

European Conference 2016

PROMOTING THE MULTIDISCIPLINARY APPROACH IN ADDRESSING MIGRANT SMUGGLING



Organised by the European Migration Network (EMN)
& the Dutch Ministry of Security and Justice

12 -13 January 2016

Europe Building, Amsterdam, the Netherlands



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CONCLUSIONS AND SUMMARY

A short introduction to the aims of the conference Promoting the Multidisciplinary Approach in Addressing Migrant Smuggling (January 12-13 2016, Amsterdam)

The facilitation of irregular migration (“migrant smuggling”) is a global phenomenon challenging the integrity of national borders, exposing migrants to the risk of severe human rights violations and causing the loss of thousands of lives. In the EU, in particular in the past years as a result of the conflicts in the Middle East and North Africa, the numbers of migrants attempting to reach the Member States has drastically increased. Smugglers take advantage of the large number of migrants willing to take risks in search of protection or better life prospects, when they cannot access legal channels of migration. This had led to many dramatic and deadly events occurring on the Central Mediterranean route, as well as on other routes both outside and within the EU. However, because of the clandestine nature of migrant smuggling, data on the magnitude of the phenomenon is precarious and the numbers of detections of irregular border-crossings at the external borders and detections of unauthorised stay can only be used as proxy indicators.

The mounting scale of the problem has spurred new action at the EU level to prevent and fight migrant smuggling. This is reflected in the European Agenda on Migration and the European Agenda on Security, both of which identify the fight against migrant smuggling as a top priority. Furthermore, the EU Action Plan against migrant smuggling (2015-2020) sets out a number of concrete actions to better address this transnational crime by ensuring adequate investigation and prosecution; enhancing information, gathering, sharing and analysing; protecting vulnerable migrants more effectively, and stepping up cooperation with third countries of transit and origin. It is not only at the EU-level, that the fight against migrant smuggling is a priority. Addressing migrant smuggling is also a priority of the Dutch government.

Criminal smuggling networks are increasingly organised and able to rapidly adjust their *modus operandi* to law enforcement and policy responses, offering “services” of facilitating clandestine entry or “secondary movements” throughout the EU and/or unauthorised stay at great costs and associated risks. Against this backdrop, the multidisciplinary approach which was very prominent during the conference is necessary to effectively implement actions to prevent and disrupt smuggling activities and networks. This approach includes close cooperation amongst Member States and third countries, as well as with other relevant stakeholders. During this conference the scale and nature of the phenomenon of migrant smuggling were discussed, as well as the measures undertaken to combat it at EU and (inter)national levels, with attention also being paid to the challenges faced by EU Member States in implementing actions in this area.

The objectives of the conference were to discuss the latest developments in the area of migrant smuggling in line with the EU Action Plan against migrant smuggling (2015-2020) and to identify good practices and measures to be undertaken at the national and EU levels to fight smuggling in a holistic way. The organisers’ aim was to inspire the participants and think about what can be done in their own fields of work to contribute to solve the problem of migrant smuggling. The conference was co-organised by the national contact point of the European Migration Network in the Netherlands, the European Commission and the Dutch Ministry of Security and Justice. The organisers of this conference brought together 200 experts from different fields (e.g. engaged in law enforcement and/or migration) from a total of 24 different EU Member States. Representatives of Member States, EU Institutions and Agencies, Intergovernmental Organisations (IGOs), academic and research institutions, Nongovernmental organisations (NGOs) and representatives of the private sector, as well as other experts took part. By doing so, they provided impetus for the implementation of the EU Action Plan against migrant smuggling. A set of concrete recommendations that can provide input for the work of all relevant stakeholders, at different levels was the outcome.

CONCLUSIONS OF THE EUROPEAN CONFERENCE 2016

Main conclusions

The main conclusions were presented by **Mrs. Dana Spinant**, Head of Unit, Irregular Migration and Return Policy, of the European Commission and **Mr. Jan-Kees Goet**, Director-General for Migration, of the Ministry of Security and Justice in the Netherlands. The closing remarks and conclusions were based on the plenary sessions, the six workshops and discussions held during the day.

These conclusions included the following:

- Enhance police and judicial response; (criminal investigations, focusing also on financial investigations linked to migrant smuggling);
- Improve gathering and sharing of information in particular between law enforcement and judiciary stakeholders;
- Make use of existing networks for the exchange of information and strengthen these, instead of creating new platforms.
- Enhance prevention of smuggling and assistance to vulnerable migrants;
- Strengthen cooperation with third countries in order to enhance information and intelligence exchange.

Next steps

Both speakers concluded that a lot has already been achieved since the EU action plan was launched in May 2015. Migrant smuggling should be turned into a low profit business, instead of a high profit activity for migrant smugglers. Therefore the following steps need to be taken:

- The launch of a platform to bring together all the relevant financial organisations;
- The introduction of specific projects in third countries to address the root causes of migration. Identification of stakeholders/institutions, who could operate such programs in Africa;
- The establishment of national points of contact/coordination between national services for migrant smuggling;
- An increase of cooperation and information sharing between agencies such as Europol, Frontex and Eurojust, but also among individual countries;
- A reduction of migration by issuing the information to new migrants that those who do not need international protection will be returned after arrival in Europe;

SUMMARY OF THE EUROPEAN CONFERENCE 2016

Opening remarks

The European Conference 2016 'Promoting the Multidisciplinary Approach in Addressing Migrant Smuggling' was opened by **Peter Diez**, Deputy Director-General for International Migration of the Ministry of Security and Justice in the Netherlands. He welcomed the speakers and delegates and introduced the serious problems connected to migrant smuggling Europe is currently facing. Mr. Diez stressed that the importance of this topic was illustrated by the fact that this conference was the first one of the Netherlands Presidency. He wished all the participants a very productive conference.

Key note speeches

Ard van der Steur (Minister of Security and Justice, the Netherlands) mentioned that migrant smuggling is a top priority within the European common migration policy. He provided a snapshot of the situation: thousands of migrants have perished over the past years in several ways. Many of these casualties were caused by migrant smugglers, who make a living out of this business. Uniting the fight against migrant smuggling is needed, measures should be implemented in practice. Mr. van der Steur strongly believes in using a multidisciplinary approach in addressing migrant smuggling. Sharing knowledge and expertise is needed and an integrated approach is necessary at the national and EU level and in cross-border situations.



Dimitris Avramopolous (EU commissioner for Migration, Home affairs and Citizenship) used a video message to reach out to the participants of this conference. Mr. Avramopolous believes that this conference should be the start of many further steps to achieve concrete results. He also stressed the importance of sharing information and expertise with all stakeholders involved. In this context he stressed the importance of sharing information between Member States, between EU agencies and particularly with the soon to be established European Migrant Smuggling Centre, which would become the central information hub on migrant smug-

gling at the European level. He also foresees a big role in cooperating with financial institutions to tackle the financial transactions of migrant smugglers. Through cooperation with different stakeholders, including the private sector, valuable information can be gathered in order to track down migrant smugglers. He also mentioned the opportunities that social media can offer to investigators in identifying migrant smuggling. Finally, the Commissioner stressed the importance of keeping in mind that human beings are at the heart of this ugly business, whom we need to protect.

William L. Swing (Director General of the International Organisation for Migration) began his speech by summing up the ongoing catastrophes and disasters in the direct vicinity of the EU. He named the war in Syria, Ebola in Sierra Leone, the rise of Boko Haram in Nigeria, the conflicts in South Sudan, Mali, CAR, Yemen and



Somalia. Mr. Swing argues that migrant smuggling is a logical consequence of the millions of people on the move. In order to tackle migrant smuggling, the following three conditions are necessary:

1. A comprehensive approach, including the three P's: Prevention, protection (of migrants) and prosecution;
2. Cooperation and collaboration across borders. International organisations as IOM, UNCHR and UNICEF need to cooperate and care for a safe migration;
3. The approach needs to incorporate past experiences.

The approach needs to be aimed at the long-term. Mr. Swing stated that *"immigration is not a problem to solve, it is a human reality that needs more thought than we thought till now"*. He argued that it does not work to forcefully return migrants and implement stricter migration rules alone. We need a comprehensive approach, which should include opening other legal ways for migrants to reach Europe.

Presentation of the EMN-study 'Smuggling of migrants: characteristics, responses and cooperation with third Countries'

Simona Ardivino, Directorate-General Migration and Home Affairs, European Commission and **Jacqueline Mallender**, Optimity Advisors presented the EMN-study.

Mrs. Ardivino mentioned that migrant smuggling remains a rather under-reported area of research, where no systematic review and evaluation of existing policies against facilitation were carried out. The aim of the study was to gather evidence and data to help policy makers in their work against migrant smuggling. Mrs. Ardivino listed some of the key findings of the EMN study:

- Policies that focus on tackling migrant smuggling alone are not successful. Existing policies tend to focus on the supply side only, while also push factors and the demand side should be addressed;
- The intensity of smuggling is greatest when smuggling networks cluster;
- Because migrant smuggling is a cross border activity, operational activities have to be comprehensive. Both the migration dimension and criminal dimension have to be included in the approach.

Mrs. Mallender explained that the study results are based on six months of desk research, data collection and interviews with migrants and migrant smugglers. The research incorporated three different perspectives on migrant smuggling: economics, business and the social organisation. Mrs. Mallender stated that the migrant smuggling business is actually operating just like a regular market. Migrant smuggling functions like a regular economic market with suppliers and customers. The migrant smuggling market strongly relies on communication through social networks and pay-as-you-go phones. Direct communication with potential clients is the key for the success of migrant smugglers.

In accordance with previous speakers, Mrs. Mallender emphasised the importance of a comprehensive approach in addressing migrant smuggling. The coordination of the planned actions against migrant smuggling must transcend national borders. The research identified that the biggest migrant smuggling hubs and networks are located primarily in third countries, outside the EU. In over half the third countries covered by the study, the legal transposition of the UN Protocol on Migrant Smuggling is missing, therefore the basic legal framework to engage and prosecute the biggest actors and smuggling networks is missing. Communication about the risks of migration for potential migrants is needed within the diaspora as trust is a very important component. She stressed the need for further research, especially on how migrant smuggling hubs develop and grow, in order to allow for more effective combatting of the phenomena.



Panel I: Implementing the EU Action Plan against migrant smuggling: Inter-EU agency cooperation

Panel I focused on the implementation of the EU action Plan against migrant smuggling, particularly on the cooperation between EU agencies

Europol is European Union's law enforcement agency. **Lotje van de Made** (Senior Specialist Europol) started with presenting Europol's project against migrant smuggling: the Joint Operational Team (JOT) Mare. The aim of this flagship project is to tackle the organised criminal groups who are facilitating the maritime journeys of migrants across the Mediterranean Sea to the EU. Europol stressed the need for a stronger inter-agency cooperation and enhancements of the capacities of the EU member states. Europol's support and operational impact consists of making data available to all stakeholders, and providing tailored analytical products, concrete investigative leads, direct cross-checking facilities, forensic and technical support and expertise.

Klaus Rösler (Director of Operations Division Frontex) presented Frontex-activities in the context of the implementation of the *EU Action Plan against migrant smuggling*. Frontex stated that these tasks were already strongly embedded in the Frontex Mandate and that the Agency's focus on the area of smuggling developed over the last years. Frontex has a number of multi-purpose Joint Operations contributing to the implementation of the EU Action Plan against migrant smuggling:

- Frontex is the Co-Driver of the EMPACT (European Multidisciplinary Platform Against Criminal Threats) Priority "Facilitated Illegal Immigration";
- Hotspot implementation platforms were installed in Catania and Piraeus. The information gathered was shared with Europol;
- Debriefing reports are shared and support is provided to JOT Mare.

Frontex also contributes through its risk analysis networks, most notably the Africa Frontex Intelligence Community. Frontex has information sharing agreement in place with EUNAVFORMED Sophia and it has developed debriefing guidelines, based on Frontex experience, for EUNAVFORMED. Personal data collection in Frontex Joint Operations will start with JO Triton 2016. Frontex also contributes to addressing training needs, by tailoring courses with CEPOL and Europol.

In 2015, there were 66 successful joint return operations and 3.000 migrants were sent back to their country of origin.

Cyril Lacombe (assistant to the National member for France at Eurojust) gave an overview of the activities of Eurojust. Eurojust aims to bring together the judicial & law enforcement authorities, resolves legal and practical challenges of 30 legal systems and cares for direct exchange of information in ongoing investigations. Based on a survey among practitioners, the main challenges for these practitioners are: the collection of evidence, cooperation with third countries and among member states, legal issues and interpretation and translation issues. In addressing migrant smuggling, Eurojust presented several envisaged actions. Firstly, the appointment of a Eurojust contact point on migrant smuggling. Secondly, Eurojust's thematic group on migrant smuggling. Thirdly, Eurojust participates in the Hotspot approach. Fourthly, Eurojust's cooperation with the CSDP (Common Security and Defence Policy) operation EUNAVFOR (European Union Naval Force) Med was mentioned. Finally, Europol stresses the cooperation with third countries.

The last presentation in Panel I was given by **Jeroen Jans** (Process Support Officer, EASO). EASO introduced facts and statistics about the number of applications for international protection in EU countries. EASO presented its work in the hotspots in Italy and Greece. The main challenge for EASO practitioners is to get the migrants out of the grasp of smuggling networks, this is especially difficult if the migrants have paid for a package deal to get them to their destination country. Within two years, 150.000 migrants have to be relocated from Italy and Greece. Only nationals from countries of origin with a recognition rate above 75% in the EU can be relocated (Syria, Iraq, Yemen, CAR and Eritrea). EASO explained that migrants have no right to choose



the country of preference. Beneficiaries need to apply for asylum and will be fingerprinted. Relocation can be seen as a tool of solidarity between the member states. Relocation can be regarded as an alternative to smuggling. At the hotspots, full reception facilities are offered: there is food, beds, education and provision of information. EASO mainly provides information in the hotspots, e.g. the pilot project on screening in Greece with Frontex and eu-LISA. EASO ended its presentation by emphasizing the importance of inter-agency cooperation and collaboration between member states and agencies.

Conclusion of presentations and discussions about cooperation from a multidisciplinary set of agencies highlighted how important Member States are. Member State cooperation with Agencies is indispensable, since without the Member States feeding into the Agencies, the latter cannot be effective. Challenges remain in the exchange of information, especially when it comes to personal data, but it is important to make full use of all relevant information channels to check/share information related to migrant smugglers, while respecting legal constraints.

Panel II: Tackling migrant smuggling: A multidisciplinary approach

Panel II focused on the measures available and current challenges in the fight against migrant smuggling and the implementation of a multidisciplinary approach involving actors and institutions at local, regional, national and international levels.

Khalid Koser (Executive Director, Global Community Engagement and Resilience Fund) previously researched the business model of migration smuggling in Pakistan and Afghanistan. Mr. Koser stresses the large gap of scholarly information on migrant smuggling. He stated that the way migrants pay smugglers has evolved. Nowadays, the migrant smuggler is not paid in advance, but after the migrant had successfully arrived in the country of destination. This construction entails a greater risk for the smuggler, because he will not be rewarded if the migrant does not arrive safely. His research in this field made clear that smuggling in Pakistan and Afghanistan turned out to be a worthwhile investment for the families of migrants, because remittances can double the household income in a few years. Mr. Koser stated that three important elements need to be

addressed to tackle migrant smuggling properly. Firstly, it is essential to acknowledge the fact that a myriad of actors are involved in the process (e.g. families, employers). Secondly, the idea that the migrant smuggling business is built on trust. Finally, we should find ways to reduce the profit for the smugglers by 'following the money'.

Florian Forster (Head Immigration and Border Management, IOM) started by saying that IOM witnessed the arrival of 1,003,124 migrants by sea and recorded 3,771 fatalities in 2015. Mr. Forster emphasised the importance of a detailed analysis and definition of the exact problem and how to communicate about it. This will help guiding public perception, the attitudes and responses of policy makers and civil society, as well as the perceptions and the behaviour of migrants. Furthermore, defining the problem accurately helps ensure the effective protection of those in need. It is important to realise that smugglers do not only respond to demand but also actively create demand, and therefore act as accelerators of irregular migration. Mr. Forster stressed that four different tools are needed to address migrant smuggling in a comprehensive way:

1. **Help migrants in distress and save lives:** Ensure sufficient resources for robust search and rescue operations, assist states in providing humane and dignified reception services, assistance to migrants in detention and help ensuring effective access to health & psycho-social services, voluntary return (AVRR) and other needed assistance;
2. **Create more legal channels for migrations and resettlement:** Raise awareness for the benefits of legal migration, open more labour migration channels, provide more resettlement / humanitarian admission / alternative legal pathways opportunities for refugees and humanitarian and other cases and offer more off-shore processing opportunities;
3. **Mitigate factors that drive migrants to seek smugglers:** Promote stability, create education and employment opportunities and reduce the drivers of forced migration, including by promoting resilience;
4. **Interdiction of migrant smuggling and prosecution of smugglers:** Provide support to create the needed legal basis in national laws to counter migrant smuggling, enhance international, regional and inter-regional cooperation of law enforcement and border management agencies, support law enforcement, immigration and border agencies to take enforcement action to undermine migrant smuggling, consider migrant smuggling as a "business" and strive to undermine its business model, improve awareness of the criminality of smuggling and the negative consequences of smuggling.

Jens-Philip Meierjohann (Federal Police, Germany) gave a brief presentation on the current situation in Germany referring to the numbers of migrants and the challenges especially concerning the registration and the debriefing procedure. The entire process currently poses a challenge for the German administration and society. As a country of destination Germany is dependent on information and co-operation with its surrounding neighbours reaching even as far as Turkey. An effective remedy against migrant smuggling can only be achieved by the co-operation of police forces in the countries of transit and destination.

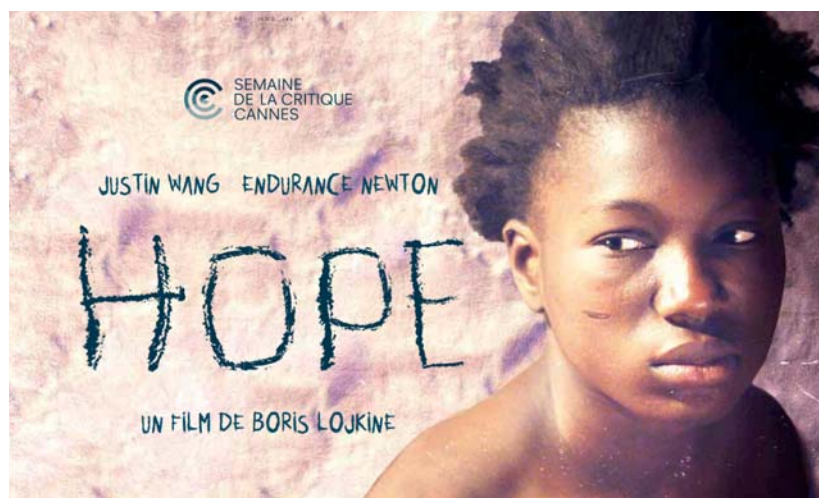
Warner ten Kate (National Public Prosecutor for Trafficking in Human Beings and People Smuggling, the Netherlands) emphasised that law enforcement alone cannot solve the problem. Migrant smuggling can be regarded as a business model: it is constructed in the same way, as for example the smuggling of drugs. Mr. ten Kate introduced the Barrier Model. To disturb this business model, the barrier model can serve as a tool to effectively combat migrant smuggling. Between the migrants' countries of origin and their final destinations, migrants have to pass various "barriers". This model shows that barriers can be created to disturb the business of migrant smugglers. Like most other speakers, he stressed that while addressing migrant smuggling, all actors need to be willing to cooperate, share information, and provide input. Mr. ten Kate ended his presentation with a tip: Learn from other approaches in other fields.

The Question and Answer session of the Panel raised the question of how the private sector could be better engaged, in this context the transport sector was brought up, however it was agreed that other sectors should

be considered too. Mr Koser mentioned that the issue of migration and specifically migrant smuggling is competing with for the attention of the private sector from other areas, such as environmental protection. A clear business case needs to be developed and put to CEOs for how the fight against migrant smuggling can be beneficial for the private sector.

Mr ten Kate emphasises that information provided to Europol and Eurojust is often too little too late. In a modern Europe Mr ten Kate believes that it would be essential for Europol and Eurojust to initiate more themselves.

Day 1 of the conference ended with the road movie **Hope**. This film showed us the story of the young Nigerian woman Hope, who sets out on a dangerous journey straight across the desert in an attempt to reach Europe and its prosperity and a better future. When she was harassed by armed men, Leonard from Cameroon stood



up for her. A romance flourishes between them, despite the precarious situation. Together, they head towards Europe and try to illegally cross into Spain, but their journey is full of pitfalls. Upon arriving in North Africa they soon find themselves in a ghetto where violent gangs rule. Moreover, the crossing is expensive, and Leonard and Hope don't have any money. This film shows the challenges and sacrifices migrants have to make before reaching Europa.

After this movie, **Bright Richards** was interviewed about his experience with human smugglers. Bright fled the war in Liberia in 1991 and reached The Netherlands with the help of human smugglers. He founded the NGO called 'New Dutch Connections' in the Netherlands. This NGO first and foremost attempts to bridge the gap between the Dutch and the 'new-Dutch'. As a trainer, he helps young refugees to building a life in the Netherlands. Bright Richards told us about his own experience while going to the Netherlands in 1991. Bright fled the war in Liberia as a 'business class refugee'. He travelled by airplane and reached the Netherlands with a fake passport with the help of a migrant smuggler. Bright mentioned that he was 'lucky', because he could escape from his country by paying to Africa Union soldiers. Bright states that migrant smugglers have a very bad reputation in Europe, while the refugees refer to them as their savers and not as criminals.

Panel III: Smuggling routes, modi operandi and humanitarian assistance

Panel III focused on the different smuggling routes, the challenge of document fraud, the facilitation of irregular stay and providing assistance to vulnerable migrants.

Roberta Barberini (Deputy Prosecutor General Rome and Head of the International Cooperation Office) gave a revealing presentation about the practices of migrant smugglers at sea; especially the Mediterranean Route. She mentioned that smugglers deliberately endanger the lives of migrants in order to provoke a reaction from Italy. Mrs. Barberini gives the following recommendation: "*Member States should consider installing jurisdiction on high seas, without a direct link to the territory of one specific country*". She added that treating migrants as offenders is not respectful because of humanitarian reasons. They could be regarded as witnesses of a crime, according to Mrs. Barberini.

Gabor Balog (Hungarian representative, European Multidisciplinary Platform Against Crime Threats) started by saying that Hungary is seldom the final destination of migrants. Migrants usually travel through Hungary to reach West-Europe. Migrant smugglers are not based in Hungary and therefore, Mr. Balog argued, international cooperation is necessary. The criminal groups are very well organised, not only at the green borders, but also when it comes to false marriages and the abuse of visas and obtaining forged documents. Mr. Balog was also presenting a good practice: the Joint investigation Team (JIT). JITs are an important tool, because they provide the opportunity to exchange information, knowledge and best-practises. Mr. Balog discussed the results of the facilitated illegal Immigration Operational Action Plan 2015. He stressed the newly established cooperation with the Kosovo police. An operational meeting was organised in Pristina in October 2014 and there was a joint action day where 46 facilitators were arrested. Mr. Balog believes in a collective, shared approach against migrant smuggling, where EU Member States tackle the problem together and with other actors. He specifically mentioned that the exchange of information was a very important aspect, but the exchange of evidence that can be used in prosecutions is also of utmost importance.

Deputy director of the National Crime Agency in the UK, **Tom Dowdall**, stressed that illegal migration and organised crime needs to be separated. Illegal migration mostly consists of loose networks, based on ethnicity. Mr. Dowdall mentioned four matching tactics to combat the organised crime threats: adapting the skills, experience and strategies; creating a balance between prosecutions and disruptions; exploiting social media; and understanding and tackling criminal finances. He added several other important elements: the crucial role of JOT Mare, strengthening our existing relationships with our neighbours, identifying and building new partnerships, the importance of the intelligence debriefing and embedding flexibility. It is important to understand the "what next scenario", whereby the effects of certain action cause a displacement of the migration flow and the activities of smuggling networks. A better anticipation of prevention measures on new displaced route are needed. Mr. Dowdall noticed that the fight against migrant smuggling is still in its infancy, in contrast to the struggle against drug smuggling.

According to **Björn de Rijk** (Royal Netherlands Marechaussee), 48 migrant smugglers were arrested at Schiphol International Airport and 640 persons were arrested with false documents in 2015. To tackle migrant smugglers at Schiphol, the Dutch Marechaussee analyses the flight information (API system) and observes the behaviour of the passengers (no hand luggage, people with new passports, clothes). Migrant smuggling by air mostly consists of ID-Swap and fake documents. Mr. de Rijk stresses that the smugglers become more innovative, and therefore it becomes harder to link the smuggled persons to a migrant smuggler.

Anaïs Faure Atger (Head of the Migration Unit, Red Cross EU Office) emphasised the importance of providing assistance to all vulnerable migrants. This is needed in all the stages of their journey, regardless of their destination. The status of people does not matter in this case; every person in need should be entitled humanitarian assistance the Red Cross is offering such as shelter, food, medical care, psycho social help and blankets. The humanitarian assistance provision within the scope of the facilitation of irregular migration legislation should be taken out, since the point should not be to criminalise those individuals who provide humanitarian assistance. She added that the European states should take the necessary steps to open up legal channels for migrants to reach Europe.

Panel IV: Plenary feedback on the outcome of the workshops

The chairs of the six different workshops presented the outcomes of the presentations, questions and discussions in their workshops. Below, the main conclusions of these workshops are listed:

Workshop 1: Strengthening the exchange of information and intelligence on migrant smuggling

This workshop focused on exploring ways to foster the effective multidisciplinary exchange of information and intelligence on smuggling at the national level (e.g. between the EU Member States) and at the EU level (e.g. between relevant agencies and between Member States and the relevant Agencies). It also explored the way in which information between the EU and third countries could be exchanged, what type of information should be shared and through which channels, and how to promote closer cooperation between relevant authorities. The workshop conclusions provide supporting information for the networks of single national contact points on migrant smuggling in all the EU Member States.

The four main conclusions of workshop 1:

1. Multidisciplinary cooperation on national level involving different relevant entities as a prerequisite for efficient international exchange of information;
2. Better use of existing operational tools, platforms and networks to tackle migrant smuggling and other cross border crime;
3. Establishment of a network of single national contact points to ensure coordination within and between countries;
4. Capacity building and technical assistance, more proactive role in countries of origin and transit to gather, exchange and analyse information.

Chair: Pawel Suchanek (Frontex)

Panellists: Ralph Markert (Interpol)
Mr. Gert Buist (Expertise Centre for Trafficking and Smuggling, the Netherlands)
Morgane Nicot (UNODC)

Workshop 2: Dismantling organised criminal networks involved in migrant smuggling: Understanding the financial schemes used by smuggling networks

The aim of this workshop was to discuss the most effective investigative approaches aimed at dismantling criminal networks involved in migrant smuggling. Its focus was on the detection and analysis of financial transactions and structures used by smugglers, in order to trace, freeze and confiscate their criminal assets. This includes discussions on different types of investigations and cooperation within the EU on cross-border financial investigations, including 'following the money'. The results of a recent Europol study on the "financial assets and facilitation of irregular migration" used by smuggling networks will also be presented. The multidisciplinary and integrated approach should include all relevant partners, such as law enforcement, judicial services, tax and custom authorities, border guards, local (administrative) authorities, immigration authorities and the private sector and NGOs. By sharing information at an early stage between various partners and streamlining and aligning this information, crime patterns become visible and government bodies gain a fuller understanding of the scope, methods and composition of criminal organisations. Multidisciplinary cooperation improves the overall strategy for addressing organised crime and partners working closely together can also decide together which actions must be undertaken in individual cases and by whom to effectively hinder the criminal activities in order to dismantle the criminal organisation and to stop THB for labour exploitation.

Financial investigations should be used pro-actively in principle in every migrant smuggling case for the purpose of evidence gathering, mapping criminal organisations, gathering financial intelligence and identifying criminal assets.

The five main conclusions of workshop 2:

1. Bridge knowledge gaps on financial schemes at national and EU level and with third countries by including all relevant stakeholders such as relevant EU agencies, FIUs, banking and related private entities such as an overview of the FIUs work in the field of migrant smuggling;
2. Strengthen multidisciplinary cooperation by making full use of available tools of EU agencies, in particular the European Migrant Smuggling Centre;
3. Raise awareness on financial aspects of migrant smuggling, including in the framework of investigations and encourage more cooperation between FIUs and law enforcement agencies;
4. Enhance sharing of information from Member States in all cross border cases to EU agencies;
5. Foster the exchange of best practice in tackling illicit financial flows from other crime areas such as money laundering, terrorism financing and THB.

Chair: Cyril Lacombe (Eurojust)

Panellists: Wouter de Jong (Financial Intelligence Unit, The Netherlands)

Jennifer MacLeod (Europol)

Yonka Alexova (Ministry of the Interior, General Directorate Combating Organized Crime, Money Laundering Unit, Bulgaria)



Workshop 3: Innovative ways to tackle migrant smuggling: social media and predictive analytics

This workshop focused on the opportunities innovative technological solutions and social media offer in the prevention of and fight against migrant smuggling. Social media are increasingly being used by people smugglers to advertise their services, which require new investigative techniques. In addition, predictive analytics can help law enforcement authorities sort through big data sets to identify potential targets for intervention, prevent future criminal offences or investigate past crimes. The development of tools and methods to accurately filter and identify potentially useful internet content is thus critical, as is the establishment of effective partnerships with internet and social media service providers.

The six conclusions of workshop 3:

1. Explore possibilities of including migrant smuggling in existing platforms and partnerships with social media companies similar to the cooperation approach of the EU IT forum;
2. Start a mapping exercise on the ways in which social media are used for the purpose of migrant smuggling;
3. Explore possibilities of using counter narratives on social media e.g. pop-up windows or automatic redirection to websites about the reality and dangers of the journey.
4. Explore possibilities of improving cooperation on referral requests to private companies and using other technologies to hamper the work of smugglers on social media;
5. Use public data on migrant activities on social media for predictive analysis on migrant flows and consequent shift in smuggling activities in order to be able to implement prevention- or counter-measures against smuggling networks;
6. Explore the practical hurdles which exist in the current cooperation between all relevant actors.

Chair: Tom Dowdall (National Crime Agency, UK)

Panellists: Thomas Ahlstrand (International Public Prosecution Office in Gothenburg, Sweden)
Frank Willemsen (Research and Documentation Centre, WODC, the Netherlands)
Stephane Duguin (Europol)

Workshop 4: Engaging the private sector in the fight against migrant smuggling: transport and shipping

This workshop focused on the role the private sector can play in preventing and combating migrant smuggling, in cooperation with public authorities and other stakeholders. Increased irregular migratory flows can pose important challenges to the security of citizens and migrants alike. Supporting business operators to detect and prevent migrant smuggling, in particular in those sectors most at risk such as road transport and shipping, can make a significant difference in anti-smuggling efforts.

The six main conclusions of workshop 4:

1. Strengthen dialogue, support and trust, as well as cooperation with the private sector to prevent migrant smuggling;
2. Establish policy coherence between portfolio's and different levels of government to ensure consistent approach towards the private sector;
3. Respect the role, limitations and capacities of the private sector; they are not immigration officers, but critical partners – Chambers of Commerce could be good interlocutors;
4. Practice and policy should be predictable, clear and consistent - the impact on the private sector of certain sudden policy shifts should be clearly assessed;
5. Further development of codes of conduct and guidelines, taking into account existing practice – important to keep in mind how private companies work, including sub-contractors;
6. Create platforms for sharing EU-wide best practices and data.

Chair: Elizabeth Collett (Migration Policy Institute Europe)
Panellists: Mr. Patrik Engström (National Border Policing Section Department of National Operations Frontex MB member, Sweden)
Hélène Minderman (Transport and Logistics Netherlands)
Chris Trelawny (International Maritime Organisation)

Workshop 5: development of effective information and prevention campaigns on the risks of smuggling and counter-narratives in third countries

The main aim of this workshop was to discuss how to effectively reach potential migrants in their countries of origin and/or in the countries of transit, in order to prevent them from using the services of smugglers and undertaking dangerous journeys that can put their lives at risk. The workshop included discussions on the current use of information campaigns and their effectiveness. The involvement of different stakeholders, such as civil society organisations and diaspora groups in the co-design of such information campaigns, as well as their potential impact were discussed. Furthermore, as migrants often obtain information from relatives already residing in countries of destination, information campaigns developed in these countries as well as the development of counter-narratives to those put forward by traffickers and smugglers were also addressed.

The seven main conclusions of workshop 5:

1. Develop joint EU information campaigns (uniform message);
2. Information campaigns must be targeted at specific groups, and also should contain a balanced message (not only negative);
3. Explore possibilities to campaign through diaspora, closer cooperation with diaspora is needed;
4. There is a need to measure effectiveness of campaigns;
5. Campaigns should have a short time span – fast and responsive;
6. Effective information campaigns alone do not work. Always attach campaigns to a broader set of measures, like development or other legal options for migration;
7. There needs to be a contact point in the country of the campaign.

Chair: Wim Bontinck (Belgium Federal Police)
Panellists: Laurentiu Ciobanica (IOM)
Djamila Schans (Research and Documentation Centre, WODC, the Netherlands)
Katy Verzelen (Immigration Office, Belgium)

Workshop 6: development of comprehensive responses to migrant smuggling, addressing push and pull factors

This workshop aimed to discuss current measures to address the push and pull factors of migration and their effectiveness. At the EU level, these include legislation to prevent irregular work, i.e. the Employers Sanctions Directive (2009/52/EC), which requests Member States to carry out effective and adequate inspections to control the employment of illegally staying third-country nationals, as well as the Return Directive (2008/115/EC) which provides common standards and procedures to return those illegally staying third-country nationals. Cooperation with third-countries was also discussed, for example in the context of the implementation of readmission agreements and how this cooperation can be strengthened, or in the context of projects funding. Other strategies to prevent irregular migration were also highlighted, such as those based on the “barrier model” which is centred on the establishment of barriers and sanctions to interfere with the smuggling networks when executing their criminal activities. The model also defines the organisations that could play a role in interfering with and imposing criminal sanctions on those activities, for example by putting in place barriers to access entry/recruitment, accommodation, identity and finance.

The six conclusions of workshop 6:

1. Effective return to maintain credibility of migration policy and to prevent migrant smuggling, work on true EU return system;
2. Strengthen cooperation between all key stakeholders on this topic;
3. Multidisciplinary exchange of information at operational, tactical and strategic level;
4. Maintain and use existing legal channels for migration while exploring potential to use further resettlement and relocation to mitigate irregular migration flow;
5. Increase number of cross-border law enforcement investigations – through both bilateral and EU wide cooperation;
6. Ensure respect for human rights of migrants along the whole route and ensure sufficient humanitarian assistance without disrupting migration policy implementation.

Chair: Martijn Pluim (ICMPD)

Panellists: Plácido López Franco (National Police, General Department on Alien Affairs and Borders, Spain)
Lonneke Kapoen (Return and Repatriation Service and co-chair of Return Expert Group (EMN)) Sanja Pupacic (Croatian Red Cross)
Sara Sighinolfi (Fundamental Rights Agency)

Panel V: Action against migrant smuggling

Panel V focused on the points to be taken forward from the conference, the next steps in the implementation of the EU action plan against migrant smuggling and ensuring coordination and policy coherence in the EU actions against smuggling.

Jan-Kees Goet (Director-General for Immigration, Ministry of Security and Justice, the Netherlands) stated that we do not need more platforms per se, but that we should strengthen the existing platforms and existing networks to effectively exchange information. A whole variety of partners have to be part of national platforms. The Exchange of information is needed at national level, but also using the EU Agencies for the EU-wide exchange of information. He applauded the spread of the multi-disciplinary approach, which was mentioned by so many other presenters during this conference. He especially favoured some of the concrete actions from the conclusions of the workshops. Concrete action is needed by all of us present at the conference.

Dana Spinant (Head of Unit, Directorate General Migration and Home Affairs, European Commission) added that we need to be more innovative while tackling migrant smuggling. Close work with Europol should be undertaken to launch a platform with financial institutions. At this stage, it is the action that is the most important, after having adopted action plans and strategies and having debated the issues in need of follow-up. The priorities for the future are to enhance information exchange and offer protection for vulnerable smuggled migrants, as well as better cooperation with third countries and raising awareness through information campaigns. One of the most effective ways to tackle migrant smuggling is to take away the clients from the migrant smugglers. Therefore legal opportunities to reach Europe for migrants have to be offered, for example resettlement.



Ministry of Security and Justice

