



**ROMANIAN PARLIAMENT**  
**CHAMBER OF DEPUTIES**

*Courtesy translation*

**DECISION**

**to adopt the Opinion on the**

**Proposal for a Regulation of the European Parliament and of the Council**

**on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings, and on enhancing Europol's support to preventing and combating such crimes and amending Regulation (EU) 2016/794 - COM(2023) 754**

**and the**

**Proposal for a Directive of the European Parliament and of the Council**

**laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA – COM(2023) 755**

Under the provisions of Article 67 and Article 148 of the Constitution of Romania, republished, of Law No 373/2013 on the cooperation between the Parliament and the Government in the field of European Affairs, and of Articles 164-189 of the Regulation of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No 8/1994, republished,

The **Chamber of Deputies** adopts this Decision.

Sole article. – Having regard to the Opinion No 4c-22/294 adopted by the Committee on European Affairs during its meeting on April 30<sup>th</sup>, 2024, the Chamber of Deputies:

1. Supports the modernisation of the legal framework of the Union in the field of combating migrant smuggling and recognises the dehumanising nature, which endangers human lives in order to make a profit, and the inherently cross-border dimension of this form of serious crime, which calls for a strong and convincing response.

2. Considers that the new initiatives – the proposal for a directive on preventing and combating the facilitation of unauthorised entry, transit and stay in the Union and, respectively, the proposal for a regulation on enhancing police cooperation on migrant smuggling and

trafficking in human beings – must be aligned with the legislative framework of the Pact on Migration and Asylum.

3. With regard to the proposal for a directive, it supports the clarification of the offences that should be criminalised and the promotion of the harmonisation of penalties. Agrees with the finding that the levels of penalties provided for in the future directive must reflect the seriousness of the forms of offence and the social values defended.

4. Stresses the importance of a clear distinction between facilitating irregular migration and humanitarian aid. Calls for ensuring the protection of the migrant's rights and the assistance given to them, especially those in vulnerable situations.

5. Calls for clarification on the relationship between actions of publicly instigating to illegal immigration into the Union, which will be criminalised by the future directive, and the so-called pull factors for this form of migration, as well as on the possibility of using existing tools in Union law to remove illegal online content relating to public instigation to illegal immigration into the Union.

6. Welcomes the extension of the jurisdiction of the Member States of the Union in order to be able to sanction migrant smuggling activities committed outside their jurisdiction.

7. Draws attention to the relevance of the exchange of best practices between Member States of the Union and third countries of origin and transit regarding the national legal framework applicable to the investigation of the offences sanctioned by the directive.

8. Recommends equipping police and judicial authorities with adequate resources, training and specialisation to ensure effective prevention, investigation and prosecution of offenders, and to assess the effectiveness of information and awareness-raising campaigns and research and education programmes with a view to reducing the criminal phenomenon sanctioned by the future directive.

9. Adheres to the call for a greater response to criminal offences on migrant smuggling through financial investigations, asset recovery and confiscation, respectively by reducing the availability and confiscation of equipment used in migrant smuggling and trafficking in human beings, in particular boats and vehicles.

10. Stresses the importance of obtaining reliable and up-to-date data on the phenomenon of facilitation of unauthorised entry, transit and stay in the Union and the sanctions applied in relation to such acts, in particular situational awareness data.

11. With regard to the proposal for a Regulation, considers that the establishment of the European Centre Against Migrant Smuggling, within Europol, with the task of supporting Member States in preventing and countering migrant smuggling and trafficking in human beings, and defining its strategic and operational tasks, demonstrates an understanding of the gravity of this form of crime.

12. Recognises the importance of designating specialised services of prevention and countering migrant smuggling and trafficking in human beings within competent authorities of the Member States and to share relevant information on criminal investigations as soon as possible with Europol and similar authorities from the other Member States.

13. Recommends a careful analysis of the allocation of additional human and financial resources, in particular the expected reserve pool of experts and their deployment in Member States, in the context of shortage of staff and financial resources at national level and concerns about avoiding overlaps. Recommends specifying clear criteria for the temporary deployment of experts by Europol, with the role of concentrating efforts towards most exposed areas.

14. Considers that Union's agencies with competences in the matter, by strengthening their role and by improving the means to cooperate between them, with Member States and

third countries, can be able to effectively prevent and counter migrant smuggling. In this regard, wishes to be informed on the ways to increase cooperation between Europol, Frontex and Eurojust, to ensure the necessary flexibility and to avoid risks of overlapping resources and processes.

15. Welcomes the initiation of the Global Alliance to counter migrant smuggling, as a global policy guidance tool.

16. Considers that the criminal phenomenon of migrant smuggling into the Union can be effectively managed in the medium and long-term only in cooperation with third countries of origin and transit in a coherent and consistent manner. It is interested in being informed of the expected results to be achieved in the prevention and countering migrant smuggling through partnerships made by the European Union with third countries.

17. Recalls the importance of addressing migration and mobility globally, in particular the root causes of irregular migration and the measures to organise legal migration from third countries.

*This Decision was adopted by the Chamber of Deputies during its session on May 14<sup>th</sup>, 2024, in compliance with the provisions of Article 76 (2) of the Constitution of Romania, republished.*

**p. PRESIDENT  
OF THE CHAMBER OF DEPUTIES**

**Alfred – Robert SIMONIS**

Legislative Department  
Head of Department, Georgică Tobă

Bucharest, May 14<sup>th</sup>, 2023

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*[Unofficial English translation]*