sup>10</sup> Care should therefore be taken to ensure that the Nigerien government’s active collaboration with EU migration policies, to the extent that the EU calls Niger ‘emblematic of what can be achieved with a transit country through the Partnership Framework on Migration,’ do not result in grievances towards the government.<sup>11</sup> Useful in this regard is that the EU’s current involvement in Niger creates a window of opportunity to support ongoing local government initiatives to strengthen state performance in Agadez.<sup>12</sup> The following section provides a mapping of Nigerien state authorities to identify key partners in such endeavours. Subsequent sections discuss the decentralization process and the effect of current migration policies on the legitimacy of state authorities to identify key entry points for migration policies that strengthen rather than weaken the existing institutional framework and that contribute to the satisfaction of the Agadez population with local governance actors.

## A mapping of state authorities

The Nigerien territory is divided in seven regions – Agadez, Diffa, Dosso, Maradi, Tahoua, Tillabéri, Zinder – and one capital district, Niamey. Regions are further broken down into 63 departments and 266 *communes*, or municipalities, which in turn are subdivided in *cantons* (sedentary settlements) and *groupements*, or groupings (nomadic settlements). Municipalities are the basic administrative territorial units.<sup>13</sup> Local governance of these units takes on the shape of a multilayered structure consisting of four types of state authorities: *central government authorities*, whose policies are implemented at the municipal level by *authorities of the devolved administration*, whose work is further informed by the decisions of *locally elected authorities*, who constitute

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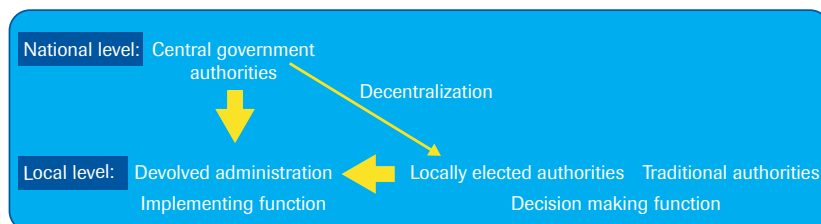
<sup>10</sup> *Id.*, 5.

<sup>11</sup> European Commission (EC). 2017. ‘Fourth Progress Report on the Partnership Framework with third countries under the European Agenda on Migration,’ Strasbourg.

<sup>12</sup> It should be recognised that the UNDP crucially identifies a positive experience of effective service provision as a major source of resilience. UNDP, *op. cit.*, 5.

<sup>13</sup> République du Niger, 2008. ‘Loi 2008-42,’ 31 July.

the local authority structure together with *traditional authorities* (see figure 2 for an overview).<sup>14</sup>



**Figure 2 Local governance mapping**

Municipalities exercise their competencies under the tutelage of the state, in agreement with national laws and regulations. At the regional level, the centrally appointed governor functions as a liaison officer between central and local government.<sup>15</sup> The governor oversees the aspects of government policy that are not decentralised (such as security) and ensures harmony between regional and central policies. In this capacity, the governor coordinates and controls the work of the prefects, who represent the central government in the 63 departments. At the service of the state, the prefect assures public order, law enforcement and the protection of local populations. Additionally, he operationalises state policies across the department.<sup>16</sup> The *devolved administration* consists of policy makers that officially fall under central ministries but who are devolved to the local government to help in the development and implementation of local policies. It is the prerogative of the governor to authorise authorities of the devolved administration to follow orders and instructions from locally elected authorities.<sup>17</sup>

*Locally elected authorities* take on the shape of Municipal and Regional Councils presided over by a mayor and a president respectively.<sup>18</sup> Within every council, municipal

<sup>14</sup> The remainder of this report uses the term 'local state authorities' to distinguish the locally elected authorities and authorities of the devolved administration from the traditional authorities.

<sup>15</sup> République du Niger. Code général des collectivités territoriales. Articles 9 and 307.

<sup>16</sup> See République du Niger. 2015. *Brochure d'information sur la décentralisation au Niger*, 81; 2010. 'Ordonnance N° 2010-54 portant Code Général des Collectivités Territoriales de la République du Niger,' Arts. 306, 308-311.

<sup>17</sup> Online interview with EPGA researcher 2. 2017, September.

<sup>18</sup> In their mandates, structure and rules of procedure are similar, albeit the regional authorities are charged with managing a greater territory. To exercise their functions, individual municipalities have their own budget at their disposal and manage a defined territory.

and regional alike, there are six specialised committees which develop policies on financial affairs; social, cultural and sport affairs; rural development and environment; economic affairs; land affairs; general, institutional and cooperation affairs.<sup>19</sup> The Municipal Council is a collegial, deliberative body elected by universal suffrage at the level of municipalities.<sup>20</sup> The mandates of both councils extend for five years and their membership is divided between elected municipal councillors and members *ex officio*. The latter do not bear voting rights, and they include deputies of the National Assembly originating from the municipality or region, and traditional authorities, such as sultans, chiefs of cantons and groupings.<sup>21</sup>

These *traditional authorities* constitute a final set of local governance actors. Niger is one of the few countries in West Africa to have constitutionally codified the role of traditional authorities in the formal state structure.<sup>22</sup> In the case of Agadez, the sultan of the Air embodies the main traditional authority. As one of the subordinates puts it, “the president is the chief of Niger, the sultan is the chief of Agadez.”<sup>23</sup> The sultan holds administrative and judicial powers that he delegates to his subordinates. Traditional chiefs report back to the sultan from various levels. Regionally, he is represented by chiefs of groupings and cantons who are followed in turn by chiefs of nomadic tribes and villages. Municipally, neighbourhoods chiefs report to him.<sup>24</sup> The *qadis* (traditional judicial figures) and chiefs of women constitute two additional layers of traditional authorities that fall under the sultan’s authority structure.<sup>25</sup> In addition to forming an important link between state authorities and the local population through their presence

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19 The Regional Council of Agadez also has a seventh committee created in 2014. Known as the Commission for Peace, it is assigned to ensure the maintenance of peace in the aftermath of the rebellion concluded in 2009.

20 République du Niger, 2015, *op. cit.*, 29-30; 2010, *op. cit.*, Arts 23-26.

21 The number of councillors shifts between 11 and 25, a number proportionate to the population, excluding *ex officio* members. Recently, gender quotas were established requiring the minimal participation of 15 percent of either gender. République du Niger. 2014. ‘Loi 2014-64 modifiant et complétant la loi n° 2000-008 du 07 juin 2000 instituant le système de quota dans les fonctions électives, au gouvernement et dans l’administration de l’Etat.’ 5 November.

22 République du Niger. 2015. ‘Loi 2015-01 portant statut de la chefferie traditionnelle en République du Niger’.

23 Personal interview with district council. 2017. Agadez, Niger, July. The sultan is a prestigious civil servant who is on the payroll of the central government. The power of the sultan is based on the traditional deference of people native to his jurisdiction, but he has no power on non-native residents. This is true for other sultans in Niger as well. Online interview with EPGA researcher. 2017, September.

24 Traditional chiefs are paid from the national budget with an annual lump sum, based on ranking; they receive free healthcare, and can claim reimbursement for their expenses in the exercise of the function. See: Art. 30, 32, 33, ‘Loi 2015-01 Portant Statut de la Chefferie Traditionnelle en République du Niger.’

25 Personal interview with the sultan of Agadez. 2017. Agadez, Niger, July.

on regional and Municipal Council meetings, traditional and religious authorities mitigate communal conflicts<sup>26</sup> and they safeguard traditions, such as by organising cultural events and religious festivities.<sup>27</sup>

## Migration and local service provision

It should be recognised that ‘a positive experience of effective service provision is confirmed as a resource of resilience’ against violent extremism.<sup>28</sup> In our research, we therefore investigated which authorities are deemed responsible for service provision in Agadez and how migration has affected such service provision. As discussed, the formal state structure awards traditional authorities a more ceremonial role, an informative function and a role in settling conflicts. State authorities are more involved in the provision of services such as healthcare, education and security. The survey data show that respondents recognise this distribution of tasks among the various sets of authorities.

When asked who respondents turn to for conflict settlement with their neighbours, for example, respondents overwhelmingly answer that they would go to their traditional chiefs (51 percent) or community elders (19 percent). Other possibilities for some respondents are the police (10 percent), an imam (7 percent) or the sultan (7 percent). Hardly any respondents would turn to locally elected politicians (3 percent), the judiciary (1.5 percent) or public officials (0.7 percent).<sup>29</sup> These results corroborate interview data on the prominence of traditional and religious authorities over state authorities in issues related to conflict resolution. When asked who they would turn to for better service provision, such as better education, healthcare, and electricity provision, on the other

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26 In Tuareg society, religious authorities/scholars are members of the Ineslemen status group, and they are represented in the Niger Islamic Council (Conseil Islamique du Niger, CIN). The CIN is a successor organization of the 1974 Islamic Association of Niger (AIN). The CIN is a state-sponsored organization that runs Friday mosques across the country, fills positions of Qadis and administers local versions of Sharia law in situations of family dispute, marriage problems and certain types of social conflict. In each region, CIN is staffed with members from the most notable families or other established groups of Muslim scholars, such as the Ineslemen in Agadez. See: Moulaye, H. 2006. ‘Contribution des associations islamiques à la dynamique de l’islam au Niger,’ Working paper no. 72, Institut für Ethnologie und Afrikastudien, Johannes Gutenberg-Universität.

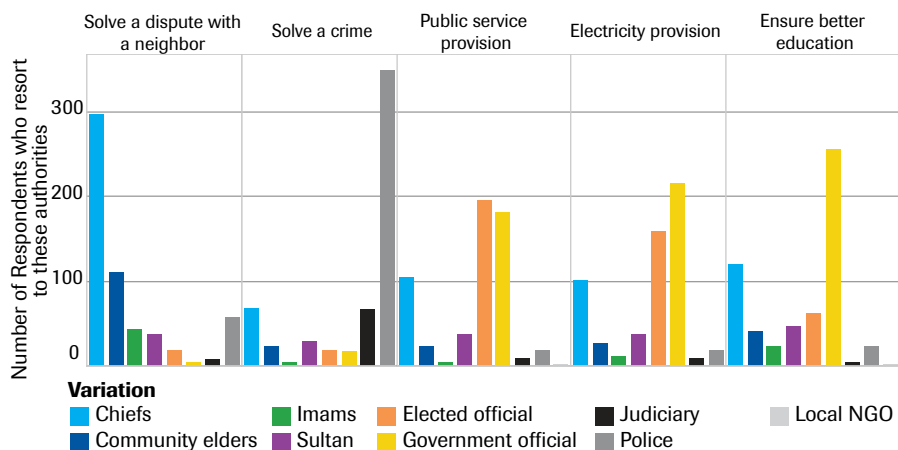
27 These include various activities such as dances and playing traditional instruments of the region like the *biano* – traditional drums.

28 UNDP, *op. cit.*, 5.

29 We invite the reader to further explore the data using this study’s interactive [data dashboard](#).



hand, respondents overwhelmingly pointed towards public officials, and to a lesser degree, locally elected officials.<sup>30</sup>



**Figure 3 Function of authority figures**

A closer look at the decentralization process that started in the wake of democratisation in the 1990s explains this latter division of competencies between public officials and locally elected officials.<sup>31</sup> On paper, the decentralization process consists of the central government transferring a wide array of functions to local governments (*collectivités locales*), such as development, education, transportation, healthcare, management

30 Respondents noted that security-related matters, such as ensuring safety at night and reporting crimes, fall under the competence of the police. One particularly interesting aspect of the police's perceived competencies is that the police is seen as an appropriate institution to settle financial disputes, taking upon a quasi-judicial competence. Only 9 percent of respondents would turn to the judiciary, which would be the institutional forum for the resolution of this type of quarrels, 45 percent to the police, 18 percent to the traditional chiefs, and 13 percent to community elders. An expert explains that people do not like to go to the courts because of the associated costs and lengthy procedures, and the traditional authorities avoid being involved in financial matters because it is not their jurisdiction. The state tolerates this dispute settlement mechanism since it satisfies the population and lightens the backlog of a small and overstressed justice system. Online interview with an EPGA researcher. 2017, September.

31 Le Bay, S. and Loquai C. 2008. *Assessing decentralisation and local governance in West Africa*, Bamako, Communiqués, 60-61. Decentralisation became effective in 2002, when the territory of Niger was divided in 265 municipalities followed by the first local elections in 2004. Mohamadou, A. 2009. 'Foncier pouvoirs locaux et décentralisation dans le département de Dakoro (Niger)', in: *Inventer et mobiliser le local*, ed. Hagberg, S., Marseille, *Association Euro-Africaine pour l'Anthropologie du Changement Social et du Développement*, Bulletin n. 31-32, 105-106. Currently Niger counts 266 municipalities after the creation of the *Commune de Makalondi* in 2009 at the border with Burkina Faso.

of land and the public domain, and the imposition and allocation of taxes to benefit municipal funds.<sup>32</sup> In practice, the decentralisation process has met with several obstacles. In its 2016–2020 Regional Development Plan (PDR), for example, the Regional Council notes that the effective transfer of competencies and resources from the state to the local level has met with severe delays.<sup>33</sup> According to their analysis, this is due to a shortage of qualified personnel in the majority of municipalities, the poor management of local budgets, as well as the lack of mobilisation of resources at the local, regional and national level.<sup>34</sup>

### **Box 1 Funding of decentralised administration**

Although local administrative units should receive funding from ANFICT – the National Agency for the Financing of Local Government charged with the management and disbursement of decentralisation-related funds – this agency does not appear to have become operational to date nor has Agadez received the yearly amount of circa XOF 500 million (EUR 760,000) XOF that it should receive in state taxes.<sup>35</sup> Moreover, mining companies, which have to pay taxes to the Regional Council, did not pay their dues for the past two years, leaving the region

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32 République du Niger, 2015, *op. cit.*, 30–32 ; 2010, *op. cit.*

33 It is telling, for example, that the competencies of healthcare and education were not effectively transferred to the local level until the 2016 adoption of a presidential decree. See the Presidential Decree of 26 January 2016 : République du Niger. 2016. 'Décret 2016-075 portant transfert des compétences et des ressources de l'état aux communes dans les domaines de l'éducation, de la santé, de l'hydraulique et de l'environnement.'

34 Regional Development Plan. For a similar analysis, see: International Monetary Fund African Department. 2013. *Niger: Poverty Reduction Strategy*, IMF Country Report no. 13/105, Washington, DC, International Monetary Fund.

35 The Organisation for Economic Co-operation and Development. 2016. Regional Profile – Niger. October; République du Niger. 2016. 'Transfert des compétences et des ressources de l'état aux régions collectivités territoriales dans les domaines de l'éducation, de la santé, de l'hydraulique et de l'environnement.' 26 January; personal interview with representative of the Regional Council 4. Agadez, Niger. July, 2017.

and its activities underfunded.<sup>36</sup> Municipalities have generally been unable to set up their own taxation infrastructure.<sup>37</sup> Given this lack of funding, it is hardly surprising that the Regional Council identifies severe gaps in service provision, production sectors and management of natural resources.<sup>38</sup>

In an interesting twist, the rise for the migration industry offset this lack of resources to a certain extent. In 2014, when Agadez was faced with a surge in transiting migrants, approximately 100 vehicles would leave Agadez in the direction of Dirkou at midday, every Monday. An immediate positive impact of this phenomenon for local governance authorities was that it allowed for the collection of a substantial municipal visitors' tax, amounting to an estimate of XOF 3 to 7 million (EUR 4,500 to 10,500) per week. Séguédine, a village in the east of the Agadez region, witnessed the development of a hotel industry and of a health clinic, which relied on the money it collected daily from migrants in need of treatment.<sup>39</sup> After implementation of the 2015 law, this visitor's tax could no longer be collected as irregular migration shifted underground.

The migration industry also had negative effects on service delivery. Bribes to security forces abounded, thereby contributing to the image of a corrupt police force.<sup>40</sup> Towns such as Fachi and Dirkou became exclusively dependent on migration driven revenue

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36 Personal interviews with representatives of the Regional Council and the regional Chamber of Commerce. 2017. Agadez, Niger, June. Also see: Diallo, M.I. 2017. 'Agadez: Des élus locaux expriment leur ras-le-bol,' *Niger Diaspora*, 27 March. A 15 percent mining and petrol tax is supposed to be devolved to the local government. For the Agadez region, home to uranium mines, such taxes have not yet materialized. Though the uranium sector has growth potential (currently three new concessions are in various stages of development), the sector faced a slow down around 2013-2014 following significant price uranium price drops. The SOMINA mine closed permanently, due to losses caused by delays and budget overruns, while the SOMAIR and COMINAK mines temporarily closed, following protracted negotiations on tax-rates. The new five-year agreement allowed for a potential increase in royalty rates to 12 percent of market value, which depended, however, on the profitability of these mines. Both the renegotiation of tax rates and the ability for firms to refrain from paying taxes if they run at a loss may explain why no uranium-related tax revenues reached Agadez's local government tiers in recent years. World Nuclear Association. 2017. 'Uranium in Niger,' July, <http://www.world-nuclear.org/information-library/country-profiles/countries-g-n/niger.aspx> (accessed September 2017).

37 Regional Council of Agadez. 2017. *Plan régional de reconversion des acteurs de l'économie migratoire*. Agadez, Niger.

38 For example, access to water decreased by 30 percent from 2011 to 2014, and access to healthcare is widely available in some urban areas only. *Ibid.*

39 Personal interview with a member of the international development community. 2017. Agadez, Niger, July.

40 Molenaar, F. and El Kamouni-Jansen F. 2017. 'Turning the tide. The politics of irregular migration in the Sahel and Libya,' CRU Report, The Hague, Clingendael.

– a dependency that would prove hard to sustain in time.<sup>41</sup> Other negative examples come from Agadez, where the population increased without this being accompanied by an expansion in service delivery, such as healthcare, water and electricity.<sup>42</sup> The volume of migrants passing through the city only compounded this problem because every migrant relied on these services during their stay in the city as well. It should therefore come as little surprise that a recent study into the economic impact of migration in Agadez found that ‘migration leads to increased stress on local infrastructure.’<sup>43</sup> The following section describes how the implementation of migration policies, in conjunction with the constraints placed on the local governance structure by exogenous factors such as outlined above, led the population to start questioning whether locally elected authorities could meet their needs in a meaningful way.

## Migration policies and the legitimacy of state authorities

One important consequence of the implementation of the 2015 law is that it has pitted the Agadez population against state authorities. As described in this study’s companion report [Migration and Markets in Agadez: Economic alternatives to the migration industry](#), the economic fallout of the implementation of this law occurred in a context where other key economic sectors, such as tourism, artisan handicrafts and uranium and goldmining, had also faced decline over the past decade. Migration-mitigating measures thereby contributed to larger feelings of economic hardship in the region. It should come as little surprise that people who used to work in the migration industry complain that their authorities are only out for the EU’s good rather than serving the interests of the people that have elected them.<sup>44</sup>

More generally, our interviewees had the impression that the authorities have shut down the migration industry without ensuring the materialisation of alternative economic opportunities. Discontent has arisen because the population had expected the international community to deliver economic opportunities, which have not materialised substantially to date.<sup>45</sup> This feeling is particularly dominant among former migrant transporters who now abide by the law and have not received access to new

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41 Personal interview with La Haute Autorité à la Consolidation de la Paix (HACP). 2017. Agadez, Niger, July.

42 Personal interview with the sultan of Agadez and IOM representative 1. 2017. Agadez, Niger, July.

43 Samuel Hall. 2016. ‘Selling Sand in the Desert, The Economic Impact of Migration in Agadez,’ IOM Niger.

44 Personal interview with smuggler 1. 2017. Agadez, Niger, July; focus group discussion with former smugglers 1 and 2. 2017. Agadez, Niger, July.

45 Personal interview with a journalist from Radio Nomade and with smuggler 1. 2017. Agadez, Niger, July; focus group with former smugglers 1 and 2. 2017. Agadez, Niger, July; personal interview with former rebel and smuggler. 2017. Agadez, Niger, July; focus group discussion with youth representatives. 2017. Agadez, Niger, June.

opportunities in return.<sup>46</sup> Interview respondents noted that no economic opportunities have materialised to offset the damaging economic consequences of the shut-down of the migration industry. At the same, the misinformation that abounds as to the possibilities for and limitations of international development projects adds fuel to the fire. In recent months, there have been misunderstandings between also authorities and civil society with regards to the retention of EU funds by the Regional Council: some locals believed that authorities were holding money from public spending for themselves.<sup>47</sup>

Local authorities recognise these problems and the need to create economic alternatives – especially for young people.<sup>48</sup> In the words of one official working at the municipal level, 'someone from the EU told me that those who are involved in this kind of activities [human smuggling] have to be imprisoned. But if the person is committed to stop smuggling, why do I have to put him in prison? What am I going to do with his children? What about the economy of the city?'<sup>49</sup> At the same time, local authorities note that they feel confronted by an international policy dialogue that tends to be organised in consultation with Niamey rather than Agadez itself. In addition, it is hard for local state authorities to mobilise resources to create alternative livelihoods that can offset the negative economic consequences that the implementation of the 2015 law has had within the structural limitations of the regional economy, such as Agadez's remoteness from other centres of economic activity in the country, its weak infrastructure and the prevalence of informal trade.<sup>50</sup> Local authorities are stuck between a rock and a hard place, with top-down pressure to stop irregular migration and bottom-up pressure for alternative livelihoods in a region faced with structural limitations, creating an untenable situation.

These centrifugal tensions would be hard for any authority to bear. In Agadez, the situation is even more complex given that our survey data show that local authorities have relatively little legitimacy to begin with. First, Agadez residents put little trust in locally elected politicians, whom only 31 percent of respondents trust completely.<sup>51</sup> Public officials rate only marginally higher, 35 percent of respondents trusting them. This stands in a sharp contrast to religious and traditional authorities, whose

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46 Personal interview with smuggler 1 and Radio Nomade journalist. 2017. Agadez, Niger.

47 Personal interview with member of municipal authorities 1. 2017. Agadez, Niger, July.

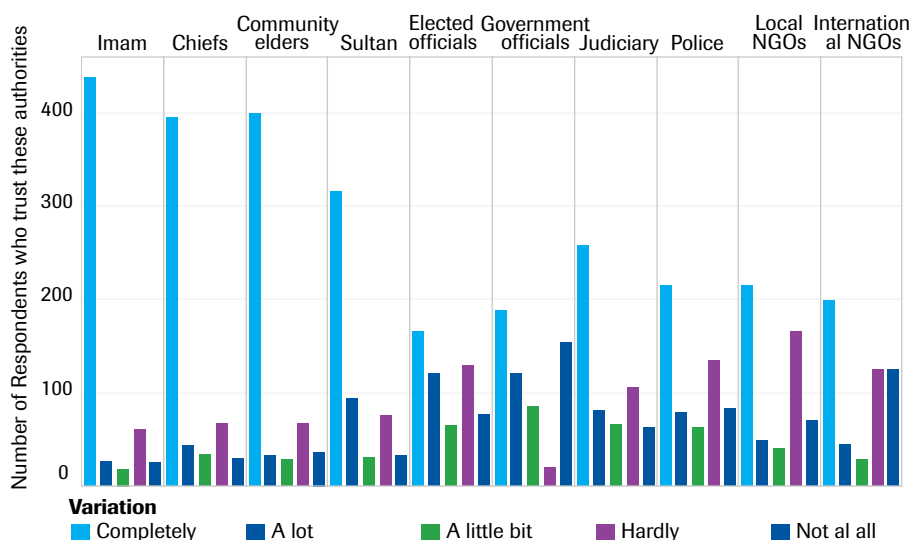
48 Personal interview with representative of the Regional Council 2, 3 and 4, sultan, and chief of women. 2017. Agadez, Niger, July; Commune d'Agadez, *op.cit.*

49 Personal interview with member of municipal authorities 1; confirmed by personal interview with representative of the Regional Council 4. 2017. Agadez, Niger, July.

50 Personal interview with member of municipal authorities 1 and journalist from Radio Nomade. 2017. Agadez, Niger, July.

51 Gender, ethnicity, level of education and age generally do not alter the findings. The one exception is young males.

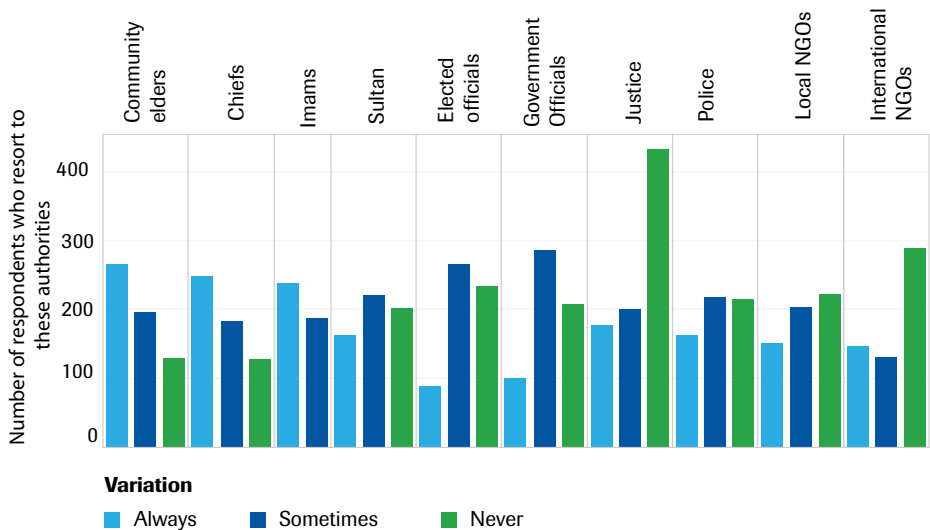
complete trust-rate ranges from 58 (sultan) percent to 69 percent (chief) to 70 percent (community elders), and 77 percent (imams).



**Figure 4 Trust in authority figures**

Another survey question asked who respondents would seek recourse to in case of need. More than 40 percent of the population would certainly ask for help from community elders, traditional chiefs and the imam; 28 percent would ask the sultan. State authorities were deemed less useful in case of need, only 15 percent turning to elected officials and 17 percent turning to government officials for support. In light of the finding that locally elected authorities are not awarded high trust levels and are not seen as useful allies when problems arise, it is unsurprising that an average of 66 percent of our sample claimed to not have voted in the past elections, and that they do not intend to vote in the future.<sup>52</sup>

<sup>52</sup> This finding may also reflect the fact that although local elections should have been scheduled in 2016, the National Assembly passed a law prolonging the mandate of locally elected authorities without elections. The official argument was that they would like to substitute the regular voting cards with biometric ones. République du Niger. 2016. 'Projet de loi modifiant l'ordonnance n° 2010-54 du 17 septembre 2010, portant Code Général des Collectivités Territoriales de la République du Niger,' 7 Octobre; online interview with EPGA Researcher. 2017, September; Africanews. 2016. 'Nouveau report des élections municipales au Niger,' 5 Octobre. Other sources claim that these elections were not organized due to a lack of funding or to prevent a repeat of the contentious 2016 presidential elections. Online interview with NGO Tamakrast and EPGA researcher 2.



**Figure 5 Authorities that respondents resort to in case of need**

In a conclusive comment at the end of the survey, a respondent noted that ‘in Agadez all authorities are serving politics because they have personal interests, God is our only bulwark.’<sup>53</sup> Given that migration policies are being implemented in a context where local state authorities do not possess high trust rates, care should be taken to avoid the migration policies from becoming a potential flashpoint contributing to the delegitimisation of state authorities.

53 Survey respondent 402.

## Box 2 Legitimacy of the Nigerien security forces

The Nigerien security forces (police, gendarmerie, National Guard and armed forces) are a special category that requires further discussion. Figure 3 showed relatively few respondents (38 percent) awarded the police with complete trust.<sup>54</sup> Police forces were also deemed relatively unhelpful in time of need, with only 28 percent of respondents indicating that they would absolutely turn to the police for support (see figure 4).<sup>55</sup> These findings are relevant in light of the fact that police actions constitute one of the main visible aspects of migration policies in Agadez. Implementation of this law has resulted in the arrest of over 282 drivers and ghetto operators combined with the confiscation of at least 169 pick-up trucks used to transport migrants through the desert.<sup>56</sup>

According to Agadez authorities, these actions have resulted in a 'certain degradation of the relationship between the security forces and the population, particularly with the actors involved in the migration industry.'<sup>57</sup> Beyond a sense of frustration over the loss of income, sentiments of injustice abound. In our interviews with former smugglers, respondents expressed the feeling that they were caught unawares by the unannounced implementation of the 2015 law.<sup>58</sup> Next to the policing actions themselves, Agadez authorities identify the corruption of 'certain members of the security forces' as an additional factor that harms the legitimacy of the security forces in general, and their image of impartiality and authority in particular.<sup>59</sup>

54 The judiciary end up somewhere in the middle, with a complete trust rate of 46 percent.

55 Thirty percent of respondents would absolutely turn to the judiciary for support.

56 In addition, at least nine gendarmes were arrested for migration-linked corruption. Data are available for the period July to mid-October 2016 and for January to August 2017. Actual numbers may therefore be higher as no data are available for the period mid-October to December 2016. See: European Commission. 2016. 'Second Progress Report: First Deliverables on the Partnership Framework with third countries under the European Agenda on Migration,' December, Brussels. [https://eeas.europa.eu/sites/eeas/files/second-progress-report-1\\_en\\_act\\_part1\\_v11.pdf](https://eeas.europa.eu/sites/eeas/files/second-progress-report-1_en_act_part1_v11.pdf) (Accessed September 2017); European Commission. 2017. 'Fifth Progress Report on the Partnership Framework with third countries under the European Agenda on Migration,' September, Brussels. [https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/31673/Fifth%20Progress%20Report%20on%20the%20Partnership%20Framework%20with%20third%20countries%20under%20the%20European%20Agenda%20on%20Migration](https://eeas.europa.eu/headquarters/headquarters-homepage_en/31673/Fifth%20Progress%20Report%20on%20the%20Partnership%20Framework%20with%20third%20countries%20under%20the%20European%20Agenda%20on%20Migration) (Accessed September 2017).

57 Commune d'Agadez, *op. cit.*, 8.

58 Personal interview with smuggler 1; focus group discussions with former smugglers 1 and 2. 2017. Agadez, Niger, July.

59 Commune d'Agadez, *op.cit.*, 8.



According to conclusions of a round table meeting including all relevant Agadez authorities, the way in which migration policies are currently being implemented in Agadez does not contribute to an image of responsible state security-actor conduct and that increased insecurity may be on the rise. Care should be taken to investigate whether current capacity-building programmes – such as the one implemented by EUCAP Sahel – could be used to address this concern. This is particularly relevant given that UNDP research notes that repressive government actions constitute an important transformative trigger pushing individuals from the at-risk category to joining an armed group. State security-actor conduct may thereby become a prominent accelerator of recruitment.<sup>60</sup>

## Boosting the legitimacy of local authorities

In the medium to long term, the legitimacy of locally elected authorities could be boosted by reinvigorating the quality and accountability of institutions across service-delivery areas. One particularly interesting example in this field is the work of German development aid provider Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), which addresses the effect that migration and the implementation of the 2015 law have had on local service delivery in particular.<sup>61</sup> GIZ has supported the creation of observatory committees at the communal level, consisting of local elites and technical personnel. These observatory committees gather information on how their communities have been affected by migration and propose measures to address this.<sup>62</sup> On a more structural level, the Regional Council's Regional Development Plan contains a comprehensive list of priorities to be addressed over the course of the next five years.<sup>63</sup> The international community could put its weight behind this plan to ensure that the grievances related to the implementation of the 2015 law are offset by more effective local service provision.

In the short term, however, more concrete actions are needed to address the negative economic impact of the implementation of the 2015 law on Agadez. Local state authorities are very much aware that they need to take such action. Mindful of

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60 UNDP, *op.cit.*, 5.

61 This project, called 'Renforcement de la gestion durable des conséquence des flux migratoires,' is funded by the EU Trust Fund.

62 Personal interview with representative of implementing agency. 2017. Agadez, Niger, July.

63 These include the construction of new infrastructure (streets, hospitals, schools), the enhancement of production and commercialisation of local goods (livestock, agricultural products, craftsmanship products), environment protection and improvement of local governance. In its Plan, the Council foresees a greater role for itself in peace consolidation. As such, authorities aim to address the increasing rates of unemployment and to mitigate migration fluxes through the region.

the legitimacy concerns at stake, they have joined efforts to support the so-called Reconversion Plan. This plan was proposed within the framework of the EU Trust Fund's (EUTF) *Plan d'Actions à Impact Economique Rapide à Agadez* (PAIERA) and its Nigerien implementing partner *Haute Autorité à la Consolidation de la Paix* (HACP). Agadez authorities subsequently backed the plan in a meeting of the *Commission Consultative Régionale de l'Administration Territoriale* (Regional Consultative Committee of the Territorial Administration – COCORAT).<sup>64</sup>

### Box 3 Haute Autorité à la Consolidation de la Paix

The *Haute Autorité à la Consolidation de la Paix* (HACP) is a public body linked to the presidency of the Republic of Niger. It was set up in 1995 to monitor the implementation of the peace agreements brokered that same year. The HACP is financed by the presidency of Niger, to whom it reports directly. It also receives support from the international community. The mission of the High Authority encompasses the prevention and mediation of processes related to rebellions and conflicts, the promotion of actions aimed at furthering national unity, cohesion and peace, the implementation of plans to mitigate insecurity in postconflict areas, the stimulation of debate and subsequent identification of solutions in the fields of crime, banditry, all kinds of traffics. Empowered by its mandate, the HACP contributed to the reconversion of former combatants through the provision of microcredits. It also puts in place measures that seek to mitigate the effects of climate change and invests in the development of border areas to increase security, for example through the promotion of agriculture and pastoralism. Moreover, it undertakes endeavours to promote the autonomy of women in society through cash transfers or the provision of livestock.

The aim of this plan is to reintegrate actors involved in the migration economy in the regular economy. Given that the Reconversion Plan operates at the regional level, it also applies to municipalities such as Dirkou and Arlit that often fall outside the scope of the international NGOs and implementing partners who work in the region.<sup>65</sup> The goal is to provide seed funding for individuals that used to work in the migration industry to allow

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64 République du Niger. 2017. 'Rapport des travaux de la réunion d'installation et de la première session ordinaires de la commission consultative régionale de l'administration territoriale (COCORAT)'. The Governor created the COCORAT in concordance with decree n°2013-035/PRN/MI/SP/D/AR (1 February 2013), which prescribes the creation of such a committee in every region.

65 Due to security and logistic concerns, the work of many international organisations remains limited to Agadez city. Personal interview with a member of the international development community. 2017. Agadez, Niger, July.

them to set up their own businesses. Regional authorities thereby expect to alleviate the impact of the decreased migrant smuggling on the local economy while redirecting former smugglers towards licit economic activities.

#### Box 4 Reconversion Plan

To implement the Reconversion Plan, the 15 municipalities in the Agadez region have created a list with the names of 6,565 individuals directly involved in the migration economy, from drivers to guides, smugglers and ghetto owners<sup>66</sup>. To support these individuals, the council estimates costs well above EUR 400 million (XOF 200,000,000,000).<sup>67</sup> To date, the EUTF (through PAIERA), the HACP and local NGO Karkara (an implementing partner of the EUTF under PAIERA) have funded a small pilot project that allowed for the distribution of a total of EUR 500,000 (XOF 300,000,000) covering 218 projects.<sup>68</sup> Applications can be submitted either individually (for XOF 800,000 to 1,500,000, EUR 1,200 to 2,200) or in a group (up to XOF 4,000,000, or EUR 6,000). Karkara has outlined a number of criteria for the selection process, specifying that 35 percent of the beneficiaries will be women.<sup>69</sup> The forms to access the funds could be found at the town halls in every municipality and technical assistance was provided to those who cannot write against a cost of XOF 2000 (EUR 3).

Every submission is weighed against five parameters: pertinence and design; operationalisation capacity; feasibility; viability and a calculation of cost-efficiency of the project. The Regional and Municipal Councils as well as their implementing partners have set up information sessions where candidates can receive advice and support for filling out the required forms. Once applications are submitted to the Regional or Municipal Council, a Selection Committee evaluates projects on an individual basis. The committee composed by the mayor of the municipality, a technical assistant, a representative of the Regional

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66 Regional Council of Agadez, *op. cit.*

67 Online interview with Responsible for Regional Development in Agadez. 2017, August; *id.*

68 The HACP and local authorities are actively looking for additional sources of funding to finance the remainder of the plan.

69 Our survey results indicate that at least 24.8 percent of those benefitting directly from migration's economic dividends are women. Given that men are slightly overrepresented in our survey (55 percent male versus 45 percent female respondents), the actual percentage of Agadez women benefitting directly from migration may indeed be closer to 35 percent.

Consultative Framework on Migration and two external evaluators submit the ranking of the projects to the partners for financing.<sup>70</sup>

In early September 2017, a total of 98 projects have already been funded for a total of EUR 220,000 (XOF 144,303,246) out of a pool of more than 1,800 applications.<sup>71</sup> After the first selection of candidates concluded in late August, some initial drawbacks of the plan became visible. Instead of encountering satisfaction from locals, the announcement triggered a demonstration of migration actors denouncing the fraudulent nature of the selection process in front of the municipality on 25 August.<sup>72</sup> As one interview respondent noted, 'you know, when there's money, there's always confusion.'<sup>73</sup> This is not necessarily surprising. Throughout the field research in July, complaints were already under way that people not associated with the migration economy had made it on the list, a concern voiced during the demonstration as well. On the other hand, authorities guarantee that the lists were vetted by the governor, the Regional Council, individual municipalities after exhaustive data collection efforts.<sup>74</sup> Ahmed Koussa, the vice mayor of the city, therefore countered that procedures were applied transparently and in line with established criteria, such as anonymising the applications.<sup>75</sup>

The pilot's implementation thereby lays bare some of the difficulties of implementing reintegration programmes – as outlined by the literature on disarmament, demobilisation and reintegration (DDR). First, adequate funding must be made available to avoid delays and/or obstacles in implementation.<sup>76</sup> During the design process of the project, local authorities had already noted that the subvention accorded to the PAIERA in general – and to the Reconversion Plan in particular – paled in comparison

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70 The Regional Consultative Framework on Migration (Cadre Regional de Concertation de la Migration, CRCM) has been set up to oversee the process. Composed by fifteen members representing various activities of the migration economy (drivers, intermediaries, smugglers), the vulnerable groups (youth and women), national and international NGOs, security forces, civil society, traditional authorities and local state authorities alike, the CRCM is represented by one member in the evaluation phase of the projects. Personal interview with an EPGA researcher. 2017. Agadez, Niger, July; online interview with Responsible for Regional Development in Agadez. 2017, August.

71 Hadan, I. 2017. 'Agadez: La colère des acteurs de la migration,' *Niger Diaspora*, 28 August; online interview with NGO Tamakrast. 2017, August; online interview with Responsible for Regional Development in Agadez and with NGO Tamakrast. 2017, September.

72 Hadan, *op. cit.*; online interview with NGO Tamakrast. 2017, August.

73 Online interview with journalist 1. 2017, August.

74 Regional Council of Agadez, *op. cit.*

75 Hadan, *op. cit.*

76 Edloe, L. 2007. 'Best practices for successful disarmament, demobilization, and reintegration (DDR),' *New Voices in Public Policy*, 1, Spring, 8, <https://journals.gmu.edu/newvoices/article/viewFile/56/56>.

to other EU projects in the region.<sup>77</sup> Indeed, and as detailed in this study's companion report [A line in the sand: Roadmap for sustainable migration management in Agadez](#), only 5.7 percent of the EUTF budget is allocated to short-term economic development programmes. The lack of funding to cover the complete first stage of the Reconversion Plan undermined an important opportunity to increase the legitimacy of local authorities, with people calling for the dissolution of the Selection Committee, alleging corruption and fraud in the selection process instead. In an attempt to address these issues, the Selection Committee will now transfer the list of selected projects that remained unfunded to potential partners.<sup>78</sup>

Second, it is widely acknowledged that the creation of successful economic opportunities for individuals involved in illicit activities deters them engaging in crime and violence, or otherwise threaten political stability.<sup>79</sup> The success of socioeconomic reintegration (the goal of the Reconversion Plan) depends heavily, however, on the absorption capacity of the employment market.<sup>80</sup> Some early evidence from the pilot suggests that many of the proposed projects focused on setting up small shops. This is in line with our survey results in response to the question of what economic opportunities respondents would pursue if (economic) support were made available to them. Half of the respondents (53 percent) answered that they would want to engage in commerce, while an additional 20 percent of respondents would engage in (more) herding activities. In its most optimal form, the Reconversion Plan would be accompanied by a detailed assessment of how individual projects could be connected to existing employment opportunities and how services (education, training, community mobilisation) could be made available to ensure the Reconversion Plan contributes to long-term economic development. This study's companion report [Migration and Markets in Agadez: Economic alternatives to the migration industry](#) offers valuable lessons that could be applied to achieve this goal.

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77 République du Niger, 2017, *op. cit.*

78 Regional Council of Agadez, *op. cit.*

79 Blattman, C. and Annan, J. 2015. 'Can Employment Reduce Lawlessness and Rebellion? A Field Experiment with High-Risk Men in a Fragile State,' Working Paper 21289, Cambridge, MA, National Bureau of Economic Research.

80 International Labour Office. 2010. *Socio-Economic Reintegration of Ex-Combatants*, Geneva, 12-13; also see: Small Arms Survey. 2015. 'Waning Cohesion: The Rise and Fall of the FDLR-FOCA,' in: *The Small Arms Survey 2015: Weapons and the World*, Geneva.

## 2 Impact of the migration law – security

Next to legitimacy concerns, the potentially counterproductive nature of security-driven responses for human rights and for preventing or countering violent extremism deserves further attention. The UNDP notes that ‘initiatives that focus exclusively on state capacity-building run the risk of perpetuating malign power structures, which are overt drivers of violent extremism measures in Africa’ and that ‘going forward, it is essential to long-term outcomes that international commitments to human rights and rule of law, citizens’ participation and protection, and accountability of state security forces be actively upheld by all.’<sup>81</sup> The majority of our respondents noted that the implementation of the 2015 law has resulted in increased levels of insecurity for migrants, Agadez residents and the Agadez region more generally. A more sustainable take on migration management would support the Nigerien state’s capacity to address these security concerns in line with international commitments. The following sections discuss each of these insecurity dimensions in more detail.

### Migrant insecurity

In 2016, the Agadez police counted 67 ghettos in the city. In 2017, it has become impossible to account for their number. The police actions that started in late 2016 resulted in the arrest of ghetto operators and the drivers of the pick-up trucks transporting migrants alike. Since then, the ghettos have gone underground.<sup>82</sup> Insiders noted that ghettos – which are located within the mudbrick compounds that characterise this UNESCO heritage site – are now located outside the city on the road to Zinder. Alternatively, the ghettos have closed their gates and have thereby become invisible to those outside on the streets – sometimes even shifting locations every couple of days. It has been alleged that the ghettos are increasingly run by foreigners: Gambians, Senegalese, Cameroonians, Guineans and Nigerians. Now that it has become more dangerous to scout for migrants at the bus station, these ghetto operators have the advantage of solid networks with their countries of origin, thereby making it easier for migrants to find them.<sup>83</sup>

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81 UNDP, *op. cit.*, 6.

82 Personal interview with a police member. 2017. Agadez, Niger, July.

83 Personal interview with smuggler 1 and 2 and with the Catholic church in Agadez. 2017. Agadez, Niger, July.

One worrying development is that the living conditions in the ghettos reportedly have deteriorated.<sup>84</sup> The ghettos are described as unsanitary and unsafe, given their overpopulation, lack of food and lack of healthcare. One interview respondent with continued access to the ghettos reported concentrations of about two hundred people per ghetto, with people being locked up, not able to leave, sequestered for a ransom.<sup>85</sup> This practice is reminiscent of some of the exploitative practices rampant in Libya today, which are slowly but steadily making their way down to other regions where migration has become increasingly clandestine, such as the border area between Mali and Algeria.<sup>86</sup> Migrants themselves refuse to denounce the situation because they are afraid that they will be located and prevented from pursuing their northbound journey.<sup>87</sup> They are also willing to pay the higher fee rates that human smugglers now charge, with prices having tripled or even quadrupled to an alleged 500,000 XOF.<sup>88</sup>

The journey through the desert has become more dangerous as well. Migrant convoys now leave after midnight, when it is harder to spot their movements.<sup>89</sup> The increased surveillance of smuggling activities has incited the creation of new routes throughout the desert.<sup>90</sup> Recently created routes are more dangerous and less travelled, hence exposing smugglers and migrants to a wide range of risks. Bandits roam the surroundings in search of vehicles to rob and the conditions of the routes are extremely poor – increasing the occurrence of accidents. Under these circumstances, whenever the drivers glimpse a car in the dunes surrounding them, they abandon migrants and flee. In addition, migrants report that military patrols on occasion shoot at the smugglers' cars' tyres to stop these, often faster, vehicles – at times injuring migrants sitting in the back of the truck.<sup>91</sup> Smugglers and local authorities alike say that 'the desert has become a cemetery,' exaggerating to add that 'it is now impossible to drive through the desert without smelling the odour of corpses.'<sup>92</sup>

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84 Personal interview with a journalist from Radio Alternative and Catholic church in Agadez. 2017. Agadez, Niger, July.

85 Personal interview with Catholic church in Agadez. 2017. Agadez, Niger, July.

86 Molenaar and El Kamouni-Jansen, *op.cit.*

87 Personal interview with a journalist from Radio Alternative and Catholic church in Agadez. 2017. Agadez, Niger, July.

88 Personal interview with representative of the peace commission and member of municipal authorities 1. 2017. Agadez, Niger, July.

89 Personal interview with a journalist from Radio Alternative and Catholic church in Agadez. 2017. Agadez, Niger, July.

90 Personal interview with a journalist from Radio Alternative. 2017. Agadez, Niger, July.

91 *Ibid.*; personal interview with a member of the international development community. 2016. Agadez, Niger, July.

92 Personal interview with smuggler 1; focus groups with former smugglers 1 and 2; personal interview with the sultan. 2017. Agadez, Niger, July.

According to police estimates, around 12,000 migrants have entered Agadez between January and June 2017. Throughout the same time period, the IOM's search and rescue missions rescued 1,091 migrants from the desert, while the armed forces found 31 migrant corpses in the desert.<sup>93</sup> This latter figure appears to be a case of underreporting as news media accounts report an estimated 100 deaths in the month of June alone.<sup>94</sup> These figures do not include the number of migrants that circumvent Agadez altogether and take different routes, via Zinder or Tahoua.<sup>95</sup> The increase in migrant abandonment and deaths in the desert has not gone unnoticed, with both the IOM and the international news media sounding the alarm.<sup>96</sup>

Concerns about migrant deaths are visible in Agadez as well, where several interview respondents denounced this new trend in smuggling practices.<sup>97</sup> The traditional authorities, who see a role for themselves as society's moral compass, are particularly fierce in their rejection of these practices. They even allege that smugglers no longer intend to take migrants all the way to the border but just drop them off in the desert after having taken their money.<sup>98</sup> Such abandonment of migrants on desert routes, often leading to their deaths, clashes with Islamic principles. As a consequence, traditional leaders have activated their information networks and have asked local populations to denounce any ghetto or smugglers that they may find in their midst. In very little time, this has resulted in the arrest of a ghetto operator in Agadez.<sup>99</sup> This community involvement in the fight against smuggling, reminiscent of the case of the Zuwara community in Libya that kicked out human smugglers in response to the number of dead migrants washing up on their beaches, illustrates that human smuggling is never a black and white issue. Instead, it is a profession that provides livelihoods but may also be met by moral objections.

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93 Security forces also apprehended 660 migrants *en route*. Official police data obtained at the police station in Agadez. 2017, July.

94 CRU's internal monitoring of media reports.

95 Personal interview with a journalist from Radio Alternative and a police member. 2017. Agadez, Niger, July.

96 Penney, J. 2017. 'Why More Migrants Are Dying in the Sahara,' *New York Times*, 22 August; Aljazeera. 2017. 'Dozens abandoned in Niger desert feared dead,' 27 June; Guilbert, K. 2017. 'Niger Smugglers Take Migrants On Deadlier Saharan Routes - UN,' *AllAfrica*, 8 August.

97 Personal interview with the chief of women. 2017. Agadez, Niger, July.

98 Local state authorities also express outrage over smugglers who abandon migrants in the desert. See, for example, personal interview with representative of the Regional Council 3. 2017. Agadez, Niger, July.

99 Personal interviews with smuggler 2, NGO Karkara, chief of women, members of municipal authorities 1, sultan. 2017. Agadez, Niger, July. At local meetings on the topic of migration and the reconversion plan, traditional authorities repeat their plea that anyone with information on human smuggling activities comes forward.



## Resident insecurity

Banditry and *braquages* (robberies) are age-old phenomena in the Agadez region. The caravan trade of previous eras was subject to inter-ethnic raids. When rebellions broke out in 1991 and 2007, rebels and bandits began holding up vehicles in the north of the country, on paved roads and on desert tracks.<sup>100</sup> The state's response to these rebellions consisted of a mixture of integration of rebels in the military forces, regional economic development and decentralisation.<sup>101</sup> Not all former combatants were satisfied by this response, however, leaving many of them to seek (continued) recourse to illicit trafficking networks or banditry to make a living.<sup>102</sup> Bandits generally travel on motorcycles, which are more discreet than cars, and they make use of firearms to carry out their illicit activities.<sup>103</sup>

Despite the historic prevalence of banditry, respondents noted that this practice has become much more salient of late. They blamed the recent economic hardship in the Agadez region, caused by the simultaneous closure of the Djado gold mines and the crackdown on the migration industry.<sup>104</sup> These events have left many young men unemployed – young men, furthermore, with access to guns. One of the smugglers interviewed asserted that the government has, in essence, invited the bandits to resume their activities: with no gold, and no migration, banditry became the only obvious choice. According to two authority figures, crime in the city of Agadez itself has gone up as well, as people try to find alternative livelihoods.<sup>105</sup>

The extent to which former smugglers are turning to illicit forms of trafficking to foresee in an income remains unclear. According to an elected official, 'if people are hungry, they will make a deal with the devil and become traffickers of drugs, arms and fuel in the desert.'<sup>106</sup> Other respondents noted, however, that drug traffickers tend to be better organised than human smugglers and that this industry is not readily accessible to outsiders. Their convoys tend to be small but heavily armed and they have their own

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100 Much, T. 2017. 'Teda drivers on the road between Agadez and Assheggur: Taking over an ancient Tuareg Caravan Route,' in: *The Making of the African Road*, ed. Beck, K., Klaeger, C. and Stasik, M., Leiden, Brill, 220-240.

101 Guichaoua, Y. 2014. *Transformations of Armed Violence in the Sahara*, Sahara Knowledge Exchange, Washington, DC, World Bank, 8-9.

102 Interview former rebels 1 and 2. 2017. Agadez and Niamey, Niger, July.

103 De Tessières, S. 2017. 'Measuring Illicit Arms Flow- Niger,' Small Arms Survey, 9.

104 Personal interviews with with representatives of Rimbo Transport Voyageurs and STM Transport. 2017. Agadez, Niger, June. Personal interview with former rebel and smuggler, HACP and with the chief of women. 2017. Agadez, Niger, July; Hadan, I. 2017. 'Agadez: Recrudescence des attaques sur les axes routiers,' *Niger Diaspora*, June.

105 Personal interviews with the chief of women and with representative of the Regional Council responsible for regional development. Agadez, Niger, July.

106 Personal interview with former rebel smuggler. 2017. Agadez, Niger, July.

routes through the desert to ensure that they can pass unnoticed by security forces in the region.<sup>107</sup> Nevertheless, the presence of arms and drug traffickers, who often have ties to extremist groups in neighbouring countries, amidst a region where a large share of the population has lost access to livelihoods, poses questions with regard to the potential for radicalisation and renewed rebellion.

## Radicalisation, violent extremism and rebellion

The Agadez region is characterised historically by a limited state presence, social and economic marginalisation and resultant problems of insecurity and rebellion. From 1990 to 1995 and again from 2007 to 2009, the Nigerien governments faced two separatist uprisings.<sup>108</sup> Although autonomy or independence from Niger was not achieved, the rebellions allowed the Tuareg – joined to some extent the Toubou as well – to reach substantive goals, such as gaining more political participation for the populations in the north and – even more importantly perhaps – gaining access to the uranium profits from the mines near Arlit.<sup>109</sup> The question remains on the extent to which the recent reduction of economic opportunities in the region, combined with the relatively low levels of legitimacy of state authorities, are laying down the foundations for a next rebellion and/or violent extremism.<sup>110</sup>

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107 Trafficking, including arms and drugs, is mainly coordinated by individuals of Arab ethnicity and does not overlap with migration. Personal interview with smugglers 3 and 4 and a journalist from Radio Nomade. 2017. Agadez, Niger, July.

108 Guichaoua, Y. 2014. *Transformations of Armed Violence in the Sahara*, Sahara Knowledge Exchange, Washington, DC, World Bank, 8–9.

109 The second rebellion occurred at a time when the president was renegotiating mining contracts and selling licenses to mining. More personal elitist goals shaped the trajectory of these rebellions and of the rebel movements as well. Deycard, F. 2011. *Les rébellions touarègues du Niger: combattants, mobilisations et culture politique*, Bordeaux, Institut d'études politiques de Bordeaux; Guichaoua, Y. 2009. 'Circumstantial Alliances and Loose Loyalties in Rebellion Making: The Case of Tuareg Insurgency in Northern Niger (2007–2009)', Working Paper 20, Brighton, MICROCON.

110 Radicalisation processes are driven by an intrinsically complex set of drivers that are different to each individual and that potentially make a person receptive to extremist thought. Violent extremism is usually the result of a combination of push and pull factors. Push factors include social, political and economic grievances; a sense of injustice; alienation with society or authorities; disappointment with governmental processes, etc. Pull factors include social and psychological factors such as a quest for power and control; a sense of commitment; a need for adventure and the possibility of heroism; a search for identity; social and cultural (gender) norms, etc. See, for example, Tore, B. 2005. *Root Causes of Terrorism: Myths, Reality and Ways Forward*, London, Routledge; Newman, E. 2006. 'Exploring the "Root Causes" of Terrorism, *Studies in Conflict & Terrorism*, 29(8), 749–772; Denoeux, G. and Carter, L. 2009. *Development Assistance and Counter-Extremism: A Guide to Programming*, Washington, DC, US Agency for International Development.

### **Box 5 Northern ethnic groups with transnational ties<sup>111</sup>**

The Tuareg make up 10 percent of the Nigerien population and are concentrated in the sparsely populated and impoverished northern region of the country surrounding Arlit and Agadez. Their ties extend to neighbouring countries such as Libya, Algeria and Mali. The Toubou make up a mere 0.4 percent and live primarily in desert areas in northeastern Niger. Their ethnic ties extend to Libya, Chad and Sudan. The Arab population, mostly of Libyan descent, makes up 0.3 percent of the population. In the city of Agadez, they gravitate towards the neighbourhood of Dagamanet.

The ethnic groups have reached an informal understanding over the division of territory and spoils in the Agadez region. The Toubou control the Libyan axis of the migration trade and the transportation routes to the Djado gold mines. The Tuareg control the Algerian axis and routes to the Tchinchaden gold mines. When conflict ensues on these routes, it is usually between individual smugglers. The Arabs are well known for cross-border trade of agro-food products from Libya and Algeria as well as for their involvement in drug trafficking. Given their increasing economic power, the Arabs have expanded their commercial operations by investing in transportation, hydrocarbons, construction and public works.

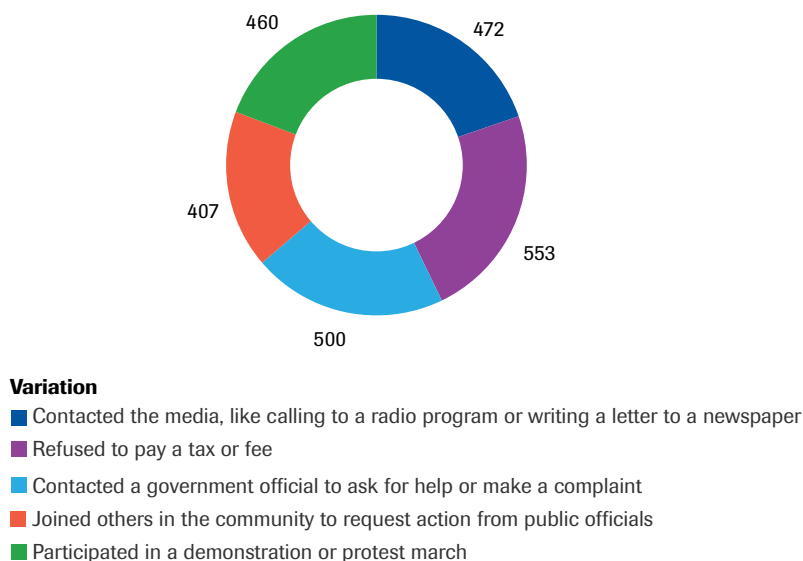
The 2007-2009 rebellion resulted in the incorporation of many Tuareg leaders in the state. At the national level, the current prime minister is a Tuareg. At the local level, both the President of the Regional Council and the mayor of Agadez are Tuaregs as well. Several wealthy Arabs have established important political connections through financial contributions and high-level political appointments. The Toubou are less politically connected.

At the micro level, our survey data support the hypothesis that Agadez is relatively stable for now – but that some change may be under way as well. First, survey respondents indicated that Agadez is not experiencing major social conflicts, though the population and government are under constant pressure. More than 95 percent of the population claimed not to have had any conflict in the past five years with family members, friends, neighbours, foreigners coming from bordering countries or other regions of Niger,

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111 The main ethnicities in Niger are Hausa (53.0 percent), Zarma-Sonrai (21.2 percent), Tuareg (10.4 percent), Fula (9.9 percent), Kanuri Manga (4.4 percent), Toubou (0.4 percent), Arab (0.3 percent), Gourma (0.3 percent), other (0.2 percent). Institut National de la Statistique. 2012. 'Structure de la population,' Niamey.

members of other ethnic or religious groups.<sup>112</sup> Second, even if discontent has arisen towards a number of actors implicated in local governance, almost no social mobilisation or restlessness from the local population is evident. An average of 80 percent of the survey respondents has never joined any form of public protest to express dissatisfaction among which, mobilising members of their community to request action from public officials, contacting media or government officials to issue a complaint, refusing to pay taxes, or participating in demonstrations.

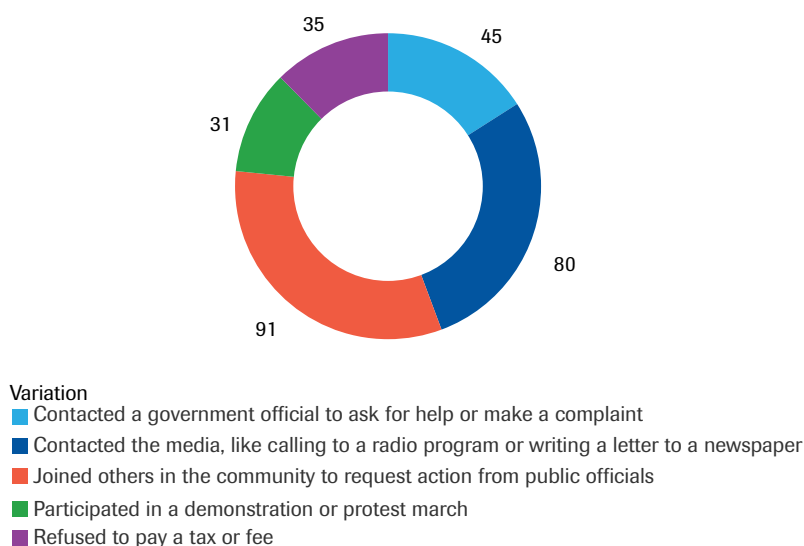


**Figure 6** Number of respondents who never engaged in activities to express their dissatisfaction

When applying a more forward-looking dynamic, however, some tensions seem to be brewing. When asked about future intentions to protest, 47 percent of the respondents indicated that they would be interested in using at least one of the mentioned channels to funnel their dissatisfaction. Several recent protest events in Agadez city support this claim. As described in the companion report [Migration and Markets in Agadez: Economic alternatives to the migration industry](#), workshop owners staged demonstrations when their informal stalls were demolished as part of the Agadez Sokni (Agadez Beautifies) project – an urban development plan to turn Agadez into a showcase for tourism. In addition, demonstrations have been organised in front of the gendarmerie – threatening to destroy the building if the confiscated 4X4 trucks were

<sup>112</sup> When conflicts arose, these mainly gravitated around work-related issues up to 20 percent, gambling around 10 percent, and debts around 6 percent.

not returned to their owners. This demonstration resulted in the security forces moving the trucks to a nearby army basis (see box 6).<sup>113</sup> The most recent protest in front of the municipality building denouncing the way the first pilot project of the Reconversion Plan had been implemented form the latest manifestation of protest activity.



**Figure 7 Number of respondents who would like to engage in activities to express their dissatisfaction**

In addition, some longer-term concerns spring from the effect that migration-mitigating measures have had on family dynamics. Several interview respondents noted, for example, that it has become more difficult for men to marry now that they no longer have the incomes needed to support a family.<sup>114</sup> In addition, Agadez's chief of women, a traditional authority figure who represents the women in the community, reported that divorces have become more commonplace because men are no longer able to financially support their wives.<sup>115</sup> In addition, the survey data reveal that – although traditional authorities are widely respected among Agadez residents, young respondents were

113 Molenaar and El Kamouni-Jansen, *op.cit.*

114 Personal interview with chief of women. 2017. Agadez, Niger, July.

115 Personal interview with a journalist from Radio Nomade. 2017. Agadez, Niger, July. Since 2015, a law allows for divorce on such grounds. It should be noted that Tuareg men may take up to four wives if their income suffices. From qualitative interviews with local authorities and journalists, we learnt that marriage costs and the value of the dowry vary between ethnic groups, and between rural and urban areas. Nevertheless, according to our interviewees, the minimal cost is about EUR 500.

less likely to turn to traditional authorities for support than respondents older than 35. The reason might be that traditional systems tend to be hierarchical and thereby offer young people little recourse. It is mainly young men who drive the pick-up trucks to Libya and who were subsequently arrested in police actions that started late 2016. This raises the question of where these young men will turn now to channel their discontent.

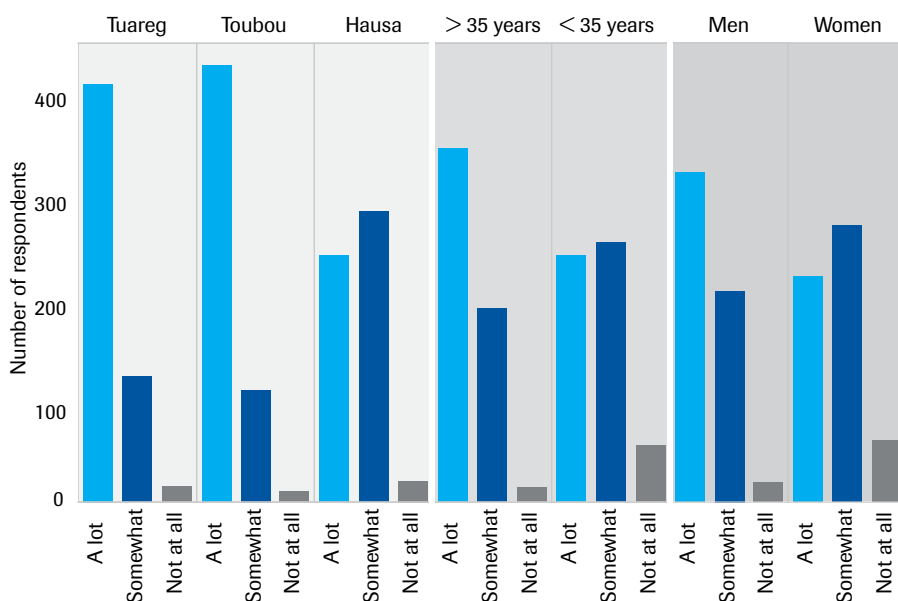
To explore more structural potential conflict dynamics in Agadez, we looked further into group-based grievances and the extent to which migration policies influence such grievances. According to conflict research, it is not just economic deprivation or governance factors that explain the occurrence of conflict, but the effect of such contextual factors on 'horizontal inequalities.' Horizontal inequalities, which coincide with identity-based cleavages, enhance both grievances and group cohesion among the relatively deprived and thus facilitate mobilisation for conflict.<sup>116</sup> Our survey therefore explored whether different gender, age and ethnic groups benefitted differently from migration and contemporary migration policies to investigate potential for future group-based grievances and conflict.

As to the economic beneficiaries of migration, two-thirds of our respondents (66 percent) noted that Agadez inhabitants in general benefitted a lot. Some groups are perceived to benefit more than others, however. Three-quarters of our respondents (75 percent) noted that the Toubou and Tuareg benefitted a great deal. Other ethnic groups are perceived to benefit less, fewer than half of the respondents noting that Hausa (46 percent), Zarma (45 percent) and Fulani (44 percent) benefit in any significant

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116 Caprioli, M. 2005. 'Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict,' *International Studies Quarterly*, 49(2), 161-178; Gurr, T. R. 1970. *Why Men Rebel*, Princeton, NJ, Princeton University Press; Gurr, T. R. 1993. *Minorities at Risk: A Global View of Ethnopolitical Conflicts*, Washington, DC, United States Institute of Peace Press; Stewart, F. 2005. 'Horizontal Inequalities: A Neglected Dimension of Development,' in: *Wider Perspectives on Global Development*, ed. United Nations University-World Institute for Development Economics Research, Helsinki, UNU-WIDER; Østby, G. 2008. 'Inequalities, the Political Environment and Civil Conflict: Evidence from 55 Developing Countries,' in: *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies*, ed. Frances, S., Basingstoke, Palgrave Macmillan.

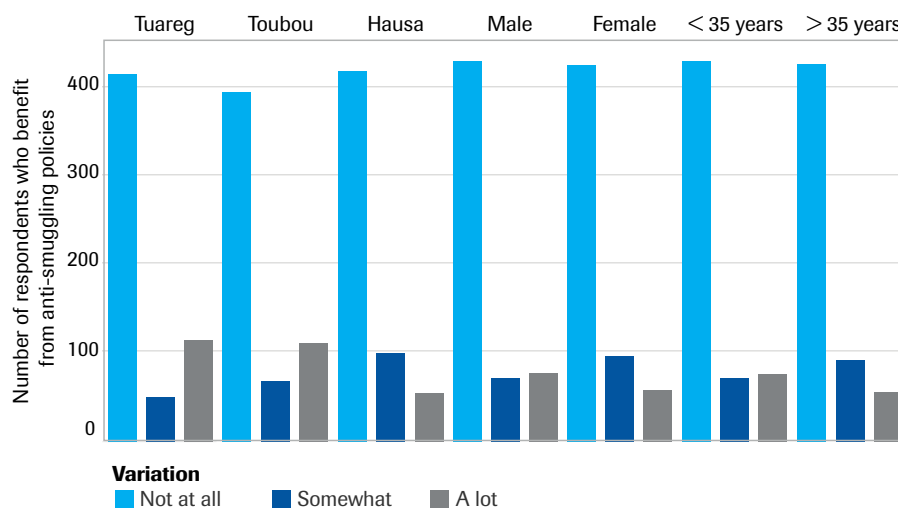
way.<sup>117</sup> Other groups perceived to benefit are men (according to 60 percent) and young people (according to 64 percent).



**Figure 8 Beneficiaries of migration**

In comparison, no particular ethnic group is perceived to benefit disproportionately from migration-mitigating measures. When asked how much each ethnic group benefits from antismuggling measures, 70 percent of respondents noted that Tuareg do not benefit at all (versus 18 percent of respondents who said they benefit a great deal); 69 percent noted that the Toubou do not benefit at all (versus 21 percent of respondents who said they benefit a great deal). The Agadez population as a whole is seen to suffer even more, 74 percent of respondents stating that it is worse off because of these measures.

<sup>117</sup> Arabs score somewhere in between, 56 percent of respondents perceiving them to benefit a great deal from migration.



**Figure 9 Beneficiaries of anti-smuggling policies**

These findings address a particular salient concern held by some respondents that the potential spillover of violence from Libya might be near, especially in connection with the Toubou ethnic group who control the migration route to Libya.<sup>118</sup> This fear relates to conflict dynamics in southern Libya where violent conflict over territory and spoils frequently flares up between Toubou and Tuareg militias.<sup>119</sup> In addition, recent migration measures have resulted in the arrest of many Toubou drivers – on the basis of their prevalent role in human smuggling networks on the way to Libya and/or the prominence of rival Tuareg in local governance structures.<sup>120</sup> The survey results indicate that this has not necessarily resulted in migration-mitigating measures being perceived as either benefitting or harming one ethnic group more than other. Interview data are less congruent, however. Several respondents note that the implementation of the 2015 migration law has created a sense of solidarity between these two groups by banding

<sup>118</sup> Personal interview with a journalist from Radio Alternative and with smuggler 4. 2017. Agadez, Niger, July.

<sup>119</sup> De Bruijne, K., El Kamouni-Janssen, F. and Molenaar, F. 2017. 'CrisesAlert 1: Challenging the assumptions of the Libyan conflict,' The Hague, Clingendael.

<sup>120</sup> Molenaar and El Kamouni-Jansen, *op.cit.* Also personal interview with a GIZ staff member and a journalist from Radio Sahara. 2017. Agadez, Niger, June.



the Toubou and Tuareg together as targets of repressive measures.<sup>121</sup> According to other respondents, however, the Toubou feel that they are singled out more than other ethnic groups, which may lead them to rebel.<sup>122</sup>

The interview data collected among local authorities and journalists also presents some cause for more general insecurity concerns. Several respondents expressed fears that the recent banditry attacks on the routes might be precursors to yet another rebellion. Other respondents point out the potential threat of violent extremism, such as the journalist who described extremist groups as 'dream sellers with a lot of clients.'<sup>123</sup> Multiple former rebels and high-level ethnic leaders said rather forcefully, however, that now is not the time for rebellion. One former rebel leader noted that 'there is no more use for a rebellion — politics are more efficient.'<sup>124</sup> Others added that 'rebellions can no longer be controlled these days,' meaning that once a rebellion is under way, it is only a matter of time before violent extremist groups move in and take over.<sup>125</sup> This is the case especially because the countries bordering Agadez, such as Mali, Nigeria, and Libya are hotbeds of armed extremist groups.<sup>126</sup>

This is not to say that regional authorities are not concerned about the spread of insecurity to Agadez. In 2014, the Regional Council set up a peace committee to prevent conflict between Toubou and Tuareg groups from spilling over from Libya into Agadez. This committee brings together all relevant ethnic leaders to discuss and mediate

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121 Personal interview with a journalist from Radio Nomade, a representative of the Regional Council 3, chief of women and a Tuareg leader. 2017. Agadez, Niger, July. The survey data show that 70.3 percent of Toubou respondents engage in economic activities related to migration (versus 29.5 percent for all the survey respondents). Toubou respondents identify restrictive government policies and police actions as more important reasons for the experienced decrease in their household's means of existence over the last five years than other ethnic groups do. We invite the reader to further explore the data using this study's interactive [data dashboard](#).

122 Personal interview with a GIZ staff member, a journalist from Radio Sahara and a Chamber of Commerce representative. 2017. Agadez, Niger, June.

123 *Ibid.*

124 Personal interview with a representative of the Regional Council 3, a Tuareg leader and smuggler 3. 2017. Agadez, Niger, July.

125 Personal interviews with a journalist from Radio Alternative, former rebel and smuggler and representative of the Regional Council 4. 2017. Agadez, Niger, July.

126 Two former smugglers explained that the Tuareg are not a terrorism-prone ethnic group: 'We didn't go to school, that's all. It's just that other people wearing turbans are doing bad things and people associate them with Tuareg.'

potential conflicts.<sup>127</sup> The mere existence of the committee speaks to the continuous need local authorities feel to monitor and mediate potential conflict dynamics. A member of the Regional Council also noted that he was unsure how long the committee will be able to mediate conflicts effectively given that local authorities cannot provide economic alternatives to substitute smuggling and have thereby lost some of their legitimacy – especially among the Toubou.<sup>128</sup>

#### **Box 6 Toubou dissatisfaction with implementation of the 2015 law**

In late 2016, the Toubou took to the streets and threatened to attack the police commissariat where about 100 confiscated cars were parked. Their aim was to reclaim ownership of the vehicles and to use force if necessary. The authorities reacted promptly and relocated the cars to the military camp farther outside town. As a former Toubou chauffeur explained, the incident needs to be understood in the context of long-standing pastoralist traditions, according to which one rule holds that ‘If you attack my camel, I’m entitled to kill you.’ Unsurprisingly, authorities took the threat very seriously.

The Toubou, many of them double nationals, were marginalised under Gadhafi and largely neglected by government authorities in Niamey.<sup>129</sup> In fact, many argued that they have effectively functioned autonomously for a long time, cross-border smuggling activities being their lifeline. With the confiscation of their cars, which are critical to their livelihoods, the Toubou feel ‘threatened not only by the hostility of their territory, but also by the hostility of their government,’ as a former Toubou chauffeur put it.

Two interviewees suggested that the next rebellion in northern Niger was imminent and that this time the Toubou would be in the lead. Rumours have it that rather than closed, the Djado mines had been given to the Toubou to

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127 According to a member of the Regional Council, one of the big accomplishments of the committee has been its diffusion of a ripening Toubou uprising that made headlines last year by bringing together all relevant elites. Personal interview with former rebel and smuggler. 2017. Agadez, Niger, July. Another (non-elite) respondent stated that the Niamey government bought off the Toubou after they had send a written communication to the US Embassy asking for support for their struggle. Personal interviews with a former mayor of Agadez and a representative of the Chamber of Commerce in Agadez. 2017. Agadez, Niger, June.

128 Online interview with Responsible for Regional Development in Agadez. 2017, August.

129 Molenaar and El Kamouni-Jansen, *op.cit.*

compensate the heavy losses they had suffered from the migration-mitigation measures. Although these allegations could not be verified, they indicate the frustration levels among the Toubou.<sup>130</sup>

The findings presented lead to the conclusion that Agadez is relatively stable for now, but that this stability depends more on a mix of accumulated experiences through various preceding rebellions, informal safety nets and safeguards implemented at the elite level than on effective development policies addressing the local population's grievances. Given that the international spotlight has been turned on Agadez, it seems an opportune moment to move away from efforts at criminalising young men and to start thinking about ways in which to invest in sustainable development and the increased effectiveness of local service delivery to address local grievances. The Agadez authorities would welcome such a shift in that they noted that, given that the 2015 law was implemented without many migration actors understanding that their conduct was illegal, a way forward would be to release people now held in jail and to invest more in information campaigns and in finding economic alternatives to smuggling.<sup>131</sup>

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130 *Ibid.*, personal interviews with a former mayor of Agadez and a representative of the Chamber of Commerce in Agadez. 2017. Agadez, Niger, June.

131 Commune d'Agadez, *op.cit.*

### 3 Opportunities for development and stability

#### Strengthening state legitimacy

As discussed, the EU's current involvement in Niger creates a window of opportunity to support ongoing local government initiatives to strengthen state performance in Agadez.<sup>132</sup> The ultimate goal would be to ensure that the Nigerien government's compliance with EU migration policies does not contribute to grievances or lessen public confidence in state authorities. This is particularly relevant given that Agadez state authorities are concerned that the 2015 law may have increased insecurity in the region.<sup>133</sup> The following recommendations identify key entry points for migration policies that strengthen rather than weaken the existing institutional framework and that contribute to the satisfaction of the Agadez population with local governance actors.

1. *Use local consultative mechanisms to plan interventions in the region.* At the moment, Agadez authorities feel that the international community does not take them into account when developing their projects for, and interventions in, the Agadez region.<sup>134</sup> Potential points of access consist of the Consultative Forum (Cadre de Concertation) on migration, the Commission Consultative Régionale de l'Administration Territoriale (COCORAT) and the communal observatory committees.<sup>135</sup>

The Consultative Forum is presided by the president of the Regional Council. The Governorate occupies its vice presidency, and a representative of the 15 municipalities in the Agadez region occupies the second vice presidency. The goal of the forum is to coordinate international migration- and development-related activities in Agadez and to provide the international community with a clear access

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132 The UNDP identifies a positive experience of effective service provision as a major source of resilience (*op. cit.*, 5).

133 Commune d'Agadez, *op. cit.*, 9.

134 Personal interviews with representative of the Regional Council 1 and member of municipal authorities 1. 2017. Agadez, Niger, July.

135 République du Niger, 2017, *op. cit.* The governor created the COCORAT in concordance with decree n°2013-035/PRN/MI/SP/D/AR of 1 February 2013, which prescribes the creation of such a committee in every region.

point to local authorities.<sup>136</sup> In part, this development also responds to the fact that local authorities see fund-allocation related processes as being applied without consultation of local governments or civil society.<sup>137</sup>

The COCORAT is a pioneering regional consultative commission under the direction of the governor that aims to harness the potential of decentralisation in finding sustainable solution for the region of Agadez. Working with these local authorities might also contribute to the further materialisation of decentralisation, which is – beyond the transfer of political capital – the empowerment of populations to plan their own development and manage their resources.<sup>138</sup>

The communal observatory committees present a relevant entry point to address the effect that migration flows have or have had on service provision at the communal level. These committees have been set up at a communal level and consist of local elites and technical personnel. These committees gather information on how their communities have been affected by migration and propose measures to address this.<sup>139</sup> Working with these committees, which are spread throughout the Agadez region, would also ensure that interventions do not remain limited to Agadez city but target other vulnerable communities as well.

2. *Invest in more effective service delivery.* The lack of service delivery is a general complaint in Agadez. People are frustrated by missing or unreliable electricity provision, garbage collection, access to health clinics, and so on. Our survey data showed that (local) state authorities are generally (and correctly) regarded as responsible for such service delivery. Because ‘a positive experience of effective service provision is confirmed as a resource of resilience against violent extremism’<sup>140</sup> and investments in service provision may increase the legitimacy of Agadez state authorities, care should be taken to design migration policies in a way that strengthen ongoing local government initiatives to strengthen state performance in Agadez.

As part of the ongoing decentralisation process, the Agadez authorities have set up Regional Development Plan that includes a comprehensive list of priorities to

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136 Personal interview with representative of the Regional Council 2 and the member of municipal authorities 1. 2017. Agadez, Niger, July.

137 Personal interview with representative of the Regional Council 4. 2017. Agadez, Niger, July.

138 Mohamadou, A. 2009. ‘Décentralisation et pouvoir local au Niger,’ in: *Les pouvoirs locaux au Niger*, Tome 1: *A la veille de la décentralisation*, eds. Olivier de Sardan, J.P. and Tidjani, A.M., Paris, Codesria-Khartala, 270.

139 Personal interview with GIZ program director. 2017. Agadez, Niger, July.

140 UNDP, op. cit., 5

be addressed over the next five years.<sup>141</sup> The international community could put its weight behind this plan to ensure that the grievances related to the implementation of the 2015 law are offset by more effective local service provision. In addition, the plan lists some of the obstacles to the implementation of decentralization as a means to address the population's needs. According to the Agadez authorities' analysis, the shortage of qualified personnel in the majority of municipalities, the poor management of local budgets, as well as the lack of mobilisation of resources at the local, regional, and national level stand in the way of successful decentralisation.<sup>142</sup> International development projects could invest in the training of personnel in good governance and accounting practices to remedy some of these obstacles.<sup>143</sup>

3. *Work with key partners to make the local population aware of the possibilities, but also the limitations, of international development projects.* Expectations in Agadez regarding international support have risen to high levels. At the same time, misinformation abounds. This report has identified several key players that the international community could work with to inform the Agadez population about the specifics of proposed initiatives and to get feedback on the implementation of these initiatives. Traditional authorities – with their function of bridging the gap between society and the state – are a first set of actors that spring to mind. A second set of key actors are local radio stations. On unexpected finding of the survey was that many respondents turn to radio to identify and protest against problems. Radio stations clearly also play a large part in informing the population. A strategic partnership with radio stations could therefore be leveraged to increase the information on – and legitimacy of – international interventions in Agadez.

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141 These include the construction of new infrastructure (streets, hospitals, schools), the enhancement of production and commercialisation of local goods (livestock, agricultural products, craftsmanship products), environment protection and improvement of local governance. In its Plan, the Council foresees a greater role for itself in peace consolidation. As such, authorities aim to address the increasing rates of unemployment and to mitigate migration fluxes through the region.

142 Regional Council of Agadaz, *op. cit.* For a similar analysis, see: International Monetary Fund African Department, *op. cit.*

143 In addition, a concerted effort by the international community could leverage (established or new) to the transfer of corporate contributions through the central state to regional level. This would not only be to the immediate benefit of surrounding local communities, but also contribute to improving stability of the wider ecosystem, in which these companies operate.

### Box 7 Agadez radio stations

Agadez has three main radio stations: Radio Nomade founded in 1998, followed by Radio Sahara in 2003, and more recently Radio Alternative. Among these, Radio Sahara adheres to a slightly different editorial line. Its transmission *Opinions Plurielles* (Different Opinions) goes on air every Sunday evening at nine and broadcasts the phone calls and message of residents of Agadez who share their problems, grievances and complaints. Occasionally, the mayor of Agadez calls or attends in person to answer citizens' enquiries expressed through a multiplicity of platforms, including various social media outlets. One of the first radios established in Niger, Radio Nomade transmits news in the three primary languages spoken in the region, Hausa, Tamasheq and French. Staff of international organizations and NGOs are also invited to share their thoughts with regards to developments in the community of Agadez, and Radio Alternative has been particularly active in providing a space for interaction with a number of these actors.

4. *Invest in the development of a conflict-sensitive Reconversion Plan.* The Reconversion Plan is a promising initiative that combines a bottom-up driven intervention strategy with bottom-up driven proposals for alternative livelihoods. Despite several precautionary measures being taken to ensure the transparent and just implementation of the plan, that not enough funds were available to sponsor all proposed projects meant that the implementation of a first pilot project created frustration and a sense of injustice among many of its participants. Given the dire economic situation that many Agadez residents find themselves in, care should be taken to design an extended follow-up project following lessons learned from the DDR literature.

In its most optimal form, the Reconversion Plan would be accompanied by a detailed assessment of how individual projects could be connected to existing employment opportunities and how services (education, training, community mobilisation) could be made available to ensure that the plan contributes to long-term economic development. Such measures should help avoid further stigmatisation of smugglers, address emerging tensions between direct and indirect beneficiaries, and ensure an approach that takes the needs and strengths of women and men evenly and in the short term into account yet links to more sustainable livelihood opportunities in the long term.<sup>144</sup> By taking away local grievances, such projects would also contribute to some of the security concerns discussed throughout this study.

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144 Specker, L. 2008. 'The R-Phase of DDR processes. An overview of key lessons learned and practical experiences,' CRU Report, The Hague, Clingendael.

## Strengthening security

Next to legitimacy concerns, the potentially counterproductive nature of security-driven responses for preventing or countering violent extremism deserves further attention. Most respondents noted that the 2015 law has resulted in greater insecurity for migrants, Agadez residents, and the Agadez region generally. The UNDP notes that because ‘initiatives that focus exclusively on state capacity-building run the risk of perpetuating malign power structures, which are overt drivers of violent extremism measures in Africa, ... it is essential to long-term outcomes that international commitments to human rights and rule of law, citizens’ participation and protection, and accountability of state security forces be actively upheld by all.’<sup>145</sup> Based on some of the initiatives discussed throughout this study, the following recommendations present themselves:

1. *Invest in communal and migrant security.* To date, police training in the region has focused mainly on the apprehension of migrant smugglers. Given that this training is already taking place, and that an entire EUCAP Sahel training facility has been established in Agadez, additional training should be designed to focus on improving migrant security and communal security and preventing police corruption. Improving security would address a complaint expressed by several authorities, namely, that actors charged with preventing smuggling are not also responsible for answering to distress calls in the desert, given that they have the means – cars and fuel – for activating a prompt response. Including communal security in the mix would allow the EU to invest in the legitimacy of local security forces by training them to identify and address the community’s direct security needs and to ensure that local populations benefit from this training.<sup>146</sup> Addressing communal security would address the concern voiced by local authorities that current policing actions are damaging the relationship between the security forces and the Agadez population.
2. *Engage local communities in the fight against migrants’ human rights violations.* In the fight against the worst excesses of the human smuggling industry, a great deal can be achieved by working with smugglers’ communities without immediately deploying military force and securitising migration management. In Zuwara, Libya, local populations set a precedent in this regard, deciding to prioritise human dignity over the benefits of smuggling. People mobilised resources for seizure and arrest operations led by law enforcement agents. Smugglers arrested were either detained

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<sup>145</sup> UNDP, *op. cit.*, 6.

<sup>146</sup> See, for example, Gordon, E. 2014. ‘Security Sector Reform, Local Ownership and Community Engagement,’ *Stability: International Journal of Security & Development*, 3(1), 1-18; Homel, P. and Masson, N. 2016.

‘Partnerships for human security in fragile contexts: where community safety and security sector reform intersect,’ *Australian Journal of International Affairs*, 70(3), 311-327.



locally or sent to prisons in Tripoli. Activism translated into help for migrants who were rescued at sea by coast guards and fishermen from Zuwara.<sup>147</sup> Traditional authorities in Agadez appear to be willing to take on a similar role by collecting information on conditions in ghettos and on smugglers who randomly dump migrants in the desert. In addition, traditional authorities might be called upon to mediate in potentially conflictive situations.

3. *Invest in bottom-up conflict management.* State and local authorities have a track record of local dispute-settlement at the regional and municipal level. The Regional Council has put a peace commission in place to maintain and consolidate peaceful relations between ethnicities and to prevent conflicts in the fifteen municipalities of Agadez.<sup>148</sup> The initiative was successful in bridging tensions between Tuareg and Toubou, and gained the support of traditional authorities, who deem it to be a remarkable effort of conflict prevention.<sup>149</sup> Following on this experience, policy makers could work with these bottom-up initiatives in setting up processes to prevent violent extremism. As discussed, there is little reason to expect the appearance of armed extremist or rebellious groups in the near future. What is present, however, is a situation of changing family dynamics and economic hardship that might provide a fertile breeding ground for societal discontent.
4. *Design PVE/CVE-sensitive interventions.* The lack of sustainable development, sometimes in combination with protracted conflict, can create the ideal environment to foster extremist thought and fuel the attractiveness of violent extremist groups. The literature on violent extremism tells us, for example, that traditional development challenges such as low literacy rates and poor access to education enable the introduction and spread of radical interpretations of Islam, whereas the absence of good governance and rule of law opens the door for radical groups to step in and fill that void. Thus a PVE/CVE (Preventing/Countering Violent Extremism) component is inherent in virtually all traditional development tools. Efforts should be made to make traditional development tools PVE/CVE-sensitive.<sup>150</sup> The same is clearly true for migration policies.

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<sup>147</sup> Molenaar and El Kamouni-Jansen, *op. cit.*, 59.

<sup>148</sup> Personal interview with the representative of the peace commission. 2017. Agadez, Niger, July.

<sup>149</sup> Personal interview with the sultan. 2017. Agadez, Niger, July.

<sup>150</sup> Kessels, E. and Nemr, C. 2016. 'Countering Violent Extremism and Development Assistance,' Global Center on Cooperative Security; Porter, R. 2015. 'Countering Violent Extremism Through Development,' USAID.

# Conclusion

After the collapse of tourism in the wake of terrorist attacks and kidnappings in the region, as well as the recent closure of the uranium and gold mines in north Niger, the EU effort to address irregular migration is the latest structural adjustment confronting Agadez's inhabitants. Although the population displays remarkable resilience in the face of an ever changing context, the frustration, feelings of injustice and despair, and general sense of hopelessness are palpable on the Agadez streets. Migration policies that do not take into account that stopping (irregular) migration may heighten local grievances and may affect local development threaten to undermine one of their own objectives, which is to invest in development and stability as a means to address the root causes of migration. To date, the massive investment of international development funding in migration policies has not yet resulted in the population being better off.

As argued elsewhere, stopping migration has become the goal of current development policies.<sup>151</sup> Future migration policies need to be mindful of Agadez's geographic location amidst instability and the increased economic grievances that migration-mitigating measures have brought to the region.<sup>152</sup> Migration policies cannot be implemented sustainably unless policy makers understand and take into account how proposed measures affect the responsiveness of the state and the potential dynamics of radicalisation and economic development. It is time to move to a more holistic and conflict-sensitive vision of migration management in which migration is seen as one of many societal processes. Only then will migration policies become truly sustainable in the long term.

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151 Molenaar and El Kamouni-Jansen, *op.cit.*

152 This concern is expressed by the Agadez state authorities as well. See Commune d'Agadez, *op.cit.*, 9.

## Appendix – Research methodology

The report builds on a combination of survey data, focus groups, key informants, and interview data. The first explorative stage of the research (May 2017) consisted of gathering secondary socioeconomic and conflict data on the Agadez region through a survey of a random sample of 597 respondents (Agadez population = 118,244,  $z = 1.96$ ,  $ME = 0.04$ ). Randomisation was ensured through the random selection of 14 Agadez neighbourhoods (see map). In each of these neighbourhoods, researchers used the method of randomly selecting households and individual respondents within these households as commonly applied by the Afrobarometer. The distribution of survey respondents approximates the gender and ethnic distribution in the region. Nevertheless, and in lieu of recent census data, we remain very careful with the extrapolation of our sample findings to the entire Agadez population in our discussion of the survey data.



**Figure 10** Map of the neighbourhoods of Agadez where the survey took place

The survey gathered information about the respondents' relevant demographic characteristics, the (sub)sector or industry in which they work, experienced changes in access to livelihoods (such as assets or skills, activities, employment opportunities), experienced changes in access to governance (such as access to security provision, justice, conflict mediation, and interest representation), and experienced changes in the number and types of inter-group conflicts. Although a majority of questions provided the respondent with the 'Don't know' and 'Refuse to answer' choices, our two-tailed test showed no statistical significance of these two answer categories. In our discussion of the survey results, we therefore exclude all 'Don't know' and 'Refuse to answer' entries.

During the second research stage (June-July 2017), EPGA and Clingendael conducted 60 key informant interviews with state authorities, elected authorities (Regional Council, mayor, Municipal Council), traditional authorities (sultan, chef de quartier, chef de femme), Touareg elites, Toubou elites, local and international NGOs, religious leaders, news media, members of the private sector, and chambers of commerce.<sup>153</sup> In addition, we conducted eight focus group discussions with migrants (two focus groups), (former) migration facilitators (two focus groups), young entrepreneurs (two focus groups), and female artisans and producers (two focus groups). The key informant interviews and focus group discussions allowed for the further exploration of the effects of the migration industry and migration-mitigating measures on Agadez. In addition, these interviews allowed for the identification of potential economic growth sectors and of bottom-up initiatives that could be supported to support the stability and economic development of Agadez.

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153 We have anonymised the respondents throughout the reports given the delicate nature of the topic under study.

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