



## Migration management: Toolbox to address the misuse of commercial transport for irregular migration to the EU

Brussels, 6 June 2023

Today, the Commission is proposing new measures to address the increasing misuse of commercial transport by criminal networks facilitating irregular migration to the EU.

President **von der Leyen** announced ahead of the European Council in February that the Commission will complete work in the first half of 2023 on a targeted toolbox of measures to ensure that transport operators do not facilitate irregular migration, including through targeted outreach to transport operators. The European Council also called on the Commission and the Council to take forward relevant tools to address transport operators that engage in or facilitate human trafficking or migrant smuggling.

Through this toolbox, the Commission is supporting Member States with strategic measures, in three pillars: legislative, operational, and diplomatic. The goal is to address cases where transport means are misused to facilitate irregular migration to the EU, with a particular focus on airways.

The key actions are structured under three pillars:

### **Pillar one: The EU legal framework**

In the toolbox presented today, the Commission calls for resuming and swiftly concluding the negotiations on the [Regulation on measures against transport operators that facilitate or engage in trafficking in persons or smuggling of migrants](#) in relation to illegal entry into the territory of the EU. These new rules will be key to reinforce the EU legal framework in this area. The Commission will also explore, together with the Member States, how the EU's Facilitators Package announced in the renewed EU action plan against migrant smuggling (2021-2025) can best be applied to transport operators that facilitate unauthorised entry and transit to the EU.

Legal measures also include the possibility to **suspend or revoke the operating licence of an EU air carrier** failing to meet good repute requirements under the relevant **EU transport legislation** or **consider using existing EU Common Foreign Security Policy restrictive** measures to target relevant transport operators facilitating irregular migration to the EU.

### **Pillar two: Situational awareness and early warning**

**Strengthening the use of the Blueprint Network** and reinforcing its capacity is a priority to improve situational awareness on the use of transport operators to facilitate irregular migration to the EU. **Cooperation and information exchange between the Commission, Frontex and Eurocontrol** is also vital to monitor flights and gather data on emerging routes.

Once new rules on border management are approved, the exchange of information will be complemented by the usage of **Advanced Passenger Information data**. **Supporting the EU neighbouring and transit countries to develop systems of travellers' intelligence** will also increase situational awareness.

### **Pillar three: Engagement with partner countries and transport operators**

Considering the importance and the attractiveness of the EU transport market, the EU has significant leverage with third-country transport authorities and operators and can play a key role in setting high transport standards globally, including in terms of developing measures to counter the misuse of commercial transport by criminal networks that facilitate irregular migration.

The EU will enhance its **engagement with transport operators and authorities in third countries, especially in the aviation sector**. This can also be kick-started by launching **information campaigns on specific routes**, establishing information exchanges and networks on recognising and reporting patterns of facilitation of irregular migration together with transport operators.

Providing **training and guidance** with EU support to authorities and personnel of air transport

operators in non-EU countries is also one of the key actions. The EU can explore with partner countries **posting liaison officers** at key airports and using to the full extent other liaison officers - including European Migration Liaison Officers.

Engaging with the aviation industry, civil authorities and organisations – such as International Civil Aviation Organization, the International Air Transport Association – is another key action to **raise awareness and develop international guidelines**, contributing to an early warning system.

### Next steps

This toolbox will contribute to discussions at the Justice and Home Affairs Council later this week and ahead of EUCO. The EU and the Member States will need to work jointly to ensure the effective implementation of the proposed measures.

### Background

The use of commercial means of transport, mainly by air, to facilitate irregular migration to the EU has progressively emerged as a new modus operandi of smuggling networks. Criminal networks are increasingly taking advantage of commercial flights between third countries under various pretexts, such as visa-free policy regimes or apparent labour migration opportunities, to bring migrants to countries close to or bordering the EU, from where the migrants then seek to irregularly enter the EU.

In November 2021, the Commission proposed a [Regulation on measures against transport operators that facilitate or engage in trafficking in persons or smuggling of migrants in relation to illegal entry into the territory of the EU](#).

The EU Action Plan on the Western Balkans of 5 December 2022 already proposed to consolidate an operational toolbox with measures targeting transport operators.

### For More Information

[Toolbox on measures targeting transport operators that facilitate irregular migration to the EU](#)

[Regulation on measures against transport operators that facilitate or engage in trafficking in persons or smuggling of migrants in relation to illegal entry into the territory of the EU](#).

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### Quotes:

We were able to put a stop to the transit flights to Minsk during the Belarusian instrumentalisation attempt precisely because in transport policy, the EU is a heavyweight. We must be prepared to deploy the full range of the tools at our disposal to ensure transport operators working in the EU are not exploited by smugglers and traffickers.  
Vice-President Margaritis Schinas - 06/06/2023

This toolbox is another important step in our fight against organised criminal networks responsible for migrant smuggling. We remain committed in making the EU along with our partners more prepared, resilient, and aware when it comes at dealing with these unfortunate attempts to cross our borders irregularly.  
Ylva Johansson, Commissioner for Home Affairs - 06/06/2023

The global aviation community plays a key role in preventing irregular migration and we welcome the efforts it is already taking. With this Toolbox, we aim to further strengthen operational cooperation by bringing together and better coordinating the actions of transport operators, states and relevant international organisations.  
Adina Vălean, Commissioner for Transport - 06/06/2023

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