



# „Crime in Germany under the influence of global crises and conflicts?“

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Crime development from a regional perspective – current hot spots and how to cope with them

Using the example of Vienna

Abstract

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**Facilitation of illegal immigration, trafficking in human beings,  
cross-border trafficking in human beings with a view to exploiting them as prosti-  
tutes,  
fraudulent procurement of visas, "crime committed by foreigners"**

**Background information**

Facilitation of illegal immigration

The Federal Criminal Police Office in Vienna has established a new international investigation office (JOO – Joint Operational Office) against facilitation of illegal immigration. This is to facilitate a co-ordinated course of action in the suppression of migrant smuggling. As regards the fight against migrant smuggling and trafficking in human beings, 2015 was an exceptional year. Between 5 September and 31 December 2015, almost 800,000 persons travelled to or through Austria via Hungary or Slovenia. On 27 August 2015, 71 corpses were discovered in a lorry in Parndorf/Burgenland after a smuggling operation from Hungary. In terms of criminal profit, no other year must have been more lucrative for facilitators than 2015. According to Europol, over one million migrants entered the European Union illegally in 2015. About 90 per cent of these persons used the services offered by facilitators. Migrant smuggling networks are believed to have achieved a turnover between three and six million euros in 2015 – about as much as weapons or drug trafficking. According to Europol, the migration business is the most rapidly growing criminal market in Europe. The investigators are monitoring more than 20 migrant smuggling hotspots within the EU – including Austria. Throughout the world, there are approximately 230 criminal centres. Europol maintains a database containing details of 40,000 suspects from 100 origin countries. The only way to identify migrant smuggling networks and arrest facilitators is

joint and highly co-ordinated action at international level. Solidarity between the individual units fighting migrant smuggling is imperative. On 4 May 2016, the Austrian Minister of the Interior, Magister Wolfgang Sobotka, opened the new investigation office against migrant smuggling – the "Joint Operational Office against Human Smuggling Networks" (JOO) – in Vienna, supported by Europol and located at the Austrian Federal Criminal Police Office. The opening ceremony was attended by the deputy director of FRONTEX, Berndt Körner, the head of the European Migrant Smuggling Centre (EMSC), Robert Crepinko, and the director of the Austrian Federal Criminal Police Office, General Franz Lang, as well as representatives from 17 countries, including Turkey and Macedonia. In terms of organisation, the "Joint Operational Office" is part of the central unit for fighting migrant smuggling and trafficking in human beings at the Federal Criminal Police Office. It is part of the "European Multidisciplinary Platform against Criminal Threats" (EMPACT). "At the investigation office we are co-operating closely with Interpol and the EU Border Agency FRONTEX as well as with Europol's European Migrant Smuggling Centre (EMSC)", says Oberst Gerald Tatzgern BA MA, head of office 3.4. Our work involves cross-border co-operation between investigators to combat organised migrant smuggling and trafficking in human beings via the Balkan route and the route through Italy. The initiative to set up an international investigation office for combating trafficking in human beings and migrant smuggling in Austria was taken by the Federal Criminal Police Office in Vienna. The key factor had been the aforementioned case of 71 corpses found in a refrigerated lorry on the eastern motorway A4 near Parndorf/Burgenland in August 2015. This case demonstrated how important rapid international police co-operation is to clear up cases of that kind. Based on the long-standing co-operation with the Hungarian and Bulgarian authorities, the first arrest was made only a few hours after discovery of the dead bodies in the lorry. Three days later, six persons suspected on probable cause were already in detention - one Bulgarian businessman and five Hungarian nationals. Europol was also involved in the investigations. The reason for establishing the new investigation office in Austria may well have been Austria's

strategic location and its experience in co-operating with the Balkan countries. The investigation office is financed by Europol from EU funds.

### Working methods of the JOO

When a country starts investigations into facilitators of illegal immigration, the operational investigation office in Vienna organises the searches for and arrest of these persons. During the "critical phase" of the enquiries, up to eight investigating officers from other countries can work together at the investigation office. One advantage is that the central unit at the Federal Criminal Police Office has staff members who speak, for example, Romanian, Croatian, Hungarian and Turkish. This makes communication easier. Whenever law enforcement action is taken, the colleagues from other countries may participate – for example in case of house searches and arrests. The structures for cross-border police co-operation have been existing for quite some time. By concluding the Prüm Treaty, we have created a sound legal basis within the European Union and established relevant contacts. In the recent past, officers from Romania, Bulgaria, Hungary and Germany have already taken "operational" action in Austria. The most important element of police co-operation is, however, personal contact with colleagues from abroad.

### Police Co-operation Convention

The legal basis for cross-border co-operation is the Police Co-operation Convention for South-Eastern Europe (PCC SEE). This multilateral agreement allows the Balkan states to co-operate with police forces from EU countries at operational level. Parties to the Convention are Albania, Bosnia and Herzegovina, Bulgaria, Macedonia, Moldova, Montenegro, Austria, Romania, Serbia, Slovenia and Hungary. The PCC SEE is the most important multilateral legal foundation for operational police co-operation with South-Eastern European countries in the fields of migration, organised crime, terrorism and extremism.

## Criminal Networks

In 2015, 12,000 facilitators were identified by Europol. Most of them are from Bulgaria, Hungary, Iraq, Kosovo, Pakistan, Poland, Romania, Serbia, Syria, Tunisia and Turkey. According to Europol, the number of migrants heading for the EU is likely to increase even further in 2016. In Libya alone, 800,000 persons are presumed to be waiting to get to the European Union. This will also mean an increase in migrant smuggling. In 2016, facilitators' profits may "double or triple" compared to 2015, according to Europol. The average price for the passage to Europe ranges from 3,000 to 6,000 euros. This includes transport, accommodation, forged documents and bribes for border officers. In most cases, offers are advertised in social networks. People take out debt in order to pay for these services and are often forced into illegal labour and prostitution. According to Europol, migrant smuggling networks employ drivers and document forgers. The most important centres of forgery are reportedly based in Turkey and Thailand, from where the documents are sent by mail to customers all over the world. Migrant smuggling networks adapt to the tougher conditions of illegal entry. Europol experts believe that refugees will increasingly try to get into the EU by air on forged documents.

## Hotspots

The number of facilitators' hotspots is constantly growing. There are hotspots in Jordan, Algeria, Lebanon, Egypt, Morocco, Libya, Turkey and the EU, almost always in the vicinity of railway stations, airports or bus terminals in order to ensure expeditious onward travel. Facilitators are flexible; they quickly adapt to new situations. If controls at certain border crossing points are tightened they take alternative routes. By autumn 2015, Hungary was one of the main transit countries for asylum seekers. Numbers dropped drastically when fences were built at the borders to Serbia and Croatia; the route shifted to Croatia and Slovenia. Since transit requirements have been tightened there, the number of refugees in Hungary is on the rise again. Better protection of the EU's external border in the Aegean Sea

between Greece and Turkey will cause refugees to use, among others, the dangerous central Mediterranean route from Libya and Egypt. Investigators also have to deal with the connections between facilitators and other criminal organizations: drug smuggling, human trafficking and corruption. It is often women and children who are at the mercy of the facilitators and disappear without a trace during their flight.

### Trafficking in Human Beings

Migrants belong to a very vulnerable group of persons and are potential victims of exploitation. Particular attention must be paid to sexual exploitation and forced labour. However, this is possible only if the law enforcement authorities pro-actively engage in police operations to identify possible victims of human trafficking. As recently as November 2016 was it possible, thanks to the excellent cooperation with the authorities in Bosnia and Herzegovina, to arrest several suspects who had forced young women to prostitute themselves in hotels in Austria and Germany. In Austria alone, more than 30 possible victims were identified. In other areas, too, young migrants are at risk of falling victim to labour exploitation. It can be assumed that increasing numbers of cases will be identified in the months and years to come in which greed-motivated criminal networks will use unfair means to exploit migrants in the building industry, in agriculture, in the catering sector and in factories.

### Obtaining Visas by Fraud

The interruption and curbing of the Balkan migratory route has caused criminal networks to adopt alternative measures relating to the fraudulent procurement of visas. Most recent experience has shown that groups of persons are increasingly coming to notice who submit fraudulently obtained residence titles when presenting themselves for immigration checks.

Only in very few cases are they able to specify their intended place of residence. There is

reason to suspect that criminal groups are refocusing on obtaining visas by fraud. Networks from India, Pakistan, Bangladesh and Turkey are active in this field.

### Crimes Committed by Foreigners

There is a prevalence of so-called foreigners' crime in Austria. If we consider the suspects identified in Austria, their total number has risen by 8.5 % (to a total number of 200,733 persons) from January to September 2016 compared with the same period in 2015. A remarkable fact is the 15.6 % increase in the number of foreigners to a total of 78,916 persons during that period. An additional look at the number of suspected criminals identified among the persons seeking asylum in Austria shows that their number has risen by 64.3 % to a total of 16,902 persons from January to February 2016 as compared with 20