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# The EU's response to migrant smuggling

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- 1. Closer look at what constitutes migrant smuggling*
- 2. Looking at the EU's response*
- 3. Discussion/questions*

# What is migrant smuggling?

*EU definition according to Council Directive 2002/90*  
*"facilitation of unauthorised entry, transit and residence"*

*A crime against the state*

*Trafficking in human beings (Directive 2011/36):*  
*A crime against a person/victim*  
*Elements of exploitation and coercion*

# Migrant smuggling can occur at various borders

*Land – in 2015 Western Balkans very prominent*

*Air – mostly through the use of false documents*

*Sea – Aegean Sea and the Central Mediterranean*



Photo: AFP/Austrian Police/Handout



Photo: Reuters

# Migrant smuggling in 2015

*More than 1 million irregular migrants reached the EU – more than 90% of them used facilitation services*

*Several types of services including provision of transportation, accommodation and fraudulent documents*

*Europol estimates the criminal assets from migrant smuggling to be around 3-6 billion EUR*

# Statistics of irregular migration

Annex Table 1. **Illegal border-crossing between BCPs**

Detections by border type and top ten nationalities at the external borders

	2012	2013	2014	2015	Share of total	% change on prev. year
<b>All Borders</b>						
Syria	7 903	25 546	78 764	594 059	33	654
Not specified	2 113	3 571	386	556 432	31	144 053
Afghanistan	13 169	9 494	22 132	267 485	15	1 109
Iraq	1 219	537	2 110	101 285	5.6	4 700
Pakistan	4 877	5 047	4 059	43 314	2.4	967
Eritrea	2 604	11 298	34 586	40 348	2.2	17
Iran	611	404	468	24 673	1.4	5 172
Kosovo*	990	6 357	22 069	23 793	1.3	7.8
Nigeria	826	3 386	8 715	23 609	1.3	171
Somalia	5 038	5 624	7 676	17 694	1	131
Others	33 087	36 101	101 997	129 645	7.1	27
<b>Total all borders</b>	<b>72 437</b>	<b>107 365</b>	<b>282 962</b>	<b>1 822 337</b>	<b>100</b>	<b>544</b>

Source: Frontex Annual Risk Analysis 2016

# What is the EU doing?

## European Agenda on Migration (May 2015)

- Immediate actions
  - Saving lives at sea – expansion of Frontex JOs Triton and Poseidon
  - Targeting criminal smuggling networks - CSDP mission, JOT MARE expansion
  - Relocation – initially temporary, with a view to having a mandatory scheme
  - Resettlement - 20 000 places envisaged
  - Working in partnership with third countries – Valletta summit amongst others
  - Help frontline Member States – Hotspots approach

**In addition 60 million EUR of EU emergency funding made available to frontline Member States**



# EU Action Plan against migrant smuggling – adopted on 27 May 2015

Part of the 1<sup>st</sup> implementing package of the European Agenda on Migration

## Four pillars:

1. Enhanced police and judicial cooperation
2. Improving gathering and sharing of information
3. Enhanced prevention of smuggling and assistance to vulnerable migrants
4. Stronger Cooperation with third countries



# 1. Enhanced police and judicial cooperation

*Aim: Enhance the investigation and prosecution of migrant smugglers*

## Latest steps:

- Evaluating existing EU legal framework
- EUNavForMed Sophia
- Setting up single points of contact in Member States
- Better cooperation of EU Agencies to harmonise work on smuggling
  - e.g. Frontex operational cooperation with Europol

## 2. Improved gathering and sharing of information

*Aim: Crucial to share information on modus operandi, routes etc. to target smuggling effectively*

### Latest steps:

- European Migrant Smuggling Centre in Europol
- Africa Frontex Intelligence Community (AFIC)
- Hotspots
- Monitoring and removal of internet content used by smugglers
- Frontex Liaison Officer in Turkey

### **3. Enhanced prevention of smuggling and assistance to vulnerable migrants**

*Aim: Raising awareness of the risks of smuggling and developing a counter-narrative in the media to what smugglers claim*

Latest steps:

- Possible review of Directive 2004/81
- Establishing partnerships with business operators
- Information and prevention campaigns in key third countries
- More effective return of migrants denied asylum
- Stronger action against the employment of irregular migrants

## 4. Stronger cooperation with third countries

*Aim: Effective investigation and prosecution as well as targeting the root causes of migration*

### Latest steps:

- Planning of projects to develop **national and regional strategies** and setting up integrated border management
- Support in drafting and implementing appropriate **legislative frameworks up to international standards**
- In the future, **coordination platform in third countries**
- Budapest Process and the Silk Route Partnership for Migration
- Valetta Action Plan and the Trust Fund for Africa

## Conclusion

*A far reaching and multidisciplinary approach has been planned to address migrant smuggling at EU level. The aim is to turn migrant smuggling from a "low risk, high profit" business into a "high risk, low profit" undertaking.*