

Europol—Written Evidence (PMS0002)

1. The Action Plan

1.1. The European Commission intends to transform migrant smuggling networks into “high risk, low return” operations. Europol fully supports this approach and is of the opinion that **the four objectives of the Action Plan against migrant smuggling are the right ones** to achieve this goal.

1.2. **The Action plan is balanced and comprehensive. It pays due attention to law enforcement aspects.** This problem has not always been at the top of the EU or policing agenda as the response was focused on reinforcing external borders and dealing with the migrants upon arrival. The Action Plan rightly introduces a stronger focus on the criminal networks behind the facilitation activities. In particular, it includes a focus on two important areas to which Europol could contribute, namely **enhancing police cooperation** and **improving the cross-border exchange of information**.

1.3. The Action Plan is **coherent with other EU strategic documents and actions**. At policy level, there is synergy between the Action Plan under the Migration Strategy with others developed for other security threats under the European Agenda for Security. At operational level, synergy is ensured by the EU Policy Cycle on combating Serious and Organised Crime. Illegal migration is one of the Policy Cycle priorities. The Policy Cycle, in which Europol plays a vital role, ensures that actions in related priority fields are mutually supportive, avoid duplication and identify information connections.

1.4. There are new tasks allocated to Europol by the European Council, such as the establishment of the **Internet Referral Unit (IRU)**. The development of the IRU, the role of which is primarily in the field of counter terrorism, is also connected to the fight against facilitated illegal migration and the unit identifies relevant Internet content (in particular, the use of social media by facilitators to ‘recruit’ irregular migrants).

1.5. Europol fully supports the ambitious goal to transform migrant smuggling into a **‘high risk – low return’ enterprise** for criminal networks. Europol’s role in this regard may be instrumental, in providing Member States’ competent authorities with a variety of tools and products needed to fight organised criminal groups, as described below.

2. Europol’s response to facilitated illegal migration

2.1. Europol has a **clear mandate** to deal with migrant smuggling and to support the implementation of the Plan. The Agency has been pursuing migrant smuggling networks for over 10 years through a dedicated intelligence project called Focal Point (FP) Checkpoint.

2.2. Europol offers Member States a **number of tools and services** – dedicated teams of experts, now also including a specific team targeting the Mediterranean area (described in detail below); unique databases covering all forms of organised crime; a special database on suspected vessels; secure communication systems linking over 500 law enforcement authorities in Europe and beyond; and forensic expertise, such as the ability to retrieve data from mobile phones.

2.3. **Joint Operational Team (JOT) MARE**, which was launched in March 2015, is **the key element of Europol’s response** to the increasing challenge in the Mediterranean. The JOT is a unique concept that creates synergy between Europol capabilities, in particular FP Checkpoint, with additional reinforcements from the most affected Member States.

2.4. Currently JOT MARE is supported by 6 Seconded National Experts¹. Although established only in March 2015, JOT MARE is already handling **130 unique cases** and has **over 20,000 entities in its database**, including approximately **3,000 suspects**, their communication and working methods.

2.5. Europol is fully aware that facilitated illegal migration might be **linked to a spectrum of other criminal activities**. There are individuals who are smuggled for labour and sexual exploitation on arrival and individuals who are smuggled with the purpose to support the drugs distribution business in Europe, in particular cannabis. Firearms smuggling has also been connected with this. Of most concern is the possible connection with terrorism. Europol have not seen this potential threat manifested yet in a significant way, but remains vigilant to any signs of it.

2.6. JOT MARE has all Europol tools at its disposal, so it may address various aspects of the criminal activities in question. Europol ensures that investigations and intelligence leads from other crime fields are checked against data on facilitated illegal migration, so the **investigations may be linked and the intelligence picture is more complete**. This is done not only by virtue of regular cooperation between experts in various crime fields, but also facilitated by automatic systems that compare data available in Europol databases.

2.7. The use of **the Internet, especially social media**, by criminal networks to recruit their victims is of particular relevance. Europol's newly established Internet Referral Unit (IRU) supports the JOT in identifying illicit content facilitating smuggling.

2.8. Europol recognises the importance of identifying **criminal assets**. Criminal groups may receive as much as 8,000 EUR per migrant for a journey from Libya to Italy. Payments are often made through methods difficult to trace and proceeds are invested in real estate or other high value goods. Unfortunately, **there has not yet been systematic use of financial investigation tools by national authorities** to help combat illegal migration. This field requires more attention and efforts from national authorities, if the fight against criminal groups involved is to be comprehensive and efficient.

2.9. **Operational support on the spot** is a tangible and effective means of direct support for affected Member States. This takes place within the framework of the **"Hotspot" concept** developed by the European Commission. The concept facilitates the use of EU resources to form an EU Regional Task Force (EU RTF), including agencies such as Europol, Frontex or EASO, in a coherent and coordinated way, in line with their mandates and natural areas of expertise.

2.10. Europol has deployed its staff to the first "Hotspot" (EU Regional Task Force) in Catania, Sicily. The deployment serves three purposes, namely to:

- **Enhance intelligence collection** via direct provision of intelligence from agencies active in the field to JOT MARE, to maximise opportunities to identify organised crime groups active in facilitated illegal migration in the Mediterranean, as well as secondary movements;
- Establish **direct access to Europol's information** and analysis capabilities for the agencies present in the field.
- Increase opportunities for **coordinated operations**, using improved intelligence flows and on-the-spot access to initiate and support investigations against organised criminal groups.

¹ The experts were seconded by the United Kingdom, Italy, Spain, Germany and Greece and France. Another British expert will be seconded to the team as of September 2015.

- Provide **forensic support** on the spot to the investigators (such as extraction of data from data carriers, document checking equipment).

2.11. Within the framework of the “Hotspot” and otherwise, Europol is strengthening its **partnerships and cooperation with other authorities responsible** in the fight against facilitated illegal migration. An operational agreement with **Frontex** is ready to be signed, pending final technical preparations by Frontex. Contacts with **EUNAVFOR Med**, an EU naval operation against smugglers in the Mediterranean, have been established in order to exchange information and ensure proper coordination of law enforcement and military activities.

3. Challenges

3.1. Europol recognises the significance of facilitated illegal migration and prioritises the fight against the criminal groups responsible. The JOT MARE concept was specifically developed to support **Europol’s limited resources**. It is a unique framework that seeks synergies between Europol capabilities and additional resources from EU Member States in order to address the situation in the Mediterranean. The concept was developed before any deployment on the spot was requested.

3.2. Criminal networks are highly sensitive to any changes to the relative risks and opportunities of operating at different points at the external border of the EU. The last two years have shown significant periodic swings in criminal activity between southern Mediterranean points, those in the East (Turkey, Greece) and central Europe (Balkans, Hungary). **The situation is dynamic** and Europol is confronted with an ever-increasing demand for its services and expertise.

3.3. The establishment of the **“Hotspot” in Sicily** proved to be a challenge, especially in the light of Europol’s limited human resources. The establishment of a **“Hotspot” in Greece** is now being considered, depending on the wishes of the Greek authorities; this will require even more resources, as the sea border is very different and more difficult to manage by virtue of the great number of disembarkation points and unregistered arrivals. As there is no central region for disembarkation (unlike in Sicily, where almost all search and rescue actors bring migrants to a limited number of dedicated ports), mobility and flexibility are needed. The European Commission has also offered **support to Hungary**, including possible Europol deployment. **Spain** may require support too, should smuggling routes change. The situation in **Calais** is also being carefully monitored by Europol, which is already providing intelligence analysis in support of the British and French authorities. All these activities will require additional resources, both for deployment on the spot and analysis/support from Europol headquarters.

3.4. Considering the scale of the challenge, in particular potential new “Hotspots”, and other new tasks assigned to Europol (e.g. Internet monitoring), Europol has informed the Council, the European Commission and the European Parliament that **about 25 new posts would be needed** over next 2 years. So far, **only 3 additional posts** have been offered by the European Commission.

3.5. Internal reallocation of resources may also be a challenge; although Europol recognises the importance of the threat, it is dealing with **many other crime areas** that require constant attention, in particular cybercrime and terrorism.

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