



News Online

27 May 2016 (09/16)

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1. EU: Council of the European Union: [Justice and Home Affairs info exchange and Cyberspace investigations](#)

- [Draft Roadmap to enhance information exchange and information management including interoperability solutions in the Justice and Home Affairs area](#) (LIMITE doc no: 8437-16, pdf) 64 pages with detailed plans:

"Finally, the Presidency is seeking political commitment to feed and use the information systems to the maximum extent as a conditio sine qua non to achieve an efficient sharing of information. It even would like to discuss options for compulsory exchange of information. Without political commitment to feed and use the existing data systems and acting accordingly, information exchange will not be significantly improved in practice." and includes DNA on the SIS?:

"Enhance the effectiveness of using the Schengen Information System (SIS): A) Include identifiers in alerts (copy passport, digital photo, biometrics, DNA-profiles to be considered) on the basis of existing legal provisions, when available; enable searches on fingerprints and provision of facial image feedback in case of a hit. B) Implement an Automated Fingerprint Identification System (AFIS) functionality in the SIS within the central as well as national system in view of its full use."

Note: Such plans are not subject to approval by the European Parliament or national parliaments - the same goes for the next document..

- [Effective operational cooperation in criminal investigations in cyberspace](#) (LIMITE doc no: 8634-16, pdf):

"The NL Presidency prioritises, in line with the Renewed European Union Internal Security Strategy, the improvement of international operational cooperation and development of an EU approach for investigations in cyberspace, including on enforcement jurisdiction."

- [Improving criminal justice in cyberspace - draft discussion paper for the Council - draft Council conclusions](#) (LIMITE doc no: 7791-16, pdf): *"three main issues:*

- *The need to optimise mutual legal assistance (MLA) processes to secure and obtain e-evidence effectively;*
- *Cooperation with the private sector and the need to avoid the negative impact of conflicting regulations;*
- *How to proceed in investigations and prosecutions of cybercrime and cyber-related crimes in the absence of possibilities for cooperation due to unknown location of required data or of the origin of a cyber attack ("loss of knowledge) of location")."*

- [Improving criminal justice in cyberspace - Preparation of the Council debate \(Justice Ministers\)](#) (LIMITE doc no: 8769-16, pdf): *"Draft discussion paper for the Council (Justice and Home affairs), 9-10 June 2016."*

2. European Parliament Study: [Cross-border placement of children in the European Union](#) (pdf):

"This study, commissioned by the Policy Department for Citizens' Rights and Constitutional Affairs at the request of the JURI Committee, explores the range and nature of problems linked to the cross-border placement of children and to the application of article 56 of the Brussels IIa Regulation. Based on an analysis of the practice in 12 Member States and European case law, it identifies a number of shortcomings in the current legislative framework. Looking ahead to the recast of Brussels IIa, the study sets out recommendations to remedy some of the weaknesses, such as clarifying the respective tasks of the Member States involved in cross-border placement cases and facilitating the recognition and enforcement of cross-border placement orders."

3. SPAIN: [Fined with the Gag Law for carrying a bag with the face of a cat and the abbreviation A.C.A.B.](#)

Belén Lobeto was returning to her house in Madrid last Sunday when she was stopped by two police officers who asked for her documentation and subsequently said they were going to fine her. The motive: a black fabric shoulder bag bearing the face of a cat and the abbreviation A.C.A.B, along with the words "All Cats Are Beautiful". The police's report stated that the abbreviation signifies "All Cops Are Bastards".

4. European Commission: Infringement Notices: [Commission requests HUNGARY to put an end to the discrimination of Roma children in education](#) (link)

"The European Commission is requesting Hungary to ensure that Roma children enjoy access to quality education on the same terms as all other children and urges the government to bring its national laws on equal treatment as well as on education and the practical implementation of its educational policies into line with the Racial Equality Directive (Council Directive 2000/43/EC). This Directive prohibits discrimination on grounds of racial or ethnic origin in education. The Commission has a number of concerns in relation to both Hungarian legislation and administrative practices which lead to the result that Roma children are disproportionately over-represented in special schools for mentally disabled children and also subject to a considerable degree of segregated education in mainstream schools. The aim of the Commission's action is to ensure for Roma children an equal access to education which is a determining factor for employment opportunities and thus an indispensable component of working towards full Roma inclusion.

The Commission has sent letters of formal notice to two other Member States, the Czech Republic and Slovakia, in relation to similar issues in the recent past. If Hungary fails to reply in a satisfactory manner within two months, the Commission may send to the Hungarian authorities a reasoned opinion."

5. EU-USA: DATA PROTECTION: [Model clauses in jeopardy with Irish DPA referral to CJEU](#) (The Privacy Adviser, link):

"International data flows between the U.S. and EU may have taken yet another hit late Tuesday with news that the Irish Data Protection Commissioner is planning to refer a case to the Court of Justice of the European Union to determine whether Facebook can use standard contractual clauses, also often called model clauses, to transfer data out of the EU...."

According to a press release from Europe-v-Facebook the Max Schrems-led group that brought both the Safe Harbor and current complaint to the Irish DPA, "Under current CJEU case law, it is highly unlikely that Facebook Ireland could ... continue sharing data with the U.S. authorities."

See: Press Release: [Facebook & NSA-Surveillance: Following "Safe Harbor" decision, Irish Data Protection Commissioner to bring EU-US data flows before CJEU again](#) (pdf): *"Yesterday night, we were informed that the Irish Data Protection Commissioner (DPC) is planning to refer to the Court of Justice of the European Union (CJEU) to determine if Facebook can continue to transfer data from the EU to the US after the invalidation of the "Safe Harbor" system by the Court on October 6th 2015 and given continues application of US mass surveillance laws."*

6. [Hillsborough: how one academic kept the 'truth' from being hidden](#) (bellacaledonia.org.uk, link) by Margaret Malloch and Bill Munro:

"How can academics put their research at the service of correcting great injustices? Phil Scraton and his work for the Hillsborough campaign offers a powerful example, write Margaret Malloch and Bill Munro.

There has been a justifiable amount of attention on the recent outcome of the inquests into the 96 men, women and children who lost their lives as a direct result of events at Hillsborough Football Ground on 15 April 1989. However, claims that 'at last', the truth 'is out' leave us somewhat troubled.

The 'truth' of what happened on that day has always been known – not least by the bereaved families, the survivors and many more besides. That 'truth', until now, has been officially erased, or at least hidden and replaced by a carefully constructed and long maintained lie."

7. UK: [Judge rejects CPS attempt to overturn DSEI arms fair protesters acquittal](#) (ibtimes.co.uk, link)

"A judge dismissed charges against protesters at an arms fair in east London who felt they were attempting to stop a "greater crime".

The Crown Prosecution Service (CPS) appealed against the acquittal of eight activists who demonstrated against the Defence Security and Equipment International (DSEI) event at the ExCel centre in London's Docklands in 2015. The protesters, accused of wilful obstruction of the highway after attempting to block entrance into the annual arms fair, believed they were preventing the sale of weapons that would abuse human rights in countries such as Yemen and Bahrain.

District Judge Hamilton has now rejected the CPS' appeal to have the acquittals overturned on the basis their argument was "frivolous" and "misconceived". He added: "The CPS application repeatedly significantly misrepresents the contents of the judgement delivered at the end of the case and therefore seeks to challenge the decisions reached on wholly erroneous bases.

"The very least the CPS should do is read the judgement fully and, if appropriate, frame their application based on what was actually decided rather than what they seem to believe was decided."

8. EU: Counter Terrorism: Council of the European Union: [Strengthening cooperation on counter-terrorism threat analysis](#) (LIMITE doc no: 8409-16, pdf): There is concern about the legal basis for sharing intelligence:

"The discussion showed divergences between Member States as to which role to give the EU in view of national positions and Article 4(2) TEU, in particular in relation to the sharing of intelligence information. Many delegations were positive towards the idea, whereas a number of delegations requested additional information and more details on a number of issues, such as the legal basis for such a joint threat assessment, methodology and which personal data would be exchanged. Others underlined the importance of avoiding duplication. The EU Counter-Terrorism Coordinator (CTC) supported the idea of a joint threat assessment."

and also where to draw the line between intelligence-gathering, analyses and operational roles: See [EU INTGEN](#) (pdf):

"EU INTGEN is the exclusive civilian intelligence analysis function of the European Union... EU INTGEN is **not an operational agency and does not have any collection capability**. The operational level of intelligence is the Member States' responsibility. EU INTGEN deals only with strategic analysis...".

at the same time EU INTGEN "compliments" Member States' input by monitoring open sources:

"EU INTGEN deals only with strategic analysis. Its analytical products are **mostly based on information provided by Member States' security and intelligence services**, but can also be **complemented by open sources (media, websites, blogs etc.), diplomatic reporting, consular warden networks, international organisations, NGOs, CSDP missions and operations, the EU Satellite Centre, visits and field trips.**" [emphasis added]

See also: [EU to enhance terrorism "threat assessments" as Counter Terrorist Group moves towards "real time information exchange"](#)

9. EU: European Data Protection Supervisor (EDPS): [Data protection for the digital generation: the countdown to the GDPR begins](#) (Press release, pdf):

"Giovanni Buttarelli, EDPS, said: "The GDPR is one of the EU's greatest achievements in recent years and a document of which it should be proud. However, our job is not yet complete. We must ensure that the GDPR is fully and effectively implemented and that we close the package with equally effective agreements on Regulation 45/2001 and the ePrivacy Directive. Only then will we be able to ensure that the EU upholds its promise of effective data protection for the digital age."

and [Annual Report 2015](#) (pdf)

10 DENMARK: European Court of Human Rights: [Danish legislation on family reunion is discriminatory](#) (Press release, pdf):

"The case concerned the complaint by a naturalised Danish citizen of Togolese origin, Ousmane Biao, and his Ghanaian wife that they could not settle in Denmark. Notably, the Danish authorities refused to grant them family reunion as the couple did not comply with the requirement under the relevant domestic law (the Aliens Act) that they must not have stronger ties with another country, Ghana in their case, than with Denmark (known as the "attachment requirement"). They also complained that an amendment to the Aliens Act in December 2003 – lifting the attachment requirement for those who held Danish citizenship for at least 28 years – resulted in a difference in treatment between those born Danish nationals and those, like Mr Biao, who had acquired Danish citizenship later in life."

and [Judgment Full-text](#) (pdf)

11. [The shifting terrain for suspects' rights in Europe – the right to legal assistance saga in the Netherlands](#) (Fair Trials, link):

"On 22 December 2015, the Dutch Supreme Court handed down a judgment in which it held that, as of 1 March 2016, all suspects should have the right to be assisted by a lawyer when questioned by the police.[1] In earlier decisions in June 2009 and April 2014, the Court had recognized a right to consult with a lawyer prior to questioning, but stopped short of recognizing a right to have a lawyer present during questioning. The transition from the earlier judgements to the December 2015 one merits attention, as it sheds light on the shifting terrain for suspects' rights in Europe, particularly as a result of the increasing grip of EU Roadmap Directives and ECHR jurisprudence upon national conceptions of fair trial rights."

12. UK: **Metropolitan Police try to escape liability for shooting and death of Cherry Groce despite admitting "irreparable harm"**

"The Metropolitan Police Commissioner is to argue that the family of Cherry Groce should not be permitted to pursue any claim against him for the irreparable harm caused to them as a result of the raid by armed police officers on their family home in 1985.

Mrs Groce was shot and seriously injured in front of her young children during the 1985 raid, and she died 26 years later in 2011 as a result of those injuries. In July 2014, an inquest jury found that the shooting – and her death – was the result of serious and multiple police failures on the part of officers across the ranks.

In the wake of the inquest, the Metropolitan Police Commissioner offered a personal apology for those failures. He said: (...) "Today, I apologise unreservedly for our failings... we, as an organisation, failed to meet those responsibilities and in doing so caused irreparable damage to a mother and her family."

Notwithstanding that apology, the Commissioner is now seeking to avoid liability for the admitted irreparable damage caused to this family. The hearing of his attempt to do so is due to take place before Mr Justice Jay at the High Court in the Royal Courts of Justice, London, commencing at 10.30am on Tuesday 24 May 2016."

See: Press release from Bhatt Murphy solicitors: [Met Police seek to avoid liability to Cherry Groce's family for 1985 shooting](#) (pdf)

13. UK: [Police and faith alliance attacks counter-extremism bill](#) (The Guardian, link): *"David Cameron's new counter-extremism legislation has been condemned by a powerful coalition of opponents, including the former police chief in charge of the government's anti-radicalisation programme, who warns that it could actually fuel terrorism.*

The multi-faith alliance of 26 organisations and prominent individuals includes Liberty, Index on Censorship, the National Union of Students, Runnymede Trust and the Muslim Council of Britain, along with individuals including Peter Fahy, ex-chief constable of Greater Manchester and a former policing lead for the Prevent programme."

See the statement: [Counter-Extremism Bill: Leading civil liberties campaigners raise concerns with proposals](#) (Big Brother Watch, link): *"We are a cross section of British society who believe in the necessity of keeping our nation safe and secure.*

To defeat the scourge of terrorism we need a strategy underpinned by a soaring confidence in our values and the society we seek to build together. As such, we are gravely concerned that the proposed Counter-Extremism and

Safeguarding Bill will feed the very commodity that the terrorists thrive on: fear. We must instead put forward proposals that show those who seek to undermine us that we value our freedom more than they cherish fear.

Terrorism in all its forms is already prohibited by the criminal law, as is speech that incites violence or promotes hatred. This Bill would provide the Government with the power to exclude those they disagree with from many parts of the public space. These proposals will serve to alienate communities and undermine free speech, but there is scant evidence that they will tackle the terrorism we all want to confront.

The fact that the Government is struggling to define the 'extremism' it wants to ban should be a clear indication that this legislation has no place in a liberal democracy."

14. EU: [Europol report on the work of the European Counter Terrorism Centre](#)

A report on the "state of play" of the European Counter Terrorism Centre, which started work in January this year. The report highlights the political background and context and moves on to the activities of the ECTC: a "continuous" increase of information on "foreign fighters" being inserted into FP Travellers and into the Europol Information System (EIS), along with an increased number of users (MI5 and the FBI are both highlighted as new users of the EIS); and 15,572 leads stemming from the EU-US Terrorist Finance Tracking Programme between 2015 up to April 2016.

The report also discusses: operational support activities (Taskforce Fraternité, EU Internal Referral Unit (IRU), Joint Liaison Team, secondary security checks in the migration hotspots in Greece); and "key strategic issues".

See: NOTE from: Europol to: Standing Committee on Operational Cooperation on Internal Security: [Enhancing Europol's counter terrorism capabilities: European Counter Terrorism Centre at Europol](#) (8881/16, 13 May 2016, pdf)

15. EU: [Migration and border security top INTERPOL European meeting agenda](#) (INTERPOL press release, link): *"Addressing the border security challenges posed by an unprecedented number of migrants travelling to Europe is a key issue for senior law enforcement officials gathered at the 44th INTERPOL European Regional Conference.*

Following the publication of the joint Europol-INTERPOL Report on Migrant Smuggling Networks earlier this week, delegates at the conference will hear from countries including Austria, Germany, Slovenia and the Former Yugoslav Republic of Macedonia as well as from the United Nations High Commissioner for Refugees on their experiences in tackling this phenomenon.

With the report highlighting that border controls influence key routes for migrant smuggling, ensuring frontline officers have access to INTERPOL's capabilities in order to access vital policing information, particularly within the Schengen area, is an essential part of enhancing national, regional and global security."

See: [MIGRANT SMUGGLING NETWORKS Joint Europol-INTERPOL Report](#) (pdf) and speeches from the conference: [Opening address by Jürgen Stock, INTERPOL Secretary General](#) (pdf) and [Closing speech by Mr Alexander PROKOPCHUK, INTERPOL Executive Committee Delegate for Europe](#) (pdf)

16. UK: Home Affairs Select Committee: Report: [Police diversity](#) (pdf):

"Urgent and radical action needed to tackle police service's "consistent failure" on diversity .

In a report published today, Saturday 21 May 2016, the Home Affairs Select Committee (HASC) says "urgent and radical action" is needed to tackle the gross under-representation of black and minority ethnic people in the police forces of England and Wales, which police have "consistently failed to address" over several decades."

17. [African Civil Society condemns the hunt for migrants on the continent](#) (pdf):

"African civil society condemns these hunting policies for migrants that grow everywhere on the African continent with the support of the European institutions under the guise of the fight against "irregular" migration. The current situation in Libya is a sad illustration with anti-immigration brigade heavily armed, with the support of the European Union, which tracks day and night the sub-Saharan migrant workers cram in detention centers instead of effectively combating traffickers and Libyan smugglers..."

The lure of European financial aid to fight against migration transforms the African political authorities in real persecutors of their brothers and sisters who are looking for work to live and feed their families. This could recall the time of slavery abolished there only two centuries. The European Union, at the expense of its humanist values, and shamelessly, in African countries outsources its security migration policy.

African civil society calls for the African Union commission, the Economic Community of West African States (ECOWAS) and all African heads of state to listen to the voice of their people and engage resolutely in a real regional integration process. Only a true African integration could prevent our countries to always be the instrument of European policy and will prevent brave young hope of tomorrow's Africa, being killed in other countries on the continent seeking win their daily bread."

Signed by: The West African Observatory on Migrations (WAOM), The Pan African Network for the Defense of Migrants' Rights (PANIDMR), Caritas - Migration and Development Network (MADE) – Africa, Moroccan Transnational Network on Migration and Development (RMTMD), Samir ABI, Visions Solidaires.

18. EU: Justice and Home Affairs Council, 20 May 2016: [Final press release](#) (pdf)

["B" Points Agenda](#) (for discussion, pdf), ["A" Points](#) (legislative, adopted without discussion) and ["A" Points](#) (non-legislative, adopted without discussion). See [Background Note](#) (pdf)

Among the "non-legislative" items to be adopted without discussion are: the EU-USA data protection "Umbrella Agreement" on the exchange of personal data - the Scope (Art 1): covers:

*"The purpose of this Agreement is to ensure a high level of protection of personal information and enhance cooperation between the United States and the European Union and its Member States, in relation to the prevention, investigation, detection or prosecution of **criminal offenses**, including terrorism."*

Note: **the Scope covers all crimes however, minor.**

- [Agreement between the United States of America and the European Union on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offenses](#) (Full-text, pdf) - [Draft Council Decision - Adoption](#) (pdf) - [Council Decision](#) (pdf)

19. European Commission: [Commission reports on state of fundamental rights in the EU](#) (Press release, link) and see: [2015 Report on the Application of the EU Charter of Fundamental Rights](#) (Com 265-16, pdf): The report opens with:

"The EU faced numerous challenges in 2015: security threats, unprecedented arrivals of refugees and migrants, a rise in populism and xenophobia. These put EU values and solidarity to the test. Facing such challenges, it is vital to uphold the EU's common values of democracy, fundamental rights and the rule of law."

Tony Bunyan, Statewatch Director, comments: *"In regard to the refugee crisis EU values were certainly put to the test and blatantly failed. As to upholding "fundamental rights and the rule of law" they were thrown out of the window by the EU-Turkey "dodgy deal."*

20. EU-UK: Government: Background Note: [The UK's cooperation with the EU on justice and home affairs, and on foreign policy and security issues](#) (pdf)

21. UK: House of Commons Public Administration and Constitutional Affairs Committee: [Democracy Denied: Appointment of the UK's delegation to the Parliamentary Assembly of the Council of Europe](#): Government Response to the Committee's Second Report of Session 2015–16 Ninth Report of Session 2015–16 (pdf):

"We do not accept this Government Response, which fails to address the importance of democracy in appointing the UK's Delegation to the Council of Europe. This is democracy denied. We call upon the Government to amend its process from Prime Ministerial announcement of a list of names decided in concert with party leaders, to free, fair and open election of the Commons element of a delegation by the whole House of Commons. If the House agrees to the principle of the change we propose, the Procedure Committee could consider how this reform should be implemented.

At the same time, we suggest that the Procedure Committee should consider whether the other delegations sent by Parliament to international assemblies, namely the Organization for Security and Co-operation in Europe (OSCE), the North Atlantic Treaty Organization (NATO) Parliamentary Assembly and the British-Irish

Parliamentary Assembly, should also be appointed by free, fair and open elections. We ask that the Government reconsider its response to our Report and produce a further response."

22. UK [Pregnant women in detention centres kept hidden by the Home Office](#) (Politics.co.uk, link):

"The Home Office puts a lot of work into making sure no-one finds out how many pregnant women they hold in their immigration detention centres.

For years they keep no central data on it at all. You can imagine why. Their guidelines state that pregnant women should only be held in exceptional circumstances. But if we can't find out how many pregnant women are in detention, or what happens to them, it's impossible to work out whether they're sticking to it."

23. Council of Europe: Parliamentary Assembly: **PACE committee denounces abuse of administrative detention**

"Expressing concern that administrative detention has been abused to punish political opponents, obtain confessions in the absence of a lawyer, or for stifling peaceful protest, the Committee on Legal Affairs and Human Rights calls for other solutions than those undermining the protection of the right to liberty and security.

Adopting a report on administrative detention by Lord Richard Balfe (United Kingdom, EC), the committee calls on all member states to refrain from using administrative detention as a migration management tool; for placing political opponents, human rights activists or journalists in administrative detention with a view to coercing them into confessing a criminal offence; or to prevent people from taking part in a given protest."

See: [Committee on Legal Affairs and Human Rights: Administrative detention in Council of Europe member states – legal limits and possible alternative measures](#) (pdf)

24. UK-Council of Europe: [Memorandum on surveillance and oversight mechanisms in the United Kingdom](#) (pdf) and [UK response to the Council of Europe Human Rights Commissioner - Memorandum on surveillance and oversight mechanisms in the UK](#) (pdf)

"Whilst welcoming a number of positive developments, such as the creation of a single unified Investigatory Powers Commissioner with responsibility for surveillance oversight, the Commissioner expresses his concern about certain issues such as the compatibility of the bulk interception and equipment interference powers proposed in the above Bill with the European Convention on Human Rights. He also stresses that greater protection needs to be provided in the Bill for legal professional privilege and for communications of politicians and journalists. In addition, the Commissioner highlights the need for oversight bodies and systems to be periodically evaluated to assess whether or not they possess the necessary attributes to be effective."

25. ['Hello, world': GCHQ joins Twitter](#) (Guardian, link): "UK surveillance agency launches official account as part of attempt to improve its image after Edward Snowden revelations" See: [Link](#)

26. SURVEILLANCE: **More files from Edward Snowden's collection released**

"From the time we began reporting on the archive provided to us in Hong Kong by NSA whistleblower Edward Snowden, we sought to fulfill his two principal requests for how the materials should be handled: that they be released in conjunction with careful reporting that puts the documents in context and makes them digestible to the public, and that the welfare and reputations of innocent people be safeguarded. As time has gone on, The Intercept has sought out new ways to get documents from the archive into the hands of the public, consistent with the public interest as originally conceived.

Today, The Intercept is announcing two innovations in how we report on and publish these materials. Both measures are designed to ensure that reporting on the archive continues in as expeditious and informative a manner as possible, in accordance with the agreements we entered into with our source about how these materials would be disclosed, a framework that he, and we, have publicly described on numerous occasions."

See: [The Intercept Is Broadening Access to the Snowden Archive. Here's Why](#) (The Intercept, link)

27. UK: **Videos from The Monitoring Group's conference on political policing and racism in the UK**

"On the weekend of 16th and 17th April 2016, a seminal conference took place in London, and, as the title suggests, it had two central themes to discuss and confront:

- *the nature of State racism – the bedrock for institutional, popular and sometimes violent racism – and policing policies that target or create notions of suspect communities and their damaging impact of British Society*
- *the evolution and practice of political policing in UK.: Building on a hugely successful conference in 2015, participants at the conference explored the history and disastrous impact of the policing of social and justice movements, in light of the upcoming Undercover Policing Inquiry, and demanded the Inquiry adopts an open and rigorous approach."*

See: [Watch the videos from our conference : Subversion, Sabotage and Spying: Political Policing and Racism in the UK](#) (The Monitoring Group, link)

28. UK: [Parliamentary committee: safety in prisons continues "to deteriorate significantly"](#)

A new report from the House of Commons Justice Committee examines "the Government's response to the ongoing and rapid deterioration in prison safety in England and Wales which began in 2012" and concludes that "overall levels of safety in prisons have not stabilised as the Ministry [of Justice] hoped, let alone improved and continue to deteriorate significantly."

29. UK: **Immigration Bill becomes law: [The Bill becomes an Act: what's been won, and what's been lost](#)** (Right to Remain, link): "Yesterday (12 May 2016), the Immigration Bill 2015-16 received Royal Assent, which means it now becomes the 2016 Immigration Act.

In those words, a great deal is bound up.

As we have written previously, the Act involves a hardening and an extending of the measures designed to create a 'Hostile Environment' for migrants brought in by 2014 Immigration Act, including:

Cutting access to justice... Extending internal border enforcement... Criminalising irregular migration..."

30. [Drone warfare: the cost of progress](#) (openDemocracy, link): "What is clear is the determination of the United States and its coalition partners to avoid committing large ground forces to the war. The deep failures in Afghanistan and Iraq inflicted harsh lessons which have been learned, at least in respect of the need to avoid deploying tens of thousands of "boots on the ground". There may by contrast be plenty of special forces, airstrikes and armed drones; these represent the changing nature of the wars now being fought by the west.

As this kind of war intensifies, though – and with every prospect of major operations against ISIS in Libya – there are clear indications that the move to remote warfare carries unexpected consequences (see "[The drone-war blowback](#)", 29 September 2011). Nowhere is this more clear than with the proliferation of armed drones, which are still seen as weapons of choice in Washington, Paris, London and Tel Aviv."

31. UK-EU: [House of Lords committee says EU's Operation Sophia deals with "symptoms, not causes" and "cannot deliver its mandate"](#)

A new report from the UK House of Lords' European Union Committee has commended the EU's "anti-smuggling" military operation in the Mediterranean for its efforts at search and rescue, but notes that it is ultimately unable to meet its aims of deterring migrants, disrupting smugglers' networks and thwart smugglers' business models as it deals with "symptoms, not causes".

Key document: European External Action Service: [Planning for a possible non-executive Civilian CSDP mission in Libya](#) (LIMITE docxno: 7491/16, 1 April 2016, pdf):

32. [EU to enhance terrorism "threat assessments" as Counter Terrorist Group moves towards "real time information exchange"](#)

The Dutch Presidency of the Council of the EU has offered Member States two options on how "a fuller, more coherent, comprehensive and future-oriented picture of the terrorist threat" could be established at EU level: either by increasing cooperation between Europol and the EU Intelligence Analysis Centre (INTCEN), or by

inviting the Council's COSI committee (operational cooperation on internal security) to develop "common conclusions" based on work undertaken by Europol and INTCEN.

Key document: [Strengthening cooperation on counter-terrorism threat analysis](#) (LIMITE doc no: 8409-16, pdf)

33. EU: **Clarifying the Euro-jargon: [Terminology to be used in the agendas of the Council and Coreper](#)** (8338/1/16 REV 1, 25 April 2016, pdf)

34. [Press release: Advocate General: IP addresses are personal data](#)

The EU's top lawyer today answered a question that seems to be as old as the Internet. In his opinion, IP addresses are personal data and may be collected only where allowed by data protection law. The opinion concerns the case of German pirate party politician and privacy activist Patrick Breyer who is suing the German government over logging all visits to government websites (Case C-582/14).

35. [Draft Council conclusions call on Member States to "reduce administrative burdens" that hinder expulsion of third-country nationals](#)

EU Member States will be "invited" to ease the expulsion of expelling "illegally staying third-country nationals" by reducing "administrative burdens" - such as "the suspensive effect of return and asylum decisions" and "multiple and last minute asylum applications and appeals" - if a set of draft conclusions being prepared for the Justice and Home Affairs Council meeting on 20 May remain in their current form.

36. [Schengen: Greece and Slovenia unhappy with continuation of internal border controls](#)

The Council of the EU has today (12 May 2016) adopted a decision that permits the continuation of the internal border controls adopted by Austria, Germany, Denmark, Sweden and Norway. Greece and Slovenia have submitted statements disagreeing with the decision.

37. EU: CONSULAR COOPERATION: Council of the EU: [Consular Cooperation Initiatives - Final Report](#) (8347/16, 29 April 2016, pdf): "*The overarching objective of the Consular Cooperation Initiatives (CCIs) was to optimize the consular support to all citizens of the European Union in third countries and to strengthen consular cooperation at the Union level. The specific objective was to further explore possibilities for developing the role of EU Delegations in facilitating and supporting coordination between Member States in their role of providing consular protection to citizens of the Union in third countries as agreed in the Council Conclusions on the EEAS review of 17 December 2013.*

A Core Team of interested MS was established to manage the initiative under general supervision of COCON. CCI projects were implemented in 5 countries: Cambodia, Dominican Republic, Nepal, Nigeria and Tunisia. In each country a MS assumed the role of Chef de File and developed a project plan on the basis of a common template (Annex). The EEAS acted as secretariat of the group and supported the harmonised approach. The Commission and the Council Secretariat attended the discussions. The projects ran from January to December 2015. After that, the CCI Core team continued to convene under the Netherlands presidency to compile all data, draw up the relevant conclusions and recommendations and prepare for recommended follow up.

This report first presents the overall conclusions and recommendations emanating from the detailed evaluation per country. The country evaluations are added to the report, as well as the joint EU Crisis Preparedness Framework that was drawn up as part of the Consular Cooperation Initiatives, a copy of the common template for the project plans and the global statistics on consular assistance to non-represented EU-citizens compiled by EEAS."

See also: Annex I to the Final Report: [Joint EU Consular Crisis Preparedness Framework](#) (8347/16 ADD 1, pdf) and: [Consular démarches: Toolkit on procedural issues](#) (8280, 26 April 2016, pdf)

38. UK: [Exclusive: UK Government and Police Are Getting Information From 'Shadowy' Terrorism Database](#) (Vice News, link): "*A "shadowy" private database that has wrongly linked individuals to terrorist activity is being widely used by British police, intelligence, and the charity regulator, a VICE News investigation has found, amid growing anger among British and European parliamentarians about its effect on people's lives.*

The confidential World-Check database profiles individuals and organizations under various categories, using open-source information to uncover their "hidden risk" for government agencies and banks. An adverse profile on

the database, which is used by 49 of the 50 top global banks, has been linked to account closures and blacklisting."

Background: [VICE News Reveals the Terrorism Blacklist Secretly Wielding Power Over the Lives of Millions](#) (link)

And: questions to the European Commission from Sophia in 't Veld MEP (ALDE) and Jan Philipp Albrecht (Greens/EFA): [World Check database listing individuals as linked to terrorism](#) (10 February 2016, pdf). The Commission has not yet responded.

39. EU: [Facial recognition to accompany fingerprints in transnational databases](#)

"Last week, the European Commission published its proposal to recast the EURODAC Regulation, which includes plans for longer storage periods, an expansion of data categories and comparison capabilities, and mandatory fingerprinting and photographing. To date, EURODAC has been used for comparison of fingerprints.

Now the system is also to store facial images and facial recognition capabilities are to be added. There are two different search options. When checks are taking place, people's images can be compared with available personal data to verify their identity (known as 1:1 matching). However, it is also possible to search for a face in

40. BELGIUM: [Council of Europe worried about Belgian prisons crisis](#) (EurActiv, link): *"The Council of Europe, the continent's oldest organisation specialised in human rights, has visited prisons in Belgium where a large number of staff were absent due to strike and therefore did not provide services to inmates.*

Belgium faces a growing crisis in its prisons, with the army called in to help and inmates stuck in their cells 24 hours a day as the government struggles to end a strike by prison staff.

The Council of Europe's anti-torture committee, the CPT, has made an ad-hoc visit from 7 to 9 May to look at the situation in the prisons of Huy, Ittre and Jamioulx and the social defence establishment of Paifve.

At the end of the visit, the delegation presented its preliminary observations to Koen Geens, Minister of Justice, and senior officials of the Ministry of Justice, and held consultations on the measures taken by the Belgian authorities to establish a guaranteed minimum service, with a view to preventing inhuman and degrading treatment of inmates."

See: [Council of Europe anti-torture Committee visits prisons affected by strikes in Belgium](#) (European Committee for the Prevention of Torture, link)

Information on the CPT's 2013 visit to Belgium: [Council of Europe anti-torture Committee publishes report on Belgium](#) (link); [full report](#) (French only, pdf) and [government response](#) (pdf, also in French)

41. ['Risks of inaction are considerable', says Ban, urging new compact on refugees and migrants](#) (UN, link): *"Despite bold efforts, responses to the large movements of refugees and migrants – which will continue or possibly increase due to such issues as conflict, poverty and disasters – have been largely inadequate, United Nations Secretary-General Ban Ki-moon said today in a new report, calling for the adoption of a global compact on responsibility-sharing that collectively ensures the human rights, safety and dignity of all refugees and migrants.*

"Away from the daily headlines and stark images, strains are quietly accumulating on refugees and migrants, as well as on countries and communities that receive them, sometimes for many years," Mr. Ban stressed in his report to the UN General Assembly, entitled In safety and dignity: addressing large movements of refugees and migrants.

"If one lesson can be drawn from the past few years, it is that individual countries cannot solve these issues on their own. International cooperation and action to address large movements of refugees and migrants must be strengthened," he added.

Any approach should uphold the safety and dignity in large movements of both refugees and migrants, Mr. Ban said, urging Member States to, among other things, address the root causes of such movements, protect people en route and at borders, and prevent discrimination and promote inclusion."

Full report: [Report of the Secretary-General: In safety and dignity: addressing large movements of refugees and migrants](#) (pdf)

42. EU: [Migration: discussions on the "Central Mediterranean Route", EU Travel Information and Authorisation System; Visa Code negotiations](#)

A leaked document produced by the Dutch Presidency of the Council of the EU proposes various ways to deal with a possible summer increase in people crossing the Mediterranean towards Italy. The Dutch Presidency has also issued a discussion document seeking Member States' views on a possible "EU Travel Information and Authorisation System (ETIAS)". Meanwhile, the Council has adopted its position for negotiations with the European Parliament on the EU's Visa Code.

43. CIA-RENDITION: European Parliament: [MOTION FOR A RESOLUTION further to Questions for Oral Answer B8-0367/2016 and B8-0368/2016 pursuant to Rule 128\(5\) of the Rules of Procedure on follow-up to the European Parliament resolution of 11 February 20015 on the US Senate report on the use of torture by the CIA \(2016/2573\(RSP\)\) Claude Moraes on behalf of the Committee on Civil Liberties, Justice and Home Affairs](#) (pdf):

"Expresses, one year after the release of the US Senate study, its serious concerns about the apathy shown by Member States and EU institutions with regard to recognising the multiple fundamental rights violations and torture which took place on European soil between 2001 and 2006, investigating them and bringing those complicit and responsible to justice."

44. UK: [Drones: parliamentary report takes aim at controversial targeted killing policy](#)

"The Joint Committee on Human Rights (JCHR) has today published its report on the Government's policy on the use of drones for targeted killing, following its inquiry in the wake of the killing of suspected terrorist and UK national Reyaad Khan by an RAF drone strike in Syria. The Government states that the UK military action taken against Reyaad Khan on 21 August 2015 was armed conflict, as part of the same armed conflict in which the UK was already involved in Syria, and the Committee accepts this. However, the report also establishes that it is the Government's policy to be willing to use lethal force abroad, outside of armed conflict, when there is no other way of preventing an imminent terrorist attack against the UK."

45. UK: INVESTIGATORY POWERS BILL: [The Home Office Only Listens When We Don't Want Them To](#) (Medium, link): *"Today the latest version of the Investigatory Powers Bill was published. The Government might want some credit for being transparent and publishing the document with tracked changes so we can see how it has changed since the Bill was published in early March. But more so than transparency, it indicates their brazen approach to consultation. Why? Because the Bill has barely changed: a spelling and grammar tidy up e.g. 'intelligences services' changed to 'intelligence services'; A few provisions made even more draconian than they already were e.g. "If it is not reasonably practicable for an instrument making a major modification to be signed by the Secretary of State, the instrument may be signed by a senior official designated by the Secretary of State for that purpose". This new provision means that major modification to a bulk warrant that may lead to greater intrusion into thousand or even millions of people's personal information could now be signed off — not by a Secretary of State, not a judge, not even a Minister — but by a civil servant."*

View all the changes made to the Bill by the Home Office: [Is the Home Office Listening?](#) (link) and see the Privacy International campaign: [Don't Bug my Computer](#) (link)

46. UK: [Major court victory for blacklisted construction workers](#)

"Workers who say they were blacklisted by construction companies have won millions in compensation after a long-running legal battle finally ended. The union Unite has reached a settlement with construction firms that will mean 256 workers share more than £10m in compensation."

The amount will depend on factors such as loss of income. In some cases, the blacklist included details of worker's political views, competence, and trade union activities. The list had been used by dozens of construction firms to vet those applying for work on building sites."

See: [50 Problematic Cases](#) (link)

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

[Refugee crisis: latest news from across Europe](#) (26.5.16)
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