

Crime Prevention Policy

EU- priority	Illegal migrant smuggling
COUNTRY	France
YEAR	

Definition of Illegal migrant smuggling

Law-enforcement action (administrative or legal) aiming at disrupting or dismantling a transnational organized group, often structured in a hierarchical, partitioned way, that helps, against payment, those willing to illegally immigrate to another country to get to or stay in that country illegally. A network is considered “dismantled” when one or more members have been identified, auditioned and/or prosecuted.

Assessment of trends and developments

→ **OCRIEST / PONAM / UCOLTEM**

Recent overview of statistics and research

- 12 illegal immigration networks matching the aforementioned definition were dismantled by the criminal investigation services of the National Gendarmerie as of 1 Nov. 2019
 Networks dismantled in 2019 in mainland France originated from Eastern Europe or Africa, and in rare cases, from South America. These networks varied in their types: pandering, fake documents provision, or transportation of migrants between Italy and France.

Overseas: 2 networks were dismantled. In April 2019, Martinique’s GIR (National Gendarmerie’s brigade specialized in organized crime) participated in dismantling a network originated from St Lucia and St Vincent and the Grenadines islands.

In May 2019, Pamandzi Gendarmerie brigade and GELIC (investigation group dedicated to fight irregular migration) arrested 3 people who had set up a network from the Comoros. €122,000 were seized in immovable property.

The National Gendarmerie arrested smugglers thanks to their operational measures: 273 smugglers were arrested in the first ten months of 2019 (232 had been arrested over the same period in 2018 → +17,67%. Do not show in national figures on irregular migration networks, conducted under OCRIEST’s criteria.

Objectives of the crime strategy

In its jurisdiction, the National Gendarmerie aims at addressing the legal aspects of the apprehension of smugglers by means of regional adapted operational measures. The term ‘smuggler’ must be understood as: a person who helps irregular migrants get to a national territory, as well as a person who facilitates their stay i.e. providing them with a job, accommodation, fake documents, etc.

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

The National Gendarmerie investigation units and CELTIFs (departmental units dedicated to the fight against illegal employment and fraud) are committed to tackle migration networks, relying on proactive analysis and data reconciliation performed by legal assistance units, backed up by criminal intelligence units (BDRIJ/SAJ/SAR/SCRC).

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

Field units' (excluding investigation units) agenda: during the interviews of illegal foreign nationals, focus on identifying smugglers starting from their areas of departure. Mobile devices are to be searched and examined, with the approval of the prosecution.

BDRIJ and SAR/SAJ's (criminal intelligence) agenda:

- Cross-checking information provided by illegal foreign nationals and smugglers during interviews;
- Cross-checking information found during mobile phone analysis

Investigation units' (BR, SR, GIR) agenda:

- Assist territorial units in mobile phone analysis;
- Investigate and request referrals to the prosecution via criminal investigation assistant officers and heads of units, especially when data-reconciliation has been performed by BRIJ or SAR/SAJ;
- Guide human sources-recruitment and intelligence-collection in these matters;
- Search and seize smugglers' criminal assets (GIR);
- Systematize the use of international law-enforcement cooperation tools;

SCRC's (criminal intelligence at the central level) agenda:

- Centralise criminal intelligence to detect emergent trends;
- Know the details of each ongoing and closed case;
- Share new information with other units: types of networks, internal structures, geographical distribution (mapping). OCRIEST, with its criminal intelligence unit dedicated to this issue (UCOLTEM) will be the recipient of general analysis memos about detected trends;
- Act as the contact point for criminal intelligence-sharing requests from external partners e.g. OCRIEST.

Directorate-general's agenda: The Office for criminal cases (BAC) centralizes and declares dismantled networks to OCRIEST and is in charge of leading and coordinating criminal investigation units in their commitment to this issue. BAC sets up national investigation units dedicated to major cases.

Stakeholders (working groups, specialized agencies, partners, etc.)

See above.

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

Systematize the use of international law-enforcement cooperation tools. Specifically, communicate investigations data to Europol via SIENA. Europol has an analysis unit dedicated to tackling irregular migration networks.

Good practices

Overview of recent good practices, prevention programs, etc.

The Gendarmerie's headquarters issued a memo in November 2018 to provide departmental gendarmerie units with a framework in their efforts to tackle irregular migration networks.