



# statewatch

Monitoring the state and civil liberties in Europe



| Monitoring | Documenting | Reporting | Analysing |

**Statewatch** is the working name of the Libertarian Research and Education Trust, a registered UK charitable trust (no.282624). In 2013, LRET became an Incorporated Charity (no: 1154784) and Company (no: 08480724).

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## About Statewatch

### Monitoring the state and civil liberties in Europe

Statewatch was founded in 1991 to monitor civil liberties and democracy in Europe. It is an independent, not-for-profit group of researchers, journalists, activists, lawyers and academics based in London, with a network of contributors from across the EU.

The predecessor to Statewatch was State Research, which was active from 1977 to 1982. It reported and documented the activities of MI5, Special Branch and the CIA, the use of the Official Secrets Act, the conduct of the British state in the north of Ireland, the policing of strikes and demonstrations and the 1981 uprisings in inner-city London. Like today, it was a time when the interventions of the state profoundly affected peoples' lives.

This tradition - of exposing secret, disproportionate, unlawful or arbitrary state powers and their impact on civil liberties, democratic standards and political activism - continues to the present day. Statewatch has documented issues that are all too often ignored or misrepresented by the mainstream media. They include: the growing remit of police forces, law enforcement and security agencies; the imposition of ever expanding surveillance systems; the diversification and expansion of Europe's 'security-industrial complex'; increasingly more oppressive immigration and asylum policies; the privatisation of the prison system; the growth of institutional racism; and the acceptance of the far-right into mainstream politics.

Statewatch also monitors another crucial development on the political and legal landscape: EU security apparatus and the implementation of EU justice and home affairs policies. With increasing frequency, decisions taken at the EU level are undermining civil liberties in Member States.

### A critical watchdog for critical times

The post 9-11 era: Since the beginning of the "war on terror" in 2001, laws, policies and practices adopted by the EU and its Member States in the name of security and counter terrorism have increasingly infringed the civil liberties of all in Europe. Statewatch was the first to speak out against the overbroad EU Framework Decision defining "terrorism", the hastily adopted European Arrest Warrant and secret agreements with the USA on police and judicial cooperation. It went on to challenge and document the adverse impact of counter-terrorism laws on suspects and defendants, Muslim communities, migrants and refugees. Statewatch was at the forefront of researching covert unlawful practices such as "extraordinary rendition", terrorist blacklisting, detention without trial, excessive surveillance and the targeting of charities and NGOs.

Combatting mass surveillance: Edward Snowden's revelations about the extent of un-lawful communications monitoring by security and intelligence agencies in the USA, UK and other EU states have confirmed the dangers of unchecked surveillance. Statewatch will continue to document and analyse communications surveillance infrastructure, back new laws to end mass surveillance, and protect privacy.

Checking the power of the security industry: Large security and defense companies, whose "Homeland Security" revenues continue to grow in spite (or perhaps because) of the global financial crisis, exert an increasing influence over EU and national policies, particularly in regard to research and development and procurement. Statewatch is at the forefront of exposing and challenging the influence of the emerging "security-industrial complex" in Europe.

Working for an open, democratic EU: None of these crucial issues can be tackled and exposed unless people and civil society know what is being decided in their name. Statewatch believes access to documents to be the life-blood of a democratic culture and has consistently challenged secret decision-making in EU institutions.

# Statewatch and the European Union

## Fighting for freedom of information in Europe

When Statewatch started requesting justice and home affairs policy documents from the General Secretariat of the Council of the European Union back in 1992, the EU did not even have any rules on public access to documents. Nor was there any obligation for the EU to publish texts prior to their adoption by the Member States.

Working closely with academics, journalists and lawyers, Statewatch began systematically applying for EU documents and challenging the culture of secrecy that prevailed throughout the 1990s.

Statewatch then led a coalition of civil society organisations campaigning for greater openness during the adoption of the EU Regulation on public access to documents through 2000 and 2001, and has continued to monitor its use since.

Over the past two decades Statewatch has submitted 10 successful complaints to the European Ombudsman over the lack of openness of EU institutions, each leading to greater freedom of information. It continues to campaign for improvements and against attempts to restrict EU laws on public access that were adopted a decade ago.

*"Statewatch has worked tirelessly and systematically for decades to bring the often hidden activities of EU executive power into the public domain and make them the subject of public debate"*

Deirdre Curtin, Professor of European Law, Director of Amsterdam Centre for European Law and Governance, University of Amsterdam, Netherlands

## Encouraging democratic debate about EU policies

The Statewatch European Monitoring and Documentation Centre (SEMDOC) was launched at the London offices of the European Parliament in 1997 with the support of over 50 civil society groups and individuals from across Europe. Its aim was to encourage critical research and debate on EU justice and home affairs policies. Thousands of policy documents were gathered, analysed and archived.

The SEMDOC legislative observatory was launched in 2002. It has tracked - and continues to track - every single measure, proposed and adopted, in the field of EU justice and home affairs policy. Twelve years on it is still the only website on which users can find comprehensive information on the entire policy field, including all legislative texts from the three main EU institutions, international treaties and related case law.

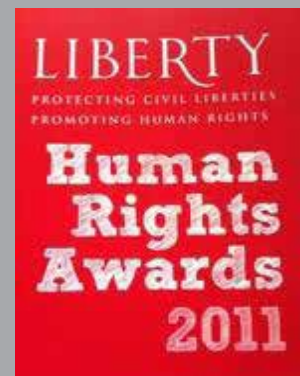
By the time the EU institutions launched their own public registers of documents in 2002, SEMDOC had collected and archived over 8,000 EU documents - the vast majority of which remain unpublished by the EU.

In 2012, Statewatch launched the JHA archive (1976-2000), a searchable database with links to scanned copies of these documents, providing a unique historical archive of the EU.

Today there are dozens of EU police and judicial cooperation, border control and security measures going through the EU legislative process at any one time - each affecting human rights as well as policy and practice in the Member States. Statewatch continues to provide an unparalleled information service that fosters debate among NGOs and civil society organisations, and within the media and national parliaments.

Statewatch has received numerous awards for its work on EU policy, including the European Information Association's prestigious Chadwyck-Healey Award for achievement in European Information.

## Awards for Statewatch



At the 2011 Liberty Human Rights Awards, Statewatch was given a "Long Walk" Award: "For dedication to openness, democracy and informed debate about European institutions, keeping us reliably informed and suitably engaged for the last 20 years. Their network of independent volunteers has become one of the most respected and reliable sources of investigative journalism and critical research in the fields of the state, justice, home affairs and civil liberties in the European Union."



In 2002 and 2004 Tony Bunyan, Statewatch Director, was named as one of the European Voice's 50 most influential people in Europe (the "EV50"). The awards recognised Statewatch's campaign for openness in the EU (2002) and its work on the 'war on terror' and civil liberties (2004).

In 2001 the European Information Association gave Statewatch the Chadwyck-Healey award for Achievement in European Information.

In 2000 Statewatch received a 'Champion of Privacy' award from Privacy International.

In 1998 the Campaign for Freedom of Information gave Statewatch an award for challenging EU secrecy.

# A unique resource for civil society

## Effecting change



### Analysis

#### EU-USA Justice and Home Affairs cooperation: an honest and equal relationship?

"reciprocity rarely applies, i.e. the EU almost never gets access to any US held database"

"Umbrella Agreement" on data protection: chances of changes in US law to give equal rights to EU citizens "quite uncertain" nor can it "endanger... [existing] memorandum of understanding and other forms of cooperation" with EU Member States

Visas: "The U.S is worried by the EU rule on reciprocity"

"In the absence of EU-PNR" the USA gathers personal data from "passenger info units of the Member States" (Council of the European Union)

Tony Bunyan  
(July 2015)

In June 2015 the Council of the European Union and the USA adopted a "Renewed EU-US Statement Enhancing transatlantic cooperation in the area of Justice, Freedom and Security" at the EU-US JHA Ministerial meeting in Riga on 2-3 June 2015 under the Latvian Council Presidency. [1] The Agreement will run for five years and follows on from the "Washington Statement" adopted in 2009. [2]

<sup>1</sup> EU-USA Statement, Riga, 2015:  
<http://www.statewatch.org/news/2015/jun/03/council-eu-usa-statement-2537-18.pdf>  
Draft: <http://www.statewatch.org/news/2015/may/01/council-eu-usa-statement-15184-49.pdf>

<sup>2</sup> The Washington Statement:  
<http://www.statewatch.org/news/2009/06/washington-statement-15184-49.pdf>

EU-USA Justice and Home Affairs "cooperation" 11

One of Statewatch's strengths is its ability to analyse, contextualise and place important issues into the public domain in order to inform and effect change. Information provided by Statewatch is widely used by journalists, NGOs, campaigning organisations, parliaments, lawyers, activists and students.

Through extensive documentation, Statewatch provides a critical link between state policy and its implementation on the ground, enabling people to follow secretive and complex issues and engage in debates often ignored by the mainstream media.

Statewatch staff regularly brief journalists, lawyers and activists on civil liberties issues and speak at meetings and conferences. Statewatch also makes regular submissions on policy and practice to parliamentary committees and investigations.

*"We consider it an obligation not just to research and analyse but also to present and defend our views and learn from the experience of others"*

Tony Bunyan, Director of Statewatch

## Outreach

Statewatch plays an active role in numerous civil society networks and platforms, including the European Digital Rights Initiative, Migreurop, the Fundamental Rights European Experts Group (FREE Group), the Freedom of Information Advocates Network and the Coalition for Ethical Journalism. It has also worked on common projects with like-minded organisations such as the American Civil Liberties Union, Privacy International, the Transnational Institute, the European Federation of Journalists, and Access-Info Europe.



Statewatch Staff presenting to 150 children at the Go-Givers Make a Difference Challenge Event, 2015

Statewatch also organises public civil liberties workshops for journalists, lawyers, academics, students and civil society groups on the workings of EU institutions and agencies, and issues of transparency, democratic accountability and access to documents. In 2013/14, locations included Belfast, Bern, Bristol, Copenhagen, Dublin, Mytilene and Sofia.

On the occasion of its 20th anniversary in June 2011, Statewatch organised a conference in London that was attended by over 200 people from 18 countries and included representatives of 30 NGOs working on civil liberties and human rights issues. Speakers in plenary sessions were filmed and published on the Statewatch website.

Tony Bunyan speaking at the Surveillance and Citizenship Conference held at Cardiff University's School of Journalism, Media and Cultural Studies, 2015



Staff frequently address conferences and meetings across the European Union and beyond, and are regularly called upon to provide expert advice and policy recommendations to national and European parliamentarians, the European Commission and numerous other intergovernmental organisations. Statewatch has also participated in various EU Expert Groups providing advice on security research, surveillance, ethics and fundamental rights.

# Statewatch: a key source of information

Statewatch aims to provide timely, reliable and trustworthy information regarding the state and civil liberties together with full-text documentation so that readers can access source and background material. To this end, it provides a range of services that are widely used by journalists, NGOs, campaigning organisations, parliaments, lawyers, activists and students.



## STATEWATCH WEBSITE

Since August 2014, there have been over 1 Million "hits" a month, with the number of files accessed on the website each month consistently over 17,000. The website is currently being redesigned and updated, and will relaunch when work is completed.

<http://www.statewatch.org>



## NEWS ONLINE

Launched in 1999 and updated daily, News Online carries articles, reports, documents and analyses on civil liberties, EU policies and state practices.

In 2014, a total of 1200 news items and analyses were published.

<http://www.statewatch.org/news>

## OBSERVATORIES

Statewatch's website includes 20 observatories that document the development of specific issues, bringing together draft policies and adopted legislation, analysis from civil society, media reports, critiques and campaigns. Issues covered include the global "war on terror" and the development of "Fortress Europe".



## DATABASE

Statewatch's searchable database contains all material from News Online, the Journal and the State Research archive - more than 30,000 records, all indexed and keyworded.

<http://database.statewatch.org>



## SEMDOC

Updated monthly, the Statewatch European Monitoring and Documentation Centre tracks every measure, proposed and adopted, in the field of EU justice and home affairs policy.

<http://www.statewatch.org/semdoc>



## STATEWATCH JOURNAL

In June 2014 Statewatch suspended publication after 23 years. The Statewatch Journal was published quarterly and included articles written by a wide range of contributors from across Europe. It has a thematic focus and more recent issues focused on the impact of austerity and EU border control. It is free to download.

<http://www.statewatch.org/journal>

## EMAIL LIST

Over 9,000 people have signed up to receive email alerts and are regularly sent information on leading stories and Statewatch's activities.



## SOCIAL MEDIA

Statewatch is active on Facebook and Twitter, posting on a daily basis with a following that has grown rapidly to over 6,000 users collectively.

<https://twitter.com/StatewatchEU>

<https://www.facebook.com/pages/Statewatch/204002586301759>



# Making the news

Statewatch's investigative journalism, exposure of secret policy-making and critical analysis of state practices regularly make the news, putting issues on the agenda and encouraging critical debate. Examples up to 2013, include:

## GLOBAL TELEPHONE INTERCEPTION PLANS

In 1997, Statewatch revealed that the EU had secretly adopted standards drawn-up by the FBI for requirements on service providers to facilitate the interception of telecommunications. With the USA, the EU then pushed other countries around the world to adopt the same requirements.

## EU-NATO SECRECY DEAL SPIKES FOI LAWS

In 2000, Statewatch exposed an agreement between the EU and NATO on the exchange of classified information. This 'summer - time coup' had completely undermined EU freedom of information rules, prompting the European Parliament and the Dutch government to sue the EU Council at the Court of Justice.

## THE G8 SUMMIT IN GENOA

482 people injured, 280 arrests, 2,093 people turned back at the borders, Carlo Giuliani shot dead by police in Genoa in 2001. Statewatch produced a series of timely reports on the demonstrations and the aftermath.

## MANDATORY TELECOMMUNICATIONS SURVEILLANCE

In 2002, Statewatch published a confidential EU proposal to impose an obligation on phone and internet companies to retain all customer usage records for 12-24 months for police access. As a result the proposal was shelved until 2004.

## AUTHORITARIAN EU COUNTER-TERRORISM PLANS

In the wake of the Madrid bombings on 11 March 2004, the EU rushed through a far-reaching 57 point counter-terrorism plan with no democratic debate. In the few days that passed between the drafting and adoption of the plan, Statewatch produced a 42-page analysis of the proposals, showing that 27 of them bore little or no relation to the events in Spain. The 'Statewatch Scoreboard' has been downloaded more than 120,000 times.

## ILLEGAL CIA 'RENDITION' FLIGHTS

In 2006, Statewatch published 200 documents submitted to the European Parliament's committee of inquiry into the CIA's 'rendition' programme. Most of the material was unpublished. It documented illegal US activities and European collusion in them.

## NO TO FORCED RETURNS

In 2007, EU institutions discussed and agreed the Return Directive, which allows for the detention of undocumented migrants for up to 18 months. Statewatch was one of six NGOs who launched a petition against the Directive, which was signed by over 600 organisations. Press coverage ensured that African and Latin American countries came out against its implementation.

## FROM A CONSTITUTION TO A TREATY - THE RIGHT TO KNOW

Statewatch, alone in the EU, tracked the shift from an EU Constitution to the Lisbon Treaty and its implications for justice and home affairs. On 31 July 2007, Statewatch published the text of the Lisbon Treaty which was not put online by the EU until 19 October (leaving just over two weeks for public debate).

## FINGERPRINTING CHILDREN AGED 6 AND OVER FOR ID AND PASSPORTS

In 2007, the EU institutions discussed fingerprinting children aged just 6 years old for ID cards and EU passports. Statewatch brought the issue to public attention and debate. In 2008, it was agreed that the minimum age should be 12 and over (still more than 14 years and over in other laws).

## REMOTE ACCESS TO COMPUTERS

A portent of things to come, Statewatch exposed discussions in the secretive G6 Group of EU States in 2009 who, with the USA, agreed that remote access to computers (to view content or change it) was a new surveillance tool they wanted to use - even though none had laws in place to make the practice lawful.

## 'RADICAL MESSAGES' - CRIMINALISING THOUGHT

In 2010, the Council of the European Union agreed a set of Conclusions ('soft law', but enabling cooperation) on 'Radical Messages'. This notion referred not to suspected terrorists or of criminal offences but to: "Extreme right/left, Islamist, nationalist, anti-globalisation etc". Individuals and groups falling within this broad scope are to be surveilled and dossiers on them created and shared within the EU.

## EU-USA DATA PROTECTION

At the end of 2011, Statewatch made public the European Commission's draft proposals for a new Regulation on Data Protection (to replace the 1995 Directive). The USA responded angrily, calling for the removal of a clause that would only allow them to access personal communications if EU standards for privacy and redress were met. The clause was dropped, a decision that became highly contentious in 2013 when the USA's blanket surveillance of EU traffic came to light.

## PERFIDIOUS ALBION: COVER-UP AND COLLUSION IN NORTHERN IRELAND

In 2013, Statewatch looked back on the British government's dealings in Ireland which have long been characterised by cover-ups, deceit and perfidiousness. This includes collaboration between British security forces and loyalist paramilitaries, the obstruction of legal investigations, the refusal to hold public enquiries, and the introduction of a new form of intelligence-led policing which, in many cases, allowed informers to act with impunity.

# Groundbreaking Research

In addition to its news and EU documentation services, Statewatch has gained a reputation for innovative and reliable research. Since 1999 Statewatch has produced over 250 in-depth analyses of key civil liberties issues and published a dozen books and pamphlets.

This material has been widely distributed and accessed. For example, "NeoConOpticon: The EU Security-Industrial Complex", a joint 2009 publication by Statewatch and the Transnational Institute, has been downloaded more than 800,000 times and has become a seminal text on the impact of the defense and security industries on policing and social control. Other ground-breaking publications include "On Globalisation of Control" (1999), examining the integration of surveillance capabilities in Europe; "Journalism, Civil Liberties and the 'War on Terrorism'" (2005), a joint publication with the International Federation of Journalists; "Border Wars and Asylum Crimes" (2006), on the criminalisation of refugees and asylum-seekers; "The Shape of Things to Come" (2009), an examination of new policies and institutions dealing with policing and security published by Spokesman Books; and "Legalising Surveillance, Regulating Civil Society" (2012), which examines the global framework for countering terrorist financing developed by the Financial Action Task Force (FATF) and other international law enforcement bodies.

Research by Statewatch has also been commissioned by the European Parliament, European Commission and various international foundations. Over the coming years, Statewatch intends to develop its research capacity to expand its focus on key issues ignored by mainstream media and human rights organisations.



## EURODRONES, INC.

Examines the considerable, and largely undocumented, economic and political support given to the drone industry by the European Union.

Published in 2014 by TNI and Statewatch.



SECILE is an EU-funded research project, launched in 2013, which examines the impact, legitimacy and effectiveness of EU counter-terrorism measures. Statewatch's role in the project is to conduct a 'stocktake' of EU counter-terrorism measures and to collect and analyse data about their implementation.

## Counter-terrorism, 'policy laundering' and the FATF: Legalising Surveillance, Regulating Civil Society

Examines the global framework for countering terrorist financing developed by the Financial Action Task Force and other international law enforcement bodies.

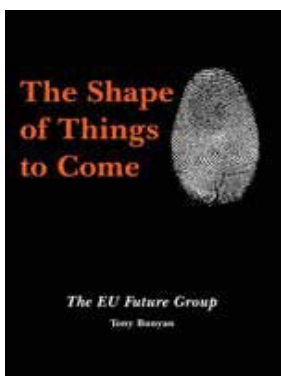
Published in 2012 by TNI and Statewatch.



## NeoConOpticon: The EU Security-Industrial Complex

Examines the development and implementation of the European Security Research Programme, which has been outsourced to some of the corporations that have most to gain from its implementation.

Published in 2009 by TNI and Statewatch.



## The Shape of Things to Come

Analyses the EU's plans for justice and home affairs, and warns that the Union is embarked on several highly controversial paths, including harnessing the 'digital tsunami' to gather personal details on the everyday lives of everyone living in the EU.

Published in 2009 by Spokesman Books.



## Secrecy and Openness in the EU

An 'online book' on the history and struggle for freedom of information in the EU. Documents the roles played by EU institutions, Member States and civil society in the adoption of the 2001 EC Regulation on public access to EU documents.

Published in 2002 (and updated in 2003) by 'freedominfo.org' and the National Security Archive.

# A message from our President, Gareth Peirce

“In routinely placing complex policies and increased state powers in the public domain, Statewatch performs a function that no other organisation fulfils. One is driven to wonder what it could have accomplished, and could accomplish in the future, were it to have even a tiny percentage of the resources enjoyed by other organisations.

It is clear that Statewatch’s only and continuing priority is to remain faithful to its *raison d’être*, namely to be principled, proactive and honest. In this age of heightened and increasingly repressive consolidation of state powers, there is no alternative than to have in place an experienced organisation which regards its duty to monitor and to give voice, constantly, to what it observes.”

## Support the work of Statewatch

Sustained and substantial output hides the fact that Statewatch has a small staff and is dependent upon time given free of charge by contributors and volunteers. It works on a limited annual budget and is funded entirely through grants, donations and subscriptions.

Additional funding is needed to retain and recruit new staff and contributors and to secure Statewatch’s long-term future. This will enable Statewatch to extend its coverage and to continue to produce high-quality investigative journalism and critical research.

The Joseph Rowntree Charitable Trust has provided Statewatch with core funding since 1991. This has been supplemented by additional grants and project funding from: Zennström Philanthropies; Adessium Foundation; Garden Court Chambers; Network of European Foundations; Education, Audiovisual & Culture Executive Agency; Network for Social Change; and Barrow Cadbury Trust.

