

Special Report

Europol support to fight migrant smuggling:

a valued partner, but insufficient use
of data sources and result measurement



EUROPEAN
COURT
OF AUDITORS

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Executive summary

I Migrant smuggling, also described as facilitation of illegal immigration, is a worldwide crime that puts at risk the lives of migrants and challenges the integrity of international borders. It is one of the most profitable types of criminal activity for organised criminal groups and has posed a major humanitarian and security challenge for the EU in recent years. In 2015 and 2016, the EU experienced an unprecedented arrival of migrants. More than 1 million people entered the EU irregularly. Europol estimated that a large majority of these arrivals were facilitated by migrant smugglers.

II The EU's agency for law enforcement cooperation, Europol, in 2016 established a European Migrant Smuggling Centre dedicated to proactively support EU Member States in dismantling criminal networks involved in organised migrant smuggling. Since Europol does not have executive powers (it cannot arrest criminals), it assists Member States mainly by serving as a hub for exchanging information on criminal activities and providing coordination and operational and strategic support for Member States' criminal investigations.

III We assessed whether Europol and in particular the European Migrant Smuggling Centre provided Member States with effective support in combatting migrant smuggling. The audit covered the period between 2016 (the year it established the European Migrant Smuggling Centre) and 2019. Where applicable, we also looked at data from 2020. To answer this main audit question, we addressed two sub-questions:

- Has Europol been an effective hub for information exchange on migrant smuggling?
- Has Europol provided effective coordination and support in the area of migrant smuggling?

IV Overall, we conclude that Europol provides valued support, but it faces continuous challenges to make full use of external information sources, and the results of its support are not systematically measured and are thus difficult to demonstrate. The audit contributes to the ongoing debate on how the EU manages migratory pressure, and its findings are intended to strengthen Europol's role in providing Member States' law enforcement authorities with effective support. The conclusions may also influence the ongoing review of the Europol Regulation.

V We found that Member State law enforcement authorities and third parties actively provided Europol with information, although the level of engagement varied

from one partner to another. Information exchange grew continuously between 2016 and 2019. Despite this positive trend, we found that the problems encountered in launching bilateral negotiations to conclude international agreements with priority non-EU countries and Europol's inability to directly collect and analyse information from private parties undermined the completeness of the information obtained by Europol.

VI As the European criminal information hub, Europol needs to have access to all relevant databases. However, not all relevant external data sources are currently available for Europol to use, or it does not use them sufficiently.

VII Our survey shows that Member States and non-EU countries appreciate the information it provides, but full interoperability between Europol's and the Member States' databases has not yet been achieved. We also found issues relating to data exchange with other EU agencies.

VIII Europol's partners value the strategic and operational support it provides, but the results of Europol's support are difficult to verify, as it does not measure them comprehensively. This is because there is no systematic procedure for Member States to report data on the results obtained with Europol's support. Europol also does not have performance indicators for its efforts to combat money laundering and document fraud, which are also linked to migrant smuggling. An overall measurement of Europol's performance in combatting migrant smuggling is therefore not in place.

IX Europol's operational support involves supporting its Member States and non-EU partner countries investigations of specific cases, which can be ranked as non-priority or priority. A process for prioritising cases based on appropriate criteria helps Europol to allocate resources where they are needed most. This process is based on the professional judgement of the staff involved, but it is not fully documented, except for those priority cases which are identified for support as high-value targets. There is therefore insufficient evidence to demonstrate that Europol allocates its resources to the cases that need them most.

X On the basis of these conclusions, we recommend that Europol:

- use all relevant external sources of information;
- enhance its data exchange with its partners;
- improve performance monitoring and reporting for European Migrant Smuggling Centre activities;

- make its case prioritisation process more transparent by fully documenting how it decides which cases receive priority treatment.

Introduction

01 People smuggling into and within the EU and human trafficking are considered key criminal threats to the EU¹ and are among the Council's 2018-2021 priorities in the fight against serious and organised international crime². Both use human beings as a source of profit. However, migrant smuggling and human trafficking are different crimes (see [Box 1](#)).

Box 1

Difference between migrant smuggling and human trafficking

In the case of migrant smuggling, also described as facilitation of illegal immigration, smugglers intentionally assist migrants to unlawfully enter or transit across the territory of a Member State, with their consent or, for financial gain, intentionally assist migrants to reside there. This is different to human trafficking, where traffickers coerce their victims into severe exploitation, which does not necessarily involve crossing a border.

02 Migrant smuggling is a worldwide crime that puts at risk the lives of migrants and challenges the integrity of international borders. This is a profitable type of criminal activity for organised criminal groups³ and has posed a major humanitarian and security challenge for the EU in recent years.

03 In 2015 and 2016, the EU experienced an unprecedented arrival of migrants. More than 1 million people arrived, most of them fleeing from war in Syria and other countries⁴. The most commonly used routes were those via the Western Mediterranean, Central Mediterranean, Eastern Mediterranean and Western Balkans. Although irregular arrivals to the EU have decreased by more than 90 % since then, prolonged economic instability and lack of opportunities in developing countries,

¹ Europol (2017), European Union serious and organised crime threat assessment.

² Council conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021 – Council conclusions (18 May 2017).

³ "Smuggling of Migrants", United Nations Office on Drugs and Crime, 2011.

⁴ EC: Factsheet "The EU and the Migration Crisis", 2017.

coupled with the impact of the COVID-19 crisis, may result in an increase of irregular migration to the EU in the medium term⁵.

04 Migrant smuggling is clandestine by nature and therefore very difficult to measure. Europol estimates that around 90 % of those who cross the EU borders irregularly use the assistance of migrant smugglers, mostly criminal groups. These groups are also involved in other crime areas, such as document fraud or human trafficking.

05 Migrant smugglers involved in facilitating journeys to the EU originate from over 122 countries. Estimates of the scale of the smuggling industry differ between reports, with networks across the EU as a whole estimated to make between €4.7 billion and €5.7 billion⁶ in year 2015 alone.

06 Law enforcement activities to fight migrant smuggling are the responsibility of the Member States. The EU's role is to assist them in that fight. Its response to migrant smuggling demands a coordinated approach involving multiple institutions (the Council of the EU, the European Parliament and the Commission⁷), agencies (Europol, Frontex, Eurojust, the European Maritime Safety Agency (EMSA), eu-LISA, CEPOL) and others (the European External Action Service (EEAS), Common Security and Defence missions).

07 The main piece of EU legislation on migrant smuggling (the "Facilitation Directive"⁸) requires each Member State to adopt appropriate sanctions on anyone who intentionally helps someone who is not a national of an EU Member State to enter, or transit across, or reside within its territory unlawfully⁹. Although the Facilitation Directive sets out general characteristics and allows to exempt cases of

⁵ European Migrant Smuggling Centre, 4th Annual Report, 2020.

⁶ Europol (2017), European Union serious and organised crime threat assessment, p. 50.

⁷ Directorates General for Migration and Home Affairs (DG HOME), Justice and Consumers (DG JUST), International Partnerships (DG INTPA), Neighbourhood and Enlargement Negotiations (DG NEAR).

⁸ Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence, OJ L 328.

⁹ Article 1 of the Facilitation Directive.

humanitarian assistance, each Member State uses its own definition of what constitutes migrant smuggling¹⁰.

08 Member States, EU institutions and agencies, and other relevant parties, such as Interpol and non-EU countries, cooperate under an ad hoc structured multidisciplinary platform driven by the EU Member States. It is known as EMPACT, which stands for “European multidisciplinary platform against criminal threats”. EMPACT devises four-year policy cycles for the EU’s fight against international organised crime.

09 Europol¹¹ is one of the main EU actors in combatting migrant smuggling. Its role is to support Member States’ law enforcement authorities and to facilitate cooperation to prevent and combat serious and organised crime. Europol does not have executive powers, which remain a national competence.

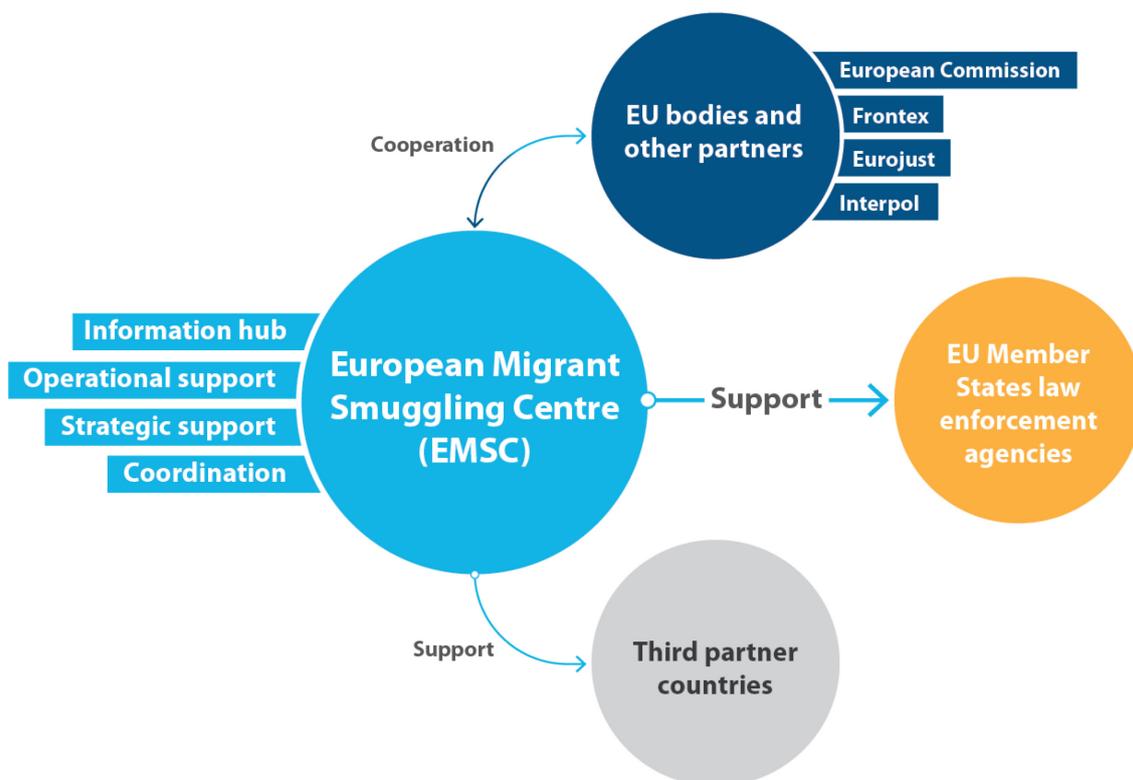
10 In February 2016, following a period of high irregular immigration, Europol established the European Migrant Smuggling Centre (EMSC), as part of the European Serious and Organised Crime Centre, one of the agency’s operations departments.

11 The EMSC’s goal is to support EU Member States in targeting and dismantling the criminal networks involved in migrant smuggling. To this end, it helps Member States and non-EU partner countries to enable information exchange and coordination of their operations in the fight against migrant smuggling. It also facilitates increased cooperation among Member States, non-EU partner countries and other European agencies (see [Figure 1](#)).

¹⁰ European Parliament study: *Fit for purpose? The Facilitation Directive and the criminalization of humanitarian assistance to irregular migrants: 2018 update*.

¹¹ Regulation 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol).

Figure 1 – The EMSC’s role in fighting migrant smuggling



Source: ECA.

12 The EMSC is in charge of two dedicated platforms, called “Analysis projects” (APs), each dealing with a specific crime: AP Migrant Smuggling and AP Phoenix (on human trafficking). APs support Member States’ investigations in several ways, including through operational analysis and on-the-spot deployments. Each AP is established through a set of rules that define its purpose and information access rights, including what information the AP may process and which Member States and associated third parties can participate. The EMSC’s annual budget has remained stable for the last three years at just over €10 million, which includes the costs for a number of staff averaging 48 in the same period.

13 Other Europol operational units also support the fight against migrant smuggling: the “Operational Centre” cross-checks incoming data, the “Strategic Analysis Team” coordinates strategic analysis and the Internet Referral Unit supports the EMSC in tackling internet-based migrant smuggling activities.

14 One of Europol’s main purposes is to serve its partners as the EU hub for exchanging information on criminal activities. It mainly provides operational information to facilitate the exchange of information between Member States, as the sharing of information with other stakeholders (e.g. EU agencies, non-EU countries) is

subject to conditions set in specific cooperation agreements and working arrangements.

15 The three main technological pillars of Europol's support to Member States are the Europol Information System, the Europol Analysis System and the Secure Information Exchange Network Application (see [Box 2](#) and [Figure 2](#)).

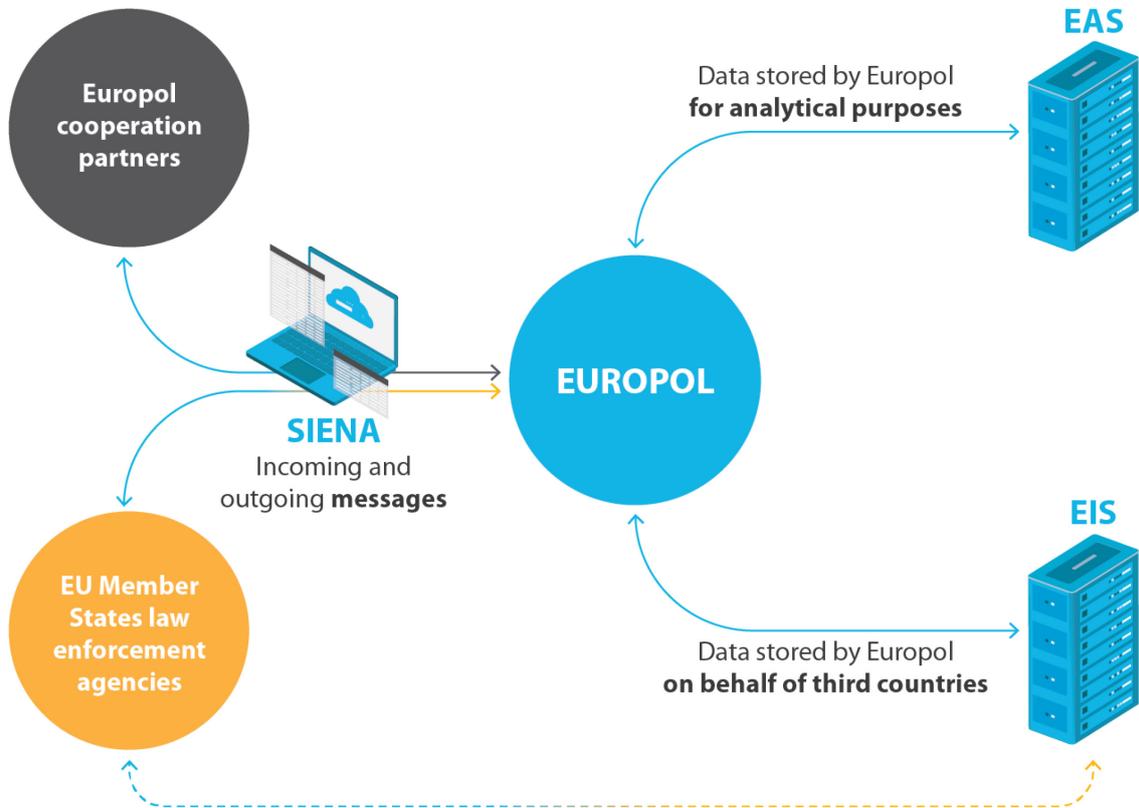
Box 2

The three main pillars of Europol's information hub

Europol Information System (EIS) is a central criminal information and intelligence database covering all of Europol's mandated crime areas. It is a reference system for checking whether information on a certain person or object of interest (such as a car, a telephone or an e-mail message) is available in other Member States. Both Europol and MS LEAs use the information available in the system and feed it with new information.

Europol Analysis System (EAS) is an operational information system that hosts data (such as suspects' names and addresses) contributed by Europol's partners and can only be accessed by Europol staff. It is used by operational analysts within analysis projects, including AP Migrant Smuggling.

Secure Information Exchange Network Application (SIENA) is a secured electronic messaging system used by MS LEAs to share information with one another and with Europol. Information shared through SIENA may feed into the EIS and EAS systems or be exchanged bilaterally without involving Europol. MS LEAs may also input data directly into EIS without using SIENA.

Figure 2 – Interaction between EIS, EAS and SIENA

Source: ECA auditors.

Audit scope and approach

16 The objective of this performance audit was to ascertain whether Europol supported Member States effectively in combatting migrant smuggling. To answer this main audit question, we addressed two sub-questions:

- (1) Has Europol been an effective hub for information exchange on migrant smuggling?
- (2) Has Europol provided effective coordination and support in the area of migrant smuggling?

17 This is the first time we have audited Europol's operational activities and, hence, the activities of the EMSC and other Europol units involved in fighting migrant smuggling. The audit aims to contribute to the ongoing debate on how the EU manages migratory pressure, and its findings are intended to strengthen Europol's role in providing Member States' law enforcement authorities with effective support. The conclusions may also influence the ongoing review of the Europol Regulation.

18 The audit concentrates on the area of migrant smuggling and does not cover the area of human trafficking. It covers the period starting from the set-up of EMSC in 2016 up until 2019. Where available, we also looked at data from 2020. We also looked at how Europol cooperated with other EU bodies involved in the fight against migrant smuggling. To answer the above questions, we also looked at the performance monitoring and reporting framework for Europol's activities to combat migrant smuggling.

19 Our audit findings are based on analysis of statistical data, supported by documentary review and interviews with key stakeholders. In order to assess satisfaction with the agency's services, we used the replies to a questionnaire we sent to 27 Member State law enforcement authorities (MS LEAs) and the authorities of 13 non-EU countries (Albania, Georgia, Iceland, Israel, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Turkey, Ukraine and the United Kingdom). All but one of these 40 countries replied to the questionnaire.

20 We held video conferences with auditees and relevant stakeholders, including Europol, Eurojust, EEAS, DG HOME, DG JUST, Frontex, Interpol and the Joint Operational Office. Since on-the-spot audit visits were not possible due to COVID-19-related restrictions, we also held video conferences with law enforcement authorities

from Serbia (a transit country), Spain (a frontline country) and Germany (a destination country).

21 Due to the sensitive nature of the operational personal data processed by Europol, an assessment of their accuracy and relevance was out of the scope of the audit. We therefore could not check the overall data quality in terms of these two aspects.

Observations

Europol serves as an information exchange hub but is impeded by incomplete data and interoperability issues

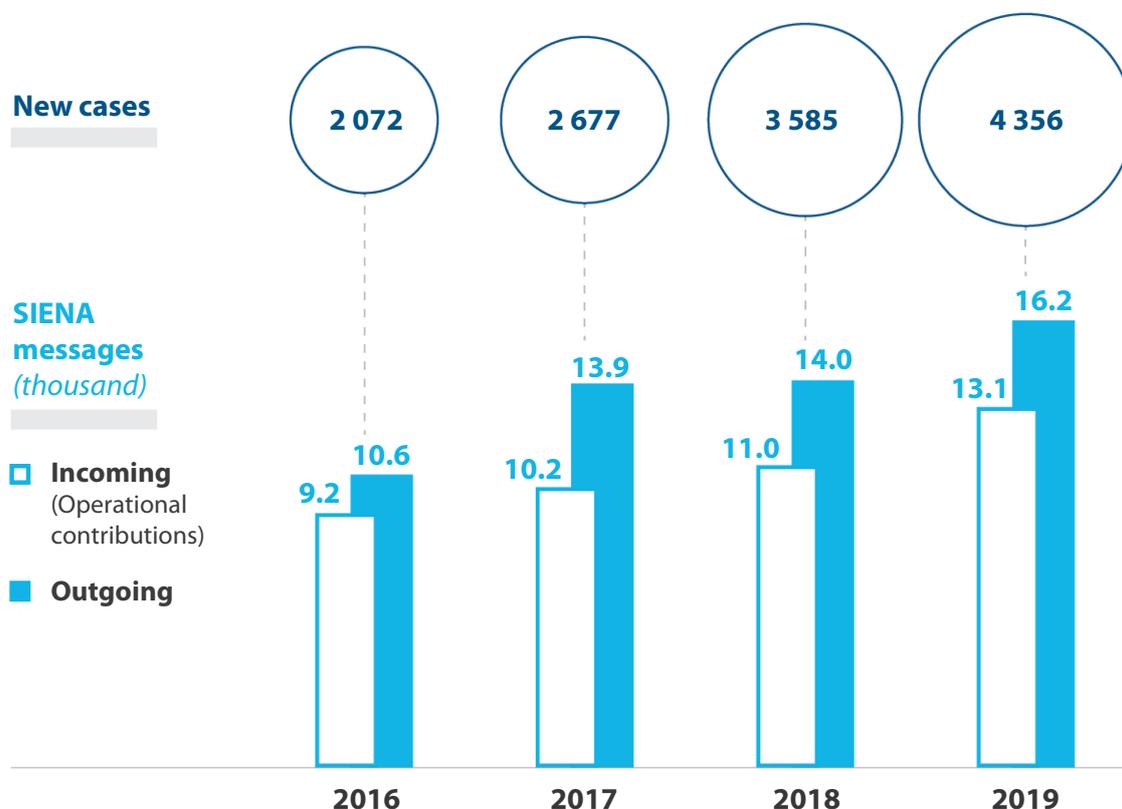
22 To fulfil its function as the European information hub on criminal activities, Europol should receive sufficient information from the Member States and non-EU countries and have access to all relevant data sources. The value of the service provided by Europol depends largely on how actively Europol's partners exchange information with Europol. In the paragraphs below, we examine:

- (a) how actively Europol's partners exchange information with the agency;
- (b) whether Europol has access to all relevant data sources;
- (c) whether Member States and non-EU partner countries are satisfied with the information obtained from the agency.

Information exchange continues to increase, but a number of issues affect its completeness

23 Europol is receiving an increasing number of messages through SIENA. The number of messages containing operational information on concrete criminal investigations sent to Europol and the number of outgoing messages from Europol to its partners have been continuously growing. This has resulted in an increase in new cases relating to migrant smuggling, as [Figure 3](#) shows. All EU Member States and non-EU countries with which Europol has operational agreements feed Europol's databases.

Figure 3 – Exchange of SIENA messages between Europol and all its partners related to migrant smuggling 2016-2019



Source: ECA analysis based on Europol data.

24 Despite these positive trends, we found issues affecting the completeness of information obtained by Europol. Most of these issues are not specific to the area of migrant smuggling, and are beyond Europol's control. The main ones are:

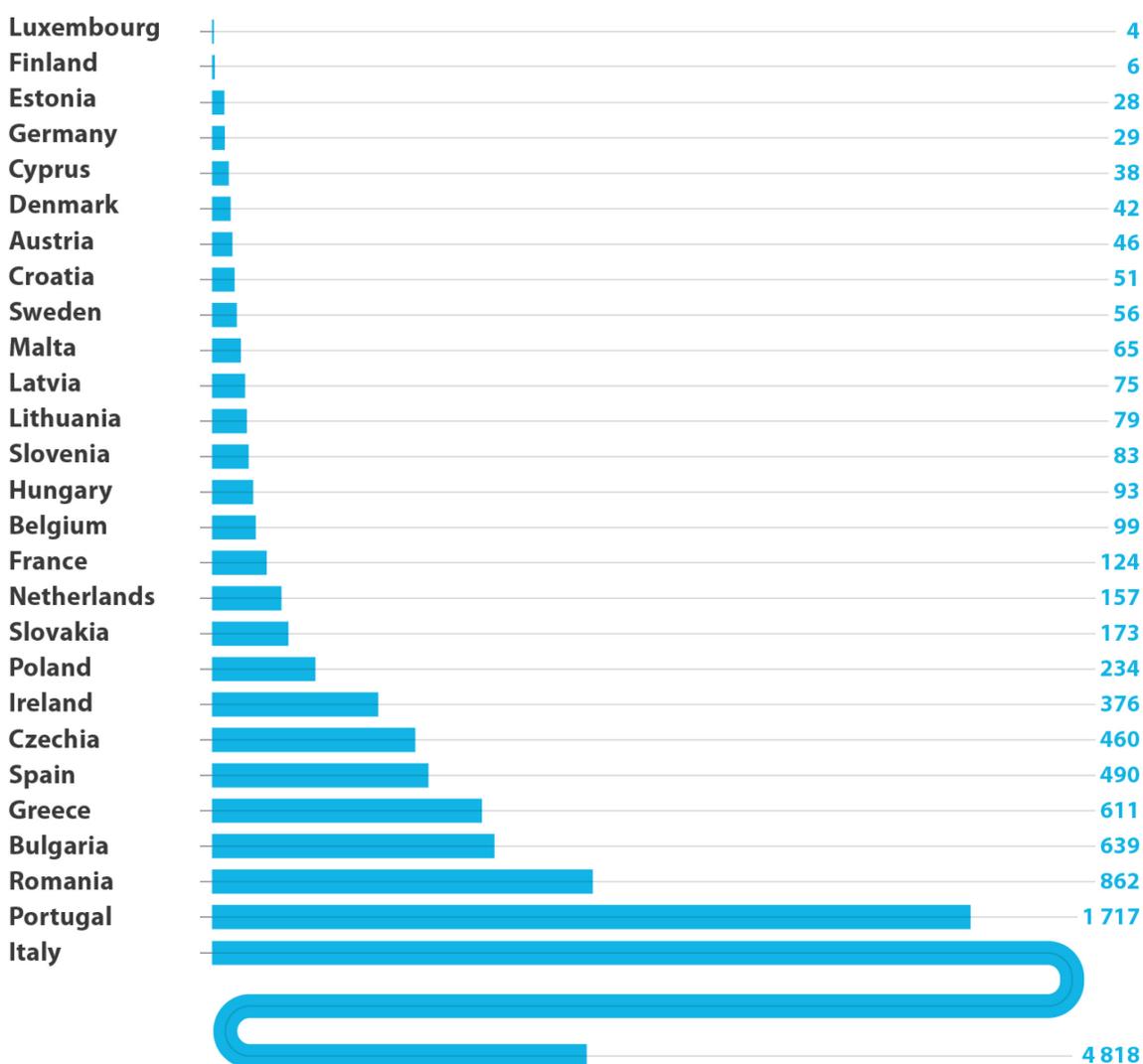
- (a) varying degrees of activity among Member States in feeding Europol databases;
- (b) problems encountered in launching bilateral negotiations to conclude international agreements with priority non-EU countries; and
- (c) Europol's inability to collect and analyse information directly from private parties.

25 Active engagement on the part of the Member States is crucial for ensuring that Europol has complete data at its disposal. A number of stakeholders pointed to the need for Member States to supply Europol with more operational information. There are often valid operational or legal reasons for not sharing information with Europol or engaging with other Member States on a bilateral basis. For example, there is no need to put Europol in copy of organisational/administrative communication. Investigators might not have authorisation from a prosecutor to share sensitive data in the early

stages of investigation. Restrictive information-handling policies may be applied to avoid jeopardising an ongoing investigation or protect national security interests. Some information may also be beyond Europol's mandate.

26 However, the degree to which Member States share information also depends on the way they organise their information-sharing architecture. Some Member States have not developed automated data loaders, meaning that all data has to be manually inserted into EIS or SIENA. This administrative burden affects Member States' willingness to share information with Europol. Moreover, access to Europol's systems is centralised in some countries while investigators have direct access in others. This is illustrated in *Figure 4*, which shows that there are big differences among Member States in the number of SIENA access points available to law enforcement officers, which limit their ability to send the relevant information to Europol in a timely manner.

Figure 4 – Number of law enforcement officers per SIENA user account

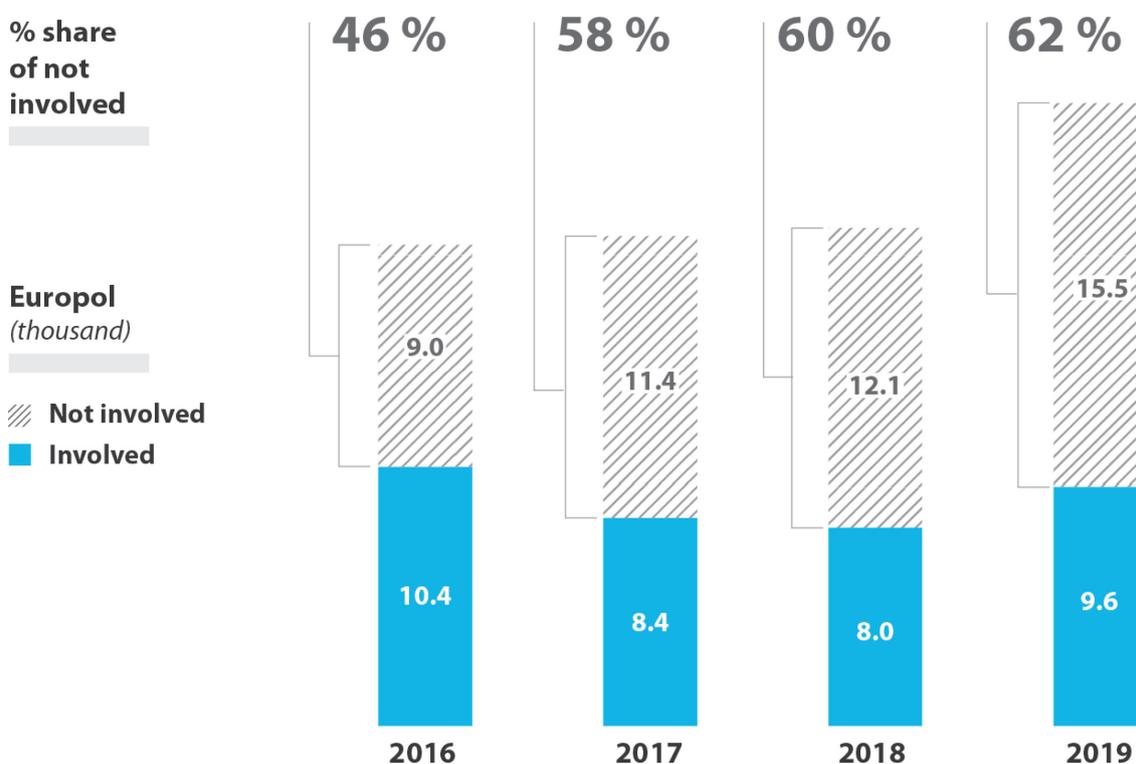


Source: ECA analysis based on data from Europol (as at July 2020) and Eurostat.

27 The completeness of data is also affected by the delays in availability of information. Furthermore, Europol receives some incoming files/data also in an unstructured format. Its staff therefore have to manually insert this information into its databases. Europol has developed a new tool (known as the “Data Intake Utility”) which should help structure data when inputting it into SIENA in future.

28 We also identified a trend of increasing bilateral exchange between Member States not involving Europol (i.e. messages without the agency in copy). The overall proportion of such messages has grown from 46 % in 2016 to 62 % in 2019, but it varies between Member States (see [Figure 5](#)).

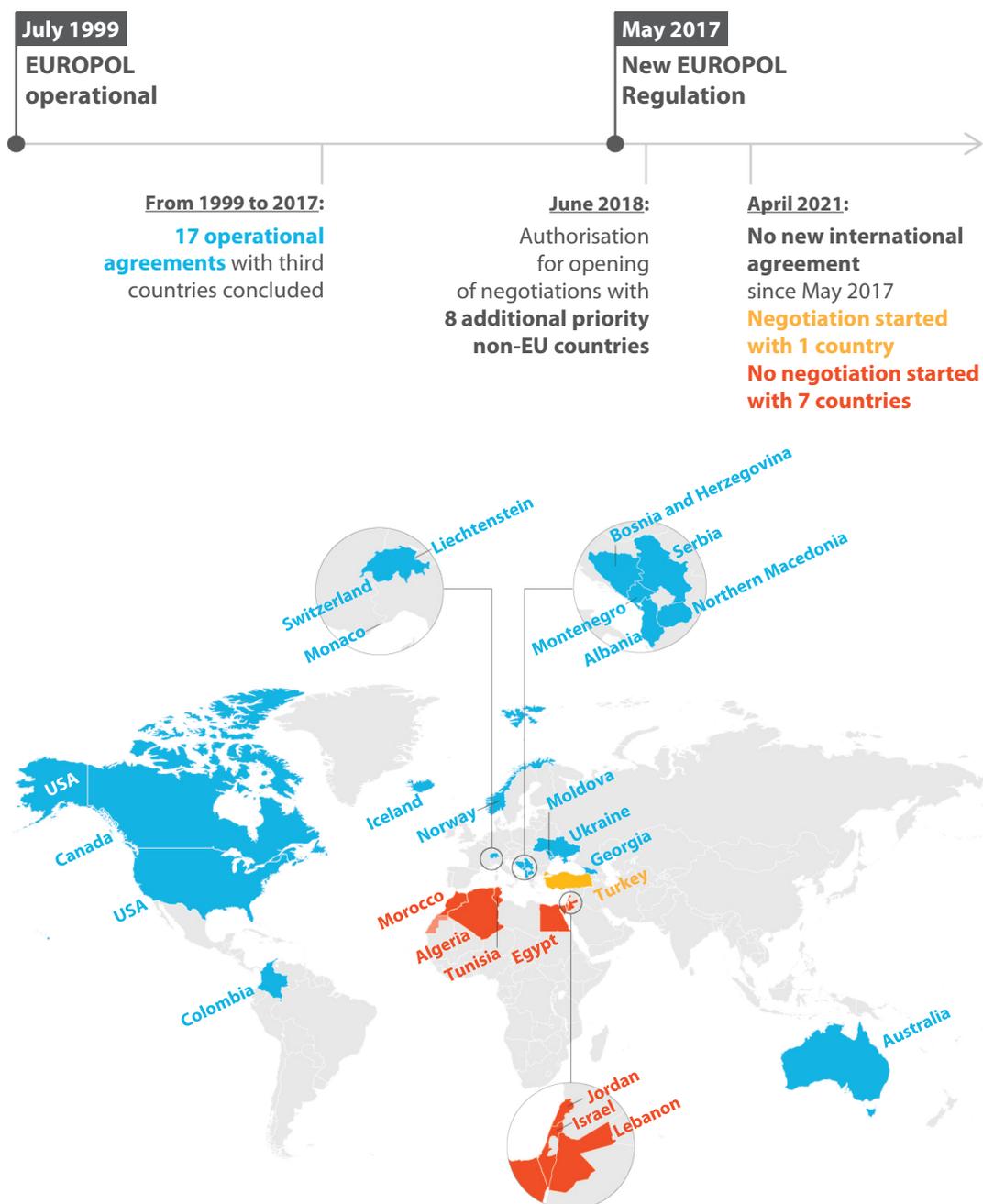
Figure 5 – Proportion of SIENA messages related to migrant smuggling sent by EU Member States without Europol in copy



Source: ECA analysis based on Europol data.

29 In order to support the fight against migrant smuggling effectively, Europol needs to have access to operational data from criminal investigations in countries of origin and transit. To this end, Europol has signed 17 agreements with non-EU countries under earlier legislation. It has identified eight additional priority non-EU countries with which to conclude international agreements (see [Figure 6](#)). In December 2017, the Commission recommended that the Council authorise the opening of negotiations with those countries. The Council did so in June 2018. However, by July 2021, the Commission had started negotiations with only one country.

Figure 6 – Operational agreements with non-EU countries (state of play)



Source: ECA, based on Europol data.

30 Concluding international agreements involving exchange of personal data is complex, because it can be done only with countries offering an essentially equivalent level of data protection as the EU standards¹². Without an international agreement, however, non-EU countries derive little benefit from sharing operational data with

¹² Judgment in Case C-311/18 Data Protection Commissioner v Facebook Ireland and Maximilian Schrems, issued on 16 July 2020, in particular paragraphs 104-108.

Europol, as the agency will not be allowed to systematically send them information containing personal data in return¹³.

31 Europol also faces constraints in obtaining personal data on migrant smuggling from private parties (such as online service providers). It can receive personal data from private parties indirectly, via a national police unit or authority. However if the private parties submit the data directly to Europol on their own initiative (for example, if an internet service provider proactively notifies Europol of illegal online content related to migrant smuggling), the agency can only process the data in order to identify the national police unit or authority concerned¹⁴. Europol cannot process the data for analytical purposes or cross-checking and must delete it within four months unless the Member State or non-EU country's authorities submit it again. This can cause delays and ultimately render such data obsolete or irrelevant for the investigation.

32 In the 2020 recast of the Europol Regulation, the Commission proposed that Europol should be able to receive personal data from private parties, inform such private parties of missing information, and ask Member States to request other private parties to share further information¹⁵. As of June 2021, legislative work on the draft regulation is ongoing at the European Parliament and the Council.

Europol makes insufficient use of external data sources

33 As the European hub for exchanging information on crime, Europol needs to have access to all relevant external (non-Europol) databases for gathering information and cross-checking it against all relevant sources of information. We have identified these in [Box 3](#) and [Figure 7](#)). This is especially the case when verifying data coming from non-EU countries against relevant EU databases. However, not all relevant data sources are currently available for Europol to use, and Europol does not use some sufficiently.

¹³ Exceptions are provided in Article 25 of the Europol Regulation.

¹⁴ In accordance with Article 26(2) of the Europol Regulation.

¹⁵ Article 26, COM(2020) 796 final of 9.12.2020.

Box 3

External sources of data on migrant smuggling

The **Schengen Information System (SISII)** is the main system supporting the work of border control, customs and police authorities in the Schengen area. It contains data on persons (such as people subject to extradition requests or whose presence is deemed undesirable on a particular territory, or missing minors) as well as data on lost, stolen and misappropriated firearms, identity documents, motor vehicles and banknotes. National authorities can exchange additional information through a network of contact points known as **Supplementary Information Request at the National Entries (SIRENE) network**.

European Dactyloscopy (EURODAC) is an administrative system used primarily to register migrants when they cross the EU's external border irregularly and when they apply for asylum.

The **Visa Information System (VIS)** is an administrative system for issuing Schengen visas.

Passenger Name Record (PNR) and **Advanced Passenger Information (API)** are systems containing data on air passengers.

The **Prüm system** is an agreed cooperation system through which Member States exchange DNA, fingerprint and car-related data.

Interpol operates 19 databases that can be accessed through a secure communication system called **I24/7**.

34 Europol actively uses SISII, having been granted full access in September 2020. As from March 2021, Europol is connected to the SIRENE network, allowing the agency to exchange information with the network's contact points, known as the "SIRENE bureaux". Member States are legally obliged to notify Europol of any information ("hits") they have matching SISII alerts related to terrorism¹⁶, but not to any other forms of crime, including migrant smuggling (although they can exchange other information in these areas through the SIRENE network). The lack of such crucial, near real-time information on a systematic basis could limit Europol's ability to track migrant smugglers.

¹⁶ Article 48(8) of Regulation (EU) 2018/1862 of the European Parliament and of the Council on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters.

35 Europol also uses Interpol's databases. However, there is no automatic interface between Europol's SIENA and Interpol's I24/7 communication systems. Information needs to be transferred from one system to another.

36 Europol very rarely uses other European databases, which could be of relevance in the area of migrant smuggling. It has access to the EURODAC system but, in practice, it has never queried the system in relation to migrant smuggling due to legal constraints¹⁷. It submitted only two queries to API/PNR in 2018, eight in 2019 and six in 2020.

37 Europol has no access to data stored in the VIS, even though the legal basis for the agency to access the system (the VIS regulation) has existed since 2008, and the technical and functional requirements for such access were developed in 2018. Europol is currently addressing technical issues to improve personal data protection, as required by a March 2021 opinion of the European Data Protection Supervisor, before it can access the system. This lack of access to the VIS system is a missed opportunity for Europol to obtain information that is relevant for addressing visa fraud schemes operated by migrant smugglers.

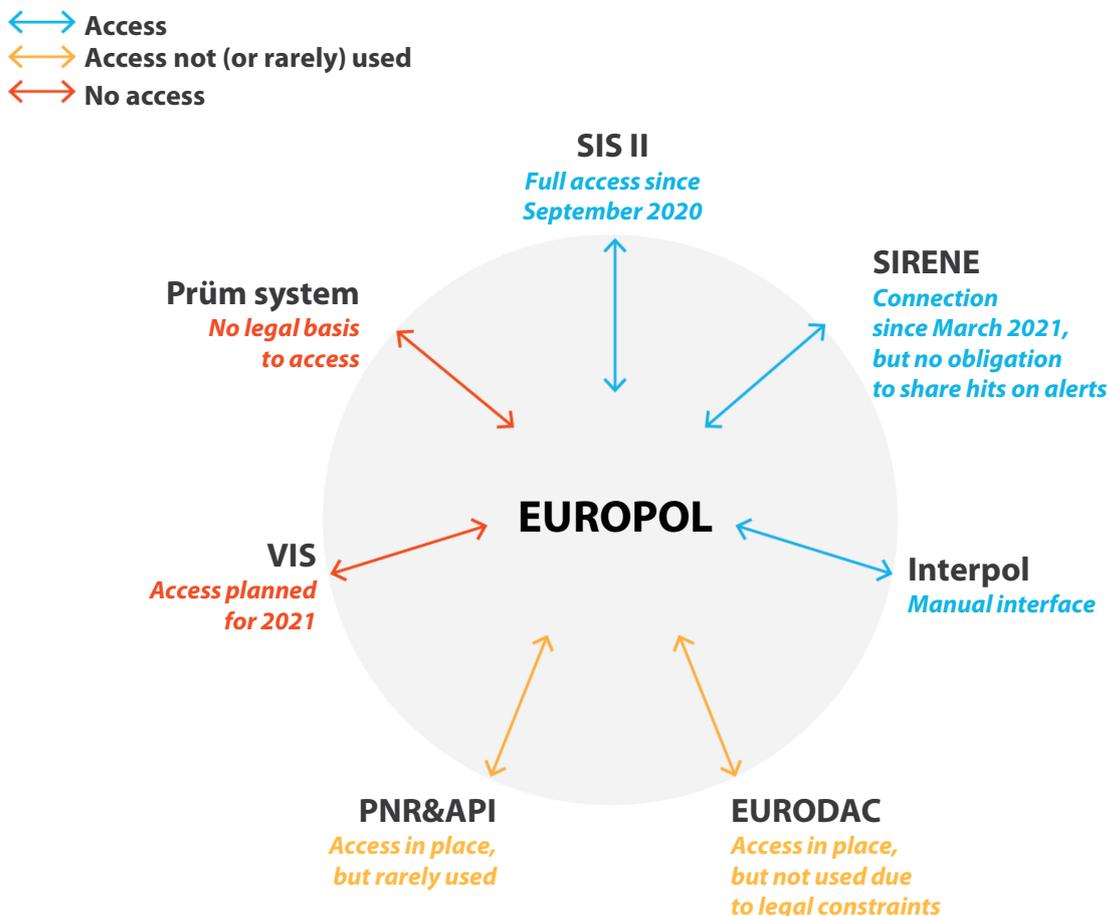
38 Interoperability between Europol databases, the main EU databases (SISII, VIS, EURODAC and future systems, in particular the Entry/Exit System and the European Travel Information and Authorisation System) and Interpol databases should further improve by 2023, as provided for in the 2019 Interoperability Regulation¹⁸. Once implemented, this will make it possible to query all databases simultaneously.

39 Europol also has no access to data shared through the Prüm system. This is because there is no explicit legal basis for the agency to access such data.

¹⁷ Article 21 of the EURODAC Regulation allows Europol to query the EURODAC system “only if comparisons with fingerprint data stored in any information processing systems that are technically and legally accessible by Europol did not lead to the establishment of the identity of the data subject”.

¹⁸ Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration.

Figure 7 – Europol access to relevant external sources of information on migrant smuggling



Source: ECA auditors.

Europol's partners value the information it provides, but interoperability issues impede effective data sharing

40 Our survey shows that Member States and non-EU countries appreciate the information the agency provides. The overall average satisfaction score (on a scale of 0-10) is **8.5** (see [Figure 8](#)). The main area for improvement concerns interoperability issues, which affect effective data sharing.

Figure 8 – Satisfaction with information received from Europol



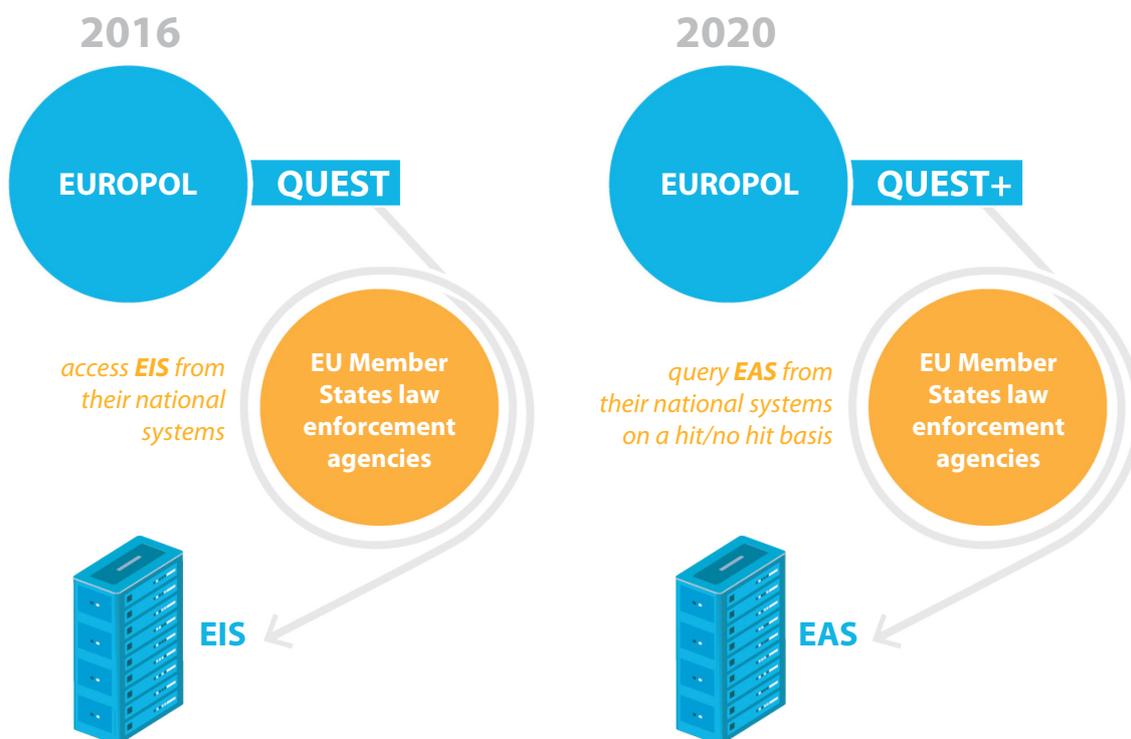
Source: ECA analysis based on the replies from Member States and non-EU countries to ECA questionnaire. Two replies did not provide a quantitative score.

41 Currently, MS LEAs have no access to EAS. They can check if the required information is in EAS by making a request through SIENA or a liaison officer. As this procedure takes time, the lack of interoperability between national and Europol systems makes data exchange less efficient.

42 In 2020, Europol launched a new QUEST+ project to allow national authorities to query EAS from their national systems. This allows them to see instantly, without going through official channels, whether there is a match (“hit”) in EAS, but does not give them direct access to the information actually stored in the system. If there is a hit, they need to request any further information individually. The project’s completion will depend on the availability of resources, as part of the overall restructuring of Europol’s IT infrastructure. A pilot phase is planned for 2021, with up to six Member States taking part.

43 Although Member States have access to Europol’s other database, EIS, it is not fully integrated with national systems. In 2016, Europol initiated the “Querying Europol Systems” (QUEST) project (see [Figure 9](#)), allowing MS LEAs to access EIS from their national systems. QUEST was deployed in 2017, but to date only covers two categories of information: persons and firearms. Additional categories (such as means of transportation, means of communication and identity document) are expected to become available by the end of June 2021.

Figure 9 – QUEST and QUEST + projects



Source: ECA.

44 We found additional issues relating to Europol’s data exchange with other EU agencies. One of the main stakeholders in the fight against migrant smuggling is Frontex, the EU’s border and coast guard agency, which provides Europol with operational personal data (such as suspects’ names and addresses). However, Europol cannot share with Frontex any personal data that would allow the latter to cross-check the accuracy of its own operational data, deepen its own intelligence for border control operations or enhance its risk assessments to localise threats arising.

45 One reason for this was Frontex Management Board Decision 58/2015, which, based on the 2011 Frontex Regulation, did not allow it to receive personal data from Europol. Another was that the European Data Protection Supervisor in 2018 issued a negative opinion on Frontex receiving personal data from Europol, based on the 2016 Frontex Regulation. However, the latest 2019 Frontex Regulation has closed this legal gap by specifically providing for the exchange of personal data between Europol and Frontex¹⁹. Data collected by Frontex while monitoring migratory flows or in the

¹⁹ Article 90 of Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624.

course of operations can be now shared with Europol for the purpose of identifying people suspected of cross-border crime.

46 Smooth cooperation between law enforcement and judicial authorities is required to fight migrant smuggling effectively. Although the 2016 Europol Regulation provides for mutual indirect access between the databases of Europol and Eurojust²⁰, progress in establishing such access has been slow. They can exchange data semi-automatically via SIENA, but a fully computerised access solution has been delayed as Eurojust's IT systems need to be upgraded.

47 Under the legal framework in place prior to 2016²¹, Europol's data processing was system-specific: it specified which data could be processed in which system. The 2016 Europol Regulation, by contrast, is no longer system-specific. Rather, the rules governing Europol's processing of data now depend on the purpose for which it is being processed (identifying links; thematic and strategic analysis; operational analysis; or facilitating information exchange)²². Therefore, the agency is planning to move away from its existing separate systems to an integrated, overarching, central data repository and operational environment.

48 To date, Europol has not used innovative IT processes, such as data mining or artificial intelligence in the area of migrant smuggling. Overhauling its overall IT infrastructure in this manner provides an opportunity for it to do so.

Europol partners value its strategic and operational support, although results cannot be assessed and procedures are not sufficiently structured

49 Europol's added value stems not only from its exchange of information with its partners but also from its strategic and operational support. In the paragraphs below, we examine whether Europol:

- (a) provides valuable strategic and operational support;

²⁰ Article 21 of Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA.

²¹ Articles 10 to 14 of Council Decision 2009/371/JHA.

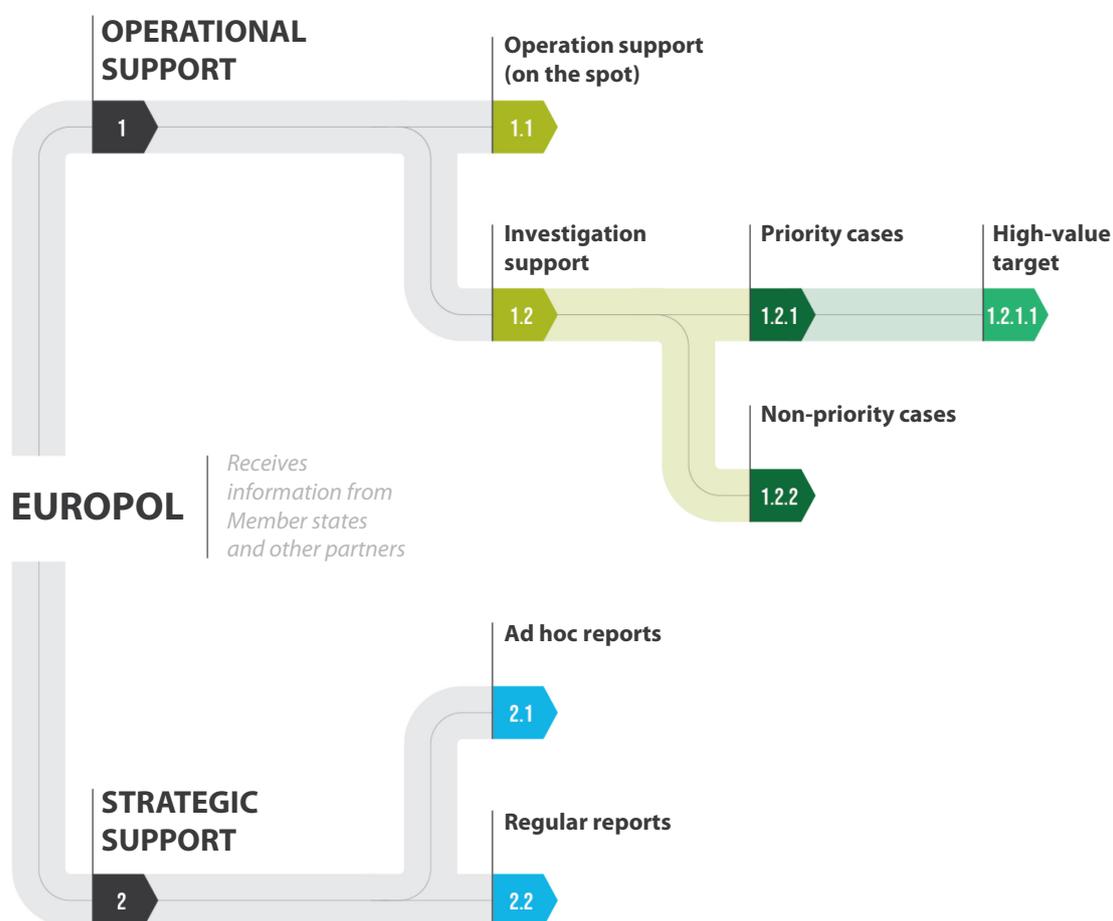
²² Articles 18 and 19 of the Europol regulation.

- (b) achieves results and reports on them;
- (c) has the internal procedures necessary to deliver its support;
- (d) coordinates its activities well with its partners.

Europol provides valuable support

50 *Figure 10* below provides an overview of Europol’s strategic and operational support.

Figure 10 – Europol’s strategic and operational support



Source: ECA.

51 Europol’s strategic support consists of reports of varying complexity, providing a general overview of the current crime situation and trends in the EU (see *Box 4*). It prepares these strategic reports both recurrently and on an ad-hoc basis, allowing Member States to take preventive action. In the context of its strategic support, Europol also plays a crucial role in EMPACT (see paragraph *08*), which helps to set

strategic priorities for the entire EU and support their implementation at an operational level.

Box 4

Examples of strategic reports prepared by Europol

The **serious and organised crime threat assessment (SOCTA)**²³ sets out recommendations based on Europol's analysis of the major crime threats facing the EU. The Justice and Home Affairs Council configuration uses SOCTA's recommendations to define EU crime priorities for the following four-year policy cycle. SOCTA's strategic assessment forms the basis for the EMPACT policy cycle. The latest SOCTA (for 2017-2021) identified the facilitation of illegal immigration as one of the main crime threats.

Intelligence notifications provide information on specific activities; for example, on new modes of transport, such as small boats being used to cross the English channel²⁴. They may be drafted in reply to specific requests from Member States.

52 Europol's operational support involves supporting Member States' and non-EU countries' investigations of specific cases, which can be ranked as non-priority (basic support) or priority support cases or as high-value target (HVT) investigations (which are selected from priority cases through an additional prioritisation process), as **Figure 11** illustrates. Operational support consists of two major parts:

- (1) **Operation support** – Europol provides direct on-the-spot support for Member State during operations; for example, Europol experts may extract data from mobile devices such as smartphones or tablets.
- (2) **Investigation support** – the support provided depends on whether the case in question is a priority case, a non-priority case or a HVT investigation:
 - (a) For *non-priority cases*, Europol cross-checks the data against its databases.
 - (b) For *priority cases*, Europol provides investigators with operational analysis support (e.g. information about the criminal network involved, its methods, limitations and intentions), coordination support for operations and/or funding of operational meetings.

²³ <https://www.europol.europa.eu/socta-report>

²⁴ <https://www.europol.europa.eu/migrant-smuggling-use-of-small-boats-to-cross-english-channel-0>

- (c) *HVT investigations* receive more intensive support than priority cases. In particular, they involve the drafting of an operational plan and establishment of an Operational Task Force for the coordination of intelligence and investigation activities including field operations.

Figure 11 – Relationship between non-priority cases, priority cases and HVT investigations



Source: ECA.

53 Overall, Europol's partners were satisfied with the quality of support they received from the agency. On a scale of 0-10, they rated Europol's strategic support 8.0 and its operational support 8.4 (see [Figure 12](#)).

Figure 12 – Satisfaction with Europol's strategic and operational support



Source: ECA analysis based on the replies from Member States and non-EU countries to ECA questionnaire. One reply did not provide quantitative scores.

The results of Europol's operational and strategic support are difficult to verify, as it does not measure them comprehensively

54 Although the assessment by Member States and non-EU countries was positive, the measurement of performance indicators is impeded by the limitations in the available reporting arrangements. We analyse the reasons for this below.

55 Europol has no indicators systematically measuring whether its contributions to Member States' cases in the area of migrant smuggling (e.g. delivering an analysis report) have resulted in operational outcomes such as arrests, dismantling of organised crime groups or asset seizures in a Member State. This is mainly because Member States have no obligation to disclose such data to Europol. Another reason is that the process of collecting data is not structured, as Europol has not given its partners instructions on how to report on the results achieved. Europol does collect data on the number of arrests linked to "action days" (see [Box 5](#)).

Box 5

Action days

Action days are cross-border operations focusing on key crime hotspots and criminal networks across the EU, with the support of Europol (e.g. logistical or analytical support). Action days can take various forms, such as the arrest of smugglers using small boats to smuggle migrants, or coordinated operations at airports to detect forged documents.

For example, during actions days on 28 and 29 September 2020, Europol supported arrests of 12 migrant smugglers. They were using small boats to smuggle people across the English Channel. The operation included cooperation between Belgium, France, the Netherlands and the United Kingdom, supported by Europol and Eurojust.

56 However, Europol does not always update its arrest figures following action days, and the EMSC does not systematically collect data on other results such as asset seizures. Our survey shows that only 33 % of Member States systematically report information to Europol on the results of its support in the area of migrant smuggling.

57 Obtaining reliable statistics on migrant smuggling has also proven difficult for Eurostat. It conducted three pilot data collections of criminal justice data on "facilitation of unauthorised entry, transit and residence" (as defined in EU law), covering reference years 2015, 2016 and 2017. From reference year 2018 onwards, the data collection has been incorporated into Eurostat's annual crime statistics

questionnaire. The Member States contributed voluntarily to the project, as there is no legal basis obliging them to provide data. The number of Member States reporting data has gradually increased over the years. Most Member States now do so, although their data is not always complete. As at July 2021, Eurostat had not yet published any statistics on migrant smuggling, mainly because of data quality concerns.

58 Europol and Frontex also collect statistics on migrant smuggling from the Member States: Frontex for its risk analysis and for operational and strategic purposes, and Europol for its reporting to the Council on EMPACT. There is no coordination of the data collection process between Europol, Frontex and Eurostat.

59 In 2018, the EMSC started reporting information internally on the annual number of arrests and, one year later, it started reporting that figure to the Commission. However, since the EMSC considers that, due to the lack of regular updates on the outcome of the criminal justice process, no reliable data are available on the number of arrests, it has not provided data on this indicator in any of its public reports. Although the number of arrests appears in press releases about action days, no consolidated data is available publicly. Annual data on migrant smugglers identified is available only for prominent criminals (HVTs)²⁵.

60 Other EU bodies, however, provide public data on results. The Council's reports on EMPACT, provide statistics on the results in the area of migrant smuggling (number of arrests, seizures of criminal assets). Similarly, Eurojust's annual report provides figures on its overall operational outcomes (suspects arrested and criminal assets seized).

61 The EMSC identified five HVTs in 2019, all of whom were arrested. With EMSC's support, Member States arrested 598 people as part of operations on action days. Europol does not specify the classification of the arrested persons (e.g. high-ranking members or other people at an operational level, such as lorry drivers for organised crime groups).

62 In the same year, 10 989 migrant smuggling suspects were identified in the EU. Admittedly, not every suspect turns out to be a migrant smuggler and is arrested. Nevertheless, the number of arrests during action days is low. Europol coordinates its activities between migrant smuggling and other crime areas, such as document fraud or money laundering. However, there are no performance indicators for Europol's

²⁵ Europol 2019 consolidated annual activity report, page 22.

activities in the area of money laundering and document fraud (e.g. number of fraudulent documents detected or value of financial assets seized). Europol did establish a performance indicator on the removal of illegal internet content, but has not been able to meet the corresponding target (see [Table 3](#) in [Annex](#)).

63 As from 2020, Europol, having decided to draw senior management's attention only to high-level indicators, no longer sets specific targets for output indicators. The programming documents have grouped together indicators on migrant smuggling with those relating to other activities covered under "serious and organised crime" (see [Table 1](#) and [Table 2](#) in [Annex](#)).

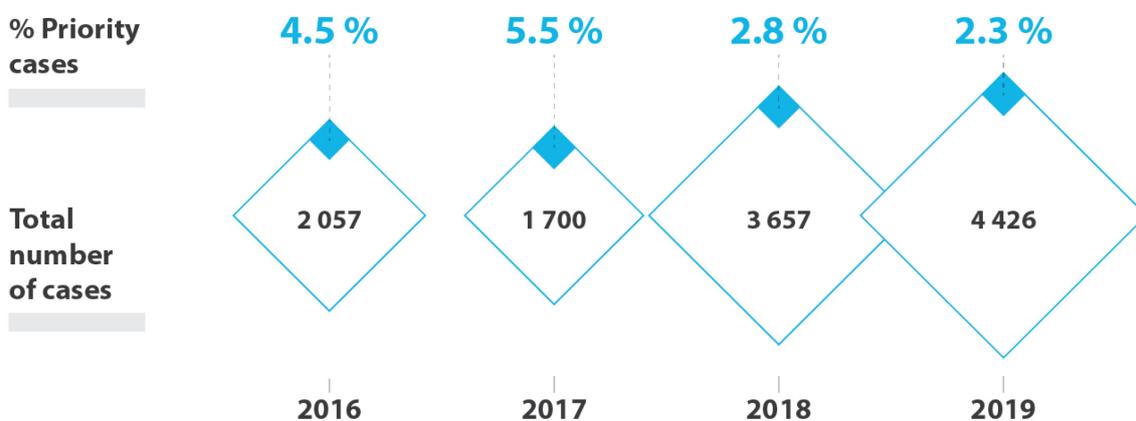
64 The EMSC did not always achieve its targets for output indicators, and at times set targets below previous years' achievements (see [Figure 15](#), [Figure 16](#), and [Figure 17](#) in [Annex](#)).

Europol does not fully document the selection of cases

65 Europol has established objective criteria to distinguish between non-priority support cases, priority cases and HVT investigations (see paragraph [52](#)). To apply these criteria, it has designed a prioritisation process with a detailed workflow. In practice, Europol's senior specialists and analysts use the prioritisation process as a general guideline in deciding whether to assign priority status to a case, while basing their decision on their professional judgement, the resources available and the potential for development of the case. To this end, they often perform joint assessments with Europol's liaison offices in the Member States ("liaison bureaux") and/or frontline investigators. As this selection process is not fully documented, we could not check whether it was applied correctly.

66 Although the overall number of cases doubled between 2016 and 2019, there was no increase in the number of priority cases (see [Figure 13](#)). In 2016, Europol classified 93 cases out of 2 057 as priority cases, while in 2019, the corresponding figure was 104 out of 4 426 cases.

Figure 13 – Priority cases vs total migrant smuggling cases reported to Europol

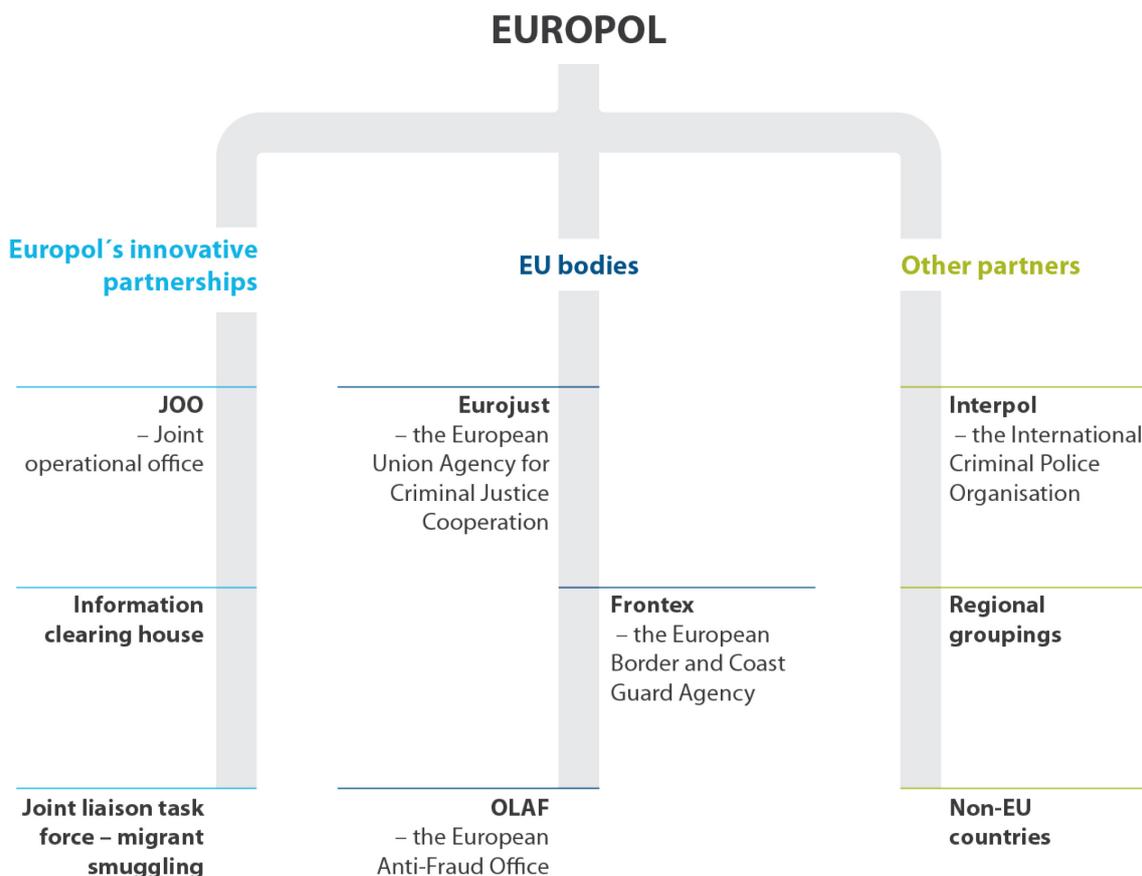


Source: ECA based on Europol data.

Europol coordinates activities with its partners, but not systematically

67 As well as supporting law enforcement authorities, Europol coordinates its activities with other partners. These include EU agencies, non-EU countries, international organisations and regional law enforcement organisations (see [Figure 14](#)). Our interviews with Europol's partners, and their replies to our survey, show that they value its coordination role.

Figure 14 – Europol’s partners involved in coordination activities



Source: ECA.

68 To strengthen cooperation, Europol supports and participates in a number of innovative partnerships:

- a **joint liaison task force (JLT) on migrant smuggling**: this brings together liaison officers seconded to Europol’s headquarters from the Member States and non-EU countries. The EMSC holds regular meetings of JLT liaison officers, and most respondents to our survey considered that it improved cooperation and coordination between Member States on migrant smuggling;
- an **information clearing house**: this improves information sharing by bringing together partners such as Frontex and Interpol, but also less traditional parties such as common security and defence policy missions. The clearing house is intended for discussing general trends as well as specific cases;
- the **joint operational office in Vienna**: this is a regional operational platform for international investigations into migrant-smuggling organised crime groups operating along the Western Balkan and Central Mediterranean routes. It

supports cross-border police cooperation and involves international investigators in operations.

69 However, Europol has no structured cooperation with other European coordination platforms involved in the fight against migrant smuggling, such as the Southeast European Law Enforcement Centre, the Police Cooperation Convention for Southeast Europe or the Integrated Fight Against Organised Crime in the Baltic Sea Region.

70 Europol also has no working arrangements with regional law enforcement cooperation platforms outside Europe, such as ASEANAPOL, AMERIPOL and AFRIPOL.

71 Finally, our survey and interviews with representatives from non-EU partner countries show that Europol engages them in its activities, though not always systematically. In their reply to our survey, some third parties expressed the wish for more intensive involvement in operational activities with Europol. However, such involvement depends not only on Europol alone, but also on the willingness of the Member State leading the investigation concerned.

Conclusions and recommendations

72 We examined Europol's support for Member States in combatting migrant smuggling. Overall, we conclude that Europol is a valued partner and an important information exchange hub. However, it faces continuous challenges to make full use of external information sources, and the results of its support are not systematically measured and are thus difficult to demonstrate.

73 We assessed Europol's role as the European hub for exchanging information on crime. We found that Member State law enforcement authorities and third parties actively provided Europol with information, although the level of engagement varied from one partner to another. Information exchange grew continuously between 2016 and 2019 (paragraph [23](#)).

74 Despite this positive trend, we found issues affecting the completeness of information obtained by Europol. Most of these issues are not specific to the area of migrant smuggling, and are beyond Europol's control. The main ones are: (i) varying degrees of activity among Member States in providing information to Europol databases; (ii) the problems encountered in launching bilateral negotiations to conclude international agreements with priority non-EU countries at EU level; and (iii) Europol's inability to directly collect and analyse information from private parties to perform its tasks (paragraphs [24](#) to [32](#)).

75 As the European criminal information hub, Europol needs to have access to all relevant databases. However, not all relevant data sources are currently available for Europol, or they are not used as much as they could be (paragraphs [33](#) to [39](#)).

Recommendation 1 – Use all relevant sources of information

In order to make the data in its information hub more complete, Europol should:

- (a) use its recently established SIRENE office and the PNR/API and EURODAC databases to obtain relevant information under the specific conditions set by the respective legal frameworks;
- (b) establish access to the VIS database for analysis purposes;
- (c) support the Commission in preparing legislative proposals to give the agency access to other relevant data sources, such as the Prüm and additional categories of information available through SIS frameworks.

Timeframe: June 2022

76 Overall, our survey shows that Member States and non-EU countries appreciate the information it provides. However, full interoperability between Europol's and the Member States' databases has not yet been achieved, making data exchange less efficient. Europol initiated the "Querying Europol Systems" (QUEST) project, which allows Member States to access the Europol Information System from their national systems. It is due to be completed by the end of June 2021. In 2020, a new QUEST+ project was launched. It will allow national authorities to query the Europol Analysis System from their national systems. A pilot phase is planned for 2021, with up to six Member States (paragraphs 40 to 43).

77 We also found issues relating to data exchange with other EU agencies. One of the main stakeholders in the fight against migrant smuggling is Frontex, which provides Europol with operational data. However, Europol cannot share any personal data in return, as Frontex has been unable, for legal reasons, to receive operational personal data to date. Furthermore, although the 2016 Europol Regulation provides for mutual indirect database access between Europol and Eurojust, progress in establishing such access has been slow. To date, Europol has not used innovative IT capabilities, such as data mining or artificial intelligence, in its core business, including with respect to the area of migrant smuggling. The planned overhaul of its overall IT infrastructure provides an opportunity to do so (paragraphs 44 to 48).

Recommendation 2 – Enhance data exchange between Europol and its partners

Europol should, together with national law enforcement authorities and relevant EU agencies, improve data exchange by:

- (a) increasing interoperability between national criminal databases and its own through timely completion of the QUEST and QUEST+ projects;
- (b) enhancing cooperation with Frontex through mutual data exchange and with Eurojust through indirect database access;
- (c) using innovative IT capabilities for data processing and exchange with its partners.

Timeframe: June 2022

78 Member States and non-EU partner countries value the strategic and operational support it provides. Its strategic support consists of ad hoc and regular reports. Its operational support can take the form of criminal intelligence analysis or on-the-spot interventions, focusing on cases involving criminals identified as high-value targets (paragraphs [50](#) to [53](#)).

79 The results of Europol's support are difficult to verify, as it cannot measure them comprehensively. The indicator on the number of arrests concerns arrests from action days only and there are no indicators for other results, such as assets seized. This is because there is no systematic procedure for Member States to report data on the results obtained with the EMSC's support. Accordingly, the EMSC does not include the number of arrests in its public annual reports (paragraphs [54](#) to [62](#)).

80 Europol does not have performance indicators for its efforts to combat money laundering and document fraud, which are also linked to migrant smuggling. (paragraph [62](#)). Up until 2019, Europol's published programming documents reported on targets for performance indicators linked to migrant smuggling specifically. As from 2020, however, targets are grouped for serious organised crime as a whole in the external reporting. Relevant performance indicators are thus available within the organisation only (paragraphs [63](#) and [64](#)).

Recommendation 3 – Improve performance monitoring and reporting for the European Migrant Smuggling Centre activities

To improve performance monitoring and reporting for EMSC activities, Europol should:

- (a) request Member States and non-EU partners to report to the agency on results they have achieved with its support to priority cases in the area of migrant smuggling;
- (b) establish dedicated indicators for its efforts to combat document fraud and money laundering;
- (c) publish in its annual public reports consolidated annual data on the results of its support for Member States and non-EU partners in the area of migrant smuggling;
- (d) reintroduce in its programming documents selected performance indicators and annual targets for the EMSC.

Timeframe: Q1 2022

81 A process for prioritising cases based on appropriate criteria helps Europol to allocate resources where they are needed most. This process is based partly on the professional judgement of the expert staff involved, but it is not fully documented. There is therefore insufficient evidence to demonstrate that Europol allocates its resources to the cases that need them most (paragraphs [65](#) and [66](#)).

82 Europol coordinates its activities with other stakeholders, but not always systematically. To this end, it has developed innovative partnerships with European groupings, allowing swift exchange of information and intense cooperation. Europol is also striving to conclude working agreements with regional law enforcement organisations. However, Europol has no structured cooperation with other European cooperation frameworks involved in the fight against migrant smuggling (paragraphs [67](#) to [71](#)).

Recommendation 4 – Make the case prioritisation process more transparent

In order to prove it selects the most relevant cases, Europol should:

- (a) keep evidence that it systematically and consistently applies prioritisation criteria to categorise all incoming cases;
- (b) keep a record of scoring for all cases examined during the prioritisation process.

Timeframe: end 2021

This Report was adopted by Chamber III, headed by Mrs Bettina Jokobsen, Member of the Court of Auditors, in Luxembourg on 13 July 2021.

For the Court of Auditors

Klaus-Heiner Lehne
President

Annex

Annex – Europol’s reporting and performance indicators in the area of migrant smuggling

In 2019, Europol produced the following reports that include information on its activities against migrant smuggling:

- The “Europol Programming Document”, required by Article 16(5)(d) of the Europol Regulation, which includes three-year objectives and the annual work programme.
- The “Europol consolidated annual activity report”, required by Article 16(5)(g) of the Europol Regulation, which includes information on the implementation of its annual work programme.
- The “EMSC annual activity report”, which provides information to the public on the EMSC’s activities. This report provides a separate set of indicators for “facilitated illegal immigration” (migrant smuggling) and for “trafficking in human beings”.
- The “European Migrant Smuggling Centre Facilitation Illegal Migration Report”, a non-public bi-monthly report sent to the Commission, providing information on the EMSC’s activities. It includes 41 key performance indicators (KPIs), grouped into seven categories²⁶, to measure performance in the EMSC’s core business areas.
- The “EMSC/AP Migrant Smuggling contribution to Europol OD quarterly monitoring report”, an internal document sent to Europol’s Operations Directorate, at corporate level. The report provides statistics on six selected indicators and explains trends in the activities.
- The “Europol in brief” report, which provides a summary of information and figures on Europol’s activities to the public.

²⁶ Information exchange-processing data, Joint Operation Team MARE, operational analysis, operational meetings, action days, deployment/support on the spot, strategic and thematic meetings.

Table 1 – Europol’s 2020 indicators for combating serious and organised crime

INDICATORS	TARGET 2020
Number of cases where high-value targets are identified	10
Number of operational task forces established	5
Operational reports delivered related to Serious Organised Crime (SOC)	3 000
Operations supported related to SOC	370
Satisfaction with operational support and analysis in the area of SOC	8

Source: Europol programming document for 2020-2022, page 49.

Table 2 – Europol’s targets for 2016-2019

CORPORATE PERFORMANCE INDICATORS	2016	2017	2018	2019
SIENA messages exchanged related to irregular migration	15 447	22 650	20 000	No target *
Number of operations supported by EMSC (AP Migrant Smuggling and AP Phoenix)	NA	NA	130	130
On-the-spot support deployed related to EMSC (days inside and outside EU)	1 595	1 400	1 800	700
Volume of content assessed by Internet Referral Unit (IRU) related to migrant smuggling	NA	1 000	1 000	900
Percentage of decisions for referral by the IRU related to irregular migration	NA	75 %	90 %	NA
Percentage of successful referrals by the IRU related to irregular migration		80 %	85 %	75 %

* Europol considers that it is no longer necessary to set a target for SIENA messages from 2019 onwards as the exchange of information is well established; the indicator was removed from the work programme.

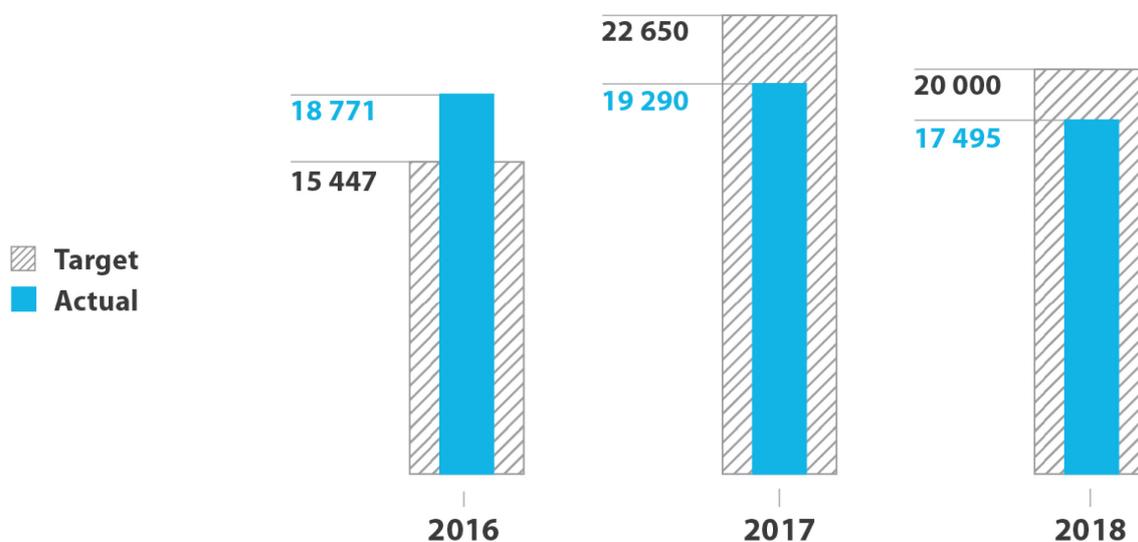
Source: Europol consolidated annual activity report 2016 and programming documents for 2017-2019, 2018-2020 and 2019-2021.

Table 3 – The IRU’s results for migrant smuggling

	End 2016	End 2017	End 2018	End 2019
Items of content assessed by Europol	172	693	805	831
Target for items of content	-	1 000	1 000	900
% of successful referrals by IRU	88 %	78 %	98 %	-
Target % of successful referrals	-	80 %	85 %	75 %

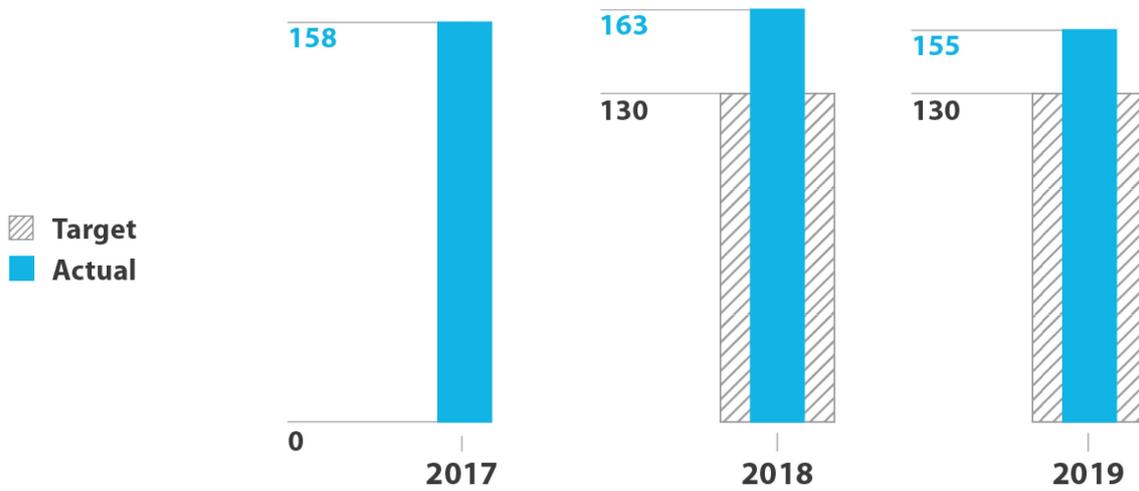
N.B.: For 2019 no data available due to technical problem with the Internet Referral Management (IRMA) platform.

Source: Europol.

Figure 15 – SIENA messages exchanged related to irregular migration

Source: ECA based on Europol’s work programmes and consolidated annual activity reports.

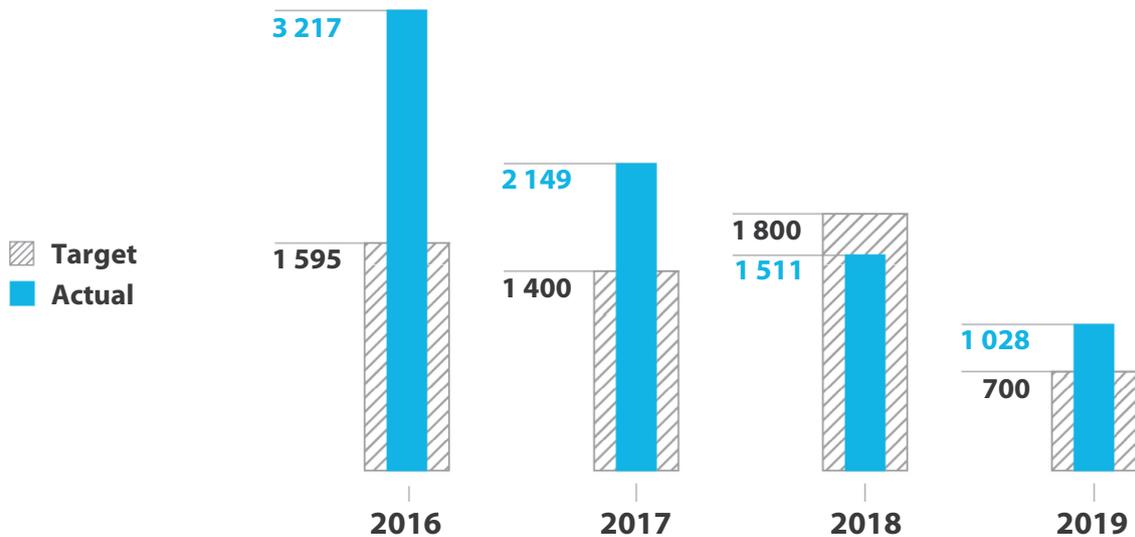
Figure 16 – Number of operations supported by EMSC



N.B.: No targets were set for 2016 and 2017.

Source: ECA based on Europol's work programmes and consolidated annual activity reports.

Figure 17 – On-the-spot support deployed by EMSC (days)



Source: ECA based on Europol's work programmes and consolidated annual activity reports.

Acronyms and abbreviations

AFRIPOL: African Union Mechanism for Police Cooperation

AMERIPOL: The Police Community of the Americas

AP: Analysis project

API: Advanced Passenger Information

ASEANAPOL: ASEAN Chiefs of National Police

EAS: Europol Analysis System

EIS: Europol Information System

EMSC: European Migrant Smuggling Centre

EMPACT: European Multidisciplinary Platform against Criminal Threats

EURODAC: European Dactyloscopy

EUROJUST: European Union Agency for Criminal Justice Cooperation

EUROPOL: European Union Agency for law enforcement cooperation

FRONTEX: European Border and Coast Guard Agency

HVT: High-value target

IRU: Internet Referral Unit

JLT: Joint Liaison Task Force – Migrant Smuggling

MS LEA: Member State Law Enforcement Authorities

PNR: Passenger Name Record

QUEST: Querying Europol Systems

SIENA: Secure Information Exchange Network Application

SIRENE: Supplementary Information Request at the National Entries

SISII: Schengen Information System

VIS: Visa Information System

Glossary

Action day: Coordinated joint operation by national law enforcement authorities in the EU, supported by Europol, against cross-border organised crime.

Analysis project: Platform in which operational analysis can be conducted to support international criminal investigations and criminal intelligence operations.

European Migrant Smuggling Center: Unit within Europol that deals with migrant smuggling and human trafficking.

Europol: The EU agency supporting Member States in preventing and investigating terrorism, cybercrime and other forms of serious crime affecting two or more Member States.

Europol Analysis System: Secure information system, accessible only to Europol staff, for storing and processing operational information contributed by national law enforcement authorities and Europol's other partners.

Europol Information System: Database on people suspected or convicted of an offence under the law of a Member State or in an area of crime for which Europol is competent, used by Europol and Member States.

European multidisciplinary platform against criminal threats: An ad hoc structure for tackling the main threats posed to the EU by organised and serious international crime, bringing together the EU Member States, institutions and agencies, and other public and private international partners.

High-value target: A high-value target is defined as a person suspected of planning, preparing or of having committed one or more offences defined in Article 3 of the Europol Regulation during the past year, and therefore constituting a high risk of serious and organised crime to two or more EU Member States.

Prüm system: The group of signatory Member States to the 2005 Convention on the stepping up of cross-border cooperation, particularly in combatting terrorism, cross-border crime and illegal migration.

Secure Information Exchange Network Application: Channel for communication between EU Member States' law enforcement authorities and third parties, with or without involving Europol.

Replies of the Commission and the EEAS, Frontex, Eurojust and Europol

Replies of the Commission and the EEAS

<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=59363>

Replies of Frontex

<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=59363>

Replies of Eurojust

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Replies of Europol

<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=59363>

Timeline

<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=59363>

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This performance audit was carried out by Audit Chamber III External action, security and justice, headed by ECA Member Bettina Jakobsen. The audit was led by ECA Member Bettina Jakobsen, supported by Katja Mattfolk, Head of Private Office and Paolo Rexha, Private Office Attaché; Sabine Hiernaux-Fritsch, Principal Manager; Piotr Senator and Roberto Ruiz Ruiz, Heads of Task; Andrej Minarovic and Erik Kotlarik, Auditors. Michael Pyper provided linguistic support.



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Migrant smuggling has posed a major humanitarian and security challenge for the EU in recent years. Our audit assessed whether Europol effectively supported EU Member States in dismantling criminal networks involved in organised migrant smuggling. We found that Europol's partners appreciated its support, but weaknesses in measuring its results prevented us from fully evaluating its impact. We also found the agency's use of available European data sources was sometimes limited. We recommend that Europol use all available data sources; enhance data exchange with its partners; improve performance monitoring and reporting of its activities on migrant smuggling; it should also make more transparent its process for prioritising cases of migrant smuggling originating in the Member States.

ECA special report pursuant to Article 287(4), second subparagraph, TFEU.



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