



RiskIntelligence

Illegal migration patterns in the Mediterranean & current developments

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Risk Intelligence A/S
Strandvejen 100
2900 Hellerup
Denmark

Tel: +45 7026 6230
info@riskintelligence.eu
www.riskintelligence.eu

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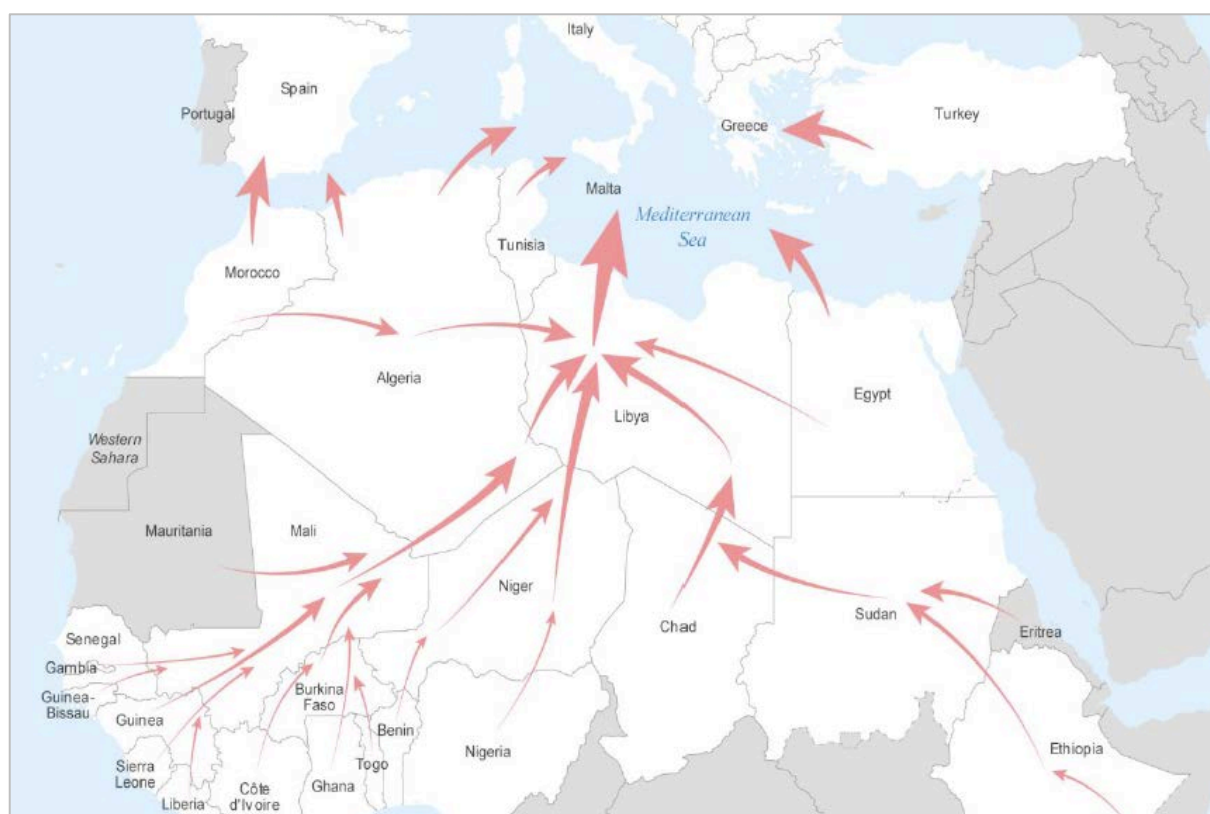
About Risk Intelligence

Risk Intelligence is a leading, trusted and reliable partner, providing end-to-end risk assessment and planning. Since 2001, we specialise in analysing threats from the interaction between piracy, organised crime, terrorism, insurgency and military conflicts. Our team is dedicated and resourceful, drawing from international experience and a diverse range of backgrounds.

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Background

A variety of 'push factors' in Africa and the Middle East, including conflict, poverty, repression and general insecurity, has led to a large number of refugees and irregular migrants trying to reach Europe. Many of them become victims of smuggling, trafficking, and rights abuses. Given the focus on the Mediterranean as the gateway into Europe, incidents at sea are frequent with a high risk of a loss of lives due to the use of unseaworthy craft.



Main migrant routes from Africa towards Europe (Source: UNHCR)

Sea routes used by migrants pass through busy shipping lanes, potentially impacting merchant vessels in transit. Seafarers are often called upon to assist in safety of life at sea (SOLAS, from the 1974 Convention of the same name) operations, presenting specific challenges to merchant ships in transit.

Italy, Greece, Malta, and Spain continue to be the most affected destinations. The use of the Mediterranean as a gateway into Europe continues to be a contentious political issue. The pandemic reduced attempted crossings in 2020 and 2021, but the expected resurgence has materialized, particularly notable during periods with calm weather. Risk Intelligence assesses that a lack of a unified solutions and continued instability in the Middle East and Africa means that migrants will continue using these sea routes in large numbers, regardless of repressive policies implemented by countries on both sides of the Mediterranean.

Merchant vessel duty to assist

Under the SOLAS Convention, the master of a ship is legally obligated to assist persons found to be distressed at sea so long as such assistance does not jeopardise the safety of the ship, crew, or passengers. This responsibility applies "regardless of the nationality, status or circumstances" in which those in distress are found. In the Mediterranean, search and rescue operations are coordinated by national Maritime Rescue Coordination Centres (MRCCs) and vessels in the region may be engaged for assistance. Since the start of the heightened migrant flow in 2015, merchant ships have been involved in the rescue of over 100,000 people in the Mediterranean.

Challenges during rescue

Merchant vessels are often ill-prepared to conduct large rescue operations at sea. Rescue procedures generally do not include the interception of large groups of distressed or injured individuals, and it is unlikely that the crew has been specifically trained for this scenario. Due to criminal traffickers' practice of overloading small boats with migrants, ships might encounter sizeable groups in distress. These vessels are often old or damaged and steered by inexperienced persons. This creates dangerous situations and complicates rescue operations.



The port of Mazara del Vallo on the Italian island of Sicily

Challenges after boarding

Commercial vessels are not built to accommodate large groups of sick or injured persons. Crew may be exposed to dangerous pathogens, and identification of the sick is often done at the beginning to mitigate the damage. Standard procedure is that personal protective equipment has been used by crew for all interactions if possible with sick people being quarantined.

The most challenging measure post-boarding is often the initial counting, identification and searching of the rescued persons. Rescued groups will commonly be a mix of individuals from different countries with different backgrounds. Continuous watches help to maintain peace and dissuade stowaways or tampering with goods or equipment. The crew might find that the group rescued will likely outnumber the seafarers on board.

Increasingly, European ports have been reluctant to accept irregular migrants and merchant vessels are not guaranteed a quick disembarkation of those rescued. In 2020, the MAERSK ETIENNE was caught in limbo when it took governments 38 days to organise the transfer of the 27 migrants it had rescued at the request of the Maltese MRCC. The rescued migrants became so desperate waiting that three jumped overboard and had to be summarily rescued. Merchant vessels might not have additional supplies to accommodate extra persons on board for an extended period. The ship master is required to wait for state approval before disembarkation in a port, no matter how dire the situation, or risk facing prosecution in the respective country.

The trauma and psychological pressures the crew will experience in a SAR incident should not be underestimated. It is possible they will encounter injured, sick, or distressed persons, or even dead bodies. Heightened stress, uncertainty, and workload will continue beyond the rescue. There might be limited systems in place to help crew members who may be struggling after the encounter.

Potential incurred costs

Rescue operations can result in a large deviation from planned routes and the missing of a trade window or berthing slot. Perishable goods may have to be disposed of following the hosting of large groups of migrants. Currently, there is no mechanism in place to compensate shipping companies for the cost of delays, fines, loss of goods, or other expenses sustained due to SOLAS assistance. There have been increased instances of vessels waiting extended periods before being granted access to a port to disembark rescued migrants. Relevant insurance policies and established procedures are methods to alleviate incurred costs.

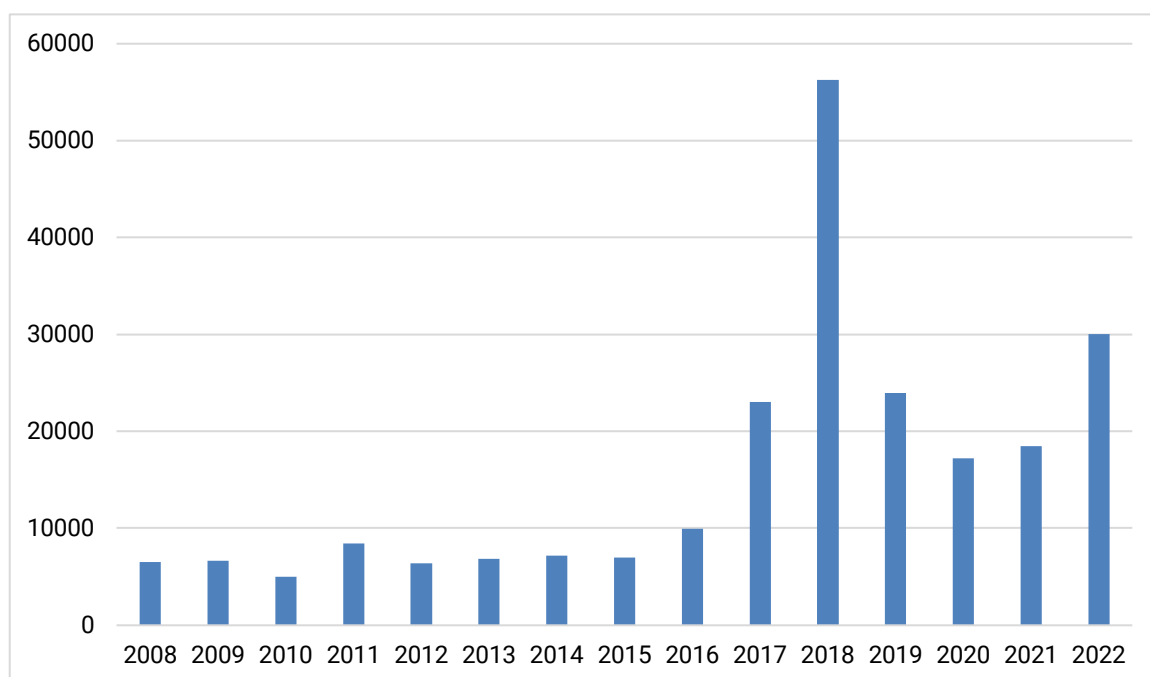
Principal migration routes in the Mediterranean

Irregular migration often uses established routes. These routes will be quickly adapted in case of political and economic changes in the origin, transit, and destination countries. The most important migratory routes leading to Europe are the Atlantic Route, the Western Mediterranean route, the Central Mediterranean route, the Eastern Mediterranean route, and the Balkan route on land. For the scope of this paper, the focus will be on routes crossing the Mediterranean.

Atlantic Route and Western Mediterranean Route

Since the early 2000s, Spain has taken a prominent role as a main entry point for migrants to Europe, consolidating the Atlantic and West Mediterranean routes. These routes are used largely by West Africans. On the Western Mediterranean route, migrants depart from Morocco and Algeria by boat across the Strait of Gibraltar from Tangier to Tarifa, or by land to enter the Spanish enclaves Ceuta and Melilla. In 2003, due to stricter regulations, a new route was progressively developed. With the Atlantic route, migrants from Senegal and Mauritania would arrive in the Canary Islands and continue to the mainland.

The Western Mediterranean route was the most frequently used route in 2018 and Morocco the main departure point. It was overtaken in 2019 by the eastern route.



Atlantic and Western Mediterranean route – sea and land illegal border-crossings (Source: Frontex)

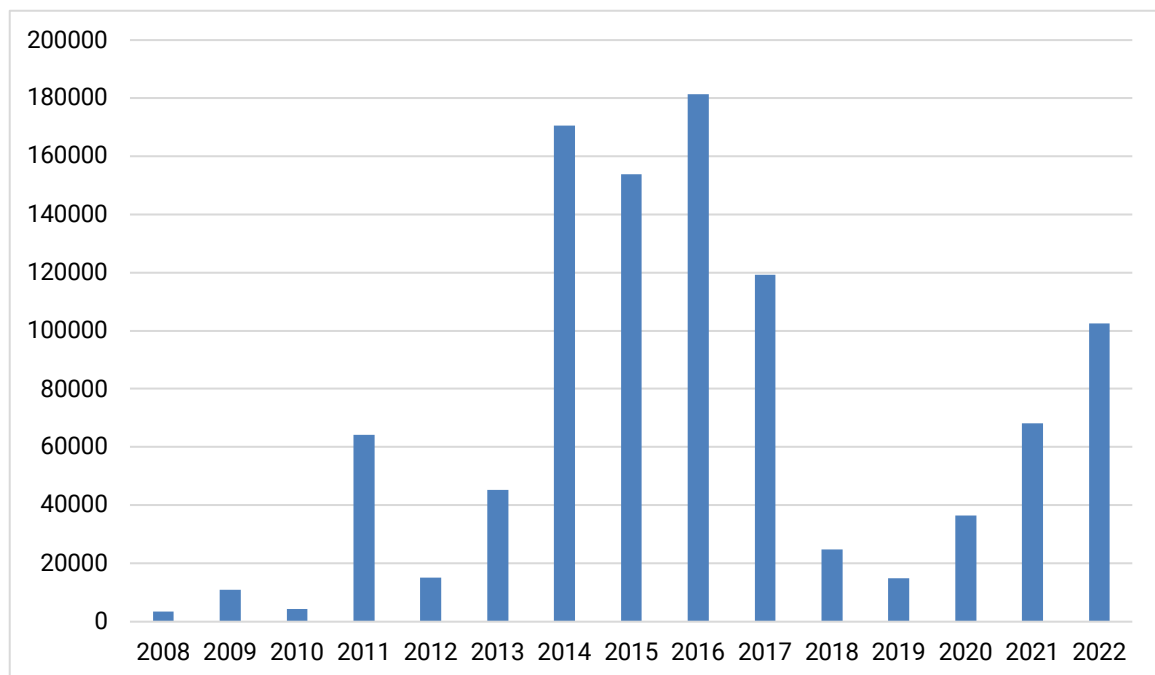
The Western Mediterranean route has historically been used by Algerians and Moroccans to reach Spain, France, and Italy. Over the years, the numbers of West Africans using this route increased consistently. Previously, Morocco was a transit country for migrants wishing to reach Europe through Spain. Due to increased controls on the Spanish border and difficulties in

reaching the Spanish coast, Morocco became a destination country. It is common for migrants to arrive in Spain legally and move to an irregular administrative status as their visas lapse.

In the Western Mediterranean, Frontex (the European Border and Coast Guard Agency) assists Spain with border surveillance between Spain and Morocco with four operations: *Hera*, *Indalo*, *Minerva* and *Focal Points Sea*. As the route has been used by drug smugglers to smuggle hashish, cannabis, and cocaine to Europe, Frontex’s operations aim to disrupt smuggling operations, as well as assist with border checks and registration of migrants. The EU also has a partnership with Morocco to help strengthen border control and halt trafficking of migrants.

Central Mediterranean Route

In the early 2000s, the flow of migrants using the Central Mediterranean route (CMR) increased in correspondence with restrictions in the Western Mediterranean. The CMR is the most used route and connects Malta and Italy to North Africa, particularly Libya with the island of Lampedusa. The CMR boomed around 2008 and in 2009, Italy and Libya then signed a treaty to reduce the flow of migrants sailing from Libya. It helped to reduce the flow by more than half, but the situation in Libya in recent years provoked another upsurge of migrations. Instability in Tunisia, where chronic mismanagement has significantly worsened economic perspectives, has led to a more recent surge in departures from the country in 2023.



Central Mediterranean route illegal border-crossings (Source: Frontex)

The Arab Spring of 2011 had several impacts on this route, including an increase in migrants departing from affected countries and the shift of departure ports from Libya, which had been the main hub for decades, to Tunisia. After 2014, Libya again became the principal departure country. More recently, Tunisian smugglers moved operations closer to Libya and increased collaboration with local militias and Libyan smugglers.

In Libya, different militias are involved in the business of migration and operate with impunity. Some nomad groups have managed to control significant routes in southern Libya and collaborate with political actors on smuggling networks and militias converging in launching ports of north-west Libya. Smuggling profits contribute to bolstering divergent forces which obstruct the state-building process. This setting has created a breeding ground for widespread abuses like labour and sexual exploitation, kidnapping for ransom, and even sales of organs.

The Libyan navy and coastguard have been patrolling a search and rescue zone extending well into Maltese SAR zones, and over 100 nm from the Libyan coast. To pass through this zone, traffickers have started using larger vessels to transport migrants closer to the European coast or to NGO vessels before releasing them on smaller boats. The EU has worked with Libyan authorities to develop coastguard capacities through training and provision of equipment. This effort to increase the number of migrants the Libyan coastguard intercepts has been controversial due to reports that the safety of returned migrants cannot be guaranteed.

Libya operates rescue coordination centres in cooperation with Italy and Malta, and merchant vessels have been directed to return rescued persons to the country. This has prompted outbreaks of violence or refusals to disembark from vessels as migrants have reportedly feared for their safety.

With renewed political instability and fighting in Libya in 2014, the Libyan Directorate for Combatting Illegal Migration's (DCIM) ability to run detention centres in Tripoli collapsed, additional detention centres managed by militia groups were created and the number of migrants sailing to Europe increased. In illegal detention centres, migrants are detained for indefinite periods and can leave in different ways: migrants can 'buy' their freedom when smugglers offer it; when migrants are pushed on boats while in detention without having paid or expressed an intention to move to Europe; when migrants are 'lent' to someone who needs manual labour.

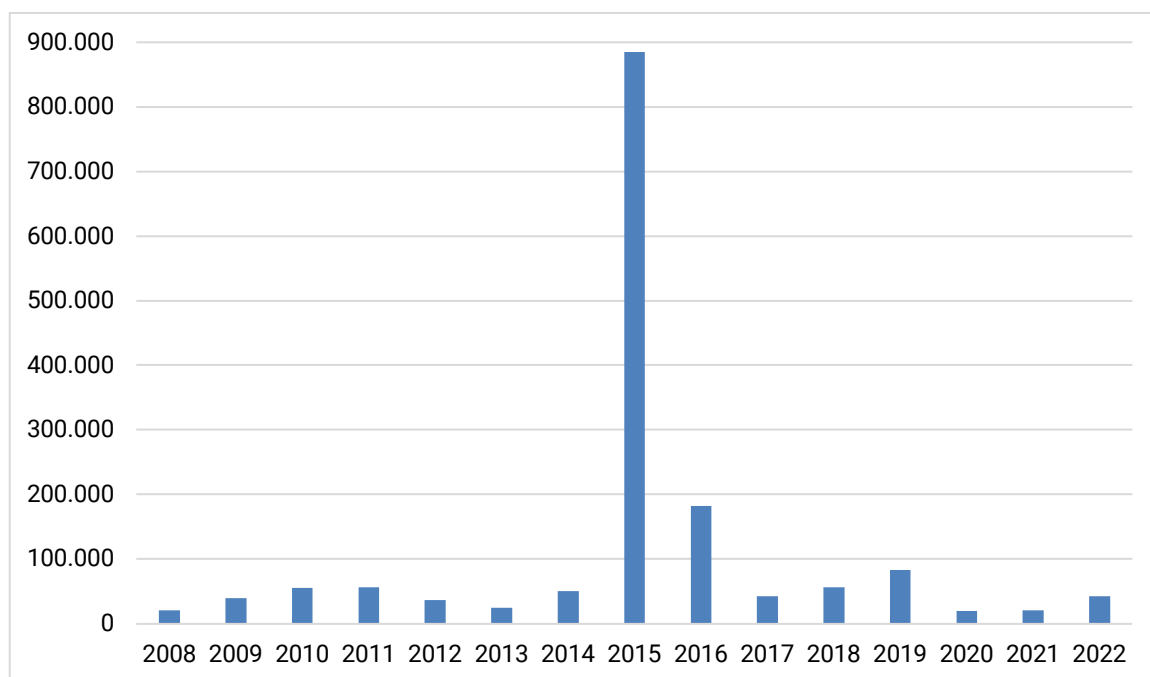
In October 2013, a Libyan boat shipwrecked not far away from the port of Lampedusa (Italy), causing 368 deaths. In response, the Italian government launched Operation *Mare Nostrum*, a military and humanitarian mission which operated in the Strait of Sicily. It was replaced by Operation *Themis* in 2018 with a focus on border control, surveillance, and search and rescue.

Along with Frontex's operations, the EU Naval Force Mediterranean (EUNAVFOR MED) Operation *Sophia* was active from 2015 to 2020 in the southern part of the central Mediterranean. This military operation was part of a broader EU response to the migration issue. Its mandate also included two supporting tasks: training of the Libyan coastguard and navy, as well as contributing to the implementation of the UN arms embargo on the high seas off Libya.

Within the Libyan peace process the EU decided to launch Operation EUNAVFOR MED *Irini* in March 2020. The new operation also gathers information on illicit exports of petroleum and contributes to capacity building in Libya and disrupt the business of human smuggling.

Eastern Mediterranean Route

Due to the short maritime border between the Turkish mainland and Greek islands, networks of smuggling have existed for decades. Built on these old smuggling routes, the Eastern Mediterranean Route (EMR) saw the biggest migratory wave in 2015 since World War II. More than 85% of refugees and migrants arriving in Greece through Turkey are from countries devastated by prolonged war and conflict, largely Syria, Afghanistan, Iraq, and Somalia.



Eastern Mediterranean route illegal border-crossings (Source: Frontex)

In 2015, the increased flow of migrants and restrictions along other migratory corridors – mainly those via Egypt and Libya – forced migrants and refugees from Syria to look for alternative routes. Limited restrictions in Turkey and its geographical position made the journey safer and cheaper compared to other routes, prompting an increase in traffic along the EMR. Migrants headed to Turkey's eastern ports of Izmir, Dikili, Bodrum, Cesme and Ayvalik from where they managed to be shipped to the outer Greek islands such as Lesbos, Chios, Samos and Kos.

The EMR to Greece has undergone significant changes due to Frontex operations in the Aegean Sea and, more critically, the EU-Turkey deal of 2016. Frontex supports Greece with Operation *Poseidon* in an area that covers the Greek sea borders with Turkey and the Greek islands. Frontex strengthened *Poseidon* in 2015 when migratory pressure on the EMR dramatically increased. The ongoing operation had become multipurpose and covers several aspects of cross-border crime, including smuggling of illegal substances, weapons, forged documents, detection of illegal fishing and maritime pollution, but also assists Greek authorities in returns of migrants.

The Joint Action Plan between the EU and Turkey was signed with the aim of decreasing the use of the route by setting up a mechanism to readmit irregular migrants to Turkey. Even if the EU claim that migrant arrivals in Greece had been reduced of 97% one year after the deal, the number of deaths in the Mediterranean is still high, as refugees must rely on smugglers that take more dangerous routes to cross the sea from North Africa to Europe.

Analysis of trafficking and smuggling

Modus operandi

Methods employed by people smugglers depend mainly on the area in which trafficking occurs and the migrant who is paying. Migrant smuggling by sea might be a crime born of circumstance and opportunity or evolved from smuggling of goods to smuggling of people, as it is a more profitable business.



Frontex operations in the Mediterranean including the number of people rescued since 2016 (Source: Consilium of Europe)

The same smuggling organisations might arrange both sophisticated smuggling enterprises and cheaper, more dangerous options. Cheaper services are usually sold to poorer migrants, who are hidden in containers or trucks on the same ferry at higher personal risk. To wealthier migrants, full-package service might be provided with business class travel and counterfeit documents. Human traffickers have been known to sell commercial-grade services to Tunisian citizens, who for historical reasons had visa-free access to Serbia, by ferrying them to airports in Tunisia, flying them to Serbia and arrange overland crossings into the EU.

The boom of migration using the CMR from Libya to Italy has prompted the development of a 'business of migration'. Human smuggling is a complex activity embedded in local political economies and enjoys structural impunity which relies on corruption. Moreover, human smuggling is not inevitably violent, but there might be different patterns. From West Africa, migrants reach Agadez in Niger by public transport, often owned by businessmen sponsoring local political leaders who turn a blind eye to irregular mobility towards countries north of Niger. On the contrary, in East Africa, smuggling of migrants is organised mainly by structured cartels

from the migrants' countries of origins to Europe. Across the Sahel, security forces often cooperate with smugglers to ensure safe passage in exchange for a 'fee'. The increased flow of migrants has transformed transit cities like Agadez and made them destinations for migrants themselves.

Migrant smugglers

Under the UN Protocol against the Smuggling of Migrants, several actors may be considered smugglers. The majority of smugglers of migrants by sea are male and generally from countries from or to where the smuggling take place. It is possible that the top level of criminal enterprises is occupied by persons who operate both legitimate and illegitimate businesses, such as transport companies or travel agencies. Corrupt officials at every level are often involved in smuggling by sea, taking significant percentages of smuggling revenues. There might be a high-level organiser or coordinator to supervise the process and have contacts to arrange personnel, routes, transportation and accommodation.

Intermediaries, who act as fixers, are the only contact that migrants have with smugglers. Fixers usually are of the same ethno-linguistic background as the people they transport, and they can work for several organisers at the same time. They might be migrants themselves who must work for smugglers to raise money after an unsuccessful sea-crossing in order to try again.

Recruiters often live in the countries of origin or transit; they work independently and know the language of migrants. Recruiters advise smuggling services and establish contacts between smugglers and migrants.

Transporters or guides lead migrants on different stages of the travel. Usually, they are from border regions with local knowledge that they provide to smugglers on an ad hoc basis. Mostly, they are fisherman with no knowledge of smuggling, but on an ad hoc basis may be recruited by smugglers to pilot boats.

Spotters provide specific information about police, border guards and navy operations to smugglers. Owners or makers of boats may act as ad hoc service providers or suppliers to smugglers, as well as those who harbour migrants throughout the journey. Finally, additional criminal actors might be involved in the smuggling through a specific service, such as the creation of falsified or fraudulent documents to facilitate travel.

Journey through the Mediterranean

When smugglers decide to depart from the Mediterranean coast of North Africa or Turkey, migrants are taken to the departure point after brokers have collected the money and passed it on to boat owners, minus their commission. At the point of embarkation, migrants' properties (e.g. mobile phones and cigarettes) and identity documents are taken away from them, so they cannot be linked to smugglers if they are intercepted.

On the WMR, authorities have detected migrants using jet-skis and inflatable dinghies for crossing from Morocco to the south of Spain. Similarly, this *modus operandi* is used to cross the

few kilometres between Tunisia and the islands of Pantelleria and Lampedusa (Italy) in the CMR, as well as between Turkey and Greek islands. On the EMR, authorities have reported an increase in the use of larger vessels (e.g. sailboats or local ships) offered by criminal organisations.

Migrants may be smuggled on old, deteriorated wooden vessels. Vessels may be largely rotten, not seaworthy and are not intended to be used twice. These vessels do not have tracking systems on board and, depending on the cost of the journey, they may not have life vests or other safety equipment. The aim of this *modus operandi* is to be detected and intercepted or rescued by authorities in territorial waters of the destination countries. This is the most common method for any sea journey through the CMR.

Unclear disembarkation mechanisms for merchant vessels

As noted previously, there have been increasing instances where merchant vessels directed to assist in SAR operations have been unable to disembark rescued persons. This has led to insecure situations. Merchant vessels often do not have enough food or water to support additional persons onboard. Tensions from forced lengthy stays on merchant vessels increase the threat of conflict to erupt from or among the migrants.

This was the case with the MARINA, which rescued 78 migrants in May 2020 and had to wait five days before being allowed to dock in Italy. With a crew of only 13, they were forced to recycle air conditioning water for washing and to run toilets. A fight broke out between the migrants due to the deteriorating conditions. With states reluctant to accept migrants, merchant vessels have been required to reroute or reschedule after drawn-out delays, resulting in steep costs to shipowners and a strain on seafarers.

Examples of incidents when returning migrants to Libya

- November 2018: Panama-flagged NIVIN returning 93 migrants to Libya was involved in 10-day standoff after migrants barricaded themselves in hold of ship.
- March 2019: Palau-flagged bunkering tanker ELHIBLU 1 hijacked by 100 migrants on board after being told they were to be returned to Libya. The migrants forced the captain to head towards Malta, but the vessel was intercepted and secured by a special operations unit.
- June 2021: Gibraltar-flagged offshore supply vessel VOS TRITON rescued around 270 migrants and turned them over to the Libyan coastguard. The UNHCR issued a critical statement saying, “under international maritime law, rescued individuals should be disembarked at a place of safety.”

There has also been an emerging pattern of National Maritime Rescue Coordination Centres (MRCCs) in the region calling on merchant vessels instead of NGO ships in the vicinity. After performing a SAR operation, merchant vessels have then been instructed to bring the migrants to Libya. This tactic has been referred to as ‘privatised pushback’. Merchant vessels are being specifically used to deposit migrants back to Libya since they are required to follow the

instructions of the MRCC which has contacted them. Vessels instructed to disembark in Libya face possible incidents as migrants may react unpredictably on learning they are being brought back. The United Nations High Commissioner for Refugees (UNHCR) does not consider Libya a safe place for disembarkation. A statement in June 2021 noted that “the basic preconditions to ensure the safety and protection of rescued migrants and refugees post-disembarkation are lacking; therefore, Libya cannot be considered a safe place.”

Most seafarers will without question perform their duty to rescue persons in danger at sea. Political stand-offs regarding irregular migration in the Mediterranean, however, are impeding their ability to do so effectively. There have even been some accounts of ships turning off their radios at strategic locations to avoid being caught up in a protracted and unpredictable rescue operation. Reforms and enforcement of international conventions would need to be addressed to stop the dangers and costs to merchant vessels assisting in rescues from rising.

Looking forward

An estimated 650,000 migrants are present in Libya, waiting on their chance to cross to Europe. The vast majority of these are sub-Saharan Africans, but there are solid North African contingents and a significant presence of nationals from the Indian subcontinent. Tunisians, who constitute one of the main – and growing – arrival groups, tend to leave from their own shores.

In 2022, over 105,000 migrants reached Italy from the sea, significantly higher than in the previous Covid-stricken years, but markedly less than the 2016 peak of around 180,000 arrivals. Half of the arrivals departed from Libya and 30% from Tunisia, again confirming these two countries' roles in the central route. Egyptians constituted the main group in number of arrivals to Italy, with Tunisia and Bangladesh close behind, although Tunisian arrivals are increasing in volume.

There are growing reports of departures from Libya's eastern coast in Cyrenaica, which is under control of the Libyan National Army (LNA) led by Khalifa Haftar. Haftar's LNA is the rival of the Tripoli-based and UN-recognised Government of National Unity. In winter 2022, it was reported that a vessel carrying over 600 migrants was seized following its departure from Cyrenaica's coasts. Should this trend be confirmed, it would mean that maritime operators would be exposed to increased risks while operating off north-eastern Libya or in the Gulf of Sirte. Notably, the vessel involved in the mass drowning of migrants off the Greek coast in June 2023 had reportedly departed from Tobruq.

There are, however, questions whether this is an "organic" adaptation of human traffickers to repression in north-western Libya, or whether this is part of an effort by the LNA to assert its relevance to the EU in terms of migration control. Khalifa Haftar's repeated visits to Rome suggest that at least some politicians are listening to his message.

Migration control certainly appears to be the Alpha and Omega of European policy in North Africa, and European countries have doubled down on their security-led approach. Malta has repeatedly refused to intercept migrants, instead directing Libyan coast guards to migrant craft, thereby avoiding hosting unwanted migrants despite thoroughly documented abuses in Libya. Italy has invested heavily in building up the capacity of the Libyan coastguard, delivering training and several patrol craft to the various outfits operating off Libya. In autumn 2022, elements of the Libyan coastguard trained and equipped by European nations, were recorded threatening to shoot down an NGO observer plane "with missiles".

The capacity building has certainly led to some results. Interceptions by Libyan coastguards have increased over the past years, with at least 23,000 migrants being intercepted in 2022 (along with at least 24,000 intercepted by the Tunisian coastguard). This progress is mitigated by the fact that several of the Libyan coastguard units, mostly self-proclaimed outfits in the absence of a unified Libyan government, are known to be involved in human trafficking.

The case of "Bija", a coastguard commander arrested in October 2020 for his side job as head of a large human trafficking organisation, highlights the challenge Libya and Europe face in stemming the flow of migrants while instability wracks the country. Arrested on human trafficking charges, Bija was released a few months later as the government was cowed by angry militias.

With the Libyan government relying on the assent of human trafficking gangs to stay in power, there is only so much it can, or will, do to stop the trafficking.

Politicisation of migration further complicates the situation. A controversial January 2023 decree by Italy's government which forces rescue craft to disembark rescued migrants at state-designated safe ports, always several days away from the rescue zone, means that there are fewer rescue ships in the area, increasing pressure on commercial vessels. This, added to an increased reliance on semi-criminal coastguard units, means that merchant ships are likely to encounter migrant craft and Libyan maritime law enforcement while operating off Libya.

The securitisation of migration policy has also helped explain European leniency towards authoritarian regimes. Under President Kais Saied's reign, the Tunisian government has shown a previously inexistent willingness to act as a hound dog for the Europeans, in exchange for a lack of criticism for dismantling most aspects of Tunisia's democracy. Various incidents over the past six months, as European focus on Tunisia increases (notably because of French and Italian pressure) suggest at least a tacit understanding.

Saied's racist remarks in March 2023 against the sub-Saharan population in Tunisia, and the absence of a European reaction, underline the primacy given to repression of migration over professed concern for the Tunisian people. The June 2023 visit by EU leadership and PM Meloni, which resulted in a €150 million borderguard package deal to Tunisia, with very few strings attached, and a further commitment to loan €900 million to the beleaguered Tunisian Central Bank have also been interpreted as an effort to support a uniquely collaborative regime.

Overall, there appear to be few coherent plans to address the issue outside of a purely repressive approach. In the long term, it is Risk Intelligence's assessment that the EU's concerted efforts to prop up southern regimes in exchange for outsourced border management will not lead to a meaningful drop in migration numbers. It will most likely result in rentier behaviour among southern Mediterranean governments, who will see the migration crisis as a resource to exploit and will have little incentive to address the socio-economic issues that push their citizens to emigrate. This dynamic will leave the shipping sector exposed to stable (at best) or increasing migration numbers throughout the Mediterranean, leading to ever higher threats of criminalisation and financial impacts.

Additional services

The Risk Intelligence System provides clients with real-time intelligence and situational awareness that will assist in avoidance of threats for operations around the globe. Moreover, Risk Intelligence offers ship operators the possibility to purchase security intelligence for individual ports and terminals. Bespoke services such as vessel-specific or voyage-specific risk assessments can also help to determine and to mitigate persistent or emerging security threats and risks.

In addition, frequent webinars provide in-depth updates, mini masterclasses in situational awareness methodology, and analysis of current events. Schedules and registration forms can be found at riskintelligence.eu/webinars.

RiskIntelligence

Risk Intelligence A/S
Strandvejen 100
2900 Hellerup
Denmark

+45 7026 6230
riskintelligence.eu