

**January 2024**

The European Union (EU) faces constant challenges to its internal security. Security threats, such as terrorism, organised crime, cybercrime, the drugs trade and violent extremism, are increasingly cross-border, interconnected and digital in nature, making the EU's security landscape ever more complex and unpredictable and reinforcing the need for cooperation. The European Parliament helps shape the EU's security policy, insisting on the need to uphold fundamental rights, equality and the rule of law. This topical digest highlights a sample of recent EPRS publications on today's challenges to the EU's internal security and what the Union is doing to tackle them.

## Strengthening the EU's internal security

### Understanding EU action against migrant smuggling

Briefing by Katrien Luyten, EPRS, December 2023

More than 90 % of people who cross external EU borders illegally do so with the assistance of migrant smugglers. Criminal organisations involved in smuggling migrants are increasingly sophisticated, professional and violent. Too many people lose their lives, or are at risk of serious harm or exploitation in their attempt to reach the EU. Preventing and combating migrant smuggling is therefore one of the key priorities of the Union's action against irregular migration and organised crime.

### Revision of Directive 2008/99/EC: Protection of the environment through criminal law

Briefing by Carmen-Cristina Cîrlig, EPRS, December 2023

The European Commission proposed a revision of Directive 2008/99/EC on the protection of the environment through criminal law in December 2021. The proposal clarifies some of the definitions contained in the directive and includes an updated list of environmental crime offences, as well as measures to harmonise sanction types and levels, strengthen international investigation and prosecution, improve statistical data collection and strengthen national enforcement chains. The aim is to increase the effectiveness of investigation and prosecution of environmental criminal offences across the EU. In November 2023, the co-legislators reached a provisional agreement on the text, to be formally adopted early 2024.

### Combating corruption in the European Union

Briefing by Piotr Bąkowski, EPRS, December 2023

Recognising EU citizens' sustained concerns about corruption, the Union has sought to develop a legislative and policy framework to address the issue. In the post-pandemic era, the challenge is becoming ever more complicated, raising questions about the adequacy of the laws and monitoring tools at hand. This briefing seeks to explain how corruption is defined, measured and tackled through collective international and EU efforts.

### Understanding the European Public Prosecutor's Office (EPPO)

Briefing by Piotr Bąkowski, EPRS, December 2023

The European Public Prosecutor's Office (EPPO) is a pioneering supranational prosecution entity with the authority to investigate and prosecute crimes affecting EU financial interests. In its initial two and a half years of operation, the EPPO tackled various offences, engaging in high-profile cases of cross-border VAT fraud and

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corruption. Delving into the roots, structure, and jurisdiction of the EPPO, this briefing navigates the ongoing discourse about a prospective expansion of its powers.

### **Import, export and transit measures for firearms**

*Briefing by Clément Evroux, EPRS, December 2023*

In October 2022, the Commission presented a proposal for a regulation on import, export and transit measures for firearms, their essential components and ammunition. The proposed regulation pursues three main objectives: neutralising the risks of trafficking at import and export; ensuring traceability in the firearms trade, based on systematic written information; and promoting efficient implementation of controls. This 'EU legislation in progress' briefing follows the key stages of this legislative procedure.

### **EU-wide information systems for border management and security**

*Briefing by Costica Dumbrava, EPRS, November 2023*

This briefing outlines the EU-wide information systems for border management and security. It presents key figures on the operation of the existing systems and discusses recent policy and technical developments, including on the information systems and interoperability framework currently under development.

### **Revision of the Victims' Rights Directive**

*Briefing by Andriana Efthymiadou, EPRS, November 2023*

This briefing provides an initial analysis of the strengths and weaknesses of a July 2023 Commission impact assessment, which substantiated the need for a revision of the Victims' Rights Directive to strengthen the rights of all victims of all crimes. These rights include the rights to information, to support and protection taking into account the individual needs of each victim, to effective participation in criminal proceedings, and to access to compensation from the offender.

### **Revision of the Victims' Rights Directive**

*Briefing by Martina Prpic, EPRS, November 2023*

In July 2023, the Commission proposed a revision of the Victims' Rights Directive, the key EU legislation for the protection of the rights of victims of crime. Despite progress made in recent years, victims still lack access to information, support and protection. Secondary victimisation during criminal proceedings is still common and victims' access to compensation is not sufficiently supported. Vulnerable victims are especially lacking in sufficient specialised support.

### **United States: Domestic violent extremism on the rise**

*Briefing by Piotr Bąkowski, EPRS, October 2023*

Terrorist attacks, often perpetrated by 'lone wolves', remind us that terrorism persists even as foreign jihadist groups weaken. This is evident in domestic violent extremism in the US, which resonates beyond the US's borders. EU and US commitment to combating violent extremism has resulted in fruitful exchanges among policymakers, researchers and frontline practitioners. Nonetheless, efforts to establish a unified regulatory framework for addressing online extremist content have faced challenges owing to differing perspectives on issues such as the limits of free speech and government intervention.

### **Electronic evidence in criminal matters**

*Briefing by Piotr Bąkowski, EPRS, September 2023*

In June 2023, the Parliament and Council adopted a legislative package on electronic evidence in criminal matters, which seeks to enhance the criminal justice response to the challenges of the digital age, facilitating access to electronic evidence. The package is part of broader international efforts to improve the existing legal framework and to address persistent legal uncertainty which affects law enforcement and private parties alike.

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## Prisoners' voting rights in European Parliament elections

Briefing by Martina Prpic, EPRS, September 2023

There is no uniform electoral system for the elections to the European Parliament. Provisions on the right to vote for people in prisons vary from one Member State to another. The majority of states have no restrictions. However, those that do deprive inmates of their right to vote depending on the length of their sentence or the type of offence, with some not allowing prisoners to vote at all. Voting by inmates can be facilitated in different ways, including by allowing voting by post or proxy, or by the creation of special polling stations.

## Understanding the EU's response to illicit drugs

Briefing by Katrien Luyten, EPRS, August 2023

The EU is an important market for illicit drugs, both in terms of consumption and production. The illicit drugs market is the largest criminal market in the EU. Drugs are a key threat to the Union not only because of the substantial harm they cause to users, but also because of drug trade-associated increases in violence, corruption, crime and environmental damage, and risks to governance and the rule of law. EU action focuses on support to law enforcement, health-related issues and the detection and risk assessment of new psychoactive substances.

## Recreational use of cannabis: Laws and policies in selected EU Member States

Briefing by Piotr Bąkowski et al, EPRS, June 2023

Cannabis is by far the most widely used illicit drug in the EU, where its distribution, cultivation, possession and, to a lesser extent, consumption are largely prohibited. This briefing presents the drug policies of 13 selected Member States, with the aim of providing a snapshot of existing approaches to recreational cannabis use and the state of national debates on related issues.

## Understanding EU action against human trafficking

Briefing by Martina Prpic, EPRS, June 2023

It is estimated that over 7 000 people become victims of human trafficking in the EU each year. Human trafficking is not only a serious and borderless crime, but also a lucrative business, driven by demand for sexual (and other) services. In its efforts to eradicate human trafficking, the EU has not only created a legal framework comprising an anti-trafficking directive and instruments to protect victims' rights and prevent labour exploitation; it has also put in place an operational cooperation network involving decentralised EU agencies.

## Preventing and combating trafficking in human beings

Briefing by Martina Prpic, EPRS, June 2023

In December 2022, the Commission proposed a revision of Directive 2011/36/EU, the main EU instrument for combatting trafficking in human beings and protecting victims. The proposal contains a set of amendments to strengthen current rules, further harmonise provisions across Member States in order to reduce demand, and collect robust data and statistics.

## Anti-trafficking in human beings

Briefing by Véronique Girard with Emile Marchand, EPRS, June 2023

This initial appraisal of a Commission impact assessment (IA) supports the proposal for a revision of Directive 2011/36/EU. Making a critical assessment of the IA, it concludes that the construction of policy options appears to offer a very limited range of genuine alternatives. Moreover, the quantitative cost-benefit analysis would have benefited from including an assessment of the policy options' impact on the number of law enforcement procedures, and on the number of offences prevented.

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## Advance passenger information (API) to tackle terrorism and serious crime

Briefing by Costica Dumbrava, EPRS, June 2023

In December 2022, the Commission proposed a new regulation on the collection and transfer of API data, collected by air carriers at check-in and sent to competent authorities in the country of destination prior to the flight's take-off. The proposal seeks to align the rules on the collection and transfer of API data with the rules on the processing of passenger name records – data from air travellers' ticket reservations – in order to increase the effectiveness of the fight against serious crime and terrorism in the EU.

## Combating child sexual abuse online

Briefing by Mar Negreiro, EPRS, June 2023

As the volume of online child sexual abuse materials (CSAM) and number of grooming activities continue to rise on an unprecedented scale, and increasingly target younger children, in May 2022 the Commission proposed legislation to address the escalating situation. The new law would create a range of obligations for various providers of online services in terms of detecting, removing, blocking and reporting CSAM materials and grooming activities. The proposal also envisages the establishment of a new EU centre to support the legislation's implementation and supervision.

## Understanding EU counter-terrorism policy

Briefing by Piotr Bąkowski, EPRS, March 2023

Faced with a persistent terrorist threat, the EU is playing an ever more ambitious role in counter-terrorism. Even though primary responsibility for combating crime and ensuring security lies with the Member States, the EU provides cooperation, coordination and harmonisation tools, as well as financial support, to address this borderless phenomenon. As the terrorism threat landscape evolves, so too do the EU's priorities in its work preventing radicalisation and addressing forms of violent extremism.

## Revision of the EU rules on asset recovery and confiscation

Briefing by Carmen-Cristina Cîrlig, EPRS, March 2023

Financial gain is the main motivation for engaging in organised crime. Therefore, an effective mechanism to deter criminal activity is confiscating criminals' profits. However, reports show low freezing and confiscation rates in the EU today. To address this problem, in May 2022 the Commission proposed a new directive on asset recovery and confiscation, aiming to strengthen the EU rules in this field.

## Stepping up the EU's efforts to tackle corruption

Study by Meenakshi Fernandes and Lenka Jancova, EPRS, January 2023

Corruption poses a significant threat in the EU and can erode democracy and the rule of law, especially during times of crisis. The EU can do more to tackle corruption and curb its negative impacts on society. This 'cost of non-Europe' report presents a quantitative analysis of the potential gains from further EU action to tackle corruption, estimating that it could generate up to €58.5 billion a year. Other gains could also be expected in terms of reinforcing democracy and promoting international credibility and long-term growth.

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