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Articles

Violence against migrants: understanding organized crime beyond violence

Violencia contra migrantes: comprensión del crimen organizado más allá de la violencia

Reynell Badillo-Sarmiento[a]* https://orcid.org/0000-0002-3576-8533
Amparo Judith Bravo-Hernández[a] https://orcid.org/0000-0003-0408-6756
Alberto Mercado-Ramos[a] https://orcid.org/0000-0001-6666-9944

[a] Universidad del Norte, Barranquilla, Colombia, e-mail: reynellb@uninorte.edu.co, abravoj@uninorte.edu.co, mmalberto@uninorte.edu.co

Abstract

This article seeks to explain why there is more violence against migrants and transporters in some regions than in others. We compare the criminal ecosystem (number and type of criminal actors in a territory) and state resilience (a state's capacity to take measures to combat organized crime) in the Gulf of Urabá (Colombia) and Agadez (Niger), and provide evidence from five other subregions between 2015 and 2022 using data from the Global Initiative Against Transnational Organized Crime's organized crime index. We found that violence is a resource that hierarchically organized groups have more incentive to use against migrants and transporters than smaller or poorly organized criminal groups. The hypothesis targets only violence against migrants and transporters. More work needs to be done to address other forms of organized criminal violence.

Keywords: migrant smuggling, organized crime, militarization, violence against migrants, asymmetry.

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* Corresponding author: Reynell Badillo-Sarmiento. E-mail: reynellb@uninorte.edu.co

Resumen

Este artículo busca explicar por qué hay más violencia contra migrantes y transportistas en algunas regiones que en otras. Para esto, se compararon el ecosistema criminal (número y tipo de actores criminales en un territorio) y la resiliencia estatal (capacidad de un Estado para tomar medidas de combate contra el crimen organizado) en el Golfo del Urabá (Colombia) y Agadez (Níger), y se ofrece evidencia de otras cinco subregiones entre 2015 y 2022 utilizando datos del índice del crimen organizado del Global Initiative Against Transnational Organized Crime. Se encontró que la violencia es un recurso del que tienen más incentivos los grupos jerárquicamente organizados para utilizar contra migrantes y transportistas que aquellos grupos criminales más pequeños o pobremente organizados.

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La hipótesis apunta únicamente a la violencia contra migrantes y transportistas. Más trabajo debe ser hecho para abordar otras formas de violencia del crimen organizado.

Palabras clave: tráfico de migrantes, crimen organizado, militarización, violencia contra migrantes, asimetría.

Introduction

Migrant smuggling and trafficking are phenomena that are normally associated with the existence of organized crime groups that, due to their operational capabilities, profit from this illegal activity. Consequently, irregular migration has become a "securitized" phenomenon in many states and regions. That is, it has been considered a "threat" and thus may reasonably be treated as a security issue (Agwanda, 2022; Lalić & Ćeranić, 2019; Topulli, 2016). Despite this, violence is not a constant in the areas where migrant smuggling and trafficking occur. While in some there are high levels of violence, in others it appears to be more occasional. The question this text seeks to answer is: what explains that border trafficking[1] and migrant smuggling and trafficking manifest themselves violently in some regions but not others?

Given that the objective is to explain the differences in the levels of violence against migrants and transporters, two sub-regions that function as hubs for irregular migration are analyzed: the Gulf of Urabá (in Colombia) and Agadez (in Niger). This comparison is relevant for two reasons. On the one hand, both subregions are areas of transmigration, which implies that there are similar dynamics (migrants arrive in the regions not intending to remain there but to reach other countries through irregular routes). On the other hand, despite these similarities, in the Gulf of Urabá irregular migration tends to occur with high levels of violence, while in Agadez it is observed as a phenomenon that is part of the daily dynamics of commerce. The findings are contrasted with other cases that are also hubs for irregular migration and where violence is present (Tripoli, Libya; Benin, Nigeria; and Chiapas, Mexico) or virtually no violence (Bamako, Mali; and Ouagadougou, Burkina Faso). Although only two cases are reconstructed in-depth, comparative evidence is presented to support the hypothesis.

It is concluded that the difference in the levels of violence present in these sub-regions is due to the asymmetry between organized crime groups and those who

[1] Although concepts such as migrant smuggling, border smuggling, and migrant trafficking often overlap in practice, it should be made clear that these are distinct activities. Border trafficking is "the facilitation of entry or exit of foreigners from the country through mainly land and maritime areas" (Oficina de las Naciones Unidas contra la Droga y el Delito (UNODC) & Migración Colombia, 2013). Smuggling of migrants is defined as "the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion" (*Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional*, 2000, art. 3). Migrant trafficking is defined by the United Nations Office on Drugs and Crime (UNODC, n. d.) as "a crime that involves seeking financial or material benefits in order to assist the illegal entry of a person into a State of which that person is not a national or resident. Migrant trafficking is often related to the consent of the migrants and the search for economic gain.

participate in these processes (migrants or migrant guides). In other words, when an armed group succeeds in acquiring territorial control and consolidating a hierarchical structure, it also gains the possibility of using force. In contrast, when instead of groups with hierarchical structures and territorial bases, they are poorly organized criminal networks, violence is rarely used, and other strategies (such as corruption) have mostly been resorted to in order to achieve their objectives. Thus, strengthening organized crime groups in a sub-region would increase the risk of violence for irregular migration processes. In addition, it is found that the militarization strategies used against migration tend to create a spiral effect, leading armed groups to increase their force capability to respond to the challenge imposed by the State.

This conclusion would seem to contradict an extensive literature that finds that it is competition for the control of a market or a territory, and not the hegemony or strengthening of an armed actor, that can produce higher levels of violence (Toft, 2014; Feldmann & López, 2022; Yashar, 2018). Nevertheless, the hypothesis proposed here aims to explain only violence against migrants and transporters, but not inter-criminal violence, violence against the state or violence against civilians outside the phenomenon of migration. More research will be needed to understand how these other forms of violence relate to violence against migrants and transporters. The methodology is later explained, followed by how the two variables of the theoretical argument are connected; subsequently, two case studies are reconstructed; finally, conclusions are drawn.

Methodology

To reach the conclusions, the two subregions were analyzed based on two variables. One of these is called the *criminal ecosystem*. Although some authors (such as Álvarez Calderón & Rodríguez Beltrán, 2018) have used this expression to apply theories from the natural sciences in the analysis of organized crime, in this case the *criminal ecosystem* is understood as how different criminal actors coexist in the same territorial space. In other words, in this first variable, the interest is in understanding which transnational organized crime actors are involved in a specific activity (border trafficking and migrant smuggling and trafficking) and what type of actors they are.

This first variable was reconstructed from the Organized Crime Index data provided by the Global Initiative Against Transnational Organized Crime. Specifically, the *crime score*, which analyzes the illegal markets, and the types of criminal actors present in a country, was noted. Thus, it was determined whether migrant smuggling and trafficking is an active market in a country, and then the types of actors involved were considered: *1*) mafia-like groups; *2)* criminal networks; *3*) groups integrated with the State; or *4*) external actors. Each actor scores 1 to 10; the closer to 10, the more such actors are present in a country. For this case, it was considered that the more a state scores in "mafia-like groups", the more asymmetry there is between them and the migrants.

The second variable is *state resilience*. This concept is extrapolated from psychology[2] and will be applied here to States. In this definition, resilience is the internal capacity to resist crises and preserve political and institutional stability before any other goal. Organized crime is thus a crisis that the State must address. A State will be resilient according to the existence and capacity of countermeasures. Resilience does not imply the absence of violence, but rather the possibility of maintaining political and institutional stability in the face of, in this case, actors capable of using violence (Pospisil & Kühn, 2016)

There is literature suggesting that state interventions may not only be inefficient but also exacerbate the violent behavior of criminal actors and predispose these organizations to respond (Flores-Macías & Zarkin, 2021; Magaloni et al., 2020). Case studies on the drug war (De la Rosa Rodríguez, 2022), the securitization of migration (Bøås, 2021), and agrarian conflicts (Ballvé, 2020, 2021) show that increased levels of violence and strategic reorganization of armed groups have also followed state repression.

Based on this literature, it is argued here that armed actors have incentives to increase their force capability as they face greater operational challenges. This incentive is believed to be greater when civilian agencies adopt strategies traditionally employed in the military combat against organized crime (Flores-Macías & Zarkin, 2021). The reasons for militarizing civilian security can be varied, as shown by Zarkin (2023) and Flores-Macías (2018); however, this article does not attempt to answer the reasons that lead to such militarization to control migration.

The reconstruction of this variable was also based on data from the Organized Crime Index, specifically the *state resilience* indicator, which, through 12 components, scores the States from 1 to 10. Scores 1 to 3 indicate little or no resilience; scores 4 to 5 indicate moderate resilience; scores 6 to 7 indicate sufficiently effective resilience; and 8 to 10, highly effective resilience. In addition to this index, both variables were contrasted with secondary sources (press reviews, intelligence reports, NGO databases that monitor violence, and requests for information from migration and security authorities) to understand the process of state strengthening and organized crime responses.

It is necessary to consider that the empirical strategy employed here has two major limitations. First, the Organized Crime Index data are constructed for the national

[2] In psychology, resilience is understood as the ability to stand firm in the face of adverse situations (Seery et al., 2010) or the ability to cope with problems and adapt to new situations (Ahedo, 2020). In security studies, resilience is understood as the capacity of the State to provide tools to cope with unforeseen crisis and risk situations (Morales Morales, 2018). Although it has also been used to explain the actions and attitudes of people who have experienced armed conflict (Hasenclever et al., 1997) and the responses of some societies to previously non-existent challenges—such as large migration flows—(Davis, 2012), here the relationship that critical security studies find between resilience and resistance is appropriated (see Bourbeau, 2015; Chandler, 2015; Dunn Cavelty et al., 2015). In other words, from a statist view, resilience is considered to be the capacity of states to assimilate strong shocks, channel them, and transform them into radical changes, with the aim of maintaining political stability and preventing violence (Pospisil & Kühn, 2016).

level. This means their scores may not fully represent subregional dynamics (which are of interest here). To compensate for this, an attempt has been made to carry out a qualitative reconstruction of the cases in the subregions studied. The second limitation is that in practice it is very difficult to differentiate militarization from other phenomena (such as drug trafficking and migration), which can also contaminate the data used in cases where armed groups engage in more than one criminal activity. The qualitative reconstruction of each case attempts to focus only on migration-related events; however, it is very difficult to differentiate them from other phenomena occurring simultaneously.

Theoretical argument: the asymmetry between armed groups and migrants

Asymmetry is the difference between two actors concerning their capabilities, the rules they follow, and the means they can use to achieve given ends (Arreguin-Toft, 2001; Chamberlain, 2003; Salhi, 2020). While it is true that there is no scenario in which two actors are symmetrical, very large differences in capabilities can lead to such an unbalanced scenario that the actor with lower capabilities may be at a great disadvantage. Within security studies, asymmetry in armed conflicts has been extensively studied. In this regard, the objective is to understand how the military capabilities of two actors can affect their performance in a violent confrontation (Berglund & Souleimanov, 2020; Tasseron & Lawson, 2022).

Nonetheless, asymmetry in this text is not understood as merely the difference in the material capacities of two armed actors, but as between two actors of different natures. This means that the aim is to understand how asymmetric an organized crime group and an irregular migrant are. These two actors are essentially asymmetric; however, asymmetry is not understood as a dichotomy (symmetry/asymmetry) but as a continuum. Therefore, this basic asymmetry may be considerably different according to the capabilities of both actors.

On the one hand, organized crime groups can often use violence and corruption, and, in addition, they are a group of people working together (normally more than two people). Meanwhile, irregular migrants in transmigration spaces often have little more than money to pay for their journey. While there seems to be a very large difference, firstly, many organized crime groups have resource mobilization as one of their main interests (Berdal & Serrano, 2005; Correa-Cabrera & Schaefer, 2022). Therefore, the migrant trafficking and smuggling market, being a source of income (important in some cases), does not go unnoticed by these actors. Second, not all organized crime groups have the resources mentioned above in the same proportion. Some make use

of corruption as a central element of their activities, while others tend to use violence more (either because they have more weapons capability or because they have better organization that allows them to make these types of decisions and have support from superiors or peers) (Pereda, 2022; Sanchez & Cruz, 2023).

It is argued here, in accordance with Bailey and Taylor (2009) and Snyder and Durán-Martínez (2009), that armed actors use corruption to avoid confrontation and thus avoid violence. To this end, it is expected that in subregions where state-integrated groups predominate,[3] there will be lower levels of violence, while in those where mafia groups predominate, there will be more.[4] The organization of an armed actor makes it possible to predict its levels of violence. The hierarchization of armed groups often enables territorial establishment and, with this, a greater capacity to use violence against migrants and transporters. At the same time, when not dependent on strong nodes and poorly organized, the network structure produces groups more reluctant to use violence to avoid persecution (McCarthy-Jones et al., 2020).

In summary, as Figure 1 illustrates, it is argued that the asymmetry between organized crime groups and migrants leads to the possibility of violence against migrants. When the asymmetry widens, the risk of violence increases due to the strengthening of the former. In contrast, when the asymmetry decreases, the possibility of using violence against migrants or participants in the migration process is reduced.

Benin, Tripoli, Chiapas and Urabá are in states in which the predominant armed actors are mafia-like (Nigeria 6.5 out of 10, Libya 8 out of 10; Mexico 9 out of 10 and Colombia 9.5 out of 10) and, except for Libya—which is in the midst of an institutional collapse—with relatively high (comparatively speaking), or at least intermediate, resilience scores (Nigeria ranks 14th out of 65 countries, Colombia 15th and Mexico 29th[5]). In contrast, Bamako, Ouagadougou and Agadez are in countries where mafia-like groups are rather rare (Mali 5 out of 10, Burkina Faso 4.5 out of 10 and Niger 2 out of 10) and state-integrated criminal actors predominate (Mali 9 out of 10, Burkina Faso 6.5 out of 10 and Niger 8.5 out of 10). Moreover, they are States with very low levels of resilience (Burkina Faso ranks 37th, Niger 42nd and Mali 55th out of 65 countries surveyed[6]).

The literature shows that in the first group of States, there are high levels of violence against migrants and participants in the migration process,[7] while in the second group,

[3] The terminology of the Organized Crime Index is being used here.

[4] It should be clarified that corruption and violence are not necessarily mutually exclusive. In fact, as shown by Morris (2013) and Pereda (2022), armed groups often use both resources. Nonetheless, the military strength built up by a mafia-like armed group generates greater asymmetry vis-à-vis the migrant, which is why it uses more violence than a group that is built on the basis of corruption.

[5] The resilience scores are 5.5 for Nigeria, 5.83 for Colombia and 4.46 for Mexico.

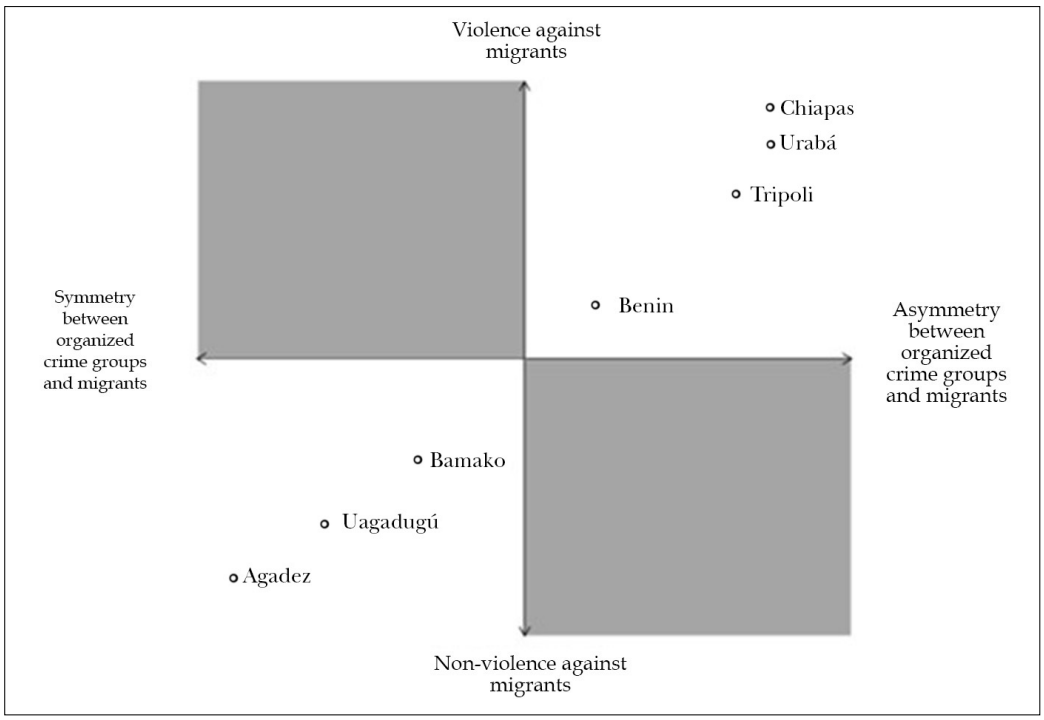
[6] The resilience scores are 3.63 for Burkina Faso, 3.21 for Niger and 2.38 for Mali.

[7] For more details, see Izcara Palacios and Andrade Rubio (2022) and Correa-Cabrera and Schaefer (2022) for the case of Mexico; Ajayi and colleagues (2020) for the case of Libya; Adesina (2014) for Nigeria; and Badillo and Bravo (2020) for Colombia.

migration processes, although they remain within illegal circuits and in the hands of transnational organized crime networks, do not usually involve widespread violence.[8] Two of these seven cases (Agadez in Niger and Urabá in Colombia) are reconstructed to illustrate the argument presented here.

The argument works as an incentive system: state resilience, when it is principally composed of militarization tools, generates incentives for armed groups to form hierarchies and increase their force capability. This assumption is based on several pieces of research that show that the repression campaigns that States initiate against criminal groups are succeeded by increases in the levels of violence and organizational strengthening of the criminal groups fought (Castillo & Kronick 2020; Lessing, 2017; Skarbek, 2011). In the face of more hierarchical and strengthened armed groups, the asymmetry between them and migrants grows, which generates incentives to use more violence against migrants and transporters (Figure 1).

Figure 1. Stylized relationship between asymmetry and violence against migrants



Source: created by the authors

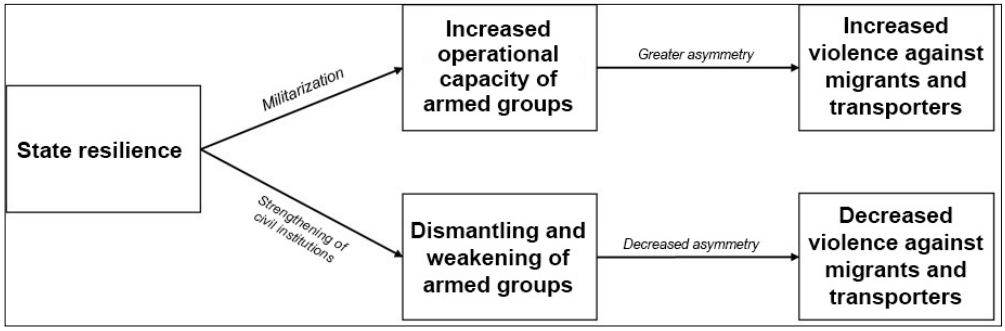
A second scenario, not explored in this article but based on research by Daniele and Dipoppa (2022) and Trejo and Nieto-Matiz (2022), suggests that state resilience could indeed weaken armed groups. In this case, it would be necessary to strengthen civilian institutions that prosecute money laundering and corruption used by criminal groups and actively prosecute those responsible. In this case, a weakened armed group

[8] For more details, see Cross (2020) for Burkina Faso, Sylla and Schultz (2020) for Mali, and Bøås (2021) for Niger.

would generate less asymmetry and, consequently, less incentive to use violence against migrants and transporters. Figure 2 illustrates both scenarios.

At this point, it is worth clarifying that with the data obtained, it cannot be argued that resilience with militarization *always* leads to greater violence against migrants and transporters. Rather, it means that this type of state response generates incentives for the operational strengthening of armed groups, and this strengthening generates parallel incentives to use more violence against these people.

Figure 2. Interaction between state resilience, armed groups' responses and violence against migrants and transporters



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Agadez

The Agadez subregion, as it is located in a mostly desert area and is the gateway to the Sahara dunes, has a geostrategic position that favors the intersection of African migration routes. The region's economy is characterized by the smuggling of all types of goods; in addition, migrant smuggling is considered a way of sustaining the population, so much so that it is part of their way of life (Lucht, 2022, Moral Martín, 2020).

Agadez has been an essential region in the migratory dynamics of the African continent since the fall of Muammar al-Gaddafi's regime in Libya. With the collapse of the Libyan regime, spaces opened up for migrants to use Agadez to reach cities on the Libyan coast (Misrata, Sirte, Tripoli). About 600 Nigerians ended up participating as intermediaries in the border transit, and consumption of products from the local economy was encouraged, generating short-term benefits for the region (Hoffmann et al., 2017). Faced with this, the European Union accompanied the promulgation of *Loi 2015-36 relative au traffic illicit de migrants* (2015 Law on the illicit smuggling of migrants), which led Niger to become the first country in the region to criminalize the smuggling of migrants and led to a decrease in a good part of the migration flow (Molenaar & El Kamouni-Jansen, 2017). This securitization of irregular migration incentivized the growth of criminal networks that kept transport routes active (Abebe, 2019).

Criminal ecosystem

Determining the criminal actors involved in border trafficking and migrant smuggling and trafficking in this sub-region is difficult. First, Agadez is part of a transit circuit involving at least 5 000 criminal groups (European Union Agency for Law Enforcement Cooperation [Europol], 2021). Second, according to Europol, many of these groups (20%) only exist for very short periods. In other words, they are created to carry out a specific activity and then disappear (Europol, n. d.). Therefore, this criminal ecosystem is not only composed of an incredible number of actors, but it is also very dynamic: it is constantly changing and, therefore, it is very difficult to think of a static situation on which lasting reflections can be made (Migration and Home Affairs, n. d.).

According to the Organized Crime Index prepared by the Global Initiative Against Transnational Organized Crime (2021a), Niger ranks 14th out of 54 African countries in terms of criminality. This is due to the extensive trafficking of arms and people and the smuggling of migrants into the country. Of the four typologies for criminal actors used (each scored on a scale of 1 to 10), state-embedded criminal groups were the most common (8.5), followed by criminal networks (7) and foreign actors (5). Mafia-like groups only scored 4.

This allows us to see how, on the one hand, corruption is one of the central tools in the development of criminal activities, given that "government officials at all levels are suspected of being involved in migrant smuggling" (Global Initiative Against Transnational Organized Crime, 2021b, p. 3). In Agadez, many of the participants are former migrants who, through their experience, have managed to establish contact with corrupt police and border officials, which they take advantage of to offer the service to new migrants (Brachet, 2005). Therefore, violence becomes secondary because corruption and alliances with actors within the bounds of legality are much more useful (Alioua, 2013).

On the other hand, as far as criminal networks and foreign groups are concerned, they are "poorly organized" actors created to make profits but are not necessarily centralized or able to establish hierarchies (Global Initiative Against Transnational Organized Crime, 2021b, p. 3). In other words, the term "criminal networks" is used because they are not organizations with clearly defined lines of command or even with long-term objectives, but rather the connection of a set of nodes (individuals, organizations, among others) that share information, resources, and skills to achieve immediate ends (Albarrán-Torres, 2021; Williams, 2008; Wyatt et al., 2020).

Understanding organized crime in Agadez in terms of criminal networks is essential given that the region has internalized irregular migration as part of daily life: the local transport, hotel, and restaurant industries are unambiguously involved. Thus, a complex network of participants was formed that far transcends criminal groups (Molenaar & El Kamouni-Jansen, 2017). This criminal network, strictly speaking,

includes the actors involved and the community at large, which offers its services to migrants (Díaz de Aguilar Hidalgo, 2018; De Tessières, 2018). All the above generates legitimacy for those offering the illegal service, given that they do not consider what they do reprehensible (Shaw & Reitano, 2014; Tinti & Westcott, 2016).

Finally, mafia-like groups, which are territorially based and have a certain level of established hierarchy, are practically non-existent in Agadez. The few that appear are, rather, Nigerian groups that briefly enter Niger to resolve particular situations; however, they have not settled permanently in the country, so they are not considered relevant to understanding the dynamics of irregular migration (Oficina de las Naciones Unidas contra la Droga y el Delito [UNODC], 2012).

Migrants passing through Agadez do not commit to any organization for their journey. Instead, they contact different groups and pay only for specific tranches (UNODC, 2013, 2018). The relationship between migrants and their transporters is seen as a symmetrical commercial transaction in which there may be unexpected consequences (at which point migrants may eventually perceive themselves as victims of abuse) (Badillo & Bravo, 2020). There is even evidence that these organizations often offer up to three attempts to reach Europe if there are failures in the process (Kenyon, 2010). The World Organization for Migration (IOM, 2008) observes that the narrative of "victims and victimizers" in irregular migration only explains specific cases but does not address the phenomenon holistically.

Resilience

The access route represented by Agadez in North Africa has historically been characterized by high irregular migration, which is tolerated by state authorities. However, the constant pressure from the European Union to regulate this phenomenon, framing it as organized criminal activity, puts actors involved in irregular migration under constant state surveillance (Dauchy, 2022; Lucht, 2022). Adopting Law 2015/136, promoted by the European Union, has been inefficient in reducing migration flows. On the one hand, the local state claims significant success in the displacement and dismantling of trafficking groups in the region (Oxfam Intermón, 2019). On the other hand, according to IOM (2016), national policies and the implementation of Law 2015/136 have not identified the totality of actors involved in irregular migration, nor have they significantly reduced the smuggling of migrants in the region. In addition to attempts to reduce migration flows by dismantling groups engaged in migrant smuggling and trafficking, Niger has implemented local entrepreneurial initiatives to transform this illegal business into the *taxi-moto* business (Oxfam Intermón, 2019).

Although Niger has attempted to strengthen its institutional capacity to regulate irregular migration, the region is at a significantly low level of resilience. The total

resilience score for Niger is 3.52, which places the country 42nd out of the 65 countries compared. In 10 of the 12 resilience indicators, Niger scores lower, ranging from 2.0 to 4.5. It scores 4.5 in "Law enforcement"; 4.0 in "Governance policy and leadership", "Transparency and accountability" and "State actors"; 3.0 in "Territorial integrity", "Money laundering" and "Regulatory environments of the economy"; 2.5 in "Judicial Arrest System Initiative" and 2.0 in "Prevention" and "Victim and witness support" (Global Initiative Against Transnational Organized Crime, 2021a).

This indicates that, despite the efforts invested by Niger and allies such as the European Union to combat organized crime, the State has not been able to solidify institutionally to establish measures to combat the smuggling of migrants and organized crime in the region. This may also help explain why the illegal actors in this region are less violent, as they are not being prosecuted and brought to justice and do not see the need to strengthen themselves militarily.

Gulf of Urabá

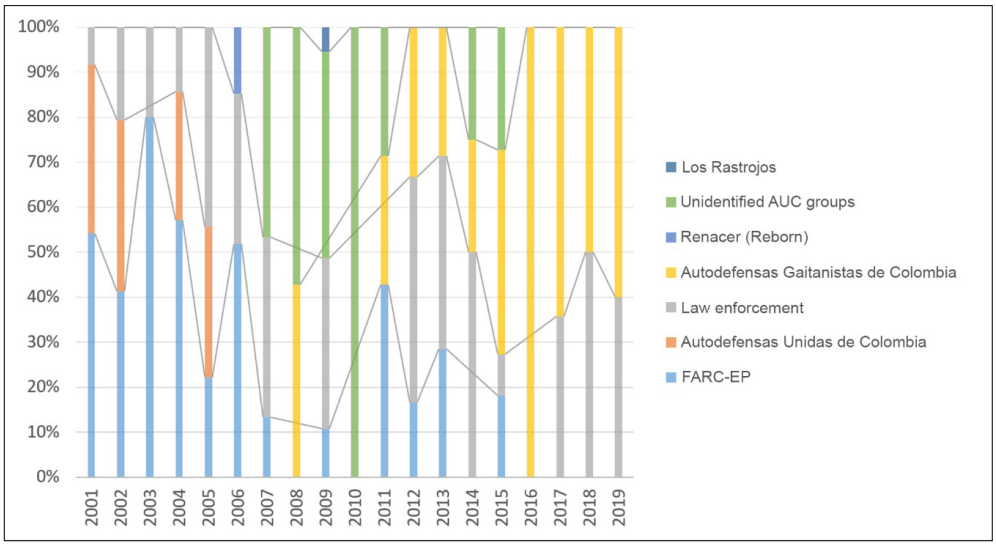
The Gulf of Urabá is located on the Colombian side of the Colombian-Panamanian border. Some of the municipalities that make up this subregion (Turbo, Chigorodó, Dabeiba, Mutatá, Acandí, Apartadó and Necoclí) are necessary transit points for a significant number of migrants attempting to reach the United States through Central America. Beginning in the 1980s, this subregion became an essential part of the dynamics of the Colombian armed conflict due to the expansion of the guerrillas of the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP for its Spanish acronym of Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo) and the Popular Liberation Army (EPL for its Spanish acronym of Ejército Popular de Liberación) (Bejarano, 1988). Subsequently, the appearance of the Autodefensas Campesinas de Córdoba y Urabá (ACCU), which later became the Autodefensas Unidas de Colombia (AUC), produced a bloody struggle for hegemony and a considerable increase in the repressive action of the Colombian State, which increased the impact on the civilian population, such as forced displacement and an increase in massacres in several of these municipalities (Jaramillo, 2007).

Criminal ecosystem

The actors involved in the dynamics of violence in the Gulf of Urabá are few (relative to Agadez) and relatively easily identifiable. Figure 3, for example, shows how, while between 2001 and 2015 there were at least seven actors involved in armed activities, since 2016 only the self-styled Autodefensas Gaitanistas de Colombia (AGC or Clan del Golfo, as the authorities call them) need be considered in order to understand the violent situation in the subregion.[9]

[9] The authors are aware that since the end of 2019 the AGC has been confronting Los Caparros for control of some sub-regions such as southern Córdoba and part of Urabá Antioqueño and possible alliances with the ELN and dissident groups of the FARC-EP have also appeared (Trejos Rosero et al., 2021); however, given that the period of analysis ends in 2019, when a sort of criminal hegemony by this armed group could still be demonstrated, this recent armed competition is not taken into account.

Figure 3. Armed actors responsible for violence in the Gulf of Urabá



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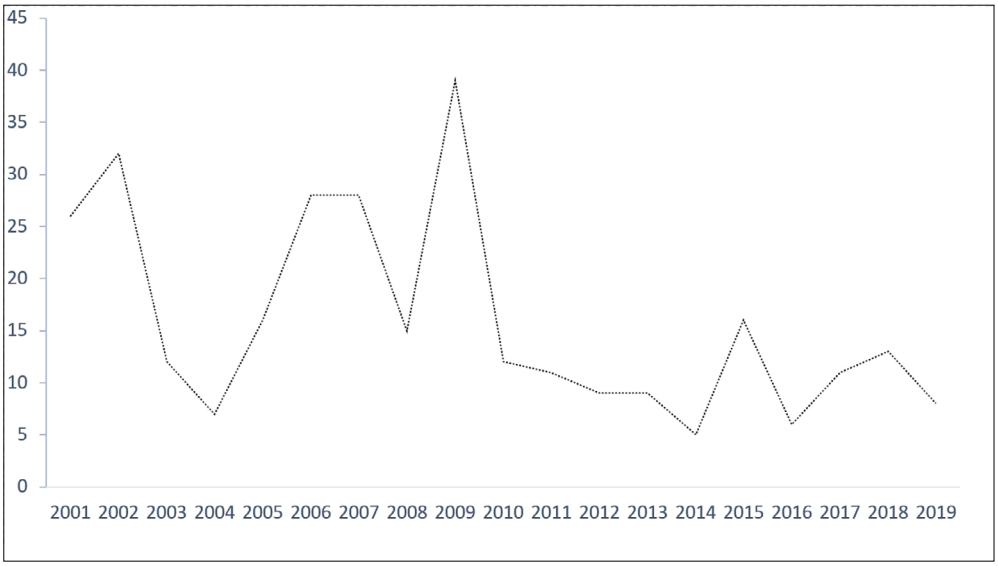
The demobilization of the FARC-EP in 2016 as a result of a peace agreement signed with the Colombian government finally consolidated the AGC's hegemony in the Gulf of Urabá, as the organization's last large-scale enemy disappeared. This may be reflected in a relative pacification of the region, as shown in Figure 4.

This demobilization coincided with an unprecedented increase in the number of migrants passing through the region to reach Central America and, from there, the United States. According to the Colombian Ministry of Defense (2016), between 2014 and 2015, there was a nearly 300% increase in the number of migrants passing through the region (from 690 migrants in 2014 to 2 758 migrants the following year). Subsequently, in 2018 the figure reached 7 000 migrants in a single municipality (Turbo); barely two months into 2019, nearly 1 700 foreigners had already arrived, demonstrating the expansion of the phenomenon (Mata & Herrera, 2019). According to the Migrantes de Otro Mundo project (2020), more than 6 000 migrants (according to official data) passed through Colombia and headed to Central America in 2019. Before the demobilization of the FARC-EP, the AGC had reached agreements with this guerrilla group to divide the profits from charging "coyotes" for the illegal smuggling of migrants (Ministerio de Defensa Nacional, 2016). Nevertheless, after the demobilization of this guerrilla group, the AGC entered the business completely and not only collected extortion fees from the transporters but also directly controlled the illegal activity.

In the Gulf of Urabá, the AGC became a hegemonic actor in the phenomenon of migrant smuggling and trafficking and border smuggling. Given that the organization dominates drug trafficking routes and that these routes are also used to transport migrants, permission from the AGC would be required for any operation. This permission is obtained through "vacunas"; that is, "a kind of tax that the coyotes must pay for each migrant transferred, which can be up to half the price charged" (Badillo

& Bravo, 2020, p. 20). The AGC has a "migrant line" in charge of receiving citizens from Asian and African countries who have arrived on the continent through Brazil, Ecuador, and Peru, where they are received by "coyotes" who take them overland to Turbo and Capurganá, Colombia. There, the AGC forces them to transit over irregular trails and roads that the armed group dominates and, for some of them, forces them to carry drugs as payment for passing through (Martínez, 2022; "Víctimas de tráfico de migrantes", 2018).

Figure 4. Violent activities by organized crime groups in the Gulf of Urabá



Source: created by the authors with information from Cinep's Noche y Niebla database. Available at https://www.nocheyniebla.org/?page_id=1372

The AGC's presence implies a hierarchy and subordination between the organization and the coyotes (although the latter are not part of the organization). In the words of journalist Gómez Tobón (El CLIP, 2020), "It is no secret that authority in a large sector of Urabá is exercised by illegal organizations", among which he mentions mainly the AGC. While not all participants are part of an organized crime network, they all confine their activity to the directives of the AGC. This can be demonstrated by the fact that, after a boat was shipwrecked in Acandí with 27 migrants on board, the AGC decided to prohibit the transport of foreigners by sea for a while. That ban was

effectively enforced and produced a crisis in Darien due to unsuccessful attempts to cross the land border (Mata & Herrera, 2019). Likewise, this organization has gone so far as to prohibit the robbery of migrants in order to avoid attracting media attention (Rojas, 2020).

The "coyotes" (or "irregular migrant guides", as they are also called) suffer from the control of the AGC: between 2018 and 2019, more than six were killed for refusing to pay the tax to the armed group (Mata & Herrera, 2019). Similarly, someone involved in border trafficking stated to *Semana* ("Los coyotes de la muerte," 2018) that he withdrew from the business due to the presence of the "paramilitaries".[10] While the latter do not perceive themselves as criminals, they are aware that, due to the presence of the AGC in the activity, the use of force is a logical consequence of it in case something goes wrong and the business ceases to be a simple commercial transaction and becomes an agreement outside legal boundaries.

Regarding the migrants, although in principle it is a voluntary agreement to which they individually agree, the encounter with the AGC is often fraught with violence and unexpected obligations, such as the need to carry drugs to the destination. Likewise, it is normal for them to be treated with violence, as evidenced by the testimony of a migrant who explains that, on the way, they were assaulted by men with rifles who, in addition to beating them, stole their passports (Mata & Herrera, 2019). Similarly, there is no guarantee of finishing the journey, and, on the contrary, migrants are often abandoned to their fate in the middle of the jungle (Martinez, 2022). Accordingly, they begin to consider themselves victims as the AGC violates their initial treatment. In addition, there is a record of at least 50 murders of migrants by the armed organization ("Víctimas de tráfico de migrantes", 2018), which shows that violence is not only directed at transporters.

Unlike what happens in Agadez, in the Gulf of Urabá, those who meddle in this phenomenon must necessarily be accountable to the hegemonic criminal organization and can hardly act outside this paradigm without being "disciplined" through violence. The participants, as explained above, are two very distinct groups (AGC and the individual agency representing migrants and transporters), but the latter is necessarily linked to the former through violence and territorial control.

In this context, it is understandable that Colombia has the second-highest crime score among the 65 countries studied by the Organized Crime Index (7.67 out of 10). In addition, Colombia scores 9.5 out of 10 in the "mafia-like groups" category. Although the index does not account for this behavior at the subregional level, the above presentation of the criminal ecosystem of Urabá shows that the predominant actor in the dynamics of irregular migration (AGC) is precisely a mafia-like actor (hierarchical and territorially established).

[10] Due to the fact that several members of the Clan del Golfo come from the AUC, in public opinion this organization is often considered a paramilitary group.

Resilience

Because the Gulf of Urabá is an area that has been imbued with violence derived from the armed conflict for at least four decades, the Colombian State has implemented judicial arrest measures and has reinforced its offensive policy to dismantle the armed organizations operating in the region. In the case of the substructures dedicated to the trafficking and smuggling of migrants, figures such as Carlos Julio, leader of the Efrén Márquez substructure of the AGC, and seven other people accused of being directly involved in migrant smuggling, were captured in 2020 in the municipalities of Capurganá (Chocó), Turbo and Apartadó (Antioquia) ("Caen siete integrantes de banda", 2020).

Furthermore, this sub-region has been prioritized in military terms for six years, when Operation Agamemnon I (later continued with Operation Agamemnon II) was launched to dismantle the AGC. This is the largest military and police campaign in Colombia's history and has been essentially concentrated in this sub-region (Alarcón Gil, 2018; "Las cifras de Agamenón", 2018). In addition to this, police and military forces have directed their efforts toward coca seizures (Rojas, 2017) and cooperation with Central American countries to increase pressure on armed groups operating in Urabá ("Cae en aguas internacionales", 2021). Since the beginning of the operation, the security forces have executed more than 1 402 operations, seized at least 400 tons of cocaine and 600 weapons, killed 146 AGC members, and captured more than 4 013 members of the organization (Méndez, 2021).

This institutional strengthening effort (mainly police and military) against organized crime has been accompanied by policies that seek to weaken organized crime groups by offering incentives for individual demobilization. Former President Juan Manuel Santos promoted it through the Law of Submission (which reduced sentences by up to 50%) and President Iván Duque through Decree 965 of 2020, which achieved the demobilization of 100 members of the AGC (Soto, 2020).

Colombia ranks 40th out of 193 countries evaluated in the resilience indicators of the Global Initiative Against Transnational Organized Crime (2021a), with a total score of 5.58, which is considered highly resilient. Of the 12 indicators evaluated by the Organized Crime Resilience Index, Colombia has the highest scores for the indicators "International cooperation" (9.0), "National policies and laws" (7.0) and "Political Leadership and governance" (7.0). The indicators with the lowest scores were "Support for victims and witnesses" (3.5) and "Territorial integrity," and "Prevention" (4.5) (Global Initiative Against Transnational Organized Crime, 2021a).

As has been argued, this does not mean Colombia fights organized crime effectively. Rather, the state has strengthened itself institutionally to implement policies to combat these groups. In the Colombian case, there is a trend toward militarization of the response (as demonstrated by Operation Agamemnon I and II), which may lead organized crime actors to react through operational reorganization and strengthen their combat capability to be able to cope with this resilience.

Conclusions: organized crime, violence and militarization

The Gulf of Urabá (Colombia), Chiapas (Mexico), Tripoli (Libya), Benin (Nigeria), Bamako (Mali), Ouagadougou (Burkina Faso) and Agadez (Niger) have similar conditions concerning irregular migration. These are transit zones, with a high level of involvement of the local population and institutional precariousness. Nevertheless, in the first four cases there are high levels of violence against migrants and transporters, while the phenomenon is basically peaceful in the remaining three cases.

This article has attempted to explain this difference based on the concept of asymmetry. It is postulated that the increased operational capacity of an armed group (in terms of size, organization, and territorial control) widens the asymmetries that exist for migrants and transporters and consequently weakens the responsibilities that organized crime groups may have to migrants and transporters. Therefore, the persistence of mafia-like organized crime groups (hierarchical and territorially-based structures) in a sub-region that functions as a transmigration space tends to produce higher violence against migrants and transporters.

In contrast, when the asymmetry between an organized crime group and migrants and transporters is not as great, transmigration tends to occur under relatively peaceful conditions. This is how it becomes a socially legitimized phenomenon in which a large part of the local population participates. Therefore, the groups will not be predominantly mafia-like in this case, but rather poorly organized criminal networks and groups integrated into the State. Corruption (and not violence) is the predominant means to achieve the desired ends.

This argument was demonstrated based on reconstructing two cases: Agadez and Urabá. In Agadez, many transnational organized crime organizations are small and without the capacity to compete among themselves or establish themselves hegemonically in the territory. In the Gulf of Urabá, until 2019, there was essentially a single armed organization (AGC) that established itself as hegemonic with the defeat or demobilization of some of its competitors.

While in Agadez violence is rarely threatened when pacts are not complied with, in the Gulf of Urabá an actor monopolizes the use of force (in addition to the State) and can violate the pacts and give orders without being affected. To this end, the AGC has centralized the illegal activities in the territory, making it difficult for this revenue to be collected without its vigilance. Thus, a more hierarchical chain of criminality was forged, and a space was opened for violence to be the main means of dispute resolution (although not the only one).

This article is framed by three important discussions within organized crime studies. First, it adds to discussions about the inefficiency of legal definitions to aid understanding of this phenomenon (Finckenauer, 2005; Kupka et al., 2022). While it is true that many of the transporters are committing a transnational crime, this does

not mean that there are always large armed organizations behind it or that a difference between perpetrator/victim can always be discerned. The divergences between Agadez and the Gulf of Urabá are magnified because a single category is considered for two issues that imply different dynamics and outcomes. The use of inaccurate definitions obscures the purposes of the discussion and can lead to policies focused on militarization, thanks to a loose reading of the phenomenon (Von Lampe, 2015).

Second, this article adds to the literature showing that organized crime is not always violent. Several authors have shown that criminal groups can reduce violence, either through alliances with the state (Cruz & Durán-Martínez, 2016), by the hegemonic consolidation of one of them (Yashar, 2018), or by pacts between armed groups to reduce confrontation (Trejos Rosero et al., 2021). This article adds that the nature of the armed actor and the criminal ecosystem can be useful for thinking about cases in which the existence of an organized armed group does not trigger violence. Even in cases where violence is present, it is impossible to think that all dynamics revolve around it.

Finally, this article is framed within the discussions surrounding strengthening the State as an element in the fight against crime. As other authors have shown (e.g., Castillo & Kronick, 2020; Lessing, 2017), an increase in the states' footprint can produce a spiral effect: as the state's tools to combat organized crime groups solidify, the latter may have incentives also to transform themselves to face the challenge that this represents, which would increase their combat power. Paradoxically, state resilience may be producing greater violence. Therefore, it is necessary to rethink the relationship between the State and organized crime and not assume that the greater the presence of the former, the lesser the strength of the latter. Naturally, this will need further development with sufficient evidence. Although all this literature has already been developed to understand organized crime, the article attempts to connect it to discussions on migration and violence against migrants and transporters.

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Reynell Badillo-Sarmiento
Colombian. Master in international studies from the Universidad de los Andes (Bogotá, Colombia). Researcher attached to the research group Estudios Globales of the Universidad de los Andes, and the research group Conflictos y Postconflictos desde el Caribe of the Universidad del Norte. Research lines: organized crime, criminal governance and criminal politicization. Recent publication: Badillo, R. & Mijares, V. M. (2021). Politicised crime: causes for the discursive politicisation of organised crime in Latin America. *Global Crime, 22*(4), 312-335. https://doi.org/10.1080/17440572.2021.2024804

Amparo Judith Bravo-Hernández
Colombian. Ph. D. candidate in social sciences from the Universidad del Norte (Barranquilla, Colombia). Professor in the Departamento de Ciencia Política y Relaciones Internacionales at the Universidad del Norte. Research lines: armed conflict, peace building, foreign policy and security. Recent publication: Trejos Rosero, L. F., Bravo Hernández, A. J. & Badillo Sarmiento, R. (2021). Hacia una comprensión de los múltiples conflictos colombianos: evolución teórica en el análisis de la confrontación armada. *Co-Herencia, 18*(34), 119-155. https://doi.org/10.17230/co-herencia.18.34.5

Alberto Mercado-Ramos
Colombian. Political scientist with emphasis on government and public policies of the Universidad del Norte (Barranquilla, Colombia). Researcher attached to the research group Política y Región of the same university. Research lines: local governments, quality of life and citizen participation. Recent publication: Trejos Rosero, L. F., Tuirán Sarmiento, Á. A., Badillo Sarmiento, R. A. & Mercado Ramos, A. M. (2020). *Gestión administrativa local y paz territorial. Un análisis de las subregiones PDET en el Caribe colombiano*. Editorial Universidad del Norte.