

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

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The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Jeroen LENAERS (EPP, NL) on the 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.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

A priority for the Union

The report highlighted that trafficking in human beings is a serious criminal offence, often committed as part of organised crime, and a flagrant violation of fundamental rights, expressly prohibited by the Charter of Fundamental Rights of the European Union. Preventing and combating trafficking in human beings and supporting its victims, regardless of their country of origin, must remain a priority for the Union and its Member States.

Strengthening Europol's support in the fight against migrant smuggling and human trafficking

Members specified that the proposal aims to **amend Regulation (EU) 2016/794** on the European Union Agency for Law Enforcement Cooperation (Europol), as regards strengthening Europol's support and improving police cooperation to prevent and combat migrant smuggling and trafficking in human beings.

Europol would be responsible, *inter alia*, for the following **tasks**:

- support information exchange activities, operations and cross-border investigations carried out by Member States, as well as joint investigation teams;
- develop Union centres of specialised expertise to combat certain forms of crime falling within the scope of Europol's objectives;
- **cooperate with the competent authorities of the Member States** in the context of investigations into migrant smuggling and trafficking in human beings, including when these involve activities carried out over the internet;
- support Member States, including by developing specific tools, in the effective and efficient processing of **biometric data**, to prevent and combat crime falling within the objectives of Europol. The processing of biometric data should meet the applicable minimum quality standards and be carried out in accordance with the principles of necessity and proportionality.

The application of coercive measures would be the exclusive responsibility of the competent authorities of the Member States, but **Europol staff** could, under certain conditions, implement investigative measures relating to data processing themselves.

European Centre for Combating Migrant Smuggling

This report proposes the formal establishment, within Europol, of the European Centre Against Migrant Smuggling as a Union centre of specialised expertise. It should carry out **operational and strategic tasks** in order to support Member States in preventing and combating migrant smuggling and trafficking in human beings. It will also support the identification of victims of trafficking and other vulnerable persons, ensuring the necessary cooperation with the EU Anti-Trafficking Coordinator. It should also support the identification of victims of trafficking or other vulnerable individuals, ensuring the necessary cooperation with the EU anti-trafficking coordinator.

The Centre should be composed of representatives from the Member States' national structures or mechanisms dedicated to preventing and combating migrant smuggling and trafficking in human beings, where applicable. It should also be composed of permanent representatives from Frontex and Eurojust.

National structures and mechanisms

For the purposes of the work of the European Centre against Migrant Smuggling, Member States should seek to establish or strengthen dedicated structures or mechanisms within their competent authorities to prevent and combat migrant smuggling and trafficking in human beings.

Member States should ensure that all relevant information for preventing and combating migrant smuggling and trafficking in human beings, including verified information transmitted by Immigration Liaison Officers deployed in third countries that falls within the scope of Europol's legal framework, is shared with Europol and other Member States in a timely and effective manner, using the Secure Information Exchange Network Application (**SIENA**).

Human Resources

To ensure that Europol can effectively carry out its mandate, Members want to improve internal staff aspects where necessary. This report includes amendments to the rules governing the length of service of Europol staff hired directly from the national competent authorities, whilst ensuring the transitional arrangements are in place to allow for this amendment to support all staff affected, including those already in post.