Committee: Council of the European Union (EU)

Topic: Strengthening Cooperation with Europol and Frontex to Combat Cross-Border Crime

Student Officer: Kleio Zioga

Position: President

PERSONAL INTRODUCTION

Dear delegates,

My name is Kleio Zioga and I am a senior in Vasileiadis High School. I would like to welcome you to the 7th Deutsche Schule Thessaloniki Model United Nations conference. This year I will be serving as the President of the European Union committee and I am thrilled to see the recommendations you will come up with for the issues of our committee. Additionally, I would like to congratulate each and every one of you for deciding to participate in the upcoming conference! I am sure you will all have a great time!

When I am asked, "What is M.U.N. to you?" I always think of the people who have contributed to this "journey" becoming such an important aspect of my life. As delegates, you will have the opportunity to meet students with different cultural backgrounds, something of vital importance to me and I hope after this conference to you, too, since this way you can develop your personality.

Apart from the people, the various opportunities I have had to learn about historical events and advance my critical thinking skills come to mind, when I am asked about M.U.N. Since we are living in a world that is constantly evolving, being informed about the economic and political state of each country is key to tackling economic, political, military and cultural issues.

During the three days of the conference, you will have the chance to present your points of view on various topics, such as the issue of: "Strengthening Cooperation with Europol and Frontex to combat Cross-Border Crime". This study guide aims to assist you in having a better understanding of the topic concerning cross-border crime. However, it is important to note that your work should not be limited to this study guide and you should do further research on your own by using reliable sources.

Should you have any questions, please feel free to reach out to me via email: at kleiozioga07@gmail.com. I look forward to meeting you all in November!

Kind regards,

Kleio Zioga

TOPIC INTRODUCTION

During the past two decades, cross-border crimes and illegal activities have been on the rise, which has been creating concerns for specialists regarding border control and safety across international borders. Such ventures that are against the law are cybercrime, drug and human trafficking, illegal transportation of refugees and immigrants without the required documentation, and terrorist attacks. The extreme rise of such unlawful acts, especially within Europe, is linked closely to the lack of adequate border control among countries. Thus, it is urgent for all countries to re-visit and re-examine their legal frameworks and cooperate to minimize international crimes.

In order to tackle the issue of transnational crimes it is essential for the causes behind this rise of crimes to be spotted and deeply analyzed by specialists in the field of law and justice. Some of the main causes of the uncontrollable growth of transnational crimes include the limitation of needed preventative measures at border control, the rise of poverty and economic instability, as well as violence and civil or international wars.

The easing of border controls to facilitate and speed up the transportation of goods between EU countries has contributed to the increase in cross-border crime. The transfer of products requires various forms of customs documentation. For traders to cope with the complex bureaucratic process, the control of product transport has been reduced. This limitation of preventative measures aims at producers having a higher income without subjecting them to time-consuming border procedures while also being one of the most beneficial acts of the EU towards its member-states, since a free Europe can only exist with free transport of people and goods. Even though this modification was quite beneficial to traders, the majority of whom achieved higher incomes in a limited time, it negatively affected international security since the controls were not as strict as needed. This resulted in the rise of cross-border crimes seen as products and refugees were transported illegally among European countries.

It is important to mention that a root cause of the rise of transnational crime is the increase in poverty, violence, and conflict, civil or international. Due to the hostel circumstances in countries with low living standards, which mostly affect the economic and political field, countless individuals are forced to flee the country with their families in hopes of having a better future. This is why illegal transportation of people is most frequent in the borders of countries with poor living conditions. Unable to wait long enough to issue a visa, thousands of refugees leave their home country and move to nearby countries without the needed documentation.

Last, yet certainly not least, it has been mentioned by specialists that the rise of transnational crime, and more specifically cybercrime, is linked to the extended use of the internet and advanced technology. After the Second World War, technology started progressing rapidly creating better living conditions for those who had access to it. With the

evolution of technology the daily use of technology became common to all to the point that in today's society, one cannot imagine living without access to the internet. Even though this development has had favorable effects on our lives, it did not take much time for its negative effects to become crystal clear to all. One of the most important consequences was the extreme rise of cross-border crime. Since technology kept evolving rapidly and more individuals were granted access to it, it was easier for cyber crimes to be committed. Such illegal activities are usually committed by hackers, familiar with advanced technology, most of whom cannot be tracked, located, and identified.

Concluding all of the aforementioned information, it is clear to all that all European countries shall strengthen their corporations with Europol, Frontex, and other organizations that are fighting against transnational crime. This way, an international, modern, and coherent legal framework for such illegal activities can be created to tackle this issue of vital importance. The issue of transnational crime has already reached a great extent and needs to be tackled shortly to improve border safety.

DEFINITION OF KEY TERMS

Customs

A national agency the goal of which is to impose taxation and duties on traders who are transporting their products across borders. This authority is responsible for controlling the transfer of goods and imposing punishments on individuals transporting illegal substances, non-landed immigrants, and refugees.

Cross-Border Crime

Transnational illegal activities affect two or more countries and the border between them. Such unlawful ventures are cybercrime, drug trafficking, other illegal substances and humans, sexual exploitation of children, and illegal transportation across international borders. The most common type of transnational crime is the avoidance of taxation that is imposed by customs.

Europol

"As the EU's law enforcement agency, Europol has a mission to support its Member States in preventing and combating all forms of serious international and organized crime, cybercrime and terrorism. Europol's vision is to ensure an effective EU response to the threats of serious international and organized crime, cybercrime, and terrorism in the EU, by acting as the principal information hub, delivering agile operational support, and providing European policing solutions in conjunction with our network of partners."

¹"Our Thinking." Europol, <u>www.europol.europa.eu/about-europol/our-thinking</u>

Frontex

The Border and Coast Guard Agency of the EU is an organization that aims at the management of operational cooperation at external borders for European countries, which affects both borders between EU member-states and between the EU and non-EU countries. Its actions are not limited to cross-border crime that is taking place on the ground but are extended to aerial and marine surveillance, as well.

Human Trafficking

"Human trafficking is a global crime that trades in people and exploits them for profit. People of all genders, ages, and backgrounds can become victims of this crime, which occurs in every region of the world. Traffickers use violence, fraudulent employment agencies, and fake promises of education and job opportunities to trick, coerce, and deceive their victims. The organized networks or individuals behind this lucrative crime take advantage of people who are vulnerable, desperate, or simply seeking a better life."²

European Border Surveillance System

It is an organization that aims at strengthening cooperation between EU member-states and Europol and controlling external EU borders to prevent illegal transnational activities, especially irregular immigration from less economically developed countries.

White collar crime

"White-collar crime is a nonviolent crime often characterized by deceit or concealment to obtain or avoid losing money or property, or to gain a personal or business advantage. Examples of white-collar crimes include securities fraud, embezzlement, corporate fraud, and money laundering."³

BACKGROUND INFORMATION

There are many types of transnational crime, all of which have detrimental consequences for European countries. Even though they all have negative effects, there are quite a few differences between each one that differentiates them from other types of crimes.

Drug trafficking

Drug Trafficking is one of the most common types of transnational crime affecting EU countries. The transportation of such illegal substances through borders is prohibited both

²"Human Trafficking Faqs." United Nations: Office on Drugs and Crime, www.unodc.org/unodc/en/human-trafficking/faqs.html

³Hayes, Adam. "What Is White-Collar Crime? Meaning, Types, and Examples." *Investopedia*, www.investopedia.com/terms/w/white-collar-crime.asp

by international and national legislation of each country. However, the amount of unlawful substances transported across EU borders grows each year, creating countless risks on international, national, and personal levels.

It is interesting to note that during the past couple of years, during which more organized attempts to tackle the issue of drug trafficking have been taking place in various European countries, more than 950.000kg of illegal drug products(worth EUR 3,000,000,000) have been seized by police units from illicit traders, according to a survey that was conducted by the European Union Agency for Criminal Justice Corporation(Eurojust).

Even though the tremendous number of drug substances seized indicates the various successful attempts towards tackling the issue of drug trafficking, estimations conclude that not even half of the attempted transportation of illegal substances between borders is known to the world. This fact concerns specialists regarding the safety of border control between EU and non-EU countries. The transportation of such substances without unlawful traffickers being punished results in the rise of drug trafficking. It is of vital importance to significantly limit the amount of illegal substances transported through EU borders to minimize risks for citizens and all countries.

Human trafficking

Human trafficking has been characterized as the most dangerous and threatful transnational crime. During the past two decades, this issue has taken such a great extent that it is now considered, by many specialists, an epidemic. In simple words, human trafficking is the exploitation of humans, especially the ones who live under poor economic conditions. Human traffickers take advantage of the vulnerability of individuals facing serious economic issues to have control over them and force them to participate in illegal actions or activities without their consent.

What is more to this is that a survey that was conducted by NATO in 2023 showed that more than 57% of human traffickers are males and the victims are usually women, especially young girls below the age of twenty. Sadly, human trafficking usually results in the sexual exploitation of children and young women, the majority of whom never manage to escape the industry.

Apart from the health hazards that these activities pose to the individuals who are getting exploited, such experiences tend to scar victims of human trafficking, traumatizing them, and making it almost impossible for the victims to progress past their psycho-trauma and live a normal life afterward. Even though various attempts have been made to tackle the issue of sexual exploitation of young adults by organizations, e.g. UNICEF, Amnesty International, etc, they have not been successful, since the number of children that are

sexually trafficked grows concerningly each year. To minimize cases of such crimes within European borders it is important to secure border control.

Cybercrime

Last, but certainly not least, a type of crime that has been on the rise in recent years is cybercrime. Its tremendous increase is caused by the technological advancements that have been taking place since 2000, which affect citizens' lives to a great extent. Today, someone could arguably support that individuals are completely dependent on modern technology.

Even though technological advancements, such as mobile phones, computers, and other gadgets, have been proven quite beneficial, improving and easing multiple aspects of everyday life, there have been various concerns regarding them, especially since cybercrime cases have been on the rise. The fact that almost everyone has access to the internet and electronic devices now creates threats to users globally, even though one might think there is only a positive aspect to its growth.

More specifically, users have gained access to illegal websites and perform unlawful activities, such as fraud without facing consequences. Some of the most common examples of cybercrimes are the following: identity fraud, sale of corporate data, cyber extortion, cyber espionage, and sale of illegal items online, to name but a few. The extended use of the internet has imposed great threats to citizens worldwide, because unbeknownst to their knowledge they might become victims of cybercriminals.

Apart from individual internet users being victims of such illegal activities, various corporations have faced serious economic issues, due to cybercrime. It has been estimated that a cyberattack can cost an institution more than USD 200,000, with specialists warning that 70% of enterprises terminate operations during the first six months after the attack. What is more to this is a total of 56 billion US Dollars which were the identity fraud losses of all businesses that had suffered from cybercrime attacks in 2022.

This is the reason why solving all types of transnational crimes, especially cybercrime, is of vital importance. Security among European borders shall be the number one priority of all member states.

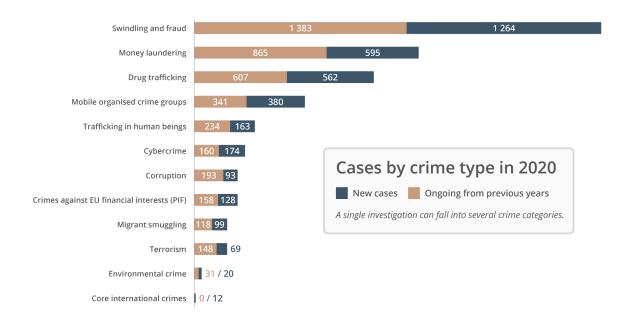


Figure 01. "Statistics per crime type-Eurojust",4

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Greece

Greece is one of the countries that have been most deeply affected by cross-border crime in recent years. Due to its geography, (intersection of Europe and Asia), it is reasonable for the country to have a high rate of transnational crimes. These circumstances have deteriorated due to historically unstable relations between Greece and Turkey. Thousands of refugees from Syria are illegally transported to Greece to move to other European countries. Additionally, the border between Greece and Albania is considered to be quite dangerous, since hundreds of kilos of illegal substances are exchanged between these two countries.

Hungary

As a country in the Balkans, where cross-border crimes have taken a great extent, Hungary is facing serious issues with border security and transnational crimes. Considering that Hungary is one of the biggest weapon producers in Europe, it is easy to understand that the illegal transportation of weapons from Hungary to nearby countries is quite common. Even though some attempts for Hungary to cooperate with European organizations that fight against cross-border crime have been made, Hungary remains one of the European countries with the highest index of transnational crimes.

Finland

⁴ "7.1 Statistics per Crime Type." *Eurojust*, www.eurojust.europa.eu/ar2020/7-casework-crime-type/71-statistics-crime-type.

Since Finland is one of the countries with the strongest cooperation with Europol and other organizations that are fighting against transnational crime, many successful attempts have been made in recent years to minimize such unlawful activities to a great and admirable extent. More specifically, the Finnish Border Guard, also known as Rajavartiolaitos, is responsible for controlling the transportation of products from and towards Finland. Its main role is to prevent human trafficking and illegal entry of immigrants and refugees. Information regarding organized crime is submitted to the National Bureau of Investigation, which acts as the Finnish national unit for Europol".⁵

France

Even though France is a Western European country, one of the financially and politically strongest nations, it has been facing serious issues with drug trafficking in recent years, especially with Cannabis that gets transported from Spain. During the COVID pandemic, the use and trafficking of such illegal substances grew immensely, which concerned authorities. The issue is charged even more, because some of France's neighboring countries allow the consumption of certain drugs, such as Belgium and Luxembourg. France has now established more police troops and conducts more investigations in its borders hoping to minimize drug trafficking.

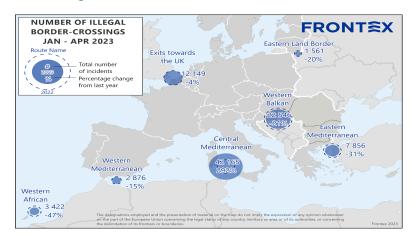


Figure 02. "Number of illegal border-crossings January-April 2023"6

Europol

Europol, also known as the European Agency for Law Enforcement Cooperation, is a European organization that was established in the Netherlands in 1998 and has been fighting against illegal activities ever since, especially cross-border crimes. Through cooperation with similar organizations and being subject to the European Union, it has made great progress towards eliminating such inter-European crimes. It aims to improve collaboration between member states and combine national legal frameworks to create

⁵ "Finland | Europol." Europol, www.europol.europa.eu/partners-collaboration/member-states/finland

⁶ Detections in Central Mediterranean at Record Level.

www.frontex.europa.eu/media-centre/news/news-release/detections-in-central-mediterranean-at-record-level-xS

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directives applicable to every country. In 2013, Europol launched a new unit, the European Cybercrime Center, which has been beneficial in coping with multinational crimes.

Frontex

Frontex, known as the European Border and Coast Guard Agency, is an agency established in Poland due to the 2015 migration crisis when various concerns regarding border security rose. The organization is known for conducting thorough research and analysis regarding border control. The risk analysis for the 2024-2025 period, is a paper of great importance informing authorities of possible threats in the near future and giving them adequate time to be prepared to face them, if needed.

BLOCS EXPECTED

During the unmoderated debate, two blocks are expected to be created by delegates depending on their country's complicity in the issue of border crimes. More specifically, countries that are heavily involved and affected by transnational crimes, as well as the ones that have limited or no cooperation with Europol and Frontex should constitute the first bloc. The second bloc should consist of delegations that have developed strong connections with the aforementioned organizations and have managed to tackle the issues of cross-border crime to a great extent.

TIMELINE OF EVENTS

Date	Description of event
1st July 1999	Establishment of Europol
15th November 2000	UN Convention against Transnational Organized Crime
1st January 2004	European Arrest Warrant(E.A.W.) comes into force
3rd October 2004	Establishment of Frontex
18th April 2018	International Seminar "Mafia and Anti-Mafia" by the United Nations
18th December 2020	E.U. introduces 2021-2025 strategy to combat transnational drug trafficking

24th February 2022	Invasion of Russia into Ukrainian territory
3rd July 2023	Summer school on Transnational organized crimes by the United Nations
18th November 2023	E.U. creates a new roadmap to minimize drug transportation
30th July 2024	Regional Event for South-Eastern Europe on Organized Crime Strategies and Gender and Human Rights Mainstreaming by the United Nations.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

United Nations Convention Against Transnational Organized Crime and the Thereto Protocols(2000)

The UN on November 15th, 2000, introduced The Convention Against Transnational Organized Crime and the Thereto Protocols, the most efficient conventions on cross-border crimes since, covering the vast majority of the challenges faced. Multiple innovative approaches and recommendations for combating and eliminating transnational crimes were presented, all of which later came into action. The convention is mostly focused on the cooperation of all UN member states to prevent such illegal activities from taking place in the future. It also proposed solutions for some of the most important issues concerning UN governments, such as money laundering and corruption. One of the most interesting aspects of the convention was the investigative techniques that were suggested, the majority of which were quite advanced, well-thought-out, and fit for society's needs and wants.

Article 13 of the general provisions of the Convention referred to the cooperation among nations, which is key when it comes to such recommendations coming into force. All in all, the convention was marked as successful, since it was a significant milestone in solving transnational crimes. After this, multiple conventions and treaties followed, each one becoming more and more advanced as years passed and technological means evolved. It is interesting to note that today's national and international legal frameworks are mostly influenced by this Convention, making it so important.

EUROPOL CONVENTION

As it was previously mentioned Europol, the European Union Agency for Law Enforcement Cooperation, is thought to be one of the most important organizations when it comes to combating cross-border crimes and illegal activities.

In Article 1 of the first part of the Convention, the importance of each nation is stretched. More specifically, it is mentioned that each member state is obligated to establish a national unit to facilitate the recommended procedures of the Convention. Article 4 of "Establishment and tasks" focuses on each nation's responsibilities, which is quite important for the] Convention, since international cooperation is needed for the recommendations to come into force. Even though this might seem obvious, in the past some nations tended to not follow necessary procedures, and serious issues surfaced preventing international legal frameworks from being effective.

One of the most interesting parts of the convention is Article 14 of the "Standards of Data Protection" section. This article seemed to be the cynosure of most specialists because it established the basic principles each nation needs to oblige in order to both tackle cross-border crime and protect the personal data of European citizens, which is one of the biggest concerns, especially with technology advancing greatly during the past two decades.

The Europol Convention was also quite effective since it established clear and comprehensive standards and boundaries both on a national and international level and clarified some aspects of the issue of transnational crimes that had not been elaborated on enough during past international and European conventions.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

European Arrest Warrant (E.A.W.)

The European Arrest Warrant(E.A.W.), was first introduced on the first of January of 2004, by the European Commission and is in force for all member states of the European Union. "It is a simplified cross-border judicial surrender procedure for prosecution or executing a custodial sentence or detention order." This framework is a replacement for the long list of complicated policies that were impossible to apply to all country members.

E.A.W. is focused on preserving free movement within the EU while prohibiting illegal activities from taking place across borders. Sufficient communication among authorities of EU countries is key to ensuring the functionality of this project since it cannot

⁷"European Arrest Warrant (Amendment) Bill 2022 Passed by Oireachtas." *Gov*, <u>www.gov.ie/en/press-release/3d36b-european-arrest-warrant-amendment-bill-2022-passed-by-oireachtas/#</u>

work effectively without the agreement of all nations. It has been applied in various cases so far, such as an armed mafia group in Italy, a serial killer in Germany, a bomber in the UK, K and a terrorist in France, to name a few. It is obvious that through this legal framework, multiple transnational crimes were prevented and criminals who have been responsible for various serious crimes within and outside the E.U. were imprisoned.

Even though it has worked great so far, E.A.W. is undeniably in need of improvement, specifically regarding its implementation in today's society. Since this is a European legal framework, it is necessary for its laws to apply precisely to each country's needs and also to fit in with national laws. If such changes are made shortly, the effectiveness of the European Arrest Warrant will be greatly increased.

E.M.P.A.C.T. and Frontex collaboration

The European Multidisciplinary Platform Against Criminal Threats(EMPACT), agreed to a collaboration with Frontex. Both organizations are characterized by a sophisticated and well-thought-out approach against illicit activities and especially against transnational crimes within EU borders.

EMPACT and Frontex participated in Joint Action Days the purpose of which was to combine national legislation and create a pan-European common legal framework. They managed to fight against human and drug trafficking, sexual exploitation of young girls, illegal immigration, and many more illegal activities taking place within European borders. One of their most interesting operations was the arrest of 82 human traffickers in July of 2022. What is more is that authorities gained insight into two serious cases of human trafficking, which threatened the lives of three children. During this operation, almost 90 forged documents were spotted, while more than 25 stolen cars were located in European borders.

It is with no doubt that this operation was one of the most effective so far, since not only multiple cases were solved, but also various possibly unlawful activities were prevented from occurring again in the future.



Figure 03. "Massive seizure at E.U.'s external border"8

POSSIBLE SOLUTIONS

As it was previously mentioned, due to the extent of the issue of transnational crimes tackling them as soon as possible is an action of vital importance. Even though there have been some attempts to tackle such challenges, none have been effective yet.

In order to strengthen border safety and security various investments by the government and other international, governmental, or non-governmental organizations are needed. An effective solution would be using more modern and technologically advanced means of border control. Since nowadays technology is such an important aspect of everyone's everyday life and such tools are used daily, individuals should positively use such advancements to strengthen border control. Technologically advanced methods can also be used to raise awareness regarding transnational crimes. Through social media campaigns, used to a great extent by billions of individuals, citizens of all countries can be informed regarding the dangers of such illegitimate activities and ways to protect themselves from them.

Another great recommendation for this issue would be creating a stronger and more modern legal framework on national and international levels, regarding customs and border

⁸ Massive Seizures at EU's External Borders: Nearly 16 Million Illegal Cigarettes and Almost 108 Kilogrammes of Narcotic Substances Detected.

www.frontex.europa.eu/media-centre/news/news-release/massive-seizures-at-eu-s-external-borders-nearly-1 6-million-illegal-cigarettes-and-almost-108-kilogrammes-of-narcotic-substances-detected-nr2tzL.

control that can be integrated into today's circumstances, standards, and needs. A major problem for previous legislation was its inability to adhere to the problems nations faced with border control and transnational crimes. The majority of legal frameworks were quite vague and not able to tackle or even alleviate the issues. This is why future directives and bills should be easy to apply for all countries, while also adhering to each country's current needs.

However, someone might think: "How will we know exactly what each country needs and in what aspect it falls short and needs improvement?". This brings me to my next recommendation on this topic which is the conduction of detailed research on each country separately to spot weaknesses. This can be done with the aid of organizations that help prevent transnational crimes, such as Europol and Frontex. Without adequate statistics, information, and knowledge on the issue, it will not be possible for each country separately, even more for all nations, to tackle the issue and invest in the fields that are facing serious inadequacies.

Apart from the more theoretical approaches governments need to adopt to minimize cross-border crimes, it is equally important to think of practical solutions to the problem, especially concerning what will happen when a transnational crime occurs and not only ways to prevent it. Creating a police troop that will be exclusively focused on border safety is a solution that combines both the prevention of transnational crimes and tackling them in case they occur. This way the possibility of a transnational crime occurring will be significantly diminished. Even though in some countries there are already organized police troops that are responsible for border control and security, they do not seem to offer sufficient protection against transnational crimes. For this reason, countries where such troops already exist should attempt to reorganize them to properly tackle cross-border crimes.

Last, but certainly not least all nations are urged to be ready to face illegal immigration and large groups of refugees. Countries with refugees need to provide adequate aid to individuals coming from belligerent countries, especially families with children, to make integration into society easier. For welcoming countries to be able to assist refugees, refugees need to be contributed equally among member states and not for a limited number of nations to be overflowed by refugees. Of course, the economic state of each member should be taken into consideration when deciding which countries should take in a larger amount of refugees.

These are only some possible solutions that can be adopted by European countries to minimize transnational crimes. All nations aim to improve certain factors to strengthen the border control of each country.

This is the end of the study guide. I am sure you will come up with well-thought-out solutions that will be discussed during the conference.

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