



# HOUSE OF LORDS

## SELECT COMMITTEE ON THE EUROPEAN UNION Home Affairs Sub-Committee

### CALL FOR EVIDENCE

#### The EU Action Plan against migrant smuggling

The House of Lords EU Home Affairs Sub-Committee, chaired by Baroness Prashar, is launching an inquiry into the EU's Action Plan against migrant smuggling. Written evidence is sought by **Friday 21 August 2015**.

#### Background

On 13 May 2015, the European Commission published a European Agenda on Migration,<sup>1</sup> setting out the Commission's plans for both legislative and non-legislative proposals in the field of migration for the short, medium and long term. The publication of this Agenda followed a series of tragedies in the Mediterranean resulting in the deaths of over 1,700 migrants in the first half of 2015 alone, including 800 in a single incident off the coast of Libya on 19 April 2015. Many migrants, including pregnant women and children, continue to risk their lives at the hands of people smugglers rather than remain in their home countries.

One of the measures foreseen in the Agenda was an EU Action Plan against migrant smuggling (2015 – 2020),<sup>2</sup> which was published on 27 May 2015. The Action Plan aims to counter and prevent migrant smuggling while ensuring the protection of the human rights of migrants. It proposes actions to achieve the following four objectives:

- Enhanced police and judicial response
- Improved gathering and sharing of information
- Enhanced prevention of smuggling and assistance to vulnerable migrants
- Stronger cooperation with third countries

#### Rationale for the inquiry

The inquiry reflects the continuing global migration crisis, in response to which the EU and its Member States are seeking to establish both long and short-term solutions. It also takes place ahead of planned legislative reform, as the European Commission aims to review and reform EU legislation on migrant smuggling in 2016.

The aims of the inquiry are therefore:

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<sup>1</sup> Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0240&from=EN>

<sup>2</sup> Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0285&from=EN>

- to assess how the Action Plan against migrant smuggling contributes to the stated objectives of the EU's Agenda on Migration
- to establish whether or not its four objectives and the actions contained therein are the right ones to achieve the EU's stated goal of rendering migrant smuggling a "high risk, low return" undertaking
- to identify whether the Action Plan strikes the right balance between security considerations and the protection of migrants' human rights, and
- to identify gaps and deficiencies in the current EU response to migrant smuggling in order to make recommendations for planned legislative reform.

**Particular questions raised to which we invite you to respond are outlined below. There is no need for individual submissions to deal with all of the issues.**

1. One of the priorities of the European Agenda on Migration is the prevention of migrant smuggling, with the goal of transforming migrant smuggling networks into "high risk, low return" operations. Are the four objectives of the Action Plan the right ones to achieve this goal? Which, if any, of the proposals in the Action Plan should be prioritised in this context?
2. According to the European Commission, the Action Plan "should be seen in the broader context of EU efforts to address the root causes of irregular migration". Does it suggest the correct set of measures to bring this about?
3. Are Member States currently meeting their obligations under the existing EU framework against migrant smuggling? What are the deficiencies of the current framework, and do the actions foreseen in the Action Plan address these?
4. EU Agencies are expected to play a significant role in carrying out the objectives of the Action Plan. Do they have the mandate, budget and other capacities to fulfil this role?
5. Does the Action Plan sufficiently differentiate between migrant smuggling and human trafficking? What is your opinion of the proposal to extend the 2004 Directive on the residence permit issued to third-country nationals who are victims of trafficking in human beings<sup>3</sup> to smuggled migrants?
6. Does current EU action against migrant smuggling, including the actions suggested in the Action Plan, strike the correct balance between law enforcement and the human rights of migrants, including particularly vulnerable migrants such as minors and pregnant women?
7. Do the Action Plan and other, related EU strategies (such as the European Maritime Security Strategy, Cyber Security Strategy and the EU Strategy towards the Eradication of Trafficking in Human Beings) form a coherent whole?

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<sup>3</sup> Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32004L0081&from=EN>

8. Are the actions proposed in the Action Plan compatible with the international framework on preventing human smuggling, including the UN Protocol on Smuggling of Migrants by Land, Sea and Air? Do they add to this framework in a coherent and meaningful manner?

## ANNEX I: GUIDANCE FOR SUBMISSIONS

Written evidence should be submitted online using the written submission form available at <http://www.parliament.uk/eu-migrant-smuggling-submission-form>. This page also provides guidance on submitting evidence.

If you have difficulty submitting evidence online, please contact the Committee staff by email to [EUCLORDS@parliament.uk](mailto:EUCLORDS@parliament.uk) or by telephoning 020 7219 4911. The deadline for written evidence is **21 August 2015**.

Short submissions are preferred. A submission longer than six pages should include a one-page summary.

Paragraphs should be numbered. All submissions made through the written submission form will be acknowledged automatically by email.

Evidence which is accepted by the Committee may be published online at any stage; when it is so published it becomes subject to parliamentary copyright and is protected by parliamentary privilege. Submissions which have been previously published will not be accepted as evidence. Once you have received acknowledgement that the evidence has been accepted you will receive a further email, and at this point you may publicise or publish your evidence yourself. In doing so you must indicate that it was prepared for the Committee, and you should be aware that your publication or re-publication of your evidence may not be protected by parliamentary privilege.

Personal contact details will be removed from evidence before publication, but will be retained by the Committee Office and used for specific purposes relating to the Committee's work, for instance to seek additional information.

Persons who submit written evidence, and others, may be invited to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast online; transcripts are also taken and published online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the clerk of the Committee, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a copy direct.

You may follow the progress of the inquiry at [www.parliament.uk/eu-migrant-smuggling](http://www.parliament.uk/eu-migrant-smuggling)