



European Union

**EU Statement on
Agenda item 2: Good practices in cooperating with the private sector
to prevent and combat the smuggling of migrants**

Ninth meeting of the Working Group on the Smuggling of Migrants

**Conference of the Parties to the UN Convention
against Transnational Organised Crime (UNTOC)**

Vienna, 27-28 June 2022

Mister Chair,

I have the honour to speak on behalf of the European Union and its Member States.

International cooperation requires a minimum of trust and shared values, such as the principles of the UN Charter. By waging an unprovoked and unjustified war of aggression against Ukraine, Russia has grossly violated international law and the UN Charter. Regrettably, this has and will continue to undermine multilateral cooperation.

As a consequence of the war, the EU has taken immediate action to help people fleeing to the EU and neighbouring countries. The activation of the EU Temporary Protection Directive has given those fleeing the war in Ukraine the right to temporary protection. Over 3,3 million people have been registered for temporary protection in Europe. Due to this measure, the effects on migrant smuggling have remained low, nevertheless, an increased use of Ukrainian fraudulent documents and cases of non-Ukrainian nationals using such documents is being monitored closely. Furthermore, the EU closely monitors security threats stemming from the war.

The European Union and its Member States remain committed to preventing and combatting the smuggling of migrants, which remains a common challenge requiring international cooperation and coordination as well as effective border management.

Particular attention is needed for crimes committed through online platforms and related technologies, financial investigations and asset recovery, and document fraud. The renewed EU action plan against migrant smuggling for the period 2021-2025 calls for a closer cooperation with the private sector, notably with the banking sector, the rental sector (including car sharing), parcel services, travel agencies, airline companies, money-transferring services as well as various online service providers. EU agencies, in line with their mandates, are increasing such cooperation. As from 28 June 2022, the renewed mandate of Europol will allow Europol to receive personal data from private parties and, in specific cases where necessary and proportionate, exchange personal data with private

parties, in order to analyse this data and inform criminal investigations of EU Member States concerned and notably providing them with the information necessary to establish their jurisdiction. Such cooperation will remain subject to strict data protection requirements. This will enable Europol to strengthen its strategic cooperation with private sector partners.

Close cooperation with online service providers will continue through the work of Europol's EU Internet Referral Unit. The European Border and Coast Guard Agency (Frontex) will strengthen its capacity to monitor social media to improve risk analysis regarding future irregular migratory movements, whilst taking into account data protection considerations. EU agencies, including Europol and Frontex, will also continue to work closely with the private sector in support of research and innovation. To combat the digital dimension of migrant smuggling, specialised training should be provided to law enforcement and the judiciary, and the availability of technical equipment and software for investigative units should be ensured.

To reinforce cooperation with partner countries, the EU develops dedicated and tailor-made Anti-Smuggling Operational Partnerships with partner countries or regions along migratory routes towards the EU, as part of the EU's broader migration partnerships. The EU aims to finalize the first Partnership in the coming weeks. This will contribute to building the capacities in the Sahel and Sub-Saharan Africa whilst stemming irregular migration to the EU and preventing the loss of migrants' lives.

EU missions under the EU Common Security Defence Policy have also been successful in tackling migrant smuggling in countries of origin and transit. EUCAP Sahel Niger and EUBAM Libya have been used to support respective countries in controlling and preventing irregular migration and to combating associated crimes, including migrant smuggling. EUCAP Sahel Mali and EUBAM Rafah have been tasked to address border management and the fight against migrant smuggling.

Following the Russian invasion of Ukraine the mandate of the CSDP mission in Ukraine has been amended in order to extend the EU's support to the Ukrainian authorities in border management.

CSDP missions and operations cooperate closely with EU agencies, leading to the launch of several initiatives with Europol, Frontex and Eurojust, notably in the field of information sharing. A prominent example of this cooperation is the Information Clearing House, embedded within the European Migrant Smuggling Centre, where Europol, Frontex, Operation EUNAVFORMED Iriini and Interpol (for operation Iriini) exchange operational information within their respective mandates to tackle migrant smuggling.

Combating migrant smuggling is a common effort. The EU looks forward to close cooperation with partner countries, based on the UN Protocol on Smuggling of Migrants by Land, Sea and Air and in cooperation with the UNODC, including within the framework of our discussions in the Working Group.

Thank you, Mister Chair.