

Stronger role for Europol to fight migrant smuggling and human trafficking

OVERVIEW

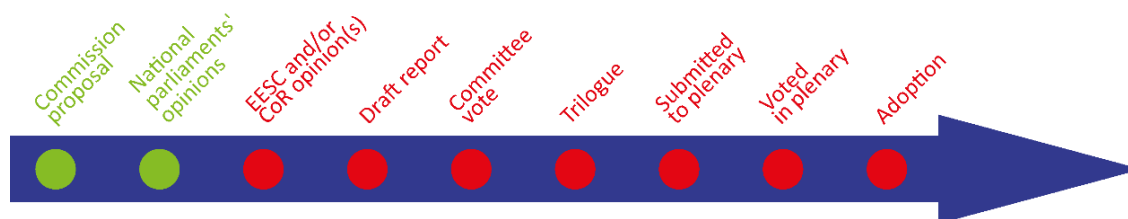
In November 2023, the European Commission presented a proposal to reinforce the role of Europol, the EU Agency for Law Enforcement Cooperation, in the fight against migrant smuggling and trafficking in human beings. With detections of irregular border crossings at the EU's external borders at their highest levels since 2016 and demand for migration facilitation services following suit, the Commission sees an urgent need to step up the prevention, detection and investigation of these crimes.

Europol's mandate was already reinforced in 2022, allowing the agency to step up its expertise and operational capabilities. The new proposal seeks to improve inter-agency cooperation on migrant smuggling and trafficking in human beings, strengthen coordination at EU level by setting out specific strategic tasks for Europol's European Centre Against Migrant Smuggling, improve information sharing with the agency, reinforce Member States' resources to prevent and combat these crimes, and reinforce Europol's support through operational task forces and deployments for operational support.

In the European Parliament, the proposal was assigned to the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and Jeroen Lenaers (EPP, Netherlands) was appointed as rapporteur. His report, once adopted, will form the basis for negotiations with the Council.

Proposal for a Regulation of the European Parliament and of the Council on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes and amending Regulation (EU) 2016/794

<i>Committee responsible:</i>	Civil Liberties, Justice and Home Affairs (LIBE)	COM(2023) 754 28.11.2023
<i>Rapporteur:</i>	Jeroen Lenaers (EPP, Netherlands)	2023/0438(COD)
<i>Shadow rapporteurs:</i>	Thijs Reuten (S&D, Netherlands) Dragoș Tudorache (Renew, Romania) Saskia Bricmont (Greens/EFA, Belgium) Cornelia Ernst (GUE/NGL, Germany)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Publication of draft report	



Introduction

With [detections of irregular border crossings](#) at the EU's external borders at their highest levels since 2016, demand for migration facilitation services has also risen to a new high. More than [90 %](#) of people who cross the EU's external borders irregularly do so with the assistance of migrant smugglers. This **high demand** is not only due to the fact that people in severe distress – whether because of genuine fear for their lives or for economic reasons – keep trying to reach the EU, by irregular means if necessary. Demand is also high because it has become harder to cross the EU's external borders illegally, due to increased external border controls and other measures put in place to prevent irregular migration. This is where migrant smuggling networks step in.

The facilitation of irregular migration is **a highly profitable criminal activity**, given the relatively low risks incurred by the perpetrators and the fact that it does not require access to significant resources. Most migrant smugglers are in the business for the money. In 2015, at the height of the migration crisis, criminal networks involved in migrant smuggling had an estimated turnover of [between €3 billion and €6 billion](#).

Migrant smugglers are **some of the most agile criminals**. They go to great lengths to avoid getting caught, quickly adapting the routes and methods they use to smuggle migrants into, within or beyond the EU. The [facilitation of irregular migration](#) is a complex crime, interconnected with many other criminal activities, such as document fraud, trafficking in human beings and other types of illicit smuggling. The criminal organisations involved in smuggling migrants are increasingly sophisticated, professional and violent.

Although people willingly pay smugglers to help them cross borders, they do so at great personal risk. **Too many lose their lives, or are at risk of serious harm or exploitation**, such as the risk of being trafficked. Migrant smugglers often use violence or the threat thereof against irregular migrants, to ensure their compliance or force them to pay smuggling fees. Migrants are also often endangered by the *modi operandi* used by smugglers to move them across borders. The number of dead or missing migrants recorded worldwide since 2014 amounts to [over 60 000](#), according to the International Organization for Migration (IOM).

The EU as a whole also faces related challenges, including security and safety concerns as well as socio-economic or even political impacts. Irregular migration is not only linked to migrant smuggling and other types of exploitation of already vulnerable people, there is also a risk of terrorists using irregular migration routes to enter the EU clandestinely. Moreover, large influxes of irregular migrants can burden asylum or social welfare systems, pose challenges in terms of integration, or even lead to anti-democratic and discriminatory behaviour. Preventing and combating migrant smuggling and related crimes is therefore **one of the key priorities of EU action against irregular migration and [organised crime](#)**.

Context

In recent years, progress has been made on improving cooperation between Member States on information exchange and on reducing as much as possible the space in which terrorists and serious criminals operate. The general architecture of Justice and Home Affairs (JHA) information systems and databases was overhauled, with a focus on [interoperability](#). The legislative framework on [counterterrorism](#) and information exchange was strengthened in 2017, in the aftermath of a series of terrorist attacks in the EU.

The EU has set up **a comprehensive legal framework to prevent irregular migration and combat migrant smuggling, as well as interconnected crimes**.¹ The main legal instruments to prevent, detect and prosecute migrant smuggling were adopted in 2002 and are known as the 'facilitators' package': [Council Directive 2002/90](#) defining the facilitation of unauthorised entry, transit and residence, and [Council Framework Decision 2002/946/JHA](#) on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence. The package

provides for a common definition of smuggling humans and for the harmonisation of national penal frameworks. However, the facilitators' package has been widely criticised for failing to provide legal certainty, and consequently for its uneven implementation across Member States.

Action undertaken against migrant smuggling was one of the key immediate responses to the 2015 migration crisis and the tragedies taking place in the Mediterranean Sea. Due to its **crosscutting nature between migration, security and external relations policies**, the EU adopted a specific 2015-2020 [EU action plan against migrant smuggling](#) in May 2015. Smuggling networks have proven to be resilient, though, and the 2020-2025 [EU security union strategy](#), the 2021-2025 [strategy to tackle organised crime](#) and the [new pact on migration and asylum](#) should continue to ensure consistent efforts to disrupt these networks in the future.

The 2021-2025 [renewed EU action plan against migrant smuggling](#) focuses on reinforced cooperation with partner countries and international organisations, implementing the legal frameworks and sanctioning smugglers, preventing exploitation and ensuring the protection of migrants, reinforcing cooperation and supporting the work of law enforcement and the judiciary to respond to new challenges, and improving knowledge of smugglers' *modi operandi*. In 2022, the European Commission published specific action plans to tackle irregular migration in the busiest sea and land routes, the [central Mediterranean](#), the [western Mediterranean and the Atlantic](#), and the [Western Balkans](#), which prioritise measures to tackle migrant smuggling. In March 2023, the Commission established the first-ever [multiannual strategic policy on European integrated border management](#), to be implemented by the EU Border and Coast Guard Agency (Frontex) over the next five years. It provides a coordinated framework to make sure that all Member States' and relevant EU agencies' activities, from border surveillance to anti-smuggling to returns, are guided by the same set of common principles and produce tangible results on the ground.

Existing situation

Operational activities to combat migrant smuggling are the responsibility of the Member States. However, the EU assists them in fighting serious and organised crime effectively to the maximum of its remit, ranging from crime prevention to police and judicial cooperation, which is crucial given the cross-border and multinational nature of migrant smuggling. Through the EU policy cycle for organised and serious international crime ([EMPACT](#)), Member States coordinate common priorities and operational action to address the most important criminal threats affecting the EU, such as [migrant smuggling](#).

Over the last decade, **specialised EU agencies** have increasingly supported national law enforcement, border and judicial authorities in their fight against migrant smuggling. The agencies also cooperate directly with each other, for example on external border management or information exchange. Those [most involved](#) in combating migrant smuggling include – besides Frontex – the EU Agencies for Law Enforcement Cooperation ([Europol](#)), Criminal Justice Cooperation ([Eurojust](#)), Fundamental Rights ([FRA](#)) and Asylum ([EUAA](#)), as well as the European Maritime Safety Agency ([EMSA](#)).

Europol plays a key role in supporting Member States' operational cooperation through the secure exchange of information, expertise and analytical support. The agency set up the European Serious Organised Crime Centre ([ESOCC](#)), which incorporated the European Migrant Smuggling Centre ([EMSC](#)) in 2016. The EMSC monitors the online presence of smugglers, provides operational and strategic analytical support to Member States, helps them with investigating organised crime related to migrant smuggling, and coordinates the collective law enforcement response to dismantling organised criminal networks involved in both migrant smuggling and human trafficking. Europol's [Joint Operational Team \(JOT\) Mare](#), the intelligence-led maritime centre dedicated to tackling migrant smugglers in the Mediterranean, is an essential part of the EMSC. Europol's [Internet Referral Unit](#) supports investigations in the digital domain and helps prevent migrant smuggling by monitoring online content and referring pages linked to criminal migrant smuggling networks to the relevant online platforms for removal. Europol's mandate was [reinforced](#)

in 2022, allowing the agency to step up its expertise and operational capabilities, to better support Member States in combating serious and organised crime and terrorism. The mandate also strengthened Europol's data protection framework and the oversight of the European Data Protection Supervisor ([EDPS](#)).

Parliament's starting position

The European Parliament has expressed its position on migrant smuggling on many occasions. In the wake of the migrant crisis, Parliament's [resolution](#) of 29 April 2015 called on Member States to step up operational cooperation, data collection and sharing with Europol, Frontex, EUAA and Eurojust, and to prioritise financial investigations to disrupt criminal networks' profits. In a 2016 [study](#) (updated in [2018](#)), Parliament recommended that the work of EU agencies be focused on a 'criminal justice-led' approach to countering migrant smuggling instead of a 'preventative policing' approach. Priority should be given to developing Eurojust and Europol Joint Investigation Teams ([JITs](#)) when organised criminal groups are detected, and JITs should be compatible with the criminal justice standards laid down in the European Investigation Order ([EIO](#)).

Since 2015, Parliament has also reiterated that the fight against human smuggling groups needs to be part of a [holistic EU approach](#) to migration alongside the military and naval operations. In this context, it has called for [more safe and legal routes](#) for migrants, asylum-seekers and refugees to enter and stay in Europe, notably by stepping up resettlement and implementing [EU humanitarian visas](#). Parliament, as well as many academics, [international](#) and [regional](#) human rights bodies and the FRA, has also repeatedly [emphasised](#) that the implementation of the EU legal framework on human smuggling must not criminalise migrants or those helping them on humanitarian grounds.² In a debate in March 2023, Members of Parliament [urged](#) the European Council and Commission Presidents, Charles Michel and Ursula von der Leyen, to fight migrant smuggling. In July 2023, Parliament [called](#) for 'meaningful changes' to the new pact on migration and asylum aimed at preventing irregular migration and combating migrant smuggling and trafficking in human beings.

Council and European Council

The [Council conclusions](#) adopted by the Justice and Home Affairs ministers on 10 March 2016 invited the EU Member States to enhance cooperation with Europol, in particular by sharing reliable and updated information and intelligence on migrant smuggling and by cooperating actively with the EMSC. Moreover, the Council insisted on enhancing inter-agency cooperation, particularly in relation to information exchange, and on strengthening the role of the EMSC as the main information hub and coordinating entity on migrant smuggling within Europol. These recommendations were later formalised as an [operational set of measures](#) published in 2018. In response to the [instrumentalisation of migration](#) by Türkiye in [2020](#) and by Belarus in [2022](#), the Council highlighted the important role of the EU agencies in the fight against migrant smuggling and human trafficking and reconfirmed their readiness to allocate resources in accordance with their respective mandates and needs. The European Council, in its [conclusions](#) adopted in February 2023, called on the Commission and the Council to take forward the work on relevant tools and said that the fight against human trafficking and smuggling of migrants would be further reinforced through strong cooperation between Member States and with Europol, Frontex and Eurojust, as well as with key partners. In October 2023, the [Schengen Council](#) proposed four key actions in the fight against migrant smuggling: enhancing situational awareness, reinforcing the legal framework, strengthening operational cooperation, and maximising synergies with EU external action.

Preparation of the proposal

In the aftermath of the 2015 migration crisis and in light of the concerns voiced over the facilitators' package, the Commission conducted an [evaluation](#) under the Regulatory Fitness and Performance Programme (REFIT) in 2017. Among other sources, the evaluation was informed by the results of a [public consultation](#). The main issues raised by national authorities focused on strengthening

operational cooperation and joint investigations, enhancing the coordination role of Eurojust and Europol, mutual judicial and police cooperation within the EU and with third countries, and considering a possible expansion of jurisdiction, along the lines of EU legislation on trafficking in human beings. The evaluation concluded that the facilitators' package 'has proved to be overall relevant and continues to be so, in the context of the current refugee and migratory crisis'. Areas for improvement nonetheless included streamlining the production of statistics relevant for migrant smuggling and encouraging the Member States to collect and share this information between themselves and with Europol. The Commission highlighted the importance of the EMSC to support all Member States in such endeavours.

As migrant smuggling remains a key activity for organised crime groups, endangering migrants and damaging the migration management objectives of the EU, in 2021 the Commission adopted a [renewed EU action plan against migrant smuggling \(2021-2025\)](#), in which it called for reinforcing operational cooperation and information exchange between EU Member States' law enforcement agencies, relevant EU agencies and partner countries in the dismantling of migrant smuggling networks. In the action plan, the Commission says that EU agencies – Europol, Frontex and Eurojust in particular – should offer assistance in line with their mandates, including facilitating the exchange of information, providing technical support, capacity building and training, as well as deploying liaison officers. Agencies may also conclude agreements with partner countries or regions, and they must be able to rapidly mobilise their resources and assets to provide operational support to protect the EU external borders, gather intelligence and operational information and assist migrants who have become victims of State-led instrumentalisation. Agencies are also encouraged to step up their cooperation with the private sector to improve the knowledge base of smuggling practices. Member States are encouraged to make optimal use of the specialised services provided by the EMSC and share information from immigration liaison officers, common operational partnerships and Common Security and Defence Policy missions and operations.

In response to pressing operational needs to face the changing security landscape and calls by the co-legislators for stronger support from Europol, the **Regulation on Europol was reinforced** in 2022. The updated mandate enables the agency to cooperate effectively with private parties; allows it to process large and complex datasets, thereby addressing the big data challenge for law enforcement; and strengthens its role on research and innovation. In addition, the proposal assigns a series of new tasks to Europol; strengthens the data protection framework applicable to the agency; and provides legal clarification concerning certain existing tasks of the agency.

The 2021 European Court of Auditors [special report](#) on Europol's support to fight migrant smuggling identified the need to reinforce Europol's role in fighting migrant smuggling, in particular to enable the agency to use all relevant external sources of information, including biometric data, and to enhance data exchange with its partners.

The [State of Schengen report 2023](#) insisted on the need to 'transform Europol from the EU criminal information hub to the default platform for European policing solutions'. Ahead of the Schengen Council of 19 October 2023, the Spanish Presidency of the Council of the EU circulated a [draft paper](#) proposing to reinforce the EU legal framework on migrant smuggling and to strengthen and integrate European operational cooperation.

Commission President Ursula von der Leyen called in her [State of the Union speech](#) in September 2023 for **strengthening all tools at the EU's disposal to counter migrant smuggling**, by updating the facilitators' package and strengthening the role of EU agencies, particularly Europol, and intensifying the cooperation between JHA agencies, Member States and partner countries, 'to tackle this global plague'. She therefore announced an [international conference](#) to **create a Global Alliance** with a call to action to fight people smuggling. During the conference, in November 2023, President von der Leyen also proposed a legislative framework to fight migrant smugglers, consisting of a **proposal for a directive** laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit, and stay in the EU – updating the 20-year-old facilitators' package – and a **proposal for a regulation** to reinforce Europol's, and particularly the EMSC's, role

and inter-agency cooperation in the fight against migrant smuggling and trafficking in human beings. The aim of the package is to introduce a new legal, operational and international cooperation framework against migrant smuggling for the years to come.

Neither the directive nor the regulation were accompanied by an impact assessment, 'due to the urgent operational needs to improve Europol's support to Member States on countering migrant smuggling'. However, the Commission says in the proposal for a regulation that it has gathered input and views through a questionnaire sent to the Member States to identify operational needs and gaps regarding Europol's support on migrant smuggling, as well as other needs and opportunities when it comes to strengthening Europol's mandate. Member State experts were consulted during a virtual workshop in November 2023 and were said to be 'generally supportive of strengthening Europol's legal mandate in preventing and combating migrant smuggling and trafficking in human beings'. Moreover, the Commission insists that the results of the public consultation were incorporated throughout the preparation of the legislative initiative.

The changes the proposal would bring

The [proposal for a regulation](#) on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes and amending Regulation (EU) 2016/794, aims to reinforce Europol's role in the fight against migrant smuggling and trafficking in human beings, and, in particular, the role of the EMSC. The legislative initiative proposes the following:

- **Establish in law the EMSC within Europol** – as a Union centre of expertise for combating migrant smuggling and trafficking in human beings – **and a governance framework to regulate and support its activities**. The EMSC, as the focal point to support Member States in the prevention and combating of these crimes, should perform specific strategic and operational tasks. (Article 3)
- **Provide for the composition of the EMSC and the specific entities that should be involved in carrying out its tasks**. The EMSC should be supported by all other relevant Europol internal structures. (Article 4)
- **Define the strategic and operational tasks of the EMSC**. At strategic level, these tasks include providing strategic analyses and threat assessments, providing support to the operational implementation of the strategic and operational priorities, supporting the coordination, cooperation and exchange of information, monitoring migrant smuggling and trafficking in human beings, and preparing an annual report. At operational level, the tasks of the EMSC include coordinating, organising and implementing investigative and operational actions to support and strengthen actions by the competent authorities of the Member States, supporting Member States' cross-border information exchange activities, operations and investigations, as well as JITs and operational taskforces, and identifying cases of migrant smuggling and trafficking in human beings that may require advanced operational support. (Articles 5 and 6)
- **Provide for the designation of specialised services within the competent authorities of each Member State** to prevent and combat migrant smuggling and trafficking in human beings, including through criminal investigations, **and ensure that these services collect and share all relevant information as soon as possible** through the Secure Information Exchange Network Application ([SIENA](#)) with Europol and other Member States. (Article 8)
- **Provide Europol with the necessary advanced tools to support Member States in preventing and combating** migrant smuggling and other **crimes falling within the scope of Europol's objectives**. The proposal establishes operational task forces as coordination mechanisms set up by Member States with the support of Europol to conduct joint, coordinated and prioritised criminal intelligence activities and

- investigations, and sets out minimum requirements for Member States' involvement. Third countries may also participate in operational taskforces. (Article 9)
- Provide that **Europol should be able to deploy officers in a Member State, at the request of that Member State, to provide analytical, operational, technical and forensic support in liaison and in agreement with the Member State's competent authorities.** Staff and experts deployed by Europol should be able to carry out investigative non-coercive measures that relate to data processing, and Europol should set up a reserve pool of highly qualified law enforcement experts from the Member States with specialised profiles that can be placed at the immediate disposal of Europol for operational deployment. Moreover, the agency should be able to deploy staff and seconded national experts in third countries with which it cooperates on the basis of an adequacy decision and an international agreement concluded between the Union and that third country pursuant to Article 218 TFEU or a cooperation agreement between Europol and that third country concluded before 1 May 2017. (Article 9)
 - **Clarify the nature of operational support that Europol staff may provide to Member States' law enforcement authorities on the ground** in operations and investigations. This operational support during the execution of investigative measures, or in the context of the implementation of operational task forces and Europol deployment for operational support, should be at the request of the competent authorities of the Member States and in accordance with their national law. Europol staff should be able to execute non-coercive investigative measures in liaison and in agreement with the competent authorities of the Member State concerned, and in accordance with the Europol Regulation and that Member State's national law, when so requested by a Member State in accordance with its national law and authorised by the Europol Executive Director. (Article 9)
 - **Enhance cooperation between Europol and third countries** with which it [cooperates](#) by means of rules to better involve Member States' migration liaison officers deployed in third countries in enhancing the sharing of information by third countries to counter migrant smuggling and supply this information to Europol, directly or through the Europol national unit, using SIENA. (Article 8)
 - **The EMSC should identify cases of migrant smuggling requiring cooperation with third countries that may require transfers of personal data in individual cases for the purpose of the prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal sanctions.** The transfers of personal data by Europol to third countries in these cases may, in the absence of an adequacy decision or of adequate or appropriate data protection safeguards, be carried out in accordance with Article 25(5) of Regulation (EU) 2016/794. (Article 6)
 - **Strengthen Europol's role in the fight against criminal offences related to the violation of Union restrictive measures.** Unrelated to migrant smuggling and trafficking in human beings, the proposed regulation extends the list of crimes which fall within Europol's competence by including in Annex I to the Europol Regulation the 'violation of Union restrictive measures'. The inclusion of the violation of Union restrictive measures in Annex I to the Europol Regulation would complement the proposed [directive on the definition of criminal offences and penalties for the violation of Union restrictive measures](#).

The legislative initiative would have an impact on the budget of Europol – an additional amount of around €50 million – and on its staff needs – around 50 additional posts for the current Multiannual Financial Framework period (2021-2027).

Advisory committees

The European Economic and Social Committee (EESC) is [expected](#) to deliver its opinion on the proposal at the end of May 2024.

National parliaments

The deadline for the [subsidiarity check](#) in Member States' national parliaments was 13 March 2024. The Swedish Parliament adopted a [reasoned opinion](#) stating that parts of the proposal are in breach of the principle of subsidiarity. The Riksdag refers to the extension of Europol's operational mandate, in particular Articles 5a and 5b (on the special mandate for Europol's executive director to propose an operational taskforce to be set up together with the deployment of staff and on the setting up of a reserve pool of Member States' experts at the immediate disposal of Europol for operational deployment) and Article 7 (on the setting up of specialised services within the Member States' competent authorities specialising in preventing, combating and investigating smuggling and trafficking of human beings).

Stakeholder views³

The **European Data Protection Supervisor** (EDPS), Wojciech Wiewiórowski, [considers](#) that there is no evidence that the measures envisaged in the proposed regulation are actually justified and that it 'should not constitute a precedent for any future legislation having comparable impact on the fundamental rights to privacy and data protection'. He finds the lack of an impact assessment worrying, given the nature of the personal data at stake (biometric data) and that vulnerable people may be involved (migrants). The EDPS therefore finds it necessary to establish mechanisms and clear, binding rules that provide appropriate safeguards to mitigate the risks posed to individuals, if the processing of biometric data, including facial recognition, by Europol is to be increased. Furthermore, the role, limits and procedures to be followed by Frontex when performing its tasks to support Europol, Eurojust and Member States' law enforcement authorities should be clarified. The EDPS also warns against the use of 'systematic, massive or structural transfers of personal data' outside the EU/EEA by Europol, as derogations from the general rules. Regarding Europol's investigative activities to support Member States, the EDPS recommends clarifying the responsibilities allocated to the competent authorities in the EU, including defining the type of access to personal data these authorities may have and for what purposes.

Statewatch [warns](#) against the fact that the agency can create 'operational task forces' and 'deployments for operational support', particularly given that the proposal does not limit this new power to the crime of migrant smuggling alone. Moreover, staff and experts deployed by Europol would be allowed to carry out 'non-coercive investigative measures' that relate to data processing during joint operations with national police forces. Given the vagueness of the wording in the proposal, Statewatch fears that these new investigative powers will also be extended to all forms of crime for which Europol is competent; Europol is empowered to tackle more than 30 forms of serious [crime](#) and related criminal offences. Statewatch furthermore got hold of a [compilation of comments](#) from Member States' delegations circulated to inform discussion in the Council's Law Enforcement Working Party, according to which several countries question the necessity and proportionality of the proposals, criticise the Commission's refusal to assess its impact, and critique the extra workload the plans would cause, without supplying sufficient funding and staff.

Legislative process

The Commission's legislative proposal ([COM\(2023\) 754](#)) was submitted on 28 November 2023 and falls under the ordinary legislative procedure ([2023/438\(COD\)](#)). In the Parliament, the proposal was assigned to the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and Jeroen Lenaers (EPP, Netherlands) was appointed as rapporteur. Lenaers now needs to prepare a report, which, once adopted, will form the basis for negotiations with the Council.

On 23 January 2024, the Commission [presented](#) the two proposals to the LIBE members, who received them with reservations. Cornelia Ernst, MEP for the Left, warned that both files would have direct and indirect effects on the safety and rights of people on the move. Home Affairs Commissioner Ylva Johansson reassured MEPs that Europol will not be operational on the ground,

but that it will support Member States and facilitate investigations. In response to calls for more safeguards, she insisted that the revised Europol mandate already comes with stronger scrutiny by the European Parliament. Rapporteur Lenaers regretted that the proposals have arrived so late in the current parliamentary legislature, as there is no possibility to have a meaningful adoption in the current Parliament. He considered that the major loopholes that need to be addressed are the need for more staff and equipment for Europol to cooperate with third countries, as well as having specialised services in the Member States.

EUROPEAN PARLIAMENT SUPPORTING ANALYSIS

Radjenovic A., [Preventing and countering the facilitation of unauthorised entry, transit and stay in the EU](#), EPRS, European Parliament, March 2024.

Cirlig C., [Strengthening Europol's mandate](#), EPRS, European Parliament, July 2022.

Luyten K., [Understanding EU action against migrant smuggling](#), EPRS, European Parliament, December 2023.

Ahamad Matadali H. with Blanckaert J., [Revision of the anti-smuggling package: The 'facilitators package' and Europol's mandate](#), EPRS, European Parliament, February 2024.

OTHER SOURCES

[Enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings; enhancing Europol's support to preventing and combating such crimes](#), Legislative Observatory (OEIL), European Parliament.

[Proposal for a regulation on enhancing police cooperation and Europol's support in preventing and combating migrant smuggling and trafficking in human beings](#), Legislative Train Schedule, EPRS, European Parliament.

ENDNOTES

¹ For more detailed information, see Luyten K., [Understanding EU action against migrant smuggling](#), EPRS, European Parliament, December 2023.

² [European Parliament resolution of 12 April 2016](#) on the situation in the Mediterranean and the need for a holistic EU approach to migration (2015/2095(INI)); [European Parliament resolution of 18 April 2018](#) on progress on the UN global compacts for safe, orderly and regular migration and on refugees (2018/2642(RSP)); [European Parliament resolution of 5 July 2018](#) on guidelines for Member States to prevent humanitarian assistance from being criminalised (2018/2769(RSP)); [European Parliament resolution of 16 January 2019](#) on the situation of fundamental rights in the European Union in 2017 (2018/2103(INI)).

³ This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in publications listed under 'European Parliament supporting analysis'.

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