News
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ANALYSIS

Statewatch: Analysis: Italy's redefinition of sea rescue as a crime draws on EU policy for inspiration

STATEWATCH NEWS

1. EU: Europol's anti-terrorist unit demands removal of adverts, books, and more from web archives
2. EU: Council wants a "comprehensive study" on data retention to get "a future legislative initiative"
3. EU: Terrorist content online: Civil Liberties Committee improves but proposal still dangerous
4. Refugee crisis: latest news from across Europe (2-8.4.19)
5. EU: MEPs make last-ditch attempt to halt mandatory fingerprinting of all ID holders
6. EP: Civil Liberties Committee to adopt new Regulation on the European Border and Coast Guard
7. Refugee crisis: latest news from across Europe (26.3-1.4.19)

NEWS

1. The Mediterranean battlefield of migration
2. Malta announces deal on migrants stranded on Sea-Eye ship
3. Three Steps Ahead, One Step Aside: The AG's Opinion in the Commission v. Poland Case
4. UK-USA: Julian Assange faces US extradition after arrest at Ecuadorian embassy
5. Refugees on stranded NGO rescue ship in 'poor state'
6. Switzerland: Authorities must drop charges against priest who supported asylum-seeker
7. Greece: Detention of Lone Kids - Athens Fails to Act on ECHR Ruling
8. EU offers terse response to Gaza youth shot by Israelis
9. Italy's Salvini Capitalizes on Romanian Criminals' Deportation
10. Migratory situation in March – Eastern Mediterranean accounts for most of all irregular migrants
11. Illegal migrants stopped in Edirne as rumors spark exodus to Europe
12. ECHR-TURKEY: Arbitrary detention of an 8-year-old child in a police station
13. Three teens charged in Malta over refugee ship hijacking
14. UK: The DCMS Online Harms Strategy must "design in" fundamental rights
15. Serbia Convicts State Security Officers of Journalist's Murder
16. Mediterranean Migrant Arrivals Reach 12,174 in 2019; Deaths Reach 356
17. Far-right launch EU campaign at Milan mini-meeting
18. EU: What Does the Spring Bring for the Rule of Law in Europe?
19. Austria extends duration of border checks for Hungary and Slovenia
20. Surveillance Company Cellebrite Finds a New Exploit: Spying on Asylum Seekers
21. Spanish fireman faces 20 years in prison for rescuing migrants at sea
22. Spain's civilian coast guard caught in election crosshairs
23. Gen Khalifa Haftar's forces close in on Tripoli

DOCUMENTATION

ANALYSIS

Statewatch: **Analysis: Italy's redefinition of sea rescue as a crime draws on EU policy for inspiration**

On the evening of 18 March, an ongoing conflict between the Italian government and civil sea rescue initiatives was reignited following the rescue of 49 people in international waters north of Libya by the ship Mare Jonio, of the Italian citizen-funded sea rescue initiative *Mediterranea - Saving Humans.*

STATEWATCH NEWS

1. EU: **Europol's anti-terrorist unit demands removal of adverts, books, US-government produced reports from web archives**

Europol's Internet Referral Unit, which "detects and investigates malicious content on the internet and in social media" has been busy sending requests to the Internet Archive for the removal of hundreds of web pages, but the Archive has said there is a serious problem - none of the URLs in question contain terrorist propaganda.

The pages that Europol wants the Internet Archive to remove include works from the American Libraries collection, old television adverts and programmes, the Smithsonian Libraries, television broadcasts of the US House of Representatives and even an academic paper entitled 'Spectrum Sharing in Cognitive Radio with Quantized Channel Information'.

As the Internet Archive has highlighted in a blog post, such requests pose a clear threat to freedom of expression and information.

2. EU: **Council wants a "comprehensive study" on data retention that considers "a future legislative initiative"**

The Council of the EU is set to ask the European Commission to "prepare a comprehensive study" on the legal possibilities for retention of telecommunications data for law enforcement purposes, to be ready by the end of 2019. That study should include "the consideration of a future legislative initiative," according to a set of draft conclusions due to be discussed in a Council working party tomorrow.

3. EU: **Terrorist content online: Civil Liberties Committees makes improvements but proposal still dangerous**

The European Parliament's Civil Liberties Committee (LIBE) has agreed its position on a proposal to prevent the "dissemination of terrorist content online". Digital rights groups say that while LIBE's position is an improvement on the Commission's proposal, the text is still a danger to freedom of speech online.

4. **Refugee crisis: latest news from across Europe** (2-8.4.19) including:

- Analysis: Italy's redefinition of sea rescue as a crime draws on EU policy for inspiration
- IOM: 356 deaths in the Mediterranean so far in 2019
- Overhaul of Spanish coastguard agency sparks fears for search and rescue operations

5. EU: **MEPs make last-ditch attempt to halt mandatory fingerprinting of all ID holders**

Last-ditch amendments are being proposed by MEPs to try to prevent the mandatory fingerprinting of every national identity card holder in the EU and the potential construction of national fingerprint databases, before a final vote on a proposed new law in the European Parliament due this Thursday (4 April).

6. **European Parliament Civil Liberties Committee (LIBE) to adopt new Regulation on the European Border and Coast Guard**

Today the European Parliament Civil Liberties Committee will be adopting the final text coming out of trilogue meetings on a new: **Regulation of the European Parliament and of the Council on the European Border and Coast Guard** (240 pages, pdf)

5. **Refugee crisis: latest news from across Europe** (26.3-1.4.19) including:

- New roles for Frontex agreed by Council and Parliament - but externalised deportations excluded
- UK: Majority of immigration removals called off
- Study: Sexual torture widespread for migrants seeking Europe

NEWS

1. **The Mediterranean battlefield of migration** (opendemocracy.net,link):

"What plays out off the coast of Libya are forms of mass abduction that are not merely tolerated but strategically organised and orchestrated by European governments and its coastguards."

2. **Malta announces deal on migrants stranded on Sea-Eye ship** (DW, link):

"Malta says some 60 migrants stranded off its coast in the Sea-Eye charity vessel will be taken by four EU countries. It said none of the migrants were to remain in Malta. The Maltese government said on Saturday that more than 60 migrants stranded at sea for more than a week on the German rescue ship would be taken in by four EU countries after a deal was reached with the European Commission.

"Through the coordination of the European Commission, with the cooperation of Malta, the migrants on board the NGO vessel Alan Kurdi will be redistributed among four EU states: Germany, France, Portugal and Luxembourg," a government statement said.".

3. **Three Steps Ahead, One Step Aside: The AG's Opinion in the Commission v. Poland Case** (verfassungsblog.de, link):

"On 11 April Advocate General Tanchev issued his long-awaited **opinion in Case C-619/18** *Commission v Poland concerning Polish measures (i) lowering the retirement age of the judges of the Supreme Court appointed to that court before 3 April 2018 and (ii) granting the President of Poland discretion to extend the active mandate of Supreme Court judges upon reaching the lowered retirement age. As AG Tanchev aptly noted, this case presented the Court with the opportunity to rule, for the first time within the context of infringement proceedings under Article 258 TFEU, on the compatibility of certain measures taken by a Member State concerning the organisation of its judicial system with Article 19(1) TEU in connection with Article 47 of the Charter (para 2 of the opinion).*

4. UK-USA: **Julian Assange faces US extradition after arrest at Ecuadorian embassy** (Guardian, link):

"WikiLeaks founder's removal from London embassy brings seven-year diplomatic stalemate to an end.

Julian Assange is facing extradition to the United States and up to five years in prison after he was forcibly dragged from the Ecuadorian embassy in London on Thursday, bringing an extraordinary seven-year diplomatic stalemate to an end."

5. **Refugees on stranded NGO rescue ship in 'poor state'** (DW, link)

"The Sea-Eye rescue ship Alan Kurdi is anchored off the coast of Malta with over 60 refugees on board. The vessel has been forbidden to dock. Sea-Eye spokesperson Carlotta Weibl spoke with DW about the situation."

6. **Switzerland: Authorities must drop absurd charges against priest who showed compassion to asylum-seeker** (AI, link):

"Pastor Norbert Valley, who was taken from his Sunday service by police for questioning, is charged with "facilitating the illegal stay" of a Togolese man. Following his refusal to pay a fine of 1,000 Swiss Francs, the Public Prosecutor will decide tomorrow whether to issue an indictment."

7. **Greece in Denial About Police Detention of Lone Kids - Athens Fails to Act on European Court Ruling Against Detaining Migrant Kids** (HRW, link):

"The European Court of Human Rights recently confirmed what many have long known: that Greece's practice of locking up unaccompanied migrant and asylum-seeking children in police cells and detention centers leads to serious rights abuses.

But despite that ruling, as of March 30, 82 unaccompanied children were still detained in so-called "protective custody," held in police station cells or immigrant detention centers across the country."

8. **EU offers terse response to Gaza youth shot by Israelis** (EUobserver, link):

"*People shot by Israeli soldiers in the Gaza Strip want the European Union to cut research funding to Israeli defence and security industries.*

But their demands have been met with short shrift by the European Commission, highlighting the sense of abandonment of a population ring-fenced in an open air like prison."

9. **Italy's Salvini Capitalizes on Romanian Criminals' Deportation** (Balkan Insight, link):

"talian Interior Minister Matteo Salvini's hardline rhetoric about law-breakers among the country's large Romanian community have raised concerns that by highlighting only criminal elements he is fuelling anti-Romanian feeling in Italy.

Salvini announced on Facebook that a flight that left Rome for Bucharest on Wednesday transported 13 convicted felons back to their home country to serve their sentences at the expense of the Romanian government."

10. **Migratory situation in March – Eastern Mediterranean accounts for most of all irregular migrants** (Frontex, link):

"In March, the number of detections of illegal border crossings on Europe's main migratory routes fell by 7% from the previous month to nearly 4 600, mainly due to a drop in migrant arrivals in Spain. The total for the first quarter of 2019 was 13% lower than a year ago at around 17 900."

11. **Illegal migrants stopped in Edirne as rumors spark exodus to Europe** (Daily Sabah, link):

"From highways to railroads, everywhere seems to be teeming with illegal migrants in Edirne. This northwestern province bordering Greece is a common route for migrants, but it is rare for migrants to arrive en masse to Edirne, hoping to sneak into Greece. More than 2,000 illegal migrants were intercepted by security forces in the province since April 4, and this new trend is attributed to rumors on social media accompanied with fake news that the border crossing will be opened for migrants traveling to Europe.Security forces work around the clock in areas near the border and in downtown Edirne and try to persuade migrants with the proper paperwork to go back to the cities they arrived from. Others without documents are accommodated at migrant centers in the province. Scenes in Edirne are reminiscent of another mass illegal migrant attempt four years ago when Syrian migrants heard rumors that European countries would admit more refugees."

12. ECHR-TURKEY: **Arbitrary detention of an 8-year-old child in a police station** (link):

"In today's Chamber judgment1 in the case of Tarak and Depe v. Turkey (application no. 70472/12) the European Court of Human Rights held, unanimously, that there had been:

- a violation of Article 5 § 1 (right to liberty and security) of the European Convention on Human Rights.

The case concerned the detention of an eight-year-old child, Birtan Sinan Depe. He was taken to a police station following a search carried out at the home of neighbour to whom his mother had entrusted him. He was detained alone in the station for at least one day."

13. **Three teens charged in Malta over refugee ship hijacking** (Al Jazeera, link):

"Authorities in Malta have charged three teenagers with committing an act of "terrorism" for their suspected role in hijacking a merchant ship that rescued them off the coast of Libya.

The teenagers, among 108 refugees and asylum seekers rescued by El Hiblu 1 earlier this week, appeared at a court in the Maltese capital, Valletta, on Saturday.

They were accused of seizing control of the tanker and using force and intimidation against the crew to change the ship's course to Europe."

14. UK: **The DCMS Online Harms Strategy must "design in" fundamental rights** (Open Rights Group, link):

"*DCMS [the Department for Culture, Media and Sport] talks a lot about the 'harm' that social media causes. But its proposals fail to explain how harm to free expression impacts would be avoided.*

On the positive side, the paper lists free expression online as a core value to be protected and addressed by the regulator. However, despite the apparent prominence of this value, the mechanisms to deliver this protection and the issues at play are not explored in any detail at all."

See: **Online Harms White Paper** (pdf)

15. **Serbia Convicts State Security Officers of Journalist's Murder** (Balkan Insight, link):

"*Belgrade Higher Court on Friday convicted four former Serbian state security employees of the murder in 1999 of journalist and editor Slavko Curuvija, who was known for his opposition to the regime of Slobodan Milosevic.*

Former head of Serbian State Security Radomir Markovic and security service officer Milan Radonjic were each sentenced to 30 years in prison, while secret service agents Ratko Romic and Miroslav Kurak were each given 20 years in prison.

The verdict said that Markovic told Milan Radonjic of the plan to assassinate the critical journalist, and Radonjic made a deal with Romic and Kurak to execute Curuvija.

The court's first-instance ruling can be appealed."

16. **Mediterranean Migrant Arrivals Reach 12,174 in 2019; Deaths Reach 356** (IOM, link):

"*The International Organization for Migration (IOM) reports that 12,174 migrants and refugees have entered Europe by sea through 3 April. Deaths on the three main Mediterranean Sea routes have reached 356 individuals.*"

See also: **IOM Statement: Protecting Migrants in Libya Must be Our Primary Focus** (link): "*Libya cannot yet be considered a safe port.*"

17. **Far-right launch EU campaign at Milan mini-meeting** (EUobserver, link):

"*Danish, Finnish, German, and Italian far-right political figures will discuss plans for an EU alliance in Milan on Monday (8 April), prior to a larger congress in May.*

Originally meant to attract a bigger attendance, the event, at the ritzy Hotel Gallia in Milan, was branded a "flop" by some Italian politicians.

But Matteo Salvini, the head of Italy's far-right League party and its deputy prime minister, who is hosting Monday's meeting, said there would be a larger one in the Circus Maximus, a classical-era chariot stadium, in Rome in May ahead of the European Parliament (EP) elections later that month. "

18. EU: **What Does the Spring Bring for the Rule of Law in Europe?** (Verfassungsblog, link):

"*A few weeks before the European Parliament elections the Commission took new interest in safeguarding the rule of law in Europe. On April 3, 2019 it started a new infringement procedure about the Polish judicial reform, this time focusing on the new disciplinary regime for judges. On the same day it also launched a reflection process "to strengthen the rule of law in Europe," in the hope of "setting out possible avenues for reflection on future action".*

It is in the spirit of much needed reflection and – even more – hope about more robust future action against violators of (allegedly) shared European values that the recent opinion of the Venice Commission on Hungary's administrative court reform is worth a closer look."

19. **Austria extends duration of border checks for Hungary and Slovenia - APA** (Reuters, link):

"*ZURICH (Reuters) - Austria will extend its border controls for fellow EU members Hungary and Slovenia until at least November, Austrian news agency APA reported on Sunday, citing a letter from the country's interior minister to the European Commission.*

In the letter to the EU Commission, Austrian Interior Minister Herbert Kickl cited a persistently high number of illegal migrants and a "latent threat of terrorism" related to the prospect of fighters returning from former Islamic State strongholds in Syria and Iraq, APA reported. "

20. **Surveillance Company Cellebrite Finds a New Exploit: Spying on Asylum Seekers** (Privacy International, link):

"*Cellebrite, a surveillance firm marketing itself as the "global leader in digital intelligence", is marketing its digital extraction devices at a new target: authorities interrogating people seeking asylum.*

Israel-based Cellebrite, a subsidiary of Japan's Sun Corporation, markets forensic tools which empower authorities to bypass passwords on digital devices, allowing them to download, analyse, and visualise data. "

21. **Spanish fireman faces 20 years in prison for rescuing migrants at sea** (El País, link):

"*"We could only save half of them, many people drowned," remembers Roldán, a 32-year-old firefighter from the southern city of Málaga, who has been part of the underwater unit of the Seville City Hall Fire Department since 2013. His act of solidarity that day, as well as his help on other rescues missions in the summer of 2017, could land him behind bars for 20 years for allegedly aiding illegal immigration and working with human traffickers.*"

22. **Spain's civilian coast guard caught in election crosshairs** (Politico, link):

"*An overhaul of Spain's operations in the Mediterranean has sparked fears among activists that Madrid is quietly gutting a civilian search-and-rescue agency credited with saving thousands of lives.*

The changes to the Salvamento Marítimo rescue operation come as Spanish Prime Minister Pedro Sánchez's center-left government is under electoral pressure from the far right ahead of a general election later this month.

...Four of the agency's mid-sized rescue ships will be moved from the Sea of Alborán, where most sea rescues took place last summer, to areas that receive less migrant traffic: one to the Balearic Islands, two to the eastern Spanish city of Cartagena, and one to the Canary Islands, according to an internal February report from Salvamento Marítimo's security and safety committee obtained by POLITICO."

23. **Gen Khalifa Haftar's forces close in on Tripoli** (Irish Times, link):

"*Dozens of migrants and refugees in a Tripoli detention centre were dressed in old military uniforms and ordered to begin packing weapons this week, as rival forces began to march on the Libyan capital.(...)*

In the Tripoli detention centre, some of the thousands of refugees and migrants who are locked up indefinitely, after being returned to Libya by the EU-backed Libyan coastguard, worried that they may be forced to fight."

24. **Right-Wing Populism and Counter-Movements in Rural Europe** (arc2020.eu, link):

"*Right-wing populism has gained high levels of support among rural population in Europe. How could this happen and what are the solutions? Natalia Mamonova, of the Emancipatory Rural Politics*

Initiative, explains the causes of populism in the European countryside and shares some ideas on potential resistance and the building of alternatives to the regressive nationalist politics."

25. **Vento e pioggia sui migranti: le immagini a bordo della nave Alan Kurdi** (lapresse.it, link):

On board the Alan Kurdi, a ship blocked in application of a recent directive issued by the Italian interior ministry. It appears the ship is heading for Malta after having been denied entry into Italian waters.

26. **AYS on criminalisation, pushbacks in EU Parliament** (link)

27. **UN head 'shocked' by suffering at migrant camp in LibyaUN head 'shocked' by suffering at migrant camp in Libya** (euractiv, link):

"UN Secretary General António Guterres said Thursday (4 April) he was "shocked" by the level of suffering of migrants at a detention centre in Tripoli which he visited during a visit to the Libyan capital.

"I was very moved and shocked by the level of suffering and especially by the level of despair that I found," Guterres told reporters during the second day of trip to Tripoli during which he visited the Zara detention centre."

28. **EU funds the sacking of rescue ships in the Mediterranean** (link):

"The European Union has mandated Italy to set up several maritime control centres in Libya. The Coast Guard and Maritime Police will be linked to European surveillance systems, the authorities will communicate directly with Frontex. The project costs 46 million euros and starts in July. But the Libyan Coast Guard has since long been connected to Italian counterparts."

29. UK: **Fighting Sus! then and now** (IRR News, link) by Joseph Maggs:

"A new project Fighting Sus! brings the youth experience of racialised policing to the fore.

In Fighting Sus! a group of young people engage with past struggles against racist state violence and, with angry intelligence and politicised creativity, range themselves against its present manifestations."

30. **Interpol and Europol extend facial recognition** (Matthias Monroy, link):

"*The two police organisations are using new capabilities to search biometric images. Investigators can mark persons or things and match them with other files. At the G20 summit, the Hamburg state data protection commissioner criticised this procedure.*"

31. **Money against Migration: The EU Emergency Trust Fund for Africa** (Heinrich Böll Stiftung, link):

"*The EU-Africa migration summit in Valletta in November 2015 gave birth to a new European funding instrument: the EU Emergency Trust Fund for Africa (EUTF). Halfway through the implementation period, this study aims to take a detailed look at the allocation mechanism and distribution of funds under the EUTF, to examine which objectives, countries and actors have actually been supported and which ones are no longer a focus of the attention of development and migration policy. It comes to the conclusion that the implementation of migration policy projects supported by EUTF funding primarily benefits the (wealthier) member states of the EU.*"

32. **Presumption of innocence in Bulgaria: abuse for political ends** (Fair Trials, link):

"*A fundamental element of the right to a fair trial is that every person should be presumed innocent until proved guilty following a fair trial. In the EU, the Directive on the Presumption of Innocence clearly states that the burden of proof for establishing guilt is on the prosecution. The directive also prohibits public authorities and courts from making any public references to guilt before the final verdict. But how well are these rules respected in practice? One example comes from Bulgaria, where our LEAP member Asya O. Mandzhukova-Stoyanova works as a criminal lawyer and told us about the situation.*"

33. N Ireland: **Solidarity protest outside Belfast court for No Stone Unturned journalists** (NUJ, link):

" the lawyers representing Trevor and Barry challenged the search warrants and argued in court that there was no evidence in the public interest for the redactions made to the search warrant applications by Durham Constabulary and the Police Service of Northern Ireland (PSNI).(...):

Seamus Dooley, NUJ Irish secretary, said: "Today's hearing was technical in nature but hugely important. Justice should be administered in daylight and not in the dark. In order to comprehend the reason why the original warrants were granted it is vital that the entire proceedings are available. Barry, Trevor and their legal teams cannot adequately vindicate their rights with their hands tied behind their back. It is obvious that barriers are being put in place at every turn in this case. The strain on two working journalists and their families cannot be underestimated. Amid the legal arguments and technicalities it would also be easy to forget that those responsible for the Loughinisland murders remain at large, grieving families are still denied justice and only journalists seeking the truth are at risk of criminal convictions."

34. **Undemocratic civil society laws are appearing in democracies** (Open Global Rights, link):

"*Amnesty International recently released a startling report which discusses the ever-growing number of countries using repressive techniques, including the passage of restrictive legislation, to prevent or deter civil society organizations (CSOs) from performing their critical work...*

Interestingly, the restrictions Amnesty documents seem to transcend geography, GDP, development status, and most perplexingly, political structure or regime type. Indeed, they are appearing, and increasingly so, in countries of all economic and political types, including strong, consolidated, long-standing democracies. Not only do Pakistan, Kazakhstan, and Myanmar appear in the list of countries that have adopted restrictive CSO legislation; the US, UK, Australia, and Ireland are named too. The startling fact that strong democratic countries, the very ones that most vocally support a strong and independent civil society, are part of the closing space trend has yet to be fully probed or documented."

35. UK-USA: **Police investigating role of UK officers in torture of al-Qaida suspect** (The Guardian, link):

"*Metropolitan police detectives have launched an investigation into allegations that MI5 and MI6 officers involved in the interrogation under torture of an al-Qaida suspect committed serious criminal offences.*

Scotland Yard has confirmed that a senior investigating officer, who is familiar with other rendition cases, has begun examining the role of UK intelligence officials during the questioning of Abu Zubaydah at CIA so-called 'black sites'."

See: **Statewatch Observatory on "rendition"**

36. UK-SPAIN: **Aberdeen South MP Ross Thomson criticised for meeting with far-right party** (The Press and Journal, link):

"*A north-east MP has been criticised after pictures emerged of him smiling alongside a member of a far-right Spanish party.*

Aberdeen South MP Ross Thomson was snapped in Parliament with Iván Espinosa de los Monteros, who is a senior member of Vox, on Wednesday.

The party, which won a number of seats in southern Spain in December, has attracted widespread controversy with pledges to abolish a 2007 "law of historical memory" which demanded the removal of Franco-era fascist symbols from public places.

Its leader, Santiago Abascal, has also raged against what he calls "supremacist feminism and gender totalitarianism" and the party has complained that existing domestic violence laws are unfairly weighted against men."

DOCUMENTATION

1. EU: **Security Union: European Commission welcomes the final adoption of the new European Criminal Records Information System on convicted third country nationals** (press release, pdf):

"*The Council gave today its final approval to the Commission's proposal to create a European Criminal Records Information System on convicted third country nationals.*

This central system aims to improve the exchange of criminal records information regarding convicted non-EU-citizens and stateless persons through the existing European Criminal Records Information System (ECRIS)."

And see: **New criminal records database for non-EU nationals is "disproportionate and discriminatory"**

2. European Data Protection Supervisor: **EDPS investigates contractual agreements concerning software used by EU institutions** (pdf):

"*As the supervisory authority for all EU institutions, the European Data Protection Supervisor (EDPS) is responsible for enforcing and monitoring their compliance with data protection rules. In this capacity, the EDPS is undertaking an investigation into the compliance of contractual arrangements concluded between the EU institutions and Microsoft, the European Data Protection Supervisor said today. (...)*

*Wojciech Wiewiórowski, Assistant EDPS, said: "New data protection rules for the EU instiutions and bodies came into force on 11 December 2018. **Regulation 2018/1725** introduced significant changes to the rules governing outsourcing. Contractors now have direct responsiblities when it comes to ensuring compliance. However, when relying on third parties to provide services, the EU institutions remain **accountable** for any data processing carried out on their behalf. They also have a duty to ensure that any contractual arrangements respect the new rules and to **identify and mitigate any risks**. It is with this in mind that the contractual relationship between the EU institutions and Microsoft is now under EDPS scrutiny."*

3. CoE: **Commissioner Mijatovic highlights main human rights challenges in Europe** (link):

"*While the report covers a variety of the most pressing human rights issues in the Council of Europe member states, the Commissioner highlights migration, women's rights, human rights of persons with disability, the protection of human rights defenders and the safety of journalists as the most recurrent topics of her work.*

"Migration is among the most pressing human rights issues on my agenda", she says. "National authorities should improve the treatment of immigrants, asylum seekers and refugees, and put human rights and the principle of responsibility sharing at the centre of their migration and asylum policies"."

See; **Annual activity report** (link)

4. European Parliament study: **The Scrutiny of the European Defence Fund by the European Parliament and national parliaments** (pdf)

"Since 2016, the European Union has developed a number of new initiatives on security and defence. In particular, the introduction of Permanent Structured Cooperation and the European Defence Fund have been designed to allow the EU to become a more autonomous actor with regard to crisis management, capacity building and protecting Europe and its citizens. Yet the development of these new initiatives raises questions about their overall coherence and the role of parliamentary scrutiny. It is necessary to analyse the role of the European Parliament and national parliaments in relation to the scrutiny of the European Defence Fund. There is a need for recommendations on how parliamentary scrutiny can be enhanced at the EU level in the area of security and defence."

5. **EU Trust Fund for Africa: €115.5 million to enhance security, migrant protection and job creation in the Sahel region** (European Commission press release, pdf):

"*The European Commission adopted five new programmes and three top-ups of current programmes worth €115.5 million under the EU Emergency Trust Fund for Africa to complement ongoing efforts in the Sahel and Lake Chad region.*

...An additional €30 million will serve to protect migrants and refugees along the Central Mediterranean route and look for sustainable solutions in the Sahel and Lake Chad region. It will further increase the number of migrants benefitting from protection and voluntary return while ensuring their sustainable and dignified reintegration. In Niger, the Joint Investigation Team has dismantled 33 criminal networks and 210 smugglers have been convicted over the past two years. It will receive an extra €5.5 million to build on this success. In Ghana, €5 million for capacity-building and equipment will strengthen the country's border management."

6. CoE: **European states must demonstrate resolve for lasting and concrete change for Roma people** (link):

"On 8 April, we will celebrate International Roma Day. This is a day to celebrate Roma culture and Roma contributions to European societies, and the cultural diversity of Europe. The 8th of April, which commemorates the first World Romani Congress held in London in April 1971, should also be a reminder of the urgent need to better protect the human rights of Roma.

Across Europe, the continuation of human rights abuses targeting Roma goes against all efforts otherwise made to improve their access to education, health care and employment and prevents them from fully participating in society."

And see House of Commons - Women and Equalities Committee: **Tackling inequalities faced by Gypsy, Roma and Travellercommunities** (pdf)

7. European Parliament: Briefing: **Recasting the Return Directive** (pdf):

"Taking into account the decrease in the EU return rate (45.8 % in 2016 and 36.6 % in 2017), and following European Council and Council calls to review the 2008 legal text to enhance the effectiveness of the EU return policy, the Commission has proposed a targeted recast of the directive aiming to 'reduce the length of return procedures, secure a better link between asylum and return procedures and ensure a more effective use of measures to prevent absconding'."

See also: **Lock 'em up: the proposal to amend the EU's Returns Directive** (EU Law Analysis, link) by Professor Steve Peers.

8. USA-GREECE: **Memorandum of Cooperation on Implementing Greece's Passenger Name Record Law** (link):

"The use of PNR in traveler screening is an important part of Greece's efforts to prevent terrorists, serious criminals, and other mala fide actors from traveling, in line with international and European Union obligations. Acknowledging this and other border security improvements and based on the memorandum, the U.S. Department of Homeland Security (DHS) will now initiate the process to restore the validity of the Electronic System for Travel Authorization (ESTA) for Greek citizens traveling to the United States under the Visa Waiver Program (VWP) for business or pleasure for stays of up to 90 days."

9. European Parliament Study: **framework for algorithmic accountability and transparency** (pdf) and **Annex** (pdf):

"A significant factor in the adoption of algorithmic systems for decision-making is their capacity to process large amounts of varied data sets (i.e. big data), which can be paired with machine learning methods in order to infer statistical models directly from the data. The same properties of scale, complexity and autonomous model inference however are linked to increasing concerns that many of these systems are opaque to the people affected by their use and lack clear explanations for the decisions they make."

10. UK: **Court of Appeal overturns draconian injunctions preventing protests against INEOS fracking activities** (Garden Court Chambers, link):

"*The Court of Appeal has today, 3 April 2019, given judgment in INEOS v PERSONS UNKNOWN and allowed appeals against injunctions that had been obtained on allegations of conspiracy to injure by unlawful means and in public nuisance. As a result of the court's decision, injunctions were discharged and the claims based on those allegations were dismissed. The court allowed injunctions preventing trespass and interference with land confined to particular sites to remain in force temporarily pending reconsideration by the High Court, but said that even those needed further consideration as to whether the appropriate test under section 12 of the Human Rights Act 1998 was met, and to consider time limiting those injunctions.*"

See: **Full-text of the judgment** ([2019] EWCA Civ 515, pdf)

11. EU: **New Visa Code: Final text for plenary vote in the Parliament on 17 April 2019: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)** (pdf)

See also: **Letter to Claude Moraes, Chair of LIBE from the Council** (60 pages,pdf)

12. EU: **Evaluation of legal migration rules finds them mostly "fit for purpose" but highlights "critical issues" for the future**

An extensive evaluation of the rules on legal migration into the EU concludes that while existing measures are largely "fit for purpose", a number of "critical issues" remain if the EU "wants to achieve in full the Treaty objective of developing a common legal migration policy".