



EU Border protection and preventing migrant smuggling

Frontex Coordinating Officer - Field Deployment Unit

The non-disclosed part contains personal data, in particular, the name of an individual. The disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with European Union legislation regarding the protection of personal data and therefore has to be precluded pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001

Migrant Smuggling

- Migrant smuggling is a profitable business for criminal networks with estimated annual turnover reaching multiple billion Euros.
- land, sea and air routes to facilitate illegal migration both into and within the EU and abuse the Smugglers use legal migration system to further their illegal business practices.
- The fact that migrant smuggling networks are closely linked to other forms of serious and organized crime including terrorism, THB, and money laundering increases this urgency even further.

What is EU doing? - Legal framework 1/3

- In May 2015, the EU COM published the EU Action Plan against Migrant Smuggling setting out a series of steps to tackle this problem between 2015 and 2020. These are grouped into four main priorities:
 - 1) Enhanced police and judicial response
 - 2) Improved gathering and sharing of information
 - 3) Enhanced prevention of smuggling and assistance to vulnerable migrants
 - 4) Stronger cooperation with third countries

What is EU doing? - Legal framework 2/3

- The Council Conclusions adopted by the Justice and Home Affairs ministers on 10 March 2016 echo the commitments to advance concerted action at EU and international levels against migrant smuggling and set out concrete recommendations to Member States, the Commission and EU agencies.

What is EU doing? - Legal framework 3/3

- Operational cooperation between EU MS law enforcement agencies, relevant EU Agencies, and partner countries is crucial for clamping down on migrant smuggling.
- Through the EU Policy Cycle for serious and organized crime, MSs coordinate common priorities and operational action, including on migrant smuggling.

EU Agencies 1/2

- Europol also plays a key role in supporting MSs' operational cooperation through the secure exchange of information, expertise and analytical support.
- In 02/2016, Europol launched the European Migrant Smuggling Centre to support MSs' investigations (including pro-active financial investigations) and to increase cooperation and coordination among law enforcement agencies.
- The actions set out in the Action Plan are to be seen in complementarity with the on-going Common Security and Defence Policy (CSDP) EUNAVFORMED Operation SOPHIA in the Central Mediterranean.

EU Agencies 2/2

- European Border and Coast Guard Agency (Frontex) helps to patrol the EU's external border and collects data and intelligence regarding smuggling routes and the practices of the criminal networks involved.
- Frontex also provides support through satellite imagery in cooperation with other EU Agencies. In 2016
- CEPOL, Eurojust, EASO, FRA and EMSA also support the EU's action against migrant smuggling.

Work in TCs and prevention of migrant smuggling 1/2

- The EU provides financial and technical assistance to TCs to support them to tackle migrant smuggling at source.
- This includes assistance in developing anti-smuggling strategies and legislation; building the capacity of law enforcement and judicial bodies to investigate and prosecute smugglers; and increasing the effectiveness of migration flows and border controls.

Work in TCs and prevention of migrant smuggling 2/2

- As part of its Partnership Framework to better manage migration in cooperation with TCs, the EU is developing dedicated "cooperation platforms" on migrant smuggling.
- These networks facilitate information sharing and joint working between all of the actors involved in the fight against migrant smuggling.
- These include EU and MS delegates, host country authorities, international organizations and immigration liaison officers (ILO).
- The EU has also deployed European Migration Liaison Officers (EMLO) to ease cooperation between various international actors and local and national authorities.
- The EU is also supporting information campaigns to raise awareness of the threat of migrant smuggling in countries of origin and transit.



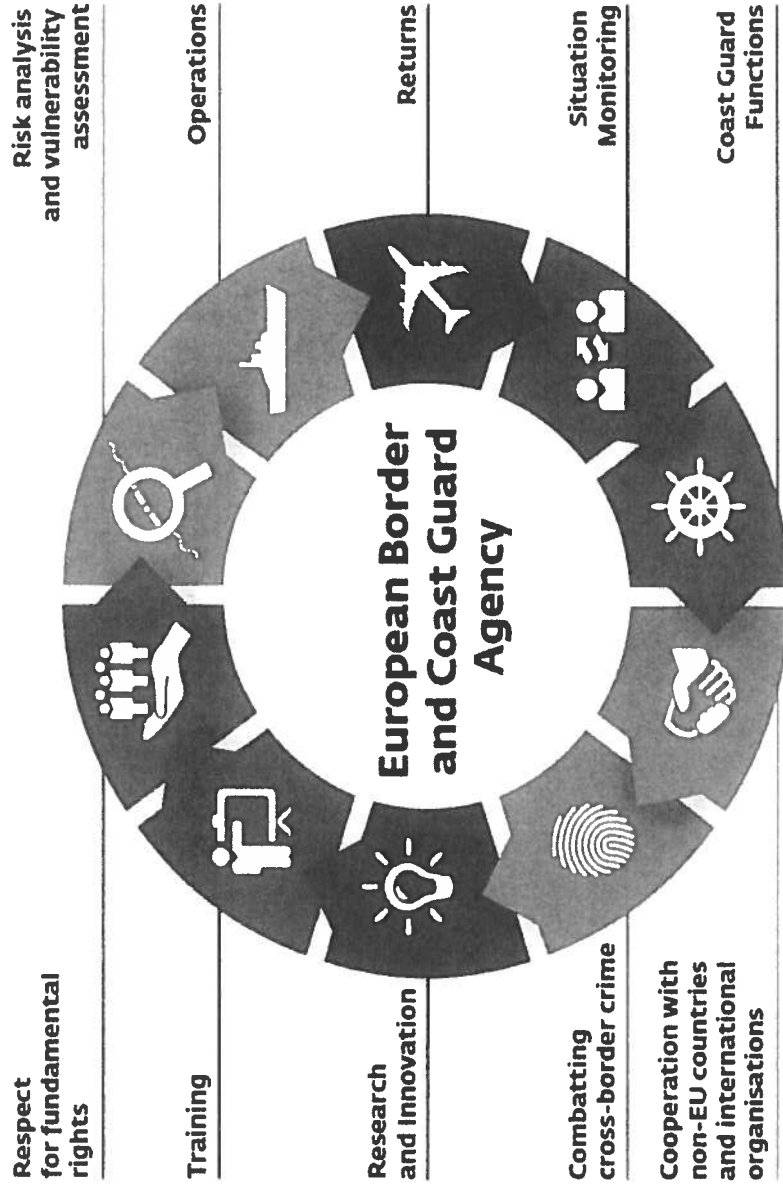
Frontex
European Border and Coast Guard Agency

What is Frontex?



- New Regulation (EU) 2016/1624, entered into force on 06.10.2016
- Establishes the European Border and Coast Guard Agency to ensure EU IBM at the external borders with a view to manage efficiently the crossing of the external borders.
- Gives attention to migratory challenges and potential future threats at those borders, addressing serious crimes within a cross-border dimension, ensuring as well as a high level of internal security within the Union in full respect for FRs, while safeguarding the free movement of persons within it

Frontex - mandate



Risk Analysis

- Monitoring situation at external borders
- Geopolitical developments in & outside the EU to identify and predict migratory trends
- Identification of patterns in cross-border crime (ex. smuggling, forged docs, stolen cars, THB etc)
- Collation and analysis of data from MS, EU Bodies, open sources etc on the basis of CIRAM

Furthermore, information pertaining to patterns in cross-border crime cannot be released as it refers to details crucial for situational awareness at the external borders of the European Union which is used by Frontex to conduct its operational activities and to develop risk analyses. The disclosure of this information would hamper the effectiveness of Frontex operations and jeopardise the efforts carried out by the European Union and Member States to curtail criminal activities at the external borders. It would thus benefit criminal networks especially those involved in people smuggling and trafficking in human beings, which would put the life of migrants in danger. Hence, the disclosure of the information pertaining to this variable would undermine the protection of the public interest as regards public security and has to be refused based on Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

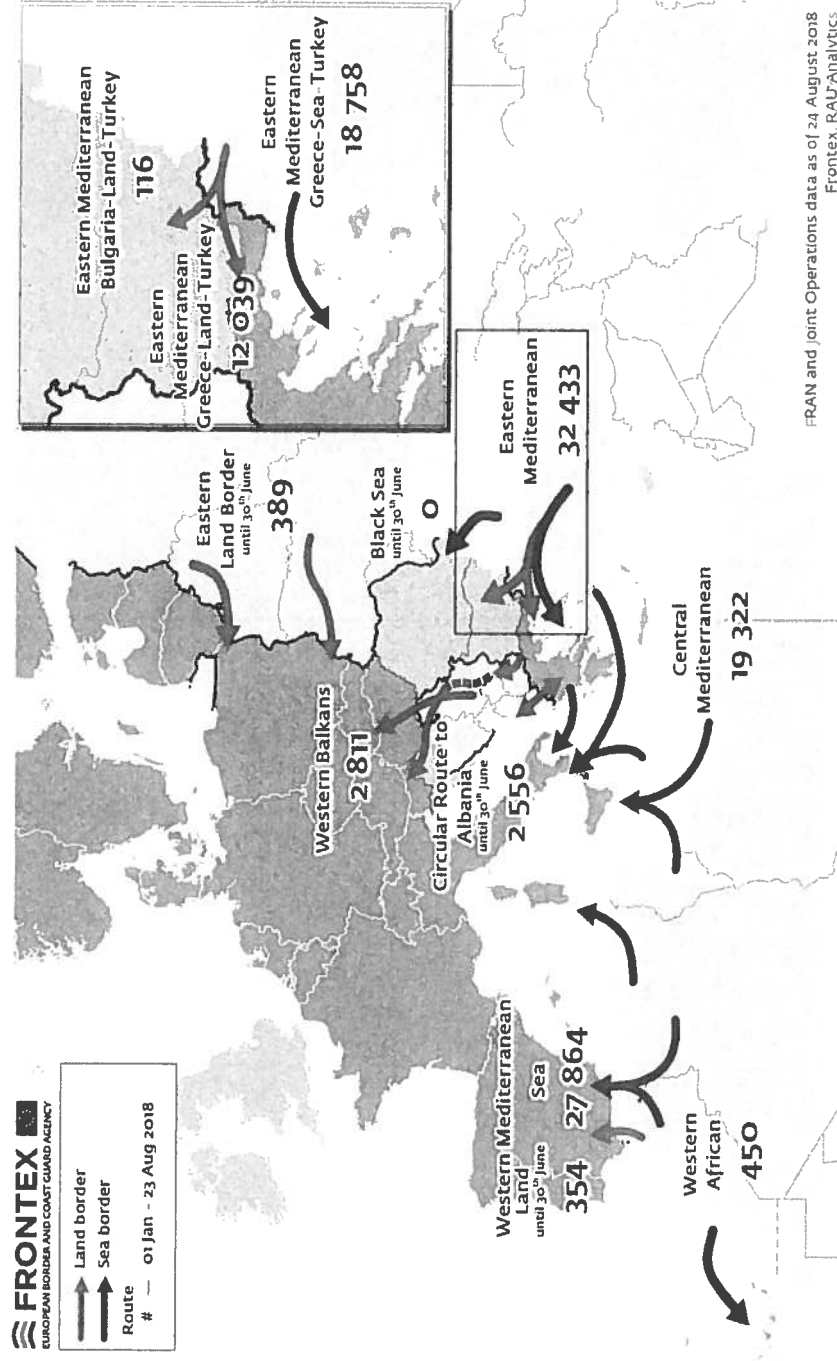
The information related to this variable is also used for the development of risk analyses, which constitute a specific form of internal decision-making processes based on the intelligence derived from previous and presently ongoing activities and have a bearing on the conduct of current and future operations. Being an important base for determining the strategic orientation of the Agency, the possibility to conduct such analyses without interference is crucial for Frontex to effectively exercise its mandate. Consequently, releasing this information would enable third parties to gain insights into this decision making process and, with ascertainable likelihood, result in depriving Frontex of the possibility to conduct such analyses wholly independently, free from any external pressure or third-party influence. In sum, releasing this information would seriously undermine Frontex internal decision making-processes. As no overriding public interest that is objective and general in nature and not indistinguishable from individual or private interests for the release of this information is ascertainable in the present case, information pertaining to this variable cannot be released based on Article 4(3) of Regulation (EC) No 1049/2001.

Joint Operations

- Planned with MSs and SACs on the basis of Frontex risk analysis products
- Tailored to address concrete phenomenon at specific external border areas
- Specific OPLAN (rules of engagement, ops area & resources)
- No own equipment - coordinate deployment



Detections of illegal border-crossings 1 January- 23 August 2018



Operational response

The non-disclosed parts refer to details of the operational area and cannot be released. As ongoing operations tend to cover similar operational areas as the operations conducted in preceding years, disclosing details of previous operational areas would be tantamount to disclosing the current state of play. This would provide smuggling and other criminal networks with intelligence, enabling them to change their modus operandi, which would ultimately put the life of migrants in danger. Consequently, the course of ongoing and future operations of similar nature would be hampered by depriving the operations of any strategy and element of surprise, ultimately defeating their purpose to counter and prevent cross-border crime and unauthorized border crossings. In this light, the disclosure of documents containing such information would undermine the protection of the public interest as regards public security in the sense of Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Operational Cooperation with Third Countries

JO Coordination Points 2019 Land
JO Coordination Points 2019 Air
JO Coordination Points 2019 Sea
Fully fledged operational activities in case Status Agreement in place
Staff Exchange and deployment of Third Country Observers within joint operations
Operational cooperation with Third Countries in the maritime domain using the CGF Regional Forums such as MCGFF, BSRBCC, etc.

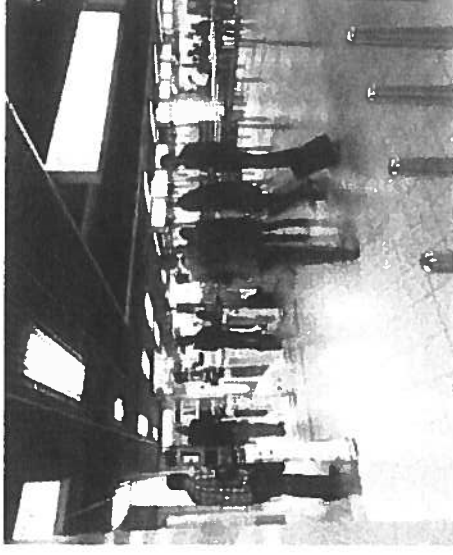
Training

- Assist MS in training of national BGs
- Establishment of common training standards
- Contributes to the improvement of the professionalism of MS's border guards and enhances their ability to work with each other.
- Common Core Curriculum



Research and Development

- Platform for exchange of information between the Border authorities of EU MS & industry.
- Frontex gathers information on the practical challenges faced at the borders and relays the needs to the scientists and engineers.
- Simultaneously, Frontex surveys research in the field of border security and keeps border guards informed on relevant new developments.



Pooled Resources

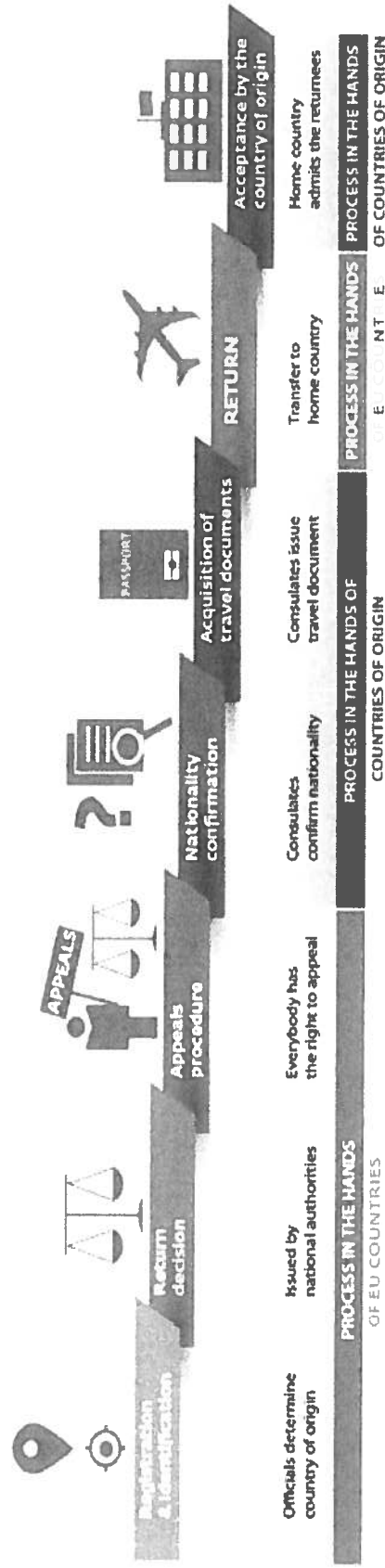


- No own equipment
- Reliance on Member States
- Opera - pool of experts with specific profiles
- Rapid Intervention
- Officers involved undergo separate training

Joint Return Operations

- Upon request of EU MS, Frontex supports the organisation of Joint Return Operations of third-country nationals, who have no right to remain in the territory of the EU
- Coordination of different MS to share chartered flights in repatriation to the country of return
- Frontex responsible for the **logistical** side of return operations, but it the decision about **who** should be returned is always taken by the authorities of the MS for each person.
- As per European legislation, the individual is always given the possibility to appeal this decision.

THE RETURN PROCESS STEP-BY-STEP



Emergency Response

Numbers so high the national authorities require urgent additional support in registration, identification & asylum processing.

Mixed flows

To assist, a number of EU agencies mandated by the EU Commission to develop a coordinated support package



The main objectives:

- a) Increased surveillance + SAR
- b) Identification & registration of 100% of migrants/refugees arriving at EU external borders
- c) Support in asylum processing
- d) investigation & dismantling of people-smuggling networks
- e) returns



Screening and Debriefing Activities

Screening activity

Definition:

Establishing an assumption on the nationality of an undocumented person having crossed, or having attempted to cross, an external border irregularly in view of returning the third-country national to his/her country of origin.

Screening activity

The non-disclosed part contains detailed information regarding the modus operandi of law enforcement officials performing border control. Disclosing such information would expose the working methods applied in ongoing and future operations, thus obstructing their effectiveness in prevention of cross-border crime and unauthorized border crossings. In consequence, it would undermine the protection of the public interest as regards public security and thus, cannot be disclosed pursuant to Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

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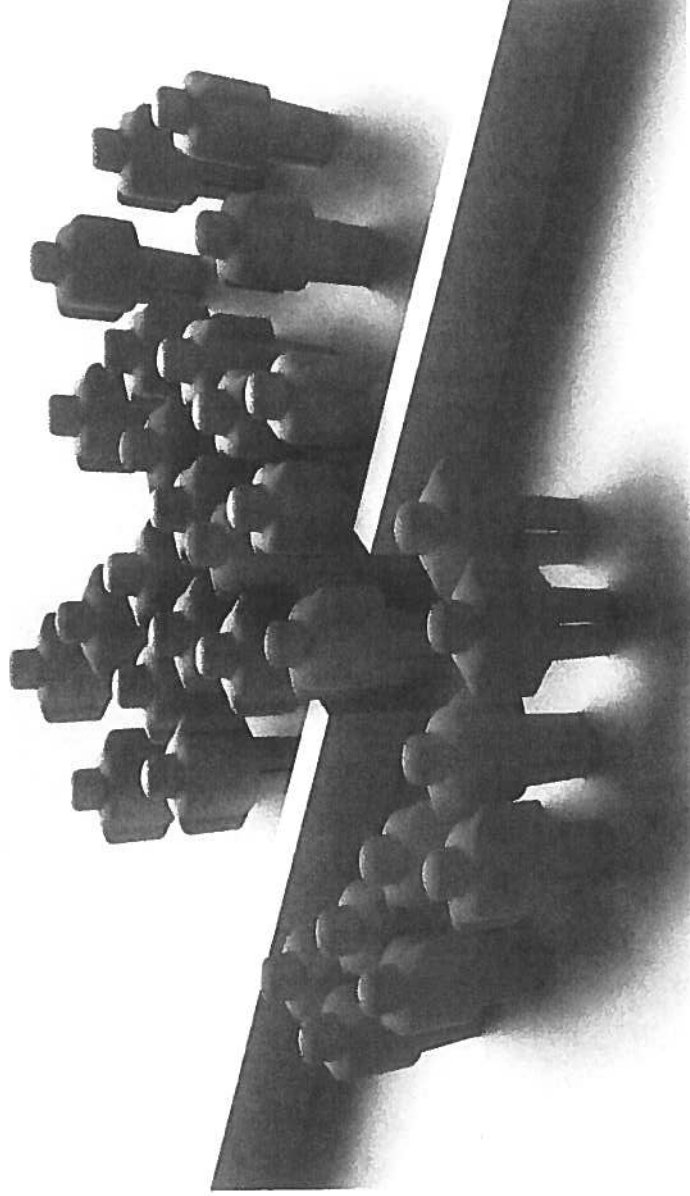
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Debriefing activity

DURING INTERVIEW



Debriefing activity

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Debriefing activity

Focus on

Quality rather than quantity !!!

Conclusion

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Thanks for your attention

*Frontex Coordinating Officer
Field Deployment Unit - Operational Response Division*

Europol Unclassified – Basic Protection Level

**GATHERING AND SHARING DATA.
SUPPORT TO INVESTIGATIONS.**



EUROPOL **EMSC**
European Migration
Smuggling Centre

CEPOL HQ, Budapest, 17/10/2018

EUROPOL

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 **EUROSPOL**

EMSC
European Migrant
Smuggling Centre



Europol Unclassified – Basic Protection Level



EMSC
European Migrant
Smuggling Centre

Tirana, 13-14 November 2018



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Migrant Smuggling Business Model



EMSC
European Migration
Smuggling Centre

Migrant Smuggling Business Model

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