



News Online
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NEWS

1. EU: Statewatch Analysis: [A missed opportunity to open up secret trilogue decision-making in the EU](#) (pdf) by Tony Bunyan

**The “EU legislature” to continue meeting in secret
 “Space to think” in secret maintained
 Ombudsman: “trilogues are not expressly foreseen in the Treaties”
 No legal basis under the Lisbon Treaty for trilogues**

"One of the fundamental principles of a democracy is that its legislatures should carry out their proceedings in public. When the Council and the European Parliament meet to decide on legislative matters the trilogues are in effect the “EU legislature”.

Trilogue meetings must be open and access to all the documents under discussion be made available to the public and civil society as they are produced. It is these principles that define a democracy worthy of the name."

2. EU: [External migration projects: Council to approve auditors' recommendations](#)

In March 2016 the European Court of Auditors (ECA) published a report examining EU spending on migration-related projects in Algeria, Georgia, Libya, Moldova, Morocco and Ukraine between 2007 and 2013. The report found that the total amount spent by the EU could not be established, nor was it clear whether spending took place in line with the EU's "geographical and thematic priorities". The ECA also argued that the "complex governance" involved "required stronger coordination, at all levels, and better involvement of EU delegations in migration issues."

The Council has responded to the report by drafting a set of conclusions - which have been discussed by the Permanent Representatives Committee, but have yet to be approved by ministers - that accept the ECA's findings.

3. **French interior minister wants global effort against encryption**

"Messaging encryption, widely used by Islamist extremists to plan attacks, needs to be fought at international level, French Interior Minister Bernard Cazeneuve said on Thursday, and he wants Germany to help him promote a global initiative.

He meets his German counterpart, Thomas de Maiziere, on Aug. 23 in Paris and they will discuss a European initiative with a view to launching an international action plan, Cazeneuve said."

See: [France says fight against messaging encryption needs worldwide initiative](#) (Reuters, link)

How things change - from January 2016: [Encryption backdoors by law? France says 'non'](#) (ZDNet, link)

4. HUNGARY-ECHR: [Anti-Roma racism, hyperlinks and freedom of expression](#)

A case pending before the European Court of Human Rights will add to the collection of European case law on freedom of expression and the world wide web.

Magyar Jeti Zrt v Hungary concerns the liability of a news website owner for publishing an article containing a link to a video containing statements about far-right group Jobbik which were found to be defamatory by a Hungarian court.

The video was of a September 2013 interview with a resident of a town in which a group of football supporters had arrived by bus at a predominantly Roma school and subsequently "made racist remarks; waved flags; and one of them allegedly urinated on the school."

The complainant's submission to the ECHR argues that "by finding that embedding in an article a hyperlink that leads to a defamatory content is equivalent to disseminating this content, the domestic courts [in Hungary] unduly restricted its freedom of expression and the freedom of press."

5. UK: [Exclusive: Trusts fail to report hundreds of mental health patient deaths to coroners](#) (INQUEST, link): "*Hundreds of patients who died while being detained under the Mental Health Act could have been denied inquests, it has emerged after HSJ uncovered discrepancies in official data.*

By law all deaths in state detention should be examined by a coroner. However, inconsistencies between official data on deaths reported to coroners in England and Wales and notifications sent to health regulators by NHS trusts, suggest coroners may not have conducted inquests into every death.

Between 2011 and 2014 a total of 373 deaths of people detained under the Mental Health Act were reported to coroners in England and Wales, according to data held by the Ministry of Justice. In contrast, data compiled over the same period by the Care Quality Commission and Health Inspectorate for Wales, and supplied to the government's Independent Advisory Panel on Deaths in Custody, show a total 1,115 deaths – 742 more than was reported to coroners."

6. BREXIT: New legal challenge in Northern Ireland

"A campaigner for the rights of victims of the Troubles has launched the first legal challenge in Northern Ireland to the UK leaving the European Union.

Raymond McCord lodged papers at the High Court in Belfast on Thursday seeking a judicial review of the British government's move towards Brexit.

His lawyers claim it would be unlawful to trigger Article 50 of the Lisbon Treaty without parliament voting on the move.

They also contend it would undermine the UK's domestic and international treaty obligations under the Good Friday Agreement, and inflict damage on the Northern Ireland peace process."

See: [Belfast rights campaigner begins legal challenge to Brexit](#) (Irish Times, link)

For more on the legal situation regarding Northern Ireland: [Brexit - another legal challenge](#) (Law and Lawyers, link)

7. [Migrant children are living on their own in the streets of Sicily after risking their lives in the Mediterranean](#)

The story of a group of at least 15 children, most of whom are Eritrean, struggling to survive in the station in Catania as they attempt to put together the 38 euros they need to travel to Rome, sometimes by washing cars as they hope to reach northern Europe. A recent UN report claims that Eritrea "systematically commits crimes against humanity".

8. ITALY: [Unaccompanied foreign minors between dispersal and criminalisation](#) (by Fulvio Vassallo Paleologo, 20.5.16)

This article notes that the media are increasingly reporting cases of unaccompanied foreign minors who are disappearing in Italy, linked to alarming phenomena including people trafficking, the trade in organs and exploitation. While traffickers exist and the trade in organs does not appear to be especially relevant at the moment, the author argues that other important issues are not being spoken about or reported.

9. ITALY: [15 Years After Genoa G8, It's Still Too Early for Torture Crime](#) (Liberties.eu, link):

"Italy still doesn't have the crime of torture in its criminal code, despite strong condemnation from courts and human rights activists for the severe abuses that occurred during the Genoa G8.

Fifteen years ago, back in July 2001, the G8 summit was held in Genoa. It was a complete disaster for Italy. "The biggest suspension of democratic rights in a Western country since World War Two," was how Amnesty International described those days."

10. PANAMA PAPERS & the European Parliament: EU: Council of the European Union: [Legal remarks on the Committee of Inquiry to investigate alleged contraventions and maladministration in the application of Union law in relation to money laundering, tax avoidance and tax evasion \(PANA Committee\)](#) (LIMITE doc no:10615-16, pdf): The Council Legal Service says that the committee set up by the EP to investigate the Panama Papers leaks has questionable legal competences, and that Member States should coordinate their responses should they be called to appear before it.

See: Section IV. Conclusions:

"The EP decision on setting up a committee of inquiry to investigate alleged contraventions and maladministration in relation to money laundering, tax avoidance and tax evasion:

- does not specify with a sufficient level of precision the facts that are the subject matter of the inquiry, nor the provisions of Union law that have been implemented in a manner constituting contravention or maladministration;

- as such, does not allow Member States, nor the Council, to assess their obligation to participate in the works of the committee, neither to ensure a due preparation of any such participation;

- institutes a general power of control on the application by Member States of their national laws and of the policies of the Union as regards taxation, beyond the framework of Article 226 TFEU and of the competences of the Parliament as laid down in Article 14 TEU;

- risks altering the inter-institutional balance laid down in the Treaties that confer upon the Council, acting as sole legislator, the power to harmonise national laws and regulations in the field of taxation."

11. UK: [Press release: No faith in new undercover policing guidelines](#)

Eight women who were affected by relationships with undercover officers, and who started **Police Spies Out of Lives**, have issued the following statement in response to the new guidelines for undercover policing issued by the College of Policing. These guidelines are out for consultation until midnight Wednesday 10th August 2016:

"It is only through the actions of women such as ourselves, political activists, whistleblowers and journalists that abusive undercover relationships have been exposed, the police would have covered them up forever if they could get away with it – as witnessed by their continuing stance of 'neither confirm nor deny' in the face of all the evidence and despite the serious abuses committed."

12. HUNGARY: [Budapest detention facility “unsuitable for human habitation”](#) (Budapest Beacon, link):

"Hungarian prisons have never met European standards, but a recent OPCAT study conducted by the Office of the Commissioner for Human Rights found that conditions of incarceration in Hungary are even worse than thought."

According to data provided by the Hungarian Helsinki Committee, the overcrowding rate of penitentiaries has been constantly increasing in Hungary in the past few years, resulting in the country's prisons being among the most crowded in Europe. The average overcrowding rate was 143% at the end of 2013. It reached 200% in certain institutions, with pre-trial detainees constituting almost a third of the prison population."

13. [European intelligence database seen aiding fight against suspected militants](#) (Reuters, link):

"A European counter-terrorism intelligence database designed to generate greater intelligence sharing among allies to avert deadly Islamist attacks has gone online after overcoming traditional reluctance by spy agencies to sharing information....."

The database enables European intelligence agencies to share real-time information about suspected Islamist militants collected by members of the Counter-Terrorism Group (CTG), which groups all 28 European Union countries, Switzerland and Norway."

Background: [NOTE from: United Kingdom and French delegations Subject: Data and Information Sharing](#) (pdf)

"Member States' security services already work closely together to combat the terrorist threat and the Members of the CTG committed in 2015 to going further still in enhancing their cooperation. In this regard we are fully supportive of the ground-breaking CTG initiative to establish a multilateral information exchange platform."

14. [Out of sight, out of mind: Externalisation of migration and refugee policies](#) (Pro Asyl, link):

"Position paper by PRO ASYL, medico international and “Brot für die Welt” about european policy of externalisation of border controls that lead to massive violations of human rights."

15. Italy: ASGI: [Unaccompanied foreign minors: the new temporary reception measures are discriminatory and unconstitutional](#) (pdf):

"In a letter sent on 28 July 2016, ASGI's president Lorenzo Trucco intervened in the ongoing debate on the approval of “Extraordinary reception measures for unaccompanied foreign minors” envisaged by article 1-ter of the bill to convert law decree no. 113 of 24 June 2016 into law which details urgent financial measures for the territorial bodies and the territory, approved by the Chamber of Representatives [the lower house of parliament] on 21 July 2016, which is currently being discussed in the Senate."

16. EU-Turkey: [Turkey won't reform terrorism law to conform with EU deal](#) (euobserver, link)

"Turkey won't amend its anti-terrorism law, a blow which could upend the EU-Turkey migrant-swap deal signed off with Ankara in March. In an interview with the Financial Times on Monday (8 August), Turkey's EU minister Omer Celik said it would be "impossible" to overhaul the law in the immediate future."

EU imposed conditions require Turkey to narrow its definition of terrorism in the law, as part of a broader deal to free-up short term visas for Turkish nationals to travel in the European Union. But the initial plan to ease visa waivers following the migrant deal over the summer failed, Ankara unable to meet all 72 visa liberalisation benchmarks."

Note: The granting of a visa waiver scheme for Turkey requires the agreement of the European Parliament.

17. UK: [Medway child jail inspectors find further serious failings](#) (The Guardian, link):

"Access to pornography and "very high and growing" levels of violence are among the latest "serious and widespread failings" uncovered by official inspectors at the scandal-hit Medway child jail, which had been run by G4S.

An inspection report into Medway secure training centre, published on Monday, reveals that behaviour management has deteriorated significantly in the seven months since BBC Panorama undercover filming exposed staff assaulting children and revealed that staff had deliberately falsified records."

See the report: [Inspection of Medway Secure Training Centre](#) (pdf): "Overall effectiveness: Inadequate".

18. [Accession of Serbia to the EU: draft EU negotiating position on the judiciary and fundamental rights](#)

"[T]he Commission notes that Serbia has reached a partial level of alignment and implements some of the acquis, European standards and EU best practices in this chapter. Considerable and sustained efforts are still needed to ensure that the necessary administrative and enforcement capacity will be in place before accession. Issues of particular importance are the independence, impartiality, accountability and efficiency of the judiciary, including on handling war crime cases. The entire system of investigating, prosecuting and trying war crime cases requires further improvements so as to tackle impunity. Furthermore, the effective prevention and fight against corruption and the full respect of the rights of persons belonging to minorities, in particular the Roma minority, remain also of particular importance."

See: European Commission, Accession negotiations with Serbia - Draft common position - Negotiating chapter 23, Judiciary and fundamental rights (in LIMITE Council documents [9821/16](#) and [9821/1/16 REV 1](#), pdfs)

19. GERMANY: [PETITION: Prevent foreign journalists from German intelligence spying](#) (Reporter Ohne Grenzen, link): *"The German Parliament is currently debating a bill on the activities of Germany's foreign intelligence agency (BND) which allows the surveillance of foreign journalists. Reporters Without Borders (RSF) leads an alliance of NGOs, organizations and media outlets, urging for an amendment to protect reporters from spying. By will of the ruling party coalition, the BND would have the explicit right to spy without restrictions on non-EU journalists, as long as this is deemed to serve Germany's political interests.*

Global mass surveillance conducted by the BND is an infringement on human rights and the surveillance of journalists is as a stark violation of press freedom. In passing this law, Germany, a leading European democracy currently ranked 16th in RSF's World Press Freedom Index, would set a dangerous precedent, encouraging other countries in restricting special protection for journalists. In September, we intend to present our petition to leaders of the German governing parties SPD and CDU/CSU."

20. UK: [Domestic drones: massive rise in complaints to police](#)

"Police are having to investigate a fourfold rise in the number of crime reports involving shop bought drones – including allegations they are being used by paedophiles over children's playgrounds, peeping toms spying through bedroom windows, burglars scoping out people's properties, and even cash point scammers recording PIN numbers.

21. EU: [Beyond the borders: overview of "external migration dialogues and processes"](#)

An official overview of the EU's "external migration dialogues and processes" demonstrates the sprawling nature of the EU's efforts to manage and control migration and provides some details on the recent history of different processes, as well as forthcoming events.

It was presented to Member States' officials at a meeting of the Council of the EU's High-Level Working Group on Asylum and Migration in mid-June and was drawn up by the European Commission and the European External Action Services.

See: Annex to High-Level Working Group on Asylum and Migration on: 13 June 2016, [Summary of discussions](#) (10349/16, LIMITE, 22 June 2016, pdf) Includes detailed GAMM (Global Approach to Migration and Mobility) update 21 pages

22. Greece: [Official figures on refugee arrivals](#) (pdf): Lesbos, Chios and Samos have more "guests" than capacity in camps/detention centres. A total of 57,015 refugees are in Greece.

23. UK: [CPS upholds decision not to charge over MI6 role in Libyans' rendition - Families' lawyers claim 'stitch-up' after failure to overturn decision not to bring charges over abduction of dissidents](#) (Guardian, link):

"prosecutors have rejected an attempt to overturn their decision not to charge anyone over the involvement of the British intelligence agency MI6 in the kidnapping of two Libyan dissidents in a joint operation with the CIA.

Lawyers for the two families accused prosecutors of a "complete stitch-up" after failing to quash the decision not to bring any charges over the abduction of the dissidents and their families, including a pregnant woman and children."

24. UK: [Protesters march on fifth anniversary of death of Mark Duggan - Demonstrators shout 'no justice, no peace' five years after police shooting that sparked 2011 riots](#) (Guardian, link):

"Protesters have marched through north London to mark the fifth anniversary of the death of Mark Duggan in a police shooting that sparked riots across the capital. Members of the Justice for Mark Duggan campaign shouted "no justice, no peace" and chanted that police were "murderers" as about 300 people joined a demonstration at the Broadwater Farm estate in Tottenham. They also accused the police of racism and demanded justice for people who died in controversial circumstances, including Jermaine Baker, Smiley Culture and Cynthia Jarrett.

Among the protesters were Duggan's mother, Pamela, and his aunt Carole, who marched alongside Baker's mother.

The demonstrators said there was no sign of institutional racism changing in the Metropolitan police. Tottenham Rights campaigner Stafford Scott told the crowd that instead of being in a "post-racial society", it is one in which racism is still creeping in. He suggested the Met's new counter-terrorism units may target people in Tottenham when they are not fighting terrorism."

25. UK has granted over 100 export licences for surveillance technology since 2015

"Since 2015, the UK government has granted over 100 export licenses for "off the air" interception devices such as IMSI-catchers, figures show...

UK companies have successfully applied to export interception tools to countries such as Turkey, Turkmenistan, Russia, Bangladesh and China. The data lists 64 different recipient countries. In all, 113 applications were successful, according to the data provided by Privacy International.

Most granted licenses were for Indonesia, which had 19, followed by Qatar and Singapore, with 17 and 16 licenses respectively."

See: [Data Shows How the UK Grants Licences to Export Interception Tech](#) (Motherboard, link)

26. EU: [The Nansen Passport – A Solution To The Legal Statuses Of Refugees](#) (Social Europe, link): *"More than 1.2 million migrants have come to Europe in the past year – most of them from Syria. One year after the 'long summer of migration' in 2015, Europe is still facing two severe problems: first, the lists of safe countries of origin differ in many states of the EU and secondly, further large-scale deaths by drowning of migrants and asylum seekers in the Mediterranean. The reintroduction of the Nansen passport – a EU-wide ID card for refugees guaranteeing asylum – at the European level might be a useful and even necessary instrument to solve this legal uncertainty for refugees and to promote a common migration policy."*

27. SPAIN: [Austerity against human rights](#)

Press release from The Center for Economic and Social Rights, Amnesty International, Médicos del Mundo, Red Acoge, la Red de Denuncia y Resistencia al RDL 16/2012 (REDER) and the Spanish Society for Family and Community Medicine (semFYC): **Constitutional court ruling on exclusion of undocumented migrants from health services ignores human rights obligations.**

28. UK: [A day in the life of the Investigatory Powers Tribunal](#) (Computer Weekly, link): *"Over the course of four days at the end of July, three barristers from Blackstone Chambers and a small army of solicitors represented Privacy International in a case against the intelligence services at the Investigatory Powers Tribunal.*

Privacy International claims the intelligence agencies – MI5, GCHQ, the Secret Intelligence Service, as well as the home secretary and the foreign secretary – have been using loopholes to indulge in limitless snooping on the citizens of the UK, and possibly everywhere else.

The Investigatory Powers Tribunal (IPT) is the most secretive court in the land. It pronounces upon matters of national security and the treatment of people under anti-terrorism legislation. It is the only avenue available for anyone wishing to make a complaint about the behaviour of the intelligence services and government surveillance."

See also: [Obfuscation and work arounds: How the intelligence agencies have been obtaining communications data](#) (Privacy International, link)

29. UK: [Post-referendum racism and the importance of social activism](#) (IRR News, link):

"A new report by social media activists on the spike of hate crimes immediately after the referendum on EU membership should prove uncomfortable reading for the Home Office...."

Post-referendum racism and xenophobia: the role of social media activism in challenging the normalisation of xeno-racist narratives ([download here](#), pdf file, 5.8mb) is a factual account of the lived experience of racism felt keenly, post-referendum, by BAME communities, whether born in the UK, long-settled or from newly-arrived communities, up and down the country."

30. SPAIN: [Franco's ghosts](#) (New Internationalist, link):

"18 July marks 80 years since the coup d'état which led to the Spanish civil war and Franco's 40-year dictatorship. Yet its survivors are still waiting to see their torturers on trial. Mira Galanova reports."

31. EU: Council of the European Union: [EUBAM Libya: mission extended, budget approved](#) (Press release, pdf):

"On 4 August 2016, the Council extended the mandate of the planning mission EUBAM Libya until 21 August 2017. It also approved a budget of €17 million for the period from 22 August 2016 to 21 August 2017...."

The mission is currently located in Tunis and has established contact with the relevant Libyan authorities. The mission's budget approved by the decision provides for the activities and staff in Tunis as well as for the possibility to deploy to Libya as soon as the security situation allows.....

The decision was adopted by written procedure."

32. USA: Government Accountability Office (GAO) Report: [FACE RECOGNITION TECHNOLOGY: FBI Should Better Ensure Privacy and Accuracy](#) (pdf):

"The Department of Justice's (DOJ) Federal Bureau of Investigation (FBI) operates the Next Generation Identification-Interstate Photo System (NGI-IPS)— a face recognition service that allows law enforcement agencies to search a database of over 30 million photos to support criminal investigations....

GAO is making six recommendations, including, that the Attorney General determine why PIAs [privacy impact assessment] and a SORN [System of Records Notice] were not published as required and implement corrective actions, and for the FBI director to conduct tests to verify that NGI-IPS is accurate and take steps to determine whether systems used by external partners are sufficiently accurate for FBI's use. DOJ agreed with one, partially agreed with two, and disagreed with three of the six recommendations."

33. Amnesty International: [Greece: address inhumane conditions for refugees now](#) (link):

"As Europe drags its heels on providing solutions to move refugees and asylum-seekers on from Greece, thousands of men women and children are staying in filthy and unsafe old warehouses or tents, or simply sleeping rough and under the relentless summer heat. The Greek Government must act swiftly to improve their living conditions and well-being.

Elderly people, heavily pregnant women and new-born babies are sleeping on the floor. People with chronic illnesses and physical disabilities are stuck in unsuitable locations, far away from hospitals.

Thousands of children are out of school for yet another year."

34. UK: House of Common Select Committee on Home Affairs, Report: [Migration Crisis](#) (pdf):

Covers a wide range of issues like border security and terrorism. Observes that:

"The initial prompt for our inquiry was the issue of border security in relation to Calais and Dunkirk that arose in summer 2015. However, our concerns range much more widely that that. That there are unofficial migrant camps at the border of two of Europe's wealthiest nations is a matter of serious regret and concern. A wide range of the evidence submitted to us by experts and volunteers confirms that the conditions in the camps are absolutely atrocious and are directly causing suffering and ill health for many residents....

It is clear that there are many people in these camps entitled to humanitarian protection or refugee status, including some who should have their claims processed in the UK....

Europol estimates that there are 85,000 unaccompanied minors amongst the migrant population in the EU. We were astonished to hear reports that large numbers of these children go missing from reception centres shortly after arrival and that they then face abuse, sexual assault and discrimination."

See also: [UK unlikely to reach target of resettling 20,000 Syrian refugees by 2020 - MPs condemn response to refugee crisis as a 'Europe-wide failure' in which 'too little, too late' was done](#) (Guardian, link)

35. [UK court rules against decision to accept Calais migrants](#) (euractiv, link):

"The British government on Tuesday (2 August) won its legal appeal against a decision to let four Syrian refugees living in France's "Jungle" camp come to Britain, but they will not be deported. A British immigration tribunal in January ordered the interior ministry to allow the four to enter Britain while their asylum claims were considered.

However, three Court of Appeal judges on Tuesday upheld a challenge by the interior ministry, saying they were "not entirely persuaded" by the justifications used by the tribunal. The three teenagers and a 26-year old with mental health problems had been living in the sprawling Calais camp for over two months."

See: [Judgment: Full-text](#) (pdf)

36. EU: Council of the European Union: [EU & ECHR, Greece/Italy relocations, Violence against women, Legal Aid and the EAW](#)

- [Outcome of the Working Party on Fundamental Rights, Citizens' Rights and Free Movement of Persons](#) (RESTRICTED doc no: 10891-16, pdf):

"The Commission representative emphasised the commitment of the Union to EU accession as evidenced by the lunch discussions of the Justice Ministers on 9 October 2015 as well as the recent appearance of President Juncker in PACE where he explained that accession remained a top priority for COM. At the same time due regard needed to be given to the legal difficulties raised."

This explains the Commission's plans to revive the idea of the EU joining the European Convention on Human Rights. It is now waiting for just one CJEU judgment before it restarts the talks.

- [Draft Council Decision amending Decision \(EU\) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece](#) (LIMITE doc no: 10177-16, pdf):

Shows that the Council was still intending to implement the EU/Turkey deal despite criticisms of its effect and legal challenges - this was the position before the Turkey "coup" and the further crackdown on freedoms, journalists and many others:

*"At the Asylum Working Party on 14-15 June, the Presidency suggested a further change to the text of the draft Decision, in order to enable Member States **to apply the Decision to all persons admitted to their territories as from 1 May 2016**. This change, reflected in new paragraphs 2 and 3 of Article 2, has been agreed by delegations in the subsequent silence procedure." [emphasis added. The "silent procedure" is where a proposal is circulated to Member States and is approved unless one of them objects] ..*

"Member States may choose to meet their obligation by admitting to their territory Syrian nationals present in Turkey under national or multilateral legal admission schemes for persons in clear need of international protection... The number of persons so admitted by a Member State shall lead to a corresponding reduction of the obligation of the respective Member State."

That is to say to reduce their obligations under the failed relocation scheme.

- VIOLENCE AGAINST WOMEN: [Proposal for a Council decision on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence and Proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence](#) (LIMITE doc no: 10778-16, pdf):

Concerns whether the EU should sign the Istanbul Convention on violence against women:

"In view of requests by a number of delegations, Cion presented its views on the existence and the extent of exclusive external EU competences in relation to the Council of Europe Convention on preventing and combating violence against women and domestic violence ('Istanbul Convention') in greater detail whilst re-iterating its position that the EU should accede to the full extent of its competences (both shared and exclusive) to maximise the (political and legal) impact of the accession..."

On the basis of the mapping exercise of the last FREMP meeting, as well as the above elaboration of the Cion MSs are invited to take a political position on whether the EU should accede to the Istanbul Convention and if so, what the scope of accession should be."

- LEGAL AID AND THE EUROPEAN ARREST WARRANT: [Proposal for a Directive of the European Parliament and of the Council on provisional legal aid for suspects or accused persons deprived of liberty and legal aid in European arrest warrant proceedings = Confirmation of the final compromise text with a view to agreement](#) (LIMITE doc no: 10665-16, pdf)

"This file was discussed in Coreper on Tuesday 22 June in view of the 9th trilogue on 23 June. The final compromise text as it was discussed at the 9th trilogue is set out in the Annex to this note. Refinements made at the trilogue have been marked with bold in the text (and with underlining in the title of Article 9 and in recital 15b)..."

The European Parliament has informed the Presidency that a large majority of its political groups can accept this text."

37. UK: Bar Human Rights Committee publishes report on police violence and access to justice in Calais migrant camps: [Report: Camps at Calais and Grande-Synthe \(France\): Policing and Access to Justice](#) (pdf):

"highlighting allegations of police violence, police failure to protect residents within the camps, and a lack of access to justice.

BHRC representatives visited the Jungle and Grande-Synthe camps in March 2016, meeting with residents and NGOs working within the camps, including Médecins San Frontières, the UN and Help Refugees UK.

The report highlights specific allegations of police violence documented by the Legal Advice Centre in Calais...

Speaking on behalf of BHRC, Chairwoman Kirsty Brimelow QC said:

"The lack of effective legal protections in the Jungle and Grand Synthe for vulnerable refugees, including women and children, should be of huge concern.

The UK and French governments must jointly ensure accountability for all human rights violations inflicted on camp residents. The treatment of refugees is one of the historic wrongs of our time. It is happening on the shores of Europe. Urgent action is required."

38. UK: [Equality and Human Rights Commission: research reports on prejudice and unlawful behaviour; hate crime](#)

The UK's Equality and Human Rights Commission has recently published two reports, looking at research on "the relationship between prejudiced attitudes and behaviours" and "hate crime in Great Britain, what causes it and what we know about who commits it."

39. TURKEY: **Council of Europe warning over post-coup conditions**

"Detention conditions and allegations of torture are among the concerns noted by Nils Muižnieks, in the aftermath of Turkey's failed coup attempt.

The country's authorities have informed the Council of Europe of Turkey's derogation from the European Convention on Human Rights (ECtHR).

Now the Commissioner for Human Rights has expressed his fears that new legislative provisions enable an "extremely wide and indiscriminate administrative powers affecting core human rights."

He added: It is with profound concern that I examined the first decree with the force of law (Kanun Hükümünde Kararname, KHK/667) adopted within the framework of the state of emergency declared in Turkey last week.

"It is particularly striking that the present decree authorises detentions without access to a judge for up to thirty days. This period is exceptionally long and will apply not only to those suspected of involvement in the coup attempt, but all persons suspected for involvement in terrorist offences and organised crime, during the validity of the state of emergency.

"I fear that the combination of extremely wide and indiscriminate administrative powers affecting core human rights and the erosion of domestic judicial control may result in a situation where the very foundations of rule of law are put in jeopardy and where the ECtHR will have to face a huge number of new cases coming from Turkey."

See: [Turkey: Nils Muižnieks expresses fears over state of emergency measures](#) (Council of Europe, link)

40. UK: LONDON: [Statement on Hyde Park "disturbances" – Tuesday 19th July 2016](#) (London Campaign Against Police and State Violence, link):

*"In spite of the scant detail available about the events on the evening of Tuesday 19th, the consistent line to be pulled from the hyperbole of media reporting on the incident is that this was a **peaceful** gathering of young people who had organised a free event in an easily accessible public place. Again, these reports state that it was **only when the police arrived** in order to disperse the group that the disturbances began. We believe there is a direct causal link here. On one side the peaceful gathering of young people in order to enjoy a public park on the hottest day of the year at the start of their school holidays. On the other side the arrival of riot police to forcefully disperse this group, using their full array of weaponry."*

41. EU-IRELAND: [PNR: travel surveillance comes to Ireland](#)

Passengers entering, departing or travelling within Ireland by plane will soon be automatically screened and profiled by a new 'Passenger Information Unit' (PIU) to be set up by the government in compliance with the EU Passenger Name Record Directive. According to reports, the Irish PIU will involve the gardai (the Irish police force), customs officials and the revenue office.

42. SPAIN-MOROCCO: [Presentation of the new Migreurop report: Ceuta and Melilla, open-air migrant sorting centres at the gates of Africa](#)

On 25 July 2016, Migreurop published a joint report resulting from cooperation and missions conducted in 2015 in northern Morocco in the proximity of Nador and in the Spanish north African enclaves of Ceuta and Melilla. The missions were carried out by GADEM, La Cimade, Migreurop, and Migreurop Spain. These fact-finding missions included visits to detention centres and border fences in Ceuta and Melilla, as well as interviews with institutional actors, activists, members of associations and migrants themselves.

43. EU: Council of the European Union: **Eurodac Regulation (revised text)**

[Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of \[Regulation \(EU\) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person\] , for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes \(recast\)](#) (LIMITE doc no: 10531-16, 112 pges, pdf)

Council developing its negotiating position:

"The text of the proposal in Annex contains modifications suggested by the Presidency on the basis of these discussions. Other comments made by delegations appear in the footnotes.

All delegations have general scrutiny reservations on the proposal. New text to the Commission proposal is indicated by underlining the insertion and including it within Council tags, deleted text is indicated within underlined square brackets."

See also: [Compulsory fingerprinting of migrants](#) (Statewatch database, link)

44. [Turkey-Greece: More Than 33,000 Apprehensions In Turkey](#) (News That Moves, link):

"Since January until July 21, 33,396 people were apprehended or intercepted while trying to cross from Turkey to Greece.

According to data from the Turkish Coast Guard, Turkish Armed Forces and UNHCR, 79 per cent of interceptions and rescues occurred at sea, 21 per cent on land borders. Of the total, 68 per cent of people intercepted were Syrians and 20 per cent were from Afghanistan"

See: [UNHCR report on interceptions and death/missing](#) (pdf)

45. UK: [Annual figures released on deaths following police contact and police use of firearms](#)

There were 200 deaths during or following police contact in England and Wales between 1 April 2015 and 31 March 2016, according to the latest figures released by the Independent Police Complaints Commission. There were 21 road traffic fatalities; three fatal police shootings; 14 deaths in or following police custody; 60 apparent suicides following police custody; and "102 other deaths following police contact that were independently investigated by the IPCC."

46. EU: [Policy cycle on serious and organised crime: "illegal immigration" report and other documentation](#)

The EU's policy cycle on serious and organised crime is supposed to coordinate the actions of Europol and Member States' law enforcement priorities in order to deal with a series of cross-border "threats", identified by Europol and subsequently approved by the Council of the EU. Amongst the current priorities is "facilitated illegal immigration". A leaked Europol report gives an overview of work undertaken during 2016.

See: NOTE: [EU Policy Cycle: Monitoring of the Operational Action Plans 2016 - Priority "Illegal Immigration"](#) (9931/16, EU RESTREINT/EU RESTRICTED, 9 June 2016, pdf)

47. Observatory: Refugees crisis: latest news across Europe – a daily service

[Refugee crisis: latest news from across Europe](#) (12.8.16)
[Refugee crisis: latest news from across Europe](#) (11.8.16)
[Refugee crisis: latest news from across Europe](#) (10.8.16)
[Refugee crisis: latest news from across Europe](#) (9.8.16)
[Refugee crisis: latest news from across Europe](#) (8.8.16)
[Refugee crisis: latest news from across Europe](#) (6-7.8.16)
[Refugee crisis: latest news from across Europe](#) (5.8.16)
[Refugee crisis: latest news from across Europe](#) (4.8.16)
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[Refugee crisis: latest news from across Europe](#) (2.8.16)
[Refugee crisis: latest news from across Europe](#) (1.8.16)
[Refugee crisis: latest news from across Europe](#) (30-31.7.16)
[Refugee crisis: latest news from across Europe](#) (29.7.16)

See also our site: [Statewatch Observatory : January 2015 ongoing](#)

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Statewatch Bulletin/Journal: Archive: Since 1991: <http://www.statewatch.org/subscriber/>
Database, over 31,000 items: <http://database.statewatch.org/search.asp>
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