

Basic information

2023/0438(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Regulation

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

Amending Regulation 2016/794 2013/0091(COD)

Subject

7.30.05 Police cooperation
7.30.05.01 Europol, CEPOL
7.30.30.02 Action to combat violence, trafficking in human beings and migrant smuggling

Procedure completed

Key players

European Parliament

Committee responsible

LIBE

Civil Liberties, Justice and Home Affairs

Rapporteur

LENAERS Jeroen (EPP)

Appointed

30/09/2024

Former committee responsible

LIBE

Civil Liberties, Justice and Home Affairs

Former rapporteur

LENAERS Jeroen (EPP)

Appointed

22/01/2024

Former committee for opinion

BUDG

Budgets

Former rapporteur for opinion

VAN OVERTVELDT Johan (ECR)

Appointed

12/12/2023

Committee for opinion on the legal basis

JURI

Legal Affairs

Rapporteur for opinion

LAGODINSKY Sergey (Greens/EFA)

Appointed

24/06/2025

Committee for budgetary assessment

BUDG

Budgets

Rapporteur for budgetary assessment

SOUSA SILVA Helder (EPP)

Appointed

28/11/2024

Council of the European Union		
European Commission	Commission DG	Commissioner
	Migration and Home Affairs	JOHANSSON Ylva

Key events			
Date	Event	Reference	Summary
28/11/2023	Legislative proposal published	COM(2023)0754 	Summary
29/02/2024	Committee referral announced in Parliament, 1st reading		
13/11/2024	Committee referral announced in Parliament, 1st reading		
20/05/2025	Vote in committee, 1st reading		
20/05/2025	Committee decision to open interinstitutional negotiations with report adopted in committee		
12/06/2025	Committee report tabled for plenary, 1st reading	A10-0109/2025	Summary
16/06/2025	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
18/06/2025	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
05/11/2025	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE779.404 GEDA/A/(2025)004752	
24/11/2025	Debate in Parliament		
25/11/2025	Decision by Parliament, 1st reading	T10-0280/2025	Summary
25/11/2025	Results of vote in Parliament		
08/12/2025	Act adopted by Council after Parliament's 1st reading		
16/12/2025	Final act signed		
22/12/2025	Final act published in Official Journal		

Technical information	
Procedure reference	2023/0438(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2016/794 2013/0091(COD)
Legal basis	Rules of Procedure EP 58 Rules of Procedure EP 41 Treaty on the Functioning of the European Union TFEU 88-p2 Treaty on the Functioning of the European Union TFEU 085-p1-a3 Treaty on the Functioning of the European Union TFEU 085-p1-a2

Stage reached in procedure	Procedure completed
Committee dossier	LIBE/10/00283

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE768.042	13/02/2025	
Amendments tabled in committee		PE770.286	18/03/2025	
Committee opinion	BUDG	PE769.973	24/04/2025	
Committee report tabled for plenary, 1st reading/single reading		A10-0109/2025	12/06/2025	Summary
Committee letter confirming interinstitutional agreement		PE779.404	08/10/2025	
Specific opinion	JURI	PE778.317	29/10/2025	
Text adopted by Parliament, 1st reading/single reading		T10-0280/2025	25/11/2025	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2025)004752	08/10/2025	
Draft final act	00046/2025/LEX	11/12/2025	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0754 	28/11/2023	Summary
Document attached to the procedure	SWD(2024)0094	15/04/2024	
Commission response to text adopted in plenary	SP(2026)01-30	30/01/2026	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	CZ_CHAMBER	COM(2023)0754	21/02/2024	
Contribution	ES_PARLIAMENT	COM(2023)0754	18/03/2024	
Contribution	CZ_SENATE	COM(2023)0754	18/03/2024	
Reasoned opinion	SE_PARLIAMENT	PE759.912	21/03/2024	
Contribution	DE_BUNDESRAT	COM(2023)0754	09/04/2024	

Contribution	RO_CHAMBER	COM(2023)0754	15/05/2024	
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0141/2024	10/07/2024	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
REUTEN Thijs	Shadow rapporteur	LIBE	16/04/2025	EUROPOL
REUTEN Thijs	Shadow rapporteur	LIBE	26/03/2025	EUROJUST
REUTEN Thijs	Shadow rapporteur	LIBE	11/03/2025	ProtectnotSurveil
REUTEN Thijs	Shadow rapporteur	LIBE	06/03/2025	Italian Consortium of Solidarity
REUTEN Thijs	Shadow rapporteur	LIBE	04/03/2025	Europol
SOUSA SILVA Hélder	Rapporteur for opinion	BUDG	11/02/2025	EUROPOL
LENAERS Jeroen	Rapporteur	LIBE	05/12/2024	European Digital Rights
LENAERS Jeroen	Rapporteur	LIBE	26/09/2024	Europol
LENAERS Jeroen	Rapporteur	LIBE	10/09/2024	DG HOME
BRICMONT Saskia	Shadow rapporteur	LIBE	20/02/2024	Eurojust

Other Members

Transparency		
Name	Date	Interest representatives
STRADA Cecilia	03/06/2025	Access Now Europe
STRADA Cecilia	03/03/2025	Association for Juridical Studies on Immigration

Final act

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

2023/0438(COD) - 28/11/2023 - Legislative proposal

PURPOSE: to reinforce Europol's role and inter-agency cooperation in the fight against migrant smuggling and trafficking in human beings.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: migrant smuggling to and within the EU is reaching new heights, fuelled by increasing demand due to emerging and deepening crises, most notably economic recessions, environmental emergencies caused by climate change, as well as conflicts and demographic pressure in many third countries. It is estimated that more than 90% of the irregular migrants who reach the EU make use of the services of smugglers, mostly organised in criminal groups.

Fighting and preventing migrant smuggling is one of the priorities of the European Union and crucial to addressing irregular migration in a comprehensive way. Criminal networks take advantage of people's despair and use land, sea, and air routes to facilitate irregular migration, putting people's lives at risk and seeking in every way to maximise their profits.

In addition, the Commission is proposing a [Directive](#) to upgrade its legislative framework, by laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the EU

CONTENT: this proposed Regulation lays down rules to enhance police cooperation and the support of the European Union Agency for Law Enforcement Cooperation (Europol) in preventing and combating migrant smuggling and trafficking in human beings, by:

- **Strengthening the coordination at EU level:** the proposal establishes the European Centre Against Migrant Smuggling as a Union centre of specialised expertise for combating migrant smuggling and trafficking in human beings. The Centre will be supported by Member States, Eurojust, Frontex and the Commission. The Centre will monitor trends in migrant smuggling and trafficking in human beings, produce annual reports, strategic analyses, threat assessments and situational updates, as well as investigative and operational actions.

- **Inter-agency cooperation:** the Centre will be supported by Member States' liaison officers, as well as Eurojust and the Frontex and Eurojust liaison officers, who should be posted to Europol.

- **Improving information sharing:** Member States' obligations to share information with Europol on migrant smuggling and trafficking in human beings will be reinforced. Europol deployment can already take place in third countries. The new Centre will identify cases of migrant smuggling that may require cooperation with non-EU countries, including by exchanging personal data in a case-by-case basis.

- **Reinforcing resources:** Member States will need to designate specialised services to counter migrant smuggling and trafficking in human beings, connect these services to secure information exchange network application (SIENA).

- **Stronger Europol support through staff deployments:** the proposal updates the current legislation with concepts of task forces and Europol deployments for operational support. These are advanced tools for coordination and analytical, operational, technical, and forensic support to Member States, which have already successfully been carried out by Europol. In addition, a reserve pool of national experts will be set up, that can be placed at the immediate disposal of Europol for deployments in Member States.

- **Enhancing cooperation between Europol and third countries:** the legislative initiative sets out 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.

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

2023/0438(COD) - 12/06/2025 - Committee report tabled for plenary, 1st reading/single reading

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.

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

The European Parliament adopted by 556 votes to 74, with 7 abstentions, a legislative resolution 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.

Parliament adopted its position at first reading by amending the Commission's proposal as follows:

A priority for the Union

Parliament stressed that trafficking in human beings is a serious crime, often committed within the framework of organised crime, constitutes a gross violation of fundamental rights and is explicitly prohibited by the Charter of Fundamental Rights of the European Union. Preventing and combating trafficking in human beings and supporting the victims of trafficking, regardless of their country of origin, remains a priority for the Union and the Member States.

Europol's mission

Europol's mission is to:

- support and strengthen actions by the competent authorities of the Member States as defined in Regulation (EU) 2016/794 and their mutual cooperation in preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime which affect a common interest covered by a Union policy;
- act as the Union's criminal information hub;
- deliver agile operational support by being at the forefront of law enforcement innovation and research and by providing European policing solutions. In performing its core tasks of analysing and exchanging information and providing operational and technical support, Europol provides genuine added value for the security of the Union.

The amended text specifies that Europol will, *inter alia*:

- pay particular attention, when supporting the competent authorities of the Member States in the context of investigations, to **migrant smuggling and trafficking in human beings**, including when those criminal offences involve activities carried out over the internet;
- support Member States, including through the development of specific tools, with the **effective and efficient processing of biometric data (in compliance with** the principles of strict necessity and proportionality to prevent or combat forms of crime which fall within the objectives of Europol.

Europol will provide **strategic analyses and threat assessments** to assist the Council and the Commission in laying down strategic and operational priorities of the Union for fighting crime. Europol will also assist in the operational implementation of those priorities, in particular by supporting the competent authorities of the Member States in further strengthening the European Multidisciplinary Platform Against Criminal Threats (EMPACT). To this end, it will provide administrative, logistical, financial and operational support to operational and strategic activities led by Member States, including related exchange of information.

Information communication

Each Member State setting up, participating in, or supporting an operational task force will, without delay, provide all relevant information to Europol and the other Member States setting up, participating in, or supporting that operational task force, using the **Secure Information Exchange Network (SIENA)** application.

Each Member State in whose territory a Europol deployment for operational support takes place will, without delay, provide all relevant information to Europol, using SIENA and, where possible and in accordance with its national law, by making information in national databases accessible to Europol staff and seconded national experts deployed in its territory.

Each Member State will connect its **immigration liaison officers**, designated by the competent authorities of the Member States, to SIENA in order to submit relevant information to Europol. Immigration liaison officers not designated by competent authorities of the Member States will submit the relevant information to such a national competent authority, using secure channels.

Missions and composition of the European Centre Against Migrant Smuggling

The amended text provides for the creation of a European centre against migrant smuggling within Europol as a specialised EU centre of expertise. The Centre will support Member States in preventing and combating migrant smuggling and human trafficking. It will comprise Europol staff and representatives from Eurojust and the European Border and Coast Guard Agency. Europol may invite other participants to be involved in carrying out the tasks of the European Centre Against Migrant Smuggling.