



## EUROJUST'S WORK IN THE FIGHT AGAINST MIGRANT SMUGGLING

### The migrant smuggling challenge in the EU

Migrant smuggling crimes are committed by connected or transnational organised criminal groups working via trafficking routes, often ruthlessly endangering the lives of migrants throughout the journey by land, air or sea. Migrant smuggling criminal groups regularly also engage in related crimes, such as money laundering and illegal attempts to obtain citizenship of an EU Member State through document forgery and sham marriages. Such crime groups often make their customers victims of human trafficking, forcing them into modern slavery. The recent high number of war refugees increases the crime risk of human trafficking and migrant smuggling. The fragmented, transnational and complex nature of these criminal activities present clear obstacles for investigators and judicial practitioners, making effective international cooperation essential.

### Eurojust's role and expertise

The growing number of incidents affecting Mediterranean and other countries has made tackling migrant smuggling a priority for the European Union, its Member States and Eurojust, the European Union Agency for Criminal Justice Cooperation. The [renewed EU action plan against migrant smuggling \(2021-2025\)](#) enhances Eurojust's prominent role, and reinforces the need for cooperation between law enforcement and the judiciary, relevant EU agencies and third countries of origin and transit. Eurojust is fully committed to the implementation of the action plan, including through enhanced cooperation with South Partner Countries within the Euromed Justice Programme.

To dismantle migrant smuggling networks and to bring perpetrators to justice, the early involvement of judicial authorities and international cooperation are crucial. The investigations coordinated through Eurojust aim to cover criminal activity along all major migrant smuggling routes to the European Union.

Eurojust produces expert publications for judicial practitioners working on migrant smuggling cases. These include:



#### ***Booklet on Judicial use of information following the debriefing of migrants at external borders:***

This booklet presents an overview of the legal nature and use of statements obtained from debriefed migrants at EU external borders in judicial proceedings, according to the legal frameworks of EU Member States and countries with which Eurojust has a cooperation agreement. Best practices are highlighted to help improve judicial cooperation in the fight against migrant smuggling.



#### ***Report on national legislation and Eurojust casework analysis on sham marriages:***

This casework report analyses cross-border investigations tackling sham marriages - one of the main forms of facilitating irregular migration. The report draws on the practical experiences of investigations into marriages of convenience supported by the Agency between 2012 and 2020.



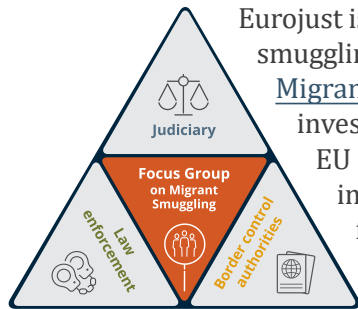
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To successfully disrupt intricate international smuggling routes, Eurojust helps judicial authorities work together to:

- ▶ share information;
- ▶ obtain admissible evidence;
- ▶ trigger investigations in all countries where organised criminal groups operate;
- ▶ secure a coordinated prosecutorial and investigative strategy; and
- ▶ ensure the effective seizure and confiscation of assets.

## The Migrant Smuggling Focus Group

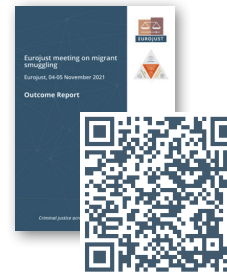


Eurojust is a key actor in the judicial response to migrant smuggling. The Agency's expertise is consolidated within the Migrant Smuggling Focus Group, composed of specialised investigating judges and prosecutors from across the EU Member States and third-country parties. Set-up in April 2020 by Eurojust, the Focus Group offers a forum of discussion for practitioners from Member States and countries with a cooperation agreement with Eurojust to share their expertise.

The Focus Group facilitates the exchange of information regarding challenges, trends and possible solutions, including in the area of digital smuggling. Eurojust supports the Focus Group through the expertise of its Anti-Trafficking Working Group and Operations Department. Law enforcement is represented within the Focus Group by Europol's European Migrant Smuggling Centre (EMSC).

As a central hub used to regularly connect key national judicial actors, the Focus Group supports Member States and countries with a cooperation agreement with Eurojust in their joint response to migrant smuggling cases by:

- ▶ **sharing best practices and lessons** learned from landmark migrant smuggling investigations;
- ▶ **analysing trends and new developments** in the operating tactics of organised crime groups active in migrant smuggling;
- ▶ **studying the impact of shifts in migrant smuggling routes**; and
- ▶ **gathering input from practitioners on current challenges and opportunities** in cross-border judicial cooperation



In addition to coordinating and supporting the Focus Group all year around, the Agency hosts an **Annual Meeting on Migrant Smuggling** at its premises in The Hague. The meeting involves all relevant actors in the security and criminal justice chain from over 30 countries, including representatives from international organisations, the Europol European Migrant Smuggling Centre, as well as Eurojust's Migrant Smuggling Team.

## How to join the Focus Group

The Focus Group is open to new members all year round. Any prosecutor/investigative judge actively involved in the investigation and prosecution of migrant smuggling cases in his/her jurisdiction is welcome to join.

As the Focus Group's working language is English, a good level of English is desirable. Experience in international mutual legal assistance is also an asset.

To join or request more information, please send an email to [FocusGroup@eurojust.europa.eu](mailto:FocusGroup@eurojust.europa.eu) or contact your respective National Member/Liaison Prosecutor at Eurojust.

## Cooperation with third countries

The migrant smuggling cases referred to Eurojust regularly involve the participation of third countries. Eurojust has 10 Liaison Prosecutors and over 60 non-EU contact points worldwide to facilitate strategic and operational cooperation in specific cases.

Furthermore, the Agency helps concerned authorities to develop links with relevant European and international organisations such as EUNAVFOR MED, the EMSC, Frontex and UNODC.

The participation of [EuroMed Justice](#) representatives from Algeria, Tunisia and Israel in Eurojust's Migrant Smuggling Focus group's latest meeting, marked an important step forward in the joint cross-Mediterranean commitment to fight migrant smuggling. Eurojust is dedicated to further enhance operational judicial cooperation with South Partner Countries and the West African Network of Central Authorities and Prosecutors.

### Eurojust-referred cases on migrant smuggling

**In 2021, Eurojust handled almost 300 migrant smuggling cases** and supported **11 Joint Investigation Teams** involving cross-border judicial cooperation.

**The Agency organised 25 coordination meetings** to facilitate the exchange of information between practitioners and ensure swift progress on these complex transnational cases.

**Member States are invited to make more extensive use of Eurojust's operation tools** including Joint Investigation Teams, coordination meetings and coordination centres, to exchange case-related information.



### People smuggling network in Netherlands and Hungary dismantled



**CRIME:** In 2021, a people-smuggling network operating in the Netherlands and Hungary organised the transfer of irregular Syrian migrants from the Hungarian-Serbian border into the European Union.

**ACTION:** An action day was organised on 1 November 2021.

**RESULT:** During the action day, the Dutch authorities arrested the two main suspects who had hired two drivers that were arrested earlier in the year. The criminals were also allegedly involved in the hiring of four other drivers that were arrested previously in Hungary, Germany and Austria for people smuggling.

**EUROJUST'S ROLE:** The JIT, set up by the Dutch and Hungarian judicial authorities and supported by Eurojust, linked the various arrests to the two main suspects, enabling the migrant smuggling network to be dismantled. Eurojust enabled cross-border judicial cooperation between the Dutch and Hungarian authorities and organised a coordination meeting to prepare the operation.



### Migrant smuggling with luxury vehicles in Greece halted with Eurojust support



**CRIME:** For at least two years, an OCG transported approximately 350 migrants within Greece, during 56 transfers and using 89 luxury cars and high-speed pickup trucks. Migrants were asked to pay around EUR 2 500 per person, with up to 15 persons transported in each vehicle during the high-risk journeys, which led to the death of 1 smuggler and 13 injured migrants.

**ACTION:** An action day was organised in July 2021, involving 15 searches.

**RESULT:** 11 suspects responsible for the transport of irregular migrants from the Greek-Turkish border in Evros to the Thessaloniki region, were arrested. 29 vehicles were seized, together with computer and GPS equipment, mobile phones, financial documents, cash and a mining tool for bitcoins.

**EUROJUST'S ROLE:** Eurojust set up the first-ever JIT between Greek and Bulgarian judicial and law enforcement authorities to support this case. The Agency organised three coordination meetings to establish effective cooperation in both countries, and provided organisational support to the Hellenic police, which led the operation on the ground.



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