

# Statewatch

## Activity report 2021



## Publication information

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Statewatch produces and promotes critical research, policy analysis and investigative journalism to inform debates, movements and campaigns for civil liberties, human rights and democratic standards. We began operating in 1991 and are based in London.

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## Three decades of Statewatch, a year of transition

2021 marked Statewatch's 30<sup>th</sup> birthday and an important transitional year following the retirement of the founder and Director, Tony Bunyan, in autumn 2020 (Tony is now Director Emeritus of Statewatch). Three decades after Statewatch was founded, our commitment to the sense of purpose that has animated Statewatch since 1991 – to investigate, expose, analyse and explain state powers and threats to civil liberties and human rights – continued to propel our work. It was an extremely busy year for staff, trustees and contributors: we undertook an in-depth strategic planning process and continued to update and improve internal policies and procedures, at the same time as maintaining our impressive level of output.

Our work led to some notable victories over the course of the year, in particular regarding secrecy and transparency: EU agencies Europol (policing) and Frontex (border control) committed themselves to complying with the EU's transparency laws, following the conclusion of a complaints procedure we initiated in 2019. We also successfully pushed the European Commission to comply with its own rules of procedure and to publish the names of participants in two expert groups, dealing with search and rescue in the Mediterranean, and the use of artificial intelligence in home affairs.

Our research and investigations continued to contribute to public and political debate in Europe and beyond, providing the basis for coverage in major press outlets; submissions to public consultations held by the UK, EU and UN institutions and agencies; and questions in the European Parliament. Our work has been used by national and international human rights organisations and lawyers' associations, and in important legal challenges and parliamentary inquiries – particularly with regards to Frontex, the EU's border agency. Throughout 2021 we also continued to deepen our alliances with other organizations and within our networks, leading to important collaborative work that has gone on to bear fruit in 2022.

Issues of strategy and governance were a core focus for staff, trustees and contributors throughout 2021. A huge amount of work was put into a year-long strategic planning process that led to the drafting of a new five-year strategic plan for Statewatch, in order to provide a clear direction and renewed sense of purpose at a time when civil liberties, human rights and democratic standards are under threat in the UK, across Europe and beyond. This will guide our work as we seek to expand the organisation in the years to come. The updated governance policies we continued to work on throughout 2021 will ensure *Statewatch* remains a well-functioning and welcoming organisation.

The quality and importance of Statewatch's work is clear, but there remain a number of obstacles to obtaining the stability and sustainability necessary for us to reach our full potential. As our President, Gareth Peirce, remarked many years ago:

*"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."*

Increasing the resources available to *Statewatch* to ensure that we can adequately fulfil our mission will remain the key task in the years to come.

# An invaluable source of information

345 news articles

130+ leaked official documents

18 in-depth analyses

1 report

## Key themes

### Europe's deadly borders

Through the year we continued to publish news, documentation and analysis of the laws and policies being debated and discussed, largely in secret, as part of the EU's Pact on Migration and Asylum, through [our series 'Tracking the Pact'](#). Articles from the series were viewed almost 90,000 times.

Our regular scrutiny of the activities of EU border agency Frontex has continued to provide vital information to other civil society organisations, elected officials and the broader public – in particular, our publication of internal Frontex documents related to the investigation by the European Parliament's Frontex Scrutiny Working Group, set up to look into allegations that the border agency has been involved in pushbacks in the Mediterranean. A number of those documents were cited in a case against Frontex lodged at the Court of Justice of the EU.

### The expansion of police powers

Our coverage of negotiations on proposed changes to the mandate of EU policing agency Europol, which grant it vastly expanded powers with no accompanying increase in independent oversight, included [the release of national authorities' positions and comments on the plans](#), alongside [multiple internal Council of the EU documents](#) as negotiations progressed. Articles and documents we published were featured in Spain's *Publico*, Austria's *Radio FM4*, and in papers published by the *Meijers Committee* and the *German Bar Association*.

### New technologies: threats to rights and liberties

We tracked negotiations on the EU's proposed Artificial Intelligence Act, in particular plans within the Council of the EU to weaken proposed safeguards on the use of AI technologies for law enforcement and internal security purposes and the failure of the European Commission expert group on AI in home affairs to follow its own rules of procedure. We continued to report on the implementation of the EU's 'interoperability' scheme, exposing worsening delays in the plans to interconnect huge policing and migration databases. In November we published a special report, [Algorithmic persecution in Turkey's post-coup crackdown: The FETÖ-Meter system](#), drawing on testimony from exiled Turkish officials to detail how an algorithm deployed by the military to root out alleged subversives has been used to underpin gross breaches of human rights.

# Informing public and political debate

## 8 submissions to public consultations

Our research informed eight submissions to consultations: to the UN Special Rapporteur on the human rights of migrants; the European Commission; the European Parliament Frontex Scrutiny Working Group; the UK Parliament Joint Committee on Human Rights; the UK government; the European Asylum Support Office; and the Organization for Security and Cooperation in Europe.

## 5 meetings with MEPs

We met with MEPs and their advisors to discuss our work on access to official documents, proposals to expand the powers of EU policing agency Europol, and the European Parliament civil liberties committee's plan to establish a Frontex Scrutiny Working Group.

## 1 parliamentary resolution, 3 questions

Our work on access to documents was cited in a parliamentary resolution; and our research laid the basis for three parliamentary questions: on Frontex's deportation operations, its intelligence-gathering plans, and role in illegal mass expulsions at the EU's borders.

## 2 public events

We hosted two well-attended public events in 2021: an online workshop, 'Secrecy in the European Union: how to exercise your right to information'; and an in-person event, 'Monitoring the state and learning from history: policing and racism in the Statewatch Library & Archive', using key materials from [our extensive archive](#). Both events were funded by the ESRC and organised with the University of Bristol's School for Policy Studies as part of the Festival of Ideas.

## 9 citations by civil society groups

Our work was publicly-cited by nine other NGOs in 2021: *Deutscher Anwaltverein* (German Bar Association); *European Digital Rights*; *European Network Against Racism*; *Equinox Initiative for Racial Justice*; *Fédération internationale des ligues des droits de l'homme*; *Human Rights Watch*; the *Meijers Committee of Experts on International Migration, Refugee and Criminal Law*; and *Migreurop*.

## 20+ citations in the press

Our work and staff were cited and quoted in at least 20 media outlets based in countries ranging from Sweden to Senegal.

## 6 conferences and public events

Our staff participated in six conferences and public events throughout the year, including *Computers, Privacy and Data Protection (CPDP)*, the *International Human Rights Film Festival* and the *European Social Forum on Migration*.

## 450+ citations in academic papers

Reports, articles and documents published by *Statewatch* were cited more than 450 times in academic papers published in 2021.

# Ensuring transparency and accountability

## 1 successful complaint

In January [the European Ombudsman set out a new transparency framework for EU justice and home affairs agencies](#) in response to complaints from *Statewatch* that highlighted the failure of Europol (the EU's police cooperation agency) and Frontex (border control) to meet their legal obligations under EU rules on public access to documents.

Both agencies committed to plans that, if followed, will enable individuals to better understand, monitor and scrutinise the activities of the EU's two most powerful justice and home affairs agencies, by facilitating access to documents they have produced or received. We have followed up on our complaints by working with MEPs to submit parliamentary questions putting pressure on the agencies to keep to their commitments.

## 2 transparency victories

Our research and investigative work also landed two other victories for basic transparency measures. In early 2021, in response to ongoing deaths in the Mediterranean, the European Commission set up a 'Contact Group on Search and Rescue' with national authorities to establish a "structured framework for cooperation at EU level in order to ensure rapid response in case of events at sea". However, the group failed to meet its own basic transparency requirements [until we reported on the issue](#).

Similarly, following [our reporting on the transparency failings of the Commission's 'Expert Group on Artificial Intelligence in the Domain of Home Affairs'](#) – steps were taken to comply with the rules by publishing the names of the national authorities participating in the group. [We also revealed](#) that the proposed Artificial Intelligence Act is intended to "to decrease administrative burden on home affairs authorities in order not to hamper innovation and in-house developments," underlining the importance of [forceful, coordinated civil society action](#) on the proposal.

## 1 legal case supported

Amongst the dozens of leaked official documents that we published in 2021 were a raft of correspondence between Frontex and EU and national institutions concerning [the involvement of the border agency in pushbacks from Greece to Turkey](#), its [failures to comply with its fundamental rights obligations](#) and accusations that [the agency's former director misled the European Parliament](#).

[One of those letters](#) was subsequently cited in [a case against the agency](#) lodged at the Court of Justice of the EU by the organisation *Front-LEX*. The complaint also cited [an analysis we published](#) giving an overview of the numerous investigations into wrongdoing by the agency.

# Building and strengthening networks

## 3 joint research projects

In 2021 we worked with *European Digital Rights*, on [the implications of the proposed Artificial Intelligence Act for migration policies](#) and the development and deployment of AI technologies for migration purposes; with the *Transnational Institute*, on [the massive expansion of the EU's new security and migration budgets for the 2021-27 period](#); and with *Border Violence Monitoring Network* on [allegations that Frontex officials were involved with violence against migrants in Macedonia](#), where the agency has no legal presence.

## Frontex research network: 38 members

We continued to host our research network on Frontex, which provides a forum for information-sharing and coordination. The mailing list includes 38 individuals from academic institutions and civil society organisations including *Associazione per gli Studi Giuridici sull'Immigrazione*, *Border Violence Monitoring Network*, *EuroMed Rights*, *Global Legal Action Network*, *Open Society Foundations*, *Platform for International Cooperation on Undocumented Migrants*, *Privacy International* and political assistants to MEPs.

## Research and campaigning alliances

In November we were elected as one of three co-presidents of the governing body of *Migreurop*; maintained an active role in *European Digital Rights*; and participated in discussions in the *Refugee Law Initiative*. We participated in two key alliances in the UK to support opposition to the Police Bill (the *Police Bill Alliance*) and the Nationality and Borders Bill (*Together With Refugees*).

## Workshops: 22+ organisations, 18+ countries

In October 2021 we held two workshops on the fundamental rights implications of state databases, biometrics, policing and migration control as part of the project 'Protecting migrant communities by future proofing the immigration data system'. The aim of the workshops was to explain, discuss and share ideas about the issues raised by the development and deployment of Europe-wide biometric police and border control technologies

30 individuals attended across two workshops, representing at least 22 organisations and working in at least 18 different countries

A short questionnaire was filled in by 26 participants following the workshops. Asked to rate the usefulness of the workshops on a scale of one (not useful at all) to five (extremely useful), 21 respondents gave a rating of four or five.

## Statewatch contributors group: 30 members, 13 countries

In 2021 the Statewatch contributors group had 30 members from 13 countries. The contributors group exists to provide information, articles, advice and assistance to *Statewatch* staff and volunteers.

## **An appreciative and growing audience**

**170+ survey responses**

**95% say our work is “essential” or “very important”**

**85% think our work is “very useful” or “useful”**

In 2021 we undertook our first audience survey for ten years, to inform our strategic planning. We received over 170 responses from individuals working in non-governmental organizations (35), journalism and the media (15), the legal profession (20), private sector research (10), for governments or international governmental organizations (21) and academia (56), amongst others.

Responses show that our work is used for a wide variety of purposes: research (for NGOs, in the public and private sectors, academia and for elected officials), for campaigning and advocacy, and for journalism and legal purposes.

**10,800+ mailing list subscribers**

**10,500+ Twitter followers**

**2,900+ Facebook ‘likes’**

Our direct audience continues to grow at a steady rate. At the end of 2021 we had over 10,500 Twitter followers (an increase of more than 1,200 over the year); more than 10,800 mailing list subscribers (an increase of more than 200); and more than 2,900 ‘likes’ on Facebook.

While this growth is steady it remains small, but this is because it is entirely ‘organic’. We have no dedicated member of staff to work on communications (the role is shared between the team) and due to a lack of time, have not yet adopted a dedicated communications strategy that would guide a more directed and targeted approach to communicating our work more effectively, better-engaging our existing audiences and reaching new ones.



# Preparing for the future

## Setting priorities

Throughout 2021 staff, trustees and contributors worked hard to develop a new five-year strategic plan for *Statewatch*, setting out clear objectives and priorities during what will be a challenging time for civil liberties, human rights and democratic standards. A summary of the plan is available to read on [the \*Statewatch\* website](#).

## A supportive working environment

Staff and trustees continued to review and update internal policies and procedures, which were collated into a staff and volunteer handbook to ensure that all those working for *Statewatch* understand what is expected of them and their colleagues in the workplace.

## Implementing external governance review recommendations

The Board of Trustees continued to implement the recommendations of the 2020 governance review, which was carried out by an external consultant and made a series of recommendations regarding governance, organisation, funding and strategy.

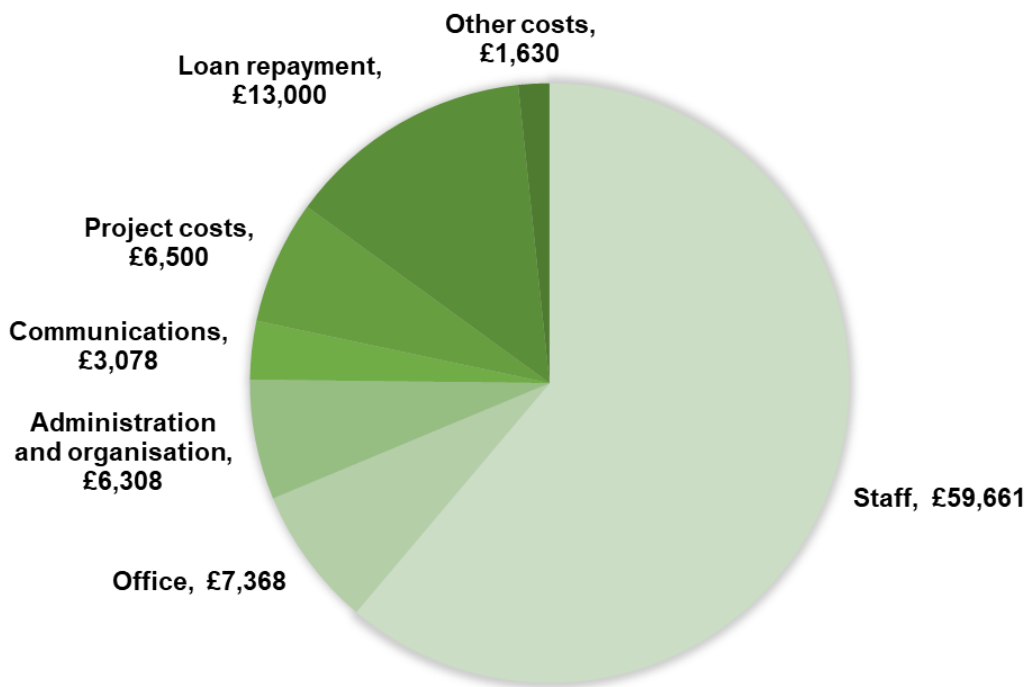
# A tiny team with an outsized impact

£98,000 annual budget

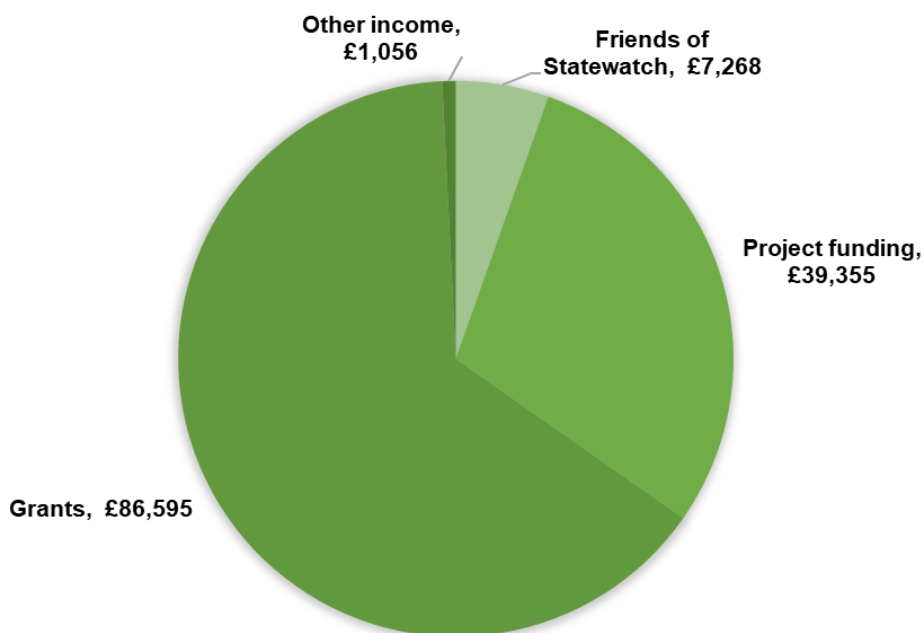
4 members of staff

12.5 working days per week

## Expenditure in 2021



## Income in 2021



We are grateful for the funding we received in 2021 from *Privacy International*, *European Digital Rights* and the *Transnational Institute* (projects); and *Friends of Statewatch*, *Network for Social Change* and *Open Society Initiative for Europe* (core funding).

# How you can support Statewatch

## Become a Friend of Statewatch

Friends of Statewatch provide regular donations to support our work. This gives us a stable, regular income that we can depend on, use to plan for the long-term and keeps our work independent.

In return, Friends of Statewatch receive a twice-yearly newsletter; advance invitations to workshops and events; and know that they are crucial to the work of Statewatch.

Become a Friend of Statewatch online at:

[statewatch.org/donate](https://statewatch.org/donate)

Or contact us if you'd like to talk about donating another way.

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## Become a contributor

Our work is greatly enhanced by our network of volunteer contributors across Europe. If you would like to contribute material to Statewatch, please read [our guide for contributors online](#) and get in touch.

## Tell us what you think

We are always looking to improve our work and would love to know what you think about what we do. If you have any questions, comments, ideas or suggestions, please feel free to get in touch by email, phone or post using the contact details above.

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