

## Legal information

Art. 95 of the Residence Act (Aufenthaltsgesetz) includes criminal provisions for foreign citizens entering and remaining in Germany without the required passport or residence permit. Anyone who remains in Germany without the required residence permit is generally obliged to return to the country that they are allowed to enter and remain in.

Smuggling is punishable under Arts. 96 and 97 of the Residence Act (smuggling foreign citizens, smuggling resulting in death, smuggling for commercial purposes and as part of organised crime).

The offence may warrant a fine or a custodial sentence of up to 10 years, depending on the nature of the individual offence.

Anyone who assists with unauthorised entry into Germany as per Art. 95 of the Residence Act is also liable to prosecution.

Alongside fines and custodial sentences, possible consequences of people smuggling or abetting unauthorised entry may include your vehicle being seized temporarily or permanently, your driving licence being revoked, or an employment ban.



## Important

If you as a driver suspect that people are being transported without the necessary authorisation to enter Germany, or if you witness an attempt to enlist help with transporting a person who is not authorised to enter Germany, please inform the Federal Police or any other police department immediately!

**Do not make yourself liable to protection!**

**Help prevent human smuggling and its potentially fatal consequences!**

**Protect yourself and others without putting yourself in danger!**



**110 Police emergency number**  
**112 Emergency service**

Free service number for the Federal Police:  
0800 6 888 000 (available 24/7)

If you are **outside Germany**, you **can** call the European **emergency number 112** or contact your nearest police department.



You can find more information at:

[www.bundespolizei.de/schleusungen-verhindern](http://www.bundespolizei.de/schleusungen-verhindern)



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### Legal notice

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# Actively prevent smuggling!

**Advice for transportation of goods, buses, taxis, and hire/car-share companies**



**BUNDESPOLIZEI**

# Be alert!

## Criminal smuggling

The act of transporting at least one person, assuming or promising a benefit of some kind, and transporting multiple persons across a state border – including internal borders – constitutes smuggling, provided that the persons are not authorised to enter Germany.

The aim of the (predominantly male) suspects is generally a direct or indirect financial or material reward.

### Smuggling can take different forms:

People being smuggled use documents that have been falsified or obtained unlawfully (particularly identity documents), e.g. to travel across a border using a bus or car-share service.

People being smuggled may also be hidden in cross-border vehicles (such as HGVs, vans and passenger vehicles) before the journey starts or during a break in the journey. If hidden and unprotected in a vehicle, people being smuggled are **at considerable** risk of oxygen deprivation, dehydration, hypothermia, or the vehicle being involved in an accident.



## Please note:

Inside the Schengen Area, it is generally possible to cross borders without undergoing any checks. However, travellers must still carry the documents required to cross the border (identity card, passport, visa if required). Police officers are always permitted to carry out border checks, depending on the situation at hand.

### TRANSPORTATION OF GOODS:

- Do not pick up hitchhikers!
- Park your vehicle in a way that allows you to observe it!
- Check your vehicle before starting your journey! Smugglers monitor vehicle routes, loading, and drivers' behaviour.
- Vehicle drivers are often targeted, observed, and selected to be enlisted for help.

### BUSES:

- Inside the Schengen Area, transportation companies are not legally obliged to check that travellers are carrying the documents required to cross borders. However, there is nothing to stop an obligatory check being included in conditions of carriage as part of ticket inspection. It is a good idea to include the obligation to carry required travel documents in the conditions of carriage.
- If you suspect that a person is being smuggled or attempting to enter Germany without authorisation, the police will be happy to receive any information you may have.

### TAXIS:

- When accepting trips near borders, beware of passengers who are not dressed suitably for the weather outside or if they are unable to communicate and appear nervous.
- Question unusual passengers. It is possible that the trip is being used to smuggle persons.

### CAR-SHARE AND RENTAL COMPANIES:

- Be especially alert if the car-share passenger is not the person who booked the trip.
- If police discover a case of human smuggling, **your** vehicle may be taken to undertake criminal proceedings, which could prevent you from using it for a period of time.
- The loading areas of vans are often heavily contaminated or damaged after a smuggling offence. An unusual amount of footprints and handprints in the loading area, the smell of excrement, urine, sweat and cigarettes, and broken rubber seals are often signs of smuggling.
- Bands of smugglers often act without any consideration for the people being smuggled, emergency personnel, and other people. They may intentionally provoke accidents to escape the police, which often causes substantial damage to the vehicles used.
- If you suspect that someone intends to use or is using the hire vehicle to smuggle people – when the order is made, when the vehicle is handed over, or when the vehicle is returned – please inform the police. In the meantime, please do not tamper with the vehicle in any way.



Prevent smuggling –  
save lives!



Contact the police immediately  
regarding attempts to enlist help or  
any other information!