

Crime prevention policy	
EU- priority	Illegal migrant smuggling
Country	Germany
Year	2019

1. Overview of the field

Definition of Illegal migrant smuggling

The term “illegal immigrant smuggling” is clearly defined in the Annex to the Council Decision establishing Europol (2009/371/JI) as “activities intended deliberately to facilitate, for financial gain, the entry into, residence or employment in the territory of the Member States, contrary to the rules and conditions applicable in the Member States”.

Assessment of trends and developments

Our current focus in terms of illegal migrant smuggling is on:

- labour migration via third countries with visa liberalization,
- sham marriages for the purpose of acquiring EU residence cards,
- acquiring visas under false pretences (lying to European embassies/consulates etc. about travel plans) and then applying for asylum in Germany.

We also focus on migrant smuggling operations that use lorries, vans and recreational vehicles. Migrants smuggled in this way are placed at considerable risk. Germany is a high priority destination for migration.

Recent overview of statistics and research

	2017	2018	Jan–Oct 2019
Migrant smuggling cases	1,758	1,630	884
Migrant smugglers	942	1,196	984
Migrants smuggled	4,036	4,476	2,819
Cases of illegal entry	50,154	42,478	32,945
Cases of illegal residence	31,210	30,268	28,050

Quelle: PES der Bundespolizei, Stand 16. Dezember 2019

2. Crime strategy and coordination

Objectives of the crime strategy

Our objectives are to lastingly combat illegal migrant smuggling and associated offences; to prevent people from entering Germany illegally; and to prevent people from staying in Germany illegally.

Role of prevention in the crime strategy on state/regional/local level

Crime prevention by the police is integral to our crime control strategy. It feeds into our strategic and operational planning. Crime prevention is about more than just the preventive effects of prosecuting criminal and other offences. It is about more than just the advisory role of the police, and police presence. It is the task of society as a whole, and as such it requires close cooperation with all relevant state-run and private institutions at all levels: at international level, at national level, and at regional and local levels.

Crime prevention is helped by: local police presence and search patrols; quick, systematic prosecution of offences; highlighting successfully solved cases as part of press and public relations work; use of specially trained prevention officers; advice and support from other agencies (including foreigners' authorities), institutions (including reception facilities), and other offices and agencies.

Against this background, the Federal Police focus on crime prevention measures at regional and local level.

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

At national level, the fight against illegal migrant smuggling requires cooperation between the federal and state governments. When it comes to combating crime (which includes illegal migrant smuggling), the body responsible for cooperation between Germany's federal and state governments is a joint working group which brings together the heads of the federal and state criminal police offices (AG Kripo). This group operates below the level of working group II (AK II) of Germany's conference of interior ministers. The AG Kripo crime-fighting committee has produced a directive on preventing and combating illegal migrant smuggling, illegal entry and illegal residence in Germany (see attachment). This sets out rules that apply to all cooperation between government agencies and ministries involved in combating illegal migrant smuggling and related offences.

The European Border and Coast Guard Agency (Frontex) produces handbooks relevant to all member states on best practice in combating illegal migration and migrant smuggling – especially of vulnerable people such as minors. Cooperation with the member states is coordinated centrally via the National Frontex Points of Contact, which also coordinates cooperation within the member states.

The agency has also run information campaigns, distributing leaflets to travellers in order to raise awareness of human smuggling and trafficking of unaccompanied minors.

Stakeholders (working groups, specialised agencies, partners, etc)

At national level, the Federal Police are represented in the Joint Centre for Analysis and Strategy on Illegal Migration (GASIM). This is an agency-spanning information, coordination, and cooperation platform for the strategic analysis of illegal migration.

The AG Kripo crime-fighting committee holds a conference on illegal migrant smuggling which is attended by senior experts from the Federal Criminal Police Office (BKA) and the various state criminal police offices (LKÄ) and the Federal Police Headquarters (BPOLP).

Since 2014, the Federal Police have taken part in cross-border trilateral patrols (ITA-AUT-DEU) on passenger trains; since 2017, they have taken part in ITA-AUT-DEU checks of freight trains at Brenner station in Italy. For this purpose, talks are held at regular intervals, situation reports are discussed, and processes are coordinated and improved as necessary.

There is also cooperation with Frontex on combating migrant smuggling.

Participation in European/ international networks, working groups, etc.

International cooperation is essential to successfully combat organized crime groups involved in migrant smuggling. At European level, Europol is heavily involved. In addition, CEPOL provides police training within the European context.

In the current EU policy cycle (2018–2021), the Federal Police holds the role of “co-driver” within the EMPACT priority area “facilitation of illegal immigration”. The Federal Police support the implementation of the strategic goal of prevention and training within the EMPACT priority area.

To combat illegal migrant smuggling, there is also close involvement and cooperation with Frontex.

Furthermore, two meetings of the extended German-Czech steering group have taken place each year since 2012. Among other things, this group focuses on the fight against illegal migrant smuggling.

Between the Federal Police Headquarters and the command headquarters of the Polish border guard in Warsaw, a joint working conference (AG Grenze) takes place each year, over several days, addressing all areas of cross-border cooperation.

3. Good practices

Overview of recent good practices, prevention programs, etc.

- To fight illegal migrant smuggling, the Federal Police cooperate at local level, especially with transport companies, in the area of police crime prevention. This cooperation takes the form of information events, seminars, lectures, individual consultations, and awareness-raising of certain phenomena. The focus is on transport

companies, on their personnel who transport people and goods, and on providers and users of ridesharing services.

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- In this context, the Federal Police provide a seminar on cross-border crime in the transport sector. This is designed to raise awareness of the subject of illegal migration and smuggling. It teaches the most important police and criminal regulations on cross-border transport. Transport companies are given advice on security measures to help prevent people entering the country illegally, and drivers are advised on what to check before beginning a journey.

- The Federal Police also provide accompanying information material.

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- Frontex provides member states with up-to-date handbooks on best practice, which are subject to continual development. Handbooks specifically on fighting illegal migrant smuggling include:

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- Handbook on Risk Profiles of THB,

- VEGA Handbook: countermeasures at airports. THB, smuggling of people and FTF,

- Handbook VEGA Children,

- Handbook VEGA Children at land borders und

- Handbook VEGA Children at sea borders.