

Ombudsman Inquires Commission's Failure to Carry Out Impact Assessment for Anti-Smuggling Package

Thomas Wahl

Following a complaint by civil society organisations, European Ombudsman *Teresa Anjinho* opened an inquiry into the Commission's decision not to carry out an impact assessment on two legislative proposals to combat migrant smuggling. Specifically, the legislative proposals concern the directive to prevent and counter the facilitation of unauthorised entry, transit and stay in the EU and the regulation on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings. The package was presented in November 2023 (→[eucrim 3/2023, 257-258](#)).

After the Ombudsman asked the Commission to explain why no impact assessment had been carried out, the latter is now also required to explain the urgency of these two legislative proposals. The state of play of the Ombudsman's inquiry can be retrieved [here](#). The European Parliament has already criticised the lack of an impact assessment and the EP's Research Service did a "targeted substitute impact assessment", concluding that the proposed directive is not consistent with either international or EU standards (→[eucrim news of 13 March 2025](#)).

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

Published in
2025, Vol. 20(2) *eucrim*
ISSN: 1862-6947
<https://eucrim.eu>



About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and "criministrative" law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to eucrim-subscribe@csl.mpg.de to receive alerts for new releases of issues.

The project is co-financed by the Union Anti-Fraud Programme (UAFP), managed by the European Anti-Fraud Office (OLAF).



Co-funded by
the European Union