



Ad-Hoc Query on Facilitation of irregular immigration (migrants smuggling) to the EU: national institutional frameworks, policies and other knowledge-based evidence.

Requested by COM on 21st August 2014

Compilation produced on 17th November 2014

Responses from Austria, Belgium, Czech Republic, Estonia, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom plus Norway (20 in total)

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1. Background Information

In light of the repeated dramatic events off the Italian shores, tackling facilitation of irregular migration (migrant smuggling) has become a pressing political priority at EU level, while remaining a rather under-reported area of research. To date, information is scattered and incomplete; data on trends and patterns are limited; profiles of facilitators (smuggles) are rarely known; a systematic review and evaluation of existing policies against facilitation has not yet been carried out.

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EMN NCPs are requested to map the **national authorities, policies, programmes and other knowledge-based evidence to prevent the facilitation of irregular migration (migrant smuggling)** by describing the institutional framework of responsible authorities, any national legal / policy or practice measures, currently implemented or planned to be implemented, that have the potential to address migrant smuggling, existing research (studies, reports, etc.) and available data by answering the following questions:

1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?
 - If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force;
 - Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities;
 - Please provide the contact details of the identified person(s) in charge of this policy;
2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:
 - National strategy, Action plan, etc.;
 - Dialogues, cooperation agreements, memorandum of understanding with third countries;
 - Actions to involve countries of departure and/or of transit in border surveillance (joint) operations;
 - Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings;
 - Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe;
 - Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings;
 - Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.);
 - Coordination mechanisms to exchange data and share knowledge-based information;
 - Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants);
 - Any other specific action.
3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?
4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?
 - Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit);

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- Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the authorities;
5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?
- Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit);
 - Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)?
6. Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources).

2. Responses

		Wider Dissemination?	<i>[Ad-Hoc Query 1 if separate Table for each query – Requesting EMN NCP to decide most appropriate Format]</i>
	Austria	Yes	<p>1. The main actor in combatting smuggling in Austria is the Federal Criminal Intelligence Service (<i>Bundeskriminalamt</i>) with its Department for Smuggling and Illegal Migration under the Central Service for Combating Human Smuggling/Human Trafficking.</p> <p>Gerald Tatzgern, Head of the Central Service for Combating Human Smuggling/Human Trafficking, gerald.tatzgern@bmi.gv.at.</p> <p>2. The following specific policies aimed at preventing and contrasting migrants smuggling have been planned or implemented in Austria:</p> <ul style="list-style-type: none"> • establishment of two special committees, the Special Commission Smuggling South (Eisenstadt) and the Special Commission Smuggling North (Traiskirchen) • establishment of a common Austrian-Hungarian group of analysis. • establishment of a common Austrian-Slovakian group of analysis. • establishment of a common Austrian-Czech group of analysis. <p>Establishment of the analysis database FIMATHU (Facilitated-Illegal-Migration-Affected Austria-Hungary)</p> <p>The common goal is the breaking up of internationally operating smuggling networks through international investigations and coordinated international accessing</p> <p>3. No information available.</p> <p>4.</p> <p><u>Statistics on smuggled persons from 2009-2013</u></p> <p><u>Total number</u></p>

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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	Total number
2009	10,183
2010	6,664
2011	9,812
2012	12,426
2013	12,323

Age

	Up to 7 years	8-14 years	15-18 years	19-30 years	31-40 years	41-50 years	51-60 years	Over 60 years
2009	8%	6%	13%	45%	17%	6%	3%	2%
2010	7%	6%	15%	43%	17%	7%	3%	2%
2011	7%	6%	15%	46%	17%	6%	2%	1%
2012	966	679	1919	5654	2060	700	318	130
2013	9%	6%	10%	43%	20%	7%	3%	2%

Sex

	male	female
2009	75%	25%
2010	77%	23%
2011	80%	20%
2012	79%	21%
2013	76%	24%

Type of border crossing

	airplane	car	truck	bus	minibus	train	boat	on foot	unknown
2009	8%	24%	17%	4%	4%	24%	1%	3%	15%
2010	9.2%	31.0 %	26.5%	3.7%	5.3%	17.4%	9%	1.6%	4.4%
2011	7%	21%	21%	3%		20%			28%
2012	8%	16%	18%		3%	17%			38%
2013	6%	22%	13%	4%		22%			33%

Border crossing environment

	street	air	green border	train tracks	unknown
2009	46%	14%	2%	19%	

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2010	55.2%	19.6%	1.4%	23.8%	
2011	47%	7%		19%	27%
2012	38%	7%		16%	39%
2013	36%	6%	3%	22%	33%

Top 10 nationalities

	2009	2010	2011	2012	2013
Syria	195	168	364	729	1,951
Russian Federation	1,923	1,087	1,100	1,813	1,661
Afghanistan	1,476		2,809	3,053	1,632
Pakistan		218	804	1,705	793
Algeria	169	194	376	464	769
Kosovo	1,003	387			690
Nigeria	599	392			516
Morocco				290	435
Iran	215	290	326	729	369
India	327	340	410	340	330
Iraq	233	298	303	344	
Turkey	360	258	302		
Somalia			432	337	

5. Statistics on smugglers apprehended from 2009-2013

Total number

	Smugglers apprehended
2009	417
2010	301
2011	288
2012	235
2013	352

Age

	up to 20 years	21-30 years	31-40 years	41-50 years	over 50 years
2009	3%	32%	31%	21%	13%
2010	4%	31%	32%	21%	12%

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	Estonia	Yes	<p>1. Estonian Migration and asylum policy's is devised by Ministry of Interior, implementing this through governmental agencies. Since 1st Jan 2010, Police- and Border Guard Board carry out all questions concerning migration and international protection (PBGB). In PBGB northern prefectures is dealing with illegal immigration prevention, detection and prevention of, particularly bureau Border Guard Department Migration Surveillance Bureau. Bureau provides operational services around the clock, collect data, which will take place at</p>																																																																																																												

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		<p>the state border. Bureau is in close cooperation with other prefectures of PBGB, with Estonian Internal Security Service and Central Criminal Police of PBGB. From private companies with the security-ship-flight-bus companies and their employees, the Tax and Customs Board staff members, local authorities, housing facilities, and organizations who dealing with asylum seekers. Since begin of 2014, the pursuit of irregular migration is not carried out by Border Guard Department Migration Surveillance Bureau, but by criminal department.</p> <p>“Estonia's National Security Concept”¹ (adopted by parliament 12.05.2010) is the framework document, which appoint the Estonian Security policy’s aims, principles and policies related to internal security, in this case, is an important aspect of the external border surveillance. Other additional internal security documents are "Estonia's security priorities until 2015", "National Defence Strategy" and "Criminal Policy Trends to 2018,"² in addition to "The European Union internal security strategy."³ Priorities in this document are the most important starting points for the "Internal Security Plan 2015-2020" to develop and implement. Ministry of the Interior prepare an annual report on "Security Policy" which evaluate "Estonian security priorities until 2015" objectives. The Ministry of Justice, gives his annual report, "Crime in the Estonia"⁴ short overview on criminal statistics. 2013 Yearbook briefly comments on the criminal proceedings relating to human smuggling facilitators.</p> <p>Several EU and Estonian national legislation acts regulates combating irregular migration: Schengen Borders Code, State Borders Act, Aliens Act, the border regime regulations and Penal Code – for criminal proceedings (illegal entry of the border, perpetrated by a group). By the Aliens Act there is regulated the obligation imposed on the transport driver to control the right of persons being transported across the border to enter the country - the so-called liability of the carrier. Otherwise, if the carrier (of air, ship or bus company) fails to comply with this obligation, the driver is responsible for the return of illegally entered person to the country from which he came. The Penal Code governs the penalty to irregular migrant for the illegal crossing of state border or temporary border line of Republic of Estonia⁵.</p> <p>2. In Estonia, efforts are made to combat illegal immigration and smuggling of human beings on four different levels of operation: in countries of origin and transit, in the neighboring areas, at external borders and within the country. The measures include visa policy, immigration policy, effective border control, effective return policy, international police cooperation and information exchange, disseminating accurate information, monitoring aliens within the country.</p> <p>Practical cooperation with neighboring states is carried out on all levels and bilateral agreements cover any kind of cross-border cooperation, incl. prevention and preventing of cross-border crime, exchange of data, risk analysis, detection of narcotic substances and ammunition and illegal transportation across the border as well as human trafficking. In addition to bilateral cooperation, Estonia is also involved in multilateral cooperation and regional initiatives (e.g BSRBCC, the Baltic Council of Ministers). A framework agreement on partnership has been entered into force with Frontex (Framework Partnership Agreement).</p> <p>In the nearest future, the Police and Border Guard Board is planning to establish a special border guard unit to counter cross border crime and react much faster to any to border incidents.</p>
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¹ www.riigiteataja.ee/akt/13314462

² www.riigiteataja.ee/akt/12979629

³ www.riigiteataja.ee/akt/13329831

⁴ Kuritegevus Eestis, 2013, Justiitsministeerium http://www.kriminaalpoliitika.ee/sites/www.kriminaalpoliitika.ee/files/elfinder/dokumendid/18_kuritegevus_eestis_2013.pdf, in Estonian

⁵ Penal Code § 259 1,2,3 <https://www.riigiteataja.ee/en/eli/521082014001/consolide>

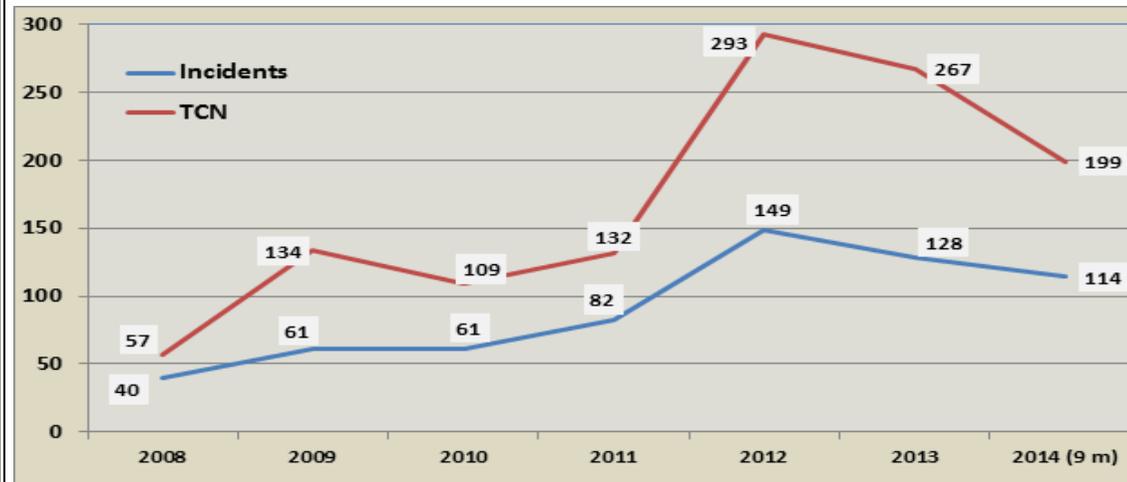
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3. The main research work on this area has been done by Estonian Academy of Security Sciences Bachelor or Master's thesis. Although there is no specific, research on policy of human smuggling enforcement, thesis provides the guidance's to improve and develop the works in field of prevention of Estonian cross-border crime.

There is one thesis on migrant smuggling in Estonia⁶, in which the author brings out a very analytical analysis of people-smuggling journeys, as well as the smugglers' profiles. Unfortunately, this is the only study in this field and the information is outdate.

For internal use, the PBGB compiles time to time a risk analysis of irregular migration, but documents are not for public use.

4. 1. 1. Irregular migrants 2008-2014⁷ (9 m) and irregular migration cases 2008-2014 (9 m)



4.1.2. Irregular migrants by nationality 2014 (9m)

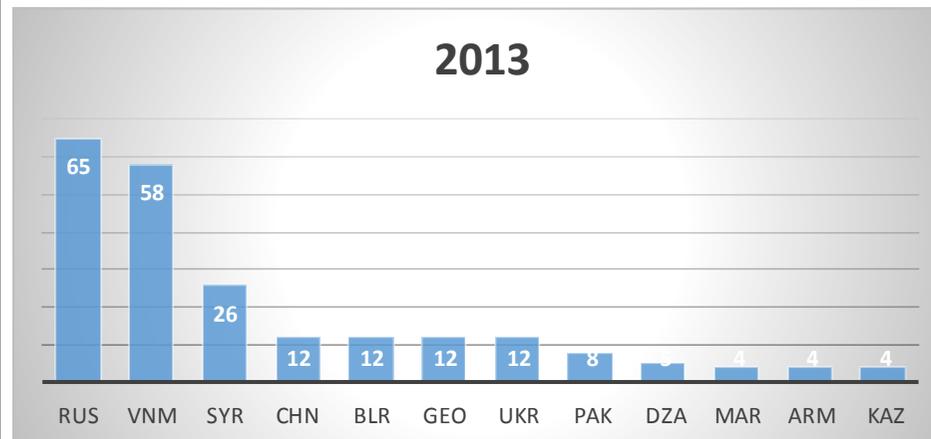
⁶ Päske, Ivo, Inimsmugeldamine ja Eesti, Sisekaitseakadeemia, Tallinn 2003 eesti keeles

⁷ Not all these TCN are smuggled immigrants, but mostly. Usually due to the geographical position not smuggled are RUS, UKR and BLR citizens, who's visa is just expired.

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4.1.3. Irregular migrants by nationality 2013



4.2 -

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			5. 1. Number of persons convicted by national authorities 2008-2013, ⁸												
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2008	2009	2010	2011	2012	2013										
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			6. -												
	Finland	Yes	<p>1. The main authorities involved in the prevention of illegal immigration in Finland are the following:</p> <ul style="list-style-type: none"> • The Ministry for Foreign Affairs is the central authority responsible for Schengen visa matters. The foreign representations of Finland and other Schengen States carry out the prevention of illegal immigration and trafficking in human beings from third countries whose citizens require a visa to enter the Schengen area. • The Finnish Border Guard is responsible for border control, participates in the monitoring of aliens and combats cross-border crime. Border control comprises not only checks on persons at border crossing points and surveillance between these border crossing points, but also an analysis of the risks for internal security and analysis of the threats that may affect the security of external borders. • Finnish Customs is responsible for monitoring goods traffic, carrying out separately defined border control activities and fighting customs crime as well as threats to health and security posed by international supply chains. Customs carries out passport inspections on fishing and cargo vessels at ports as well as passport inspections on airborne vessels at airports determined by the Ministry of the Interior. Customs also grants transit visas for seamen's journeys home. • The Finnish Police is the general authority charged with maintaining public order and security as well as preventing and investigating crimes. In addition, the Police carries out other assigned tasks such as monitoring compliance with the Aliens Act and related regulations. The Police also acts as an authority in matters related to alien's permits and carries out separately assigned border inspections. Monitoring aliens within Finland is primarily the responsibility of the Police. • The Ministry of Transport and Communications is, in cooperation with the Russian authorities, responsible for developing cross-border traffic arrangements. • The Border Guard and Customs are responsible for the fluidity of cross-border traffic and they participate in developing cross-border traffic arrangements. • The Ministry of the Interior's Migration Department plays a key role in combating illegal immigration by preparing policy and legislation on illegal immigration and trafficking in human beings according to its political guidance. The Migration Department also carries out key tasks related to bilateral, international and EU cooperation related to illegal immigration and trafficking in human beings. • The Finnish Immigration Service is responsible for decision-making on immigration, international protection and citizenship. It also participates in monitoring aliens within the country and also makes decisions on matters related to removal from the country and prohibition of entry. 												

⁸ Kuritegevus Eestis, 2013, Justiitsministeerium http://www.kriminaalpoliitika.ee/sites/www.kriminaalpoliitika.ee/files/elfinder/dokumendid/18_kuritegevus_eestis_2013.pdf, in estonian

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		<ul style="list-style-type: none"> • The Joutseno reception centre coordinates the operation of the National Assistance System for Victims of Trafficking. • The Metsälä and Joutseno Detention Units are responsible for the detention of persons to be removed from the country. (Persons to be removed may be detained in police facilities under special circumstances). • Occupational safety and health authorities monitor foreign nationals' work permits and maintain information related to employment. <p>Action to combat illegal immigration is monitored and coordinated by a cross-sectoral working group on combating illegal immigration, the 'LAMA' working group, operating under the management of the National Police Board. Besides the Police, the working group also comprises representatives of the Finnish Border Guard, Customs, the Finnish Immigration Service, the Ministry for Foreign Affairs, the Ministry of Social Affairs and Health, the Ministry of the Interior and the prosecution service.</p> <p>The aim of the activities of the working group is to monitor and enhance the fight against illegal immigration in all its forms. The tasks of the working group are:</p> <ol style="list-style-type: none"> a) to monitor phenomena associated with illegal immigration and residence and to share information thereon, b) to develop cooperation and information-sharing between the authorities in combating illegal immigration, c) to promote for its part development in combating illegal immigration and to submit proposals for the enhancement of activities, d) to monitor, assess and report on the realisation of the Action Plan against Illegal Immigration and to launch the preparation of a new action plan well in advance of the expiration of the current Action Plan; according to the decision on the appointment of the working group, a report on the realization of the Action Plan against Illegal Immigration is to be submitted biannually to the management group for internal security and the management group of the Ministry of the Interior, and e) to ensure the availability of up-to-date information about the fight against illegal immigration for decision-making purposes. In order to accomplish this task, the working group steers the drafting of the situational awareness report prepared by the National Bureau of Investigation. <p>The working group prepares an annual cross-sectoral assessment report on the fight against illegal immigration. The purpose of the report is to provide up-to-date information about how various authorities see the current state of illegal immigration and how they are succeeding in their efforts against illegal immigration.</p> <p>Contact person regarding the Action Plan against Illegal Immigration: Superintendent Mia Poutanen, National Police Board, tel. +358 295 481 760.</p> <p>2. The Future of Migration 2020 Strategy which was adopted in the form of a Government Resolution on 13 June 2013 (http://issuu.com/sisaministerio/docs/maahanmuuton_tulevaisuus_2020_eng_1?e=0/6183646) contains the following guidelines related to illegal immigration:</p> <ul style="list-style-type: none"> • Illegal immigration and human trafficking must be prevented and tackled through collaboration with the authorities in the source countries, in Finland's neighbouring regions, at the EU's external border and within Finland, and by developing the border security system at national and EU level, taking into account the requirements for respecting fundamental rights and for data
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			<p>protection.</p> <ul style="list-style-type: none"> • The activities of liaison officers at Finland’s diplomatic missions in countries of origin must be further developed while respecting legal protection of applicants. • Monitoring of internal mobility within the Schengen Area must be enhanced to combat illegal entry and human trafficking. <p>The Action Plan against Illegal Immigration 2012-2015 (http://www.intermin.fi/julkaisu/412012?docID=39442) is devised in such a manner that measures to combat illegal immigration are taken cross-sectorally by Finnish authorities primarily at four levels: (1) in the countries of origin and transit for illegal immigration, (2) in neighbouring areas, (3) at the external borders, and (4) in the territory of Finland.</p> <p>The Action Plan contains 21 proposed measures, responsibility for the implementation of these measures being allocated to various authorities. The following measures have the most potential to tackle migrant smuggling:</p> <p><u>Measures requiring changes in legislation</u></p> <ol style="list-style-type: none"> 1. Updating of powers in control of foreign nationals 3. Ordering prohibitions of entry on persons residing abroad 4. Facilitation of illegal entry and documents procured under false pretences (Chapter 17, section 8 of the Criminal Code) <p><u>Measures in countries of origin and transit</u></p> <ol style="list-style-type: none"> 7. Continued provision of training to mission staff on combating illegal immigration 8. Closer cooperation between the authorities and carriers 9. Further development of the liaison officer network to combat illegal immigration <p><u>Measures in neighbouring areas</u></p> <ol style="list-style-type: none"> 10. Action to combat illegal immigration and human trafficking will be enhanced with the competent authorities of Russia <p><u>Measures in external border control</u></p> <ol style="list-style-type: none"> 13. External border control will be developed in line with the Finnish Border Guard’s Strategy 2022 <p><u>Measures in the territory of Finland</u></p> <ol style="list-style-type: none"> 16. Memorandums of Understanding will be drafted with countries which are of significance in terms of removal decisions but the enforcement of removal decisions to which presents a challenge <p>The working group on combating illegal immigration operating under the management of the National Police Board will monitor the implementation of the Action Plan by the various authorities. The working group will submit a report on the implementation of the Action Plan at six-month intervals to the ministerial working group on internal security and to the steering group of the Internal Security Programme.</p> <p>Finnish missions abroad:</p> <p>Finland’s missions take part in combating illegal immigration with the aim of preventing Schengen visas granted for visits from being used for unauthorised location in the Schengen area. Illegal entry and illegal immigration may be combated proactively through action</p>
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<p>taken by the missions. Proactive measures are effective, cost-effective and important to public order and security. Particular attention should be paid to the allocation of adequate resources to the missions and to the maintenance of staff expertise in combating illegal immigration. The resources available to the missions are of vital importance to combating illegal immigration. Thorough and timely interviews conducted by the missions, their investigation of original documents and their local knowledge are prerequisites to effectively combating illegal immigration. Immigration experts whose primary task is to combat illegal entry into the Schengen area are attached to certain missions.</p> <p>The local cooperation between the missions of Schengen countries should be further developed especially in the most intensive illegal migration countries of origin and transit. All national competent authorities and EU working groups are required to work together if this aim is to be achieved. Finland has for its part intensified its training provision to Finnish missions based in these areas by providing regional training and organising fact-finding journeys for the 'LAMA' working group. The national competent authorities have taken part in both, and during both meetings with the experts of other Member States have also been arranged.</p> <p>Liaison officer activities conducted abroad:</p> <p>The Police, Customs, the Border Guard, the Finnish Immigration Service and the Ministry for Foreign Affairs currently have 25 liaison officers posted abroad. Part of their job description is to combat illegal immigration and trafficking in human beings. Many of the liaison officers are based at Finnish foreign missions.</p> <p>Liaison officer activities targeting migration, i.e. immigration liaison officer (ILO) activities, were intensified during the term of the previous Action Plan against Illegal Immigration through joint projects among the authorities, in the manner required under the Action Plan, and by making use of the European Union's External Borders Fund. The activities should further be intensified by posting immigration liaison officers in the key regions of origin for illegal immigration to Finland. The development and coordination of ILO activities is the duty of the cross-sectoral working group headed by the Ministry of the Interior, where the Ministry for Foreign Affairs and Customs are also represented.</p> <p>The authorities involved in the prevention of illegal immigration have had a total of three jointly funded immigration liaison officers (ILO) posted abroad (in Addis Abeba, New Delhi and Abuja) in the joint service of the authorities since 2009.</p> <p>The Police currently have eight permanent liaison officers posted abroad to provide support to national anti-crime action and criminal investigations: three in Russia, two at Europol and one each in Spain, China and Estonia. The Police also have two part-time liaison officers posted in Petrozavodsk and Murmansk and an officer seconded to the Interpol, the latter not under the official designation of liaison officer. The Police also take part in the ILO activities in Abuja. The Finnish Security Intelligence Service has short term officers posted at certain Finnish foreign missions to provide support to the missions as they investigate fulfilment of the requirements to entry.</p> <p>The Nordic Police and Customs cooperation (PTN) involves, among other things, the common use of liaison officers to allow the liaison officers of another Nordic country to be used for information-sharing purposes. All told, the Nordic countries have over thirty liaison officers based in sixteen countries. The members of the Baltic Sea Task Force (BTSF) have agreed on the common use of their respective</p>

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		<p>liaison officers.</p> <p>The liaison officer network of the Finnish Border Guard consists of liaison officers based at offices of the Ministry for Foreign Affairs in Petrozavodsk, Murmansk, St Petersburg, Moscow, Tallinn, Riga and Beijing. Like the Police and Customs, the Border Guard also aims to support national crime prevention action with its liaison officer activities. As laid out in Council Regulation (EC) No 377/2004 on the creation of an immigration liaison officers network, the Border Guard's ILOs are tasked with contributing to the prevention and combating of illegal immigration, the return of illegal immigrants and the management of legal migration. The ILOs provide support in the examination of visa and residence permit applications, examine suspect travel documents and other documents having to do with travel, and provide training and support to office staff in verifying the authenticity of travel documents. The Border Guard's ILOs also work in close cooperation with the Police and Customs liaison officers posted at Finland's missions.</p> <p>Other action in third countries:</p> <p>The authorities and the national carrier Finnair have an excellent relationship as concerns the fight against illegal immigration and trafficking in human beings. The Finnish Border Guard has been active in providing training to Finnair's ground services staff whenever Finnair has launched new routes to high-risk destinations. The carrier also complies with the recommendations of official liaison officers based at foreign airports on whether persons in possession of documents obtained on false pretences and persons travelling for non-authorised purposes should be allowed to board. ILO action of this kind has been undertaken by Member States at least in service to India, China, Thailand and Japan.</p> <p>On its long-haul flights and its website, Finnair additionally screens the video prepared and published by the Police in support of efforts to prevent human trafficking. The video is designed to facilitate the identification of victims of trafficking and their referral to the national assistance system for victims of trafficking.</p> <p>The Finnish Border Guard has also provided training to other commercial airlines in connection with the launch of routes to destinations where the risk of illegal migration is high. This established training provision will also be continued in the future whenever service commences to a new high-risk destination.</p> <p>Action in neighbouring areas:</p> <p>The Finnish Border Guard engages in both bilateral and multilateral border management cooperation. Finland and Russia have concluded an agreement concerning the régime of the Finnish-Russian state border, which specifies the operational levels of border management cooperation. At the highest level are meetings between the heads of the Finnish Border Guard and the Russian Federal Border Service. The preparatory and executive body at the highest level is the permanent joint Finnish-Russian border working group which sets up separate sub-working groups as necessary. An example of such groups is the operational sub-working group, the main task of which is to address cross-border crime at the operational level.</p> <p>Under the régime agreement, Finland and Russia have in place border delegates at the regional level. The border delegates for Finland are</p>
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		<p>the commanders of the four land border guard districts and for Russia, the equivalent persons. Cooperation between the border delegates is equivalent with the second sphere of the four-tier access control model which makes up part of the EU's integrated border management strategy. Under the régime agreement, the border delegates are obligated to take necessary action to prevent any incidents which may occur at the border. They also investigate and, when necessary, resolve any eventual border incidents. The cooperation includes information-sharing on border security matters, the situation on the border (risk analysis), the necessary proactive measures, and agreeing on the operations of border crossing points. The cooperation with the Russian Federal Border Service has been successful.</p> <p>The Baltic Sea Region Border Control Cooperation (BSRBCC) is a border security cooperation forum established in 1996 on Finland's initiative. Its members include all Baltic Sea countries and Norway, with Iceland furthermore involved in the capacity of observer. The forum's activities cover cooperation between the border management authorities of the Member States in combating cross-border crime and in maritime environmental protection. While the focus is on activities at sea and in ports, other borders have not expressly been excluded from the mandate. The cooperation has a rotating presidency and a national coordination centres operating 24/7 in each State. The Finnish centre is located in the town of Turku, at the command centre of the West Finland Coast Guard District. Information-sharing takes place via Coastnet, BSRBCC's dedicated encrypted data transmission system used to transmit, for example, periodical and ad hoc reports on the cross-border crime situation at sea and in ports.</p> <p>In the field of combating illegal immigration, neighbouring area cooperation related to policing is pursued within the framework of the annually convened Nordic police chiefs' forum, for example. While the forum primarily addresses matters of asylum and removal, action to combat illegal immigration also has a powerful presence on the agenda. Effective modes of operation that would allow jointly to expedite the removal of illegal residents and to combat illegal immigration are sought through Nordic cooperation. The agenda most recently featured arranging joint Nordic return flights to 'countries of difficult return' and deliberation on the posting of a joint Nordic ILO to a given destination with funding primarily from the EU External Borders Fund (90%). Norway is responsible for the examination and planning of this project.</p> <p>The Finnish Police, Customs and the Border Guard also take part in action to combat illegal immigration and trafficking in human beings through the Baltic Sea Region Task Force (BSTF). The body of the Task Force responsible for operational cooperation is the Operative Committee (OPC). The Task Force consists of police, customs and border control authorities and also, to a certain extent, prosecution services. The OPC is tasked with making recommendations for suitable joint action for the Task Force, assuming responsibility for the implementation of ongoing and planned operational action, and serving as a multi-sectoral expert body for operational affairs. The main forms of crime addressed in the cooperation are the various forms of organized crime. Forms of cooperation include joint analysis teams and investigation teams as well as topic-specific operations. The BSTF is also an implementer of Priority Area 15 of the EU Strategy for the Baltic Sea Region, "to decrease the volume of and harm done by cross-border crime".</p> <p>Practical cooperation in combating illegal immigration is also carried out in the various working groups of the EU and EU agencies (Europol and Frontex). The EU has several illegal immigration policy and legislation development projects underway, as well as Council working groups on information-sharing and the monitoring of activities. The Finnish authorities also share information about illegal migration.</p>
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<p>Another important cooperation forum in combating illegal immigration is the Immigration Fraud Conference (IFC), in which the police authorities of its 21 member states are involved. The Forum addresses travel document fraud and its links to the prevention of illegal immigration. Finland has been an official member of the IFC since 1990.</p> <p>The International Air Transport Association Control Authority Working Group (IATA/CAWG) is a 20-member strong international cooperation forum for authorities and airlines. The Finnish delegation to the IATA/CAWG consists of representatives of the national carrier, the Police and the Border Guard. Finland joined the forum in 2000 after observer membership and an election.</p> <p>The Intergovernmental Consultations on Migration, Asylum and Refugees (IGC) provide a framework for immigration and law enforcement authorities to share information and discuss migration flows among 17 states, the UNHCR, the IOM and the European Commission. Key sectors for the IGC include the monitoring of removal functions, asylum matters and illegal migration flows. Finland is also a member of long standing in this forum.</p> <p>The 2000 Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union has enhanced the effectiveness of traditional international criminal judicial assistance procedures and enabled the use of new technologies in the field. In practice, one of the most important tools in the investigation of international criminal offences introduced pursuant to the Convention is the Joint Investigation Teams (JIT). The Act concerning these came into force in Finland at the beginning of 2003.</p> <p>Joint Investigation Teams have been utilised in the investigation of international criminal offences related to illegal immigration when the investigation has required operational collaboration between the authorities of two or more Member States. A JIT may be established by agreement between the authorities of two or more Member States for the purpose of investigating a given offence or set of offences. The establishment of the team is processed in each Member State as a request for judicial assistance comprising all investigative measures to be used in investigation under the Convention, thus eliminating the need for separate requests concerning searches of premises or interrogations, for example. Team members are also given broader authority to take part in the aforementioned investigative measures in team States together with the national authorities. Pre-trial investigation teams comprising authorities from several States have been instrumental in solving extensive human trafficking cases extending to several countries.</p> <p>Action at external borders:</p> <p>The Finnish Border Guard is responsible for border control, takes part in the control of foreign citizens, and combats cross-border multi-sector crime. The Border Guard identifies border management risks and generates situational data and development assessments for combating illegal immigration. At the external borders, the Border Guard works in close cooperation with both foreign and domestic authorities, such cooperation involving measures related to investigation, control and intelligence. Cooperation between the Police, Customs and the Border Guard (PCB activities) at the external borders is a prerequisite for effective action to combat illegal immigration. Besides the Border Guard, border checks are also carried out by the Police and Customs.</p> <p>Action in the territory of Finland:</p>
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		<p>The Police are the general authority for maintaining public order and security and for preventing and investigating crime, and in this capacity the Police combat both crime within Finland and cross-border crime. The Police have primary responsibility for the control of foreign nationals within Finland and the enforcement of removal decisions. Control of foreign nationals is a part of the action taken to combat illegal immigration. The local police and the Traffic Police have a central role in the control of foreign nationals within Finland when the aim is to locate illegal residents. The task of the National Bureau of Investigation in combating illegal immigration is to assemble and share information and to serve as an expert body. The National Bureau of Investigation also coordinates the national themed surveillance events each year and maintains situational awareness regarding illegal immigration. The Finnish Security Intelligence Service also takes part in combating illegal immigration within the framework of its field of operations. The Finnish Border Guard carries out control of foreign nationals alongside border control.</p> <p>Supervision and inspections by the occupational health and safety authority (field of responsibility of occupational health and safety at regional state administrative agencies) having to do with foreign nationals are directed at employers. Any unauthorised workers are reported by the occupational health and safety authority to the Police for investigation of work permit offence and/or employer's violation of the Aliens Act.</p> <p>The effective enforcement of removal decisions is an important component in effective action to combat illegal immigration. Finland has for long been one of the most effective countries in Europe in the enforcement of removal decisions. Each year, the Police are successful in removing from the country roughly 60-70% of those to whom a removal decision has been issued. The number of those removed from the country has risen annually; in 2008, the Police enforced roughly 1,100 removal decisions while the equivalent figure in 2011 was over 2,200. The record year in terms of removal decisions was 2010, when nearly 2,900 decisions were enforced. This is equal to the daily removal of more than ten persons to whom removal decisions had been issued.</p> <p>A current barrier to effective removal activities is the backlog of enforceable removal decisions to 'challenging' destinations (Iraq, Somalia, Afghanistan) to which the return of persons is exceedingly difficult if not wholly impossible. A conceivable solution in respect of such countries might be the drafting of bilateral Memorandums of Understanding and intensified measures of voluntary return to the said countries. The readmission agreements with third countries negotiated by the EU and the bilateral protocols on the enforcement of such agreements will also serve to facilitate practical cooperation in the enforcement of removal decisions.</p> <p>Persons to be removed from the country should also be identified more effectively by means of multi-authority cooperation. The Immigration Police of the Helsinki Police Department was the implementing party in a project aiming to increase the efficiency of removals especially through the improved identification of persons to be removed. Within the project, contacts were made with third-country missions and local authorities in order to procure travel documents and thereby to streamline the enforcement of removal decisions. The enforcement of removal decisions is also hampered by the lack of consistent models or regulation within the EU regarding the travel document required in connection with the enforcement. The type of document required to readmit to their state of residence foreign nationals who are legally resident in another EU Member State but to whom a removal decision has been issued in Finland has not been determined.</p> <p>A national system of voluntary return might be introduced to support the enforcement of removal decisions, thus steering an increasing</p>
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			<p>number of those to be removed from the country to choose to leave voluntarily instead of having to be forcibly returned. In the context of its EU-funded removal projects, the Helsinki Police Department has worked together with parties including the IOM to foster voluntary returns. The Ministry of the Interior has also pursued isolated voluntary return projects while the Finnish Immigration Service in early 2012 drafted a Memorandum of Understanding with Somaliland to foster voluntary returns. A national system of voluntary return is yet to be established, however.</p> <p>3. Approximately 90% of those entering Finland illegally arrive via the internal borders of the EU. The authorities are not able to use border checks to intervene in entry made via the internal borders of the Schengen Area, which therefore increases the importance of monitoring by the authorities within national borders. When the monitoring of aliens is increased within the country, more illegally staying persons are found.</p> <p>The liaison officer operations have proved effective in practice. Increasing liaison officer operations will lead to the increased exposure of misuses.</p> <p>4. Please see the attachments.</p> <p>5. Please see the attachments.</p> <p>6. N/A</p>
	<p>France</p>	<p>Yes</p>	<p>1. The main actors involved in the development of policies addressing migrant smuggling in France are two services within the Ministry of the Interior that are placed under the authority the Central Directorate of the French Border Police (<i>Direction Centrale de la Police aux Frontières – DCPAF</i>):</p> <ul style="list-style-type: none"> • OCRIEST: the French Office for the Suppression of Unauthorised Immigration and the Employment of Foreigners without Residence Permits (<i>Office Central pour la Répression de l'Immigration irrégulière et de l'Emploi d'étrangers Sans Titre</i>). The OCRIEST leads the fight against organised networks of irregular immigration, the employment of foreigners without residence permits, and document fraud falling within its area of competence. • UCOLTEM: the French Unit for the Operational Coordination of Measures to Combat the Trafficking and Exploitation of Migrants (<i>Unité de Coordination Opérationnelle de la Lutte contre le Trafic et l'Exploitation des Migrants</i>). UCOLTEM is a platform for the exchange of information and operational intelligence that maximizes the work of investigators in their daily fight against organised networks of irregular immigration.

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In France, OCRIEST is in charge of the operational coordination of the fight against irregular immigration and takes actively part in repressive actions of international scale. UCOLTEM and OCRIEST work together in close and successful partnership. In particular UCOLTEM manages all the requests for international cooperation for OCRIEST and other investigation services of the French Border Police, and regularly calls on its large network of partners (from France or abroad) to respond to the investigators' demands.

UCOLTEM is divided in two entities:

- Unit for Research and Exploitation of Operational Data (*Unité de Recherche et d'Exploitation des Données Opérationnelles – UREDO*)
- Unit for Operational Intelligence and External Partners (*Cellule d'Intelligence Opérationnelle et des Partenaires Extérieurs – CIOPE*)

- OCRIEST's official mandate: Decree n° 96-691 of the 6th of August 1996 establishing OCRIEST (*Décret n° 96-691 du 6 août 1996 instituant l'OCRIEST*).
- UCOLTEM's official mandate: Order of the 1st of February 2011 related to the missions and the organisation of the Central Directorate of the French Border Police (*Arrêté du 1^{er} février 2011 relatif aux missions et à l'organisation de la direction centrale de la police aux frontières*).

Contact details:

- **Julien GENTILE**
Divisional Commissioner, Head of OCRIEST and UCOLTEM
dcpaf.ocriest@interieur.gouv.fr
27, cours des Petites-Écuries 77185 Lognes
+ 33 1 60 37 10 79
- **Anne-Laure ARRASSUS**
Deputy Commissioner (OCRIEST)
anne-laure.arrassus@interieur.gouv.fr

2. The specific policies aimed at preventing and contrasting migrants smuggling are the following:

- National strategy, Action plan, etc.:

Circular of the 11th of March 2013 related to the fight against irregular immigration ([Circulaire du 11 mars 2013 relative à la lutte contre l'immigration irrégulière](#))

- Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings:
Foreign liaison officers serving UCOLTEM enable the exchange of elements of investigation. Moreover, immigration liaison officers (*officiers de liaison immigration – OLI*) and safety immigration advisers (*conseillers sûreté immigration – CSI*) are spread all around the world, mainly in the main countries of origin and transit. 43 in number, their mission is to help in the identification of facilitators, in direct contact with the public authorities of the country where they are settled. They also communicate information related to the new observed trends regarding flows and

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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			<p>operating modes. They directly take part in technical cooperation while administering trainings in the area of combating document fraud used in the framework of immigration networks.</p> <ul style="list-style-type: none"> – Coordination mechanisms to exchange data and share knowledge-based information: UCOLTEM has created a European community of Intelligence, in the framework of the EMPACT/OAP 2013 project related to the fight against irregular immigration. It is a network of professionals from different European countries, with the aim of exchanging intelligence ahead of judiciary investigations in order to dismantle networks of irregular immigration. <p>3. NA.</p> <p>4. and 5. Please refer to the <u>Excel sheet</u> attached and entitled ‘Facilitators and facilitated (smuggled) immigrants - Entry on French territory 2009 – 2013’.</p> <p>6. Geographical origin of facilitated (smuggled) immigrants by year :</p> <table border="1" data-bbox="622 762 1832 1295"> <thead> <tr> <th>2010</th> <th>2011</th> <th>2012</th> <th>2013</th> <th>31/08/2014</th> </tr> </thead> <tbody> <tr> <td>BRAZIL</td> <td>BRAZIL</td> <td>ALGERIA</td> <td>ALGERIA</td> <td>TUNISIA</td> </tr> <tr> <td>CHINA</td> <td>TUNISIA</td> <td>BRAZIL</td> <td>BRAZIL</td> <td>CHINA</td> </tr> <tr> <td>VIETNAM</td> <td>ALGERIA</td> <td>CHINA</td> <td>MOROCCO</td> <td>MOROCCO</td> </tr> <tr> <td>COMOROS</td> <td>TURKEY</td> <td>CONGO RDC</td> <td>CONGO RDC</td> <td>COTE D'IVOIRE</td> </tr> <tr> <td>INDIA</td> <td>PAKISTAN</td> <td>PAKISTAN</td> <td>HAITI</td> <td>BRAZIL</td> </tr> <tr> <td>MOROCCO</td> <td>VIETNAM</td> <td>TURKEY</td> <td>CHINA</td> <td>ALGERIA</td> </tr> <tr> <td>ALGERIA</td> <td>CHINA</td> <td>CAMEROON</td> <td>ALBANIA</td> <td>PAKISTAN</td> </tr> <tr> <td>TURKEY</td> <td>MALI</td> <td>DOMINICAN REPUBLIC</td> <td>ROMANIA</td> <td>CAMEROON</td> </tr> <tr> <td>PAKISTAN</td> <td>CAMEROON</td> <td></td> <td>TUNISIA</td> <td>COMOROS</td> </tr> <tr> <td>ROMANIA</td> <td></td> <td></td> <td>AFGHANISTAN</td> <td></td> </tr> </tbody> </table>	2010	2011	2012	2013	31/08/2014	BRAZIL	BRAZIL	ALGERIA	ALGERIA	TUNISIA	CHINA	TUNISIA	BRAZIL	BRAZIL	CHINA	VIETNAM	ALGERIA	CHINA	MOROCCO	MOROCCO	COMOROS	TURKEY	CONGO RDC	CONGO RDC	COTE D'IVOIRE	INDIA	PAKISTAN	PAKISTAN	HAITI	BRAZIL	MOROCCO	VIETNAM	TURKEY	CHINA	ALGERIA	ALGERIA	CHINA	CAMEROON	ALBANIA	PAKISTAN	TURKEY	MALI	DOMINICAN REPUBLIC	ROMANIA	CAMEROON	PAKISTAN	CAMEROON		TUNISIA	COMOROS	ROMANIA			AFGHANISTAN	
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	Germany	Yes	Question 1																																																							

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			<ul style="list-style-type: none"> ▪ Task force II (Internal Security) of the Standing Conference of Interior Ministers; ▪ working group comprising the heads of the Land offices of criminal investigation and the Federal Criminal Police Office ('AG Kripo); ▪ AG Kripo crime-fighting commission (KKB); ▪ police forces of the federal Länder; ▪ Federal Criminal Police Office as the German central office for information and intelligence in the field of criminal investigation; ▪ Federal Police <p>Question 2</p> <p>National:</p> <ul style="list-style-type: none"> ▪ The Federal Criminal Police Office is the central office for the national and federal police forces in matters relating to information and intelligence in the field of criminal investigation – including measures to combat people smuggling ▪ The Joint analysis and strategy centre for illegal migration (GASIM) brings together seven authorities to pursue the inter-ministerial analysis of irregular migration to Germany on a strategic level, to develop strategic approaches to combating this problem and to advise politicians in decision-making processes in this area. ▪ There is an integrated nationwide police database for the crime category of people smuggling. ▪ The Federal Police's integrated border management represents the strategic concept to prevent and combat illegal migration and is based on the EU Integrated Border Management model. It thus includes the four-stage entry control model, the detection and prosecution of cross-border crime in consultation with all competent prosecuting authorities, cooperation between all relevant authorities in the field of border management (border control, customs, police, national security services and other relevant authorities), international cooperation and coordination of measures by member states and the institutions and other establishments of the EU. ▪ Detailed replies to the issues raised (measures in third countries, deployment of liaison officers, forms of national cooperation for the exchange of information, etc.) were provided by Germany in response to the questionnaire on Schengen evaluation 2015 in the sections on "Border Management" and "Police Cooperation" and can be taken from this document, which was submitted to the EU Commission in September 2014. ▪ For the Federal Police, enactment of the "Aktionsplan Fahndung" ('Action plan for investigations') in 2009 and "Fortschreibung 2014" ('Update 2014'). ▪ Examination of findings by Federal Police officers deployed abroad and implementation in wanted persons files drawn up to prevent irregular migration to Germany. ▪ "German Migration Information Campaign Chechnya" by BAMF and IOM - an information campaign website with a view to contributing to an increased awareness amongst the Chechen population in the Russian Federation of legal migration channels and promoting realistic expectations of filing asylum applications in Germany (since January 2014) ▪ To apply for asylum from abroad will not be considered. <p>International:</p> <ul style="list-style-type: none"> ▪ Federal Criminal Police Office as the central national office for INTERPOL, EUROPOL and SIRENE to ensure the coordinated handling of communications with foreign partners.
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			<ul style="list-style-type: none"> ▪ Anticipatory strategy involving the dispatch of liaison officers from the Federal Criminal Police Office to countries which, in addition to other key factors, are countries of origin or transit countries for irregular migration (e.g. Afghanistan, Pakistan or Morocco). ▪ Establishment and maintenance of a liaison office at Europol. ▪ Participation in the international operative Europol project FIMATHU (Facilitation of Illegal Migration affecting Austria and Hungary), which is concerned with fighting illegal people smuggling on the Balkans route. ▪ Participation in so-called common action days, on which simultaneous executive measures coordinated between the various countries involved are carried out against people-smuggling groups. ▪ UN Convention against Transnational Organised Crime, including additional protocol on the smuggling of migrants. ▪ Baltic Sea Task Force <p>Question 3 The Joint analysis and strategy centre for illegal migration (GASIM) analyses and evaluates strategic, legal and operative national and international indicators which influence migration and offers evaluation products tailored to specific levels and addressees.</p> <p>Question 4 See enclosure.</p> <p>The "Facilitated immigrants" worksheet contains all smuggled immigrants recorded by the Federal Police. Persons recorded by the federal Länder are not included. A breakdown according to age and gender is not possible.</p> <p>The other worksheets contain the records from police crime statistics on persons illegally entering and illegally resident in the country from 2009 to 2013. Assessment according to types of border is not possible. These worksheets include all persons illegally entering and resident in the country – irrespective of whether a smuggler was involved. These data are forwarded to EUROSTAT on a regular basis and are thus known to the Commission.</p> <p>No statistics are kept on whether irregular migrants were previously known to the authorities.</p> <p>Question 5 According to police crime statistics for the Federal Republic of Germany, a total of 11,195 persons (Germans and non-Germans) were arrested in the past 5 years (2009 to 2013) on suspicion of smuggling people on their own, smuggling people for gain and as part of organised bands or smuggling people with fatal consequences. The majority of these suspects came from Turkey, Vietnam, China, the Russian Federation, Serbia, Afghanistan, Iraq and Syria. Only in very few isolated cases were these suspects members of an organised criminal group. This is not recorded in the official police crime statistics.</p> <p>Question 6 From the point of view of the police, a special aspect with regard to combating illegal people smuggling is the fact that the internal border</p>
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			controls no longer apply, although this is a type of crime which can only be established by means of active control measures.
	Italy	Yes	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p> <p>Over the past year, there has been a considerable upsurge of arrivals of TCNs on Italian coasts, with a number of accidents and shipwrecks (on 3 and 11 October 2013, and 12 May 2014, in particular), and a death toll of hundreds of migrants.</p> <p>On 18 October 2013, following the most dramatic shipwreck, the Italian Government launched the Mare Nostrum Operation to fight trafficking in persons and the smuggling of migrants (the date of 3 October was proposed in a bill, which is being examined by Parliament, as a <i>national memorial day</i> for remembering the victims of migration). Mare Nostrum is a «military and humanitarian operation aimed at strengthening patrol and rescue activities in the open sea», using different vessels and aircraft. The operation was arranged to provide both <i>humanitarian assistance</i> and <i>maritime safety and security</i>. More than 91,000 people were rescued from the beginning of the operation to September 2014; unfortunately, 499 were found dead; 1,446 are missing; and more than 500 smugglers of migrants were arrested. (Source: http://www.camera.it/leg17/465?area=10&tema=65&Immigrazione#paragrafo213)</p> <p>Following the above, on 16 May 2014, the Regions, Provinces and Municipalities (that is, all levels of local government) urged the national Government to agree on a common operational plan. In fact, managing the reception of unplanned migration flows through Prefectures alone (Central Government bodies), i.e. without the involvement of local institutions, would have continued to put such strain on the reception system to jeopardize its whole structure. The Plan was approved on 9 July 2014. (See Answer No 2).</p> <p>At present, the main actors and institutions involved in the development of policies addressing migrant smuggling are:</p> <ol style="list-style-type: none"> 1) the State (Ministry of the Interior, through the Department for Civil Liberties and Immigration and the Department of Public Security (Police Force); and Ministry of Foreign Affairs and International Cooperation) <u>in the area of prevention</u>, and 2) the State (Navy, Air Force, Carabinieri, Guardia di Finanza, Port Authorities, personnel of the Military Corps of the Italian Red Cross and the Ministry of the Interior – State Police), the Regions, Provinces and Municipalities, with the involvement of the Third Sector (Associations and NGOs), <u>in the areas of humanitarian assistance and safety and security at sea</u>. <p>Contacts: MINISTRY OF THE INTERIOR – DEPARTMENT FOR CIVIL LIBERTIES AND IMMIGRATION - Central Directorate for assistance to immigrants and asylum seekers:</p> <p>Bureau I – Planning of immigration and asylum services ▶ Vice-Prefect Maurilia Bove: maurilia.bove@interno.it</p> <p>Bureau II – Reception, temporary stay, assistance and identification centres. Multi-purpose facilities ▶ Vice-Prefect Antonella Dinacci: antonella.dinacci@interno.it</p> <p>Assessment of reception conditions and management of facilities ▶ Vice-Prefect Carmen Cosentino: carmen.cosentino@interno.it</p> <p>Monitoring of migrants' presence in and transfer to facilities</p>

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			<p>►Deputy Vice-Prefect Alba Guggino: alba.guggino@interno.it</p> <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented?</p> <p>As mentioned in the answer to question No 1, the cooperation between State and local authorities led to the working out of a <i>National Plan for Tackling the Extraordinary Flow of TCNs, Adults, Families and UAMs</i>, proposed on 16 April 2014 by the Regions, Provinces and Municipalities, and signed with the Government on 9 July 2014. The Plan is based on the need to:</p> <ul style="list-style-type: none"> ○ strengthen the administrative capabilities of the <i>Questure</i> (Police Headquarters) to speed up identification and recording procedures for asylum applications; ○ increase the number of Local Commissions responsible for examining international protection applications in order to speed up procedures; ○ support and strengthen the reception and protection system for unaccompanied minors. <p>To meet these needs, the <i>Plan</i> has provided for the setting up of coordinated committees, in which some of the members have responsibilities in multiple sectors (health, social protection, labour, etc.) Also, their activities are separated and organized in three stages:</p> <ul style="list-style-type: none"> ○ rescue (Centres of first aid in the Regions of landing); ○ initial reception and qualification (Regional and inter-regional centres/hubs); ○ secondary reception and integration (SPRAR – System of Protection for Asylum Seekers and Refugees), also extended to UAMs. <p>Of course, the above applies to the organization of the assistance provided to migrant arriving in Italian territory.</p> <p>As regards the fight against the crimes of trafficking and smuggling, the situation is more complex. Italian investigation activities have long established that these crimes are similar to those committed by mafia organizations. In fact, Law No 228/2003 (amending Articles 600, 601, 602 and 416 of the Criminal Code):</p> <ul style="list-style-type: none"> ○ extended the entire Italian anti-mafia legislation to the trafficking of human being; ○ identified and criminalized all activities with which trafficking in persons may start and develop; ○ assigned the jurisdiction to investigate this matter to the DDAs (Anti-Mafia District Directorates) and the coordination role to the DNA (National Anti-Mafia Directorate), since these crimes are committed by criminal organizations. <p>However, the crimes of trafficking and smuggling have some differences with mafia crimes due to their supra-national dimension. In fact, as pointed out by the DNA in its 2013 Yearly Report, «the bosses of these different criminal organizations remain [...] abroad; in Italy there are only the last links of the chain, who are responsible for receiving, sorting out and placing the victims on the work place, and of collecting the money from them. [...] This is the reason why in Italy (as in Europe), only those who are responsible for the final acts of exploitation (of people) end up under trial, and not those who organize all the phases of trafficking, from the countries of origin to the countries of transit, and who make money from trafficking» (Pages 428-429).</p> <p>In order to curb this phenomenon, Italy has made a number of cooperation agreements with the countries of origin over the years. These agreements concern: a) the control of illegal immigration and the development of irregular migrants' identification systems; b) training and technical assistance for police forces; c) the exchange of personnel and strategic information; d) equipment and technologies for controlling seas and borders; e) economic support for building and maintaining detention facilities for irregular migrants in the countries of origin and transit; and f) repatriation management.</p>
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		<p>In 2006-2007 the signature of a Re-admission Agreement and the drafting of Guidelines for strengthening bilateral cooperation in the fight against illegal immigration were agreed with Algeria. In 2009 a memorandum signed by the Italian and the Algerian police provided for training activities, study visits, consultancy and assistance, as well as the secondment of Algerian police officials to Italy.</p> <p>A technical assistance programme involved Egypt between 2005 and 2007. It provided for training courses for police, the supply of a patrol boat and technical equipment for forged documents, and financial support for the implementation of an automated fingerprint taking and identification system.</p> <p>Training and drill activities were addressed to Tunisian police forces and four patrol boats were given to the Tunisian Coast Guard for sea patrolling in 2011.</p> <p>Memorandums of understanding were also signed with other African countries. In 2009 a memorandum was signed between the Italian and the Nigerian police to strengthen the fight against illegal immigration, providing for the secondment of Nigerian police officials to Italy as well as training activities. Similar memorandums were signed with Ghana and Niger.</p> <p>As mentioned in the answer to question No 1, on 18 October 2013 the Italian Government unilaterally decided to strengthen the national system for patrolling the Canal of Sicily and the Libyan Sea, through the Mare Nostrum humanitarian operation. Minister Mauro noted that the ships would be used both to identify the <i>mother ships</i> used by the traffickers and that once spotted, the ships would be escorted to the nearest safe port, in compliance with international law. If there aren't any migrants in need of medical assistance, he said, and if the ship is able to sail, it «will be taken to the safest and nearest port, not necessarily Italian'». In fact the operation intercepted and seized the ships, and arrested the crew, thus serving as a deterrent as well. The ships were allowed to get close to the ports where the boats were coming from, in order to intercept the smugglers before they left the ships.</p> <p>Italy does not have measures in force allowing migrants to start asylum procedures in their countries of origin. Generally, Italian legislation currently in force establishes that international protection applications should be submitted at the <i>Border Police</i> on arrival in Italy, or at the <i>Immigration Office</i> of the Questura (Police Headquarters), if the applicant is already in Italy.</p> <p>Italy is involved in projects that are funded or co-funded by the European Commission with Third Countries aimed at combatting the phenomenon of illegal immigration. Some of these projects have been completed (<i>Across Sahara I</i>, with Libya and Niger; <i>Across Sahara II</i>, with Libya and Nigeria; <i>Sahara-MED: prevention and management of irregular migration flows from Sahara Desert to Mediterranean Sea</i>, with Libya; <i>Programme for Stranded Migrants in Libya and Morocco</i> (LIMO), with Libya and Morocco; <i>A comprehensive approach to the effective management of mixed migration flows in Libya</i>, with Libya; <i>Enhancing the cooperation to fight trafficking in human beings from Nigeria to Europe</i>, with Libya; <i>Lutte contre l'immigration illégale et le trafic des êtres humains à travers la participation des familles victimes de l'émigration clandestine, des association organisée de la société civile et des institution locales</i>, with Morocco; <i>Back to the future – A transnational network for unaccompanied minors</i>, with Albania). Others are still under way: <i>Support to the Libyan authorities to enhance the management of borders and migration flows</i>, with Libya. The activities of these projects include: training of police personnel employed to manage migration flows, fight illegal immigration and the trafficking of human being; support assisted voluntary return; acquire information for investigative and intelligence purposes; and provide technical means and equipment. The above projects provided for a general exchange of information, but did not lead to the setting up of a data exchange mechanism.</p> <p>Bilateral agreements for the re-admission of irregular migrants were signed by Italy with EU Member States and Third Countries: Slovenia, Macedonia, Rumania, Georgia, Hungary, Lithuania, Latvia, Estonia, Yugoslavia, Croatia, France, Austria, Albania, Bulgaria,</p>
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			<p>Morocco, Slovakia, Tunisia, Switzerland, Greece, Spain, Algeria, and Nigeria. These countries committed to re-admit their nationals who entered Italy illegally. The only pre-requisite is that the nationality of the migrant in question is ascertained, as evidenced by travel documents, identity card and nationality certificate. In the event that these documents are not available, the migrant is interviewed at the closest diplomatic mission of the country that should re-admit them.</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</p> <p>Official, specific and completed studies on these topics are not available at the moment. There are sources that do not tackle these issues directly, but touch on them. They include:</p> <ul style="list-style-type: none"> ○ <i>Dossier statistico immigrazione - Rapporto UNAR. Dalle discriminazioni ai diritti</i> (Immigration Statistical Dossier – UNAR Report. From Discrimination to Rights) http://www.dossierimmigrazione.it/libro.php?cid=47_89&pid=160 ○ <i>Indici di integrazione degli immigrati in Italia. Attrattività e potenziale di integrazione dei territori italiani (VIII Rapporto) – Rapporto - 16.02.2012</i> (Integration Indices of Migrants in Italy. Attractiveness and Integration Potential of Italian Territories -8th Report) (http://www.cnel.it/271?shadow_documento_altri_organismi=3426) ○ <i>Portale Integrazione Migranti (Migrants' Integration Portal)</i> (http://www.integrazionemigranti.gov.it/ricerche/Pagine/default.aspx) ○ <i>EMN Italia - Settimo Rapporto EMN Italia Immigrati e sicurezza sociale: il caso italiano</i>, IDOS, Roma, 2014 (EMN Italy – 7th EMN Italy Report on Immigration and Social Security: the Italian Case) http://www.interno.gov.it/mininterno/export/sites/default/it/assets/files/28_2014/2014_03_25_VII_Rapporto_EMN_Italia_Sicurezza_sociale.pdf ○ <i>Istituto nazionale previdenza sociale (INPS) - Rapporti su Immigrazione e Previdenza</i> (National Social Security Institute – Reports on Immigration and Social Security) http://www.inps.it/portale/default.aspx?itemdir=9576
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EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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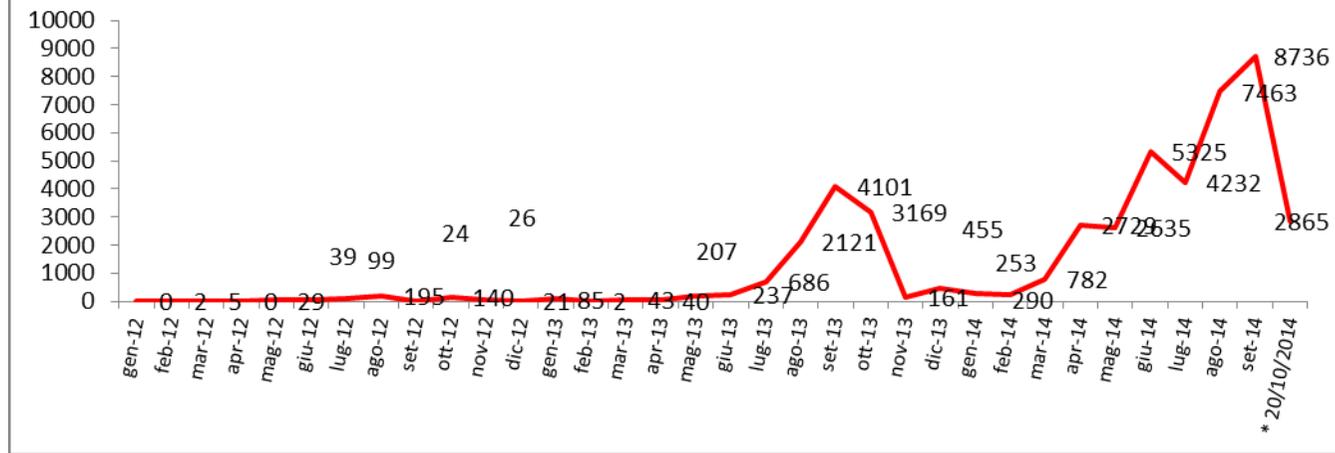
4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years? In the last 5 years arrived in Italy about 273.000 irregular migrants, following the breakdown par year from 2010 to 2014*(up to 20th of October 2014)															
2010			2011			2012			2013			2014*			
Country of Origin	Adults	Minors	Country of Origin	Adults	Minors	Country of Origin	Adults	Minors	Country of Origin	Adults	Minors	Country of Origin	Adults	Minors	
Afghanistan	1.068	631	Tunisia	26.946	1.101	Tunisia	2.268	2.166	Syria	11.307	7.643	Syria	25.799	9.567	
Tunisia	579	71	Nigeria	5.145	335	Somalia	2.179	1.738	Eritrea	9.834	8.907	Eritrea	8	4.109	
Egypt	377	174	Horn of Af.	4.000	157	Afghanistan	1.739	1.020	Somalia	3.263	2.351	Sub-Sahara	18.094	1.320	
Algeria	280	17	Cen.of Af.	3.898	89	Eritrea	1.612	1.461	Egypt	2.728	1.562	Mali	8.391	476	
Iraq	149	12	Ghana	2.445	210	Pakistan	1.247	1.198	Nigeria	2.680	2.563	Nigeria	7.259	475	
Iran	149	10	Mali	2.133	260	Egypt	1.223	827	Gambia	2.619	2.297	Gambia	5.689	1.008	
Palestine	126	2	Afghanistan	1.544	631	Bangladesh	622	555	Pakistan	1.753	1.726	Palestine	3.518	1.367	
Syria	117	74	Egypt	1.429	560	Syria	582	462	Mali	1.674	1.583	Somalia	3.329	1.317	
Turkey	104	8	Pakistan	1.302	121	Nigeria	358	344	Senegal	1.314	1.211	Bangladesh	4.110	213	
Somalia	57	4	Bangladesh	1.199	80	Gambia	348	243	Palestine	1.075	732	Egypt	1.834	1.959	
Other	365	32	Others	8.152	955	Others	1.089	974	Others	4.678	4.014	Others	19.154	1.395	
Total	3.371	1.035	Total	58.193	4.499	Total	10.988	2.279	Total	34.589	8.336	Total	126.485	23.206	
Total	4.406		Total	62.692		Total	13.267		Total	42.925		Total	149.691		

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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			<p style="text-align: center;">ERITREA:</p> <table border="1"> <caption>Monthly Irregular Migration from Eritrea (2012-2014)</caption> <thead> <tr> <th>Month</th> <th>Number of Migrants</th> </tr> </thead> <tbody> <tr><td>gen-12</td><td>0</td></tr> <tr><td>feb-12</td><td>0</td></tr> <tr><td>mar-12</td><td>0</td></tr> <tr><td>apr-12</td><td>39</td></tr> <tr><td>mag-12</td><td>0</td></tr> <tr><td>giu-12</td><td>98</td></tr> <tr><td>lug-12</td><td>11</td></tr> <tr><td>ago-12</td><td>262</td></tr> <tr><td>set-12</td><td>33</td></tr> <tr><td>ott-12</td><td>497</td></tr> <tr><td>nov-12</td><td>25</td></tr> <tr><td>dic-12</td><td>236</td></tr> <tr><td>gen-13</td><td>0</td></tr> <tr><td>feb-13</td><td>0</td></tr> <tr><td>mar-13</td><td>0</td></tr> <tr><td>apr-13</td><td>288</td></tr> <tr><td>mag-13</td><td>0</td></tr> <tr><td>giu-13</td><td>1531</td></tr> <tr><td>lug-13</td><td>1910</td></tr> <tr><td>ago-13</td><td>2032</td></tr> <tr><td>set-13</td><td>1880</td></tr> <tr><td>ott-13</td><td>1261</td></tr> <tr><td>nov-13</td><td>294</td></tr> <tr><td>dic-13</td><td>410</td></tr> <tr><td>gen-14</td><td>621</td></tr> <tr><td>feb-14</td><td>40</td></tr> <tr><td>mar-14</td><td>1146</td></tr> <tr><td>apr-14</td><td>6515</td></tr> <tr><td>mag-14</td><td>4961</td></tr> <tr><td>giu-14</td><td>6099</td></tr> <tr><td>lug-14</td><td>5493</td></tr> <tr><td>ago-14</td><td>3300</td></tr> <tr><td>set-14</td><td>3980</td></tr> <tr><td>* 20/10/2014</td><td>1473</td></tr> </tbody> </table> <p>► MODUS OPERANDI Illegal migrants travel for about 4 months aboard jeeps or lorries crossing Sudan to reach Libya. From this Country they try to reach in 1-day journey Sicily's coasts on board wooden boats of about 10/25 meters in length, on which they are embarked until there is no more room left in there. The migrants, mostly young men, declared to have paid between \$ 600 and \$ 1,500 per person.</p> <p style="text-align: center;">SYRIA:</p>	Month	Number of Migrants	gen-12	0	feb-12	0	mar-12	0	apr-12	39	mag-12	0	giu-12	98	lug-12	11	ago-12	262	set-12	33	ott-12	497	nov-12	25	dic-12	236	gen-13	0	feb-13	0	mar-13	0	apr-13	288	mag-13	0	giu-13	1531	lug-13	1910	ago-13	2032	set-13	1880	ott-13	1261	nov-13	294	dic-13	410	gen-14	621	feb-14	40	mar-14	1146	apr-14	6515	mag-14	4961	giu-14	6099	lug-14	5493	ago-14	3300	set-14	3980	* 20/10/2014	1473
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► MODUS OPERANDI

Syrian nationals resort to the following modus operandi typical of Egyptian, Libyan and Turkish criminal organizations:

- by land, sea and air, they cross Lebanon and Jordan, then Egypt and, once in Libya, they embark from Zuwarah coasts, generally on wooden boats which are mainly piloted by Tunisian professional seamen; recently these boats would seem to be escorted by a vessel until they are not intercepted by our Navy;
- by air, land and sea, after legally entering Algeria utilizing several air routes (mainly Istanbul-Algiers or Beirut-Algeri), supported by local criminal networks, reach the Zuwarah coasts, major boarding place to Italian coasts, after illegal crossing of the Algeria/Libya border;
- by land, sea and air, through Lebanon or Jordan, and after arriving in Egypt, they are taken on boats in Alexandria, that are piloted by Egyptian nationals, to reach the southern coasts of Sicily and Calabria;
- by land and sea, through Turkey from where they embark to reach Italy, occasionally also through Greece;

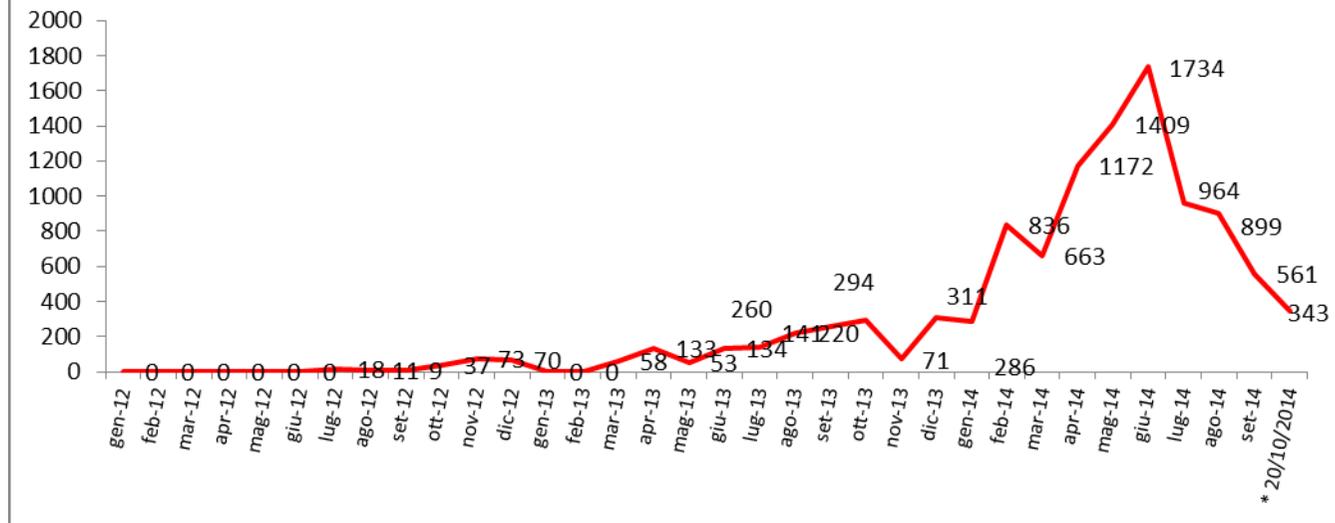
The migrants declared to have approximately paid between € 1.500 and € 5.000 each;

Some groups of Syrian origin are now emerging that collaborate with Iraqi, Turkish and Palestinian traffickers.

MALI:

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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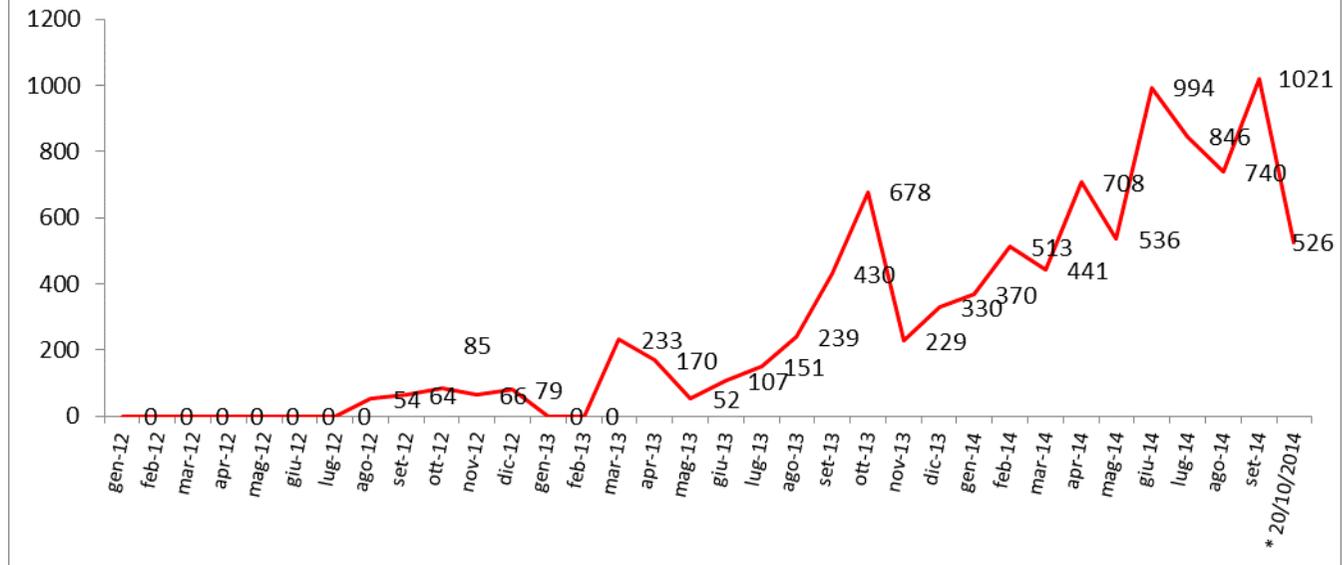
► MODUS OPERANDI

Illegal migrants travel about 4-6 months by makeshift means by land through Mali, Algeria or Niger to reach Libya and, aboard Zodiac, which is about 10 meters, after approximately a 1-day sea journey they try to get to the coasts of Sicily. The migrants, mostly young men, declared to have approximately paid between \$ 800 and \$ 2,500 \$ per person.

GAMBIA:

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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► MODUS OPERANDI

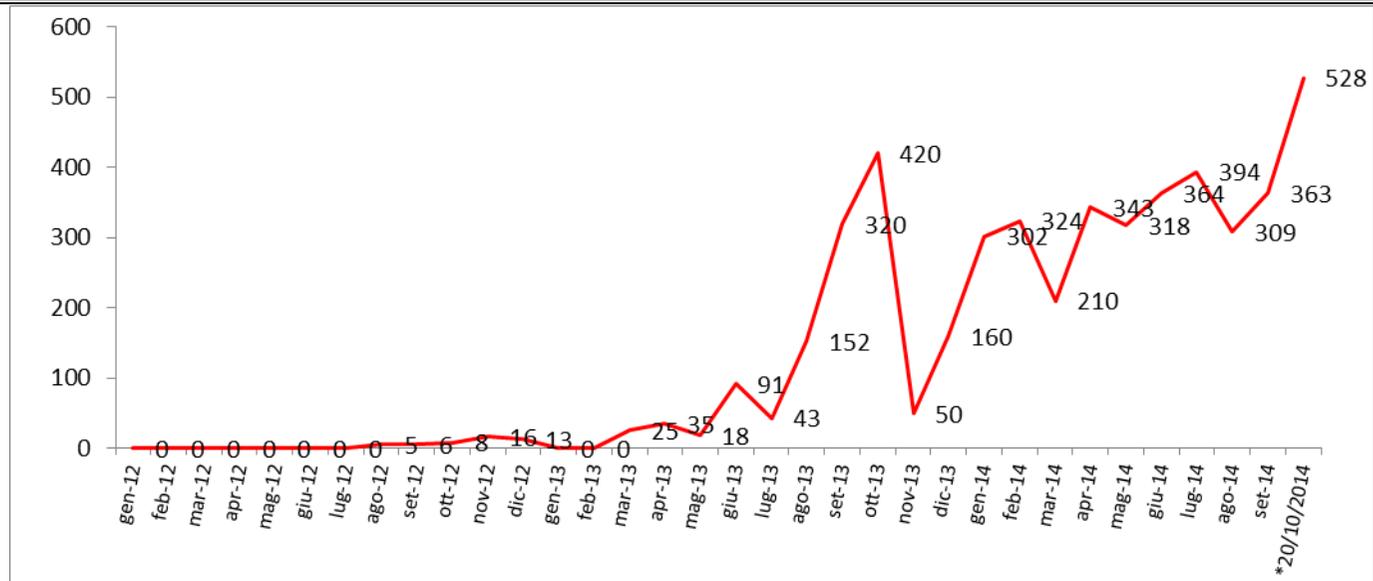
Illegal migrants travel about 4-6 months by makeshift means by land through Mali, Algeria or Niger to reach Libya. From this Country they travel on for about 1 day aboard Zodiac, which is about 10 meters, trying to reach the coasts of Sicily. Often these migrants pilot such boats by themselves.

The migrants, mostly young men, declared to have approximately paid between \$ 1,000 and \$ 2,500 \$ per person.

SENEGAL:

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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► MODUS OPERANDI

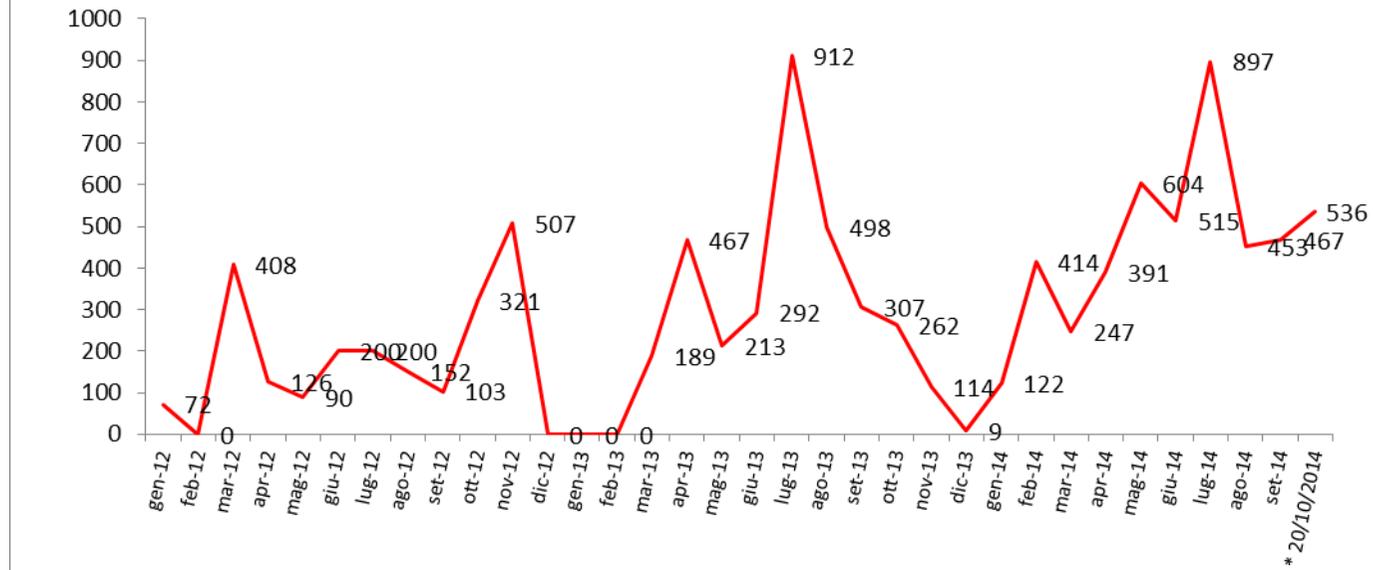
Illegal migrants travel about 4-6 months by makeshift means by land through Mauritania, Mali and Algeria to reach Libya and aboard Zodiac, which is about 10/15 meters, try to reach after a 1-day journey the coasts of Sicily. Often these migrants pilot such boats by themselves.

The migrants, mostly young men, declared to have approximately paid between \$ 800 and \$ 2,500 per person.

SOMALIA:

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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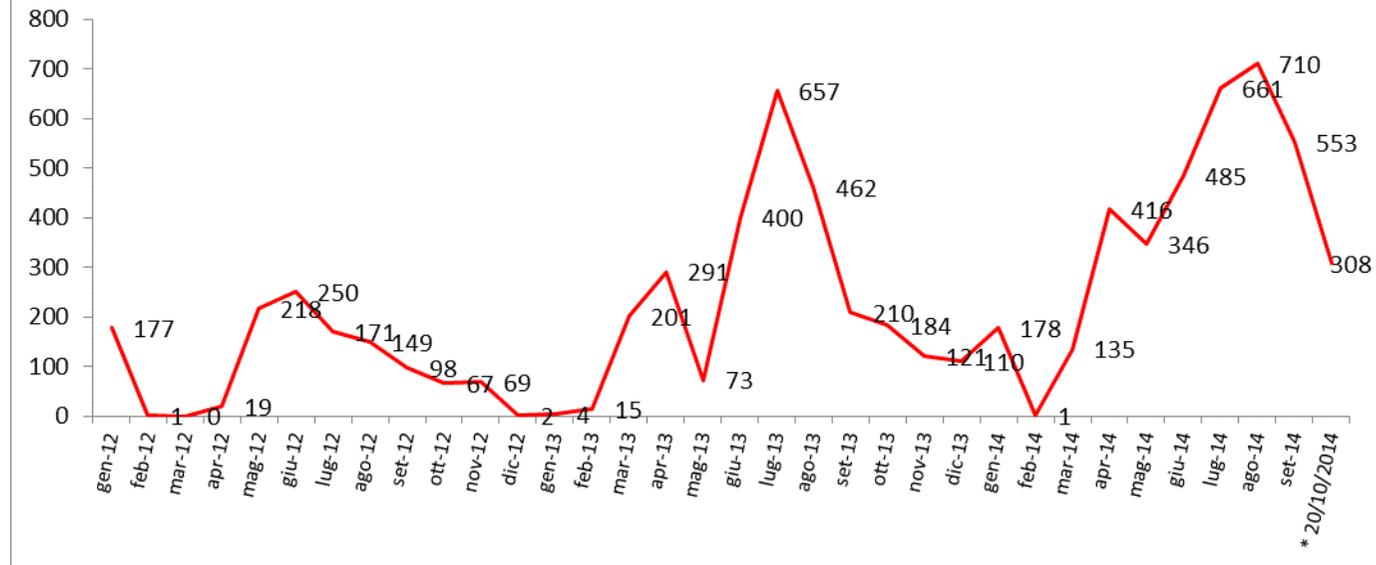
► MODUS OPERANDI

Illegal migrants travel about 4-6 months by makeshift means first crossing Kenya and Uganda and then Sudan to eventually reach Libya from where aboard Zodiac, which is about 10 meters, after a 1-day sea journey, reach the coasts of Sicily. Often these migrants pilot such boats by themselves. The migrants, mostly young men, declared to have approximately paid between € 800 and € 1,500 \$ per person only for the route from Lebanon.

During 2014 it has also been recorded the presence of Somali migrants, mostly women, on boats coming from Greece and landed in Calabria and Puglia; in such cases migrants declared to have reached Greece through Turkey and Iran, arriving in this latter country by scheduled flights.

EGYPT:

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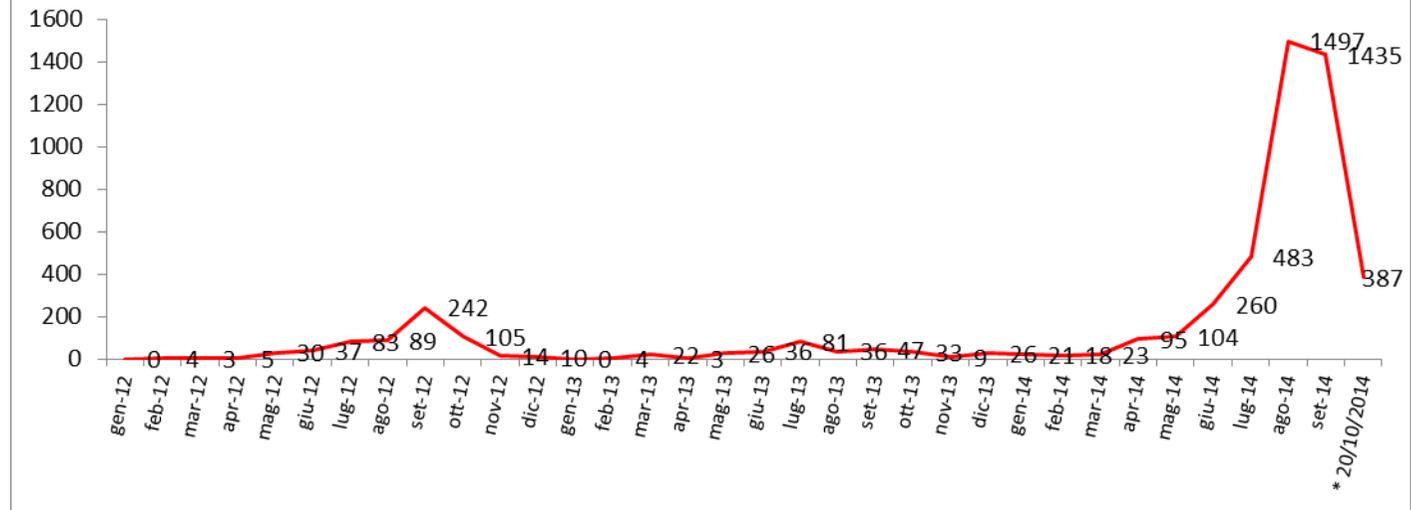
► MODUS OPERANDI

- They mainly use fishing boats, the length of which varies from 10 to 25 meters, to cross the Mediterranean and reach Italy’s coasts. Migrants are mostly young men, of whom about 50% are minors.
- They often use ships or iron fishing boats (mother-ships) for journeys from Egypt to Italy’s coasts, sometimes towing small wooden boats on which migrants are transferred when in proximity to Italy’s coasts:
 - If these small boats don’t work, they are left adrift after migrants have signaled their position by a distress call, waiting for Italian authorities to find them;
 - If still working, migrants use them to head to the coast. Once landed pilots, who are generally Egyptians, flee or try to mingle with the illegal migrants.
 - From information received, some Egyptian criminal organizations, have allegedly started an effective collaboration with the criminal organizations that are active in Eastern Libya. In this case, boats starting from Egypt, in proximity to Libyan coasts at the border with Egypt, carry out the transhipping of the migrants who are aboard small vessels which in turn started from the above-mentioned coasts.
 - In conclusion, Egypt is today an origin, transit and departure Country as well as headquarters of criminal organizations devoted to migrant smuggling.

BANGLADESH:

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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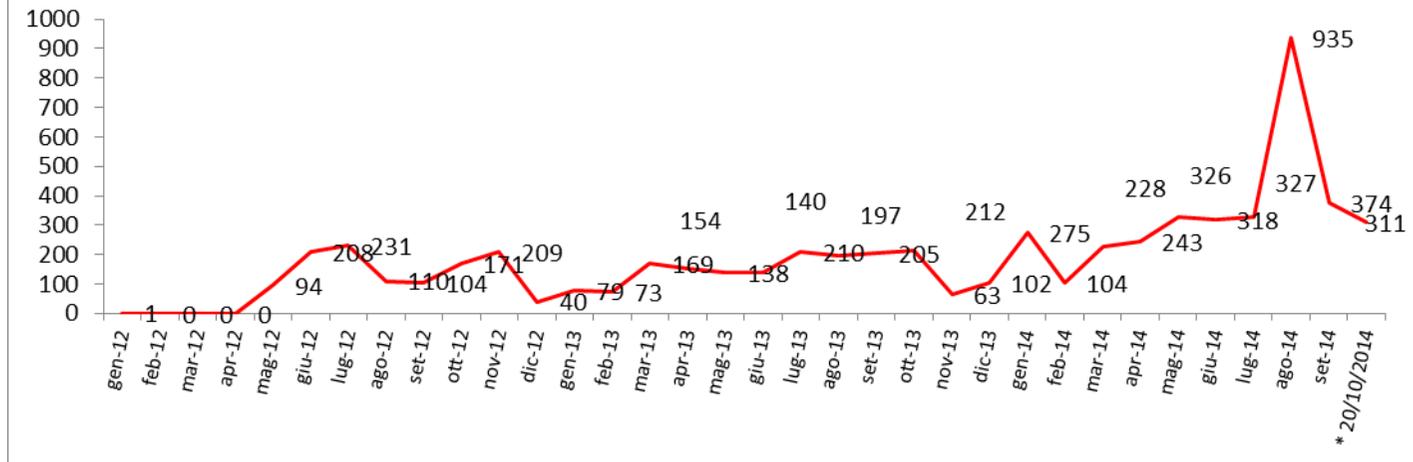


► MODUS OPERANDI

Illegal migrants travel by scheduled flights and reach Tripoli after stopping over in Dubai or in Istanbul, depending on the airline used, and from there, they head to Italy aboard wooden vessels. They generally contact specialized agencies in Bangladesh, which deal with bureaucratic procedure necessary to obtain work visas. Migrants, mostly young men, declared to have approximately paid between \$ 3,000 and \$ 5,000 for the journey to Italy and, probably, the peak of the Bengali migration flow is due to the occupational crisis which has been hitting Libya because of the well-known unstable political situation which drives people, who were before legally residing in that country for work reasons, to migrate to Italy.

PAKISTAN:

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► MODUS OPERANDI

The high number of Pakistani migrants landed on Italian coast recently, mainly coming from Libya where they lived legally, is due to the currently employment crisis strictly linked to the political instability which is affecting Libya. Generally, these migrants go by train from north to south of Pakistan, to arrive in Karachi, then they arrive in Iran, crossing the border near the city of Zahedan and after this they arrive in Turkey from where there are various options for reaching Italy; they can use the WB route avoiding the Bulgarian border or they can use boats to reach the Apulia and Calabria coasts, departing from the Turkish coasts or from the Greek coast, the latter illegally reached from Turkey.

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FACILITATORS REPORTED TO COURTS															
2010			2011			2012			2013			2014*			
Country of Origin	Arrested	Not Arrested	Country of Origin	Arrested	Not Arrested	Country of Origin	Arrested	Not Arrested	Country of Origin	Arrested	Not Arrested	Country of Origin	Arrested	Not Arrested	
Italy	223	1118	Italy	85	522	Italy	57	414	Italy	57	455	Italy	33	300	
China	129	319	China	58	264	China	29	168	Egypt	181	31	Egypt	151	45	
Morocco	19	156	Egypt	95	64	Egypt	118	47	China	17	155	Bangladesh	-	162	
Egypt	51	84	Unknwn	11	79	Unknwn	14	72	Morocco	-	64	Tunisia	103	18	
India	40	69	Senegal	-	87	Morocco	10	64	Unknwn	12	49	China	-	73	
Unknwn	16	57	Tunisia	33	49	Tunisia	25	28	Albania	19	37	Morocco	22	39	
Pakistan	-	66	Morocco	-	70	Turkey	8	39	Pakistan	-	49	Unknwn	44	15	
Nigeria	18	45	Albania	16	32	Bangladesh	-	41	Dominican	-	39	Pakistan	-	43	
Senegal	-	59	India	-	37	Pakistan	9	32	Bangladesh	-	37	Gambia	41	-	
Bangladesh	-	51	Bangladesh	-	35	Greece	11	-	Tunisia	12	19	Senegal	28	-	
Others	208	305	Others	181	260	Others	108	361	Others	104	162	Others	207	174	
Total	704	2.329	Total	479	1.499	Total	389	1.266	Total	402	1097	Total	629	869	
Total	3.033		Total	1.978		Total	1.655		Total	1.499		Total	1.498		

* Up to 30th of September 2014

The un-proportionate decrease, respect of the migrant flows, is due to the changes in Italian criminal law.

	Latvia	Yes	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p> <ul style="list-style-type: none"> - If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force; - Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these
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			<p>authorities;</p> <ul style="list-style-type: none"> – Please provide the contact details of the identified person(s) in charge of this policy; <p>The Ministry of the Interior⁹: is the leading institution in home affairs sector which includes such subsectors as fight against crime, protection of public order and security, protection of individual rights and lawful interests, state border security, fire safety, fire security, rescue, civil protection, record keeping and documentation of population, as well as migration and citizenship.</p> <p>The State Police¹⁰: is a State direct administration institution under the supervision of the Minister for the Interior, which in accordance with the competence implements State policy in the field of crime combating and the protection of public order and safety, as well as in the field of protection of the rights and legitimate interests of persons. The legal basis for State Police operations, tasks, and functions are laid out in the Law on Police¹¹.</p> <p>The State Border Guard¹²: is a State direct administration institution under the supervision of the Minister for the Interior, which implements the State border safety policy and in accordance with the competence implements State migration policy. The legal basis for State Border Guard operations, tasks, and functions are laid out in the Border Guard Law¹³. The Border Guard is armed, and the functions thereof are to ensure the inviolability of the State border and the prevention of illegal migration.</p> <p>The duty of the State Border Guard is to organize and carry out control of foreigners' immigration, residence, emigration and transit in the territory of Latvia. The border guards have the right to operate on borderland, border control points, border crossing points and rest of the territory in order to carry out preventive work and supervise compliance with rules that regulate foreigners' immigration, residence, emigration and transit. The persons that cross the external border in order to enter the Republic of Latvia or leave are placed under checks in border crossing points. The border guards forbid persons who cannot produce valid travel documents from entering the country. Foreigners staying in borderland are obliged to confirm their identity and present a valid travel document, as well as documents that confirm the residence status that he or she has in the Republic of Latvia upon the request of a Border Guard's representative. One of the most important legislative acts that regulate the actions of the State Border Guard is <i>Regulation (EC) No. 562/2006</i> of the European Parliament and of the <i>Council</i> of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code). The Section 6 of the Preamble states that "Border control should help to combat illegal immigration and trafficking in human beings". Structural units of the State Border Guard carry out profiling of persons in airports, sea ports, bus stations and train stations, immigration control of international bus passengers and checks on main transit roads on a regular basis. On internal borders the mobile patrols of the State Border Guard's immigration structural units are active. The mobile patrols perform random checks on suspicious vehicles and persons in the territory of Latvia.</p> <p>In year 2009 as the separate structural units the contact points on Latvian-Lithuanian and Latvian-Estonian state borders were reorganized. The contact points ensure the exchange of operative information, especially in the matters of fighting cross border crime.</p> <p>The State Border Guard cooperates with National Bureaus of Europol and Interpol performing exchange of intelligence information about criminal offences and organized criminal groups.</p>
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⁹ By-law of the Ministry of the Interior, Cabinet Regulation No 240, adopted 29.04.2003. ("Official Gazette", 70 (2835), 13.05.2003.) [into force since 14.05.2003.]; <http://www.likumi.lv/doc.php?id=74751>

¹⁰ By-law of the State Police, Cabinet Regulations No 46, adopted 18.01.2005. ("Official Gazette", 12 (3170), 21.01.2005.) [into force since 22.01.2005.], <http://www.likumi.lv/doc.php?id=99940&from=off>

¹¹ Adopted 04.06.1991., (Ziņotājs, 37, 24.09.1992.), [into force since 04.06.1991.], <http://www.likumi.lv/doc.php?id=67957>

¹² By-law of the State Border Guard, Cabinet Regulations No 122, adopted 15.02.2005. ("Official Gazette", 28 (3186), 18.02.2005.) [into force since 19.02.2005.], <http://www.likumi.lv/doc.php?id=101888&from=off>

¹³ Adopted 27.11.1997., ("Official Gazette", 329/330 (1044/1045), 16.12.1997.) [into force since 01.01.1998.], <http://www.likumi.lv/doc.php?mode=DOC&id=46228>

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		<p>In order to improve efficiency of combating the human trafficking which is a cross border problem the State Border Guard continues actively cooperate with competent institutions of neighboring countries: the Republic of Lithuania, the Republic of Estonia, the Republic of Belarus and the Federation of Russia – on the ground of annual bilateral agreements and protocols on cooperation, which require more active exchange of information on illegal immigration with special focus on nationals from Central and South-East Asia, Middle East, as well as Africa who are smuggled over the state border especially over the state border between Latvia and Russian Federation, and to increase preventive measures with regard to illegal immigration and human trafficking.</p> <p>Since February of the year 2009 the State Border Guard is the manager of the Automated Fingerprint Identification System AFIS according to Cabinet Regulation No.99 Regulations on the amount and application procedures of the information incorporated in the Automated Fingerprint Identification System (AFIS)¹⁴. The state information system contains data on asylum seekers in the Republic of Latvia and the foreigners detained by the State Border Guard. The system data is used for identification of persons while performing checks on control of obedience of the rules regarding foreigner immigration, emigration, residence and transit. The system provides information exchange with fingerprint comparison system EURODAC according to the provisions of the Council Regulation (EC) No 2725/2000 of 11 December 2000 concerning the establishment of EURODAC for the comparison of fingerprints for the effective application of the Dublin Convention.</p> <p>The Cabinet Regulations No 721 Procedures by which Children Cross the State Border¹⁵ prescribes the special requirements regarding the procedures by which children shall cross the State border of the Republic of Latvia and the relevant documents which shall be presented. A child who is a national of Latvia within these Cabinet Regulations shall be understood as a child who is a citizen of Latvia, non-citizen of Latvia or a stateless person to whom the status of stateless person has been granted in the Republic of Latvia. A child who is a national of Latvia exiting from the State independently shall present a notarially certified consent of at least one parent, a child accompanied by an authorised person shall present a notarially certified authorisation of at least one parent. If none of the parents of a child, who is a national of Latvia, is not a citizen of Latvia, a non-citizen of Latvia, a citizen of a European Union Member State, European Economic Area State or Swiss Confederation or a stateless person to whom the status of the stateless person has been granted in the Republic of Latvia, European Union Member State, European Economic Area State or Swiss Confederation, the child, upon exiting from the State independently, shall present a notarially certified consent of at least one parent, but, upon exiting from the State accompanied by an authorised person, he or she shall present a notarially certified authorisation by at least one parent for the exit from the State accompanied by this authorised person. If a child, who is a national of Latvia, exits from the State accompanied by a parent, a travel document of the parent with an entry regarding the relationship of the child to the parent accompanying the child; or the child's birth certificate or a notarially certified copy thereof if in the travel document of the parent accompanying the child there is no entry regarding relationship with the child should be presented. The Office of Citizenship and Migration Affairs upon request of an educational institution submits and approves the list of travellers for school trips in the European Union, if a child living in the Republic of Latvia, who does not have citizenship of any of the European Union Member State, is going on an excursion with a children's group to a European Union Member State which applies Council Decision of 30 November 1994 on a joint action adopted by the Council on the</p>
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¹⁴ Cabinet Regulation No 99, adopted 03.02.2009., ("Official Gazette", 21 (4007), 06.02.2009.) [into force since 07.02.2009.], <http://www.likumi.lv/doc.php?id=187421&from=off>

¹⁵ Cabinet Regulations No 721, adopted 03.08.2010., ("Official Gazette", 128 (4320), 13.08.2010.) [into force since 14.08.2010.], <http://www.likumi.lv/doc.php?id=214902>

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		<p>basis of Article K.3 (2) (b) of the Treaty on European Union concerning travel facilities for school pupils from third countries resident in a Member State (94/795/JHA).</p> <p>In order to detect border crossing by use of counterfeit documents the State Border Guard's Border Control Points have access to the following information resources:</p> <ul style="list-style-type: none"> - Information system „Register of Specimens of Documents” which includes the information regarding samples of personal identification documents and documents certifying rights issued in the Republic of Latvia, abroad or by international institutions, their security elements and requisites, samples of stamps and seals; descriptions of the resolved forgeries (disparity to established sample of document or stamp), image and statistical information on resolved cases of the use of forged documents and stamps. The information from this Register is received on-line data mode. The technical maintenance of the Register is provided by the Information Centre of the Ministry of the Interior. - iFADO (Intranet False and Authentic Documents Online): the access to iFADO is granted by the Head of the Information Centre of the Ministry of the Interior. - Electronic descriptions of original and forged documents: this data base is developed by the Expertise Centre of the Headquarter of the State Border Guard. Information in the data base is entered and updated by the State Border Guard. - In some Border Control Points (eg Border Control Point “Airport Riga”) the specimens of original documents are available. - Various catalogues of original and forged documents in paper version. - Access to various national information systems, which contain information about valid and invalid personal identification documents and documents certifying rights issued in the Republic of Latvia. - if necessary it is possible to contact the Expertise Centre of the Headquarter of the State Border Guard, which has access to the information system “Edison DISCS” of the Immigration and Naturalization Service of Netherlands (contains information (description of documents) of the documents of various countries – birth and death certificates, national identification cards, documents certifying marital status, citizenship, driving licenses etc.). <p>Contact information: Ministry of the Interior</p> <p>Contact person: Ms. Lāsma Stabiņa Senior Desk Officer (National Anti-Trafficking Coordinator), Sectoral Policy Department Čiekurkalna 1.līnija 1, K-2, LV-1026, Riga Telephone: +371 67829674, Mobile phone: +371 29382033 E-mail: lasma.stabina@iem.gov.lv Website: www.iem.gov.lv, www.trafficking.lv</p> <p>State Border Guard</p>
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		<p>Contact person: Mr Zigmunts Tjukša Captain, Senior Inspector of Border Check and Immigration Control Unit Telephone: +371 67075726 E-mail: zigmunts.tjuksa@rs.gov.lv</p> <p>Contact person: Mr. Pāvels Šarigins Captain, Chief of International Cooperation and Protocol Unit Telephone: +371 67075632 E-mail: pavels.sarigins@rs.gov.lv Website: www.rs.gov.lv</p> <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <ul style="list-style-type: none"> – National strategy, Action plan, etc.; – Dialogues, cooperation agreements, memorandum of understanding with third countries; – Actions to involve countries of departure and/or of transit in border surveillance (joint) operations; – Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings; – Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe; – Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings; – Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.); – Coordination mechanisms to exchange data and share knowledge-based information; – Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants); – Any other specific action. <p>Latvia does not have a specific policy planning document addressing migrant smuggling. Considering migrant smuggling as a risk of trafficking in human beings Latvia has developed its third policy planning document addressing trafficking in human beings.</p> <p>Latvia adopted its first National Action Plan, the State Programme for the Prevention of Trafficking in Human Beings (2004-2008), in March 2004.</p> <p>The second National Action Plan, the State Programme for the Prevention of Trafficking in Human Beings (2009-2013), in August 2009.</p>
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			<p>The National Strategy for Prevention of Trafficking in Human Beings 2014-2020 was adopted by the Government on 21 January 2014. The new policy planning document is based on provisions, requirements, actions and recommendations given by:</p> <ol style="list-style-type: none"> 1. EU Strategy Towards Eradication of Trafficking in Human Beings 2012-2016. 2. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. 3. GRETA (Group of Experts on Action against Trafficking in Human Beings) Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Latvia (GRETA(2012)15). 4. Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Cephias Lumina (A/HRC/23/37/Add. 1), approved by United Nations General Assembly on Human Rights Council twenty-third session on January 2013). 5. Decision adopted by the Human Rights Council 18/107 Outcome of the Universal Periodic Review: Latvia (adopted on 18 October 2011). 6. Annual Trafficking in Persons Reports (the Department of State, the U.S.). <p>The new policy document is structured as comprehensive informative material about the overall situation in the country in the field of prevention and combating of human trafficking – general information, trends, education, information, researches, identification of victims of human trafficking, support and assistance, legal protection, legal aid, state compensation, return of victims from foreign countries, residence of victims of human trafficking who are third countries nationals, helplines, non-punishment principle, legal framework for combating of human trafficking, law enforcement agencies, prosecution, justice, cooperation and coordination. It includes also policy results, action results and indicators of effectiveness for measurement of the implemented actions, plan of tasks and measures, as well as information about impact on state budget.</p> <p>This document is not just a working document for policy makers and competent institutions, but it is a document which helps to raise awareness and understanding of each society member about the phenomenon of human trafficking, about current situation in the country, risks and threats to become a victim of human trafficking, what kind of assistance, support and protection is provided to a victim of human trafficking etc. (document is publicly available on website of the Cabinet of Ministers (only in Latvian) http://www.mk.gov.lv/lv/mk/tap/?pid=40287968&mode=mk&date=2014-01-14).</p> <p>The new policy planning document contains two main policy goals:</p> <ol style="list-style-type: none"> 1. To promote awareness of society and understanding about trafficking in human beings and to provide assistance and support for the victims of human trafficking. 2. To achieve the reduction of latency of trafficking in human beings, to develop capacity of law enforcement agencies and relevant stakeholders to combat trafficking in human beings. <p>The main directions:</p> <ol style="list-style-type: none"> 1. Prevention of trafficking in human beings. 2. Combating of trafficking in human beings. 3. Coordination of cooperation and information collection. <p>The new policy planning document includes tasks and measures aimed at ensuring sustainable, planned and coordinated implementation</p>
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			<p>of national policy for human trafficking prevention – to prevent and combat trafficking in human beings, to protect and assist victims of human trafficking, with full respect for their human rights, and to promote cross-sectoral cooperation in order to achieve this goal.</p> <p>It is planned that the majority of tasks and measures will be implemented within the financial resources of relevant institutions allocated from the State budget. At the same the relevant branch ministries involved in the implementation of the new policy planning document have identified need for additional funding: in year 2015 - 44 759 euro, 2016 - 13 455 euro, 2017 - 12 032 euro, 2018 - 12 886 euro, 2019 - 64 536 euro, 2020 - 12 032 euro.</p> <p>In total document includes 39 tasks and measures. The main tasks and measures to implement the new policy planning document for prevention of trafficking in human beings are:</p> <ul style="list-style-type: none"> - Every year (starting with 2015) to organize informative campaigns to raise awareness of society about trafficking in human beings and reduction of supply, informing about the different forms of exploitation. - Every year (starting with 2015) to organize training for state and municipal police officers, border guards, prosecutors, social workers, consular officials, labour inspectors, orphan courts, State Child Rights Protection Inspectorate, Office of Citizenship and Migration Affairs, representatives of tourism sector, National Armed Forces, judges, lawyers, teachers on issues of human trafficking, children rights protection, how to treat victim of human trafficking with respect to his/her gender and providing victim-centred approach. It is planned to provide training for approximately 180 officials every year by the Ministry of Interior. Additional training will be provided by the State Police College, the State Border Guard College, the Court Administration, the Ministry of Defence, the Ministry of Education and Sciences, the Ministry of Welfare. - To provide education of pupils and students. - To provide necessary measures to provide relevant functioning of the web page www.trafficking.lv. - To provide informative materials about human trafficking, rights of victims of human trafficking in the field of employment and social issues, status of victim etc. - To provide information about services for victims suffered from human trafficking and exploitation. - To provide state funded social rehabilitation services for victims of human trafficking. - To improve legal acts providing provisions and requirements related to criterions for the recognition of victims of human trafficking and procedures for the administration of social rehabilitation services to victims of trafficking in human beings. - To organize a conference for high level officials to raise their awareness about human trafficking phenomenon. - To consider the risks which impact health of persons involved in prostitution and to develop measures to reduce these risks. - To consider need for legal provisions to punish sex buyers. - To consider the improvement of support programmes for child trafficking victims. - To develop cooperation between service providers and municipal social services to provide reintegration of the victims of human trafficking after rehabilitation period. - To elaborate: <ul style="list-style-type: none"> • Guidelines for risk assessment of the victims of human trafficking; • Guidelines for reintegration of the victims of human trafficking. • Methodical materials for social workers, labour inspectors about identification of human trafficking cases and actions to be taken in such cases.
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			<ul style="list-style-type: none"> • Methodical materials for medical personnel about identification of human trafficking cases and actions to be taken in such cases. • Guidelines for data on human trafficking collection. <ul style="list-style-type: none"> - To improve methodical materials for police officers. - To form international JITs for better investigation of human trafficking cases. - To improve National Referral Mechanism to provide better identification of the victims of human trafficking, inform them, provide support and assistance. - To improve national inter-institutional coordination mechanism. - To provide continuum of informal working group on anti-trafficking with a focus on labour exploitation. - To provide regional network for cooperation for counter trafficking activities. - To provide three researches (about awareness of society about human trafficking; impact of social environment on trafficking in children; recruitment mechanisms). <p>The tasks are planned keeping in mind that in the future the social and economic situation will change and Latvia will be not only the country of origin, but also the country of transit and destination of the victims of human trafficking.</p> <p>The State Border Guard of the Republic of Latvia has launched realization of the Project No: HOME/2012/EBFX/CA/2013: <i>“Further Development of Immigration Liaison Officers Points of the Republic of Latvia, the Republic of Lithuania, and the Republic of Estonia in Georgia and the Republic of Belarus”</i> in the framework of the <i>Program Solidarity and Management of Migration Flows (2007 – 2013) of the External Border Fund of the European Commission</i>. In the framework of mentioned project there are deployed Liaison Officer of the State Border Guard Lieutenant Colonel Oļegs Voloncevičs in Belarus (Minsk) and Liaison Officers of the State Border Guard Colonel Edmunds Ļuļs and Captain Edgars Dokāns in Georgia (Tbilisi). The Immigration Liaison Officers represent the Republic of Latvia, the Republic of Estonia, and the Republic of Lithuania according to the Project No: HOME/2012/EBFX/ CA/2013 and signed <i>”Memorandum of Understanding Among the State Border Guard of the Republic of Latvia, the Border Guard Department of the Police and Border Guard Board of the Republic of Estonia, and the State Border Guard Service at the Ministry of the Interior of the Republic of Lithuania on the Activity of the Liaison Officer Points in Belarus and in Georgia”</i>. Aim of activities of the Immigration Liaison Officers is to strengthen control of external border of the European Union and to extend effective management of migration flows according to requirements of the Schengen <i>acquis</i>. The Immigration Liaison Officers will promote cross border cooperation and extension of professional contacts between law enforcement authorities of member states of the European Union and third countries thereby reducing illegal cross border activities.</p> <p>The Immigration Liaison Officers represent the Republic of Latvia, the Republic of Estonia, and the Republic of Lithuania in the following areas:</p> <ol style="list-style-type: none"> 1) exchange of information which could be used in the fight against illegal migration, its organisers and abettors; 2) exchange of information on the events and circumstances which could facilitate illegal immigration; 3) support in the identification of the detained nationals of the third countries and facilitation of their return to their country of origin; 4) exchange of statistical and analytical information in field of combating illegal immigration; 5) exchange of information on cooperation opportunities with Georgian state administration bodies; 6) specification of the validity status and terms of issuance of Georgian travel documents;
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			<p>7) establishment of cooperation between the border crossing points at the “Tbilisi” airport and border crossing points of international airports of the Republic of Latvia, the Republic of Estonia and the Republic of Lithuania;</p> <p>8) evaluation of risks related to illegal immigration and cross-border crime with regard to persons departing from the “Tbilisi” airport to airports in the Republic of Latvia, the Republic of Estonia and the Republic of Lithuania;</p> <p>9) establishing of cooperation with passenger service authorities of the “Tbilisi” airport and operators which provide air carrier services to airports in the Republic of Latvia, the Republic of Estonia and the Republic of Lithuania;</p> <p>10) support to law enforcement authorities of the Republic of Latvia, the Republic of Estonia and the Republic of Lithuania in cases related to the investigation of detected illegal entries;</p> <p>11) support to law enforcement authorities in detection of forged documents;</p> <p>12) support to officials of consular services of the Republic of Latvia, the Republic of Estonia, and the Republic of Lithuania in the visa issuing process.</p> <p>On 20 of December 2013 the Grant Agreement between European Commission and the State Border Guard of the Republic of Latvia on European Commission financial support for the Project No. HOME/2012/EBFX/CA/2022 „Further development of Immigration Liaison Officers Point of the Republic of Latvia, the Republic of Lithuania, and the Republic of Estonia in Russia" was signed.</p> <p>On 16th of November 2012 the memorandum of understanding on operation of the Liaison Officer Point in Russia was signed by the State Border Guard of the Republic of Latvia, State Border Guard Service at the Ministry of the Interior of the Republic of Lithuania and the Police and Border Guard Board of the Republic of Estonia. The memorandum of understanding determines location and working regulations for the Liaison Officer Point, liaison officer's responsibility, as well as regulations regarding the exchange of information</p> <p>Lieutenant-Colonel Raimonds Deičmanis, Liaison Officer (on immigration issues) of the International Cooperation and Protocol Unit of the Administrative Board of the Central Board of the State Border Guard fulfils Liaison Officer's duties in Moscow.</p> <p>The Liaison Officer Point is located in the Embassy of the Republic of Latvia in Moscow.</p> <p>Liaison Officer of the State Border Guard of the Republic of Latvia I performs his duties in interests of 3 countries: Republic of Latvia, Republic of Estonia and the Republic of Lithuania and activity of the Liaison Officer Point in the Russian Federation is performed in order to assist to the State Border Guard of the Republic of Latvia, to the State Border Guard Service at the Ministry of the Interior of the Republic of Lithuania in fight against illegal immigration.</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</p> <p>No.</p> <p>4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?</p> <ul style="list-style-type: none"> - Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit); - Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the authorities;
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			<p>No case of migrant smuggling is identified so far.</p> <p>5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?</p> <ul style="list-style-type: none"> - Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit); - Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)? <p>No case of migrant smuggling is identified so far.</p> <p>6. Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources).</p>
	<p>Lithuania</p>	<p>Yes</p>	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling? Ministry of the Interior is responsible for development of policies in the area of public security (including border protection, migration (except of economic) and etc.).</p> <ul style="list-style-type: none"> - If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force N/A - Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities; N/A - Please provide the contact details of the identified person(s) in charge of this policy; Public security policy department in the Ministry of the Interior <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <ul style="list-style-type: none"> - National strategy, Action plan, etc.; <p>No Dialogues, cooperation agreements, memorandum of understanding with third countries;</p> <p>When combating criminal acts related to irregular migration, it is a matter of importance for Lithuania to have cooperation agreements with other countries, and in respect of combating irregular migration – especially with countries with which Lithuania has state borders. In this case, when evaluating recently prevailing trends in the area of irregular migration cooperation with the competent authorities of the Republic of Belarus is particularly important.</p> <p>In cooperating with the competent authorities of the Republic of Belarus, the parties are guided by the Agreement on</p>

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			<p>Cooperation in Combating Organised Crime, Illegal Drug and Psychotropic Substances Trafficking, Terrorism and Other Crimes signed by the Government of the Republic of Lithuania and the Government of the Republic of Belarus on 3 October 2005 in Vilnius. The common forms of cooperation are as follows:</p> <ul style="list-style-type: none"> - exchange of information; - carrying out of joint coordinated criminal intelligence operations (particularly when investigating migrant smuggling cases). <p>Cooperation in criminal matters is carried out under the Agreement between the Republic of Lithuania and the Republic of Belarus on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases signed on 20 October in Vilnius.</p> <p>A draft agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on cooperation in combating crime, in particular organised crime, has already been prepared. The document is being coordinated between the parties. The draft of the Agreement provides for crimes related to irregular migration as one of the areas of cooperation.</p> <p>Cooperation in criminal matters is carried out under the Agreement between the Republic of Lithuania and the Russian Federation on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases signed on 21 July 1992 in Vilnius.</p> <ul style="list-style-type: none"> - Actions to involve countries of departure and/or of transit in border surveillance (joint) operations; <p>No</p> <ul style="list-style-type: none"> - Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings; <p>Information is exchanged regularly at the EU level, the Baltic Sea Region level and the national level. At the EU level, information on the risks of irregular migration is mainly received from the FRONTEX Agency. In addition, within the FRONTEX cooperation framework this kind of information is exchanged among the Member States.</p> <p>As regards the Baltic Sea Region, information is exchanged within the framework of Baltic Sea Region Border Control Cooperation (BSRBCC) as well as among immigration liaison officers, particularly those seconded by Finland, Germany and Latvia. Alerts on possible violations are regularly exchanged through channels of EUROSUR national coordination centres of border control authorities of the EU Member States and Schengen Associated Countries, mainly between Estonia, Latvia and Lithuania. At the national level, relevant information is exchanged with the police, the Migration Department, the Consular Department of the Ministry of Foreign Affairs and diplomatic missions as well as other competent authorities.</p> <ul style="list-style-type: none"> - Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe; <p>No</p>
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			<ul style="list-style-type: none"> - Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings; <p>In 2013, an immigration liaison officer jointly seconded by Lithuanian, Estonian, Latvian and Finnish border control authorities and responsible for cooperation with Ukrainian and Moldovan authorities commenced his service in Ukraine (Kiev). An immigration liaison officer jointly seconded by Lithuanian, Estonian and Latvian border control authorities and responsible for cooperation with Russian authorities works in Russia (Moscow). In 2014, an immigration liaison officer jointly seconded by Lithuanian, Estonian and Latvian border control authorities and responsible for cooperation with Georgian authorities commenced his service in Tbilisi. An immigration liaison officer jointly seconded by Lithuanian, Estonian and Latvian border control authorities and responsible for cooperation with Belarusian authorities commenced service in Belarus (Minsk). The mentioned officers arrange and present information related to irregular migration.</p> <p>The State Border Guard Service is a partner institution and beneficiary in a number of projects implemented under the External Borders Fund Community Actions where immigration liaison officers are posted in Belarus, Georgia and Russia (by the Latvian Border Guard), and in Ukraine and Moldova (by the Estonian Police and Border Guard Board.</p> <ul style="list-style-type: none"> - Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.); <p>Nothing to report</p> <ul style="list-style-type: none"> - Coordination mechanisms to exchange data and share knowledge-based information; <p>The main channels (platforms) for the exchange of information about the risks of irregular migration are ICONet (a secure web-based Information and Coordination Network for Member States' Migration Management Services) and EUROSUR national coordination centres of border control authorities of the EU Member States and Schengen Associated Countries. The information related to criminal investigations is usually exchanged through Europol channels.</p> <ul style="list-style-type: none"> - Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants); <p>No</p> <ul style="list-style-type: none"> - Any other specific action. <p>Nothing to report</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</p>
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Systematically (weekly, monthly, quarterly and, when required, at other intervals), the situation at the border is assessed, and decisions are taken on the introduction of specific state border security measures and allocation of resources. The effectiveness of individual measures is not assessed; the assessment focuses on the overall results, which are aimed at by employing the abovementioned measures and other means.

4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?

Year	2009	2010	2011	2012	2013
Number of smuggled persons apprehended in Lithuania	53	12	68	100	64
Smuggled persons by nationality and gender					
Year/country	2009	2010	2011	2012	2013
Vietnam	13	8	-	66	26
Moldova	9 (6 women)	-	-	-	-
Georgia	9	-	6	17	8
Iraq	7	-	-	3	-
Afghanistan	6 (1 woman)	-	37	8	25
Armenia	3	1	16	-	-
Bangladesh	3	-	-	-	-
Sri Lanka	2	-	-	-	-
Pakistan	1	-	-	-	-
Belorussia	-	2	-	-	-
Russia	-	1	6	-	-
Kyrgyzstan	-	-	3	-	-
Syrian Arab Republic	-	-	-	5	-
Kazakhstan	-	-	-	-	1
India	-	-	-	-	1
Egypt	-	-	-	-	1
Stateless	-	-	-	1	1

5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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		Number of facilitators apprehended					
		2009	2010	2011	2012	2013	
		Total:	32	11	27	26	25
		Number of facilitators apprehended by nationality					
Year/Citizenship		2009	2010	2011	2012	2013	
Lithuania		17	8	18	14	9	
Latvia		6	-	1	3	-	
Ukraine		5	-	-	-	1	
Armenia		2	1	-	-	2	
Estonia		2	-	-	2	-	
Russia		-	1	2	3	2	
Kazakhstan		-	-	-	-	1	
Kyrgyzstan		-	-	2	-	-	
Poland		-	-	2	1	8	
Afghanistan		-	-	1	-	2	
Belarus		-	-	-	1	-	
Germany		-	-	-	1	-	
Stateless		-	1	1	1	-	
6. -							
	Luxembourg	Yes	<ol style="list-style-type: none"> The main actors against human smuggling in Luxembourg are the Grand-ducal police (Judicial Police, Foreign Service), the Customs and Excises Agents and the Public Prosecutor Office. The legal basis are established by articles 382-4 and 382-5 of the Criminal Code (Title VII, Chapter VI, Section II on illegal traffic of migrants) as modified by Law of 21 July 2012 and articles 11, 12 (Judicial Police), 13 (Grand-ducal police), 15 (Customs and Excises Agents) and articles 16 to 26-3 (Public Prosecutor Office) of the Criminal Procedure Code. The Ministry of Foreign and European Affairs – Directorate of Immigration has a global competence on the political level on migration issues, including external borders. In Luxembourg there are no specific policies aimed at preventing and contrasting smuggling due to the fact that the only external border that Luxembourg has is the international airport. <ol style="list-style-type: none"> National strategy, Action plan, etc.: No. 				

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			<ul style="list-style-type: none"> b. Dialogues, cooperation agreements, memorandum of understanding with third countries: No. c. Actions to involve countries of departure and/or of transit in border surveillance (joint) operations: No. However, the Grand ducal police had participated in the operations of FRONTEX at the external borders of the EU but it did not participate to any operation with that specific aim during 2013¹⁶. d. Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings: No. (See answer to the EE EMN NCP Ad-hoc query on websites and prevention campaigns of THB launched on 09/05/2014) e. Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe: No. f. Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings: No. g. Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.): As mentioned above the Grand-ducal police did not participate in the FRONTEX operations with that specific aim during 2013, but agents of the Grand-ducal police participated in several conferences on biometrical data and evolutions on border control issues. In total the personnel of the grand ducal police assisted to 11 travel trips for these conferences.¹⁷ Also agents of the Judicial Police have followed specialisation courses on human smuggling at the Police Academy of Baden-Württemberg (Akademie der Polizei Baden-Württemberg) and the German Federal Criminal Police office (BKA Wiesbaden)¹⁸ h. Coordination mechanisms to exchange data and share knowledge-based information: <ul style="list-style-type: none"> i. According to article 24 of the SIS II regulation, foreigners who have been declared as non-admissible in the Schengen area by the responsible administrative authorities (in our case the Ministry of Foreign and European Affairs – Directorate of Immigration) are signaled in the SIS II. ii. Among the information systems, we can also mention the EURODAC network which contains the digital fingerprints of the asylum seekers at the European level. The Visa Information System (VIS), through a harmonized procedure in granting visas and the collection of biometric data (photo and fingerprints) allows to fight smuggling and trafficking of human beings. LU is fully operational in the VIS and will begin on 11 October 2014 at the external border (International Airport) to compare systematically the fingerprints of the third country national entering the country with a visa against the VIS database. iii. Luxembourg is still connected to the Passenger Name Record (PNR) network allowing a first verification of the administrative situation of a third country national before s/he arrives on the territory. This verification is made comparing the data against the SIS II database. iv. Luxembourg is a member of the Convention between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Republic of Austria on the stepping up of cross-border cooperation, particularly in
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¹⁶ Annual report of the Grand-ducal police, 2013, p. 32

¹⁷ See statistics for 2013, Annual report of the Grand-ducal police, 2013, p. 38

¹⁸ Annual report of the Grand-ducal police, 2013, p. 45

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			<p>combating terrorism, cross-border crime and illegal migration (Prüm Convention signed the 27 May 2006 and ratified by Law of 22 December 2006). In accordance with Chapter 4 of the treaty there is a liaison officer in each MS to deal with false document and in accordance with article 22, each MS has a designated office that is responsible of the contact and coordination. Article 24 foresees the possibility of joint patrols and joint interventions¹⁹ (see articles 3-5 of the Law of 22 December 2006). Also article 27 establishes cooperation on demand on these issues. This treaty gives reciprocal access to police database (DNA databases for comparison purposes²⁰</p> <ul style="list-style-type: none"> v. Police and Customs Cooperation Centre (Centre de coopération policière et douanière): it was created in 2003 by Germany, France, Belgium and Luxembourg. It exchange police information between the police departments of the four countries regarding the Greater Region. vi. Europol: During 2013 the Grand-Ducal police sent 78 answers to Europol regarding illegal immigration and it received 205 messages from Europol in that field.²¹ <ul style="list-style-type: none"> i. Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants): No. <p>3. No.</p> <p>4. N/A.</p> <p>5.</p> <table border="1" data-bbox="705 874 1854 981"> <thead> <tr> <th colspan="5">Number of Smugglers captured by the Judicial Police (Foreigners Department)</th> </tr> <tr> <th>2009</th> <th>2010</th> <th>2011</th> <th>2012</th> <th>2013</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> <td>0</td> <td>0</td> <td>2</td> </tr> </tbody> </table> <p>Source : Judicial Police, Foreigners Department 2014 © LU EMN NCP</p> <p>There have been no court cases of migrant smugglers before the Luxemburgish courts during this period.</p> <p>6. N/A.</p>	Number of Smugglers captured by the Judicial Police (Foreigners Department)					2009	2010	2011	2012	2013	1	1	0	0	2
Number of Smugglers captured by the Judicial Police (Foreigners Department)																		
2009	2010	2011	2012	2013														
1	1	0	0	2														
	<p>Malta</p>	<p>Yes</p>	<p>1. The authority responsible for border control and irregular migration issues is the Malta Police Force. Legal responsibility is vested in the Principal Immigration Officer, i.e., the Commissioner of Police. Moreover, the Armed Forces of Malta is the authority responsible for exercising police powers at sea as well as for search and rescue. Any migrants brought to shore by the Armed Forces of Malta are handed over to the Malta Police. Irregular migration policy including in relation to the control of migrant smuggling falls under the responsibility</p>															

¹⁹ During 2013, 41 common operations were organized under the Treaty of Prüm. Annual report of the Grand-ducal police, 2013, p. 32

²⁰ See statistics for 2013, Annual report of the Grand-ducal police, 2013, p. 34

²¹ See statistics for 2013, Annual report of the Grand-ducal police, 2013, p. 37

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of the Ministry for Home Affairs and National Security of Malta.

2. Efforts to enhance the return capabilities of Malta have been ongoing for a number of years. These included, but were not limited to, two EU funded projects *Strengthening Malta's long-term Return Management Capacities – MAREMCA Project 1 and Project II* which sought to reach such aims together with the International Centre for Migration Policy Development (ICMPD). During the implementation phases of such projects there were a number of exchange visits to the main countries of origin of migrants that reach the shores of Malta. Various bilateral talks were held with authorities of both parties in order to strengthen the communication network and cooperation with such countries. Apart from having the aim of enhancing the cooperation between the authorities involved in the fight against migrant smuggling in the identified countries of origin and Malta, they also sought to have MoUs signed between Malta and the countries concerned. So far Malta has signed an MoU on migration related matters with Burkina Faso, Nigeria and Gambia.

Furthermore, it is pertinent to mention that in order to initiate or promote better cooperation with Countries of Origin on voluntary returns, the Ministry for Home Affairs has partnered with the International Organisation for Migration (IOM) in the implementation of another EU funded project under the European Return Fund of 2010 entitled, '*Cooperation between Malta and African countries to enhance migration dialogue and development*' (COMAM I and also COMAM II).

3. No such evidence to report.

4.

Distribution of Irregular Immigrants arriving in Malta by boat between the years 2009 - 14 September 2014
by Year & by Country

	2009	2010	2011	2012	2013	2014	Total
Afghanistan							0
Algeria	10				1		11
Bangladesh	24		31		4		59
Benin			3		1		4
B.Faso	3		11		1		15
Botswana							0
Burundi							0
Cameroon	2		14		5		21
Central African Republic						2	0
Chad			15	1		6	16
Congo			2				2
Egypt	37	16	10	52		15	130

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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			Eritrea	156		280	454	462	38	1390
			Ethiopia	9		103	22	19	7	160
			Gabon							0
			Gambia	2		8	2	70	40	122
			Ghana	3		76		43	1	123
			Guinea	8		2		3		13
			G.Bissau				1	6	1	7
			G.Conakry						4	4
			India	43						43
			Iraq						20	0
			Iv.Coast	10		114		3		127
			Kenya							0
			Kurdistan							0
			Lebanon					1		1
			Liberia			2		2		4
			Libya		3	5				8
			Mali	42		86	2	37	29	196
			Mauritania			1				1
			Morocco	15		2		7		24
			Myamar			1				1
			Niger			16	4		1	20
			Nigeria	78		239	79	76	30	502
			Pakistan	5		29	23			57
			Palestine	1			3	55	30	89
			Pap.N.Guinea							0
			Polisaria							0
			Senegal			5	4	37	10	56
			S. Leone			4	1	3		8
			Somali	898	28	455	1233	1000	118	3732
			S. Africa							0
			Sri Lanka							0
			Sudan	3		54	7	4	80	148
			Syria	1			1	166	134	302
			Tanzania							0
			Togo			9			2	9

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			<table border="1"> <tbody> <tr> <td>Tunisia</td> <td>114</td> <td></td> <td>1</td> <td>1</td> <td>2</td> <td></td> <td>118</td> </tr> <tr> <td>Turkey</td> <td>11</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>11</td> </tr> <tr> <td>Zimbabwe</td> <td></td> <td></td> <td>1</td> <td></td> <td></td> <td></td> <td>1</td> </tr> <tr> <td>Total</td> <td>1475</td> <td>47</td> <td>1579</td> <td>1890</td> <td>2008</td> <td>568</td> <td>7567</td> </tr> </tbody> </table> <p>With regard to undocumented migrants, the figures provided in the table above reflect the nationality claimed by the persons concerned. Such migrants were apprehended for the first time by the pertinent authorities.</p> <p>5. Persons arraigned before the Maltese Criminal Court charged for migrant smuggling from 2009-2013 amounts to 21. In the case of persons reaching Malta by boat it is pertinent to mention that the main route is via Libya. Moreover, the smugglers are based in Libya and no evidence supports any theory that points at any local involvement. In most of cases the facilitators were assisted at the departure point by other facilitators who were tasked with gathering and holding migrants</p>	Tunisia	114		1	1	2		118	Turkey	11						11	Zimbabwe			1				1	Total	1475	47	1579	1890	2008	568	7567
Tunisia	114		1	1	2		118																												
Turkey	11						11																												
Zimbabwe			1				1																												
Total	1475	47	1579	1890	2008	568	7567																												
	Netherlands	Yes	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p> <p>a) If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force;</p> <ul style="list-style-type: none"> - National level - The Ministry of Security and Justice; DG Migration and DG Law Enforcement and DG Police. On national level the Ministry is responsible for all matters concerning human smuggling. The policy cooperates with: <ul style="list-style-type: none"> • The Ministry of Defence; • The Ministry of Foreign Affairs; • The Ministry of Labour and Social Affairs - Operational level: • Royal Netherlands Marechaussee (border police) is responsible for the border investigations; • Immigration and Naturalisation Service: their focus in interviews within the migration process is on travel routes, patterns, organised crime elements, facilitators, etc. They also train airline staff to recognize smuggling and document fraud. The People Smuggling and Human Trafficking Information Group of Immigration Naturalisation Service (MIG/INS is a special unit of the INS which centrally records information with regard to migration crime; • National Police is responsible for the internal investigations; • Public Prosecutors Service; • Expertise Centre on Human Trafficking and People Smuggling (EMM). The EMM is the centre where information, knowledge and expertise on human trafficking and smuggling is collected, processed and enriched, and which distributes this information to facilitate police investigations. The EMM is a collaborative venture between the Dutch National Crime Squad (part of the Netherlands Police Agency), the Royal Marechaussee, the Immigration and Naturalisation Service (INS), the Inspectorate SZW and the Aliens Police. All of these organisations send members of staff on secondment to the EMM. The EMM enables them to share information and to cooperate; • Identity Fraud and Documents Expertise Centre (ECID). <p>b) Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities;</p> <p>Legal framework: UN Protocol against Smuggling of Migrants by Land, Sea and Air, Directive 2002/90/EC and the national Penal Code art. 197a.</p>																																

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			<p>b) Please provide the contact details of the identified person(s) in charge of this policy;</p> <p>N/A</p> <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <ul style="list-style-type: none"> - National strategy, Action plan, etc.; • Referring to the Action Plan of February 2006, concerning border control, several measures have been taken to intensify the border control in order to prevent illegal immigration and to combat the smuggling of migrants. <ul style="list-style-type: none"> o National Organised Crime Assessment. At this moment the Dutch authorities, as mentioned above, are developing a Multidisciplinary approach – barrier model Human smuggling. The aim of this model is to increase the ‘height’ of the barriers, so that human smuggling becomes more difficult, less lucrative and thus less attractive. The intention is that this model should be finalized in December 2014. • In order to strengthen the supervision of foreign nationals and to discourage illegal immigration and residence in the Netherlands, a “Comprehensive Approach on the Supervision of Aliens” was developed in 2013. This program was established in order to improve the effectiveness of supervision with all stakeholders. <p>b) Dialogues, cooperation agreements, memorandum of understanding with third countries;</p> <ul style="list-style-type: none"> - Internal <p>The expertise centre for trafficking and smuggling in human beings (2005) in the Netherlands is a collaboration between the INS, the Police, the inspection of the Ministry of Social Affairs and Employment and the Royal Marechaussee. This expertise centre offers insight and overview over criminality related to trafficking and smuggling in human beings, for the purpose of detecting and preventing related crimes. Additional to this collaboration, the EMM has other partnerships, like the Ministry of Foreign Affairs, the Central Organ for the Reception of Asylum Seekers (COA) and other NGOs, with whom they have set up agreements for information exchange. The EMM does not hold contact with organisations residing outside the Netherlands.</p> <ul style="list-style-type: none"> - Third Countries • Nigeria (Swift Action Teams) in 2009 • Training to consulates in better identifying signals of human smuggling in targeted countries such as in the Dominican Republic and Colombia • MoU with Netherlands Caribbean islands on Trafficking in Human Beings and Human Smuggling • Training by ILOs and ECID in several countries on document fraud. • NL participate in the EU policy cycle against Organised Crime (EMPACT on illegal immigration). <p>c) Actions to involve countries of departure and/or of transit in border surveillance (joint) operations;</p> <p>N/A</p> <p>d) Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings;</p> <p>Recently (September 2nd, 2014), the popular television show ‘Opsporing Verzocht’ (Detection Requested), in which on weekly basis attention is asked for various crimes, dedicated one episode on human smuggling. It highlighted the collaboration between the Royal Marechaussee and the National Police in combating human smugglers.</p> <p>e) Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe;</p> <p>In principle, the Embassies of the Kingdom of the Netherlands do not accept asylum applications.</p> <p>The Netherlands does provide substantial annual contributions to UNHCR and other organizations that offer protection in the region. Furthermore, the Netherlands also contributes to the EU Regional (Development and) Protection Programs, aiming at strengthening the protection capacity in the region. The Netherlands offers resettlement for people who can’t return to their country of origin nor can’t integrate locally.</p> <p>f) Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing</p>
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		<p><i>the numbers of illegal border crossings;</i></p> <p>The Netherlands have immigration liaison officers (ILOs) in different parts of the world, mainly the most important countries of origin of migrants in the Netherlands. The responsibilities of these ILO's are divided into various categories.</p> <p>The tasks of the ILO's are bound by the ILO-EU Regulation 377/2004.</p> <p>In the interests of prevention of illegal migration, they advise carriers on locations and local authorities on whether or not to take passengers on board and they advise the visa departments at diplomatic missions in case of dubious applications. They also provide training on documentation and Schengen-regulation for carriers, local authorities and visa departments.</p> <p>They furthermore exchange information with liaison officers from other countries (including EU member states). They collect information about travel routes, trends and other information about illegal immigration and human smuggling/human trafficking, and help to develop risk profiles. Information gathered by ILOs can be used in computer aided screening systems to optimise the decision making processes on visas (short stay) and regular migration (long stay).</p> <p>Currently the Netherlands' IND-ILO network consists of 13 officers in the following countries: Ghana- Kenya- South-Africa- Nigeria- Panama- Russian Federation- China (2) - Thailand- Turkey-Jordan- UAE/Dubai- Ukraine.</p> <p><i>NOTE: The Royal Marechaussee also has ILO officers abroad who focus on migration-related criminality.</i></p> <p><i>g) Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.);</i></p> <p>The Netherlands has capacity building projects such as establishing specific units on falsified documents in Kenya, Tanzania and Ghana.</p> <p><i>h) Coordination mechanisms to exchange data and share knowledge-based information;</i></p> <p>Indications of human smuggling are offered to the EMM by cooperating organizations (National Police, INS, the Ministry of Foreign Affairs, COA and the Royal Marechaussee). They are also offered to the OM (Prosecutor) and partners as enrichment for proposals for investigations. On monthly basis, an overview of all active criminal investigations in The Netherlands is spread among chain partners. In quarterly reports the EMM provides (limited) insight in the nature and size of this type of migration criminality, through a barrier model. In newsletters the EMM creates, attention is focused on the latest trends and developments.</p> <p>In relation to the recent increase in inflow from Eritrean and Syrian asylum seekers, EMM functions as the intelligence unit of the National Staf Large-scale Special Performance (LSGBO). Additional to analyzing the received information concerning human smuggling and proposing criminal investigations, the EMM also provides input to SGBO for developing a national scope on smuggling methods and routes from the abovementioned countries to The Netherlands.</p> <p>Furthermore, the Royal Marechaussee is participating in the Empact Facilitated Illegal Immigration. They are action leader on the Operational Action Plan on sham marriages. The goal of this Operational Action Plan is to share data with Europol of cases where there is suspicion of marriage of convenience with organized crime involvement. They are also participating in other Empact projects which contribute to the fight on illegal immigration.</p> <p><i>i) Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants);</i></p> <p>Concerning the repatriation process the ILOs (mentioned above) investigate possibilities of repatriation to the country of origin and transit countries, using their network, by monitoring the involvement of particular organisations, investigating the repatriation policies of other Western nations and identifying reception facilities.</p> <p>The Netherlands (Repatriation and Departure Service) has no specific readmission agreements/schemes for smuggled migrants.</p> <p><i>j) Any other specific action.</i></p> <p>N/A</p> <p><i>3) Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</i></p> <p>There haven't been any studies or research projects on the impact of the specific policies on the prevention of migrant smuggling in our organisation.</p> <p><i>4) What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?</i></p>
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			<p>Numbers are not registered as so: when somebody is apprehended, authorities are not allowed to check whether the person is an asylum seeker or not. It is statutory prohibited and on national scale it would be impossible to register.</p> <p>a) Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit); At the border, in total 3.185 people were apprehended as facilitated (smuggled) immigrants of which 1.235 came by air, 1.803 by land and 147 by sea.</p> <p>b) Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the authorities; N/A</p> <p>5) <i>What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?</i></p> <p>a) <i>Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit);</i> In total 1.083 people were apprehended as suspects of facilitating smuggling. Of these 1.083 people 266 came by air, 747 by land and 70 by sea. We cannot provide any information on numbers of convicted facilitators. The numbers we provide are the ones that are known to the organisation of the Royal Marechaussee, not the national authorities!</p> <p>b) <i>Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)?</i> N/A</p> <p>6) <i>Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources).</i> From INS-perspective human smuggling is a complex phenomenon to explain. Several police investigations and surveys have revealed that admission procedures (both asylum and legal residence procedures) are being misused and/or abused by Organized Crime Groups (OCG) or facilitators in human smuggling. In the crime assessment report on human smuggling, written by the Royal Marechaussee²², several analysed criminal investigations proved the abuse of the INS admission procedures by OCG. However, in many cases the abuse or misuse of these procedures by OCG cannot be supported with hard evidence. Therefore the real magnitude of human smuggling is hard to determine. This is not only a problem for law enforcement authorities in combating human smuggling (the smuggled migrant did not cross the border illegally, although the visa and/or residence permit was not rightfully obtained) but also for the INS. When abuse or misuse of INS admission procedures cannot be proved by criminal investigation and a person seemingly meets all the criteria for entry or admission the organisation often positively decides on the application.</p>
	<p>Poland</p>	<p>Yes</p>	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p> <p>The leading entities whose activity comprises the prevention, combating and counteracting the effects of illegal migration, including migrant smuggling, are the Border Guard and the Office for Foreigners. These tasks are also performed by the Police and the Customs Service which are authorised to control the legality of stay in Poland.</p>

²² Mensensmokkel, Criminaliteitsbeeldanalyse 2012

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			<p style="text-align: center;">– If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force;</p> <p>The Border Guard, the Police and the Office for Foreigners are supervised by the Minister of the Interior who is the authority responsible for coordination of activities related to migration policy of Poland, including control of entry and stay of foreigners.</p> <p style="text-align: center;">– Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities;</p> <p>Comprehensive interpretation of the state policy in the area of migration management is included in the document “Migration Policy of Poland - the Current Stay of Play and Further Actions” adopted by the Council of Ministers in 2012 and then developed in its Action Plan prepared within the framework of the inter-ministerial Committee for Migration (advisory body to the Prime Minister).</p> <p>In addition, the tasks to be carried out by each of the institutions involved are separately specified in the dedicated laws which regulate their activity. In case of the Border Guard, these tasks include, among others: the prevention and combating of illegal migration as well as recognition, prevention and detection of crimes and infractions and prosecution of perpetrators thereof within the scope of its competence, and in particular:</p> <ul style="list-style-type: none"> <input type="checkbox"/>- crimes and infractions concerning compliance of crossing the state border with law, (...) and concerning the reliability of documents entitling the holder to cross the state border; <input type="checkbox"/>- crimes and infractions specified in the Act of 12 December 2013 on foreigners and the Act of 13 June 2003 on the granting protection to foreigners within the territory of the Republic of Poland; <input type="checkbox"/>- crimes defined in Article 264a of the Penal Code (aggravated type of crossing the border against the law) and also Article 9 and Article 10 of the Act of 15 June 2012 on the consequences of entrusting the performance of work to foreigners residing unlawfully in the territory of the Republic of Poland; <input type="checkbox"/>- crimes defined in Article 189a of the Penal Code (...) (trafficking in human beings). <p style="text-align: center;">– Please provide the contact details of the identified person(s) in charge of this policy;</p> <p>The central body of public administration competent for the issues in question is the Commander-in-Chief of the Border Guard. Border Guard Command Center: sztab.kg@strazgraniczna.pl</p> <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <p style="text-align: center;">– National strategy, Action plan, etc.;</p> <p>A strategic document that defines the objectives and course of action of the BG is “The concept of the functioning of the Border Guard in the years 2009 - 2015”. As regards crime fighting, one of the major objectives of the formation mentioned in this document is identification, recognition and combating criminal groups organizing illegal migration.</p>
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		<p>In addition, the Border Guard is involved in the implementation of the National Action Plan Against Trafficking in Human Beings (coordinated by the Ministry of the Interior), in 2008 the Border Guard Headquarters appointed <i>the Team for continuous monitoring and coordination of Border Guard actions aimed at the prevention and combating of trafficking in human beings.</i></p> <p>The tasks of the team include:</p> <ul style="list-style-type: none"> ▪ coordinating the implementation by the Border Guard of the projects resulting from the National Plan, ▪ ongoing monitoring and analysis of cases of trafficking in human beings detected by the Border Guard; ▪ taking part in works of the Working Team created within the Team appointed by the regulation of the Prime Minister on the creation of the Team for Combating and Preventing the Trafficking in Human Beings at the Ministry of the Interior; ▪ initiating and coordinating the actions of the Border Guard aimed at combating trafficking in human beings other than those resulting from the National Plan..., taking into account training projects; ▪ cooperating with the Ministry of the Interior, the Police and other public administration bodies and non-governmental organisations. <p style="text-align: center;">– Dialogues, cooperation agreements, memorandum of understanding with third countries;</p> <p>Poland is a party to bilateral readmission agreements with the following third countries: the Russian Federation, Macedonia, Moldova, Vietnam, Ukraine and cooperation agreements on fight against crime (in particular organized crime) with: The Russian Federation, Kazakhstan, Macedonia, Mexico, Moldova, Egypt, Georgia, India, Vietnam, Tajikistan, Thailand, Turkey, Ukraine, the United States of America and Uzbekistan.</p> <p style="text-align: center;">– Actions to involve countries of departure and/or of transit in border surveillance (joint) operations;</p> <p>Forms of active cooperation with third countries and other MS include joint border patrols (relevant agreements were concluded with Slovakia, the Czech Republic, Germany, Lithuania and Ukraine), the Polish-German Border Guards, Police and Customs Cooperation Centre and two similar centres at the border with Slovakia, two common establishments at the border with the Czech Republic, the Polish-Lithuanian Contact Point as well as two similar information exchange points at the border with Germany and two consultation points at the border with Ukraine. Tasks performed by the enumerated units as regards cooperation with other MS in the area of migration policy mainly comprise exchange of information between the units in both countries aimed at the combating and prevention of crime, including confirmation of identity of persons who do not have documents entitling their holders to stay within the territory of one of the member states; determining the identity of persons attempting to cross the border into the EU on the basis of forged, falsified or lost documents as well as participation in controlling migration traffic of third country nationals who are holders of Schengen visas (monitoring the crossings of the EU external borders).</p> <p>Major tasks of the consultation points at the Polish-Ukrainian section of the external border as regards migration-related issues include informing about the violation or attempted violation of law of the State-Party when crossing the state border, disclosed evidence of illegal border crossings and about illegal migrants caught in border regions and at border crossings.</p> <p style="text-align: center;">– Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through</p>
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			<p style="text-align: center;">irregular border crossings;</p> <p>Together with the Office for Foreigners, with the support of the International Organisation for Migrants (IOM) and in cooperation with Georgian non-governmental organisations, the Border Guard was implementing a project within which Georgian nationals were provided with information about possibilities of legal migration to the territory of Poland, including in particular a possibility to access the Polish labour market on the basis of so called “statement of the employer of the intention to entrust the performance of work to a foreigner” and information on the consequences of illegal migration.</p> <ul style="list-style-type: none"> – Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe; – Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings; <p>Information tasks fall within the scope of competence of the Border Guard liaison officer accredited to the Polish embassy in Kiev. Until August 2014, the formation also had a liaison officer in Moscow. Attempts are being made to re-fill the post.</p> <ul style="list-style-type: none"> – Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.); <p>Both standard training programs for the officers and extended curricula of supplementary courses include issues relating to:</p> <ul style="list-style-type: none"> - detection of false documents; - recognition of victims of trafficking; - identification of persons engaged in organising illegal migration. <p>Risk analysis based on the CIRAM 2.0 model recommended by Frontex that has been carried out at the Border Guard at all the levels (strategic - national, operational - regional and tactical levels - in border units) plays an important role in increasing the efficiency of detecting and combating criminal activity in the form of organised illegal migration. It allows to identify the modi operandi, create profiles of criminals as well as crime victims, pick out the time, location and methods of criminal activity, it makes possible optimum allocation of the resources, and thus - increases the effectiveness of their use and the capacity for crime identification and neutralisation.</p> <ul style="list-style-type: none"> – Coordination mechanisms to exchange data and share knowledge-based information; <p>Implementing the Community safety policy regarding the prevention and combating of illegal migration, the Border Guard participates in works relating to developing a concept of a 4-year cycle of implementation of the UE policy regarding the prevention of organised crime (the EU Policy Cycle) for 2014-2017, which comprises the following steps:</p> <ul style="list-style-type: none"> • indicating priorities in the area of Justice and Home Affairs (JHA) resulting from OCTA and adopting strategic objectives within the above mentioned priorities (COSI); • working out Operational Action Plans (OAPs) for 2014-2017;
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			<ul style="list-style-type: none"> • evaluating the implementation of OAPs. <p>The Border Guard involvement concerns works performed within the following priorities:</p> <p><u>Illegal migration</u></p> <p>There have been developed six strategic objectives aimed at broader recognition of criminal groups engaged in organised illegal migration, their organisational forms and methods of operation and at expanding the resources needed to recognise and prevent the issues in question.</p> <p>The project group on illegal migration is led by Italy and composed of 14 other countries, including Poland. The project is supported by Eurojust, Frontex and the European Police College (CEPOL).</p> <p>Within the “Illegal migration” OAP, the Operation and Investigation Management (ZOŚ) is implementing the FIMATHU project (Acton 2.2), carried out under the auspices of EUROPOL, aimed at combating illegal migration from the Western Balkans route to the countries of the EU.</p> <p>In addition, the Border Guard announced its participation in the following operations (Actions):</p> <p>Action 1.3 - a pilot project on the exchange of pre-trial information concerning organised illegal migration, whose participants include Europol, Frontex, Eurojust and 8 MS;</p> <p>Action 5.1 - information exchange about so called fraudulent marriages, with such participants as Frontex, Europol and 7 MS.</p> <p>In 2014 within the Operational Action Plans (OAP) for the EMPACT Priority - Illegal Migration, the Border Guard is a leader in two new operations:</p> <ul style="list-style-type: none"> • Combating organised illegal migration of Russian nationals of Chechen origin. • Identification and investigation of HVT - High Value Targets (the most wanted organisers/groups). <p><u>Trafficking in human beings</u></p> <p>Border Guard representatives have been appointed co-ordinators (coordinator the Central Investigation Bureau within the Polish National Police Headquarters, CBS KGP) of the works performed in connection therewith.</p> <p style="text-align: center;">– Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants);</p> <p>The Border Guard executes so called advance visits to the countries of origin, whose purpose is to establish or strengthen cooperation with regard to returns of foreigners illegally staying within the territory of the Republic of Poland.</p> <p>In 2013, Aliens Department BG representatives visited the Democratic Republic of Congo (a revisit followed). The visit, which aimed at more effective implementation of the readmission clause included in the Cotonou Agreement, resulted in the establishment of bilateral cooperation with the Congolese side and organisation of trainings for the Congolese side experts in the identification and returns of foreigners. In addition, the Congolese side was provided with technical support for the purpose of future cooperation with regard to confirming the identity of foreigners.</p> <p>In March 2014, representatives of the Aliens Department visited Sri Lanka. The meeting aimed at more efficient implementation of the</p>
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			<p>readmission agreement between the EU and Sri Lanka and initiating the first round of negotiations on the signing of a protocol on the implementation of the EU-Sri Lanka readmission agreement. As a result of the meeting, the Sri Lankan side was also provided with technical support to enable cooperation with regard to confirming the identity of foreigners.</p> <p>In July 2014, Aliens Department representatives visited Bangladesh. The purpose of the visit was to establish direct cooperation with Bangladeshi bodies responsible for confirming identity (because of poor cooperation with the Embassy of Bangladesh in the Hague).</p> <p>In September 2014, Aliens Department representatives for Foreigners visited Georgia. The purpose of the visit was to initiate the first round of negotiations of a protocol on the implementation of the EU-Georgia readmission agreement and strengthen cooperation with bodies responsible for implementing the provisions of the above mentioned agreement.</p> <p>Another fact worth mentioning is regular cooperation with regard to implementing the provisions of the readmission agreement concluded between Poland and Vietnam. The consequence of this cooperation are regularly organised visits of experts from the Vietnamese side aimed at confirming the identity of Vietnamese nationals who are the subjects of return procedures within the territory of Poland. In addition, high-level meetings are organised every two years to sum up cooperation in the previous period.</p> <p>Plans for November 2014 include another (i.e. the third) round of negotiations of a protocol on the implementation of the readmission agreement concluded between Poland and Ukraine. Another purpose of holding the above meeting will be talks aimed at improved implementation of the readmission agreement provisions.</p> <p style="text-align: center;">– Any other specific action.</p> <p>For three years the Border Guard has been a beneficiary of a project implemented under an honorary patronage of the Commander-in-Chief of the Border Guard and organised by the Ministry of Justice entitled “Crime Victims Assistance Week”. Taking part in this project aimed at more efficient detection of potential victims in crime cases which fall within the competence of the Border Guard (in particular acts relating to trafficking in human beings).</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</p> <p>In December 2009, Commander-in-Chief of the Border Guard issued decision no. 333 under which implementation of “The concept of the functioning of the Border Guard in the years 2009 - 2015” is assessed annually or, if necessary, on an ad hoc basis. All assessment conclusions are used to update the content of the Concept as regards making personnel, infrastructural and investment changes, their impact on the implementation of tasks within the competence of BG and risk assessment.</p> <p>4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?</p> <ul style="list-style-type: none"> – Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit); – Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the authorities;
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Table 1. The number of third-country nationals - including smuggled immigrants - apprehended in 2009-2013 when entering or attempting to enter illegally the territory of Poland between border crossing points (BCPs) at external borders
Data imported from FRAN (Frontex Risk Analysis Network) managed by FRONTEX

NATIONALITY (code ISO 3166 Alfa 3)	SUM	BORDER SECTION				
		RUS	BLR	UKR	AIR	SEA
MDA	126	12	5	109		
GEO	114		40	74		
UKR	108			92		16
VNM	99		59	40		
AFG	94		61	33		
RUS	93	12	24	57		
TUR	22			21		1
BLR	18		12	6		
ARM	15	7	2	6		
SOM	9	1		8		
IRN	7		2	5		
PSE	7		2	5		
ERI	6		3	3		
KAZ	5	2		3		
SYR	5	3		2		
LKA	4			4		
UNK	4	1	2	1		
BGD	3			3		
EGY	3			2		1
IRQ	3	2	1			
MNG	3		3			

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DJI	2	2				
HTI	2	2				
LBN	2			2		
PAK	2		1			1
UZB	2	1		1		
CIV	1			1		
CMR	1	1				
IND	1					1
ISR	1			1		
KGZ	1			1		
MLI	1			1		
PHL	1					1
SDN	1			1		
TJK	1			1		
TUN	1			1		
XXX	1			1		
TOTAL	769	46	217	485	0	21

Table 2. The number of third-country nationals - including smuggled immigrants - apprehended in 2009-2013 in border crossing points (BCPs)
Data imported from FRAN (Frontex Risk Analysis Network) and EDF-RAN (European Document Fraud-Risk Analysis Network) managed by FRONTEX

NATIONALITY (code ISO 3166 Alfa 3)	SUM	BORDER SECTION				
		RUS	BLR	UKR	AIR	SEA
UKR	1680	4	4	1528	144	
BLR	200		195	2	3	
SYR	124			3	121	

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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			RUS	121	13	82	17	9	
			PAK	50				50	
			MDA	35	5	4	19	7	
			TUR	33	2	5	17	8	1
			COD	30	25	1	2	2	
			ALB	29				29	
			CMR	25	3	8	10	4	
			EGY	24		4	2	17	1
			IRN	23		1	7	15	
			GEO	21		5	9	7	
			AFG	19		3		16	
			VNM	18				18	
			NGA	18		1	2	15	
			IRQ	17			1	16	
			XXX	14		5	1	8	
			BGD	14				14	
			POL	13	4		3	6	
			ARM	13		3	4	6	
			COG	11	1	4	2	4	
			PSE	10			1	9	
			CHN	7				7	
			IND	6				6	
			MNG	6		3		3	
			GHA	5	2		1	2	
			DOM	4	2	2			
			SOM	4			1	3	
			LBN	4			4		
			YEM	4				4	

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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			KGZ	3		1		2	
			MAR	3					3
			TGO	3		2		1	
			PER	3		3			
			UZB	2				2	
			DZA	2		1		1	
			SDN	2				2	
			GIN	2		1	1		
			ROU	2			2		
			BGR	2			2		
			DEU	2	1		1		
			CIV	2		2			
			TUN	2			1	1	
			JOR	2		2			
			NAM	1				1	
			CUB	1		1			
			LTU	1			1		
			CAF	1				1	
			IRL	1				1	
			AUT	1		1			
			ETH	1				1	
			KEN	1				1	
			TJK	1			1		
			AGO	1			1		
			MNE	1					1
			GMB	1		1			
			UNK	1				1	
			LBY	1			1		

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ERI	1				1	
SRB	1			1		
JAM	1				1	
LKA	1				1	
KAZ	1		1			
TOTAL	2633	62	346	1648	571	6

5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?

Table 3. Facilitators apprehended in the years 2009-2013 /

Data from the FRAN system managed by the FRONTEX /

Nationality ISO 3166 Alfa 3	TOTAL	BORDER SECTION					
		EXTERNAL BORDER					IN LAND AND INTERNAL BORDER
		Russian Federation	BELARU S	UKRAIN E	AIR	SEA	
POL	347		28	31	6		282
RUS	69		1	6			62
UKR	38			9			29
VNM	20		6				14
ARM	16			3	1		12
LTU	10						10
BLR	9		6				3
XXX	8			1			7
GEO	7		2		1		4
TUR	5			4			1
AZE	4			2			2

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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			PAK	4						4
			LVA	4				1		3
			DEU	4			2			2
			BEL	4						4
			EST	3		1				2
			MDA	3			2			1
			ROU	3						3
			IND	3						3
			CMR	3						3
			IRQ	3						3
			KAZ	3			1			2
			CZE	2			1			1
			AFG	2						2
			NGA	1						1
			CHN	1						1
			SYR	1				1		
			COG	1				1		
			MNG	1		1				
			BGD	1						1
			CAN	1						1
			PSE	1						1
			EGY	1						1
			TWN	1						1
			UZB	1						1
			NPL	1						1
			KGZ	1						1
			LBN	1			1			
				588	0	45	63	11	0	469

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			<ul style="list-style-type: none"> - Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit); - Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)? <p>Between 1 January 2011 and 30 September 2014, there were identified 89 persons suspected of having committed an offence referred to under Article 258 of the Penal Code (participation in an organised group or organisation whose purpose is committing offences or fiscal offences) in conjunction with Article 264 § 3 of the Penal Code (organising for other persons crossing the borders of the Republic of Poland), of which 49 were arrested and in case of 29 preventive measure in the form of provisional detention order was applied. Irrespective of the foregoing, 19 of those mentioned above were charged with committing an offence against credibility of documents, 8 violated the provisions on the protection of intellectual property, 3 - on drug abuse prevention, 2 - on weapons, ammunition and explosives and 1 person was suspected of having accepted financial or personal benefits. It is not possible to establish any links between the organisers of illegal migration and organised crime in the earlier period because the relevant functionality of the central criminal database had not been introduced then.</p>
	Slovak Republic	Yes	<p>1. National Unit to Combat Illegal Migration of the Border and Alien Police of the Presidium of the Police Force (NUCIM) is responsible for detection and investigation of cross-border criminal activity related to illegal migration and smuggling. NUCIM is executive, coordinative and conceptual department of the Border and Alien Police of the Presidium of the Police Force in the area of irregular migration and other cross-border criminal activities across whole territory of the Slovak Republic as the only body within the Ministry of Interior of the Slovak Republic. It was established on April 1, 2002 based on the regulation No 4/2002 of the Ministry of Interior of the Slovak Republic on changes of the administrative structure of the Presidium of the Police Force. It consists of 3 departments for operational activity and investigation: West, Centre and East and one department for coordination of activities.</p> <p>Activities of NUCIM, main tasks and subject-matter jurisdiction are regulated by internal regulations of the Ministry of Interior of the Slovak Republic.</p> <p><u>Legislative framework:</u></p> <ul style="list-style-type: none"> • Act No 300/2005 Coll. as amended (Criminal Code) • Act No 301/2005 Coll. as amended (Criminal Procedure Code) • Act No 171/1993 Coll. on the Police Force as amended • Internal legal regulations on operational-investigative activity and investigation within the authority of the Police Force • Activities of NUCIM are regulated by international documents adopted by international organisations e.g. UN (Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational

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			<p style="text-align: center;">Organised Crime)</p> <p><u>Interdepartmental cooperation in the area of smuggling:</u> In order to increase the efficiency of combatting criminality, the Interdepartmental expert coordinative body to combat criminality (IECB) was established aiming at coordination between the involved subjects which are the following: Ministry of Interior of the Slovak Republic, Ministry of Justice of the Slovak Republic, Ministry of Defence of the Slovak Republic, Ministry of Finance of the Slovak Republic, Ministry of Transport, Construction and Regional Development of the Slovak Republic, General Prosecutor of the Slovak Republic and Slovak Information Service. IECB is authorised to set up multidisciplinary integrated expert groups (MIEG) to solve specific tasks of combatting criminality – MIEG was set up in the area of smuggling and it is focused on the elimination of irregular migration and organised forms of unauthorised border crossing.</p> <p><u>Contact details:</u> Director of NUCIM tel. +421961050762 fax: +421961059130 e-mail: uhcp@minv.sk</p> <p>2.</p> <ul style="list-style-type: none"> • National strategy focused on the prevention and combatting smuggling is part of the National State Border Protection Management Plan of the Slovak Republic as well as Schengen Action Plan. • At the unit level, assessments of current situation in the area of smuggling are regularly prepared in order to implement relevant measures. • Within the scope of the Border and Alien Police of the Presidium of the Police Force, strategic analysis of irregular migration including the adopted conclusions and recommendations and modus operandi covering the period of half a year are regularly prepared. • At the European level, under the auspices of Europol, the strategic document Serious and Organised Crime Threat Assessment (SOCTA) is processed which also includes the area of organised irregular migration and smuggling. Based on the aforementioned strategic analysis, Standing Committee on operational cooperation on internal security (COSI) identifies priorities (Multi-Annual Strategic Plans (MASP) which is the basis for Policy Cycle and subsequent action plans (Operational Action Plans (OAPs)). The implementation and monitoring of the action plans is the responsibility of the European Multidisciplinary Platform Against Criminal Threats (EMPACT). The area of irregular migration is covered by EMPACT FII (Facilitating Illegal Immigration) and NUCIM is its member. • At the level of Europol, a working group Checkpoint has been established which is focused on the area of organised irregular migration and smuggling. It aims at providing assistance to the EU Member States in the area of coordination during the investigation; administration of analytical files; arrangement of cooperation with the Police etc. NUCIM is a member of the working group Checkpoint within which the Police cooperates with respective Member States in specific cases of irregular migration and smuggling. Currently, activities of the approved project “Operation FIMATHU” are
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			<p>carried out. The main driver of the project is the Hungarian Police and the implementation of activities is carried out also by other Member States including Slovakia.</p> <ul style="list-style-type: none"> • Previously, international projects COSPOL FII and COSPOL VOIC were implemented with the aim to fight smuggling. They were approved by the European Commission and funded through the program Prevention of and Fight against Crime (ISEC), implemented under the auspices of Europol at the recommendation of Police Chief Task Force (PCTF). <p>Bilateral agreements on police cooperation with neighbouring states</p> <ul style="list-style-type: none"> ▪ Agreement between the Republic of Poland and the Slovak Republic on cooperation in the area of combatting organised criminal activity and cooperation in the border area (Warsaw, March 24, 2004) ▪ Agreement between the Slovak Republic and the Hungarian Republic on cooperation in the area of prevention of cross-border criminal activity and combatting organised criminal activity (Bratislava, October 2, 2006 – coming into force in May 1, 2007) ▪ Agreement between the Slovak Republic and the Republic of Austria on police cooperation (Vienna, February 13, 2004) ▪ Agreement between the Slovak Republic and the Czech Republic on cooperation in the area of combatting criminal activity, protection of public order and protection of the state border (Bratislava, January 27, 2004) ▪ Agreement between the Slovak Republic and Ukraine on the Regime at Slovak-Ukrainian state borders, cooperation and mutual help in border issues (Bratislava, October 14, 1993) ▪ Agreement between the Slovak Republic and Cabinet of Ukrainian Ministers on cooperation in the area of organised criminal activity (Bratislava, December 5, 2000) ▪ Protocol between the Border and Alien Police of the Bureau of the Presidium of the Police Force and State Border Guard Service of Ukraine on direct mutual cooperation between the Border and Alien Police of the Bureau of the Presidium of the Police Force and State Border Guard Service of Ukraine (Uzhhorod, October 25, 2005) ▪ Plan of the development of cooperation between Border and Alien Police of the Bureau of the Presidium of the Police Force and State Border Service of Ukraine 2013-2014 ▪ Coordination mechanisms for the exchange of information are based on the Schengen recommendations. Central body for the exchange of information and coordination is the International Police Cooperation Office of the Presidium of the Police Force through which cooperation with e.g. Europol, Interpol, Liaison Officers of the Slovak Republic abroad is ensured. ▪ General Prosecutor of the Slovak Republic is responsible in the area of international legal assistance and establishment of joint investigative groups and EUROJUST is responsible for this area at the European level. <p>3. Conclusions and evaluations of strategic analysis, individual programs and projects are sent to NUCIM through Europol, coordinator of EMPACT FII as well as coordinator of the project FIMATHU.</p> <p>4. In the table below you can find an overview of smuggled irregular migrants in cases documented by NUCIM in the year of detection and of filing a complaint to start legal proceedings. In the territory of the Slovak Republic, irregular migrants cross the land border from Ukraine or Hungary. Slovak Republic is the country of destination only for a certain group of migrants. Most of the irregular migrants continue their migratory routes through Austria to Italy or through the Czech Republic to Germany, France, Great Britain and other EU states. Some migrants who presented Schengen visa issued by the Slovak Republic were apprehended by other EU Member States bodies</p>
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EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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and according to the Dublin regulation were returned to the Slovak Republic.					
Migrants 2009			2010		
Nationality	Apprehended	Detained	Nationality	Apprehended	Detained
Afghanistan	27	27	Afghanistan	223	49
Albania	2	2	Bangladesh	62	0
Bangladesh	210	3	China	58	40
Georgia	1	1	Georgia	9	5
China	17	5	India	66	9
India	319	83	South Korea	1	1
Iraq	2	2	Moldova	94	12
Moldova	22	19	Unknown	33	0
Nigeria	1	1	Pakistan	78	10
Unknown	1 090	11	Palestine	9	7
Pakistan	159	49	Russia	8	8
Palestine	4	2	Somalia	37	9
Russia	17	17	Serbia	45	0
Somalia	2	2	Syria	9	8
Syria	11	11	Sri Lanka	1	0
Sri Lanka	23	12	Tunisia	1	0
Turkmenistan	2	2	Ukraine	331	310
Ukraine	126	17	Vietnam	30	0
Vietnam	41	1	-	-	-
Total	2 076	267	Total	1 095	468
Migrants – 2011			2012		

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Nationality	Apprehended	Detained		Apprehended	Detained
Afghanistan	151	49	Afghanistan	27	6
Armenia	3	-	Albania	1	-
Bangladesh	2	-	Algeria	1	-
Russia (Chechnya)	7	7	China	46	1
China	3	-	India	3	3
Philippines	50	-	Moldova	112	-
Georgia	3	-	Macedonia	2	-
India	55	-	Nigeria	1	-
Unspecified areas (Kosovo)	13	-	Unknown	45	-
Kuwait	2	-	Pakistan	2	2
Moldova	5	5	Palestine	1	1
Macedonia	1	-	Somalia	23	2
Pakistan	59	-	Turkey	1	1
Palestine	3	3	Ukraine	261	4
Russia	2	2	Vietnam	22	4
Somalia	79	19	-	-	-
Serbia	2	1	-	-	-
Syria	39	-	-	-	-
Turkey	9	8	-	-	-
Ukraine	279	59	-	-	-
Vietnam	29	-	-	-	-
Total	796	153	Total	548	24

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Migrants 2013		
Nationality	Apprehended	Detained
Afghanistan	51	45
Algeria	1	-
Brazil	1	-
Russia (Chechnya)	107	4
China	108	-
India	15	-
Mongolia	4	4
Macedonia	1	-
Morocco	1	-
Pakistan	6	-
Serbia and Montenegro	2	-
Somalia	4	4
Syria	4	4
Ukraine	601	-
Vietnam	32	-
Total	938	61

5. In the table below you can find an overview of smugglers in cases documented by NUCIM for the period 2009 – 2013. If needed, it is possible to provide additional information about the number of accused smugglers. NUCIM does not have the information about the convicted.

Smugglers 2009		2010		2011		2012	
Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
Afghanistan	3	Bangladesh	1	Afghanistan	2	Afghanistan	1
Bangladesh	4	China	4	Armenia	3	Czech Republic	2

EMN Ad-Hoc Query: Facilitation of irregular migration to the EU

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Czech Republic	1	Georgia	2	Bangladesh	1	China	6
Georgia	5	India	2	Belarus	1	Moldova	1
India	15	Macedonia	2	Czech Republic	1	Unknown (open cases)	47
Hungary	1	Moldova	4	China	2	Pakistan	1
Unknown (open cases)	32	Unknown (open cases)	40	Lithuania	1	Slovak Republic	50
Pakistan	5	Pakistan	3	Macedonia	1	Serbia	1
Poland	2	Poland	2	Unknown	12	Ukraine	20
Somalia	1	Portugal	1	Pakistan	2	Vietnam	7
Russia	6	Russia	4	Poland	1	-	-
Slovak Republic	65	Slovak Republic	58	Austria	1	-	-
Syria	1	Syria	1	Russia	1	-	-
Ukraine	9	Ukraine	20	Slovak Republic	64	-	-
-	-	Iran	1	Serbia	1	-	-
-	-	South Korea	1	Turkey	1	-	-
-	-	Vietnam	1	Ukraine	26	-	-
-	-	-	-	Vietnam	1	-	-
Total	150	Total	147	Total	122	Total	136
Smugglers 2013							
Nationality				Number			
Czech Republic				1			

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China	1
Mongolia	1
Unknown (open cases)	8
Pakistan	2
Russia	1
Slovak Republic	46
Ukraine	26
Vietnam	5
Total	91

Cases of smuggling in the territory of the Slovak Republic concern the land border. Listed smugglers were involved in the assistance and organising of irregular migration mostly through the territory of the Slovak Republic and further through Austria to Italy or through the Czech Republic to Germany and other EU Member States. They entered the territory of the Slovak Republic either through external Schengen border with Ukraine or through internal border with Hungary and in unique cases through internal Schengen border with Poland. In most cases, smuggling is carried out through organised groups which is in most cases hard to be proved by the law enforcement authorities. Crime of smuggling is closely related to other criminal acts such as identity document forgery, violent criminal activity, blackmailing, legalization of income from criminal activities or smuggling of tobacco products.

In the table below you can find an overview of organised and criminal groups documented and implemented by NUCIM during 2009-2013.

Organised group	Total number of complaints	Number of convictions in the complaints	Total number of smugglers	Conviction filed by a smuggler
2009	11	8	84	50
2010	11	7	63	43
2011	12	9	73	59*
2012	17	11	83	47
2013	9	8	50	45

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Criminal group	Total number of complaints	Number of convictions in the complaints	Total number of smugglers	Conviction filed by a smuggler
2009	2	1	4	1
2010	2	1	21	8
2011	-	-	-	-
2012	1	1	1	1
2013	-	-	-	-

6. Documents concerning smuggling are processed by Europol and are addressed for the purposes of staff of law enforcement authorities. For further details, it is recommended to contact Europol.

	Slovenia	Yes	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p> <p>The work undertaken by the police with regard to state border control is governed, in great detail, by the State Border Control Act, as well as with the Strategic Positions of the Slovene Police in Integrated Border Management (Strategic Positions). The above mentioned Act and Strategic Positions govern, in detail, the fields of border checks and state border surveillance, compensatory measures, risk analysis, co-operation with other state authorities, international co-operation and activities on education and training. While State Border Control Act, together with other national legislation, empowers the Police to conduct different procedures necessary for efficient border control, Strategic Positions present overall framework of Slovene border security module.</p> <p>In Slovenia the only competent organisation for state border control is the Police, which is a body affiliated to the Ministry of the Interior. Slovenia does not have special border police; instead, state border control tasks are performed by all Slovenian police officers in accordance with their statutory powers. This enables a quick and effective flow of information and control of the state border in the entire Slovenian territory.</p> <p>The Police perform state border control measures at the national, regional and local level, where state border surveillance is directly carried out by police officers from state border surveillance groups at all police units that cover areas with the EU external border. Border checks are performed by officers of border police stations at the land and sea borders and international airports. They are all additionally trained for work at the state border. Besides the relevant European and national legislation (the contents of the curriculum for police officers, training for EU external border surveillance and other police training programmes are aligned with the Frontex Common Core Curriculum), police officers who carry out state border surveillance also receive training for the use of equipment for state border surveillance (hand-held and mobile thermal vision devices, night vision devices...), while police officers who carry out border checks receive training for the detection of forged documents, stolen vehicles and the use of border checks equipment (devices for the detection</p>
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		<p>of drugs, explosives, radioactivity, for the inspection of vehicles, documents...).</p> <p>The first measures of state border control start at diplomatic-consular representations abroad, where the police play an active part in checking aliens in procedures of issuing visas and residence permits. Slovenian diplomatic and consular representations pass on to the Police the information they receive from diplomatic and consular representations of other EU Member States, which also serves for drawing up risk analyses. The police receive information on border issues and foreigners via Slovenian liaison officers in countries from which most migrants come to Slovenia and which are located on the so-called Balkan route (Serbia, Montenegro, Croatia) and Italy. Slovenia also receives this information from foreign liaison officers accredited for Slovenia.</p> <p>Slovenia has signed agreements on cross-border police cooperation with all the neighbouring countries. Meetings with law enforcement authorities of the neighbouring countries are regular and held at all three levels. Operational cooperation also takes place through two centres for police cooperation: Vrata-Megvarje (Austria-Italy-Slovenia) and Dolga vas (Austria-Croatia-Hungary-Slovenia) and similar centres in other EU countries. Informal cooperation in border checks and surveillance at the local level is especially important.</p> <p>Border checks are performed by specially trained police officers pursuant to the Schengen Borders Code, State Border Control Act and Aliens Act. Officers use national databases, Schengen Information System (SIS), Europol's and Interpol's databases and technical equipment recommended in the Schengen Catalogue External borders control, removal and readmission. In carrying out border checks the police cooperate with other national authorities present at a particular border crossing point, notably with representatives of the Customs Administration of the Republic of Slovenia, and representatives of law enforcement authorities of the neighbouring country.</p> <p>The purpose of state border surveillance is to prevent and detect illegal migration and cross-border crime. The external border is divided into segments, sectors and sections, which are assigned a degree of risk and extent or manner of protection (e.g. patrols) each. The operation of police patrols from several police units at the level of a police directorate is coordinated by the operation-communication centre, and of several police directorates by the operation-communication centre of the General Police Directorate (GPD). Especially important is cooperation with the local population, where the most important role in obtaining information relevant to the state border surveillance and cross-border crime is played by community policing officers as well as other police officers in the area. Regular mixed patrols take place at the external land border pursuant to the Agreement on Cross-border Cooperation with Croatia.</p> <p><input type="checkbox"/> If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force; An interdepartmental working group for migration policy development has been established. Activities are coordinated at governmental level and take place by regular meetings, legislation development and information exchange.</p> <p><input type="checkbox"/> Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities; Border security issues are included in overall security strategy at the national level that is approved by the Government and revised regularly due to geo-political and other changes regionally and world-wide. Representative from the Cabinet of the Minister for the</p>
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		<p>Internal Affairs is presenting interests of the Police within the intergovernmental working group which prepares this plan. Beforehand necessary measures and other activities are presented and debated with representatives of the Police.</p> <p>In everyday work the Slovenian police actively cooperate both with state authorities and organisations of other countries and other state authorities (ministries, offices, inspection services, etc.) and NGOs in Slovenia. The legal basis for cooperation between ministries and other administrative bodies is the Public Administration Act. In practice, experts from different ministries/areas cooperate within working groups in preparing legislative acts, guidelines, positions, etc. Very important is the cooperation with the customs, which organisationally is part of the Ministry of Finance. In 2007 the Agreement on Secondment of Contact Persons – Liaison Officers between the Customs Administration and the Police was signed, to be followed a year later by the Agreement on Mutual Cooperation between the Customs Administration and the Police, which lays down the forms and manner of cooperation and enables joint secondment of liaison officers. Pursuant to these agreements the customs cooperate with the police both at border crossing points and in the interior (mobile units). At the SECI Center (Romania) there is a customs officer, who is also responsible for the police. Since 2008 there has been a liaison officer from the customs at the International Police Cooperation Division of the Criminal Police Directorate, General Police Directorate. Within the scope of work of the MoI the Police contribute especially by means of expert recommendations, opinions and positions from their area of work. Together with other services and ministries they prepare the national legislation and take part in drawing up directives, regulations and other acts of the EU acquis. Especially important is cooperation with the Migration and Integration Directorate of the MoI, which enables a successful and effective operational and strategic cooperation in the field of managing mixed migration flows. In addition to all the above, the Police also cooperate with several inspection services (labour, market, phytosanitary, veterinary and health inspection service, etc.). For their work to be as coordinated and effective as possible, mutual communication and exchange of good practices and know-how needs to be ensured.</p> <p><input type="checkbox"/> Please provide the contact details of the identified person(s) in charge of this policy; http://www.policija.si/index.php/o-policiji http://www.mnz.gov.si/si/o_ministrstvu/</p> <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <p><input type="checkbox"/> National strategy, Action plan, etc.; National strategy related to migration management is available at: http://www.uradni-list.si/1/content?id=39799</p> <p><input type="checkbox"/> Dialogues, cooperation agreements, memorandum of understanding with third countries; Slovenia has signed agreements on cross-border police cooperation with all the neighbouring countries. Meetings with law enforcement authorities of the neighbouring countries are regular and held at all three levels. Operational cooperation also takes place through two centres for police cooperation: Vrata-Megvarje (Austria-Italy-Slovenia) and Dolga vas (Austria-Croatia-Hungary-Slovenia) and similar centres in other EU countries. Informal cooperation in border checks and surveillance at the local level is especially important.</p> <p><input type="checkbox"/> Actions to involve countries of departure and/or of transit in border surveillance (joint) operations;</p>
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		<p>Activities take place within joint operations organised by Frontex.</p> <p><input type="checkbox"/> Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings; No such actions have been taken.</p> <p><input type="checkbox"/> Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe;</p> <p><input type="checkbox"/> Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings; The network of liaison officers in transit countries is being established. On its 45th regular session on 20th October 2005 the government of the Republic of Slovenia adopted a decision that liaison officers should be posted to the Republic of Serbia, Republic of Montenegro, Republic of Croatia, European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) and Europol and the SECI Centre. Following that decision Slovenia appointed liaison officers to Belgrade (Serbia), Zagreb (Croatia) and Podgorica (Montenegro). In 2011, additional liaison officer was posted in Republic of Italy in Rome. Before that we have been cooperating in this area with foreign liaison officers, who are accredited in Slovenia or neighbouring countries and are responsible for Slovenia among others.</p> <p><input type="checkbox"/> Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.); Police officers acquire knowledge in the field of integrated border management in the framework of national and international forms of education and training.</p> <p>National education and training courses are prepared and carried out by the Police Academy. It cooperates closely with the police expert services at all levels. In education and training of police officers in the field of state border control, both at the national and international levels, the Police Academy particularly cooperates with the Uniformed Police Directorate of the General Police Directorate.</p> <p>Contents on integrated border management are incorporated in the national curriculum for police officers, college-level police studies and various training courses on state border management. Strategic positions of the Slovenian police in this area will also be included.</p> <p>The national curriculum for police officers and training for state border control are aligned with the Frontex Common Core Curriculum.</p> <p>Police officers regularly attend international training courses in the field of EU external border management and international police cooperation prepared by Frontex, CEPOL, SEPA and DCAF in cooperation with EU and Schengen Zone Member State. They also attend bilateral training exchanges.</p> <p>The Police Academy has the status of a partner academy with Frontex and CEPOL and a national SEPA contact point. This means that the Police Academy, besides referring Slovenian officers to international training courses, also organises international training courses and exchanges of officers, bringing foreign police officers and experts to Slovenia.</p> <p><input type="checkbox"/> Coordination mechanisms to exchange data and share knowledge-based information;</p>
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			<p>In accordance with the Decree on simplifying information and data exchange between the Police or the Customs Administration of the Republic of Slovenia and competent authorities in other EU Member States (Official Gazette No. 67/2008 of 04.07.2008), Slovenia has fully implemented the provisions of the Council Framework Decision 2006/960/JHA of 18 December 2006 and thus incorporated it into the national legislation.</p> <p>In carrying out tasks of state border control the police cooperate and exchange information at all levels of their organisation (local, regional and national) and between units (a police station cooperates with neighbouring police stations and the border police station, police directorates cooperate among themselves), as well as:</p> <ul style="list-style-type: none"> - The police cooperate with other services of the Ministry of the Interior (Internal Administrative Affairs Directorate and Migration and Integration Directorate); - The police cooperate with other ministries and bodies affiliated to ministries (Customs Administration, Slovenian Maritime Administration, Veterinary Administration, inspection services...); - The police take part in EU working groups and cooperate with EU agencies (Frontex, Europol...); - The police cooperate with Interpol; - The police cooperate with law enforcement authorities of EU member states and third countries. <p><input type="checkbox"/> Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants);</p> <p>Slovenia has concluded agreements on return and readmission with the following Schengen states: the Republic of Austria, the Benelux countries (the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands), the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Slovakia, the Republic of Poland, the Swiss Confederation, the Kingdom of Denmark, the French Republic, the Hellenic Republic and the Italian Republic. The titles of treaties, publication in the official journal and data pertaining to validity are the following:</p> <ul style="list-style-type: none"> - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Austria on the readmission of persons at the State border and the Protocol on the application of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Austria on the readmission of persons at the State border (OG RS-MP, No 4/1993, valid from 1. 9. 1993); - Agreement between the Government of the Republic of Slovenia, on the one part, and the Governments of the Kingdom of Belgium, the Grand-Duchy of Luxembourg and the Kingdom of the Netherlands, on the other part, on readmission of persons whose entry or residence in the country are contrary to the national law (OGRS-MP, No 4/1993, 16. 11. 1992); - Agreement between the Government of the Republic of Slovenia and the Government of the Kingdom of Denmark regarding readmission of citizens of one of the two states and aliens, who are staying illegally in the territory of the other State (OG RS-MP, No 50/1997 - MP No 15/1997, valid from 1. 9. 1997);
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			<ul style="list-style-type: none"> - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of France on readmission of those persons whose entry into or residence in a country are contrary to the national law (OG RS-MP, No 15/1993, valid from 14. 11. 1993); - Agreement between the Government of the Republic of Slovenia and the Government of the Hellenic Republic on the readmission of persons whose entry into or residence in a country are contrary to the national law RS-MP, No 21/1995 - MP No 6/1995, valid from 13. 1. 1996); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Italy on the readmission of persons at state border (OG RS-MP, No 35/1997 - MP No 10/1997, valid from 1. 9. 1997) - Agreement between the Government of the Republic of Slovenia and the Government of the Czech Republic on the readmission of persons at state border (OG RS, No 27/1999 - MP No 9/1999; valid from 16. 12. 2004) and the Protocol between the Ministry of the Interior of the Republic of Slovenia and the Ministry of the Interior of the Czech Republic on the implementation of the Agreement between the Government of the Republic of Slovenia and the Government of the Czech Republic on the readmission of persons at State border (OG RS, No 111/2003 - MP No 25/2003, valid from 16. 12. 2004); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Estonia on the readmission of persons (OG RS No 68/1997 - MP No 20/1997, valid from 7. 11.1997); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Latvia on readmission of persons (OG RS-MP, No 16/1998, valid from 16. 10. 1998); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Lithuania on readmission of those persons whose entry into or residence in a country are contrary to the National Law (OG RS-MP, No 16/1997 - MP No 3/1997, valid from 15. 6. 1997); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Hungary on the readmission, at the state border, of persons staying illegally in the other state's territory (OG RS No. 28/1998 - MP No 10/1999, valid from 29. 7. 1999) and additional Agreement on the implementation of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Hungary on the readmission, at the state border, of persons staying illegally in the other State's territory (OG RS No 51/1999 - MP No 15/1999, valid from 29. 7. 1999); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of
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			<p>Poland on the return and readmission of persons who do not possess a valid residence permit (OG RS No 16/1997 - MP No 3/1997, valid from 6. 4. 1998); an additional protocol is also prepared for signature;</p> <ul style="list-style-type: none"> - Agreement between the Government of the Republic of Slovenia and the Government of the Slovak Republic on readmission of persons at state border (OG RS No 21/1995 - MP No 6/1995, valid from 24. 5. 1995) and additional Protocol on the implementation of the Agreement between the Government of the Republic of Slovenia and the Government of the Slovak Republic on the readmission of persons at the state border (OG RS, No 14/2000 - MP No 2/2000, valid from 25. 7. 2000); - Agreement between the Government of the Republic of Slovenia and the Swiss Confederation on the readmission of persons staying illegally and additional Protocol on the implementation of the Agreement between the Government of the Republic of Slovenia and the Government of the Swiss Confederation on the readmission of persons staying illegally (both published in the OG RS No 36/2005 - MP, No 5/2005, valid from 11. 4. 2005); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Bulgaria on readmission of persons (OG RS No 19/2000 - MP No 4/2000, valid from 14. 4. 2000); - Agreement between the Government of the Republic of Slovenia and the Government of Romania regarding the readmission of the citizens of the two countries whose entry or residence inside the territory of the other state are illegal (OG RS No 19/2001 - MP No 6/2001, valid from 5. 12. 2001); - Agreement between the Government of the Republic of Slovenia and the Council of ministers of the of Bosnia and Herzegovina on readmission of persons whose residence is illegal and the Protocol on the implementation of the Agreement between the Government of the Republic of Slovenia and the Council of ministers of the of Bosnia and Herzegovina on readmission of persons whose residence is illegal (OG RS No 30/2007 - MP No 5/2007, valid from 1. 9.2007); - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia on the readmission of persons at state border and the Protocol on the implementation of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia on the readmission of persons at state border (OG RS-MP, No 3/1994, valid from 14. 5. 1995); - Arrangement between the Government of the Republic of Slovenia and the Government of Canada on the mutual removal of the citizens of both countries whose entry or residence in the territory of the other country are illegal (OG RS No 8/1996 - MP No 2/1996, not yet in force);
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			<ul style="list-style-type: none"> - Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Macedonia on readmission of persons whose entry and/or residence is contrary to the national law (OG RS No 70/1998 - MP No 17/1998, valid from 1. 2. 1999); - Agreement between the Government of the Republic of Slovenia and the Federal Government of the Federal Republic of Yugoslavia on return and readmission of persons who do not comply with the conditions for entry or stay in the territory of the other state (OG RS No 58/2001 - MP No 17/2001, valid from 21. 12. 2001) and additional Protocol on the application of the Agreement between the Government of the Republic of Slovenia and the Federal Government of the Federal Republic of Yugoslavia on return and readmission of persons who do not comply with the conditions for entry or stay in the territory of the other state (OG RS No 90/2001 - MP, No 26/2001, valid from 21. 12.2001). <p>The Republic of Slovenia has concluded implementation protocols to EU-readmission-agreements with the Republic of Albania, the Republic of Montenegro and the Republic of Serbia.</p> <p><input type="checkbox"/> Any other specific action.</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling? Please refer to EMN studies in this regard.</p> <p>4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years? Information is available in the following table:</p> <table border="1"> <tr> <td>Year 2009</td> <td>830</td> </tr> <tr> <td>Year 2010</td> <td>789</td> </tr> <tr> <td>Year 2011</td> <td>897</td> </tr> <tr> <td>Year 2012</td> <td>1388</td> </tr> <tr> <td>Year 2013</td> <td>915</td> </tr> </table> <p><input type="checkbox"/> Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit); Main route takes place across Western Balkan. Illegal migrants by citizenship in 2013 are available in the following table:</p>	Year 2009	830	Year 2010	789	Year 2011	897	Year 2012	1388	Year 2013	915
Year 2009	830												
Year 2010	789												
Year 2011	897												
Year 2012	1388												
Year 2013	915												

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Afghanistan	114
Kosovo	86
Albania	77
Somalia	75
Sirya	63
Eritrea	56
Algeria	51
Turkey	45
Croatia	45
Pakistan	33
other	268

Please refer to EUROSTAT data in this regard.

Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the authorities;

Information is not available.

5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?

Number of facilitators apprehended is available in the following table:

Year 2009	313
Year 2010	371
Year 2011	670
Year 2012	478
Year 2013	257

Information is partially available. Number of convicted facilitators is not available.

Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit);

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			<p>The following table shows number of facilitators in 2013:</p> <table border="1"> <tr><td>Slovenia</td><td>105</td></tr> <tr><td>Bosnia and Herzegovina</td><td>50</td></tr> <tr><td>Serbia</td><td>43</td></tr> <tr><td>Afghanistan</td><td>13</td></tr> <tr><td>Croatia</td><td>12</td></tr> <tr><td>Macedonia</td><td>12</td></tr> <tr><td>Austria</td><td>5</td></tr> <tr><td>Kosovo</td><td>4</td></tr> <tr><td>other</td><td>4</td></tr> <tr><td>Hungary</td><td>3</td></tr> <tr><td>Turkey</td><td>2</td></tr> <tr><td>Italy</td><td>1</td></tr> <tr><td>Lithuania</td><td>1</td></tr> <tr><td>Russian Federation</td><td>1</td></tr> <tr><td>Syria</td><td>1</td></tr> </table> <p>The rest of statistical data is not available. Main route takes place across Western Balkan.</p> <p><input type="checkbox"/> Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)?</p> <p>Some facilitators operate within structure of OCG, the others facilitate illegal migration as individuals.</p> <p>6. Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources).</p>	Slovenia	105	Bosnia and Herzegovina	50	Serbia	43	Afghanistan	13	Croatia	12	Macedonia	12	Austria	5	Kosovo	4	other	4	Hungary	3	Turkey	2	Italy	1	Lithuania	1	Russian Federation	1	Syria	1
Slovenia	105																																
Bosnia and Herzegovina	50																																
Serbia	43																																
Afghanistan	13																																
Croatia	12																																
Macedonia	12																																
Austria	5																																
Kosovo	4																																
other	4																																
Hungary	3																																
Turkey	2																																
Italy	1																																
Lithuania	1																																
Russian Federation	1																																
Syria	1																																
	Spain	Yes	<p>1. The main actors involved in policies addressing migrant smuggling are the Ministry of Interior, the Ministry of Employment and Social Security, and the Ministry of Foreign Affairs. Coordination takes place in the inter-institutional task force Comisión Interministerial de Extranjería. The mandate is defined in the Royal Decrees determining the competences of each ministry. In principle, contact persons for EU institutions are the PERMREP counsellors of those ministries.</p> <p>2. The fight against human smuggling is a top priority horizontal issue that covers penal law, alien law and border control. It is in close relation with asylum issues and the fight against THB. Cooperation in the fight against smuggling is included in a series of immigration agreements with third countries, such as Gambia, Guinea, Mali, Niger and Guinea-Bissau. It can also be found in cooperation agreements in criminal matters, such as those with Cape Vert, Algeria, Senegal, Mali, Cameroon and Ivory Coast. In the specific field of border surveillance, Spain has an agreement with Cape Vert.</p>																														

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			<p>Readmission agreements, such as those with Morocco, Mauritania, Algeria are also a basic element since they have, when effectively implemented, a strong preventive effect.</p> <p>Joint border surveillance operations are carried out with Mauritania, Morocco and Algeria.</p> <p>Joint investigation teams have been set up with Mauritania and Morocco.</p> <p>Spain has police cooperation centres with Morocco (on Spanish and Moroccan territory).</p> <p>Attachés and liaison officers have been deployed in Cameroon, Egypt, Gambia, Ghana, Guinea Conakry, Guinea Bissau, Libya, Mali, Morocco, Mauritania, Niger, Nigeria, Senegal and Tunisia.</p> <p>The National Police and Guardia Civil carry out training activities, each within its competences, on border checks, false documents, trafficking, smuggling, vessel crews, EUROSUR operators, etc.</p> <p>The Guardia Civil has promoted the Seahorse Atlantic and Seahorse Mediterranean systems.</p> <p>3. 2006: 31.678 arrivals of irregular migrants in the Canary Islands. 2013: 196 arrivals of irregular migrants in the Canary Islands.</p> <p>4. Irregular border crossings by sea (which can all be considered as smuggled, without prejudice to trafficking cases): 2009: 7285 2010: 3333 2011: 5443 2012: 3804 2013: 3236 To these numbers, smuggling cases through BCPs (using false documents, or overstay) and by land (Ceuta and Melilla) should be added.</p> <p>5. Arrested facilitators: 2012: 836 2013: 746</p> <p>6. -</p>
	<p>Sweden</p>	<p>Yes</p>	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p> <ul style="list-style-type: none"> - If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force; - Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities; - Please provide the contact details of the identified person(s) in charge of this policy; <p>Many of the answers to question 1) and some of the other questions below are based on the Swedish contribution to the EMN-study "Practical responses to irregular migration", produced in 2012. The main institutions and the legal framework are the same as described in this study, but irregular migration has increased since then, largely due to increased refugee flows to Europe from third countries.</p>

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		<p>The main actors and institutions in Sweden are: Police: National Police Board, Box 12256, SE-102 26 Stockholm, tel. +46811414. Migration Board: Migrationsverket, SE-601 70 Norrköping, tel. +46771235235. Coastguard: Box 536, SE-371 23 Karlskrona, tel +46455353400. Customs: Box 12854, SE-112 98 Stockholm, tel. +46771520520.</p> <p>The Riksdag (Parliament) and the Government establish the Swedish migration policies. These policies are based on a holistic perspective that encompasses refugee, migration and integration policies, as well as return and re-establishment support. Migration-related activities are also undertaken within the frameworks of foreign, security, trade and development cooperation policies in order to, in a longer perspective; remove the causes for people to feel compelled to leave their home countries and to facilitate returns. Government also initiates and takes decisions on policy measures in order to combat irregular migration.</p> <p>The migration system in Sweden is governed by the Aliens Act, passed by the Riksdag, and the Aliens Ordinance, which is based on the Aliens Act and determined by Government. The current Aliens Act entered into force on 31 March 2006. As concerns appeals, the Administrative Court Procedure Act applies. In addition, there are certain general provisions that control all administrative government agencies in accordance with the Administrative Procedure Act. Since 5 April 2011, Sweden applies the EU Visa Code (EC Regulation 810/2009), which brings the opportunity to appeal visa decisions at the Administrative Courts. Sweden also applies the Schengen Border Code (EC Regulation 562/2006) on the movement of third country citizens across borders.</p> <p>The primary responsibility for migration issues, including irregular migration, lies with the Ministry of Justice, with the Swedish Migration Board and the Police as subsidiary authorities. Other ministries involved with relevant government agencies are the Ministry of Defense, and the Swedish Coastguard, the Ministry of Finance and Customs, the Ministry of Enterprise, Energy and Communications, the Swedish Transport Agency, and the Ministry for Foreign Affairs with its missions abroad.</p> <p><i>Swedish Police</i></p> <p>The Swedish Police consists of the National Police Board (NPB), which is the central administrative authority of the police service, the National Laboratory of Forensic Science and 21 regional county police authorities. There are 28 800 employees in total. The National Police Commissioner is the head of the NPB. A County Chief Police Commissioner heads each police authority.</p> <p>The Police bear the primary responsibility for border control. In 2009 the Central Border Management Division (CGE) was established within the National Bureau of Investigation, which is part of the NPB, with the task of developing a more coherent, efficient application of border controls and other areas of migration law. The division leads methodological and operational development within the Police in this field. The CGE also serves as the national contact point for Frontex and coordinates the Swedish participation in border control operations and joint returnee operations within the framework of Frontex operations. The CGE also houses travel document experts and is responsible for the EU database FADO that contains information on real and false documents.</p> <p>From January 2015, Swedish Police will change its organizational form, abandoning the system of 21 county police authorities, and forming one national police authority. Swedish Police are in charge of all forced returns from Sweden.</p> <p><i>The Swedish Migration Board</i></p> <p>The Swedish Migration Board is located in approximately 40 different municipalities, from the very south to the very north of Sweden. Its headquarters is located in Norrköping. There are currently almost 5 000 employees at the agency.</p> <p>The Swedish Migration Board is the central administrative agency within the migration field. According to its directives, it bears process</p>
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		<p>and coordination responsibility for the following operational areas; asylum, visas, residence and work permits, and citizenship issues. This coordination responsibility includes working to ensure that the processing of cases in accordance with aliens and citizenship legislation is legally secure and efficient. The Swedish Migration Board also bears primary responsibility for foreign citizens without residence permits up to the point where a residence permit is granted and the individual becomes resident of a municipality. The Swedish Migration Board also houses a Central ID Unit and a Voluntary Return Unit. Upon request of the Police, personnel from the Swedish Migration Board may assist with border control tasks.</p> <p><i>The Swedish Coast Guard</i></p> <p>The Swedish Coast Guard is a law enforcement, non-military authority with its headquarters in Karlskrona. There are 770 employees of which approximately 500 are law enforcement officers carrying out general coast guard duties including border control. There are four Coast Guard Regions; North, East, South and West. Each region has a command and control center which is staffed around the clock. In addition there is one Flight Division. Regional headquarters are located in Härnösand (Region North), Stockholm (Region East) Karlskrona (Region South) and Gothenburg (Region West). Basic duties include the surveillance of open sea and coastal waters, including the following areas: border control, sea traffic control, customs control, fishing control, environmental surveillance, ship security control and coordination of maritime information for law enforcement surveillance. According to Swedish legislation, a Coast Guard Officer has the authority of a Police Officer/Customs Officer to carry out his/her duties.</p> <p><i>Customs</i></p> <p>Swedish Customs has its headquarters in Stockholm. There are 2 300 employees in total. Its primary duties are to protect society by enforcing import and export prohibitions and restrictions and to collect EU duties and levies. Upon request of the Police, Customs may take part in the control and surveillance of external borders. Hence, Customs officers may be assigned to support the Police with regard to border control tasks. The Customs law enforcement process has 52 law enforcement groups all over Sweden. Each group consists of 10 officers and a narcotics search dog. These groups are mobile and deployed at the locations where the potential for smuggling is considered to be greatest. Consequently these groups work at all border areas where entry may occur.</p> <p><i>Swedish missions abroad</i></p> <p>The Swedish missions abroad supply government agencies with information which may be vital to the assessment of asylum cases. Information may be case-based at individual level or more generally country-specific. The Swedish Migration Board cooperates operationally with embassies on various issues concerning migration. The Swedish Migration Board is also responsible for a number of migration attachés posted to various missions abroad.</p> <p><i>Cooperation</i></p> <p>The Police bear the main responsibility for border control and for checking aliens within the territory, in accordance with the Schengen acquis. The Coast Guard has independent responsibility for border control at sea. The Customs are obliged to participate in border control only when requested to do so by the Police. At national operational level, regular meetings are held between Police, Coast Guard, Customs and Migration authorities. Measures are taken at national level to ensure that cooperation at regional/local level is maintained and that rules and instructions are implemented.</p>
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		<p>Agreements regarding operational matters are made at regional/local level between the above-mentioned authorities. Based upon central agreements, regular coordination and planning meetings are held. The objective of these meetings are to:</p> <ul style="list-style-type: none"> • Synchronise and coordinate control and surveillance activities, • Resolve possible disagreements, • Capture feedback information from operations, • Standardise routines and instructions. <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <ul style="list-style-type: none"> – National strategy, Action plan, etc.; – Dialogues, cooperation agreements, memorandum of understanding with third countries; – Actions to involve countries of departure and/or of transit in border surveillance (joint) operations; – Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings; – Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe; – Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings; – Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.); – Coordination mechanisms to exchange data and share knowledge-based information; – Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants); – Any other specific action. <p>The National Border Management Division (CGE) cooperates with the county police authorities, Swedish Customs, the Swedish Coast Guard, the Swedish Migration Board and the Prison and Probation Transport Service (TPT). The CGE also cooperates with international actors such as Frontex and the Baltic Sea Region Border Control Cooperation (BSRBCC). In addition, the CGE collaborates with the criminal intelligence services (within the National Bureau of Investigation) in the fight against irregular migration, smuggling of humans and trafficking.</p> <p>The aim of a central border management division is to establish more cohesive, efficient border control and other immigration law enforcement activities. Consequently, the CGE issues guidelines and information to the various police authorities in the form of circulars in accordance with National Police Board regulatory powers in order to promote compliance with immigration law. The CGE also carries out inspections at the county police authorities in Sweden. At these inspections, any ambiguities or queries concerning cases can be dealt with as the division's experts examine all the relevant cases at each police authority. These inspections contribute to the standardisation of the application of the law and consequently also counteract irregular migration.</p> <p>As the contact point for Frontex, and by positioning staff in the Bureau's various operations, the CGE contributes in the longer</p>
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		<p>perspective to combating irregular migration. In that the CGE sends out Swedish officers, the division gains improved knowledge and competence when officers return to their jobs in Sweden, which in turn assists the dissemination of such competence to relevant police authorities and other stakeholders in Sweden.</p> <p>Frontex has developed a training package aimed at providing a similar standard of input for all EU officials. However, this course has not been fully implemented in Sweden as, among other aspects, it is considered to be too extensive.</p> <p>The Swedish National Police Academy assists with competence in aspects such as interview techniques in training inputs under the auspices of Frontex. This occurs on a continuous basis as teaching inputs, participation in workshops arranged by Frontex, and in the work of developing syllabuses etc. The Swedish National Police Academy has also organised a number of conferences on various themes within the field of human trafficking.</p> <p><i>Cooperation Agreements</i></p> <p>Well-developed collaboration has been underway between the Nordic countries in all fields for a considerable period of time. With regard to border issues, this co-operation has its origins in the Nordic Passport Agreement of 1958. Agreements have also been reached whereby the Nordic authorities, such as police authorities, may contact each other directly without recourse to central authorities in order to facilitate the exchange of information. One example is the Nordic police cooperation agreement (Agreement between the police authorities of the Nordic countries on police cooperation, signed in 2002). The Nordic countries also share common police liaison officers at embassies around the world working for all the Nordic countries. Their duties include border security issues.</p> <p>The Öresund agreement (Agreement between the Government of the Kingdom of Sweden and the Government of the Kingdom of Denmark on police cooperation in the Öresund region from 1999) is a consequence of the construction of the Öresund Bridge (the fixed link across Öresund, connecting Sweden and Denmark) and the fact that provisions of the Schengen Convention in respect of cross-border pursuits thus will be of importance to the future Swedish-Danish cooperation in the Region. Under this agreement, the competent Swedish and Danish police authorities should, inter alia, exchange information about cases and persons as well as relevant events in relation to criminal activities with connection to the Öresund Region.</p> <p>On a government level, an agreement has been entered into regarding the development of cooperation in the Baltic Region. This includes a facilitated exchange of information and joint operations.</p> <p><i>Police and Customs liaison</i></p> <p>The Police and Customs, jointly with the other Nordic countries, send out PTN liaison officers (PTN is an abbreviation of <i>Polis och Tull i Norden</i>). Via these joint liaison officers stationed abroad, the fight against organised and cross-border crime that affects the Nordic countries can be undertaken more effectively.</p> <p>Liaison officers are generalists who are expected to work within a number of different areas on behalf of all Nordic countries. The liaison officers maintain a network within the different fields, which promotes information gathering and dissemination. In the autumn of 2011, a PTN Liaison Officer was installed in Istanbul, which is a vital geographical location as concerns irregular migration. PTN liaison officers are also stationed at a number of places within the EU, such as Latvia, Germany, the Netherlands (EUROPOL), France (INTERPOL), the UK, Spain and Bulgaria.</p> <p>The PTN liaison officer</p> <ul style="list-style-type: none"> • seeks to create and maintain relations with law enforcement and other relevant authorities in the countries to which he or she is accredited (host countries),
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		<ul style="list-style-type: none"> • co-ordinates and facilitates information exchange between the police and customs authorities in the Nordic countries and the host countries – both in general and in ongoing criminal investigations or intelligence matters, and • collects and collates strategic intelligence on crime, with connection to the Nordic countries, in their region. <p>The liaison officers follow the same common guidelines and represent all the Nordic countries irrespective of which country has stationed the individual liaison officer. The revised mandate of the PTN was agreed upon at a meeting between the Nordic National Police Commissioners in Stockholm in August 2009. Swedish police officers are also stationed with both Europol and Interpol.</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</p> <p>Sweden maintains a relatively low profile concerning checks of entry at border crossings with the aim of limiting the number of irregular migrants. This is primarily a result of the fact that Sweden is surrounded by Schengen countries. When entry does occur from third countries, which primarily occurs through airports, Sweden operates efficient and reliable border controls. Most irregular migrants who travel to Sweden apply for asylum after they have entered the country. How they have entered the country is often not stated, however the most common pattern is entry via other Schengen countries. In many cases Swedish government agencies know that organised travel to Sweden occurs, for example by bus from the western Balkans. One major entry point is the Öresund Bridge between Denmark and Sweden. Schengen regulations limit the actions available to Swedish government agencies as concerns the control of internal borders. Consequently coordinated monitoring by Police and Customs occurs only in exceptional cases.</p> <p>Other methods of entering Sweden irregularly is to use a Schengen visa issued by another Schengen country in order to travel into the Schengen area and then on to Sweden. Usually in such cases, passports are hidden and withheld from Swedish authorities. This method is at least in part hindered by the introduction of the VIS. Using someone else's passport to enter the Schengen area (known as look-alikes) is also considered to be widespread. It is assessed to be less likely that people hide in cars or trucks across all of Europe in order to enter Sweden. However this pattern may be used for shorter distances in order to get across, for example, the Öresund Bridge.</p> <p>A vast majority of all asylum-seekers in Sweden are not able (or not willing) to produce travel documents or passports. During the past couple of years, Sweden has experienced a very large increase in the number of asylum applicants. In 2013, the total number of applicants was close to 55 000, and the prognosis for 2014 is around 80 000 applicants. Many of the applicants are Syrian citizens.</p> <p>Another immigration channel to Sweden are guest studies. In order to enter Sweden as a student from a third country, the applicant must be in possession of a residence permit. The permit can then be valid for up to 18 months. It has been observed that, in the past, many migrants have used this method of immigration for purposes other than studies. In 2011, however, Sweden introduced university fees for students from third countries. This has most probably made it more difficult to misuse study residence permits for other purposes.</p> <p>In 2008, Sweden introduced a labour migration reform. Briefly, this reform means that employers determine whether or not a third country national may enter the country for work purposes. The criteria to be fulfilled are that salaries may not be less than the established minimum salary level and that Swedish unions play an important role in monitoring the employment and admission conditions. Residence permits for employment are granted for up to two periods of two years. After this time, a permanent residence permit may be issued if the person is still employed. It has been observed that some employers, or contacts allied to employers, have been able to misuse this reform to exploit individuals wishing to come to Sweden for work. In some cases, third country nationals have been lured to Sweden with promises of good jobs and high incomes. In reality, wages were sometimes much lower than originally promised. As a consequence, the Swedish Migration Board has successively introduced targeted checks against employers who are overrepresented as concerns the employment of third country migrants. These companies must also prove that salaries are guaranteed for as long as the work permit is</p>
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			<p>valid. Another method of irregularly entering Sweden is via arranged marriages. It has, for example, been observed that the number of weddings in Sweden between EU citizens who are not Swedish citizens and third country citizens has increased over the course of the last few years. After marriage, third country nationals are free to exercise free movement within the EU.</p> <p>Altogether, there are many different ways of entering Europe and Sweden. The manner in which migrants are received in terms of standards of accommodation, medical care and schooling opportunities may also play a certain role. Sweden maintains a comparatively high level of asylum-seeker reception which probably functions as one factor for consideration when entering Sweden illegally.</p> <p>4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?</p> <ul style="list-style-type: none"> - Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit); - Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the authorities; <p>Many of the persons who submit an asylum application in Sweden have in one way or the other been the subjects of immigrant smuggling on their way from their home country. However, more than 90% of all asylum-seekers in Sweden are not able (or willing) to produce travel documents or passports. In total, Sweden has during the period of 2005-2010 received approximately 158 000 asylum-seekers. From the beginning of 2011 until August 2014, approximately 178 000 asylum-seekers have arrived. The Migration Board predicts that about 80 000 will apply for asylum in Sweden 2014. During 2013, most applicants were nationals of Syria, Eritrea, Somalia, Afghanistan, or Iraq, or stateless people. Most the asylums applicants have on their journey to Sweden been passing through several other European countries before turning up in Sweden and seeking asylum. Thus, it is reasonable to assume that a large number of asylum seekers were aided in some way in order to enter the Schengen territory and proceed to Sweden. Statistics on the number of apprehended smuggled immigrants are not available.</p> <p>5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?</p> <ul style="list-style-type: none"> - Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit); - Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)? <p>In 2013, there were 300 crime reports made regarding migrant smuggling to Sweden. Most cases where facilitators are apprehended and a crime is detected take place at air border crossings and inside the country. During the last five years, about 10 facilitators have been apprehended each year. No further information is available at this point.</p> <p>6. Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources). Nothing to report at this point.</p>
	United Kingdom	Yes	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling?</p>

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		<p>The main actor involved in the development of policies addressing migrant smuggling is the Home Office (Ministry which has overarching responsibility for both crime and immigration policy in the UK), and it works in conjunction with partners including the National Crime Agency (NCA) (established 2013). Immigration crime, including people smuggling is recognised as one of the strategic threats facing the UK by the NCA in it's Strategic Assessment of Serious and Organised Crime (NCA,2014)</p> <p>Operational elements of the Home Office will work with the NCA to implement the policies and develop specific strategies for day to day prevention, detection and apprehension of people smuggling. For example, Border Force which is a law enforcement command within the Home Office has the role of securing the UK border by carrying out immigration and customs controls for people and goods entering the UK. Joint Border Intelligence Commands have been set up (of NCA, Border Force and Special Branch).</p> <p>The Border Policing Command (BPC) of the NCA leads work against serious and organised crime at the border including organised immigration crime and human trafficking. It compiled a Border Risk Assessment and currently coordinates all joint law enforcement operational activity.</p> <p>The UK Human trafficking centre (UKHTC) in the NCA is also involved in combating people smuggling. The UKHTC's partners include police forces, the Home Office and other government departments, the UK Border Force, the Gangmasters Licensing Authority, international agencies, non-governmental organisations (NGOs) and many charitable and voluntary expert groups. For further details, please see links below:</p> <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/248645/Serious and Organised Crime Strategy.pdf http://www.nationalcrimeagency.gov.uk/publications/207-nca-strategic-assessment-of-serious-and-organised-crime/file</p> <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented?</p> <p>- The Serious and Organised Crime Strategy (Home Office, 2013) emphasised a streamlined approach to combating immigration crime with greater communication and intelligence sharing amongst partners.</p> <p>-The UK Border Force has very close cooperative relationships with the border management authorities in Ireland, France, Netherlands, Denmark, Iceland and Spain. The UK is not a participant in the Frontex Regulation but is able to support the activities of Frontex on a case by case basis with the permission of the Management Board. Both risk analysis and operational activities have a focus on smuggling.</p> <p>-Border force has a dedicated team that monitors and collates details of all clandestine encounters and maintains a database known as Operation Shorts. This includes all details of those encountered at ports (juxtaposed and UK mainland) and in country. It also includes brief details of those encountered by our partner organisations (at juxtaposed and in Belgium)</p> <p>-There is a sub group of the Organised Immigration Crime Threat Board that oversees clandestine activity. This sub-group has a Strategic Action Plan that monitors and collates activity that aims to prevent and deter the facilitation of clandestine entrants.</p>
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			<p>-The UK does not consider applications for asylum lodged from abroad</p> <p>On 20 September, the UK (Home Secretary) and France (Interior Minister) agreed a joint declaration to address increasing migratory pressures both in Northern France and further upstream. This included:</p> <ul style="list-style-type: none"> - Improving the security and infrastructure of the port in Calais; - Enhancing operational co-operation to strengthen our approach in tackling the organised crime gangs; - Joint information campaigns in Calais and further upstream to dissuade would be migrants; and - A shared commitment to address the challenge of illegal migration into the EU with source and transit countries, building on joint letter to the European Commission from the French Interior Minister, Home Secretary and the interior ministers of Germany, Poland and Spain. <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling?</p> <p>No evidence available</p> <p>4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years?</p> <p>The UK does not have any figures on smuggled immigrants in the last 5 years.</p> <p>5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years?</p> <p>The UK does not have any figures on apprehended facilitators of smuggling in the last 5 years.</p> <p>6. Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources).</p> <p>A Home Office Research report estimated the costs of organised people smuggling to be £140 million in 2010/11. The costs were deemed to include any asylum applications lodged by those who successfully entered the UK, costs of removing irregular migrants at border and within UK and costs of detaining people before removal.</p> <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf</p>
	Norway	Yes	<p>1. What is/are the main actor(s) and institution(s) involved in the development of policies addressing migrant smuggling? The</p>

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			<p>Norwegian Department of Justice</p> <ul style="list-style-type: none"> • If multiple authorities are involved, please describe if and how they are coordinated – e.g. an Inter-institutional Task Force; (was not able to get information on this point) • Please mention whether there is an official mandate – e.g. an Action Plan - governing the involvement of these authorities; No (We have a national action plan against human trafficking, but not human smuggling) • Please provide the contact details of the identified person(s) in charge of this policy; Norway does not have any specialist to refer you to for human smuggling. A contact person on human trafficking is Mr. Jan Austad, at the Dept. of Justice and Public Security jan.austad@jd.dep.no <p>2. What specific policies (measures, programmes, projects, etc.) aimed at preventing and contrasting migrants smuggling have been planned or implemented? Examples include:</p> <ul style="list-style-type: none"> • National strategy, Action plan, etc.; • Dialogues, cooperation agreements, memorandum of understanding with third countries; • Actions to involve countries of departure and/or of transit in border surveillance (joint) operations; • Awareness raising campaigns on the risks and dangers faced migrants attempting to reach the EU through irregular border crossings; • Measures to apply for asylum or other forms of international protection from abroad, to discourage immigrants from perilous journeys to reach Europe; • Actions to deploy liaison officers in relevant third countries tasked with gathering and sharing information with an aim (amongst others) of reducing the numbers of illegal border crossings; • Capacity building activities for official involved in Member States (border guards, coast guards, custom units, airport authorities, etc.); • Coordination mechanisms to exchange data and share knowledge-based information; • Link to return policies and specific target countries (i.e. specific readmission agreements/schemes for smuggled migrants); • Any other specific action. <p>Prevention of illegal entry and residence (through human smuggling) is regulated by the Schengen Convention (Article 27) of the Norwegian Immigration Act.</p> <p>3. Is there any evidence (studies, research, reports, findings of projects, etc.) of the impact of the above specific policies on the prevention of migrant smuggling? Not that we know of.</p> <p>4. What is the (estimated) number of facilitated (smuggled) immigrants apprehended in your (Member) State in the last 5 years? N/A</p> <ul style="list-style-type: none"> • Please also indicate, where possible, the (estimated) number of immigrants per citizenship, age, gender, section of border (air, land or sea), main route undertaken (country of transit); N/A • Please also indicate, if possible, whether immigrants were apprehended for the first time or were already known to the
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authorities; N/A

It is not possible to extract the number of persons who have been smuggled and arrested in Norway from available registries. The information provided below is based on travel routes analysis we have kept since 2012. The data is based on information provided by applicants' themselves during the initial asylum registration carried out by the police. The information is registered in the Norwegian database for foreigners and refugees.

Between 2012 - 2014 (to and including July) – 47% of all registered asylum seekers have declared that their trip was organized (either partly or completely) by others.

An analysis of the top 10 nationalities for the same period indicates big variations (i) within each group of nationals and to a certain extent (ii) during various periods of time. Between 17% to 70% of the applicants from these countries have declared that their trip was organized by others.

Below we have included a table which provides an overview of the distribution in percent for the various periods we have kept records and analyzed the travel routes for a selection of nationalities. In the bottom row we have noted the averages, marked in gray. This might provide an indication of the extent of this phenomenon.

2012	Somalia	Eritrea	Afghanistan	Syria	Other
1. Quarter	62	41	60		60
2. Quarter	71	66	65	57	62
3. Quarter	67	68	63	61	67
4. Quarter	62	65	63	53	63
Average per/Quarter 2012	66	60	63	43	63
2013					
1. Quarter	61	70	62	61	64
April - Nov.	49	53	48	56	54
Average 10 months Jan- Nov.	55	62	55	59	59
2014					

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

			Average for/6 months Jan- July	51	50	41	52	48
			<p>5. What is the (estimated) number of facilitators apprehended, arrested and convicted by the national authorities in the last 5 years? The registry of criminal cases reports 110 criminal charges made where the code is human smuggling. This number represents cases between 2008 and up to Oct.1, 2014. However, to find out if these lead to convictions, we would have to examine every single case file.</p> <ul style="list-style-type: none"> • Please also indicate, where possible, the (estimated) number of facilitators per citizenship, section of border (air, land or sea), main route undertaken (country of transit); N/A • Please indicate whether the facilitators were part of an organised criminal group (OCG) or involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)? N/A <p>6. Please provide any additional information related to the issue of migrants' smuggling (accompanied by available sources). N/A</p>					