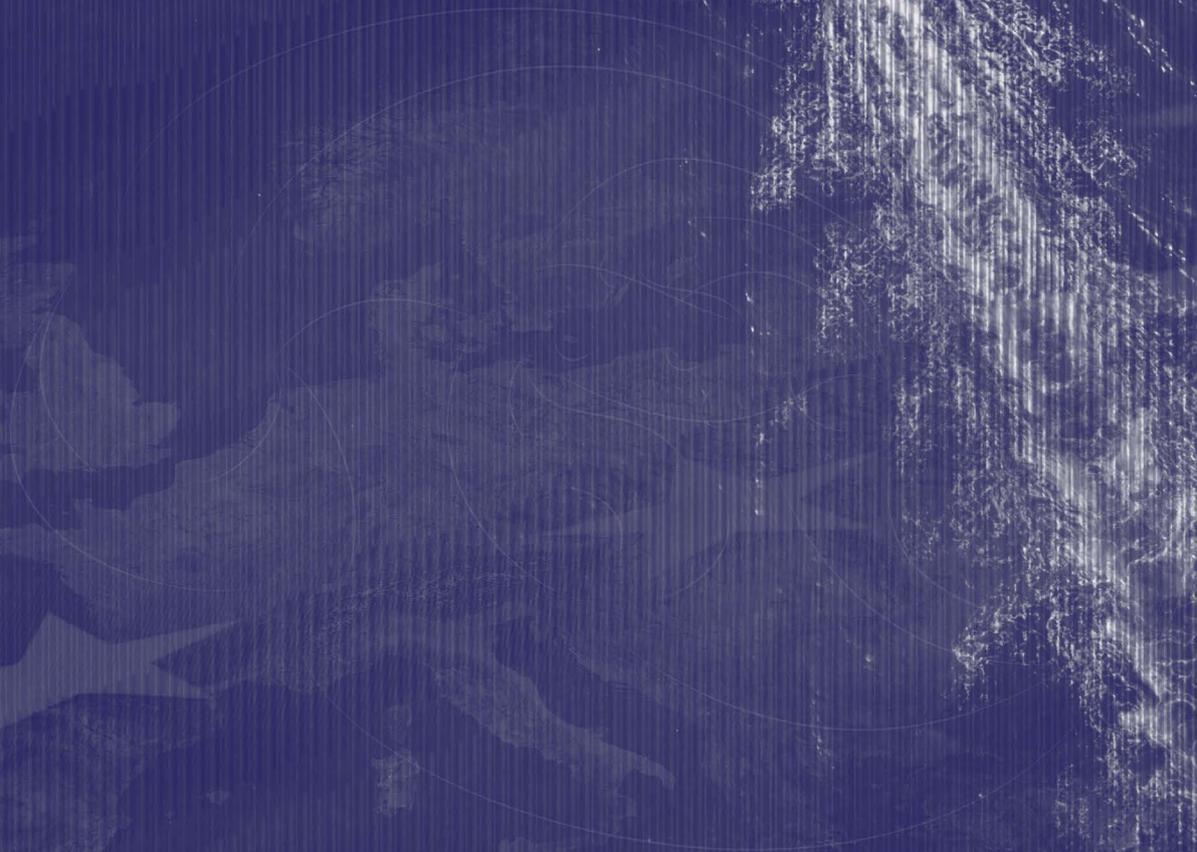




European Migrant Smuggling Centre

4th Annual Report

2020





EMSC 4th ANNUAL ACTIVITY REPORT – 2020

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FOREWORD

Catherine De Bolle

EXECUTIVE DIRECTOR, EUROPOL



Early in 2020, the European Union's (EU) Member States and partner countries in and outside the Schengen Area were struck by the COVID-19 pandemic.

This crisis will have a lasting impact on our societies and economies. The same is true for the organised crime environment where not only cybercrime, fraud and organised property crime is thriving in the wake of this crisis, but the dynamics of migrant smuggling and human trafficking are changing too.

To counter this threat, we have to use the great advantage of shared intelligence to target these types of international organised crime and Europol plays a key role.

As the EU criminal information hub, Europol meets the need for cooperation and sharing information within EU agencies and with the countries of origin, transit and destination affected by migrant smuggling.

In the face of the current crisis and following Europol's Strategy 2020+, I will ensure that we continue to deliver strong support to EU law enforcement.

FOREWORD

Robert Crepinko

HEAD OF EMSC



During last year, the EMSC continuously strengthened its supportive role towards the specialised police units dealing with migrant smuggling and human trafficking. Thanks to our joint efforts we have achieved successful operational outcomes, some of which are highlighted within this report.

Similar to previous years, we saw a general drop in illegal border crossings and irregular migrant arrivals in 2019¹. At the same time, we saw an increase of migrant smuggling activities, mostly in the Western Balkans and neighbouring countries, and in secondary movements across the EU.

The EMSC has witnessed an increasing number of cases contributed by the Member

States and Europol's operational partners, and increasing demand for Europol support². We were able to support a growing number of cases targeting high-value targets and the operational task forces have been widely used.

The successful launch of the Joint Liaison Task Force Migrant Smuggling and Trafficking in Human Beings in July 2019³, regularly bringing together the experts of more than 25 countries and supporting crucial cases, for example the tragic Essex lorry case⁴, was another element in our strong network.

This is mirrored by the new EMPACT⁵ Operational Action Plan in facilitated illegal immigration 2020 which features two new and innovative projects on visa fraud and detecting fraudulent documents by using technical solutions and a 24/7 support office staffed with document experts.

All this is only possible with the essential input of the national law enforcement agencies, their great commitment in difficult circumstances and their solid and robust operational responses to the challenges we are working on together.

With this in mind and confronted with the unprecedented effects COVID-19 has on our lives and on the whole law enforcement landscape, I am looking forward to further strengthening our efforts and to building upon our previous successes and innovative solutions in the fight against organised migrant smuggling and human trafficking.



**The European Migrant
Smuggling Centre**

ACTIVITY REPORT

Facilitated Illegal Immigration

PERFORMANCE INDICATORS - 2019

AP MIGRANT SMUGGLING



145

Operational Meetings



14 218

Number of suspects identified^{10,11}



525

Operational Reports¹²



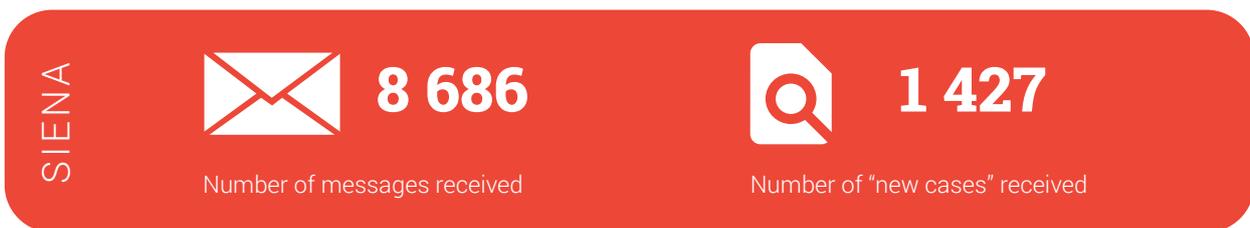
56

On-the-spot Action Days¹³

Trafficking in Human Beings

PERFORMANCE INDICATORS - 2019¹⁴

AP PHOENIX



41

Operational Meetings



5 003

Number of suspects identified



460

Operational Reports



15

On-the-spot Action Days

The power of information exchange

JOINT STRATEGIC INTELLIGENCE DEVELOPMENT

Europol is increasingly collaborating with its partner agencies Frontex and EASO in developing joint strategic intelligence reports¹³. The three agencies mutually benefit from each other's specific experience, knowledge and information sources. The exchange and pooling of complementary information allows for better insight and increased depths of the analysis.

In February 2019, Europol detected discussion groups on an internet-enabled communication platform, targeting migrants from Syria and other countries of origin stranded in Greece and Turkey. They attempted to organise mass treks of irregular migrants towards Schengen countries¹⁴. The EU was faced with the threat of criminal organisations being behind or taking advantage of the movements for smuggling purposes. EASO, Europol and Frontex followed up on the potential mobilisation and

Greek police eventually prevented the initial gathering of these groups.

Europol and Frontex will continue to jointly develop thematic and strategic intelligence products, especially on priority third countries¹⁵ and topical irregular migration-related developments in support of EU and Member States' political decision-making processes.

EUROPOL'S ROLE IN THE HOTSPOT APPROACH

Following the meeting of the Council of the EU and of the Member States in the wake of the attacks in Paris in 2015, the Council called on Europol to 'deploy guest officers to the hotspots in support of the screening process, in particular by reinforcing secondary security controls¹⁶.'

Since early 2016, Europol has deployed staff and guest officers to hotspots in Greece and Italy, enhancing the security

of the EU's external borders, in particular by providing secondary security checks by cross-checking personal data of suspects of terrorist activities or migrant smuggling against Europol databases. In 2019, Cyprus also requested support in controlling the increasing numbers of irregular migrants arriving at the coast of the Republic of Cyprus or via the buffer zone with the areas of Cyprus not under the effective control of the Republic of Cyprus¹⁷.

At any given time during the last year, Europol had around 30 guest officers deployed to support law enforcement agencies

at the most crucial points of arrival. The role of Europol's staff and guest officers evolved over the years and the experienced officers are valuable assets in developing together with the host states high-profile migrant smuggling and human trafficking investigations from the ground up.

JOINT ACTION DAYS

Europol has a central role in EMPACT Joint Action Days (JADs), during which participating EU Member States' and operational partners' law enforcement agencies conduct coordinated operational

OP MONARCH

Document fraud facilitating secondary movements

On 29 October 2019, Hellenic Police made four arrests in an operation targeting an organised crime group providing irregular migrants with fraudulent travel documents to facilitate their journeys.



Since 2017, the criminal group earned up to €13 000 with each migrant they smuggled across Europe. The leader of the network coordinated the operations from a coffee shop in Athens, providing instructions to the migrants and organising their journey. He was arrested and Hellenic Police confiscated counterfeit ID documents and driving licences, equipment to forge documents, vehicles and cash.

Europol specialists deployed to the EU Regional Task Force (EURTF) in Greece supported the operation offering expertise, coordinating operational meetings with investigators from other EU Member States, and providing tailored analytical support and real-time cross-checks against Europol's databases.

<https://www.europol.europa.eu/newsroom/news/four-arrested-for-migrant-smuggling-and-document-forgery>

activities focusing on key crime hotspots and criminal networks across the EU. Seven EMPACT JADs have taken place in 2019.

The two JADS, JAD Danube 4 and JAD Western Balkans, resulted in 301 arrests and multiple seizures, including 163 forged or falsified documents, 57 weapons and firearms and more than 900 pieces of ammunition.

The latest large-scale JAD targeted among other crime areas, drugs trafficking, human trafficking, migrant smuggling and document fraud. Europol facilitated the operational coordination, secure information exchange, cross-checking of data against Europol's databases and operational analysis, and thus contributed to 476 identified victims of human trafficking, the arrest of 162 suspects and the seizure of 20 counterfeit documents. Following the actions on the ground, more than 100 new investigations were initiated¹⁸.

JOT MARE

As part of the EMSC, the Joint Operational Team (JOT) Mare collects, analyses and disseminates intelligence products aimed at initiating and/or supporting investigations targeting migrant smuggling by sea¹⁹.

Europol receives operational reports on interviews performed by Frontex upon migrants' arrivals in the EU as part of the migration flows on a regular basis. These operational data on organised crime groups (OCGs) facilitating illegal immigration to and through Europe, their routes and modus operandi are part of a complex analysis process with information disseminated

in form of intelligence notifications and operational analysis reports to the (potentially) affected EU Member States.

The information packages distributed serve as a basis for initiating cross-border investigations into criminal groups involved in organised sea smuggling. Several investigations supported by the EMSC were triggered by intelligence based on migrant debriefings, providing valuable operational insights to investigators thus facilitating successful prosecutions.

INFORMATION CLEARING HOUSE

The information clearing house (ICH) enhances the cooperation structures with external partners, for example, Frontex and INTERPOL to develop and distribute actionable information packages with a focus on criminal groups' activities in source and transit countries for migration.

Effective interaction with third countries is not without challenges, as the current legal cooperation possibilities allow for a limited degree of initiative from Europol, while in turn require strong leadership from the European competent authorities.

In addition, the ICH continues to develop and maintain cooperation with less traditional partners not immediately connected to the law enforcement environment²⁰ as an essential component for maintaining a clear situational awareness picture and anticipating relevant operational developments likely to impact the migrant smuggling landscape.



**The European Migrant
Smuggling Centre**

INTELLIGENCE PICTURE

KEY FINDINGS

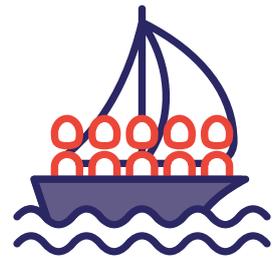
Key findings in

MIGRANT SMUGGLING

COVID-19 IMPACT:

Due to enhanced border control measures and travel restrictions put in place throughout the EU²¹, a shift of smuggling activities is visible:

- > from air to land and sea routes, as exemplified by increased arrivals in the Canary islands²² and via the Central Mediterranean Sea²³;
- > to an increased use of small boats used to cross river borders and the English Channel;
- > to hiding of irregular migrants in concealments in freight vehicles and cargo trains that still move across the borders.



COVID-19 IMPACT:

Migrant smuggling attempts appear to have been reduced due to stricter border controls, but smugglers are adapting their *modi operandi* and both migrant smuggling activities and human trafficking continues.

Potential irregular migrants in remote locations and so-called bottlenecks may be vulnerable to exploitation by traffickers.



Unaccompanied minors are a highly vulnerable group and face various risks, including violence, abuse, and exploitation along migration routes towards and within the EU. Reception centres are frequently used to identify potential victims and/or to arrange further transportation of victims to the places of exploitation²⁴.



Europol has been witnessing an increase in reported migrant smuggling activities in secondary movements, mostly in the Western Balkans region and across the English Channel; these movements have mostly been facilitated by concealing migrants in closed compartments of vehicles²⁵.

KEY FINDINGS

Key findings in

TRAFFICKING IN HUMAN BEINGS



COVID-19 IMPACT:

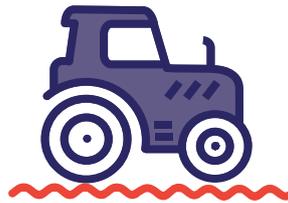
The closure of establishments offering legal sex work may increase the number of incidents of illicit sexual exploitation²⁶.

COVID-19 IMPACT:

Travel restrictions complicate the seasonal work in the agriculture sector²⁷, possibly increasing the demand for trafficked third-country migrants in this area.

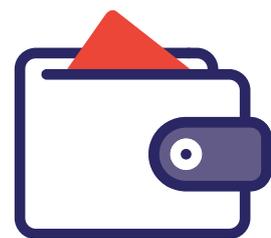


Sexual exploitation is the most-reported practice of trafficking in human beings (THB) in the EU. The majority of the victims are EU nationals from eastern and central Europe, while non-EU victims are mainly from Nigeria where OCGs continue to considerably influence EU organised crime²⁸.



THB for the purpose of labour exploitation is most prevalent in less controlled industries like the agriculture sector, where low-paid, low-skilled and intensive work is required. EU citizens are predominantly employed around the year, while non-EU citizens are mostly exploited in seasonal work²⁹.

An emerging trend is that of OCGs engaging in THB for the purpose of illegal adoptions across the EU Member States³⁰.



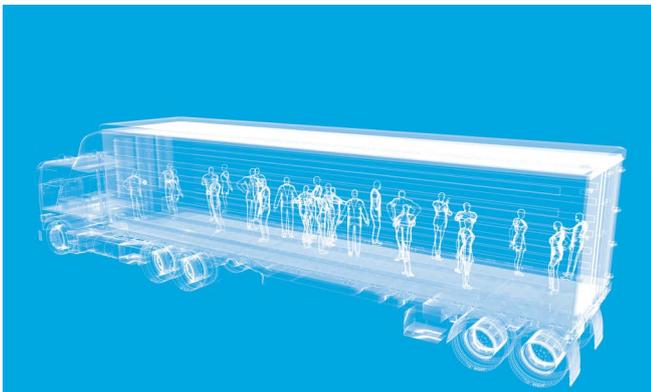
A worrying phenomenon is the involvement of underage victims of THB engaged in forced criminality related to property crimes such as pickpocketing or shoplifting, but also to drug-related crimes such as cannabis cultivation. In some of these specific crime areas, adult victims are also reported but to a lesser extent³¹.



Crime priority facilitated illegal immigration

SMUGGLING IN COMPARTMENTS – A DEADLY METHOD

On 23 October 2019, Essex Police in the United Kingdom detected 39 bodies inside a refrigerated trailer of a lorry, parked at an industrial estate east of London³². Migrant smugglers constantly put irregular migrants' lives at risk by transporting them in vehicles, such as overloaded cars, transporter vans and lorries in life-threatening conditions³³. The concealed smuggling of irregular migrants in vehicles is the most common practice for the facilitation of illegal immigration in the Western Balkans and neighbouring countries, and across the English Channel.



OP SHERE KHAN

Dangerous transport in refrigerator lorries

The French Border Guard together with the French National Police and the Dutch Royal Marechaussee, supported by Europol and Eurojust, dismantled a large criminal network involved in the transportation of around 10 000 Afghan, Iranian, Iraqi-Kurdish and Syrian migrants from the French areas of Le Mans and Poitiers to the UK.

The irregular migrants were transported in life-threatening conditions, concealed in refrigerated – often overcrowded – lorries (with up to 20 persons per transport). The irregular migrants paid up to €7 000 for the dangerous journey. The payments were collected via an undercover hawala³⁴ banking system run by a suspect in the Netherlands. In total, the criminal gang is suspected to have gained around €70 million in profit from their illegal activities.

<https://www.europol.europa.eu/newsroom/news/23-arrests-in-france-and-netherlands-iraqi-kurdish-smuggling-network-busted>

Tragic incidents like the Essex case or the death by suffocation of 71 irregular migrants in an abandoned refrigerated lorry in Austria in August 2015³⁵ highlight the risks that smugglers are willing to take when trying to hide the highest possible number of irregular migrants inside a compartment to maximise their profits. Explicitly violent behaviour such as stabbings among criminal groups, robberies of migrants and shootings at rest areas where migrants were put onto trucks en route to the UK, led to additional injuries and fatalities³⁶.

Irregular migrants are frequently put into locked, dark and airtight cargo compartments in crowded, inhumane conditions, unsuitable for passenger transport. The types of compartments include cargo bays of lorries, trailers and transporter vans; hidden, purpose-built compartments in cars, vans or lorries; and boots and even engine compartments. The irregular migrants are usually transported for several hours without stopping to avoid apprehension. Migrant smugglers also frequently employ the general method of hiding irregular migrants in cargo compartments by misusing cargo trains for the transportation across the Western Balkans and neighbouring countries³⁷. In the first quarter of 2020, smuggling in compartments remained the most widely used modus operandi in secondary movements from Greece, across the region towards northern EU countries, as well as across the EU and towards the UK³⁸.

With the outbreak of the COVID-19 pandemic, this dangerous method is getting even riskier

– for the migrants put into close contact with each other and for the communities in the destination countries where the migrants are eventually brought.

MASS MIGRANT MOVEMENTS

In February 2019, Europol and several EU Member States detected discussion groups on an internet-enabled communication platform, about conducting mass treks of irregular migrants towards Schengen countries, so called 'convoys' or 'caravans of hope'³⁹.

One of the groups initial objectives was to facilitate the movement of Syrians in Turkey towards Greece and onwards. Later, more such channels and groups in messaging services and on the social media platform Facebook had been set up.

Facing the threat of criminal organisations being behind or taking advantage of the movements for smuggling purposes, EASO, Europol and Frontex followed up on the potential mobilisation of migrants from Syria and other countries of origin stranded in Turkey and Greece. Greek police were eventually preventing the initial gathering of these groups.

In early 2020 we saw alleged attempts of Turkish authorities to facilitate large groups of migrants towards and across the Turkish-Greek land border, close to the Greek border crossing point Kastanies⁴⁰. Such attempts, either politically motivated or criminally organised, show the risks of mass migrant movements across external EU borders

which would not allow for proper registration and control of the migrants. Moreover, this would increase the incentive for the irregular migrants to continue their movements within the EU with the help of criminal networks, while remaining 'under the radar' of the authorities.

VISA FRAUD

Over recent years, Germany and other EU+⁴¹ destination countries increasingly detected the use of fraudulently obtained visas for entry into the Schengen area. The general modus operandi suggests the issuance of Schengen visas based on forged breeder documents⁴². In the name of would-be

migrants, OCGs organise breeder documents for the visa application procedures and then provide them with visas issued by EU embassies in third countries. Once the visa is obtained, the irregular migrants are facilitated by air routes often via transit countries, continuing their journey to their final destination in the Schengen area, where they request for asylum.

Germany alone detected almost 21 000 such cases in 2019. Other EU+ destination countries such as Finland, Sweden and Norway and the UK have been reporting visa fraud cases as well. A new EMPACT project is currently developing a Europe-wide intelligence picture on the phenomenon.

OP MILLENIUM

Visa fraud and fake documents at the EU's eastern external border

In November 2019, the Polish Border Guard, supported by Europol, dismantled an organised crime group facilitating the illegal border crossings of at least 13 000 non-EU citizens and earning more than €2.3 million from this illegal activity.



Active since 2012, non-EU eastern European, Asian and African irregular migrants were mainly smuggled into Poland, and onwards to other EU countries and the United States. The criminal network collaborated with criminals from Russia, Turkey and Ukraine, facilitating the entry into the EU with visas based on fake employment documentation. Once in the EU, they were able to move freely and work illegally in other EU countries, mainly Germany, the Netherlands and Sweden.

<https://www.europol.europa.eu/newsroom/news/17-arrested-in-poland-for-migrant-smuggling-and-using-fake-documents>

MIGRANT SMUGGLING ENABLERS IN THE ONLINE ENVIRONMENT

Several new modi operandi are based on the use of digital messaging services and other mobile applications (apps)⁴³. The use of messaging services allows for real-time information exchange and for a high degree of anonymity for their users. One of the concrete threats based on such services are messaging apps used to promote on a large scale fraudulent documents among migrants. The documents are sold and allow the unlawful entry into EU countries under false identities. The EMSC detected dozens of such channels and groups containing more than 37 000 pictures of around 100 000 documents on offer. Some of the channels/groups had tens of thousands of followers. Member States' and operational partners' investigations revealed that many of the documents were stolen by organised groups of pickpockets in several European tourist hotspots as Barcelona and other large cities. These documents were then provided to the platform administrators putting them all with pictures online. The documents are then used for the 'lookalike' method of irregular migrants posing as the document's owner and in that way gaining access to the EU. Later the migrants either continue living 'underground' or apply for asylum based on their real or yet another identity. Facilitators often based in Greece and Turkey offer the documents to the irregular migrants. They choose the documents according to the looks, and the platform administrator sends them via parcel services to the facilitators or directly to the irregular migrants⁴⁴.

Messaging apps such as Telegram or WhatsApp are also used for organising mass migrant movements and generally ease and anonymise the communication between the criminal networks' recruiters in the countries of origin, the organisers, handlers and guides or drivers in transit and destination countries, as well as the migrants and their families who are often dealing with the payment for the facilitation from their home countries⁴⁵.

Another challenge for EU law enforcement agencies are burner apps, allowing criminals to use virtually created and hard-to-trace phone numbers when advertising their services on social networks and in communications with irregular migrants or other members of the criminal networks, thus complicating the investigation of the suspects behind such numbers.

POLY-CRIMINALITY

A lack of adequate and consistent data means it is not possible to properly assess the extent of poly-criminality of OCGs involved in migrant smuggling. Over the last year, Europol supported several cases where criminals smuggled irregular migrants while simultaneously carrying out other criminal activities. In many cases, these other criminal activities were directly linked to the crime of migrant smuggling and therefore not a form of poly-criminality. For example, many OCGs use fraudulent documents to facilitate illegal immigration or smuggle irregular migrants with the intent to subject them to sexual or labour exploitation. This includes the well-established phenomenon

OP SCARIF/LES 3 FRERES}

Unaccompanied minors targeted in reception centres

The Spanish National Police and the French National Police, supported by Europol, dismantled a large poly-criminal network involved in migrant smuggling, trafficking of human beings and drug trafficking. The organised criminal group targeted unaccompanied minors in protection centres in Spain. They incited the minors to escape the centres and embark on dangerous journeys towards other European countries. The criminal group used recruiters from different countries to target migrants from their own national group (Algerian, Malian, Moroccan and Syrian). The irregular migrants were transported from Spain to France on buses. The criminal group used the same buses to smuggle hashish, tobacco and hunting species.

<https://www.europol.europa.eu/newsroom/news/29-arrests-in-france-and-spain-in-migrant-smuggling-case>

of victims being exploited for the production, transportation and distribution of illicit drugs⁴⁶.

The limited data that is currently available does not suggest the existence of a strong and systematic link between drug trafficking and migrant smuggling. However, there are cases that demonstrate the existence of OCGs smuggling both irregular migrants and different types of illicit commodities when the opportunity arises, using the same routes and sometimes even the same transportation methods. Investigations on the Western Mediterranean Route have highlighted an overlap between migrant smuggling and drug trafficking, in particular cannabis⁴⁷. The Western Balkans is another area where drug trafficking, migrant smuggling and THB are sometimes carried out by the same OCGs. Within the EU, OCGs that used buses to smuggle irregular migrants, cannabis and illegal tobacco products all at the same time have been detected.

WHAT WE EXPECT IN 2020

Migratory flows have decreased during the COVID-19 lockdown. A loosening of travel and movement restrictions is likely to result in an increasing movement of irregular migrants, both facilitated and un-facilitated, as they have been largely unable to make movements during the lockdown. In the mid to long-term, migrant smugglers may resort to measures limiting the number of irregular migrants smuggled during individual trips or to using more safe houses in order to limit

the exposure to potential contagions. This may drive up prices for facilitation services.

While the economic impact of the COVID-19 crisis in Europe is not yet clear but expected to be significant, the impact on economies in the developing world is likely to be even more profound. Prolonged economic instability and the sustained lack of opportunities in some African economies may trigger another wave of irregular migration towards the EU in the mid-term. This development needs to be carefully monitored and capacities should be made available to respond to such developments. Moreover, a weakening economy in the EU may increase the demand for cheap labour, accessible through labour exploitation in the context of debt bondage owed by irregular migrants to their smugglers⁴⁸.

We expect a continuous demand for organised migrant smuggling services in the Western Balkans and neighbouring countries, due to enhanced border control measures that are likely to be only slowly removed⁴⁹, combined with the persisting high numbers of stranded migrants in Greece and the Western Balkans⁵⁰. Along with the continued smuggling in compartments in freight vehicles and cargo trains, we expect smuggling networks to more intensely use small and dirt roads across the region's borders and boats to cross river borders.

The region will thus remain a hotspot for the facilitation of secondary illegal migratory movements from Greece towards other EU countries.

Depending on the duration of the constraints in air travel, a diversion of smuggling activities to land and sea travel routes is to be expected. This will most likely have implications on the Western and the Eastern Mediterranean routes. Some migrants might also alternatively opt for the long and risky crossing from Senegal, Mauritania or Western Sahara to the Canary Islands (Spain).

Turkey's policies are likely to continue to centre on minimising the number of migrants⁵¹ in the country. Turkey's military engagement in Syria⁵² and Libya⁵³ might at the same time contribute to developments of forced displacements⁵⁴. This will have an impact on migratory movements and migrant smuggling activities. We expect further – if possibly more subtle – attempts to drive migrants from Turkey towards the borders with Greece⁵⁵, and to a lesser degree towards the Republic of Cyprus and the border with Bulgaria. Specifically, at land borders, we expect a recurring decrease if not neglect of Turkish border guarding activities directed at migratory movements towards the EU.

Based on increasing detection numbers in recent years, we expect a further increase of visa fraud cases (use of forged and fraud breeder documents), once air travel towards EU countries returns to normal. The development is fostered by a general trend towards a better quality of identity documents and visas, as well as by a general increase of border protection measures at the EU's external border. Both developments make visa fraud seem a much less risky and thus more attractive option for illegally



entering the EU+ area. Consequently, document fraud and online trade in fraudulent documents as crime enablers will gain in importance for the organised facilitation of illegal immigration.

The Eastern Mediterranean Route has witnessed an increase of detections of migrants from African countries, including North African countries, West African/sub-Saharan countries and East African/Horn of Africa countries⁵⁶. Frequently, African irregular migrants and their facilitators used comparatively lenient Turkish visa requirements and good flight connections to Istanbul to travel to Turkey. They have continued travelling via established smuggling routes to the Greek Aegean Islands and to the Western Balkans and neighbouring countries, or via south-east

Turkey and the Republic of Cyprus onwards to northern EU countries⁵⁷. Due to the COVID-19 pandemic and restrictions to air travel, we expect a noticeable dent in this development. However, the migratory pressure from African countries is likely to continue as soon as travel restrictions are lifted, with a continuing impact on migrant smuggling to and within the EU. Whereas a large share of French-speaking African nationals used to travel via Spain towards France and Belgium and many English-speaking African nationals used to attempt to travel to the UK, the increasingly used route via the Western Balkans might have an increasing impact on asylum requests of African nationals in Austria and Germany, the most common destination countries for irregular migrants smuggled via the Western Balkan routes.

Crime priority trafficking in human beings

LABOUR EXPLOITATION IN AGRIBUSINESS

The agricultural sector is particularly vulnerable to labour exploitation, due to the large number of workers employed on a non-regular basis, through third parties or as illegal workers.

In September 2019, Bulgarian and French law enforcement authorities, supported by Europol and Eurojust, dismantled an OCG involved in trafficking human beings for labour exploitation and money laundering. The OCG operated behind a legal business and recruited Bulgarian nationals as seasonal workers for the French agricultural sector. The workers signed employment contracts in a foreign language while being told they would receive €60 a day. In reality, a large part of their wages was taken for meals, transportation and other ominous charges⁵⁸.

NIGERIAN HIGH-RISK ORGANISED CRIME GROUPS

The activities of Nigerian networks exploiting their female compatriots, both adults and minors, in the prostitution market in Europe has been well documented for more than a decade and poses a great challenge to EU law enforcement⁵⁹.

Nigerian networks achieved significant influence in EU organised crime by regular cooperation with local criminal groups. Besides THB, Nigerian networks are known to be active in other criminal businesses linked to THB, such as fraud, corruption, migrant smuggling, counterfeiting of documents and money laundering. They are also involved in trafficking and distribution of various types of drugs and currency counterfeiting.

Most of the groups are so-called confraternities; often cult groups that developed in Nigerian universities. They are based on gang culture with a strict hierarchy and using specific colours, gestures and

language. They are well organised both geographically and logistically, and are able to mobilise a large number of human resources. One of their main strengths is their distribution in hubs along the trafficking routes from Nigeria to transit and destination countries, and the support of personal contacts carrying out various activities linked to the trafficking business.

Their long-established presence in the EU has given them an insight in law enforcement methods and a good understanding of how to misuse legal channels to facilitate their and their victims' movements. In particular, they abuse the asylum mechanism to legalise both their and their victims' status. Many suspects involved in THB hold legal residence permits, are currently asylum applicants, or have refugee status⁶⁰.

The majority of victims are recruited in their own country, through false promises of job opportunities in Europe. In some cases, recruiters lure victims with the offer of a 'free' trip to the EU, promising that all costs would be borne by them, with the possibility of a reward when they arrive in Europe. Victims fall into debt bondage (which can amount to more than €30 000 per victim) with their traffickers and are forced to repay them through prostitution. Indoctrination of victims is applied through the use of religious beliefs and voodoo rituals (called *juju*) prior to their journey to Europe and continuous threats⁶¹.

FORCED CRIMINALITY

A large share of THB cases regarding forced criminality concerned drug-related crimes such as forced work in cannabis cultivation⁶², or organised property crime such as pickpocketing or shoplifting.

The EU Directive 2011/36⁶³ of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, provides binding legislation to prevent trafficking, to prosecute criminals effectively and better to protect the victims. Article 8 of this Directive requires competent national authorities not to prosecute or impose penalties on victims of THB for their involvement in criminal activities they had been coerced into.

However, investigators face a number of challenges in practice. On the one hand, some of the trafficking victims are not aware of their situation to constitute exploitation, since many still perceive it as chance for a better life and/or to support their families back in their home country. In addition, the dependence of the victims on the OCGs due to their frequently insecure residence status, the loyalty that often exists due to family relations, and the violence enacted by the OCGs to enforce group discipline, make it unlikely for the victims to report their initiative to authorities. In that regard, it is also not uncommon for OCGs to provide stories for victims to tell if approached by police or other authorities⁶⁴.



On the other hand, investigators are often confronted with irregular migrants who claim to be exploited when detected, hoping for a somewhat preferred status and, at least, a delay in extradition procedures⁶⁵. However, the Directive requires the competent authorities to continue with criminal proceedings into a possible THB case, even if the victim denies the exploitation or even withdraws an earlier statement.

WHAT WE EXPECT IN 2020

Owing to Nigeria's extensive organised poly-criminal⁶⁶ networks, a lack of cooperation with Nigerian law enforcement agencies would impact the scope of EU law enforcement agencies' investigations and could raise the number of victims exploited in the EU.

Sexual exploitation, specifically of women and girls from eastern EU countries, is likely to constitute the most important part of the EMSC's future activities in this area.

We expect an increasing development in labour exploitation, specifically in the agricultural sector. OCGs engaged in labour exploitation are expected to continue to generate huge profits from their involvement in labour intensive, low-skilled and low-paid work sectors. Financial investigations should be used consistently and as extensively as possible by the competent authorities in THB cases in the agricultural sector.

The internet as a key crime-enabling factor will play a continuously increasing role in the whole trafficking chain, and demands a stronger focus in all of the affected Member States.

WAY FORWARD

Only briefly into 2020, Europol with the whole of Europe has been confronted with the COVID-19 pandemic; we quickly switched to teleworking and have continued to support our connected law enforcement agencies in their new needs⁶⁷. Our support and our specific set of services continue to be at the core of Europol's commitment to Member States and operational partners. Europol's strength lies in its connectedness and its capacity to serve as the EU's criminal information hub.

The EMSC as the information hub for facilitated illegal immigration and THB, has developed specific instruments to deliver the power of information exchange on several levels. During the continuing fallout of the COVID-19 pandemic and when returning to our new normal in the course of the year, we will ensure our support in the fight against migrant smuggling and human trafficking.

HIGH-VALUE TARGETS AND OPERATIONAL TASK FORCES

Operational task forces (OTFs)⁶⁸ focus and institutionalise the efforts of participating Member States and operational partners in the common investigations of identified high-value targets. The high-value target concept⁶⁹ allows focusing on prioritised targets and enabling coordinated, expanded and EU-wide investigations concentrating on individuals that constitute the highest risk of serious and organised crime in the EU.

JOINT LIAISON TASK FORCE MIGRANT SMUGGLING AND TRAFFICKING IN HUMAN BEINGS (JLT)

The JLT is a response to the growing proliferation and sophistication of transnational criminal activities by strengthening coordinated operations at working level. The Member States-led instrument involves third countries and complements the work of Europol mobile teams on-the-spot and Europol's support to regional operational offices like the joint operational office in Vienna, Austria⁷⁰.

Through liaison officers at the JLT, Member States are able to drive and stimulate intelligence-led coordinated action against OCGs active in migrant smuggling and human trafficking. The personal contact (be it only via video conferences during the COVID-19 pandemic) allows for quick reactions to pressing crime developments and the organisation of mutual operational support.

EMPACT OPERATIONAL ACTIONS

The EMSC activities target two of the eight crime priorities (and two crime enablers) identified in the EU Policy Cycle⁷¹ against serious international and organised crime: migrant smuggling and the THB. The EMPACT Policy Cycle has proved to be effective in achieving its objectives, as to improve law enforcement co-operation among Member States, or to counter OCGs' activities⁷².



Member States appreciate the value of a cooperation platform that is focused on operational activities on the ground: in early 2020, the Croatian Presidency of the Council of the EU for example called on EU Member States and Western Balkan countries to step up 'their participation in the EU Policy Cycle/EMPACT facilitation of illegal immigration priority⁷³.'

Every year, a set of operational actions is planned within the EMPACT framework for each of the crime priorities. Within these actions, Europol financially and organisationally supports Member States' operational activities. Within the crime priorities migrant smuggling and THB, the EMSC delivers much of its operational support, e.g. by delivering on-the-spot support with mobile offices or facilitating the information exchange during large scale JADs.

ENDNOTES

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- 4** Essex Police: Investigation launched after 39 people found dead in lorry trailer, [Online], accessible via: <https://www.essex.police.uk/news/essex/news/news/2019/october/murder-investigation-launched-after-39-people-found-dead-in-lorry-container/>, accessed on 08/04/2020.
- 5** EU Policy Cycle – European Multidisciplinary Platform Against Criminal Threats (EMPACT), [Online], accessible via: <https://www.europol.europa.eu/empact>, accessed on 08/04/2020.
- 6** SIENA messages contributed to the EMSC by Member States, Europol operational and Europol strategic partners.
- 7** New cases contributed to the EMSC by Member States, Europol operational and Europol strategic partners.
- 8** Member States and Europol operational partners' contribution of person-entities, categorised as suspects by Member States and operational partners in 2019. Processed and stored in Europol Migrant Smuggling and THB databases
- 9** The year of the data contribution to Europol does not necessarily reflect the time of arrest or the period during which the person was under investigation, and might be subject to delays in reporting or processing.
- 10** EMSC; Cross Match Reports, Operational Analysis Reports and SIENA Hit Notifications.
- 11** Joint and Common Action Days: JADs target criminal networks affecting the EU by addressing one or two strategic, horizontal or geographic aspects of crime related to multiple priority crime areas as defined in the EU Policy Cycle for organised and serious international crime. Common Action Days are regular operational activities performed by a range of partners in the framework of a cross border case supported by Europol but with narrower scope, often confined with a specific investigation.
- 12** For definitions, see previous footnotes related to facilitated illegal immigration.
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