GDISC

MIGRATION AND CRIME

WITH A SPECIAL FOCUS ON INTER-AGENCY COOPERATION

FINAL REPORT

PREPARED FOR THE

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MIGRATION & CRIME CONFERENCE

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Preface

The General Directors’ Immigration Services Conference (GDISC) network initiates, co-ordinates and improves practical co-operation between Immigration Services of its 33 Member States (The 27 EU Member States, Candidate Countries - Croatia, Turkey and the Former Yugoslav Republic of Macedonia -, Iceland, Norway and Switzerland). This year was the first time that the GDISC Network focused its efforts in a new direction, that of migration and crime, which is increasingly of great relevance and importance across Europe as a whole. GDISC implemented this project, which consisted of both a benchmark study and a conference on Migration and Crime in partnership with the Bulgarian State Agency for Refugees and the Bulgarian Migration Directorate of the Ministry of Interior.

This comparative study that focused on illegal migration, human trafficking and inter-agency co-operation, in combating this both on an international and national level, formed the basis for the GDISC Conference on Migration & Crime that took place from 18 to 20 June 2008 in Sofia, Bulgaria. I am very pleased to present you the results of this study. I believe that the benchmarking of the differing processes has identified gaps in specific areas where closer practical cooperation by Immigration Services should be established to assist in the combat against migration and crime. For this reason a number of new GDISC initiatives relating to migration and crime, such as a project to establish closer co-operation with EUROPOL, were proposed at the Conference and these will be included in the GDISC Work plan for 2009.

Despite the success the present report represents for the GDISC network, there are some limitations inherent in the topic that the report cannot overcome. On the one hand, those related to the availability of necessary data, and on the other – and maybe more importantly – those related to the comparability of data. The diversity of 33 GDISC Member States brings with it a great variety of different legal frameworks, administrative traditions and procedures and, consequently, diversity in data collection. This fact, of course, limits the comparability of national data in a European context. Yet, it was not the aim to produce an academic study on statistics but rather to identify possible needs for increased practical co-operation within the GDISC Network to assist in the combat against migration and crime.

I am convinced that this report contains important and useful information, which will also be considered as a source of inspiration for future activities of the GDISC Network.

Mr. Peter W.A. Veld
GDISC Chair
General Director Immigration and Naturalisation Service, the Netherlands
Executive summary

The purpose of the study on ‘Migration and Crime – with a special focus on inter-agency cooperation’ is to provide the knowledge base for the GDISC conference on Migration and Crime to take place in Sofia on 18-20 June 2008, part of the broader efforts to further strengthen the commitment and involvement of the GDISC participating states in the effective combat against illegal migration and trafficking in human beings and to fully tap the potential of Immigration Services in the fight against Organised Crime.

Specifically, this report offers a comprehensive inventory and comparative analysis of existing policy frameworks and procedures of the Immigration Services of GDISC participating states targeting the nexus of migration and crime, while benchmarking key features and identifying Good Practices in institutional set-ups and procedures. Moreover, the study identifies and analyses the means, structures and arrangements in place for inter-agency cooperation between the Immigration Services, law enforcement and border control agencies both on the national as well as international level.

This study has been elaborated on the basis of a questionnaire disseminated to all the GDISC participating countries and returned by the Immigration Services from 26 countries.¹ The study has been funded by the European Union.

Ch. 1 Migration, crime and security

- Most of the responding GDSIC countries do not pursue a defined concept of ‘migration and crime’, but there have been increasing trends towards acknowledging the migration-security-nexus in the recent years, which is reflected in the respective migration legislation or national migration strategies.

- Responding countries emphasised the need for clearly defined responsibilities and functioning inter-agency and international cooperation in the context of ‘migration, crime and security’.

- In the context of ‘migration and security’, responding countries assign importance mainly to more ‘traditional’ security challenges, namely Irregular Migration, Trafficking in Human Beings, Human Smuggling and Transnational Organised Crime.

- ‘Non-traditional’ security challenges like Social Cohesion and Health Issues, which have entered the debate on the migration-security-nexus recently, are considered of less importance by responding countries. Responding countries see comparatively weaker links between migration and the issue of International Terrorism.

Ch. 2 Policies and measures in the context of ‘migration and crime’

- An increasing trend among the responding GDISC countries is to adopt national strategies which deal with several of the issues related to the

¹ Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.
‘migration-crime’ nexus in parallel and which establish information exchange mechanisms and various forms of cooperation among international, national and local actors.

• The visa regime, the Border Management system and the security features for travel documents are standardised through EU regulations in most of the responding GDISC countries.

• Law enforcement cooperation with countries of origin and transit, which often covers a migration-dimension, is generally conducted under the framework of international institutions (e.g. Interpol, Europol, Frontex etc.) but also directly through bilateral agreements or via Liaison Officers. Sometimes police cooperation is supplemented by specific agreements between the immigration services of the respective countries.

• The most widely used joint databases and information exchange mechanisms at international level are: for law enforcement cooperation Interpol, Europol and Frontex; for strategic, tactical and topical information on illegal migration and migration flows ICONet; for visa matters C-VIS and SIS; for the identification of asylum seekers EURODAC.

Ch. 3 Agencies, roles and responsibilities in the context of ‘migration and crime’

• The subject of main responsibilities in the context of ‘migration and crime’ in participating GDISC countries very much depends on the principle institutional set-up in the area of migration management as such. However, responsibilities in the context of ‘migration, crime and security’ mainly lie with the police or immigration services and the border guards. Customs and intelligence services do assume responsibilities too but their overall role is less significant.

• There is a notable trend in responding GDISC countries towards the establishment of specific units within the respective institutional frameworks, assuming specific tasks in the migration and crime context or coordinating the activities of all entities holding responsibilities in the area.

• Measures in the fight against ‘trafficking in human beings’ have been named most frequently as the main task of the respective institutional arrangements, followed by the fight against “transnational” or “International Organised Crime”, and the tackling of “illegal migration” and professional “human smuggling networks”.

Ch. 4 Special arrangements and good practices of inter-agency cooperation

• Inter-agency cooperation refers to both institutional as well as procedural arrangements. The main objectives of inter-agency cooperation are to coordinate activities of several agencies, to ensure information exchange between them, and to organise and carry out joint operations. Inter-agency cooperation regularly involves international organizations and non-state actors as well (especially in the field of trafficking in human beings).

• The fight against migration-related crime constitutes a crosscutting task, which requires cross-cooperation between all actors involved. Trafficking in human beings, illegal immigration, international terrorism, joint border
controls, as well as visa and consular cooperation have been named most frequently as areas for inter-agency cooperation in this context.

- Joint efforts and common use of information and know-how form a key prerequisite for successfully tackling criminal activities linked to migration.

- The success of initiatives in national or international inter-agency cooperation depends on thorough planning and preparation, cooperation at executive or operational level, the application of a multi-agency approach and the establishment of personal contacts and mutual trust.

- Initiatives aiming at increased data comparability, database compatibility, clearly defined legal mandates and regulatory frameworks on cooperation and information exchange and the speeding up of information exchange processes are best suited to improve inter-agency cooperation at national and international level.

**Ch. 5 Specific procedures, practices or arrangements in place for dealing with victims of trafficking in human beings**

- The standards for the immigration procedures for the victims of trafficking in human beings are set in the responding countries by the Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

- Given the importance of effective identification processes for victims of trafficking, several countries are currently working on developing multi-agency, nationwide operations to identify victims of human trafficking.

- Most of the responding countries implement additional measures regarding minors, which are aimed at ensuring that law enforcement officers and immigration staff are able to detect whether children may have been trafficked and in the same time that they are responsive to the needs of all children and keep them safe from harm.

**Ch. 6 Outlook**

- In the context of ‘migration and security’ the problems at the domestic, European and global levels are seen as interrelated, and the need to find solutions that address the broader context (i.e. the links between these problems as well as their root causes) is acknowledged by the majority of the responding countries.

- All responding countries perceive human trafficking and smuggling, increased migration (and particularly irregular migration), and organised crime as the main challenges at all three levels.

- The majority of the responding countries consider that there is scope for the GDISC Network to promote practical cooperation between Immigration Services so as to better address the migration-crime nexus, for instance by enhancing the effective exchange of information and good practices related to these issues.
I. Introduction

The present study on ‘Migration and Crime – with a special focus on inter-agency cooperation’ provides the knowledge base for the GDISC conference on Migration and Crime which took place in Sofia, Bulgaria from 18 to 20 June 2008. The overall objective of the wider project framework is to further strengthen the commitment and involvement of the GDISC member countries in the effective combat against illegal migration and trafficking in human beings and fully tap the potential of Immigration Services in the fight against Organised Crime.

The International Centre for Migration Policy Development (ICMPD) has been invited to conduct the comparative and analytical study providing the basis for the GDISC Migration & Crime Conference co-financed by the EC. The study shall effectively support the GDISC framework in the endeavour to further strengthen its network and cooperation among all its participating states.

The main objectives of the study were:

- Preparation of a comprehensive inventory and comparative analysis of existing policy frameworks and procedures of the Immigration Services of GDISC participating states targeting the nexus of migration and crime, with special emphasis on Irregular Migration, Human Smuggling and Trafficking in Human Beings.
- Identifying and analysing special procedures, practices and infrastructure in place for dealing with vulnerable groups, such as women, minors, and trafficking victims.
- Identifying and analysing the means, structures and arrangements in place for inter-agency cooperation between the Immigration Services, law enforcement and border control agencies both on the national as well as international level;
- Benchmarking key features and identifying Good Practices in institutional set-ups and procedures;
- Identifying areas for enhanced co-operation among the competent authorities participating in the GDISC framework both on the national as well as international level.

II. Methodology and State-of-Affairs

GDISC provides an ideal framework to ensure access to vital information necessary for conducting a survey on the issue of ‘migration and crime’. Supporting the chosen methodology, it is owed to the strength of the network and cooperation of the Immigration Services within GDISC Member States – the key stakeholders in the information collection and supply – that this project has been made possible, as access to information has been facilitated to an extent and in a quality not achieved before.

In preparation of the study ICMPD developed a research concept, applying a methodology that allows for both the necessary information gathering and the timely provision of results. The methodology was based on previous experience with conducting comparative research in the framework of GDISC. It was clear from the outset that the key success factor would be the acquisition of
information and assessments provided by the competent units of the Immigration Services of participating countries. Taking into account the novel character and sensitive nature of the topic, it was decided to apply qualitative research methods using a structured questionnaire with open questions along pre-defined topics.

Consequently, a questionnaire was prepared covering several aspects of the links between ‘migration and crime’. In February 2008, this questionnaire was disseminated to the participating countries. The completed questionnaires were processed and analysed by ICMPD for the present report. The report presents the results of the analysis of the answers received by the participating states. The structure of the report largely follows that of the questionnaire which were returned by Immigration Services from 26 countries, namely Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.
1. Migration, crime and security

The existence of links between ‘migration and crime’ and ‘migration and security’ is a commonly agreed fact. However, the debate on corresponding policy concepts and on the extent to which related issues should be reflected in migration policies as a whole is still in its early stages. Consequently, clearly defined concepts of ‘migration and crime’ and ‘migration and security’ and their interrelationship are largely missing at this point.

The review of theoretical and empirical literature on the subjects of migration, crime and security reveals that a problem in defining their interrelationship arises from the fact that the definitions of ‘security’ applied by states, societies and scholars vary significantly. As a matter of fact, the term ‘state security’ itself has been subject to intensive debate calling for a new understanding of its concept.\(^2\)

States are called not only to defend political independence and the integrity of their territory but also to ensure “economic independence, cultural identity and social stability”.\(^3\) Traditionally, state security threats were defined as threats to a state’s “effective monopoly on the use or licensing of violence within a given territory (...) whether through external invasion or internal rebellion.”\(^4\) Up until the end of World War II actual security threats had emerged from conflicts between states rather than from internal instability. After 1945, however, threats to state security have resulted from internal factors more than from external military threat, a shift that was also reflected in a re-thinking of state security concepts. A more recent understanding goes beyond traditional security threats and embraces issues such as proliferation of weapons of mass destruction, international terrorism, radical political movements, organised crime, environmental pollution or global warming. Security threats related to international migration have become part of a broadened understanding of state security as well. In the present context, crime is understood to represent a security threat and as such forms part of the broader migration-security debate. Taking this into account, the present report will focus on the crime-relevant aspects of migration.

However, placing migration among other ‘non-traditional’ security threats poses two conceptual problems. First, International Migration constitutes a complex and multifaceted phenomenon, which is only partly connected to issues such as crime and, more broadly, security. As a consequence and contrary to other factors impacting on state security, international migration should not be perceived as a security threat per se. If managed effectively, it should be emphasised, the positive effects of migration outweigh its negative effects. At the same time it cannot be neglected that certain phenomena directly or indirectly linked to migration movements – transnational organised crime or trafficking in human beings, to name only two examples – show a strong potential to touch upon state

\(^2\) Anna Ciginger, International Migration as a Non-Traditional Security Threat and the EU Responses to this Phenomenon, Central European Forum for Migration Research, CEFMR Working Paper 2/2004, p. 1
security. In acknowledging observed links between migration, crime and security while avoiding to equate migration with security concerns in general, the present study suggests the use of the term ‘challenge’ instead of the term ‘threat’ when analysing the linkages between migration, crime and security. Second, the migration-security-nexus refers to a number of sub-types of migration-related phenomena, their interrelations as well as their impact on state security. Based on the analysis of available literature the following potential challenges have been identified in the context of migration, crime and security - always depending on the underlying concepts:

- When applying a very broad definition of the migration-security-nexus, migration itself can be interpreted as a security challenge when it is of “massive and uncontrolled character”.

- In a narrower sense, irregular migration is to be perceived as one of the main challenges in the context of migration, crime and security. In this respect it needs to be emphasised that due to its limited quantitative extent, irregular migration as such cannot be considered as posing a real threat to state sovereignty or security. Nevertheless, it is widely agreed that irregular migration poses specific security challenges. It can be associated with particular types of crime such as human smuggling, trafficking in human beings or so-called ‘survival crimes’ of undocumented migrants.

- As outlined, specific types of crime are closely linked to (irregular) migration. Besides human smuggling and trafficking, the activities of internationally operating criminal networks fall under the category of migration-related crime.

- International Terrorism constitutes a specific security challenge that is sometimes associated with migration. After 9/11 the prevention of terrorist attacks has become one of the key elements of national security strategies. This change in paradigm is reflected in migration policies as well.

- Another set of concerns associated with migration could be summarised as challenges - at least potentially - touching upon social and economic stability in receiving countries. Such challenges comprise inter alia a potential endangerment to public health as a result of irregular migrants being exposed to increased health risks during long periods spent in transit; increased pressures on social security and welfare systems; increased pressures on domestic labour markets as a result of illegal foreign work; or the rise of xenophobia and racist violence in receiving countries.

Against this background of migration, crime and security, the first chapter of this report summarises the principle positions of participating GDISC countries on the issue. The structure of the chapter follows the questionnaires that were returned by Immigration Services from Austria, Belgium, Bulgaria, Croatia, the Czech

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Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom. The first set of questions referred to the existence of clearly defined concepts of the link between ‘migration and crime’ in migration policies of participating GDISC countries and to the assessment of the significance of certain topical areas impacting on the migration-security-nexus.

1.1. The concept of ‘migration and crime’

The novelty of the topic is also reflected by the answers provided to question 1 of the survey. Out of the 26 responding countries, only Portugal stated that the country’s legislation explicitly links migration and crime. However, a number of responding countries reported that in recent years there has been increasing acknowledgement of the migration-security-nexus, which has also found its reflection in migration legislation or national migration strategies. Latvia, for instance, reported that the ‘Common Programme for the Development of the Asylum and Migration Management System’ – the country’s central policy planning document in the area of migration – identifies a potential link between migration and crime for the first time, more precisely in the areas of organised crime, terrorism and illegal foreign employment. In Slovakia the “Migration Policy Concept” explicitly defines the fight against illegal migration and related criminal activities as one of the main priorities of the country’s migration policy. Migration legislation in Slovenia takes a similar approach and stipulates the fight against illegal migration as a main objective of migration policy. In Finland, the Aliens Act specifically refers to the issues of crime and terrorism by stipulating that an alien may be refused entry if he or she is considered a "danger to public order, security, health or Finland’s international relations". Other responding countries, namely Estonia, France, the Netherlands and Romania have indicated concrete areas, which they assess as forming part of the migration-security-nexus. Most prominently mentioned were irregular migration, trafficking in human beings, human smuggling, transnational organised crime and international terrorism.

The issues of clearly defined responsibilities and functioning cooperation in the context of migration, crime and security were stated frequently by responding countries as well. Belgium, the Netherlands and Slovenia emphasised the need of strong inter-agency cooperation in the fight against migration-related crime and reported that functioning cooperation in the area has already been effected in their countries. In the Netherlands, a specific unit, the Migrant Trafficking Group (MIG) within the Information and Analysis Centre (INDIAC) is tasked with tackling migration-related crime, namely Human Smuggling and Trafficking in Human Beings. In Slovenia, the ‘Resolution on Immigration Policy’ assigns the Ministry of the Interior with the overall responsibility in combating illegal immigration. Other ministries are called to follow the MOI’s lead within their respective legal competences. Last but not least, Malta’s position shall be put forward, arguing that the concept of migration and crime cannot be separated

7 “Does the immigration policy in your country pursue a defined concept of ‘migration and crime’? If yes, please outline the main principles of the concept of ‘migration and crime in your country.”
from a further discussion on increased cooperation between EU Member States and neighbouring third countries.

1.2. The impact of specific areas of migration on the issue of ‘migration and crime’

The second question of the survey attempted to make a closer approximation to defining which specific areas of migration impact on the issue of ‘migration and crime’ on basis of responding countries’ assessments. In order to allow for a more systematic compilation of respective positions, countries were invited to classify a number of pre-set topical areas according to their significance in the context of ‘migration and crime’. The topical areas included: irregular migration, human smuggling, trafficking in human beings, transnational organised crime, international terrorism, illegal foreign employment, health issues, and social cohesion. The topical areas were rated on a scale from 1 to 10, depending on their impact on issue of ‘migration and crime’ (1 = very low impact to 10 = very high impact). Out of the 26 respondents, a total of 20 countries provided a classification of the significance of the topical areas. The following analysis of the provided classifications is based on the answers put forward by Austria, Belgium, Bulgaria, the Czech Republic, Estonia, Finland, France, FYROM, Ireland, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden, and the United Kingdom.

Graph 1 shows the average ratings for the impact of the respective migration-related topics on the issue of ‘migration and crime’. Out of the eight topics, the actual impacts of five topics were rated above average (the average rating for all answers was 5.2), namely irregular migration (rated with an average of 6.9), trafficking in human beings (average 6.9), human smuggling (average 6.6), transnational organised crime (average 6.5), illegal foreign employment (average 5.3). The remaining three topics, international terrorism (rated with an average of 3.8), social cohesion (average 2.8) and health issues (average 2.7) were rated below average.
When taking a look at the average ratings for the respective topics, it becomes obvious that responding countries assign importance mainly to what could be characterised as the more ‘traditional’ security challenges in the context of migration, whereas ‘non-traditional’ security challenges like social cohesion and health issues, which have entered the debate on the migration-security-nexus recently, are considered of less significance. It is also interesting that responding countries see only comparatively weak links between migration and the issue of international terrorism, which has been in the centre of public and political debate as one of the most dangerous threats to national and human security over recent years.

The average ratings of the respective topical areas give a first idea on the general understanding of the impact of certain migration-related areas on the migration-security-nexus. However, the answers to this set of questions revealed that responding countries’ assessments of the importance of certain topics vary significantly. This becomes obvious when looking at the link between migration and International Terrorism. While nine of the responding countries rated the impact of International Terrorism as very low, six responding countries classified the threat of terrorism as having a very high impact on the link between ‘migration and crime’. Graph 2 ranks those answers, which have been assigned with a ‘very high impact’ (rating 8 – 10 in the answered questionnaires) on the issue of ‘migration and crime’. According to this ranking Human Smuggling, Trafficking in Human Beings and Transnational Organised Crime are given the highest priorities in responding countries’ understanding of the link between ‘migration and crime’.
Table 1 lists all answers to all topics according to the assigned level of impact (rating 8 – 10 in the answered questionnaires: very high impact; rating 5 – 7: high impact; rating 2 – 4: impact; rating 0 – 1: low impact, not answered).
<table>
<thead>
<tr>
<th>Table 1</th>
<th>Assessment of the impact of topical areas upon the issue of migration and crime in participating countries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>very high impact</strong></td>
</tr>
<tr>
<td><strong>Irregular Migration</strong></td>
<td>Austria, Belgium, Bulgaria, Czech Republic, Estonia, Lithuania, Malta, Poland, Slovakia, Sweden</td>
</tr>
<tr>
<td><strong>Human Smuggling</strong></td>
<td>Austria, Belgium, Czech Republic, Estonia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovakia, Sweden, United Kingdom</td>
</tr>
<tr>
<td>** Trafficking in Human Beings**</td>
<td>Austria, Belgium, Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Netherlands, Poland, Portugal, Sweden, United Kingdom</td>
</tr>
<tr>
<td><strong>Transnational Organised Crime</strong></td>
<td>Austria, Belgium, Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovakia</td>
</tr>
<tr>
<td><strong>International Terrorism</strong></td>
<td>Belgium, Czech Republic, Estonia, Netherlands, Slovakia, United Kingdom</td>
</tr>
<tr>
<td>Table 1</td>
<td>Assessment of the impact of topical areas upon the issue of migration and crime in participating countries</td>
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<tr>
<td></td>
<td>very high impact</td>
</tr>
<tr>
<td><strong>Illegal Foreign Employment</strong></td>
<td>Belgium, Estonia, Netherlands, Portugal, United Kingdom</td>
</tr>
<tr>
<td><strong>Health Issues</strong></td>
<td>-</td>
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<tr>
<td><strong>Social Cohesion</strong></td>
<td>-</td>
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</tbody>
</table>
1.3. Conclusions

- The existence of links between ‘migration, crime and security’ is a commonly agreed fact. However, the debate on corresponding policy concepts is still in its early stages. Consequently most of the responding GDSIC countries reported that they do not pursue a defined concept of ‘migration and crime’ so far.

- However, a number of responding countries reported that in recent years there has been increasing acknowledgement of the migration-security-nexus, which has also found its reflection in migration legislation or national migration strategies.

- Responding countries emphasised the need for clearly defined responsibilities and functioning inter-agency and international cooperation in the context of ‘migration, crime and security’.

- In the context of ‘migration and security’, responding countries assign importance mainly to more ‘traditional’ security challenges, namely Irregular Migration, Trafficking in Human Beings, Human Smuggling and Transnational Organised Crime.

- ‘Non-traditional’ security challenges like Social Cohesion and Health Issues, which have entered the debate on the migration-security-nexus recently, are considered of less importance by responding countries.

- Responding countries see comparatively weaker links between migration and the issue of International Terrorism.
2. Policies and measures in the context of ‘migration and crime

This section elaborates an inventory and comparative analysis of the existing policy frameworks and procedures targeting the issues related to migration and crime in the responding GDISC countries. Moreover, an attempt is made to benchmark key features and to identify ‘good practices’ in institutional set-ups and procedures, some of these examples being highlighted throughout the chapter in separate text boxes. Section 2.1 looks at the broader frameworks for action defined in National Strategies and in the policies addressing the nexus between migration and crime. Then, a closer look at the specific measures in place for dealing with irregular migration, human smuggling and trafficking in human beings is taken in section 2.2. The next three sections outline specific pre-frontier, Border Management and post-entry measures, respectively. Finally, section 2.6 concentrates on the information gathering (databases) and exchange mechanisms employed in the responding GDISC countries in the context of addressing the issues related to migration and security.

2.1. Policies addressing the migration-crime nexus

As already indicated in the previous chapter, even if most of the responding GDISC countries do not employ clearly defined concepts of ‘migration and crime’, the links between migration, crime and security are reflected in the legislation, National Strategies and Action Plans aimed at tackling those issues identified in Chapter 1 as touching upon the issue of ‘migration and crime’, primarily irregular migration; human trafficking and smuggling; trans-national organised crime. An increasing trend among the GDISC countries that have answered this question is to adopt comprehensive strategies which deal with several of these issues in parallel and which establish efficient information exchange mechanisms and various forms of cooperation among international, national and local actors. Given the complexity and the interconnections among the problems addressed, such comprehensive approaches seem to be the most appropriate methods for tackling these issues.

Below are provided several examples of policies from responding GDISC countries, which reflect the prioritisation of the following issues at the national level:

- Human trafficking and smuggling (Austria, Bulgaria, Croatia, FYROM, the Netherlands, Poland, Portugal, Spain and the UK);
- Irregular migration (Austria, Czech Republic, FYROM, Italy, Portugal, Spain and the UK);
- Transnational Organised Crime (Bulgaria, Croatia, Italy, the Netherlands, Slovenia and the UK);
- Illegal employment (Croatia, FYROM, the Netherlands, Spain); and
- International terrorism (the Netherlands and the UK).

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This question was answered by Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia and the UK.
Regarding the nexus between migration and crime, the Dutch Public Prosecution Service prioritises international terrorism and human trafficking. Therefore, regional police forces as well as inter-regional crime squads and the National Criminal Intelligence Service of the National Police Services Agency (KLPD) pay special attention to these issues, both in terms of operational investigations and information provision. The combating of human smuggling comes under the responsibility of the Royal Marechaussee (KMAR). The KMAR has a total of 9 crime squads that specialise in conducting investigations into human smuggling. On the other hand, employment market fraud and other forms of exploitation (but not sexual exploitation) come under the remit of the Social Intelligence and Investigation Service (SIOD). This concerns in particular investigations into situations where an employer exploits the employee by taking advantage of the dependent position of the employee. This dependency can be the result of deception, abuse, threats, extortion, or illegality with respect to the employee’s stay in the Netherlands and/or the employee’s lack of a work permit. Furthermore, cross-border organised crime runs through the various areas of attention like a leitmotiv. Criminal collaborations or participation in criminal organisations can be added to the charge of a criminal offence as an aggravating circumstance, which may result in a higher sentence.

As defined in the Croatian Integrated Border Management Strategy, the main objectives of the Border Police are to implement an efficient national state border surveillance system and to comply with the EU requirements in this field. All border police, customs, sanitary, phytosanitary, veterinary inspection and State Inspectorate officers have been involved in the implementation of the Integrated Border Management Strategy and of the Schengen Action Plan, which relates to the harmonisation of the national legislation to the Schengen acquis. Furthermore, with a view to suppressing organised crime in a systematic way, Croatia has undertaken a number of measures and activities at the national level. These are defined by the National Plan for the Fight against Organised Crime, which specifies the strategic objectives and guidelines in the following areas: prevention, education, development of strategy and regulations, money laundering prevention, confiscation of proceeds from crime, prevention of corruption, cooperation and coordination of police forces with other competent state authorities and instigation of international and regional cooperation in the fight against the most serious forms of organised crime. Moreover, Croatia has also adopted a National Strategy for the Suppression of Human Trafficking, drafted yearly Operative Plans, set up a National Committee, appointed a National Coordinator and created an Operative Team for the suppression of human trafficking. Based on these Plans, competent state authorities and civil society organisations implement concrete measures and activities related to the fight against human trafficking at the operative, preventive, educational and international level.

The Spanish Penal Code specifies penalties of two to five years of imprisonment and an additional 6 - 12 months for the following acts:

- The illegal traffic of hand labour;
- The recruitment of persons under fake employment or unlawful work conditions;
- The employment of foreign nationals without working permits in conditions that harm or restrain their rights;
- The simulation of an employment contract or any similar method aimed at facilitating the migration of any person to Spain or another country; and
• The direct or indirect promotion or facilitation of illegal trafficking or clandestine migration of persons in transit or with destination to Spain or any other EU country (if the purpose of this illegal traffic or clandestine migration is the sexual exploitation of persons, the penalty is five to ten years of imprisonment)

In addition, those who use or lend minors or disabled persons for the purpose of begging, even if it is undercover begging, are also punished with six months to one year of imprisonment. Moreover, if for the purposes described previously minors or disabled persons were trafficked (especially if by using violence or intimidation) or were given harmful substances for their health, the responsible are punished with one to four years imprisonment.

In the UK, specialist operational and policy units within the Border and Immigration Agency (BIA), the Police and the intelligence and security services deal with the nexus between migration and crime. Border management and enforcement operations are designed to combat illegal migration, as is the UK wider co-operation with European and extra-European partners. As the UK Government places a high priority on combating human trafficking, the UK Action Plan (published on 23 March 2007) sets out the Government’s strategy on tackling this problem. It includes a range of measures in the four key areas of prevention; investigation, law enforcement and prosecution; protection and assistance to victims; and child trafficking. Moreover, there is also an awareness that migration issues may impact upon other areas of transnational organised crime and terrorism, and these are dealt with primarily by the Serious Organized Crime Agency (SOCA), the Police and the security services.

In FYROM, a decision was taken in 2001 for the establishment of a National Commission for the fight against trafficking in human beings and illegal migration, aimed at improving the efficiency with which these issues are tackled. Based on this decision, a National Coordination Centre for Integrated Border Management will be created, which would bring together representatives from the Ministry of Internal Affairs, Ministry of Finance - Customs Administration, Ministry of Agriculture, Forestry and Water Supply, Ministry of Health and other ministries which have competences in the filed of border management, as well as liaison officers from other countries and international organizations. The aim of this centre will be to achieve more efficient coordination and facilitation of data and information exchange. Moreover, the new Law on Aliens (entered into force on 01.01.2008) prescribes the following punishable offences: provision of assistance for a foreigner for illegal entry and transit, assistance for a foreigner for illegal residence, and other contraventions related to illegal migration and illegal residence in the FYROM. In addition, trafficking in human beings and human smuggling have been criminalised since 2004. Furthermore, in cooperation with the Labour Inspection Office and the Employment Agency, regular controls are carried out in premises where there are reasonable grounds to suspect that foreign citizens are illegally employed.

In dealing with the nexus between migration and crime, Bulgaria also applies a comprehensive approach that consists of coordinated legislative, preventive and law enforcement activities. Part of its efforts to fight trafficking in human beings and human smuggling, Bulgaria ratified in 2001 the two Protocols on human trafficking and on human smuggling supplementing the UN Convention Against Transnational Organized Crime and in 2007 it also ratified the Council of Europe’s Convention on Action against Trafficking in Human Beings (which has entered into force on 1
February 2008). On the basis of the two Protocols, Bulgaria has amended its national legislation in this field, which now has been brought up to international standards. Furthermore, Bulgaria applies a strategy against organised crime that is concentrated on heavy crime, money laundering as well as on the systematic property confiscation from criminals. In this context, Bulgaria implements an Action Plan for the fight against organized crime which focuses on the law enforcement, pre-count sanctions and prevention measures. The main objectives of the Action Plan are:

- Initiation of punitive procedures against leaders of organised crime groups;
- Application of initiative approach for counteracting organised crime;
- Limiting the economic resources of criminal groups; and
- Confiscation of illegally acquired property.

In parallel, Bulgaria implements a policy for better coordination and cooperation between government structures by ensuring real-time exchange of information as well as regular analysis of the situation in the different lines of action.

In Poland, the Interministerial Committee for Combating Trafficking in Human Beings was established in March 2004. The Committee comprises representatives of the Ministry of Labour and Social Policy, Ministry of Justice, Public Prosecutor’s Office, Ministry of Foreign Affairs, The Office of the Committee for European Integration, Ministry of Health, Ministry of Internal Affairs and Administration, Office for Foreigners, Border Guard and the Police. The activity of the Committee includes:

- Promoting and issuing opinions on measures undertaken with for the purpose of efficient combating and preventing trafficking of human beings;
- Cooperation with state bodies as well as NGOs at central and regional level on combating and preventing trafficking of human beings; and
- Evaluation of the introduction of the National Program for Combating and Preventing Trafficking of Human Beings.

The Italian legislation provides for criminal sanctions for those employers who hire irregular migrants; criminal organisations have an interest in facilitating the stay of illegal migrants to exploit their cheap labour not necessarily in illegal activities (e.g. tomato picking; work in the construction industry, etc.). Moreover, Italy is conducting on-going cooperation with countries of transit and origin of illegal migrants, particular with Libya, which is the country of origin of the majority of illegal migrants landing on the Italian coast. Intelligence in Libya has often highlighted how local criminal organisations actually control migrants groups (see also section 2.3.4. on police cooperation).

In Slovenia, the Police Border Management Strategy and the State Border Control Act govern the work undertaken by the police with regard to state border control, with a focus on fighting cross-border crime. In 2007, the government of the Czech Republic adopted the new version of the National Plan for Integrated Border Management, which is based on a four tier border security model that entails activities abroad, international cooperation, activities at the borders itself and measures taken in the territory. In this document, the fight against illegal migration is considered to be a priority of the security policy in the field of public order and internal security of the state. Also in Portugal, the fight against irregular migration, human smuggling and trafficking in human beings are on the top of the political agenda and to this end several documents have been adopted, among which the Criminal Policy Act and the Criminal Investigation Coordination Act.
2.1.1. Conclusions

- Even if most of the responding GDISC countries do not employ a clearly defined concept of ‘migration and crime’, the links between migration, crime and security are reflected in their legislation, National Strategies and Action Plans aimed at tackling irregular migration, human trafficking and smuggling and trans-national organised crime.

- An increasing trend among the responding GDISC countries is to adopt comprehensive strategies which deal with several of these issues in parallel, given the complexity and the interconnections among the problems being addressed.

- Another noticeable trend among the responding countries is to establish information exchange mechanisms and various forms of cooperation among international, national and local actors through the policies and strategies addressing the ‘migration-crime’ nexus.
2.2. Specific measures to tackle irregular migration, trafficking in persons and human smuggling

The questionnaires from the responding GDISC countries\(^9\) reveal that the specific measures for dealing with the issues of irregular migration, human trafficking and smuggling are of six main types:

- **Institutional:** organisational and administrative matters, establishment of new bodies such as National Coordinators for trafficking in persons, enhanced capabilities, trainings etc.;
- **Operational:** pre-border measures, border management measures, integrated border control, post-entry measures (also see sections 2.3, 2.4 and 2.5), increased expertise, gathering and sharing of intelligence, data analysis etc.;
- **Legislative:** signature, ratification and implementation of international instruments for combating human trafficking and smuggling, adoption of legislation on human trafficking, human smuggling and migration, adoption and implementation of various National Strategies and Action Plans on human trafficking etc.;
- **Judicial:** revision of the penal code, criminalisation of human trafficking and other offences related with migration, aggravating circumstances, extra-territoriality powers etc.;
- **Informative:** awareness raising campaigns in countries of origin, transit and destination, release of official statistics and reports etc.; and
- **Cooperative:** multi-agency approach, joint action, parallel investigations, interdepartmental working groups, international cooperation and information exchange mechanisms (see also section 2.6) adoption of a coherent and coordinated approach for combating human trafficking which includes criminal investigation, pro-active policing and prosecution (also see chapter 4).

Virtually all of the responding countries employ a combination of the above measures in order to combat and prevent irregular migration, human trafficking and smuggling and trans-national organised crime.

An observation that stands out from analysing the questionnaires is that the adoption of international conventions or any other sources of international law speed up the process of addressing the issues at stake by prioritising action, by generating new institutions and mechanisms or by improving the efficiency of existing ones, by ensuring coordination with international actors etc. This pattern is best illustrated by the increased action taken both at the national and international levels in order to prevent and combat trafficking in persons and human smuggling following the adoption of the two Protocols supplementing the *UN Convention against Transnational Organised Crime: the Protocol to Prevent, Suppress and Punish*

\(^9\) Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, FYROM, Hungary, Italy, Ireland, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and the UK.
With regard to human trafficking, some recent developments mentioned in the questionnaires are:

- To have the national legislation cover not just the ‘traditional’ forms of sexual and labour trafficking in persons, but also the non-traditional forms such as forced begging, marriages of convenience, transplant of organs, illegal adoptions etc. (Belgium, France, Italy, Portugal, Bulgaria, Croatia, Estonia, Lithuania etc.);
- To define in the legislation aggravating circumstances for human trafficking such as the use of violence or threats, the age of the victim, the consequences of the offence or circumstances in which the act has been committed etc. (e.g. Belgium and Italy);
- Extra-territoriality: to authorise the prosecution of any person, either national or foreigner, who has committed certain offences (e.g. sexual exploitation or sexual abuse against children) (Belgium).

In order to tackle and discourage flows of irregular migration, the GDISC countries are increasingly adopting integrated border control policies connecting the different national institutions with competences in the area of border management (e.g. FYROM and the UK). Moreover, they are making use of a series of pre-frontier and post-entry measures to manage migration and to prevent illegal migration-related activities on their territory (see sections 2.3, 2.4 and 2.5).

2.2.1. Conclusions

- The specific measures for dealing with the issues of irregular migration, human trafficking and smuggling are of six main types: institutional, operational, legislative, judicial, informative and cooperative.
- The adoption of international conventions or any other sources of international law speed up the national and international developments for addressing a specific by: prioritising action, generating new institutions and mechanisms or improving the efficiency of existing ones, ensuring coordination with international actors etc.
- The more recent developments in the context of combating human trafficking are to address in the national legislation not just sexual and labour trafficking, but also the non-traditional forms such as forced begging, marriages of convenience, transplant of organs, illegal adoptions etc.; to define a series of aggravating circumstances for human trafficking in the national legislation; and to endow prosecution offices with extra-territoriality powers.
- In order to tackle and discourage flows of irregular migration, the GDISC countries are increasingly adopting integrated border control policies connecting the different national institutions with competences in the area of border management. Moreover, they are making use of a series of pre-frontier and post-entry measures to manage migration and to prevent illegal migration-related activities on their territory.
2.3. Pre-frontier measures

The questionnaires indicate that pre-frontier measures are a key component of the integrated border control policy of the GDISC countries. Visa requirements, careful examination of visa applications received from high risk groups, as well as the establishment of various forms of international cooperation among the immigration services and law enforcement institutions in the countries of destination and the countries of origin and transit are all significant pre-frontier measures reported as being employed to different degrees by the responding countries. Air carriers are generally responsible for carrying out pre-boarding checks, though some countries retain this duty for themselves.

2.3.1. Visa requirements

With regard to visa requirements, as most of the responding GDISC countries are EU members or adhere to the Schengen regulations, the EU visa regime is most commonly applied. In addition to the verification performed by the consulates, further examinations of the visa request can include:

- Screening the applicant in the national aliens’ policing databases and in the Schengen Information System (SIS);
- Checking the authenticity of the documents submitted by the applicant at the foreign representation (letter of invitation, business partner, accommodation, financial cover); and
- Asking for the opinion of a competent authority according to national security considerations etc.

Moreover, within the visa-consultation procedure, the visa application for one Member State can be subject to examination and approval by other Member States. For instance Belgium requires to be consulted for all the visa-applications coming from Rwanda, Burundi and the Democratic Republic of Congo. Austria conducts pre-frontier examinations of visa applications on a case-by-case basis and upon request of involved authorities.

The responding countries not applying the EU regulations (Croatia and FYROM) also report employing the typical visa requirements, such as presenting a travel document valid 3-6 months longer than the requested term of validity of the visa, colour photographs, travel insurance, return flight and other supporting documentation depending on the type of visa requested (e.g. letter of invitation or documentation which proves the purpose of the stay, secured resources for subsistence and accommodation, the intention to return the country of origin etc.).

In addition to these typical visa requirements, some of the responding countries have indicated that they have several special requirements for certain categories of visa-applicants. In Belgium, within the framework of family-reunification, a DNA-test is required for those visa-applications where no sufficient proof of relation is submitted by the applicants. Currently there are 21 Belgian consular representations in which a DNA-sample can be submitted. Also in Belgium, a new system exists since
2007 for Chinese visa-applications for students, who are now required to submit an APS-certificate\textsuperscript{10} and to pass an interview.

In the \textbf{Czech Republic}, all applications for visas are subject to consultation with the Directorate of Alien Police Service. Additionally, a direct on-line interconnection between the Ministry of Foreign Affairs and the Ministry of the Interior is provided. In \textbf{Ireland}, the holder of an Irish visa must on arrival at the frontier of the State report to an Immigration Officer to seek 'leave to enter' and, notwithstanding the fact they have been issued a visa, they can still be refused entry if the immigration office is not convinced that they are entering for the purpose stated in their visa.

\subsection*{2.3.2. Risk profiles for certain migrant categories}

The GDISC Benchmark report on Managed Migration 2006\textsuperscript{11} concluded that 'risk profiles' as such are developed and used only in the \textbf{UK}, where a network of UK visa risk assessment units has been established across the world in order to risk profile applications for visas and flag those with a potential risk even before they are processed. Other countries use a series of 'high-risk indicators' which in most cases are developed by various national bodies with competences in the fields of migration and security, such as Ministries of Internal Affairs, central visa authorities or administrative units issuing residence permits to aliens, police departments and consulates. Such high-risk indicators are constantly updated and, as a general rule, they are based on available early warnings, risk analyses and security reports. According to the answers received to this question, this is the case in the \textbf{Czech Republic, Croatia, Estonia, Finland, FYROM, Hungary, Latvia, Lithuania, Malta, Norway, Slovenia, Slovakia} and \textbf{Romania}. \textbf{France} reported no special rule regarding risk profiles, the consulates having the capacity to initiate investigations in order to check the applicant's declarations before delivering the visa.

In the \textbf{Netherlands}, the Task Force for Unaccompanied Minor Foreign Nationals (TV AMV) was established to protect minors from human traffickers and human smugglers. In this Task Force a number of partners, including the IND and the police, work together closely to protect and support Unaccompanied Minor Foreign Nationals (AMVs) who are at increased risk of becoming victims of human smugglers or human traffickers. The Dutch Immigration and Naturalisation Service (IND) has been charged with compiling profiles of those minors who are particularly at risk. Currently, AMVs from Nigeria and India are classed as a high-risk group. The profiles are composed on the basis of IND information, which, among others, is based on the influx and uncontrolled outflow of AMVs, statements made by AMVs and information from the Central Agency for the Reception of Asylum Seekers. The risk profiles are included in the four-monthly AMVs trends report. Risk profiles are subject to change over time.

\textsuperscript{10}This is a certificate of academic screening issued by the German Academic Exchange Service (DAAD).

Belgium is particularly cautious with student applications from Morocco and the Democratic Republic of Congo. Every year an Immigration Liaison Officer from the Immigration Office is sent to Casablanca or Kinshasa for several months in order to screen all student visa applications and submits those who appear fraudulent to additional investigation, including thorough interviews.

2.3.3. Pre-boarding documentation checks in countries of origin and transit countries

Out of 19 countries that answered this question, 14 do not make pre-boarding documentation checks leaving it, as a general rule, to the transportation companies. Some countries use Immigration Liaison Officers (ILOs) or send documentation advisers charged with assisting and supporting representations abroad, transportation companies, as well as border and immigration authorities in the host country with travel-related documentation. Such is the case of Austria, Belgium, Czech Republic, Finland, Portugal, Slovakia, Spain and the UK.

However, generally ILOs can only advise and do not have the power to deny boarding, which is reserved to the carriers themselves. For instance, the UK has a network of Airline Liaison Officers (ALOs) covering 120 countries across the world. Their role is to advise airlines on whether customers have adequate documentation to travel to the UK. This advice takes the form of training in UK passport and visa requirements and forgery awareness or on-the-spot advice to check-in staff at flight departures.

The 4 countries that responded they could carry out pre-boarding documentation checks are France, FYROM, the Netherlands and Spain. Portugal noted that although it currently employs ILOs for this purpose, pre-boarding checks have been implemented at previous occasions. The Dutch government uses so-called Rapid Action Teams to conduct pre-flight checks in Nigeria, in order to restrict the influx of AMVs and aliens without proper documentation. France has no general rule regarding pre-boarding checks, rather it implements them in countries where specific risks are identified (e.g. frequent use of false travel documents, high level of corruption, organized criminal networks etc.). In such cases, ILOs or police attachés

Good practice

The UK visa risk assessment units around the world and their operations centre in London continuously build up and revise the risk profiles for visa applicants across the world, thus enabling visas issuing offices to concentrate upon riskier applications and speed up the process for those posing the least risk, whilst maintaining quality control on all applications. Under the UK’s soon to be introduced Points Based System, the introduction of risk profiles is being considered to try and concentrate case working resources on those applications which pose the most risk to the UK’s immigration control. There will be both migrant and sponsor profiles to assess applications. However, they will initially be paper-based profiles as the IT system is not yet available to automate the process.

12 Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, Hungary, Ireland, Lithuania, Malta, Norway, Portugal, Romania, Slovakia, UK.
may organize pre-boarding documentation checking in cooperation with the flight companies and the local authorities. Also FYROM, as per its new Alien Law, can conduct pre-boarding checks, while Spain answered that it uses pre-boarding checks only in special circumstances.

2.3.4. Police cooperation with and Liaison Officers in countries of origin and transit countries

All 25 responding countries declared that they have some sort of police cooperation with countries of origin and transit, which they conduct

- Under the framework of various international law enforcement organisations such as Interpol, Europol, Frontex and the Southeast European Cooperative Initiative (SECI);
- Through bilateral agreements; and
- And/or via Attachés or Liaison Officers.

Such law enforcement cooperation covers in most cases a migration-dimension (for instance the Police Liaison Officers of some countries act also as Immigration Liaison Officers) and sometimes it is supplemented by specific agreements between the immigration services of the respective countries as well as by the employment of Immigration Liaison Officers with tasks such as those described in the previous section.

a) Membership in international law enforcement organisations

Regarding membership in international law enforcement organisations, all the countries who responded to the GDISC questionnaires are members of Interpol, all EU Member States participate in Frontex (plus Iceland and Norway and soon also Croatia) and are members of Europol (which also cooperates with Croatia, FYROM, Iceland and Norway). Of the GDISC responding countries Bulgaria, Croatia, Hungary, FYROM, Romania and Slovenia (along with Albania, Bosnia and Herzegovina, Greece, Moldova, Serbia and Turkey) are also members of SECI. A concrete example of possible law enforcement cooperation under such international institutionalised frameworks are the joint activities carried out at Italy’s external borders under Frontex coordination: ARJANE at the East European land borders; HERAKLES at the land borders between Hungary and Serbia; POSEIDON at the border between Greece and Turkey; DRIVE-IN and KRAS at the border between Slovenia and Croatia; URSUS III at the border between Ukraine and Romania.

b) Bilateral agreements

Alternatively, bilateral agreements are widely used to regulate cooperation with neighbouring countries (e.g. by Croatia or Slovenia), between countries with historical bonds (Portugal) or generally between countries with clearly defined common interests such as high flows of migrants (Malta, Italy), the fight against organised crime (Czech Republic, Poland) etc. For instance, on November 2007, the Ministers of the Interior of Italy and Romania have signed an Agreement and a Cooperation Protocol regulating joint patrolling services performed on the Italian
territory at the Austrian border and on the Romanian territory at the external border with Moldova and Ukraine.

In addition, Italy is conducting on-going cooperation with countries of transit and origin of illegal migrants, particular with Libya, which is the country of origin of the majority of illegal migrants landing on the Italian coast. Intelligence in Libya has often highlighted how local criminal organisations actually control migrants groups. Cooperation consists in the secondment of immigration experts, the organisation (in agreement with the relevant bodies) of search and rescue training courses as well as of training courses for border guards, the supply of equipment for the patrolling of territorial borders, etc. A satisfactory level of cooperation has recently been achieved with Algeria, following boat arrivals of Algerian nationals in Sardinia.

As mentioned above, bilateral agreements may cover inter alia specific topics on migration, as some of those hold by Belgium, while in other cases they are directly concluded by the immigration services of the respected countries, as in the case of Portugal where the National Immigration Service holds special cooperation agreements with the immigration services from other Portuguese speaking countries.

c) Liaison Officers

As Table 2 shows, 19 responding countries\textsuperscript{13} reported having Liaison Officers in countries of origin or transit that belong either to the law enforcement national services (e.g. Austria, Italy, Poland, Lithuania) or to the immigration ones (e.g. Finland, Norway, Portugal), or both (e.g. the Netherlands, Belgium, Latvia, France, the UK, Spain). Malta is in the process of concluding agreements whereby it would receive information from the ILOs deployed by other EU Member States. The Czech Republic has recently started sending out Immigration Police Officers representing a transition between a Document Advisor, an Immigration Liaison Officer and a Police Liaison Officer (see the ‘good practice’ box).

Hungary, Croatia and Ireland however have reported not having Liaison Officers abroad. Instead, for instance Hungary has consular officers dealing with visa issues in Bereghovo, Uzhgorod, Kiev, Subotica, Belgrade, Moscow and Shanghai, and in May 2007 it delegated an attaché with migration-related tasks to Peking.

France has a network of police attachés or ILOs in charge of institutional cooperation (i.e. mutual improvement of the organization, training and interoperability of law enforcement agencies, and monitoring of police services) and operational cooperation (i.e. exchange of information about organized crime and migration-related matters, implementation of search or arrest warrants, and support of police investigations) with countries of origin and transit. It also provides these countries with technical and operational help in order to improve their capacities to tackle organised crime. In Belgium, the general rule is that the liaison-officers of the Federal Police work as ILOs. However, the Belgian Immigration Office has several ILOs working in temporary missions in countries where abnormal illegal migration fluxes are observed or where difficulties related to the implementation of return policies need to be countered.

\textsuperscript{13} Austria, Belgium, Czech Republic, Estonia, Finland, France, Latvia, Lithuania, France, Italy, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, and the UK.
### Table 2. Liaison Officers in countries of origin and transit

<table>
<thead>
<tr>
<th>Countries</th>
<th>Law enforcement Liaison Officers (deployed in)</th>
<th>Immigration Liaison Officers (deployed in)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Belgium</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>(Immigration Police Officers) Moscow, Ulaanbaatar, Hanoi, Lvov, Cairo and Algeria (2007); Cairo, Kiev,</td>
<td></td>
</tr>
<tr>
<td>Estonia</td>
<td>In Russia and soon in Ukraine</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Finland</td>
<td></td>
<td>Murmansk, Petrosavodsk, St Petersburg, Moscow, Tallinn, and Beijing. Also in many hub airports, such as in</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bangkok, Beijing, Dubai, and New Delhi etc.</td>
</tr>
<tr>
<td>Latvia</td>
<td>Russia</td>
<td>Ukraine, Moldova; additional ILOs in Russia, Moldova and Belarus under consideration.</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>Albania, Bulgaria, China, France, Germany, Greece, the UK, Romania (also responsible for Moldova), Serbia,</td>
<td>Libya, Egypt, Serbia</td>
</tr>
<tr>
<td></td>
<td>Slovenia (also responsible for Croatia), Spain and soon in Montenegro. Austria, Bosnia Herzegovina, Ireland,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FYROM, Portugal and Ukraine also covered by neighbouring PLOs.</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>Bosnia and Herzegovina, China, Colombia, Germany, Philippines, France, Indonesia, Italy, Malaysia, Morocco,</td>
<td>China, Ghana, Jordan, Cameroon, Kenya, Nigeria, Russia, Thailand, Turkey, UAE and South Africa</td>
</tr>
<tr>
<td></td>
<td>Dutch Antilles, Nigeria, Pakistan, Poland, Romania, Russia, Serbia and Montenegro, Spain, Surinam, Thailand</td>
<td></td>
</tr>
<tr>
<td>Norway</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>Russia, Ukraine</td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td></td>
<td>Brazil, Cape Verde, Senegal, Russia and Ukraine</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Slovenia</td>
<td></td>
<td>Croatia and Serbia, covering the whole Western Balkans</td>
</tr>
<tr>
<td>Spain</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>UK</td>
<td>Serious Organised Crime Agency (SOCA) Liaison Officers. Also, juxtaposed immigration controls in France and</td>
<td>120 countries</td>
</tr>
<tr>
<td></td>
<td>Belgium</td>
<td></td>
</tr>
</tbody>
</table>

In addition to its ALOs network mentioned in the previous section, the **UK** has also liaison officers from its Serious Organised Crime Agency (SOCA) based overseas.
Their responsibilities cover all aspects of organised crime, including facilitation and people trafficking. Moreover, the UK has juxtaposed immigration controls operating in France (Calais, Coquelles, Paris, Lille) and Belgium (Brussels). The Nordic countries have an ILO network that covers the most critical areas in the world regarding human smuggling and trafficking in human beings. For example, there are ILOs posted in the Finnish embassies and consulates in Murmansk, Petrosavodsk, St Petersburg, Moscow, Tallinn, and Beijing. Finland also has ILO collaboration in many hub airports, such as in Bangkok, Beijing, Dubai, and New Delhi.

Latvia has an ILO accredited both in Ukraine and in the Republic of Moldova. The possibility to establish three other ILOs in Russia, Moldova and Belarus is currently under consideration. Moreover, on the basis of a cooperation agreement between the State Border Guard and the State Police dating from 2006, the State Police liaison officer working in Moscow has an additional duty to cooperate with the law enforcement institutions of the Republic of Latvia and Russian Federation in the field of combating illegal immigration in order to facilitate reduction and combating of illegal immigration, removal of illegal immigrants and readmission.

**Good practice**

The Czech Immigration Police Officers (IPOs) are members of the Foreign Police Service and are posted to third and transit countries for the purpose of establishing and maintaining contacts with the host countries in an effort to contribute to illegal migration prevention, repatriation of illegal migrants and legal migration management. The main tasks of these officers are to provide the staff of an embassy with methodological and expert assistance, as well as to cooperate with them during interviews with applicants for visas. There is also the benefit of ensuring a flexible cooperation and communication between embassies in risk regions and the Czech Ministry of the Interior. Given their position and the scope of their actions, these policepersons represent a transition between a Document Advisor and an Immigration Liaison Officer.

In 2007 the destinations for the IPOs were Moscow, Ulaanbaatar, Hanoi, Lvov, Cairo and Algeria. For 2008 the destinations are Cairo, Kiev, Lvov, Hanoi, Moscow, Peking, Istanbul, Damascus and Ulaanbaatar. Currently, the Czech Republic prepares a new concept of posting liaison officers, while broadening their competences to the issues of legal and illegal migration so as to ensure that their activities comply with the requirements laid down by Council Regulation (EC) No. 377/2004 of 19 February 2004.
2.3.5. Conclusions

- Pre-frontier measures (e.g. visa requirements, careful examination of visa applications received from high risk groups and the establishment of various forms of cooperation with the law enforcement and immigration services in the countries of origin and transit) are key components of the integrated border control policy of the GDISC countries.

- Air carriers usually have the duty to carry out pre-boarding checks, though a minority of countries retain this task for themselves. Immigration Liaison Officers (ILOs) or documentation advisers charged with providing assistance in travel documents-related matters, but without the power to deny boarding, are also employed by several countries.

- Given that all but two of the responding countries are EU members or adhere to the Schengen regulations, the EU visa regime is the norm. Only a minority of countries reported that they use special visa requirements on a systematic basis, usually targeting certain categories of high-risk groups.

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2.4. Border Management measures

As most of the responding countries are EU Member States or participate in the Schengen area, the border management measures are in most cases determined by the EU regulations in this field. Moreover, the European Commission’s Communication *New tools for an integrated European Border Management Strategy*, released on 13 February 2008, puts forward suggestions for new tools that would form an integrated part of the European border management of the future, including:

- The introduction of an entry/exit system, allowing the electronic recording of the dates of entry and exit of third country nationals into and out of the Schengen area that could become operational by 2015;
- The facilitation of border crossing for bona fide travellers, through the introduction of automated border crossing facilities for EU citizens and certain categories of third country nationals; and
- The possible introduction of an Electronic Travel Authorisation System.

2.4.1. Increased border controls

Whether at internal or external borders, enhanced border controls in most of the GDISC responding countries are in compliance with the Schengen requirements (Schengen Borders Code, Common Schengen Handbook). Though as a general rule the persons enjoying freedom of movement within the EU are subjected to minimal border check, however thorough border checks are applied to all third country nationals as well as EU citizens if risk indicators are seen. The questionnaires indicate that enhanced border controls are generally carried out in a systematic way during periods in which the state borders or the national territory is under threat, as well as if an unusual increase in migratory flows is observed.

The **UK** has the ability to deploy additional resources to the UK border or the juxtaposed controls at busy times or during periods of increased threat to the UK. This can be through the increased use of existing resources in the area or through the use of mobile response teams. The UK has juxtaposed immigration controls operating in **France** (Calais, Coquelles, Paris and Lille) and **Belgium** (Brussels).

In **Belgium**, three kinds of increased border controls can be applied at the moment:

- Extra controls on new routes originating in third countries (e.g. new routes coming from India). Also routes with a high risk are checked more thoroughly (e.g. routes transiting or originating in African countries);
- Extra thematic controls on intra-Schengen flights originating in Athens. These controls were initiated after large fluxes of illegal immigrants boarding in Athens for intra-Schengen flights had been observed; and
- Extra controls on the sea-borders (i.e. routes to the **UK**), within the framework of the efforts to combat the illegal transit fluxes. This is done in collaboration with the British BIA.

In **Hungary**, the Police can apply increased border control in order to maintain order at the state border, to conduct tasks related to aliens’ policing and crime investigation, to implement restrictions related to the ordered border closing, or as a security measure. Examples of increased border control measures are:
• Increased control of alien passports and their compliance with existing regulations;
• Thorough control of vehicles and assessment of their legal possession;
• Controls aimed at discovering or preventing the transfer across borders of drugs, arms, munitions, explosives and emissive materials; and
• Completion of national security/public order-crime investigation needs, as part of planned restrictive measures in the context of other international or national events etc.

Moreover, under the ‘reinforced duty’ measure, the forces and equipment of the Hungarian county police headquarters can be redeployed under the direction of the border management department and restrictive measures can be implemented in the border zone in case of need.

**Good practice**

**Italy** performs increased border controls in conjunction with sea and air border operations within the framework of joint activities carried out under the coordination of FRONTEX. In this context, in fact, maritime patrolling operations are conducted at ports or close to territorial waters as well as in the closest international waters (operations Nautilus, Poseidon etc.). Similar operations are carried out at major national airports in collaboration with other Member States’ police personnel in order to counter illegal immigration by air from certain third countries or geographical areas particularly exposed to migration (AMAZON II and III, HYDRA, EXTENDED FAMILY, A LONG STOP). Over the last few years, the so-called “high impact operations” carried out in some macro-areas have proved to be of particular importance especially in the vicinity of internal borders between **Italy, France** and **Spain**. Such operations are aimed at tracing illegal migrants who, taking advantage of abolished border controls, try to move to Member States applying the Schengen acquis.

With a view to improving border controls, **Spain** has created a special early reaction unit against clandestine migration and has also significantly increased the number of Police and Guardia Civil officers performing the checks. Alternatively, to ensure better control of its borders, **France** has created mobile task forces and a special squad which optimises the control of foreign passengers in the international trains. Moreover, France is also implementing international mixed patrols together with neighbouring countries.

Reflecting the geographical situation of the country and the origin of traffic across its borders, there are no special risks defined for the **Icelandic** border, rather the border surveillance is based upon a specific risk assessment which is open to changes at any given time.

**2.4.2. Strengthened border control equipment**

A first and positive observation that can be made is that the answers received from the responding GDISC countries suggest that maximum efforts are being made by the law enforcement services in charge with protecting the borders in the respective
countries in order to meet the requirements for the implementation of the border monitoring model set out in the Schengen Border Code.

In addition to the basic border equipment and technical means for the control of travel documents (also see section 2.4.3. on the use of biometrics in travel documents), 14 several countries have provided in their questionnaires some indications of what additional border control equipment they can employ, if the circumstances demand it. Examples include:

- The use of sophisticated human detection equipments such as heartbeat detection or CO2 detection devices (Belgium, France, Hungary, Slovenia, Poland, the UK);
- Gamma-ray radiography for the scanning of trucks (Belgium, France, the UK); and
- The progressive implementation of special equipment for detecting falsified documents and records in national and international databases (Spain) etc.

The answers reflect also that some countries use enhanced border equipment in the context of various international cooperation projects and joint border operations (see the UK-Belgium cooperation in the ‘good practice’ text box). The new Member States have improved their equipment through EU-funded projects and at the moment they are further developing their capabilities thanks to bilateral cooperation programmes (e.g. Bulgaria through bilateral agreements with Germany, the Netherlands and the UK) or by making use of EU funds such as the External Borders Fund (Czech Republic, Lithuania).

As additional border equipment, Hungarian border guards can use radiation detectors, hand metal detectors, CO2 meters and heat cameras, while Poland uses hand-held trace detectors for explosives, chemical agents, toxic industrial chemicals or narcotics (SABRE 4000); document expertise devices (VSC); video-endoscope equipment; and handheld PCs. France is currently conducting a study concerning the use of drones (Unmanned Air Vehicle), while Slovakia recommends to the other GDISC states using the RALEN system 15 in order to detect persons and goods in various means of transport.

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14 The following list provides some examples of what standard equipment for border checks may consist of: basic device for establishing the authenticity of documents; UV lamp; retro-view lamp; hand magnifying glass; mirrors for inspecting undersides of vehicles; microscope; road closer; entry/exit border check stamps etc.

15 RALEN is a Slovak system for detecting hidden persons.
In **Slovenia**, border crossing-points for international traffic are also equipped with:

- Device for establishing the authenticity of documents equipped with a camera and printer;
- Optic reader of passports (OCR-B);
- Automatic Number Plate Recognition System (ANPR);
- Co2 detector;
- Detector of smuggled goods;
- Detector of radioactivity;
- Ultrasound, IR or laser distance meter; and
- Endoscope.

Moreover, Slovenia uses five helicopters for the purpose of state border control and three boats are for sea border surveillance. Additionally, a radar by Northrop Grumman, model Sparry Marine (with a frequency also enabling monitoring of the smallest vessels and objects at sea) covers the entire sea border and the major part of the Slovenian aquatorium.

**Estonian** Border Guard units are using spectral equipment for identifying forgery of travel documents and databases about forged documents and possible trends on the field of forged documents. Estonian Board of Border Guard and Estonian Tax and Customs Board are also using x-ray equipment for controlling vehicles and cargo.

For strengthened border surveillance, the **Latvian** State Border Guards use:

- Various vehicles, sailing means and aircrafts;
- Presence detection systems;
- Stationary and mobile observation equipment for day and night (optical, TV and infrared observation equipment);
- Stationary and mobile radiolocation equipment
- Lighting equipment– dazzle lamp equipment, lamps etc.;
- Radiometric control equipment (stationary and mobile dosimeters, radiation pagers, neutron flow detectors etc.); and
- Chemical control equipment (drug identification packages, gas detectors/analysers etc.)

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**Good practice**

The **UK** employs a range of New Technologies, alongside human and canine search at the border and juxtaposed controls in France and Belgium. These technologies include heartbeat and carbon dioxide detection and some of the technologies, for instance the Co2 detection, can be deployed on a mobile basis. For instance, in the Belgian seaports of Ostend and Zeebrugge the UK is making available to the local terminal operators and port authorities two gamma-ray scanners, a heartbeat detector and a passive millimetric wave, for the specific task to combat illegal crossing of the external borders. These ports also feature prominently in Belgium’s own efforts to prevent illegal immigration: the Federal Maritime Police employs a Technical Support Team comprising of 17 persons equipped with an X-ray scanner, Co2 meters, migration control dogs, night vision device etc.
**Lithuania** mentions in its questionnaire the following strengthened border control measures it has implemented at the border with the Russian Federation and the Republic of Belarus:

- New border guard objects were installed (outposts, supporting houses, wharfs for the ships of border guards, cynological centre);
- Modern vehicles (land-rovers, sledges, 4-wheel motorcycles, helicopters, vehicles for cynologues) and swimming equipment for border surveillance were purchased;
- Up-to-date equipment for checking persons and travel documents as well as service dogs and specialized equipment for the dressage of dogs were purchased;
- Border guards were provided with mobile thermo-vision equipment;
- Video systems were installed at many border control posts (e.g. in order to ensure video surveillance in between border crossing points, universal border surveillance system was installed at a 60 km long border line with Russia and Belarus, which enables the supervision of the border 24 hours a day);
- Contemporary technical surveillance system for all the territorial sea, shore and Curonian bay was installed; and
- Mobile sensory equipment was purchased, which ensures protection of the most vulnerable border areas.

Lithuania plans to continue installing border control equipment by using the External Border Fund during 2007-2013.

In **Croatia**, border protection is being carried out by means of foot patrols, car and motorcycle patrols and vessels, and depending on the configuration of the area, also by helicopters. For this purpose available technical equipment and means are being used, i.e. patrol vehicles, all-terrain vehicles, vessels, all-terrain motorcycles, helicopters, night vision devices, binoculars, hand-held, stationary and mobile thermo-vision cameras, radio devices etc.

### 2.4.3. Biometric data and enhanced security features for travel documents

The Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States sets out the requirements for all the EU Member States plus **Iceland** and **Norway**. According to the Regulation, biometric data (personal data of the holder, his/her digital facial image, fingerprints and signature, which are stored in a microchip) should be gradually introduced in passports, visas, identity cards and residence permits (e-documents). In passports and residence permits the data will be stored in a chip (facial image, fingerprints and signature) and in visas the information is gathered in a centralized database, according to the VIS-regulation. E-passports are thus not only important tool in the area of security, but they also establish a direct connection with visa checks in the Visa Information System, because they use the same technical equipment for capturing the passengers' data/pictures/fingerprints.
a) Biometric passports

The answers received show that most of the responding countries have introduced new e-models for passports throughout 2006-2008 (Belgium, Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, the Netherlands, Norway, Poland, Portugal, Slovakia, Spain and the UK) and some continue to improve them further. For instance, passports from the Czech Republic, Hungary, Iceland, Latvia, Lithuania and the Netherlands have already digital facial images and they are also planning to introduce digital fingerprints by 2009. This aim is to have these new generation travel documents fulfil all the security demands and be in accordance with the technical specifications of the EU and of the International Civil Aviation Organisation (ICAO).

In Bulgaria and Malta, the introduction of passports with biometric data is pending. In the meanwhile, Bulgaria introduced in 2007 an additional UV security feature in passports and ID cards. Moreover, the minimum EU requirements (machine readable zone) are also fulfilled by Croatia, which currently is implementing a pilot project for the development of biometric passports (diplomatic and service).

The Polish Border Guard is currently involved in conducting a pilot program regarding the use of biometrics in performing its tasks related to border control. Verification of biometric data is performed by taking the image of the passport owner from the chip in the document, comparing this electronic data with the data inside passport, and thus detecting the signs of potential intrusions resulting in illegal access to data contained in chip.

Good practice

A ‘self-checking’ Belgian passport with new built-in security measures was introduced on 1 February 2008, which fulfils the EU and ICAO standards. This passport is ‘self-checking’ because, in addition to the pictograms page of the previous version, it also has an external polycarbonate sheet which, when placed over the photograph of the passport holder like a decoder, it shows up the holder’s initials. This technology speeds up first-level checking by enabling anyone to verify the authenticity of the passport in a few seconds. Moreover, given that substituting photographs is the most widespread method used to falsify official documents, the new passport reproduces the facial image of the holder in five separate places by using five different technologies:

- Colour personalisation on the data page;
- Black-and-white personalisation on the polycarbonate sheet;
- Micro-perforation of the photo on the polycarbonate sheet;
- Invisible personalisation on the pictogram page; and
- Electronic personalisation on the microchip.

The use of such multiple procedures provides better protection of the data and lowers the risks of falsification.

Naturally, an important part of the process of upgrading the travel-documentation system is the introduction of machines able to read the biometric data at the border points. Recent developments in this field include the new passport readers located
also in every port of entry to Finland. The **Czech Republic** will introduce e-passport checks on persons crossing the external EU border at international airports.

**b) Other biometric documents**

In addition to passports with biometric data, some countries have also started issuing electronic ID cards (**Spain** since 2006 and **Belgium**), electronic resident permits (**Belgium** and **FYROM**) and biometric visas (**Belgium**, **France**, **Austria**, **Spain**, **Portugal**, **Luxembourg**, **Germany** and the **UK**) and is 80% financed through the EU Argo fund. In parallel, **France** is also working towards generalising the biometric visa requirement for every French consulate in the next years. Moreover, France is currently considering the introduction of a unique biometric document for the long stay visa and the residence permit. **Portugal** participates in the pilot project BIODEV II (Biometric Data Experimental on Visa) installed in the General Consulate in Dakar and **Spain** started using the BIODEV system at its border points since February 2008.

Since 2005, various **Belgian** consulates issue biometric visas which are identified on arrival at Zaventem airport. Presently, biometric visas are issued at the Belgian posts in Kinshasa, Lubumbashi, Bamako, Kigali, Bujumbura and Washington. This project represents a collaboration among several EU Member States’ consulates (**Belgium**, **France**, **Austria**, **Spain**, **Portugal**, **Luxembourg**, **Germany** and the **UK**) and is 80% financed through the EU Argo fund. In parallel, **France** is also working towards generalising the biometric visa requirement for every French consulate in the next years. Moreover, France is currently considering the introduction of a unique biometric document for the long stay visa and the residence permit. **Portugal** participates in the pilot project BIODEV II (Biometric Data Experimental on Visa) installed in the General Consulate in Dakar and **Spain** started using the BIODEV system at its border points since February 2008.

In **Belgium**, the Electronic Identity (eID) initiative for the new identity cards and resident permits is based on the Java Card technology and is helping to improve government efficiency, reduce paperwork and make interactions with Belgian citizens quicker and more secure, by allowing their access to enhanced government and enterprise services. Currently, more than 1 million Belgians have eID cards and additional cards are being issued at a rate of 150,000 cards per month. The Belgian government estimates that by the end of 2009, 8.2 million citizens age 12 years and older will have eID cards.

**FYROM** reported in its questionnaire that biometric data are part of the documents issued for the foreigners (temporary stay permit, permanent residence permits and IDs for aliens), while **Estonia** reported collecting the biometric data of asylum seekers and irregular migrants and checking it against the EURODAC database.

### 2.4.4. Special training for border guards

In order to reach the aims for which they have been introduced, the strengthened border control equipment and the enhanced security features for travel documents are complemented in the responding GDISC countries by systematic training of the border guards and other law enforcement officers, as well as by the deployment of documentation advisors in countries of origin where abuses are observed (**Belgium**, **Czech Republic**, **Finland**, **Portugal**, **Slovakia**, **Spain** and the **UK**. Also see section 2.3.c on pre-boarding documentation checks).

With regard to border guards, all responding GDISC countries report organising standard trainings on a continuous basis and with a view to complying with the **Common Core Curriculum for Border Guards** developed by Frontex. With the
exception of Iceland and Norway who also participate in the Schengen area, the only non-EU Member State that answered this question is Croatia and it also reports training its border guards in line with the EU practices, as per the 2006 National Programme for the Association to the European Union and the Schengen Action Plan which relates to the harmonisation of the national legislation to the Schengen acquis.

Examples of the topics most commonly covered in such trainings are:\(^{16}\)

- Border patrol (the Netherlands);
- Document examination and investigation (Austria, Hungary, Lithuania, the Netherlands);
- Prevention and control of irregular migration (Estonia, Finland, Lithuania);
- Forgery detection (Estonia);
- Use of national databases and warning indexes;
- Prevention and combating cross-border organised crime, human smuggling and trafficking in persons (Finland, Slovenia, the Netherlands, Poland);
- Updates in EU regulations regarding the Schengen area, border security and travel documents (all EU Member States plus Iceland and Norway);
- Updates in the legislation and regulations on aliens (the Netherlands, Poland);
- The Schengen Information System (SIS)/Visa Information System (VIS)/SIRENE (Lithuania); and
- Interviewing and profiling persons in border control procedures (Estonia) etc.

The UK also mentioned organising trainings on how to look out for vulnerable children and other persons, and Bulgaria places special attention on training border guards to distinguish between refugees and illegal immigrants.

**Good practice**

The Czech Republic has incorporated in its border guards’ training system the new border management model developed by Frontex. Moreover, the Czech Republic was responsible for elaborating the Air Borders Educational Module in the Frontex preparation group. Currently the emphasis is on the continuous professional training of policepersons carrying out border controls at international airports. An educational project in this sense which started last year consists of a series of training courses on topics such as the protection of civil aviation from illegal acts; border control for air borders; placing entry and exit seals in travel documents; exemptions from visa obligation; denying entry to the territory of the Czech Republic; the current challenges of border service. In parallel, policepersons from the Foreign Police Service Directorate (FPSD) train the staff of the consulates before they leave for their missions. Moreover, the instructors from the FPSD train the travel-documents specialists in the basic units, i.e. in the FSP Inspectorates. This educational project has proven efficient in increasing the quality of the work of FPS officers in detecting altered and forged travel documents.

Many countries specifically indicated that they use the training tools developed by Frontex or that they participate in the trainings and seminars that the agency is

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\(^{16}\) In parentheses there are some examples of countries that have specifically mentioned the respective trainings in their questionnaires.
organising with regularity (e.g. the **Czech Republic, Iceland, Malta, Norway, Slovakia**). As expected, the new EU Member States have also received training before they joined the EU and, where applicable, before they entered the Schengen area. For instance, the **Polish** Border Guard officers, Custom Service officers and Internal Security Agency officers took part in the EU Transition Facility 2006 Twinning Program on combating and preventing organised and cross-border crime, including the further implementation of crime analysis. Moreover, countries that have obtained products or programmes through bilateral cooperation or from Frontex have also organised trainings on their implementation and functioning, usually in collaboration with the donors (e.g. **Bulgaria** with **Germany** and the **Netherlands**). Additionally, the border guards in most GDICS responding countries also attend the trainings and seminars organised by the International Organisation for Migration (IOM), the International Centre for Migration Policy Development (ICMPD) and the European Police College (CEPOL) on irregular migration and human trafficking.

### 2.4.5. Conclusions

- The visa regime, the Border Management system and the security features for travel documents are standardised through EU regulations in most of the responding GDISC countries. Maximum efforts are being made by the responsible institutions in all GDISC countries in order to meet the requirements for the implementation of the border monitoring model set out in the Schengen Border Code.
- Virtually all of the responding countries have introduced during 2006-2008 biometric passports that respect the technical specifications and security demands of the EU and the ICAO. Additionally, a few countries have also started issuing electronic ID cards, electronic resident permits and biometric visas.
- The new Member States have improved their equipment through EU-funded projects and at the moment they are further developing their capabilities through bilateral cooperation programmes or by making use of EU funds such as the External Borders Fund.
- The questionnaires indicate that enhanced border controls are generally carried out in a systematic way during periods in which the state borders or the national territory is under threat, as well as if an unusual increase in migratory flows is observed.
- In order to reach the aims for which they have been introduced, the strengthened border control equipment and the enhanced security features for travel documents are complemented in the responding GDISC countries by systematic training of the border guards and other law enforcement officers, as well as by the deployment of documentation advisors in countries of origin where abuses are observed.
- All responding GDISC countries report organising standard trainings for their border guards on a continuous basis and in compliance with the **Common Core Curriculum for Border Guards** developed by Frontex. Additionally, they also attend the trainings and seminars organised by the IOM, the ICMPD and the CEPOL on irregular migration and human trafficking.
2.5. Post-entry measures

The questionnaires received from the responding GDISC countries indicate that internal identity controls, workplace inspections and welfare fraud control are common post-entry surveillance measures.

**Good practice**

For the past 6 years, **Hungary** has implemented an ‘in depth integrated controlling system’ for the foreigners residing in the country. The controls are ad-hoc and effectuated on the basis of the cooperation agreements between the Police, the Hungarian Labour Inspectorate, the Hungarian Customs and Finance Guard, the Office of Immigration and Nationality. Controls can be implemented separately or as a common act of these authorities. If during a control an authority notices irregularities pertaining to the competence of another authority, it informs the responsible body. Furthermore, the visa authority makes efforts to sign bilateral agreements with the receiving institutions in order to have a registry of the participating foreigners especially for the following entry purposes: entry of tourist groups, participation to cultural and sport events, larger student groups.

2.5.1. Internal identity controls

Almost all of the responding GDISC countries have answered in their questionnaires that they perform internal identity controls (**Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain** and the **UK**) in order to establish the identity and legality of stay of aliens all over state territory and generally to prevent illegal entry and residence in the territory, as well as in the context of investigatory activities, whenever a foreign national is suspected of illegal stay or illicit activities of any kind. As a general rule, the Police have the principal responsibility of internal controls, the other main actors being the Border Guards and the Immigration Service.

In **Belgium**, all applicants for asylum have to submit their fingerprints for comparison in the EURODAC-system. An additional database with fingerprints of those that were intercepted in illegal stay has been made operational on 01 January 2008. Moreover, aliens have to submit valid identity-documents (from the country of origin) in order to receive staying-permits. These documents are double-checked within the Immigration Office before agreeing to deliver a staying permit.

2.5.2. Workplace inspections

Workplace inspections are also performed in almost all of the responding countries (**Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands,**
Norway, Poland, Romania, Slovakia, Slovenia, Spain and the UK). Their purpose generally is

- To survey the working conditions on the basis of the legislation in force;
- To detect any infringement of employment regulations (e.g. whether immigrants are lawfully employed, with both employee and employer facing possible sanctions if the relevant legislation is not respected); and
- To detect and prevent crimes linked to the abuse of workers’ rights or human trafficking.

These inspections are carried out both on regular basis at random and they generally take the form of joint operations of various internal governmental agencies (e.g. the police, local authorities, tax and customs services, work and health inspectorates, the public prosecutor, the immigration services etc.).

In the Netherlands, workplace controls can take various forms and be performed by a number of agencies. The list below contains an overview of the agencies conducting these checks:

- The Health & Safety Inspectorate conducts checks among employers to determine whether they have the required work permits for any foreign nationals they employ;
- The Aliens’ Police conduct checks in a number of places, including workplaces, for the purpose of locating illegal immigrants;
- The Netherlands Employees Insurance Agency controls the employers in order to determine whether persons who receive state benefits are being employed;
- Inland Revenue conducts checks among employers to determine whether employees are on the payroll and pay taxes and social security premiums.

If one of the above agencies discovers any abuse of regulations that is classed as criminal, the indications/investigations are handed over to the SIOD (Social Intelligence and Investigation Service).

The Norwegian Government has launched an action plan against ‘social dumping’ to protect wage levels and the standards of work life conditions. As part of this plan, the Labour Inspection Authority and Petroleum Safety Authority carry out inspections and impose sanctions in the event of non-compliance with collective agreements or the transitional arrangements for certain EU nationals. The government has also focused on providing information to employers and employees regarding their rights and obligations under Norwegian work regulations, both in the private and public sectors.

In Italy, the Carabinieri employ for the purpose of workplace inspections the Carabinieri Command for Labour Protection. Functionally controlled by the Ministry of Labour and Social Security, this specialised unit is included in the Carabinieri Special Organization. This unit was created to control the enforcement of labour and social security laws in industrial and commercial businesses as well as in offices and in the agricultural sector. To this aim, the specialised unit carries out checks on foreign workers to prevent and fight illegal work and exploitation of illegal migrants and non-EU workers.
2.5.3. Welfare fraud control

In Austria, Finland, France, Ireland, Malta, the Netherlands, Norway, Slovakia and the UK welfare fraud controls are implemented either as specific post-entry measures for aliens (e.g. in Malta, where the Social Security Act grants refugees access to welfare benefits, a system is in place for detecting eventual irregularities or abuses of this welfare scheme) or as part of the broader national anti-welfare fraud programmes. On the other hand, welfare fraud is not seen as a problem yet in Lithuania and Hungary. In Hungary, with the exception of asylum-seekers (about 3000 per year), immigrants usually do not apply for social allocations. Also in Belgium no special programmes are developed to actively search for welfare fraud. Alternatively, several structural safeguards against welfare fraud exist in Belgium. Every socially insured person is identified throughout the whole social security system by a common and unique identification key and has an electronically readable social security card (the so-called SIS-card) containing this identification number and his social insurance status in the health care sector. As a consequence of this centralised approach, Social Security fraud is in a way obstructed (also see the ‘good practice’ example of the Limosa project).

Good practice

In Belgium, just as in other EU Member States, all foreign employees, self-employed persons and trainees have to declare their activities to the Belgian authorities in advance. The innovation is that in Belgium this mandatory declaration is part of a broader employment project, Limosa. Through this project the Belgian authorities aim to create better guarantees for the free movement of services and workers, with extra attention being paid to everyone's rights and conditions of employment in Belgium. The portal site (www.limosa.be) plays an important part in this project. Immediately after each declaration of activity from a foreign national via the website, a ‘Limosa-1’ certificate is supplied. This certificate must be presented to the Belgian client or principal. If an employee, self-employed person or trainee is unable to produce this Limosa-1 document, the Belgian client or principal must report this to the authorities immediately. In time the portal site www.limosa.be will be expanded into a dedicated portal. This will allow employers to fulfill almost all their administrative obligations concerning working in Belgium via a single electronic portal. The Limosa declaration is an important step towards legal employment in Belgium, while observing the Belgian and European regulations.

In Norway, welfare control has been given increased attention over the last decade and, according to the Norwegian Labour and Welfare Administration, the number of persons charged with welfare fraud has doubled. This has resulted in:

- The strengthening of the anti-welfare fraud department;
- Increased control measures;
- More media focus on welfare fraud topics; and
- Welfare fraud was put on the political agenda.

According to the Norwegian Immigration Service, the resulting changes in legislation and law enforcement have contributed to increasing the number of persons charged with welfare fraud.
In **Ireland**, the Garda National Immigration Bureau works closely with the Department of Social and Family Affairs in the relation of detection of welfare fraud by non EEA nationals, while in the **Netherlands** welfare fraud is investigated by the Social Security Fraud Department. In **France**, the Welfare Agency has a special unit dealing with the detection of fraud and the legal pursuit of the offenders. This agency has local representations all over the country.

In the **UK**, immigration crime partnerships (involving the Border and Immigration Agency, local authorities, police, the HM Revenue & Customs and local agencies) are created in order to detect those residing illegally and to block benefits. To achieve this, a watch list of illegal migrants will be created and it will be provided to other government departments and agencies to deny the access of the persons on the list to further services. Additionally, a pilot project is running at the moment in three National Health Security trusts to test how this data can help ensure that overseas visitors not entitled to free health care pay for it. **Austria** mentioned investigations on “tax fraud” committed by aliens as another important link between migration and crime and referred to corresponding measures on side of the Austrian authorities.

### 2.5.4. Controls directed at potential recruiters of victims of human trafficking and the issue of fake marriages

Given that some of the GDISC countries are countries of origin and transit for victims of human trafficking, several questionnaires received from CEE, Western Balkans or Baltic countries emphasise the need to conduct controls directed towards identifying and prosecuting potential recruiters. For instance, in **Latvia**, the Bureau for Fight Against Trafficking in Human Beings of the Organized Crime Combating Board of the State Police conducts information analysis. The results of investigations on suspicious companies and travel agencies which act as recruiters are published and actively disseminated through mass media. This covers also labour recruitment agencies, which offer fast and easy earnings without identifying concrete jobs, as well as prostitutes who have worked abroad and are recruiting more women for work abroad.

Another problem mentioned in some of the questionnaires from the same group of countries is the need to fight against marriages of convenience used in most cases either as a cover-up for obtaining residence permits in an EU Member State by third country nationals or as a non-traditional form of human trafficking. In **Bulgaria**, interviews are conducted for determining the conformity with the law of contracted marriages, while in **Lithuania** migration units of the Police carry out investigations in order to prevent this phenomenon. In **Croatia**, Article 57 of the Aliens Act, which entered into force on 1 January 2008, stipulates that temporary residence permits shall not be granted for the purpose of family reunification if the marriage is a marriage of convenience. Also **Estonia** carries out risk assessments and ad-hoc controls to the same aim and, if there is a risk of a marriage of convenience, interviews are conducted with the persons concerned. Furthermore, this problem is also addressed in **Portugal**, where the Immigration Act from 2007 criminalises sham marriages both for those who marry and for those who organise it, and in **Belgium**, where the Ministerial Directive concerning the investigation and prosecution of trafficking in human beings includes marriages of convenience in the category of non-traditional forms of human exploitation, along with illegal adoption, forced begging and organ trade.
2.5.5. Conclusions

- The questionnaires received from the responding GDISC countries indicate that internal identity controls, workplace inspections and welfare fraud control are common post-entry surveillance measures aimed at detecting infringements of existing regulations, but also at detecting and prevent crimes linked to human trafficking or any other abuse of human rights.

- Such controls are carried out both on a regular basis at random and they generally take the form of joint operations of various governmental agencies with relevant competencies (e.g. the police, local authorities, tax and customs services, work and health inspectorates, the public prosecutor, the immigration services etc.).

- Only for five responding countries does welfare fraud represent a significant problem. Where they are implemented, welfare fraud controls can be conducted either as specific post-entry measures for aliens or as part of the broader national anti-welfare fraud programmes. An alternative to carrying out welfare-fraud controls is to develop structural safeguards in the social security systems, as a preventive measure.
2.6. Information gathering and exchange mechanisms

The received questionnaires indicate that the responding countries\textsuperscript{17} employ a series of mechanisms for information gathering and exchange, both at the national and at the international/European levels.

2.6.1. Joint databases, standing information and consultation mechanisms at national level

Virtually all of the responding GDISC countries indicate that they build and use on a regular basis databases and other mechanisms to exchange information pertaining to the migration-security nexus, particularly intelligence on human trafficking and/or smuggling (Austria, Finland, Lithuania, the Netherlands, Poland, the UK etc.) and irregular migration (Austria, Czech Republic, Estonia, Finland, France, FYROM, Lithuania, Malta, Slovenia etc.). Several concrete examples of joint databases, standing information and consultation mechanisms between various governmental agencies and/or law enforcement bodies in the GDISC countries are provided in Table 3. The information summarised there offers an ensemble view of existing mechanisms per country, including participating institutions and topics addressed.

The answers received confirm the trend towards adopting a multi-agency approach and towards ensuring efficient cooperation among the various bodies dealing with the migration-crime nexus. Typically, the institutions forming partnerships are the immigration services and the different law enforcement units, but several countries mention also the judicial authorities (Czech Republic, Italy, Malta, Poland), the Customs (Czech Republic, Finland), National Agencies for refugees (Bulgaria, Czech Republic, the Netherlands), Ministries of Foreign Affairs (Czech Republic, Finland, Poland), penitentiary authorities (Finland, Italy), Ministries of Labour and employment agencies (Czech Republic, Finland, Poland), hospitals and social services (Sweden), the Ombudsman for minorities (Finland) etc.

Table 3. Joint databases and information exchange mechanisms at the national level

<table>
<thead>
<tr>
<th>Country</th>
<th>Topic</th>
<th>Mechanism</th>
<th>Participating institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Migration management</td>
<td>National Civil Registry: central database that is consulted by all services dealing with migration.</td>
<td>All services dealing with migration</td>
</tr>
<tr>
<td></td>
<td>Human trafficking and smuggling</td>
<td>Interdepartmental Coordination Unit for the Fight against Trafficking and Smuggling in human beings</td>
<td>Immigration Office, Police</td>
</tr>
</tbody>
</table>

\textsuperscript{17} This section has been answered by Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, FYROM, Iceland, Italy, Ireland, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the UK.
<table>
<thead>
<tr>
<th>Country</th>
<th>Topic</th>
<th>Mechanism</th>
<th>Participating institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Irregular migration</td>
<td><strong>Round table on illegal migration</strong>&lt;br&gt;to detect new modi operandi on illegal immigration and fraud mechanisms.</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Asylum seekers</td>
<td><strong>Joint databases</strong></td>
<td>Ministry of Interior and the State Agency for the Refugees</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Migration management,</td>
<td>The <strong>database with information on asylum seekers</strong>, refugees, and the asylum procedure (run by the Department for Asylum and Migration Policy of the Ministry of the Interior) and the <strong>Alien Information System (CIS)</strong> with information on legal and irregular migration (run by the Directorate of Alien Police) are interconnected.</td>
<td>Department for Asylum and Migration Policy of the Ministry of the Interior, Police (Directorate of Alien Police), Ministry of Foreign Affairs, Ministry of Labour and Social Affairs, Ministry of Industry and Trade, Ministry of Justice and the General Directorate of Customs</td>
</tr>
<tr>
<td></td>
<td>irregular migration, asylum seekers</td>
<td><strong>Analytic Centre for Border Protection and Migration</strong>: an inter-agency centre concentrating on information exchange and analysis in the fields of migration, visa and asylum.</td>
<td></td>
</tr>
<tr>
<td>Finland</td>
<td>Migration management,</td>
<td><strong>Register of Aliens</strong>: information concerning all migrants, maintained and used for the processing, decision-making and control of matters relating to entry in and exit from the country, residence and work, citizenship status, as well as for ensuring the state security and for carrying out security investigations.</td>
<td>Finnish Immigration Service, Ministry for Foreign Affairs, Police, Border Guard, Customs, Ministry of Labour, Centre for Employment and Economic Development, Employment Offices, Prison Administration Authority and the Ombudsman for Minorities.</td>
</tr>
<tr>
<td></td>
<td>irregular migration</td>
<td><strong>Electronic case management system (UMA)</strong>: a system where all relevant authorities can process aliens’ matters in one shared network.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Shared online extranet solution process guide</strong> for immigration issues, which gathers all instructions and guidelines for public officials in a single location accessible with a username and password 24h/day.</td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td>Topic</td>
<td>Mechanism</td>
<td>Participating institutions</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>France</td>
<td>Human smuggling</td>
<td><strong>Working group</strong> in the Ministry of the Interior to facilitate the exchange of information; the topics addressed vary from policy making to actual cases.</td>
<td>Ministry of Interior, Police, Migration Department, Immigration Service, Ministry of Foreign Affairs, National Bureau of Investigation, Border Guard, Customs</td>
</tr>
<tr>
<td>France</td>
<td>Migration management</td>
<td>Several <strong>databases</strong> concerning foreigners, e.g. with the data of foreigners living in France or who have applied for staying in the country.</td>
<td>Border Guards, Immigration Services, etc.</td>
</tr>
<tr>
<td>FYROM</td>
<td>Irregular migration</td>
<td>Specific <strong>databases</strong> managed by the border guard service devoted to improving the control of illegal migrants who were refused to enter the territory or should leave the country.</td>
<td></td>
</tr>
<tr>
<td>Iceland</td>
<td>Migration management</td>
<td><strong>Joint database</strong> where illegal crossings and prevented attempts for illegal crossing are registered, along with data on approved temporary and permanent residence, IDs for aliens, measures taken against foreign citizens and invalid travel documents.</td>
<td>Icelandic Directorate of Immigration, National Police Commissioner and local police authorities</td>
</tr>
<tr>
<td>Italy</td>
<td>Public security</td>
<td><strong>Investigation System database (SDI)</strong>: information and data concerning public security and crime prevention and suppression, which is used for operational and administrative requirements in the fight against crime.</td>
<td>National Police, Carabinieri, Guardia di Finanza, Corps of Foresters and Penitentiary Police, Judicial Authorities</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Human trafficking</td>
<td><strong>Central information system</strong> on trafficking in human beings</td>
<td>Law enforcement and immigration authorities</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Irregular migration</td>
<td><strong>National Register of Aliens</strong>: contains information on invitations to arrive to Lithuania, residence permits, asylum and citizenship procedures, illegal stay in the country and aliens with entry bans.</td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td>Topic</td>
<td>Mechanism</td>
<td>Participating institutions</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>Malta</td>
<td>Irregular migration</td>
<td>Inter-Ministerial Committee on Illegal Immigration</td>
<td>Deputy Prime Minister and Minister for Justice and Home Affairs</td>
</tr>
<tr>
<td></td>
<td>Human trafficking and smuggling</td>
<td>Basic Investigation System (RBS): national database in which the signals of human trafficking and smuggling are compiled for the benefit of insight and analysis and possible new investigations.</td>
<td>Immigration and Naturalisation Service (IND), Royal Marechaussee (KMAR), Social Intelligence and Investigation Service and the National Police Services Agency - National Criminal Intelligence Service</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Migration management</td>
<td>Basic Aliens Facility (BVV): joint database in which all the data on a foreign national is compiled.</td>
<td>IND, KMAR, Central Agency for the Reception of Asylum Seekers (COA), Aliens Department etc.</td>
</tr>
<tr>
<td></td>
<td>Human trafficking and smuggling</td>
<td>‘Blue View’: search engine/database in which the enforcement systems of all 26 police regions are accessed simultaneously and where the information concerning police processes can be promptly collected.</td>
<td>Police network</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Basic Investigation Facility (BVO): start-up of a national Basic Investigation System in which investigation information from 26 police regions can be consulted.</td>
<td></td>
</tr>
<tr>
<td>Norway</td>
<td>Migration management</td>
<td>Joint databases</td>
<td>Police, Norwegian Directorate of Immigration and Foreign Service Missions</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>Human trafficking</td>
<td>Interministerial Committee for Combating Trafficking in Human Beings: issues opinions on the measures taken to combat and prevent human trafficking, cooperates with state bodies and NGOs, evaluates the National</td>
<td>Ministry of Labour and Social Policy, Ministry of Justice, Public Prosecutor’s Office, Ministry of Foreign Affairs, Ministry of Health, Ministry of</td>
</tr>
<tr>
<td>Country</td>
<td>Topic</td>
<td>Mechanism</td>
<td>Participating institutions</td>
</tr>
<tr>
<td>---------</td>
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<td>---------------------------</td>
</tr>
<tr>
<td>Portugal</td>
<td>Irregular migration</td>
<td>National Maritime Coordination Committee: coordinates different authorities responsible for information sharing and operational coordination on border control and surveillance, specifically related to illegal migration control.</td>
<td>Different authorities responsible for border control</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Public security, irregular migration</td>
<td>Joint database in the central computer of the Police with operational information records to which police officers are granted access on the basis of their tasks and positions. A special analyst for the field of illegal migration exists at the national level.</td>
<td>Different law enforcement agents (criminal analysts, police officers etc.)</td>
</tr>
<tr>
<td>Sweden</td>
<td>Migration management</td>
<td>Swedish Migration Board’s databases, to which the Immigration and Border Police have partial access Consultation services for the Police, hospitals and social services with qualified staff from the Swedish Migration Board (24h/day, at the Arlanda airport) on the status of foreigners with regards to their right to stay and work.</td>
<td>Immigration and Border Police, Migration Board, hospitals, social services</td>
</tr>
<tr>
<td>UK</td>
<td>Human trafficking</td>
<td>Operation ‘Pentameter 2’: database and business process to support the submission of intelligence on human trafficking. UK Human Trafficking Centre: central point for the strategic and operational co-ordination with respect to all forms of trafficking in human beings offering law enforcement with a 24/7 support line for tactical, immigration, victim and legal advice.</td>
<td>UK Border and Immigration Agency (BIA), Crown Prosecution Service, the police service, Serious Organised Crime Agency (SOCA) and Social Services</td>
</tr>
<tr>
<td></td>
<td>Irregular migration</td>
<td>E-Borders pilot project ‘Semaphore’ captures data on passengers travelling on high risk routes, which is used to develop risk profiles and to identify and track those suspected of a number of offences, including human trafficking.</td>
<td>BIA, National Police Forces</td>
</tr>
</tbody>
</table>
In addition to joint databases, the majority of the responding countries also mentioned the employment of various inter-agency consultation mechanisms in order to tackle issues related to the migration-crime nexus. For instance, in Malta, an Inter-Ministerial Committee on Illegal Immigration, chaired by the Deputy Prime Minister and Minister for Justice and Home Affairs, convenes on a regular basis, while in Iceland regular meetings are held with officials from the Directorate of Immigration, the National Police Commissioner and local police authorities. In Belgium, a monthly round table on illegal immigration is organised within the Immigration Office to detect new modi operandi on illegal immigration and fraud mechanisms. The results are communicated to all bureaus within the Immigration Office and to the relevant Police services. Ad-hoc multidisciplinary working-groups are established when necessary.

2.6.2. Joint databases, standing information and consultation mechanisms at international level

According to the answers in the questionnaires, the most widely used joint databases and information exchange mechanisms at international level are:

<table>
<thead>
<tr>
<th>Country</th>
<th>Topic</th>
<th>Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Migration management, public security</td>
<td>Police National Computer and the Warnings Index, UK Passport Agency Database</td>
</tr>
</tbody>
</table>
• For police/law enforcement cooperation: Interpol’s I-24/7 global police communications system, the Europol Information System and Analytical Work Files (AWFs), and the relevant mechanisms within Frontex;
• For the collection and sharing of strategic, tactical and topical information on illegal migration and migration flows at the international level: ICONet;
• With regard to visa matters: the Visa Information System (VIS) and the Schengen Information System (SIS);
• For the identification of asylum seekers and illegal migrants: EURODAC;
• Regarding the validity and authenticity of travel documents: the FADO (False and Authentic Documents Online) European database.

More information on these international joint databases, including details on the functioning of the exchange mechanisms and on the participating countries, is found in Table 4. Furthermore, some of the responding countries have mentioned in their questionnaires several additional consultation mechanisms at international level:

• Within the Council of the European Union, the CIREFI Working Group (Centre for the Analysis and Exchange of Information on Immigration) exchanges information on trends and developments in the field of immigration and the crossing of borders.
• The Dialogue on Mediterranean Transit Migration (MTM) involves numerous participants from Arab and European Partner States as well as various relevant observers (including all the responding GDISC countries with the exception of Croatia and FYROM). The dialogue is ‘intergovernmental, informal and state-driven’. The MTM meetings are organised by the International Centre for Migration Policy Development (ICMPD).
• The Budapest Process is a consultative forum of more than 50 governments (including all responding GDISC countries with the exception of Ireland) from the wider European region and 10 international organisations aiming at developing comprehensive and sustainable systems for orderly migration. It provides a mechanism for exchanging information and experiences related to regular and irregular migration, asylum, visa, border management, trafficking in human beings and smuggling of migrants, readmission, return etc.
• The Inter-Governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia (IGC) is an informal, non-decision making forum for intergovernmental information exchange and policy debate on issues of relevance to the management of international migratory flows. The IGC brings together 16 Participating States (among which Austria, Belgium, Denmark, Finland, Germany, Ireland, Italy, the Netherlands, Norway, Spain, Sweden, Switzerland and the UK), the UNHCR, the IOM and the European Commission. All topics relating to migration and crime are discussed within the ACE Working Group (Access, Control and Enforcement).
• The Southeast European Cooperative Initiative (SECI) is an operative collaboration between customs and police in 12 South Eastern countries. Of the GDISC responding countries Bulgaria, Croatia, Hungary, FYROM, Romania and Slovenia (along with Albania, Bosnia and Herzegovina, Greece, Moldova, Serbia and Turkey) are members of SECI.
• The General Directors’ Immigration Services Conference (GDISC), which initiates, co-ordinates and improves practical co-operation between Immigration
Services responsible for the implementation of migration and asylum issues in Europe.
<table>
<thead>
<tr>
<th>Topic</th>
<th>Mechanism/Organisation</th>
<th>What</th>
<th>Participating countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police/law enforcement cooperation</td>
<td>Interpol</td>
<td><strong>Interpol’s I-24/7 global police communications system</strong> connects law enforcement officials in all of its 186 member countries, thus providing them with the means to share crucial information on criminals and cross-border criminal activity 24h/day.</td>
<td>All GDISC responding countries</td>
</tr>
<tr>
<td></td>
<td>Frontex</td>
<td>Management of <strong>operational cooperation</strong> at the external borders of the EU Member States</td>
<td>EU Member States, Iceland, Norway and soon Croatia</td>
</tr>
<tr>
<td></td>
<td>Europol</td>
<td>Europol’s <strong>Information System</strong> allows EU Member States to cross-check current intelligence with other law enforcement activities and interests. Moreover, within the <strong>Analytical Work Files</strong> (AWFs) system the Member States contribute intelligence to Europol who analyse the whole and provide added value in terms of intelligence products or operational opportunities. Currently, AWF ‘Checkpoint’ deals with organized people smuggling and AWF ‘Phoenix’ deals with human trafficking for both labour and sexual exploitation.</td>
<td>EU Member States, Croatia, FYROM, Iceland and Norway</td>
</tr>
<tr>
<td>Migration flows/Illegal migration</td>
<td>ICONet</td>
<td>Secure <strong>web-based information and coordination network</strong> run by the European Commission directed towards the management of migration flows. It enables the collection and sharing of strategic, tactical and topical information on illegal migration and migration flows at the international level (e.g. modus operandi, joint charter flights, return mechanisms and removals etc.).</td>
<td>EU Member States</td>
</tr>
<tr>
<td>Visa matters</td>
<td>VIS and SIS</td>
<td>The <strong>SIS</strong> allows police forces and consular agents from the Schengen countries to access data on specific individuals (i.e. criminals wanted for arrest or extradition, missing persons, third-country nationals to be refused entry etc.) and on goods which have been lost or stolen. This data is supplied by the Member States via national sections (N-SIS) that are connected to a central technical function (C-SIS).</td>
<td>EU Member States, Iceland and Norway</td>
</tr>
<tr>
<td>Identification matters</td>
<td>EURODAC</td>
<td>An <strong>electronic system</strong> used for the identification of asylum seekers and illegal migrants.</td>
<td>EU Member States, Iceland and Norway</td>
</tr>
<tr>
<td>Validity of travel documents</td>
<td>FADO</td>
<td><strong>European database</strong> which contains information on the technical security features of original documents and information on new trends in misuse of travel documents.</td>
<td>EU Member States</td>
</tr>
</tbody>
</table>

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18 The Schengen Information System (SIS) is supplemented by a network known as SIRENE (Supplementary Information Request at the National Entry) Phase II, which allows communication between the SIRENE offices in every Schengen State. The SIRENE offices are the intermediaries between the national authorities responsible for the data on the SIS (i.e. judges, police, alien offices). The SIRENE Phase II network is being replaced by the SISNET network. SISNET will be used to communicate between C-SIS and N-SIS. Since August 2001, it is also used for communication between SIRENE and Vision.
2.6.3. Conclusions

- All the responding GDISC countries employ several mechanisms for information gathering and exchange in parallel, both at the national and at the international/European levels.

- At the national level, the majority of the responding GDISC countries build and use on a regular basis databases and other mechanisms to exchange information pertaining to the migration-security nexus, particularly intelligence on human trafficking and/or smuggling.

- The most widely used joint databases and information exchange mechanisms at international level are: for law enforcement cooperation Interpol, Europol and Frontex; for strategic, tactical and topical information on illegal migration and migration flows ICONet; for visa matters C-VIS and SIS; for the identification of asylum seekers EURODAC.

- Additional consultation mechanisms at international level mentioned in the questionnaires are the CIREFI Working Group, the IGC, the Dialogue on Mediterranean Transit Migration, the Budapest Process, the SECI and the GDISC.
3. Agencies, roles and responsibilities in the context of ‘migration and crime’

3.1. Responsibilities

The set of questions in section 3 of the questionnaire referred to the agencies and actors in participating GDISC countries holding responsibilities in the context of ‘migration and crime’. More specifically, the questions of this section asked for the role and responsibilities of the police (national, local and aliens police), the border guards, the customs, the intelligence services as well as role and responsibilities of other actors. The following analysis of the provided answers to this set of questions is based on the responses put forward by Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Norway, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom.

The subject of main responsibilities in the context of ‘migration and crime’ in participating GDISC countries very much depends on the principle institutional set-up in the area of migration management as such. Not every GDISC country maintains a specific border guard authority or organization, but tasks police or immigration services with border control responsibilities. Consequently, a distinct division of tasks in the field of ‘migration, crime and security’ between police and immigration services on the one hand and border guards on the other can be identified only for those countries where specific border guard organizations have been established. From the answers provided by participating GDISC countries the general observation can be made that responsibilities in the context of ‘migration, crime and security’ mainly lie with the police or immigration services and – less prominently – with the border guards. Customs and intelligence services do assume responsibilities too, but their roles are assessed as being of less importance in comparison to the afore-mentioned.

A second observation refers to a distinct trend in responding GDISC countries towards the establishment of specific units within the respective institutional frameworks, which have the role to assume specific tasks in the migration and crime context or to coordinate the activities of all entities holding responsibilities in the area. This development refers especially to activities the fight against trafficking in human beings, where many responding countries operate centralised units, not only carrying out targeted operations but also coordinating and assisting all other authorities in their work in the area. Closely linked to the issue of institutional arrangements is a third observation, referring to the topical areas, which fall under the responsibility of the principle institutional set-ups or the specific units in dealing with migration and crime issues. Measures in the fight against ‘trafficking in human beings’ have been named most frequently as the main task of the respective institutional arrangements, followed by the fight against “transnational” or “international Organised Crime”, and the tackling of “illegal migration” and professional “human smuggling networks”.

19 This was stated by Belgium, Czech Republic, Hungary, Iceland, Malta, Norway, Slovenia, Spain and Sweden
3.1.1. Police and immigration services

In the following, a number of examples for the afore-mentioned institutional arrangements, division of tasks and topical areas covered by them shall be outlined in more detail. In Belgium, a comprehensive administrative structure has been built up in the area of trafficking in human beings and human smuggling. As part of the Federal Criminal Investigation Department, the Central Service “Trafficking in Human Beings” develops strategies to counter the activities of organized groups of traffickers and human smugglers. It provides advice and information both to (political) decision-makers as well as to individual police officers concerned with trafficking or smuggling cases, for the Federal Public Prosecution Authorities, Interpol, Europol, but also for the foreign special police services in need for assistance in carrying out their investigations or inquiries in Belgium. On basis of multidisciplinary and multi-agency approach, the Immigration Office, a Directorate-General of the FPS Home Affairs, provides its assistance to all authorities actively engaging in the fight against trafficking in human beings. Within the framework of the Immigration Office, three departments work directly on the issue of trafficking: the department “Unaccompanied minors and victims of trafficking in human beings”, the Investigation Department and the Legal Department. Their tasks comprise inter alia the investigation and follow up of administrative records of victims of trafficking and smuggling, advice and support for victims of trafficking and smuggling, as well as the centralized collection of all internal data related to illegal immigration, trafficking and smuggling in human beings. Similar to the Belgian approach, Bulgaria has established a specific unit within the framework of the National Police Service, specialized on migration-related crime. The General Directorate Fight Against Organized Crime (GDFOC) carries out operative investigations, gathers information and provides situation analyses in order to prevent, intercept, clear and investigate organized crime and to uncover local and transnational criminal structures. A specialized unit for fight against trafficking of human beings is included in the structure of GDFOC. A comparable institutional set-up was reported by Croatia, where the Illegal Migration Department operates in the framework of the State Border Directorate, the body holding responsibility for all border control tasks. In Slovakia, the Department on Trafficking in Human Beings of the Bureau of Combating Organised Crime is in charge of the fight against migration-related crime. Its tasks comprise the carrying out of investigative operations; the development of anti-trafficking strategies; advice for other law enforcement units; data-gathering, analysis and provision; national and international inter-agency cooperation; and cooperation with relevant non-state actors.

In the Czech Republic, a specialized body called Unit for Combating Organized Crime operates under the umbrella of the Office of the Criminal Police and Investigation Service fulfils duties in the field of illegal migration, especially in the field of fight against trafficking in human beings. This unit concentrates also on detecting cases of forced labour and labour exploitation. In Finland, the National Bureau of Investigation has a leading role in coordinating all actions against trafficking in human beings and human smuggling. In Latvia, the Bureau for Fight Against Trafficking in Human Beings has been established in the framework of the State Police already in 2003. Moreover, a specially trained police officer is
posted in each regional police department to pass own specific know-how on anti-
trafficking measures to other staff. **Lithuania** operates a special Unit on
trafficking in human beings as well, carrying out investigations on crime in the
context of trafficking and serving as main data-gathering and information-
providing body on the matter.

In their response, **Italian** authorities emphasised that it is the task and objective
of all national police forces to combat illegal migration flows, with the Carabinieri
and the Guardia di Finanza as coordinating body holding main responsibilities. In
the fight against trafficking in human beings, the Central Operations Service
within the National Police Central Anticrime Directorate serves as the main
structure for coordinating, liaising, analysing and directing all police activities on
the subject. Moreover, the Central Operations Service coordinates all activities of
the authorities at district level in the areas of trafficking, human smuggling and
transnational Organised Crime. Foreign Crime Sections support and assist the
district authorities in their inquiries at regional level. **Slovenia** does not have an
independent border police; within police structures the Border Police Section is
responsible for all tasks concerning border affairs and aliens. Within the Border
Police Section, two units deal with issues particularly linked to ‘migration and
crime’. The Specialized Unit for State Border Control performs targeted controls
and operations targeted at the prevention, detection and investigation of trans-
border crime, illegal migration operations and the use of forged or stolen
documents. The Illegal Migrations and Aliens Division coordinates all police action
concerning aliens in general and illegal migrants in particular.

Particularly interesting about the approach pursued by **UK** authorities in the area
of “migration, crime and security” is the strong focus on international activities
and cooperation with authorities of main source and transit countries of migration
flows, which impact on security in the United Kingdom. In the UK, the police hold
responsibility in tackling organized immigration crime in cooperation with the
Border and Immigration Agency (BIA) and the Serious Organised Crime Agency
(SOCA). They also co-operate closely with BIA on detected immigration offences.
As part of the UK Serious Organised Crime Control Strategy SOCA co-ordinates
multi-agency programmes targeted at organized immigration crime. As regards
international cooperation, SOCA manages a global network of approximately 140
liaison officers based in some 40 countries, who work against all SOCA priorities
including organized immigration crime. Furthermore, SOCA implements a specific
programme with the aim to gain in-depth knowledge on organized immigration
crime in key source and transit countries and to develop bilateral and multilateral
counter strategies and plans at operational level with agencies in source and
transit countries and together with EU partners.

Other responding GDISC countries, namely **Austria, Estonia, France, Hungary,
Iceland, Ireland, Malta, Norway, Portugal, Romania, Sweden** and **Spain**, described the responsibilities in the area of migration and crime as part of regular
police, aliens police and/or border guard tasks within the corresponding regular
institutional frameworks. As regards the main focus of related activities, the
answers provided by the afore-mentioned countries also referred mainly to the
fight against trafficking in human beings, the prevention of illegal migration and
the combat against transnational Organised Crime.
3.1.2. Border guards, customs and intelligence services

By fulfilling their task of border checks and control, border guards automatically assume a crucial role in one of the afore-mentioned aspects of ‘migration, crime and security’, namely the fight against illegal migration and human smuggling. As stated by several responding GDISC countries, border guards function as key actors in the detection of the use of forged or counterfeit documents as well. Based on their central task in controlling migration flows, border guards are embedded in existing inter-agency structures and forms of cooperation in the fight against migratory phenomena in the context of ‘migration, crime and security’. In answering to the questions of this section of the survey, several GDISC countries have emphasised the proven utility and very effective cooperation between all the agencies holding responsibilities in the area. This assessment also refers to the involvement of customs and intelligence services. Customs play an important role in the prevention or detection of human smuggling operations and the fight against “white-collar-crimes” in the context of transnational Organised Crime. Generalising it can be stated that intelligence services will be involved when cases that are linked to migration and crime issues also impact on national security as such. This refers to the fight against international terrorism, the prevention of politically motivated violence, the fight against corruption, the fight against transnational Organised Crime, the detection of crimes against humanity and other serious crimes. Another important function of intelligence services is the collection, analysis and provision of (classified) data and information in the migration, crime and security context. This role refers regularly to data and information on trafficking in human beings, illegal migration, COI as well as threat and risk analyses. As outlined in previous sections, other governmental agencies and organisations play an important role in combating migration-related crime as well. Austria, for instance, referred to the involvement of labour inspectorates in the fight against illegal foreign employment and THB.

3.2. Conclusions

- The subject of main responsibilities in the context of ‘migration and crime’ in participating GDISC countries very much depends on the principle institutional set-up in the area of migration management as such.
- Responsibilities in the context of ‘migration, crime and security’ mainly lie with the police or immigration services and the border guards. Customs and intelligence services do assume responsibilities too but their overall role is less significant.
- There is a notable trend in responding GDISC countries towards the establishment of specific units within the respective institutional frameworks, assuming specific tasks in the migration and crime context or coordinating the activities of all entities holding responsibilities in the area.
- Measures in the fight against ‘trafficking in human beings’ have been named most frequently as the main task of the respective institutional arrangements, followed by the fight against “transnational” or “International Organised Crime”, and the tackling of “illegal migration” and professional “human smuggling networks”.
4. Special arrangements and good practices of inter-agency cooperation

4.1. Special arrangements for inter-agency cooperation in place for dealing with the crime aspects involved in migration

Closely connected to previous section 3, the set of questions in section 4 of the questionnaire referred to actually existing arrangements and good practices for inter-agency cooperation in participating countries GDISC in the area of ‘migration, crime and security’, both at national and international level. In addition, the questions of this section asked participating states for their assessments on why specific types of inter-agency cooperation have proven to be successful, where the main problems emerge in cooperation and how these problems could be addressed. The following analysis of the provided answers to this set of questions is based on the responses put forward by Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Italy Latvia, Lithuania, Malta, the Netherlands, Poland, Norway, Romania, Slovakia, Slovenia, Spain Sweden, and the United Kingdom.

Out of the broad number of individual examples provided by responding GDISC countries the following characteristics for existing inter-agency cooperation in the area of ‘migration, crime and security’ can be drawn:

1. Inter-agency cooperation refers to both institutional as well as procedural arrangements.
2. The main objectives of inter-agency cooperation are to coordinate activities of several agencies, to ensure information exchange between them, and to organize and carry out joint operations.
3. Inter-agency cooperation regularly involves international organizations and non-state actors as well (especially in the field of trafficking in human beings).
4. As topical areas for inter-agency cooperation in the context of ‘migration and crime’ the following have been named inter alia: trafficking in human beings, illegal immigration, international terrorism, joint border controls, as well as visa and consular cooperation.

All of the responding GDISC countries have put in place standing institutional arrangements of inter-agency cooperation in the field of ‘migration, crime and security’. Many of these arrangements are based on formal cooperation agreements between participating agencies. Such agreements have been established at inter-agency or inter-ministerial level.

An example for an agreement at inter-agency level is the Partnership Agreement between the Border and Immigration Agency (BIA) and the Serious Organised Crime Agency (SOCA) in the United Kingdom. BIA’s Intelligence Directorate works closely with SOCA Liaison Officers to develop intelligence referrals, a high number of which are passed through them to overseas law enforcement for further development and operational activity. The Intelligence Directorate also engages strongly with other SOCA departments, including their Europol and
Interpol bureaux. **Austria** has established a central police unit responsible for the fight against THB. In **Slovenia**, police and Customs have established a special agreement for inter-agency cooperation in detecting and investigating criminal acts. The **Netherlands** highlighted the exchange of relevant information on ‘migration, crime and security’ as the main objective of the standing cooperation between agencies at the national and international level. This task is assumed by the EPICC (Euregional Police Information Cooperation Centre), the (L)IRC (“National” International Legal Aid Centre) and DINPOL (International Police Networks Service). The international exchange of information is carried out in the frameworks of Schengen/ SIRENE, EUROPOL, INTERPOL, Dutch liaisons abroad and Foreign Liaisons in the Netherlands. With respect to the combating of terrorism, the IND takes part in the collaboration of the Counter Terrorism Information Point. This is a special collaboration between a number of organisations, aimed at making a contribution to the combating of terrorism and radicalism. The Counter Terrorism Information Point does this by means of collating and comparing information from the participating agencies on networks and persons involved in terrorism and radicalism.

Examples for standing institutional cooperation arrangements at ministerial level were provided by **France** (inter-ministerial committee for the control of the immigration, developing governmental objectives for migration control) and **FYROM** (cooperation agreements with Ministry of Finance and Ministry for Foreign Affairs). In **Finland**, crime related issues are being addressed at ministerial level in the framework of a working group called “illegal immigration group” comprised of representatives from the border guards, different police departments, customs, the Finnish Immigration Service and the Ministry of Foreign Affairs. Examples for standing cooperation with international organizations and/or non-state actors were given by **Bulgaria** and **Croatia**. These forms of cooperation involve inter alia ICMPD, IOM, the Red Cross as well as national and international NGO’s.

**Italy** and the **United Kingdom** have established distinct institutional bodies dealing with issues related to ‘migration, crime and security’, more specifically with trafficking in human beings. Upon ministerial decree, Italy has set up the Monitoring Centre on Prostitution and Related Offences, which is entrusted with research and information gathering on the subject as well with developing assistance and protection measures for victims of trafficking. The UK Human Trafficking Centre is a police led multi-agency centre that acts as a centre of excellence to provide advice to all frontline agencies. They have played an important role in the current national multi-agency operation, Pentameter 2.

Examples for procedural arrangements in inter-agency cooperation were given by the **Czech Republic**, **Estonia** and **Slovakia**. In the Czech Republic, targeted preventive actions and controls are conducted regularly in cooperation between specific police units (especially the Alien Police), The General Directorate of Customs, local Trade Offices, local Employment Offices, and other relevant agencies. In Estonia the Police Board, the Citizenship and Migration Board, the Board of Border Guard regularly carry out joint operations. Slovakia emphasized the significance of the managed coordination of joint operations with FRONTEX.
4.2. Good Practices of inter-agency cooperation

4.2.1. At national level

From the responses to this question, the conclusion can be drawn that the “best” of all Good Practices in the area of ‘migration, crime and security’ is the establishment and maintenance of well-functioning inter-agency cooperation itself. Most of the responding GDISC countries characterised the fight against migration-related crime as a crosscutting task, which requires corresponding cross-cooperation between all actors involved. Only joint efforts and common use of information and know-how at the disposal of the respective competent authorities are being assessed as a key pre-requisite for successfully tackling criminal activities linked to migration.

Consequently, the examples for Good Practices as provided by responding GDISC countries mainly refer to practically tested, well-functioning and standing institutional and procedural arrangements for inter-agency cooperation. France referred to the creation of the immigration ministry as a Good Practice for the consolidation of responsibilities in the migration field in one competent body. Slovenia named the establishment of an inter-agency working group on combating trafficking in persons and the appointment of a national coordinator on the matter as a well-functioning measure. Spain identified permanent and periodic meetings among ministerial representatives for joint situation assessment and joint development of solutions for specific problems as a Good Practice. Bulgaria emphasised the appropriateness of multidisciplinary approaches and intensive inter-agency cooperation. Lithuania referred to the permanent exchange of information and the organization of joint investigations and prevention measures. Belgium stressed the importance of cooperation at two levels. At policy level frequent meetings, based on a clear mandate and involving all different services and institutions concerned with matters of “migration, crime and security’ have proven to be very efficient. This is accompanied by an increased practice at operational level to apply inter-agency approaches when carrying out bigger operations in the field. Estonia and Malta named joint trainings and exercises involving staff from different agencies having responsibilities in the field as very useful practices.

A concrete example for a Good Practice in the field was provided by the Czech Republic, namely the establishment of the Analytic Centre for Border Protection and Migration. The centre provides the framework for expert consultations on a regular basis, the centre’s analysts produce studies and targeted analyses on relevant issues and make them available for colleagues working in the field. In the United Kingdom, the establishment of the UK Human Trafficking Centre in October 2006 has been central to a strategy of partnership working and multi-agency collaboration and cooperation. The United Kingdom also reported, how the intelligence packages adopted by the BIA’s Intelligence Directorate in cooperation with Maxim (the Metropolitan Police’s organized immigration crime unit) and SOCA have led to the disruption and dismantling of organized crime groups both in the UK and abroad. With the Centre of Expertise on Human Trafficking and Human Smuggling (EMM), the Netherlands have established a centralized
contact point for a number of agencies handling specific and complex information requests for partners involved in the investigation of trafficking in human beings and human smuggling.

4.2.2. At international level

Standing and functioning international cooperation is assessed as being equally important as the cooperation at national level. All responding GDISC countries consider themselves well integrated in international frameworks and assess the work within these frameworks as very fruitful and well-functioning. Amongst others cooperation in the framework of Europol, Interpol, Frontex, Eurojust and CIREFI have been named most frequently. However, international cooperation in frameworks by other international actors, such as IGC, ICMPD, IOM, ILO-network and UNHCR have been mentioned as important platforms for international inter-agency cooperation as well.

Several countries have pointed out the positive impact of targeted international cooperation projects. To give only a few examples for such projects and initiatives, the United Kingdom and Italy referred to the initiative “Operation Pentameter” in the area of anti-trafficking in cooperation with Poland, Italy, the Netherlands and Ireland and the support of Europol, Interpol and Eurojust, with the aim to intensify practical cooperation between participating states in the area. Hungary named the international cooperation of the Analytical Work Files Group reporting on illegal immigration (“Checkpoint”) in the framework of Europol as an important initiative, Lithuania the work of “MOLUK” focusing on the fight against networks of trafficking in human beings and operating in the same context.

4.3. Reasons for the success of Good Practices

According to the answer provided by responding GDISC countries, the success of initiatives in national or international inter-agency cooperation in the context of ‘migration, crime and security’ depends on a number of factors. These initiatives will generate more success when they emphasise thorough planning and preparation, target at cooperation at executive or operational level, and pursue a multi-agency approach. Several countries, namely Bulgaria, Estonia, Finland, Iceland and Malta have stressed the establishment of personal contacts, loyalty and mutual trust both as a direct outcome of cooperation as well as the pre-condition for its functioning. Inter-agency cooperation makes the coordination of the activities of all relevant actors in a specific crime-related context a lot easier and more efficient. The Netherlands pointed out the importance of centralized information and intelligence gathering and provision. In their responses, Latvia and Sweden link the success of inter-agency cooperation on migration-related crime to the nature of the phenomenon it is dealing with. Since migration has to be perceived as a crosscutting and cross-national phenomenon, migration-related crime unfolds in an increasingly cross-national manner as well. Therefore close and extensive cooperation among all relevant competent authorities both on national and international stage is deemed a necessity in order to timely respond to criminal activities linked to
migration processes. Hence, the objective necessity to cooperate and the acknowledgement of the involved actors of this necessity are seen as pre-conditions and primary reasons for the success of cooperative initiatives. Belgium described the reasons for the success of inter-agency cooperation as follows: it opens one’s eyes for the specific situation in which other relevant actors have to operate (legal framework / operational framework); it creates the willingness between different actors to communicate and to co-operate; it facilitates the solving of problems by fact-based and realistic approaches; it can speed up administrative processes of a file (since processes are started on the same time); and it facilitates a joint understanding of a phenomenon even when data and information-bases are not interlinked yet.

4.4. Specific problems in relation to inter-agency cooperation on a national or international level involving the exchange of information in relation to addressing migration and crime

Croatia, Estonia, Finland, FYROM, Iceland and Malta described the functioning of inter-agency cooperation as generally satisfactory and have not identified any specific problems in this respect. Other countries, however, have listed a couple of issues that might pose problems for cooperative approaches. One set of problems relates to data security and protection issues. Sweden stated that the national secrecy laws sometimes hinder an open exchange of and discussion on principally available information. Norway refers to the same problem, i.e. existing legal restrictions on the exchange of personal information between the agencies limit the possibilities for comprehensive situation assessments or investigations of individual cases. Lacking comparability of data and lacking compatibility of existing databases pose another main problem. The Czech Republic stated that in some cases it is difficult to ensure comparability of data, since the various agencies might apply different definitions and data-gathering methodologies. Processing times for information requests by partner organisations pose another problem both at national as well as at international level.

4.5. Useful assistance in addressing encountered problems

In this section of the survey, responding countries provided concrete recommendations for addressing encountered problems as outlined above. Concrete recommendations provided the following:

- Increased sharing of data and intelligence between all law enforcement agencies holding responsibilities in the context of ‘migration, crime and security’.
- Increased staff exchange and secondments between law enforcement agencies to improve mutual understanding and the exchange of know-how, intelligence and Good Practices.
- Improvement of compatibility of databases and technical information management systems at national and international level.
- Harmonisation of the definitions and methodologies in data- and information gathering
• Establishment of centralised contact points at national level processing information requests in the context of the fight against trafficking in human beings and human smuggling.
• Creation of legal frameworks, which allow for an enhanced exchange of personal data for the purpose of joint analysis between agencies.
• Creation of legal frameworks, which define clear obligations for data and information exchange between agencies.
• Harmonisation of legal frameworks in the context of migration-related crime at European level.

4.6. Conclusions

• Inter-agency cooperation refers to both institutional as well as procedural arrangements.
• The main objectives of inter-agency cooperation are to coordinate activities of several agencies, to ensure information exchange between them, and to organise and carry out joint operations.
• Inter-agency cooperation regularly involves international organizations and non-state actors as well (especially in the field of trafficking in human beings).
• Trafficking in human beings, illegal immigration, international terrorism, joint border controls, as well as visa and consular cooperation have been named most frequently as areas for inter-agency cooperation in the context of ‘migration and crime’.
• The fight against migration-related crime constitutes a crosscutting task, which requires cross-cooperation between all actors involved.
• Joint efforts and common use of information and know-how form a key pre-requisite for successfully tackling criminal activities linked to migration.
• The success of initiatives in national or international inter-agency cooperation depends on thorough planning and preparation, cooperation at executive or operational level, the application of a multi-agency approach and the establishment of personal contacts and mutual trust.
• Initiatives aiming at increased data comparability, database compatibility, clearly defined legal mandates and regulatory frameworks on cooperation and information exchange and the speeding up of information exchange processes are best suited to improve inter-agency cooperation at national and international level.
5. Specific procedures, practices or arrangements in place for dealing with victims of trafficking in human beings

5.1. Immigration procedures for the National Referral Mechanism

The standards for the immigration procedures for victims of trafficking in human beings are set in all the countries that responded this question (Austria, Belgium, Bulgaria, Czech Republic, Estonia, Finland, Hungary, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia and the UK) by the Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities. Thus, a reflection and recovery period of one to six months is implemented in all the responding countries, and a temporary residence permit for a period of 6 months to one year (renewable) is granted if a series of conditions are respected:

- The legal procedure is still pending;
- The person concerned is cooperating to the legal procedure;
- The person concerned has broken off all contacts with the suspected offenders; and
- The person concerned cannot be considered as a potential threat to public order or to national security.

During the reflection and recovery period, the means of subsistence, shelter, medical and psychological care, legal aid and translation services are covered. The ensuing residence permits for the ‘cooperating victims’ entitle them to access the labour market and to receive social benefits. On the other hand, ‘non-cooperating victims’ are offered the possibility to participate in voluntary return programmes to their countries of origin. Several countries (Finland and the Netherlands) specifically mention the possibility of granting permanent residence permits in special circumstances, namely for humanitarian grounds (high risk of reprisal against the victim and/or his/her family, the level of protection received in the country of origin, the possibilities of social reintegration in the country of origin etc.). Belgium applies these procedures not only for the victims of trafficking in persons, but also to victims of certain kinds of human smuggling (e.g. if the crime was committed against an unaccompanied minor, if the crime was committed by taking advantage of the very fragile situation of the victim etc.).

5.2. Law enforcement procedures for the National Referral Mechanism

Most frequently, the measures mentioned in this section refer to various training programmes for the law enforcement officers on:

- Basic law enforcement mechanisms against trafficking in human beings;
- Victim identification;
- Protection of victims and witnesses; and
- Rules of procedure on the detection and investigation of the suspected cases of human trafficking; etc.
The majority of the responding countries (Austria, Croatia, Estonia, Hungary, Italy, Latvia, Lithuania, Poland, Slovenia, Spain and the UK) develop victims’ support or witnesses’ protection programmes in collaboration with NGOs that deal with victims of trafficking. The answers also indicate the focus placed on international cooperation, both on the basis of bilateral or multilateral agreements and with international organisations active in the field of anti-trafficking, such as the IOM. For example, on 17 May 2000, a mutual victim and witness protection contract was signed between Estonia, Latvia and Lithuania.

Several countries (Finland, Hungary and the UK) specifically point out the importance of effective identification processes for victims of trafficking. The UK is currently testing a multi-agency, police-led and nationwide pilot operation to identify victims of sexual exploitation and from May it will also be running a pilot to identify victims of labour trafficking. Under these operations, if the police initially identify someone who is a potential victim of trafficking, they refer details and evidence collated on the potential victim either to the Border and Immigration Agency (BIA) or the UK Human Trafficking Centre (UKHTC) who then make a decision on whether we accept that the individual concerned is a victim of trafficking.

In addition to these general trends, several examples of law enforcement procedures from individual countries can be highlighted. In Norway, the Oslo police department has initiated a pilot project, the “STOPP-project”, aimed specifically at investigating and prosecuting trafficking offences. In France, a special investigation office under the authority of the director of the judiciary police and with nation-wide competence is responsible for the fight against the human trafficking crime.

### Good practice

In Estonia, the Witness Protection Act introduced several more efficient measures for witness protection:

- Physical protection of the person in question and his/her property;
- Provision of self-defence equipment for the protected person;
- Provision of new telecommunications or telecommunication numbers for the protected person;
- Provision of new registration marks for the means of transportation of the protected person;
- Provision of new place of residence, workplace or place of studies for the protected person;
- Secret relocation of the protected person to a safe area or locality;
- Creation of new identity for the protected person; and
- Changing the appearance of the protected person through plastic surgery.

### 5.3. Special arrangements for minors

Several countries (Austria, Belgium, Bulgaria, Croatia, Estonia, Finland, Iceland, Latvia, the Netherlands, Norway, Poland, Portugal, Romania, Sweden and the UK) have mentioned in their questionnaires that they implement supplementary measures regarding minors, which might include for instance training the staff at the borders and Immigration Officers. Such measures are aimed at ensuring that law enforcement officers and immigration
staff are able to detect indicators that children may have been trafficked and in the same time that they are responsive to the needs of all children and keep them safe from harm. Various public services (e.g. law enforcement, immigration services, state child protection and social aid agencies etc.) and NGOs cooperate to deliver special measures for minors. A number of countries (Belgium, the Netherlands and the UK) mentioned that they include protective and support measures for those who are potential or identified victims of trafficking in the strategies that they implement for delivering support to unaccompanied asylum seeking children.

### Good practice

In the UK, a Child Trafficking Advice and Information Line (CTAIL) for practitioners who suspect a child to have been trafficked was launched in October 2007, representing a collaboration project between the Government and an NGO. The service is also testing an e-learning package which is tailored to train practitioners to improve their skills in identifying and taking appropriate action to safeguard trafficked children. Additionally, the Government also published a multi agency guidance on child trafficking, *Working Together to Safeguard Children Who May Have Been Trafficked*, which alerts practitioners to the risk indicators of trafficking and actively guides them to taking appropriate safeguarding action.

### 5.4. Conclusions

- The standards for the immigration procedures for the victims of trafficking in human beings are set in the responding countries by the Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

- All identified victims are entitled to a reflection and recovery period (one to six months), after which ‘cooperating victims’ receive a temporary residence permit subject to certain conditions, while ‘non-cooperating victims’ are offered the possibility to take part in voluntary return programmes to their countries of origin.

- Given the importance of effective identification processes for victims of trafficking, several countries are currently working on developing multi agency, nationwide operations to identify victims of human trafficking.

- The specific procedures, practices or arrangements in place for dealing with victims of trafficking in human beings are developed in cooperation with NGOs, international organisations (e.g. the IOM), and with other countries on the basis of bilateral or multilateral agreements.

- Most of the responding countries implement additional measures regarding minors, which are aimed at ensuring that law enforcement officers and immigration staff are able to detect whether children may have been trafficked and in the same time that they are responsive to the needs of all children and keep them safe from harm.
6. Outlook

After having drawn an inventory and comparative analysis of the existing policy frameworks and procedures of the GDISC Member States targeting the nexus of migration and crime, the last chapter of this report explores the perceptions, aims and expectations of the respondents, i.e. the National Immigration Services. The main points under review are the planned changes and main challenges with regard to the area of migration and crime, as well as the potential contribution of the GDISC Network to promote practical cooperation between Immigration Services so as to better address the migration-crime nexus.

6.1. Changes planned with regard to the arrangements in the area of migration and crime

Based on the responses, the GDISC countries can be divided into two main groups regarding the changes they envisage in the area of migration and crime in the near future:

- Countries where developments in the institutional and/or legislative arrangements are foreseen and
- Countries where no major changes are anticipated, rather they currently focus on enhancing the effectiveness of the measures and instruments already in place.

Countries included in this second group are Latvia, Lithuania, Iceland and Portugal.

With regard to the first group, the changes planned in those countries are predominantly of three types:

- New institutional developments (Estonia, FYROM, Poland and the UK);
- Plans for increased inter-agency cooperation (FYROM and the UK); and
- Further actions in the context of combating trafficking in human beings (Estonia and the UK).

However, from the responses received it transpires that the general tendency is to plan and implement institutional developments with a view to increasing the levels of inter-agency (but also international) cooperation, which in Chapter 4 have been identified as key reasons for success in addressing the migration-crime nexus. This trend is illustrated for instance in the plan for the establishment of a National Coordination Centre for Integrated Border Management in FYROM, which would bring together representatives from the Ministry of Internal Affairs, Ministry of Finance - Customs Administration, Ministry of Agriculture, Forestry and Water Supply, Ministry of Health and other ministries which have competences in the field of border management, as well as liaison officers from other countries and international organizations. The aim of this centre will be to achieve more efficient coordination and facilitation of data and information exchange.

In the UK, the Border Agency will be established this year and is expected to accelerate the process already initiated by the SOCA, the BIA and the Police of tackling immigration crime by working in a close partnership, which also ensures

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20 This question was answered by the Czech Republic, Estonia, Finland, France, FYROM, Iceland, Italy, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, and the UK.
21 At the time of compiling this report, the Border Agency has already been established.
that the issues related to migration and crime have a higher profile amongst law enforcers. Estonia plans to combine its three separate agencies – Citizenship and Migration Board, Police Board and Board of Border Guard – into one law enforcement agency, while in Poland the Border Guard will shortly take over the main responsibility for the control of migration.

Regarding the fight against trafficking in human beings, in Estonia an improved system for the identification of victims of trafficking or potential victims is currently being developed, while in the UK trafficking is mainstreamed across law enforcement agencies across the country, in the context of complying with the European Convention Against Trafficking in Human Beings.

Additional changes have been mentioned by Estonia, where there is also a plan to improve the controls of minors on border crossing, as well as to analyse the current job dealership system and make it more transparent. In Italy, work is in progress on adapting the legislation on refugees to the European directives. Malta will implement the proposed EU Directive providing for sanctions against employers of illegally staying third country nationals, once it comes into force.

6.2. Perceived main challenges in the area of migration and crime at the domestic, European and global levels

The answers received from the GDISC countries to the questions in this section indicate that the challenges at the domestic level can hardly be separated from those at the European and global levels. Increased migratory flows (particularly irregular migration), organised criminal activity, human trafficking and smuggling are general concerns across all GDISC countries, with slightly different implications at each of these three levels, as well as among different countries given their geographical position, economic situation, size of the country, novelty in dealing with these issues etc. For instance, because of its geographical position, Malta is experiencing a radical increase in the number of migrants reaching its shores, while at the same time it feels threatened by having this immigration pressure crystallised in anti-social and criminal behaviour. On the other hand Lithuania, along with the other Baltic states, expects to remain a transit country for illegal migrants, though it forecasts that the number of attempts to illegally cross its border with the aim to move on freely in the Schengen area will increase.

Most importantly, the answers show that there is an awareness that the main problems related to migration and crime are interconnected. For instance, the Netherlands point out that the number of persons attempting to irregularly enter a state is determined, among others, also by the existing migration laws which may reduce the possibilities for regular migration; Hungary talks about a connection between the number of illegal immigrants and the strengthening of organised crime networks in a country; and Latvia sees in the increase of cross border movement in the context of the Schengen expansion a potential for higher

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22 Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, FYROM, Hungary, Iceland, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Romania, UK.

23 Concerns regarding increased migration (e.g. concerns related to transit, return mechanisms, use of fake documents, immigration pressure) are brought up by Croatia, France, Latvia, Lithuania, and Malta, while irregular migration is specifically mentioned by Bulgaria, Czech Republic, Finland, Hungary, Latvia, Poland, Romania and the UK. Organised crime is referred to by Bulgaria, Iceland, Latvia, Malta, and the UK, with particular concerns about trafficking and smuggling expressed by Bulgaria, Czech Republic, Estonia, Italy, Latvia, Lithuania, and Netherlands.
levels of trans-national crime, human trafficking and smuggling included. Therefore, an argument can be made for the need to expressly acknowledge the existence of such links and to address these issues in parallel in order to successfully respond to the complex challenges that they pose at the domestic, European and global levels. Moreover, 15 out of the 17 responding countries explicitly stress the need for increased levels of international cooperation, joint action (for instance multinational crime squads, as suggested by the Netherlands), information exchange and mutual assistance (especially with ‘countries of origin’) as a necessary precondition for effectively dealing with these security threats.

6.2.1. At the domestic level

In addition to the above general remarks, some of the more specific concerns at the domestic level are related to:

- Higher immigration pressures expected in some destination countries (Latvia, Lithuania and Malta);
- The implementation of the Schengen Information System particularly in the CEE countries acting as EU external borders (Poland);
- The use of falsified travel documents (Bulgaria, Lithuania);
- Increasing documentation challenges when seeking to remove illegal foreign nationals (Finland, the UK) and the related ineffectual return mechanisms (Finland, Bulgaria); and
- The reduction of human trafficking originating in CEE and Baltic states and also the prospect of having these states become destination countries for human trafficking in addition to their current situation as countries of origin or transit.

Estonia, FYROM and the UK stressed the importance of adopting a multi-agency approach and of ensuring effective cooperation among the different competent institutions in the areas of migration and law enforcement. The important link that is generally missing in the questionnaires is the need to ensure that the prosecution and judicial aspects are also included in such comprehensive approach in order for it to successfully address the complex security challenges brought about by specific aspects of the migratory phenomena.

6.2.2. At the European level

With regard to specific challenges at the European level, several countries have expressed their concerns regarding the permeability of borders following the expansion of the Schengen area, which is expected to have implications for

- Developing and implementing joint responses to developments in countries of origin at European level (Austria);
- Generating a future multiplication and strengthening of organised crime networks (Latvia);
- Generating changes in trafficking routes as a reaction to the preventive measures carried out by certain states but not others and generally for easing smuggling (Lithuania); and
- Leading to an increase in irregular migration as less practiced and/or able border guards on the edge of the EU seek to address flow of irregular migrants (the UK).
In order to enhance cooperation and information exchange among the EU Member States especially in the context of fighting illegal migration, human trafficking and smuggling, **France** argues for the harmonisation of the police and judiciary proceedings in the short run, while for the long run it suggests the creation of a **European law enforcement agency** to support and reinforce the national actions in the fight against illegal immigration. Similarly, **Finland** supports the idea of **further harmonisation of policies and legislation** related to migration and crime, while at the same time stressing the importance of sharing and accessing relevant information in real time (for instance by using IcoNet regularly). To the same end, the **Netherlands** suggested the establishment of a **European focal point** for obtaining information in the context of combating human trafficking and smuggling. Moreover, it pointed out the importance of requesting criminal convictions and information on criminal procedures in other European countries.

### 6.2.3. At the global level

Finally, with regard to the challenges in the area of migration and crime at a global level, the responding countries have generally pointed out to the need to look at the **broader context** and to acknowledge that effective action in the medium and long term would involve **addressing the root causes of migration**, including poverty and conflicts. According to **France** and **Malta**, this would involve the provision of assistance to countries of origin and cooperation with them in the fight against trans-national crime as well as in the attempts to better manage migratory flows. Moreover, once again the importance of developing and employing **effective information exchange mechanisms** at the international level is emphasised by **Finland**, **Hungary**, while the **Netherlands** also points out that already existing cooperation mechanisms (e.g. requests for mutual legal assistance or the use of multi-national crime squads) should be used more often, especially in human trafficking and smuggling investigations.

Also related to the fight against trafficking in persons, **Italy** deplores the coordination problems that exist among countries due to their different legislation and investigative tools, as well as due to the fact that many countries do not punish trafficking-related conduct. Moreover, it reminds that many of the signatory states to the **UN Convention against Transnational Organised Crime** have not yet signed its two supplementing protocols: the **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** and the **Protocol against Smuggling of Migrants by Land, Sea and Air**.\(^\text{24}\) Connectedly, the **Netherlands** points out that migration law can also be used to improve the position of the victims of trafficking, because sometimes trafficked persons are staying in the EU without a valid residence permit and thus they sometimes end up being treated as offenders rather than victims.

### 6.3. Role of the GDISC Network

The majority of the responding countries consider that the main way in which the GDISC Network could promote practical cooperation between Immigration Services so as to better address the migration-crime nexus is to contribute to the **exchange of information and good practices** related to these issues.

particularly human trafficking and smuggling (Bulgaria, Czech Republic, Iceland, Lithuania and the UK) and illegal migration (Malta). Moreover, the Netherlands puts forward the suggestion to consider the potential scope for exchange of information for the benefit of coordinating potential improvements in migration-related legislation and in criminal law, as well as for finalising alien law procedures.

Additionally, Estonia sees the GDISC Network as a useful source of contacts and an opportunity for joint meetings at the operational level, while Latvia points out that due to the institutional differences that exist among the GDISC countries when it comes to dealing with crimes related to migration (i.e. institutions involved and their responsibilities), there might be a need to establish separate working groups within the GDISC consisting of countries with similar institutional arrangements. This would lead to the improvement of practical cooperation among those particular states, not the least by rendering more in-depth discussions among the GDISC participants possible. The need to acknowledge the existing differences between the GDISC countries is also stressed by Bulgaria, though this time with regard to their geographical position and level of economic development. Austria underlined GDISC’ role as platform for information gathering, sharing and exchange.

Latvia has also pointed out that since the GDISC Network consists only of representatives of National Immigration Services, its role tackling issues related to crime and migration can be doubted, while on the other hand it could have the potential significantly contribute to the promotion of practical cooperation in migration and asylum.

6.3. Conclusions

- The changes planned in many of the responding countries reflect the main conclusions drawn throughout this report, mainly the need for a multi-agency approach at the national level or the importance of international cooperation.
- In the context of ‘migration and security’ the problems at the domestic, European and global levels are seen as interrelated, and the need to find solutions that address the broader context (i.e. the links between these problems as well as their root causes) is acknowledged by the majority of the responding countries.
- All responding countries perceive human trafficking and smuggling, increased migration (and particularly irregular migration), and organised crime as the main challenges at all three levels. Moreover, they also all converge in highlighting international cooperation and information exchange as essential measures for successfully addressing these problems.
- None of the responding countries mentioned international terrorism as one of the main challenges in the area of migration and crime on either the domestic, European or global levels.
- The majority of the responding countries consider that there is scope for the GDISC Network to promote practical cooperation between Immigration Services so as to better address the migration-crime nexus, for instance by enhancing the effective exchange of information and good practices related to these issues.
III. Conclusions

This report offers a comprehensive inventory and comparative analysis of existing policy frameworks and procedures of the Immigration Services of GDISC participating states targeting the nexus of migration and crime, while benchmarking key features and identifying Good Practices in institutional set-ups and procedures. Moreover, the study identifies and analyses the means, structures and arrangements in place for inter-agency cooperation between the Immigration Services, law enforcement and border control agencies both on the national as well as international level.

This final section sums up the key findings of the study and points out the opportunities for practical cooperation between Immigration Services so as to better address the migration-crime nexus, while also highlighting some of the good practice examples presented throughout the report.

Main findings

‘Migration and crime’: concept, policies and measures

- Most of the responding GDSIC countries do not pursue a defined concept of ‘migration and crime’, but there have been increasing trends towards acknowledging the migration-security-nexus in the recent years. This reflected in the respective migration legislation and national migration strategies, as well in the challenges perceived at the global, European and local levels.
- In the context of ‘migration and security’, responding countries assign importance mainly to more ‘traditional’ security challenges, namely Irregular Migration, Trafficking in Human Beings, Human Smuggling and Transnational Organised Crime, while ‘non-traditional’ security challenges like Social Cohesion and Health Issues are considered of less importance. Responding countries see comparatively weaker links between migration and the issue of International Terrorism.
- A good practice and at the same time an increasing trend among the responding GDISC countries is to adopt national strategies which deal with several of the issues related to the ‘migration-crime’ nexus in parallel and which establish information exchange mechanisms and various forms of cooperation among international, national and local actors.
- Pre-frontier measures (such as visa requirements, visa applications’ examination, ‘risk profiling’, international cooperation projects involving the police and immigration services etc.) are a key component of the integrated border control policy of the responding GDISC countries.
- The visa regime, the Border Management system and the security features for travel documents are standardised through EU regulations in most of the responding GDISC countries. In this context, good practice is to meet the requirements for the implementation of the border monitoring model set out in the Schengen Border Code and all GDISC countries are making maximum of efforts to this end.
- Internal identity controls, workplace inspections and welfare fraud control are common post-entry surveillance measures aimed at detecting infringements of existing regulations, but also at detecting and prevent crimes linked to
human trafficking or any other abuse of human rights. Such controls are carried out both on a regular basis at random and they generally take the form of joint operations of various internal governmental agencies (e.g. the police, local authorities, tax and customs services, work and health inspectorates, the public prosecutor, the immigration services etc.), which is an example of good practice.

**Agencies, roles and responsibilities**

- Responding countries emphasised the need for clearly defined responsibilities and functioning inter-agency and international cooperation in the context of ‘migration, crime and security’.
- Responsibilities in the context of ‘migration, crime and security’ mainly lie with the police or immigration services and the border guards. Customs and intelligence services do assume responsibilities too but their overall role is less significant.
- The fight against migration-related crime constitutes a crosscutting task, therefore good practice is to ensure cross-cooperation between all actors involved. Trafficking in human beings, illegal immigration, international terrorism, joint border controls, as well as visa and consular cooperation have been named most frequently as areas for inter-agency cooperation in this context.

**Main challenges**

- In the context of ‘migration and security’ the problems at the domestic, European and global levels are seen as interrelated, and the need to find solutions that address the broader context (i.e. the links between these problems as well as their root causes) is acknowledged by the majority of the responding countries.
- All responding countries perceive human trafficking and smuggling, increased migration (and particularly irregular migration), and organised crime as the main challenges at all three levels.

**Opportunities for practical cooperation**

- Joint efforts and common use of information and know-how form a key pre-requisite for successfully tackling criminal activities linked to migration. The questionnaires point towards increasing trends of establishing and institutionalising international cooperation, particularly in order to improve the exchange of information, but also to carry out joint cross-border operations. This is a good practice predominant in the EU Member States.
- Law enforcement cooperation with countries of origin and transit, which often covers a migration-dimension, is generally conducted under the framework of international institutions (e.g. Interpol, Europol, Frontex etc.) but also directly through bilateral agreements or via Liaison Officers. Sometimes police cooperation is supplemented by specific agreements between the Immigration Services of the respective countries.
- The success of initiatives in national or international inter-agency cooperation depends on thorough planning and preparation, cooperation at executive or
operational level, the application of a multi-agency approach and the establishment of personal contacts and mutual trust.

- Initiatives aiming at increased data comparability, database compatibility, clearly defined legal mandates and regulatory frameworks on cooperation and information exchange and the speeding up of information exchange processes are best suited to improve inter-agency cooperation at national and international level.

- The majority of the responding countries consider that there is scope for the GDISC Network to promote practical cooperation between Immigration Services so as to better address the migration-crime nexus, for instance by enhancing the effective exchange of information and good practices related to these issues.