



EUROPEAN COMMISSION

*Brussels, 14.1.2016
C(2016) 46 final*

Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion on the EU Action Plan against migrant smuggling (2015-2020) {COM(2015) 285 final}.

The Commission welcomes the Opinion of the Camera Deputaților on the EU Action Plan against migrant smuggling and thanks the Camera Deputaților for the relevant observations made regarding its content and implementation. In particular, the Commission shares the Committee's view that saving lives must be the priority when undertaking actions to counter migrant smuggling. Preventing the exploitation of migrants by criminal networks and reducing incentives to irregular migration are key objectives of the Action Plan. In this context, the EU Naval Force Mediterranean Operation Sophia, launched on 22 June 2015 with the aim to rescue lives at sea and disrupt the business model of smuggling and trafficking networks in the Mediterranean, entered on 7 October 2015 into its second phase that provides for the search and, if necessary, diversion of suspicious vessels.

The Commission agrees with the Camera Deputaților's opinion on the importance to coordinate with Member States when carrying out joint operations at regional or European level aiming to dismantle the organised crime groups involved in the smuggling of migrants.

The Commission shares the Camera Deputaților's view that action to address migrant smuggling should be seen in the broader context of EU efforts to address the root causes of irregular migration, in cooperation with countries of origin and transit, and to provide protection to those that need it. It also strongly believes that smuggling networks can be weakened if fewer people seek their services. Therefore, it is important to open safe, legal ways into the EU. Resettlement efforts, for instance, help bring people in need of international protection to the EU safely.

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The Commission also welcomes the Camera Deputaților's acknowledgement that efforts to crack down on migrant smuggling need to be matched with strong action to return to their home countries the migrants that have no right to stay in the EU. An effective return policy is a strong deterrent, as migrants are less likely to pay a high price to smugglers to bring them to the EU if they know that they will be returned home quickly after reaching their destination. The Commission welcomes the Camera Deputaților's views that information about the risks of smuggling and irregular migration is essential for preventing smuggling and is committed to launching further information and prevention campaigns, after assessing the effectiveness of the campaigns currently conducted in Niger and Ethiopia.

The Commission also agrees that it is important to distinguish the concepts of migrant smuggling and of trafficking in human beings, which are covered by two different legal frameworks. This Action Plan only covers migrant smuggling.

It welcomes the Camera Deputaților's interest in the evaluation and possible revision of Directive 2004/81/EC¹ on residence permits issued to victims of trafficking in human beings and to smuggled migrants cooperating with authorities and takes note of its suggestion to use the 'more for more' principle with regards to migrants in this context.

The Commission shares the Camera Deputaților's views on the importance of reducing the power of criminal migrant smuggling networks by depriving them of their profits, through confiscation and recovery of their assets – an essential element of the Action Plan – and works closely with the Member States, relevant EU Agencies and financial institutions to scale up work in this area.

The Commission would also like to inform the Camera Deputaților on the progress made in the efforts to increase the efficiency of cooperation between EU Agencies in this area. Since the EU Action Plan on migrant smuggling was adopted, the Commission has established a Contact Group of EU Agencies on migrant smuggling, which has already met three times. The Contact Group serves as a forum to strengthen operational cooperation and information exchange between the relevant EU Agencies.

The Commission hopes that these clarifications address the issues raised by the Camera Deputaților and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*

¹ Council Directive 2004/81/EC of 29 April 2004 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. OJ L 261/1, 6.8.2004, p. 19–23.