

A new horizontal sanctions regime

Migrant smuggling, trafficking in human beings and other forms of organised crime



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This European Parliamentary Research Service paper aims to inform Members on issues related to a forthcoming Commission initiative. It highlights the main choices which may shape the initiative and which Members may wish to explore ahead of formal Commission adoption. Based on documentary and other sources, it reflects the information available at the time of writing.

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Issues at stake

- The European Union (EU) does not currently have a dedicated autonomous sanctions regime targeting transnational organised crime groups or their facilitators.
The High Representative of the European Union for Foreign Affairs and Security Policy (High Representative), together with the European Commission (Commission), will be proposing to create a new horizontal sanctions regime under the European Union's common foreign and security policy (CFSP) targeting individuals and entities involved in migrant smuggling, trafficking in human beings and other forms of organised crime.
- The exact scope of the new sanctions regime is not yet known. Member States will need to decide which additional aspects beyond migrant smuggling and the trafficking of human beings will be included within the scope (e.g. drug trafficking, arms trafficking, financial crime, etc.).
- Designations under this new framework would lead to asset freezes and travel bans, barring a designated person (or entity) from accessing funds it holds in the EU, or travel to the EU.
- The United Kingdom (UK) and the United States (US) have already introduced sanctions regimes targeting migrant smuggling and/or organised crime groups. The United Nations (UN) has imposed sanctions on migrant smugglers and human traffickers in Libya, under the UN Libya country regime.
- The proposals for a Council Decision and a Council Regulation could be tabled by the end of March.
- The European Parliament has no legislative role in the adoption of CFSP sanctions.

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High Representative and European Commission

The High Representative and the Commission are expected to present a proposal for a new sanctions regime targeting individuals and entities involved in migrant smuggling, trafficking in human beings and other forms of organised crime, possibly as early as the end of March 2026. The proposal will consist of a Council Decision tabled by the High Representative; and a Council Regulation tabled jointly by the High Representative and the Commission.

In 2021, the Commission first introduced the idea of imposing sanctions on individuals involved in migrant smuggling. In the [renewed action plan against migrant smuggling](#), published on 29 September 2021, the Commission stated:

to address migrant smuggling, either UN sanctions or autonomous sanctions by the EU can provide a tool to impose sanctions on responsible individuals or entities, such as a travel ban or a freeze on financial assets or the prohibition to make funds or economic resources available.

In 2025, this idea re-emerged, eventually leading to its inclusion in the Commission's 2026 work-programme (CWP) and the first European strategy on asylum and migration management:

- In her most recent [State of the Union address](#), delivered on 10 September 2025, Commission President Ursula von der Leyen said '[t]hat's why we must destroy their business model. Although the numbers are declining overall, still too many [migrants] try to cross the borders illegally or die along the way. ... *We need a new sanctions regime that targets smugglers and human traffickers. To freeze their assets. To restrict their movements. To cut off their profits*'.
- In the letter of intent which the Commission published at the time of the 2025 State of the Union speech, under the heading 'A new era for European Defence and Security', point 4 in fact concerns a proposal for 'new rules on fighting organised crime *and a new sanctions regime for targeting smugglers and traffickers*'.
- In the [CWP 2026](#), published on 21 October 2025, the Commission stated that it will '*propose sanctions targeting smugglers and traffickers to freeze their assets, restrict their freedom of movement and cut off their profits*'.
- In the [European Strategy on Asylum and Migration Management](#), published in January 2026, the Commission said that it was '*developing a new sanctions regime targeting migrant smugglers and traffickers, particularly high-value criminal actors, with the aim of freezing their assets,*

depriving them of profits and restricting their ability to enter the EU, in full complementarity with criminal justice measures¹.

Facilitation of unauthorised entry, transit and residence in the EU

The Commission has also proposed a [directive](#) to strengthen criminal law measures across the EU to fight migrant smuggling. The legal framework currently in force – known as the facilitators' package – consists of Council [Directive 2002/90/EC](#) establishing a common definition of the offence of the facilitation of unauthorised entry, transit and residence, and Council [Framework Decision 2002/946/JHA](#) on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence. Both have been widely criticised for their failure to provide legal certainty and for the lack of uniformity in their implementation. Parliament has been the main critic of these legal acts since their adoption in 2002. The Commission has proposed to establish new minimum rules concerning the definition of criminal offences and penalties in the area of facilitation of unauthorised entry, transit and stay of third-country nationals, as well as measures to prevent and counter the commission of such criminal offences (while ensuring that providing humanitarian assistance is not criminalised). In Parliament, the file has been [assigned](#) to the LIBE committee, with Birgit Sippel (S&D, Germany) as rapporteur. The rapporteur's report was published in March 2025, to be followed by the vote in committee. The new sanctions framework and the new directive are part of a wide range of measures the Commission has either introduced or announced to tackle migrant smuggling and organised crime.

Council of the EU

On 20 November 2025, the 'creation of a sanctions regime against organised crime' was raised at the [Foreign Affairs Council](#) (FAC). According to the background brief to the FAC, the agenda item [calling](#) for the establishment of a new EU framework for restrictive measures 'targeting organised crime' originated with France. The Political and Security Committee (PSC)¹ subsequently discussed the initiative announced by the Commission President. The members of the [Working Party of Foreign Relations Councillors](#) (RELEX) of the Council of the EU will discuss the High Representative's/ Commission's proposals once they have been tabled.

Why is the initiative important?

Migrant smuggling and trafficking in human beings

More than 90 % of people who cross the external borders of the EU irregularly do so with the assistance of [migrant smugglers](#), either for their whole journey or for part(s) of it. Demand for facilitation services is high. In most cases, criminal groups offer the facilitation services – ranging from transport and accommodation to the production and sale of fraudulent documents.

Migrant smuggling vs trafficking in human beings

Migrant smuggling and trafficking in human beings are two distinct forms of crime to which different legal and policy frameworks apply at EU and international level. Whereas [migrant](#)

[smuggling](#) is always transnational, this is not always the case with [trafficking in human beings](#). Persons who are being trafficked usually do not consent to this crime, unless they are being smuggled for the first part of their journey and then fall into the hands of traffickers. Moreover, traffickers' main objective is the exploitation of an individual for profit, whereas smugglers derive their profit from the transportation or facilitation of the irregular entry or stay of a person into another country.

Migrant smuggling is a complex crime, interconnected with many other forms of criminal activities, such as document fraud, trafficking in human beings and other types of illicit smuggling, as well as with the abuse of legal instruments and business structures. Migrant smugglers often make use of the existing infrastructure of parallel criminal activities, particularly of drug trafficking but also of human trafficking networks.

Human trafficking, by contrast, is considered a severe violation of human rights and human dignity. The EU addresses this through [Directive 2011/36/EU](#), which was recently strengthened through reforms.

Irregular migrants have a heightened risk of subsequently becoming victims of trafficking. According to estimates, over 7 000 people are trafficked in the EU every year, although the figure could be much higher because many victims remain undetected. Human trafficking is a lucrative business, driven by demand for sexual (and other) services.

Migrant smugglers are among some of the most agile criminals, quickly adapting the routes and methods they use to smuggle migrants into, within or beyond the EU. The criminal organisations involved in smuggling migrants are increasingly global, sophisticated, professional and violent.

Migrant smuggling and trafficking in human beings are both considered criminal activities under EU law, and in both cases, the criminals involved are in the business for financial or other material gain. They make use of informal financial systems, crypto assets and cash couriers to function and launder their profits.

Organised crime

Criminal organisations continue to pose big risks to the EU's internal security – a rising number of organised crime groups are active on EU territory, often with cross-border reach. These groups have an increasingly destabilising impact on EU societies.

Organised crime is an increasingly dynamic and complex phenomenon, with new criminal markets and modi operandi emerging under the influence of globalisation, geopolitical instabilities and new technologies. While the impact of serious and organised crime on the EU economy is considerable, there are also significant political and social costs, as well as negative effects on the well-being of EU citizens. As organised crime has become more interconnected, international and digital, Member States – which remain responsible for operational activities in the area of police and judicial cooperation – rely increasingly on cross-border and EU-level cooperation to support their law enforcement authorities on the ground. Recognising the severity of the problem and the need for coordinated action, the EU has initiated several measures to encourage closer cooperation between Member States; it has also adopted common legal, judicial and investigative frameworks to address organised crime.

Sanctions regimes

EU sanctions

[EU sanctions](#) are a key foreign and security policy instrument under the CFSP. The EU currently has [33 sanctions regimes](#) targeting third countries, entities, and legal and natural persons. EU sanctions include arms embargoes, import and export bans, restrictions on banking services, freezing of funds and economic resources, and travel bans. The EU implements all sanctions adopted by the United Nations Security Council. Moreover, the EU adopts autonomous sanctions to target certain (additional) countries, and to fight against terrorism, defend human rights and democratic institutions, deter cyber-attacks or prevent the proliferation of chemical weapons or weapons of mass destruction.

The existing EU global human rights sanctions regime includes a provision targeting trafficking in human beings, as well as abuses of human rights by migrant smugglers (Article 1(d)(i) of Council Decision (CFSP) 2020/1999 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses). However, this provision requires that the activities of migrant smugglers and traffickers include human rights abuses, similar to the UN sanctions imposed under the Libyan country regime (see below).

The EU does not currently have a dedicated autonomous sanctions regime targeting transnational organised crime groups or their facilitators. The designation of criminal actors has depended on establishing a clear link to existing sanctions grounds under other sanctions regimes. This reliance constrains the EU's responsiveness to organised crime groups functioning as geopolitical or hybrid actors – entities that destabilise regions, launder funds on behalf of regimes under sanctions, or carry out proxy violence, yet fall outside established legal categories.

UK sanctions

On 22 July 2025, the UK [introduced](#) 'the world's first sanctions regime to smash the gangs responsible for irregular migration'. [The Global Irregular Migration and Trafficking in Persons \(Sanctions\) Regulations 2025](#) were adopted under the Sanctions and Anti-Money-Laundering Act 2018. Under the new rules, anyone complicit in facilitating people smuggling to the UK could be subject to sanctions. Targets have assets frozen, are shut off from the UK financial system and banned from travelling to the UK. The UK has so far [imposed sanctions](#) on 32 individuals and six entities [involved](#) in people-smuggling to the UK. Individuals included leaders of organised crime groups based in the Balkans and North Africa, seven Iraqi-linked individuals involved in trafficking, suppliers of maritime equipment used by smugglers to cross the English Channel, bankers involved in informal money transfer networks, and procurers of fake documentation used by criminal groups. Entities included four gangs from the Balkans and North Africa and a small boat supplier in China.

US and Canadian sanctions

The US government has put in place multiple sanctions programmes to target transnational criminal activity. These include the [Transnational Criminal Organisations sanctions programme](#), which was introduced in 2011 following the adoption of [Executive Order 13581 – Blocking Property of Transnational Criminal Organizations](#). Under this regime, which was subsequently amended to increase its applicability to cross-border migrant smuggling activity, the US has [issued](#) sanctions targeting migrant smuggling and human trafficking, designating actors in a handful of countries, including [Mexico](#) (most recently in [2025](#)), [Guatemala](#), [Pakistan](#) and [Myanmar](#). The property and interests

in property of targeted persons are blocked and US persons are prohibited from entering into transactions involving the property or interests in property of targeted persons or entities. Those subject to sanctions under EO 13581 are also subject to visa bans.

The US also [imposes](#) sanctions to disrupt and deter the illicit production and trafficking of foreign-produced drugs. The first measures were adopted in 1995, and subsequently expanded. Counternarcotics sanctions take several forms and target a wide range of actors directly and indirectly involved in the global illicit drug trade. They include asset-blocking sanctions, financial sanctions, procurement bans, and visa denial and entry restrictions. In 2007, the OFAC published a detailed [account](#) of the effects of US counternarcotics sanctions.

Moreover, the [US Congress](#) has debated for many years whether some drug trafficking organisations and other transnational criminal organisations bear enough resemblance to terrorist groups to be identified and treated as such for US law enforcement and national security purposes. Following the issuing of a presidential executive order in January 2025, in February 2025 the US began [designating](#) cartels and other organisations as [Foreign Terrorist Organisations](#) (FTOs) and Specially Designated Global Terrorists (SDGTs). There are now 15 transnational criminal organisations on the FTO list, including Mexico-based entities known for their role in a wide range of criminal activity, including illicit drug production and trafficking, and their brutal tactics; groups with ties to [El Salvador](#), [Ecuador](#), [Colombia](#) and [Venezuela](#); two transnational Latin American gangs; and two [Haitian gangs](#). Several of the [groups](#) were [previously](#) sanctioned under counternarcotics and anti-crime measures, but designating them as terrorist groups enlarges the legal and policy measures that can be used to target these groups, their businesses, their members, and their collaborators. Key impacts of the designation as an FTO include the freezing of assets held in US financial institutions, a prohibition on providing 'material support' (including funds, training, or services), and the exclusion of members/representatives from entering the US.

In February 2025, Canada followed suit, also [listing](#) seven of the transnational criminal organisations on the US FTOs list as [terrorist entities](#).

G7 Initiative

In June 2025, the Group of Seven (G7) endorsed the use of sanctions to counter migrant smuggling and human trafficking:

We are determined to dismantle the transnational organised crime groups profiting from both migrant smuggling and human trafficking. Migrant smuggling often has links to other serious criminal offences, including money laundering, corruption and trafficking in persons and drugs, that threaten the safety of our communities. It can expose vulnerable smuggled persons to grave and life-threatening risks, including physical abuse, sexual and gender-based violence, extortion, labour exploitation, and forced labour and criminality. ... We will explore ... the potential use of sanctions to target criminals involved in migrant smuggling and human trafficking operations from countries where those activities emanate.

UN sanctions on Libya

Since 2018, the UN has [designated](#) seven individuals – five Libyan and two Eritrean nationals – under the [country regime](#) for Libya, for their involvement in migrant smuggling and human trafficking. This is the first time UN sanctions have targeted individuals involved in migrant smuggling and human

trafficking, imposing a travel ban and asset freezes. In [UN Security Council Resolution \(UNSCR\) 2240, adopted in 2015](#), the Security Council condemned 'acts of migrant smuggling and human trafficking into, through and from the Libyan territory'. Nevertheless, relevant listings are based on criteria on human rights under earlier resolutions (namely [UNSCR 2174](#) (2014) and [UNSCR 2213](#) (2015)), rather than an extension of the criteria for listing to migrant smuggling or human trafficking, specifically. The EU has added the seven individuals to Annex II to [Regulation \(EU\) 2016/44](#) concerning restrictive measures in view of the situation in Libya.

Expert views

Experts have pointed to the fact that asset freezes and travel bans are increasingly used to target various forms of organised crime, including corruption, cybercrime, drug trafficking, transnational organised crime, and human rights abuse. The advantage of sanctions is the relative ease with which they can be imposed, in contrast to criminal prosecutions, where the evidentiary threshold required is much higher. However, experts point to the lack of research into the effectiveness of sanctions to disrupt the business models of migrant smugglers or human traffickers, or organised criminal groups in general. They also question whether asset freezes and travel bans are effective tools against some of the 'most agile criminals, increasingly global, sophisticated, and professional'. Moreover, at present, little is known about the criteria that will be used for selecting individuals under any new EU sanctions regime targeting migrant smugglers or human traffickers, nor about the practicalities of how evidence will be collected. Questions also surround the issue of cooperation with law enforcement authorities in countries in which targeted individuals or groups are based. Close cooperation with the host country has proven crucial to the success of the US government's sanctions programmes targeting drug smuggling originating in Colombia, for example.

For a debate on the use of sanctions against organised crime, see E. Glantz, C. Haenlein and A. Moiseienko, [Disrupting Organised Crime: If you can't beat them, sanction them?](#), Royal United Services Institutes, November 2025, and C. Haenlein, S. Erskine, E. Glantz and T. Keatinge, [Targeted Sanctions and Organised Crime](#), Royal United Services Institutes, March 2022.

See also Directorate General for External Policies, *Addressing the Nature and Impact of Organised Crime on the International Scene: Understanding and Legislating for the role of Organised Crime Groups as Geopolitical Actors*, forthcoming. This study was commissioned by the AFET committee.

Member States

The exact scope of the envisaged sanctions regime is not yet known. Currently, the working title of the initiative is a new 'sanctions regime targeting individuals and entities involved in migrant smuggling, trafficking in human beings and other forms of organised crime'. Member States have not yet agreed whether to focus on migrant smuggling and trafficking, or to include other forms of organised crime, potentially including drug trafficking, arms trafficking, financial crime, environmental crime, and/or foreign interference.

France has publicly [called](#) for the EU to adopt a new sanctions regime against criminal networks involved in migrant smuggling and trafficking that would lead to asset freezes and travel restrictions within the EU.

In discussions with Member States, the European External Action Service (EEAS) and the Commission have focused on drawing an important distinction between the proposed **new sanctions regime**, and **criminal law measures** targeting the offences of migrant smuggling, human trafficking and/or related organised crime. This distinction is especially important in light of ongoing efforts to modernise the legal framework to fight migrant smuggling and related criminal activities, as well as the [planned update of the EU rules to combat organised crime](#). The EEAS and the Commission present the new sanctions regime as complementary to criminal law and law enforcement measures, rather than as an alternative, as it seeks to effect a change in behaviour of the person or entity under sanctions, rather than punish them.

European Parliament

Migrant smuggling

The European Parliament has expressed its position on migrant smuggling on many occasions, repeatedly calling for more and better operational cooperation, data sharing and legal migration channels. In the wake of the 2015 migrant crisis, Parliament's [resolution](#) of 29 April 2015 called upon Member States to step up operational cooperation, data collection and sharing with other justice and home affairs agencies and to prioritise financial investigations to disrupt criminal networks' profits.

Since 2015, Parliament has also [stated repeatedly](#) that the fight against human smuggling groups needs to be part of a holistic EU approach to migration, alongside the military and naval operations. Parliament has also repeatedly [emphasised](#) that the implementation of the EU legal framework on migrant smuggling must not criminalise migrants or those helping them on humanitarian grounds. In March 2023, Members [urged](#) the Council to fight migrant smuggling.

Trafficking in human beings

Since first addressing the problem in 1989, with a resolution on the exploitation of prostitution and the traffic in human beings, the European Parliament has played a major role in developing anti-trafficking policies at EU level. In 2016, Parliament [assessed](#) the implementation of the EU Anti-trafficking Directive from a gender perspective, emphasising that trafficking is a gendered phenomenon, and called on Member States to adopt gender-specific prevention, assistance and support measures in line with the directive. In another 2016 [resolution](#) on the fight against trafficking in human beings in the EU's external relations, it noted that trafficking is a global transnational crime and expressed concern at the insufficient level of international cooperation.

In February 2021, Parliament adopted a comprehensive [resolution](#) on the implementation of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, which stressed the need for a coordinated, harmonised and coherent EU framework, with more efficient assessment and follow-up mechanisms.

In its [resolution](#) of 5 May 2022, Parliament expressed concern about the increasing number of reports of human trafficking, sexual violence, exploitation, rape, and abuse of women and children fleeing the war in Ukraine. In its September 2022 [resolution](#) on human rights violations in the context of the forced deportation of Ukrainian civilians to, and the forced adoption of Ukrainian children in, Russia, Parliament once again stressed the need to protect children and unaccompanied minors at risk of

violence, exploitation and trafficking. The danger of online violence and its role in trafficking based on sexual exploitation of women and girls was again underlined in a February 2023 [resolution](#).

In its November 2025 [resolution](#) on the Gender Equality Strategy 2025, Parliament reiterated its concern, named trafficking a form of modern slavery and drew attention to the strong link between trafficking and sexual exploitation. It also urged for the swift and full transposition of the revised Anti-trafficking Directive and for the rescue and rehabilitation of victims.

Organised crime

The fight against organised crime has been a priority for the European Parliament over many years. On 15 March 2023, Parliament [discussed](#) the topic of combating organised crime in plenary, in the presence of the Commission and the Council. On 22 January 2025, Parliament [debated](#) links between organised crime and smuggling of migrants in light of a UN report on the topic.² On 10 February 2025, Parliament [discussed](#) the escalation of gang violence in Sweden and strengthening the fight against organised crime.

Parliament has also adopted several resolutions addressing organised crime. In a 2020 [resolution](#) on the EU security union, Parliament stressed the need for a definition of organised crime that takes into account the use of violence, corruption or intimidation by criminal groups to obtain control of economic activities or public procurement, or to influence democratic processes. A 2025 [resolution](#) called for 'further strengthening cooperation against organised crime and drug trafficking which also has an impact on the EU', while another 2025 [resolution](#) called for the EU and its Member States 'to discuss the phenomenon of instrumentalised migration orchestrated by authoritarian regimes and organised crime groups'. In the latter, Parliament emphasised 'the need to conduct a comprehensive analysis of this phenomenon, develop effective countermeasures, and consider its implications for the human rights framework'. Parliament has also regularly raised concerns about organised crime in resolutions on accession countries in the Western Balkans, such as in a 2021 [resolution](#).

Main references

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Endnotes

¹ The PSC is a preparatory body within the Council of the EU, which is composed of Member States' ambassadors based in Brussels and is responsible for the EU's common foreign and security policy and common security and defence policy.

² [Links Between Smuggling of Migrants and Other Forms of Organized Crime Along the Central and Western Mediterranean Routes](#), UNODC, 2024.

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