



News Online  
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## NEWS

1. ECRE-AIDA: [New report](#) (link)

*"A report launched this week by the Asylum Information Database (AIDA), managed by ECRE, documents the limited and fragmented application of admissibility and safe country concepts in 20 European countries: Austria, Belgium, Bulgaria, Cyprus, Germany, Spain, France, Greece, Croatia, Hungary, Ireland, Italy, Malta, Netherlands, Poland, Sweden, United Kingdom, Switzerland, Serbia and Turkey."*

See: Report: [Admissibility, responsibility and safety in European asylum procedures](#) (pdf)

2. UK: [Downing Street 'used police and courts to smear Orgreave miners' - Documents found at Hillsborough inquest will be used to call for investigation into 1984 strike violence this week](#) (The Observer, link)

*"Previously unseen documents suggesting that a politically motivated operation involving the police and courts was launched against miners involved in the 1984 Orgreave confrontation in Yorkshire will be used to put fresh pressure on the home secretary to announce a public inquiry at a meeting with campaigners this week."*

*A legal case has been lodged with the Home Office which, it is claimed, offers evidence of the "wrongful arrest of 95 miners, the deliberate falsification of a narrative against them from the outset, the immediate presentation of that false narrative by police to the media and its uncritical acceptance by the latter".*

See also: [IPCC announces decision following Orgreave scoping exercise](#) (link) and [Report](#) (pdf)

3. European Parliament Study: [Implementation of the Lisbon Treaty - Improving Functioning of the EU: Foreign Affairs](#) (pdf):

*"Foreign Affairs as field of EU action has very distinctive constitutional qualities. Its external powers are broad, encompassing not only traditional foreign policy, but also development cooperation and number of sectorial policies such as trade, transport and environment. The report provides an analysis of the changes in the constitutional and institutional framework brought about by the Lisbon Treaty and assess the implementation of those changes including obstacles to further improvement of its implementation."*

4. EU: Council of the European Union: [Renewed European Union Internal Security Strategy and Counter-Terrorism Implementation Paper: second half of 2016](#) (LIMITE doc no: 11001-16,pdf):

*"The current document aims at providing a comprehensive overview of actions from the first half of 2016 which are still to be implemented as well as new actions for the second half of 2016. Its annex II gives an overview of the Working Parties and the objectives that are planned to be carried out under the SK Presidency in the second half of 2016...."*

*The present implementation paper contains also an important new annex I which provides an overview of the most relevant counter-terrorism actions that have been agreed by the Council, either politically or legally. In this way, the implementation paper incorporates the so-called master document on counter-terrorism, on the*

development of which COSI agreed on 18 April 2016. This annex was prepared by the Presidency in close cooperation with the EU Counter-Terrorism Coordinator (EU CTC)."

The Annex contains the objective of: "Implementation of the security aspects of the hotspots." and:

"Ensure coordination between the relevant OAPs and the European Agenda on Migration as well as with recent developments in the migratory field."

also: "Objective: debate ways of further improving cooperation between the agencies, in particular Europol and Eurojust and assess remaining obstacles for Europol and Frontex, inter alia as regards direct access to SIS II."

and: "The Presidency will continue the activity of the informal policy group on data retention within the EU."

For background see: [EU: Internal security: "common risk indicators", internet monitoring, a European police register, entry bans and more](#) (Statewatch database).

5. European Parliament: **New role given to new Commissioner from the UK: [Hearing of Commissioner-Designate Sir Julian King](#)** (link):

"On 15 July 2016, in accordance with Article 246 subparagraph 2 TFEU, the Council decided to consult the European Parliament on the appointment to the position of member of the European Commission of Sir Julian KING for the Security Union portfolio.

Pursuant to Rule 118 and Annex XVI of the Rules of procedures, the Committee on Civil Liberties, Justice and Home Affairs will proceed to a hearing of Sir Julian King. Guidelines for the hearing are to be adopted by the Conference of Presidents on the basis of a proposal from the Conference of committee Chairs. The hearing will take place on Monday 12 September in Strasbourg from 19.00 to 22.00 in room Louise Weiss S1.4. The meeting will be webstreamed.

LIBE Coordinators will then meet on Tuesday 13 September to assess the hearing so that Mr Moraes, Chair of the LIBE Committee, can inform the President of Parliament in view of a plenary decision in the same plenary week."

See: [Letter from Commission President Juncker: New Commissioner for the Security Union](#): (pdf):

"I would like you to support the Commissioner for Migration, Home Affairs and Citizenship in the following tasks [including]:

- Ensuring the swift implementation of the steps needed to build an effective and genuine Security Union as set out in the Commission Communication of 20 April 2016.
- Identifying where the EU can make a real difference in fighting terrorism, including measures that can address the threat posed by returning foreign terrorist fighters.
- Improving information and intelligence sharing, including through the initiatives to upgrade Europol's European Counter-Terrorism Centre into a stronger structure and through the development of efficient and interoperable information exchange systems.
- Reinforcing the security response to radicalisation...
- Ensuring that EU-financed security research targets the needs of security practitioners and develops solutions to forthcoming security challenges...

A Task Force composed by experts from the Commission services and supervised by the Director-General for Home Affairs will support you."

6. USA-UK: [Inside Menwith Hill: The NSA's British Base at the Heart of U.S. Targeted Killing](#) (The Intercept, link):

"For years, journalists and researchers have speculated about what really goes on inside Menwith Hill, while human rights groups and some politicians have campaigned for more transparency about its activities. Yet the British government has steadfastly refused to comment, citing a longstanding policy not to discuss matters related to national security.

Now, however, top-secret documents obtained by The Intercept offer an unprecedented glimpse behind Menwith Hill's razor wire fence. The files reveal for the first time how the NSA has used the British base to aid "a

significant number of capture-kill operations” across the Middle East and North Africa, fuelled by powerful eavesdropping technology that can harvest data from more than 300 million emails and phone calls a day.....

The disclosures about Menwith Hill raise new questions about the extent of British complicity in U.S. drone strikes and other so-called targeted killing missions, which may in some cases have violated international laws or constituted war crimes. Successive U.K. governments have publicly stated that all activities at the base are carried out with the “full knowledge and consent” of British officials.”

#### 7. [Shackled Freedoms : What Space for Civil Society in the EuroMed?](#) (EUROMED RIGHTS, link):

"This report depicts the obstacles and repression against civil society in the region and showcases first-hand accounts from Turkey, Egypt, Algeria, Syria, Israel and the Occupied Palestinian Territories among others. The report also features recommendations by CSOs for joint action and seeks to influence EU policies to that effect. The report also focuses on the impact of security and anti-terrorist policies and lists the growing arsenal of repressive measures – both in law and practice – that CSOs face on a daily basis: judicial harassment, surveillance, arbitrary arrests, torture and assassination....

Despite legal safeguards and the human rights “shared values” rhetoric in the EU, EuroMed Rights argues that European civil society is under increasing pressure. Austerity measures and anti-terrorism laws are increasingly used to legitimise practices that go against individual freedoms and rights of assembly, association and expression, such as in France, Spain or the UK, for instance. The report is the result of a seminar organised in April 2016 as an open dialogue between EU representatives, South Mediterranean activists and Brussels-based CSOs.”

See: [Report](#) (pdf)

#### 8. GREECE: HUMAN RIGHTS WATCH: [Greece: Migrant Children Held in Deplorable Conditions - End Unjustified Detention of Vulnerable Unaccompanied Kids](#) (link):

"Greek police routinely lock up unaccompanied children in small, overcrowded, and unhygienic cells for weeks and months, Human Rights Watch said in a new report released today.

The 27-page report, “‘Why Are You Keeping Me Here?’: Unaccompanied Children Detained in Greece,” documents arbitrary and prolonged detention of children in violation of international and Greek law. Children are held in unsanitary conditions, sometimes with unrelated adults, in police stations and detention centers where they have little access to basic care and services. The report is based on interviews with 42 children who were or had been detained, as well as visits to two police stations and two detention centers in mainland Greece.”

Also: [Conditions for Greece's migrant children shocking, says Human Rights Watch - They are being made to live in filthy, bug-and-vermin-infested cells, sometimes without mattresses or access to showers, claims report](#) (link)

#### 9. EU-CANADA PNR: CJEU Advocate-General Opinion: [According to Advocate General Mengozzi, the agreement on the transfer of passenger name record data, planned between the European Union and Canada, cannot be entered into in its current form: A number of provisions of the draft agreement are incompatible with EU fundamental rights](#) (Press release, pdf)

"Advocate General Mengozzi takes the view that certain provisions of the agreement envisaged, as currently drafted, are contrary to the EU Charter of Fundamental Rights. More specifically, those are the provisions which:

- allow, beyond what is strictly necessary, the extension of the possibilities for processing PNR data, independently of the public security objective pursued by the agreement, namely preventing and detecting terrorist offences and serious forms of transnational crime;
- provide for the processing, use and retention by Canada of PNR data containing sensitive data;
- confer on Canada, beyond what is strictly necessary, the right to make any disclosure of information without a requirement for any connection with the public security objective pursued by the agreement;
- authorise Canada to retain PNR data for up to five years for, in particular, any specific action, review, investigation or judicial proceedings, without a requirement for any connection with the public security objective pursued by the agreement;

- allow PNR data to be transferred to a foreign public authority without the competent Canadian authority, subject to review by an independent authority, first being satisfied that the foreign public authority in question to which the data is transferred cannot itself subsequently communicate the data to another foreign body."

- [Full text Opinion](#) (pdf) See also: [European Court Opinion: Canada PNR deal cannot be signed](#) (EDRI, link)

10. European Parliament Study: [Transatlantic Digital Economy and Data Protection: State-of-Play and Future Implications for the EU's External Policies](#) (pdf):

"This study details how digital and data issues will be handled in the Transatlantic Trade and Investment Partnership; explains how this intersects with the new EU-US Privacy Shield Agreement and the broader implications of the judgment on Safe Harbour; and explores key issues in transatlantic law enforcement cooperation before highlighting a few broader foreign policy issues and laying forth some recommendations for the EU institutions."

11. [Snowden: Privacy Shield won't stop US mass surveillance](#) (euobserver, link):

"Edward Snowden, a former US national security agency intelligence contractor, told an audience in Brussels on Wednesday (7 September) that US government claims surveillance has been narrowed under the new EU-US Privacy Shield data sharing agreement is false.

"It's categorically untrue," he said via video-link from Russia, where he has been granted asylum, at an event organised by German Green MEP Jan Philipp Albrecht....

"They are denying they do mass surveillance, they are saying what we do do is bulk collection, which is in their world something entirely different, but in reality, in our world, it is mass surveillance," said Snowden.

Privacy Shield replaced the 15-year old Safe Harbour pact, which was declared invalid by the European Court of Justice last October over broader concerns linked to US mass surveillance programmes disclosed by Snowden."

12. COE-CPT: [Council of Europe anti-torture Committee visits Turkey](#) (link):

"A delegation of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out an ad hoc visit to Turkey from 29 August to 6 September 2016.

The purpose of the visit was to examine the treatment and conditions of detention of persons who have been detained in connection with the recent military coup attempt. To this end, the delegation interviewed in private several hundred persons in various prisons and police establishments in the Ankara, Istanbul and Izmir areas.

On the occasion of the visit, the delegation also raised with the relevant authorities certain issues related to the situation of Abdullah Öcalan and other prisoners currently held at Imrali F-type High-Security Prison. "

13. REPORT: [Uprooted: The growing crisis for refugee and migrant children](#) (Unicef, link):

Across the globe, nearly 50 million children have been uprooted – 28 million of them driven from their homes by conflicts not of their making, and millions more migrating in the hope of finding a better, safer life. Often traumatized by the conflicts and violence they are fleeing, they face further dangers along the way, including the risk of drowning on sea crossings, malnourishment and dehydration, trafficking, kidnapping, rape and even murder. In countries they travel through and at their destinations, they often face xenophobia and discrimination."

And see: [Nearly half of all refugees are children, says Unicef](#) (Guardian, link): "Report shows child refugee figures have jumped by 75% in five years to 8 million, and calls for urgent action to protect the 50 million child migrants worldwide."

14. Council of Europe: [Austria: First report on preventing and combating violence against women and domestic violence](#) (link):

"Today, the first ever report from Austria is published on the country's efforts to prevent and combat violence against women and domestic violence.

Austria joins Monaco as one of the first two countries to undergo a basic evaluation of compliance with the Council of Europe Convention on preventing and combating violence against women and domestic violence. The treaty is more commonly known as the Istanbul Convention.

Its entry into force in August 2014, marked the first time that Europe has defined binding legal norms regarding violence against women and domestic violence."

See: [Questionnaire: on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence \(Istanbul Convention\)](#) (pdf)

15. [EU court allows extradition of citizens outside of bloc](#) (euractiv, link):

"The EU's top court has ruled that member states are not obligated to grant other EU citizens the same level of protection from extradition that is afforded to its own citizens.

In a judgement on a case involving an Estonian national arrested in Latvia and subject to an extradition order by Russia, the European Court of Justice ruled that Latvia's decision to comply with Russia's request did not contravene the principles of non-discrimination."

See [CJEU Press release](#), pdf)

16. UK-EU BREXIT: **UK to seek special arrangement on security and Justice and Home Affairs?** David Davis (Secretary of State for Exiting the European Union): [House of Commons statement](#) 5.9.16 (link):

"We want to maintain or even strengthen our co-operation on security and defence."

Asked a question by Yvette Cooper MP about whether the UK will stay in Europol Mr Davis replied:

"The right hon. Lady was an eminent member of the Cabinet, and, indeed, an eminent Front-Bench Member and shadow Home Secretary. I therefore take her question extremely seriously, as she does this issue. **The simple answer is that the whole justice and home affairs stream is being assessed even as we speak, and the aim is to preserve the relationship with the European Union on security matters as best we can.** The right hon. Lady will recall that last year a decision was made which laid aside about 100 measures that we did not want to be part of, but kept some others, including the European arrest warrant and one or two others — controversially, as she will remember. So yes, of course we are on that, and of course we are aiming to maintain it. That is the answer." [emphasis added]

17. European Parliament: Studies:

- [Reception of female refugees and asylum seekers in the EU Case study Belgium and Germany](#) (pdf):

"Commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the Committee on Women's Rights and Gender Equality, this study provides an overview of the implementation of Directive 2013/33/EU laying down standards for the reception of applicants for international protection. It outlines the legal framework and examines how gender related aspects and the reception needs of vulnerable groups are considered in practice in Munich (Germany) and Brussels (Belgium)."

- [Cyberbullying among young people](#) (pdf):

"An analysis of legislation and policies aimed at preventing and fighting this phenomenon across the 28 EU Member States is also presented. The study outlines the variety of definitions of cyberbullying across EU Member States and the similarities and differences between cyberbullying, traditional bullying and cyber aggression. Moreover, it presents successful practices on how to prevent and combat cyberbullying in nine selected EU Member States and puts forward recommendations for improving the response at EU and Member State levels."

18. UK: [The Met police are using a horrific new weapon, and they don't want you to know about it](#) (The Canary, link):

"The Metropolitan police are getting a new weapon to use against suspects – but they're so worried about how it'll look to members of the public that they'll only be able to use it behind closed doors, in custody suites.

The controversial 'spit hood' – a mesh hood used as a restraint device – has been authorised for use by the Met police, the largest police force in the UK. Under a pilot scheme, the hood will be available for police to use in custody units across the London force."

19. Greece: IOM's Global Migration Data Analysis Centre (GMDAC): [Missing Migrants: Management of Dead Bodies in Lesbos](#) (pdf):

*"In this report we seek to survey how the bodies of migrants who die or go missing in their effort to cross the Aegean Sea are managed in Greece, and what laws, policies and practices are in place to ensure that the dead are identified and families informed. Our research focuses on the Greek island of Lesbos, one of the key entry points to Europe for migrants and refugees during the recent crisis, and close to of which a number of deadly shipwrecks have occurred.*

*Our aim is to both identify apparent deficiencies in current approaches to migrant fatalities in Greece, as well as noting where good practice exists that should be duplicated. We identify a policy vacuum around the problem, marked by a lack of cooperation among different state agencies and the absence of standard operating procedures."*

20. EU: [France and Germany propose EU 'defence union'](#) (EUobserver, link):

*"Germany and France have drawn up plans for closer EU defence cooperation, including a new military HQ and swifter deployment of overseas missions.*

*The ideas were outlined by the two countries' defence ministers, Ursula Von der Leyen and Jean-Yves Le Drian, in a six-page paper sent to the EU foreign service on Sunday (11 September) and seen by German newspaper Sueddeutsche Zeitung and French daily Le Figaro.*

*The paper says, according to Le Figaro, that "in the context of a deteriorating security environment ... it is high time to reinforce our solidarity and European defence capabilities in order to more effectively protect the citizens and borders of Europe".*

*The UK had in the past opposed steps toward the creation of an EU army or duplication of Nato structures."*

These ideas were put forward immediately after the 'Brexit' vote in a paper by the German and French foreign ministers: [A strong Europe in a world of uncertainties](#) (pdf). And see: [EU says "soft power is not enough" as German and French ministers call for "European Security Compact"](#) (Statewatch News Online, 6 July 2016)

21. GREECE: Hotspots on Aegean islands still massively overcrowded

Latest Greek government figures on hosting capacity for refugees. 5,388 "guests" are being held on Lesbos, where there is capacity for 3,500 people. On Chios, 3,316 "guests" are being held in a camp intended to hold 1,100; on Samos there are 1,351 people in a centre designed to hold 850; and on Kos 1,531 in a 1,000-person centre. Leros is the only island not suffering from overcrowding, with 719 "guests" being held in a space able to accommodate 1,000.

See: [Summary statement of refugee flows at 08.00 05.09.2016](#) (pdf)

22. [UN to Greece: end automatic detention of migrants, improve reception standards](#)

The UN's Committee on the Elimination of Racial Discrimination has called on the Greek government to end the automatic detention of migrants arriving on the Aegean islands, to improve living conditions and ensure the rule of law is upheld in detention centres, and to do more to protect and provide for migrant children.

See: United Nations Committee on the Elimination of Racial Discrimination, '[Concluding observations on the twentieth to twenty-second periodic reports on Greece](#)', 26 August 2016 (pdf)

23. EU: [Counter-terrorism specialists team up to take down online terrorist propaganda](#) (Europol press release, pdf):

"1 677 media content and social media accounts in 6 languages containing terrorist and violent extremist propaganda have been processed for the purpose of referral. The content was hosted by 35 social media and online service providers.

This is the result of a Europol coordinated international action involving Internet Referral Units (IRUs) from France, Germany, Slovenia and the United Kingdom.

For the first time since its launch, Europol's Internet Referral Unit (EU IRU) organised and joined forces with the IRUs on a 48-hour joint action to secure the removal of the material as quickly as possible. The teams jointly targeted accounts used by terrorist groups to radicalise, recruit, direct terrorist activity and glorify their atrocities."

24. EU: [Pilots, airlines and others call for rules to keep domestic drones under control](#)

"As drones continue to take the world by a storm, key stakeholders are warning that the safety risks of drone operations may be seriously underestimated and deserve urgent attention. A Joint Statement, signed by the entire spectrum of manned aviation stakeholders – from pilots to airlines, helicopter operators to air traffic controllers – calls for "a robust harmonized EU-wide regulatory safety framework". ECA, IATA, EHA, ACI EUROPE, ERAA, IACA, A4E, IFALPA, IFATCA and CANSO jointly ask for a number of measures to be taken, including mandatory drone registration, operator/drone pilot training & licensing, built-in performance limitations and robust oversight by the national aviation authority."

25. EU: Council of the European Union: **European Public Prosecutor's Office (EPPO)**

- [Proposal for a Regulation on the establishment of the European Public Prosecutor's Office - Consolidated text: update of the provisional version](#) (LIMITE doc 11350-REV-1-16.pdf).

"the Presidency has updated the provisional version of its consolidated text of the draft Regulation, as set out in Annex. All modifications in relation to documents 15100/15 and 9799/16 are indicated in underlined or strikethrough...."

- [Previous version](#) (LIMITE doc no: 11350-16, pdf)

26. EU: Council of the European Union: **Counter-Terrorism Directive:**

- [Proposal for a Directive of the European Parliament and of the Council on combating terrorism and replacing Council Framework Decision 2002/475/JHA on combating terrorism - exchange of views on the LIBE orientation vote of 4 July 2016](#) (LIMITE doc no: 11169-16, pdf)

This 4-column trilogue document sets out the Commission proposal, the positions of the Council and the European Parliament and the "compromise" position:

"The Presidency would like to obtain feedback and specific guidance from delegations in particular regarding the provisions on:

- public provocation (Article 5)
- receiving training (Article 8)
- travelling for the purpose of terrorism (Article 9)
- financing of terrorism (Articles 11)
- victims' rights (Article 22 and 23)
- exchange of information (new Article 21c)

In addition, the Presidency invites delegations to indicate their initial views regarding the proposed provisions on fundamental rights and procedural guarantees (new Articles 23a, 23c and 23d), on prevention (new Article 21b) and on measures against illegal terrorist content on the Internet (new Article 14a)."

27. EU: European Parliament Study: [Good Governance in EU External Relations: What role for development policy in a changing international context?](#) (pdf):

"It is by no means automatic that the EU will continue and further increase its engagement in supporting governance reforms. In this context, the objective of this study is to summarise evidence from academic research on why the EU and other donors should support governance reforms and under which conditions EU support positively contributes to governance reforms.



Moreover, the study analyses how the EU has aimed at contributing to governance reforms during the past decade, focusing in particular on the Development Cooperation Instrument and the European Development Fund. The study puts emphasis on EU development policy, but places the analysis of governance support through development policy in the broader context of EU external relations."

28. EU-TURKEY "DEAL": A reminder of the conditions Turkey has to meet before visa-free travel becomes a possibility:

[Overview: Turkey meets 65 of 72 requirements for visa liberalisation](#) (Statewatch, link):

As part of the EU-Turkey deal on migrants and refugees, signed on 18 March 2016, the EU agreed:

*"to accelerate the implementation of the visa liberalization roadmap with all Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016."*

*On 4 May the Commission published the 'Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap'.*

See: [Turkey 'must meet conditions' for visa-free travel, says Merkel](#) (ekathimerini.com, link):

*"German Chancellor Angela Merkel has insisted that Turkey must fulfill all 72 preconditions before the European Union grants visa-free travel to its citizens.*

*"These 72 conditions have not yet been met, and of course we will insist that agreements are honored by our side and Turkey," Merkel told private TV network RTL."* and

[Turkish EU minister says no deal on migrants without visa-free travel](#) (ekathimerini.com,, link)

*"Turkey will not apply a readmission agreement with the European Union meant to stem the flow of illegal migrants if it does not get the visa-free travel to Europe it has been promised, its EU affairs minister Omer Celik said on Thursday."*

29. EU-USA: [Draft agenda of the EU – US Justice and Home Affairs Senior Officials Meeting, Bratislava, 8-9 September 2016](#) (LIMITE doc no: 11193-16, pdf) including: Counter-terrorism, Migration and mobility, Transnational crime, Data Protection, Anti-money laundering and terrorism financing, Cooperation in the area of criminal law and Cooperation with third countries.

30. EU: [Europol: report on the first year of the Internet Referral Unit](#)

A recent report by EU policing agency Europol "presents the achievements of the first year of the EU Internet Referral Unit (IRU) and its future priorities, which are in line with its mandate." The IRU is a specialised unit that seeks to ensure the removal from the web of content related to terrorism, violent extremism and migrant smuggling.

See: Europol, '[EU Internet Referral Unit - YEAR ONE REPORT - HIGHLIGHTS](#)' (pdf)

31. UK: **The role of the Judge: Umpire in a Contest, Seeker of the Truth or Something in Between?**

Speech by Lord Neuberger, President of the Supreme Court of the UK, on some of the ethical dilemmas raised by the role of the judge in common law systems. Given as part of a panel in Singapore on 'Judicial Ethics and Dilemmas on the Bench', 19 August 2016.

See: [The role of the Judge: Umpire in a Contest, Seeker of the Truth or Something in Between?](#) (pdf)

32. EU: [Global fingerprinting: EU database of visa applicants expanding fast](#)

- Fingerprinting for short-stay Schengen visas now in place across entire globe
- Massive increase in use of the system for checking asylum applicants' details
- 370% increase in use of system for identification within EU Member States
- 11 law enforcement authorities have conducted almost 10,000 searches in the system; 1,200 law enforcement "end-users" reported as having access

- Quality standards for fingerprints accepted into system to be reduced

The report: eu-LISA, ['Report on the technical functioning of the VIS'](#), July 2016 (pdf)

33. EU: [One year after the death of Alan Kurdi](#)

One year after three-year-old refugee Alan Kurdi drowned in the Aegean Sea, his father "has urged Europe to keep its doors open to migrants," while his grandfather has made a "plea for world leaders to end the war in Syria." Amnesty International's general secretary said on the anniversary of the child's death: "The outpouring of sympathy for Alan Kurdi seen last year must be extended to the countless other refugee children who are in dire need of help," with the organisation noting the "dismal failure of world leaders to tackle the refugee crisis."

34. UK: UNDERCOVER POLICING: [How Many Spycops Have There Been?](#) (Campaign Opposing Police Surveillance, link):

*"There are 17 spycops who have been named and well documented. There are strong suspicions about several more. Fifteen of the seventeen have been exposed by their victims. One has been exposed by journalists, one by the officer himself – Peter Francis, the only whistleblower. None have come from the police.*

*Journalists – notably Rob Evans and Paul Lewis at the Guardian – have substantially fleshed out the activists' research. The Met recently claimed to be having trouble even sorting their records into order. If that is true then perhaps the best bet would be to allow these tenacious activists and journalists, who have done such sterling work despite police obstructions, to come and have a go."*

35. UK: [End the detention of refugee women: Set Her Free: Margaret's Story](#) (YouTube, link):

*"This short animation, produced by Women for Refugee Women and directed by Priya Sundram, highlights the experiences of refugee women - many of whom have survived sexual violence and torture - who are detained in Yarl's Wood."*

Via: [Women for Refugee Women](#) (link)

36. EU Commission: Copyright "reform": [Directive: Proposal for Copyright in the Digital Single Market](#) (IGEL via IPKat, pdf)

See: [It could not be worse: Draft proposal for the copyright directive leaked](#) (IGEL, link)

*"We have just received the draft proposal of the European Commission for a new copyright directive. It shall complement – i.e. in general not amend – other directives inter alia the InfoSoc directive from 2001. As it had to be expected from the Impact Assessment that was leaked last week, the draft reads like an answer to the wish list of the publishing industry. Here comes a first assessment."*

And: [What the heck is ancillary copyright and why do we call it the Link Tax?](#) (Open Media, link)

Also: [Commission Staff Working Document: Impact Assessment on the modernisation of EU copyright rules](#) (182 pages, pdf):

37. UK: [Submission to the House of Commons Home Affairs Committee on hate crime and its violent consequences](#) (IRR News, link):

*"As the police investigate the murder of a Polish factory worker in Harlow, the Institute of Race Relations publishes today its evidence to the House of Commons Home Affairs Inquiry into Hate Crime and its Violent Consequences."*

And see: [Man murdered for being Polish?](#) (IRR News, link):

*"On Saturday night, 27 August, Arkadiusz Józwik and two friends were attacked as they ate a pizza outside a Harlow takeaway. Arkadiusz Józwik was knocked out and suffered head injuries. The 40-year-old died two days later in hospital."*

38. EU: Commission: [Relocation from Greece and Italy](#) (30.8.16, pdf):

- 1,020 relocations from Italy out of 39,600
- 3,435 relocations from Greece out of 66,400

- Overall: 12,990 relocation places made available out of 160,000 from 24 EU Member States.

39. [Turkish EU minister says no deal on migrants without visa-free travel](#) (ekathimerini.com, link)

*"Turkey will not apply a readmission agreement with the European Union meant to stem the flow of illegal migrants if it does not get the visa-free travel to Europe it has been promised, its EU affairs minister Omer Celik said on Thursday."*

40. ECHR: UK breached Art 5 by failing to process immigration detainee's case with due diligence. 3,500 Euros damages: [CASE OF V.M. v. THE UNITED KINGDOM](#) (pdf)

41. UK: House of Commons: Justice Committee report: [Restorative justice](#) (pdf):

*"In this report we consider the effectiveness of restorative justice (RJ) provision across the criminal justice system. The push from the Ministry of Justice has been for high quality restorative justice to be available to victims at every stage of the criminal justice system irrespective of where they are geographically, the age of the offender or the offence committed against them and we support these objectives in this report. We have focused our analysis on the services currently available to victims."*

42. Poland: ['Empty Facade' of Human Rights Protections in Poland](#) (Liberties.eu, link):

*"A letter to the UN special rapporteur on the independence of judges and lawyers asks her to investigate the current threats to judicial independence in Poland. .*

*According to the Helsinki Foundation for Human Rights, the constitutional crisis that has lasted for over a year poses a serious threat to the independence of the entire justice system.."*

43. EU: **European Border and Coast Guard: briefing by European Parliamentary Research Service**

*"In December 2015, the European Commission proposed setting up a European Border and Coast Guard System (EBCGS), building on the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (Frontex). The proposal would introduce a supervisory role and a 'right to intervene' in situations at the border requiring urgent action; expand Frontex's operational tasks and its prerogatives on processing personal data; and reinforce fundamental rights and transparency safeguards.*

*Commentators and stakeholders had raised concerns on respect for fundamental rights, division of competences between the EU and Member States and the adequacy of the suggested individual complaint mechanism. The text agreed by the EP and Council expands the Agency's prerogatives on return operations, on migration management, the fight against cross-border crimes, and search and rescue operations. Fundamental rights safeguards and the Agency's accountability vis-à-vis the EP and Council have been strengthened. If a Member State opposes a Council decision to provide assistance, putting the Schengen area at risk, other EU countries may temporarily reintroduce internal border controls.*

*The EP adopted its position at first reading on 6 July 2016, reflecting the compromise agreement reached. The Council is expected to adopt the act by written procedure, enabling it to be signed during the September plenary."*

Contents: Introduction - Existing situation - The changes the proposal brings - Preparation of the proposal - Parliament's starting position - Council and European Council - Stakeholders' views - Advisory committees - National parliaments - Parliamentary analysis - Legislative process - references

See: [Briefing: European Border and Coast Guard system](#) (pdf)

44. USA: [The Strategic Costs of Torture: How "Enhanced Interrogation" Hurt America](#) (Foreign Affairs, link):

*"Despite their disagreements, all these perspectives share one key assumption: that whether the torture was good or bad depends on whether or not it "worked"—that is, whether it produced lifesaving results. Leaving aside the very real human and legal consequences of torture, a truly comprehensive assessment would also explore the policy's broader implications, including how it shaped the trajectory of the so-called war on terror, altered the relationship between the United States and its allies, and affected Washington's pursuit of other key goals, such as the promotion of democracy and human rights abroad. To assess the overall effect of torture on U.S. national security, one should consider not only its supposed tactical benefits but also its strategic impact.*

*Our team of researchers at the Carr Center for Human Rights Policy at the Harvard Kennedy School has begun the first such review, and we've found that Washington's use of torture greatly damaged national security. It incited extremism in the Middle East, hindered cooperation with U.S. allies, exposed American officials to legal repercussions, undermined U.S. diplomacy, and offered a convenient justification for other governments to commit human rights abuses. The takeaway is clear: reinstating torture would be a costly mistake."*

And see: [Observatory on "rendition": The use of European countries by the CIA for the transport and illegal detention of prisoners](#)

45. UK: [Killing investigated as hate crime days after UN warning on racism](#)

Police have arrested six teenage boys following the death of a Polish man in Harlow, with the investigation considering "the possibility of it being a hate crime". Arkadiusz Józwik was attacked just days after the UN Committee on the Elimination of Racial Discrimination issued a report noting that the EU referendum campaign "was marked by divisive, anti-immigrant and xenophobic rhetoric, and that many politicians and prominent political figures not only failed to condemn it, but also created and entrenched prejudices, thereby emboldening individuals to carry out acts of intimidation and hate."

46. UK-FRANCE: [Response to Calais situation: more security measures](#)

The UK and French governments yesterday issued a joint statement setting out what they plan to do "to strengthen the security of our shared border, to strongly diminish the migratory pressure in Calais and preserve the vital economic link supported by the juxtaposed controls in Calais."

See: [Joint statement by the governments of France and the United Kingdom](#) (pdf)

47. EU: [Towards a corporate copyright reform in the EU?](#) (EDRi, link):

*"During our copyfails blogpost series we described how badly the EU copyright regime is broken, and how these failures could be fixed if the political will existed. However, after reading the draft IA, our conclusion is that EU policy-makers do not seem to think it is worth the effort to bring copyright to the XXI century. Ignoring the results of the copyright consultation of 2014, and despite not having published the analysis on the results on the public consultation on ancillary copyright and freedom of panorama, the Commission has a plan: Let's ignore all facts (even those previously identified) and avoid a real reform at all costs."*

48. EU: [New rules on net neutrality agreed](#)

*"European Union telecoms regulators adopted strict rules on Tuesday limiting how telecoms firms like Vodafone and Orange can prioritize some types of Internet traffic, dealing a blow to an industry hoping to boost revenues.*

*The guidelines on net neutrality - the principle that all Internet traffic should be treated equally - were welcomed by Internet activists. The new rules will ensure the web remains an open platform and will not become a two-speed highway, benefiting only companies with deep pockets that can pay for prioritized delivery, they said."*

The guidelines: [BEREC Guidelines on the Implementation by National Regulators of European Net Neutrality Rules](#) (pdf)

49. EU-MED: Council of the European Union: [EUNAVFOR Med Operation Sophia authorised to start two additional supporting tasks](#) (press release, pdf):

*"On 30 August 2016, the Political and Security Committee authorised EUNAVFOR MED Operation Sophia to begin two additional supporting tasks:*

*- training of the Libyan coastguard and navy*

- contributing to the implementation of the UN arms embargo on the high seas off the coast of Libya."

50. [Turkish FM warns migrant pact will collapse unless EU meets commitments](#) (ekathimerini.com, link):

*"In an interview with Kathimerini published on Tuesday, Turkish Foreign Minister Mevlut Cavusoglu has warned the EU that if it doesn't grant Turkish citizens visa-free travel to Europe by October "at the latest," then Ankara will not continue implementing a deal struck in March with Brussels to stem the flow of migrants to Europe.*

*"Despite the fact that irregular migration in the Aegean is now under control, we do not see the EU keen on delivering its promises," he said, insisting that Turkey cannot continue on its own to stop irregular migration toward the EU while the latter does not assume its obligations."*

See: [Full interview](#) (link)

52. GLOBAL MIGRATION DATA ANALYSIS CENTRE: Data Briefing: [Dangerous journeys – International migration increasingly unsafe in 2016](#) (link)

See: [The deadliest route](#) (IRIN, link)

*"Until quite recently, no international agency tracked how many migrants died or went missing during journeys that often involve crossing deserts and oceans and relying on smugglers. Thanks to the International Organization for Migration's Missing Migrants Project, which launched in 2013, we now have a better idea of how many migrants die before they reach their destination. A report released by IOM this week, covering the first six months of 2016, shows a 28 percent increase in migrant deaths compared to the same period in 2015. Although part of the reason for the increase is probably better reporting, increasingly dangerous smuggling strategies in the Central Mediterranean are also to blame. A staggering one in 29 migrants died attempting the Central Mediterranean crossing between North Africa and Italy in the first six months of 2016. By comparison, the much shorter Eastern Mediterranean route between Turkey and Greece claimed the lives of one in 410 who attempted it."*

53. LEGAL CHALLENGE TO EU-TURKEY REFUGEE DEAL:

Interesting Irish case dealing with the legality of the so-called EU-Turkey "deal" raised before an Irish Court on the 24th June 2016 and naming the European Council, the European Union, Ireland and the Attorney General as defendants. All the defendants have now entered conditional appearances (nominated their legal representatives). It has to be seen if the Irish Judge will refer the case to the Court of Justice of the European Union (CJEU) for a decision on the legality of the European Council's actions

See: [McGarr Solicitors representing Syrian refugees](#) (link)

54. CoE: [Spain: Commissioner Muižnieks calls for guidance to border police on how to handle migration flows in Ceuta and Melilla](#) (link):

*"In a letter to the Minister of Interior of Spain published today, Commissioner Muižnieks has urged the Spanish authorities to adopt a procedural framework to ensure that border police in Ceuta and Melilla have clear instructions on how to handle mixed migration flows in full compliance with human rights."*

See: [Letter](#) (pdf):

*"Given the seriousness of the human rights violations at stake, I should like to request you to provide me with further information on your authorities' position as regards the adoption of a text regulating the work of border police in Ceuta and Melilla. I would also like to strongly reiterate that the practice of summary expulsions must be stopped."*

55. CoE: Parliamentary Assembly: ['Prevention must lie at the heart of the fight against female genital mutilation'](#) (link):

*"The Committee on Equality and Non-Discrimination of the Parliamentary Assembly of the Council of Europe (PACE) believes that prevention must lie "at the heart of all efforts to eradicate female genital mutilation" and*

must involve all the players concerned, whether the communities that practise it, grass roots organisations, social and education services, the police, the justice system or healthcare professionals.....

The draft text, to be put to the vote at the forthcoming PACE plenary meeting in Strasbourg (10-14 October 2016), calls for female genital mutilation to be recognised as violence against women and children, extraterritorial jurisdiction for domestic courts so that criminal prosecutions can be initiated when mutilation has been committed abroad, and public awareness-raising and information campaigns to combat this phenomenon."

See: Draft report to be discussed: [Committee on Equality and Non-Discrimination: Female genital mutilation in Europe](#) (pdf)

56. EU: [Council, Europol and "expert group" press on with plans to boost "information exchange and information management"](#)

In May this year the Council of the EU drew up an extensive "roadmap to enhance information exchange and information management" in relation to justice and home affairs policies - principally policing, migration and counter-terrorism. A recent leaked document provides a summary of progress on a number of those actions, including detailed information on how security checks in the "hotspots" in Italy and Greece function.

See: NOTE from: Presidency to: Strategic Committee on Immigration, Frontiers and Asylum: [State of play of the implementation of its actions \(Actions 41-50\)](#) (11954-16, LIMITE, 8 September 2016)

57. UK: UNDERCOVER POLICING: [Operation Herne's concerted efforts to limit the Pitchford Inquiry](#) (Undercover Research Group, link):

"To date, the Metropolitan Police's investigation into undercover police abuses, Operation Herne, has made publicly available three Reports. Its fourth report, an Update, issued in February 2015, was classified as 'Restricted' and only internally circulated rather than being published on the official Herne website.

Following a Freedom of Information request, the Undercover Research Group received a redacted copy, which (as opposed to hidden in the Met's disclosure log) we are making available for all to read.

Much to our surprise, the amount of redaction was minimal. As set out below, we believe the reason for being restricted is that it has a number of points which cause the Metropolitan Police embarrassment."

In other news: [Undercover police: 'Officers won't face charges over evidence'](#) (BBC News, link) and: [Letter from Attorney General, Jeremy Wright, to Christopher Pitchford](#) (pdf)

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

[Refugee crisis: latest news from across Europe](#) (13.9.16)  
[Refugee crisis: latest news from across Europe](#) (12.9.16)  
[Refugee crisis: latest news from across Europe](#) (10-11.9.16)  
[Refugee crisis: latest news from across Europe](#) (8-9.9.16)  
[Refugee crisis: latest news from across Europe](#) (7.9.16)  
[Refugee crisis: latest news from across Europe](#) (6.9.16)  
[Refugee crisis: latest news from across Europe](#) (5.9.16)  
[Refugee crisis: latest news from across Europe](#) (3-4.9.16)  
[Refugee crisis: latest news from across Europe](#) (2.9.16)  
[Refugee crisis: latest news from across Europe](#) (1.9.16)  
[Refugee crisis: latest news from across Europe](#) (31.8.16)  
[Refugee crisis: latest news from across Europe](#) (30.8.16)

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

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