statewatch

News
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STATEWATCH NEWS

1. EU: Council of the European Union: **Internal Security, Interoperability & Visas and Europol & private partners**

• **Implementation of the renewed EU Internal Security Strategy: joint Presidency paper** (LIMITE doc no: 10991-19, 87 pages, pdf): *"Delegations will find attached a revised version of the joint paper of the outgoing Romanian Presidency and the Finnish Presidency on the implementation of the renewed EU Internal Security Strategy."*

• **Interoperability and the visa procedure - Possible implications of Interoperability on the daily work of the consulates - Presentations** (LIMITE doc no: WK 8371/2019, pdf): *"Delegations will find attached the presentations made by the Commission services, eu-LISA and the Presidency on the abovementioned subject at the Visa Working Party meeting on 10 July 2019."*

• **Europol's cooperation with strategic partners: strengths and possible inefficiencies in cooperation with Private Parties** (LIMITE doc no: 10494-19, pdf): *"Member States authorities, Europol cooperates with the following partners: Union bodies, third country authorities, international organisations and private parties. This cooperation is regulated in the Europol Regulation Chapter V."*

2. UK: **As Brexit looms, UK still hopes to join EU fingerprint exchange network**

After a long and rather tortuous process, the UK joined the 'Prüm' network of EU member states' DNA databases in June. Despite the current government's apparent preference for some variety of hard Brexit, the UK is also hoping to connect to other EU member states' fingerprint databases - but first it must pass a data protection and a technical evaluation. Its responses to both questionnaires were submitted to the Council at the end of June for consideration.

3. EU: **External aspects of counter-terrorism policy: overview of Council working party discussions in first half of 2019**

The COTER working party within the Council of the EU is "the main advisory body to the Council in the field of CT [counter-terrorism] and P/CVE [preventing/countering violent extremism] external aspects". A document circulated to delegations by the outgoing Romanian Presidency of the Council at the end of June outlines the work undertaken by the group in the first half of the year, concerning "strengthening the links between the internal and external dimensions of security", "bringing partners with the EU closer together" and "promoting the mainstreaming of the counter-terrorism issue".

4. UK: **REVEALED: The 'woke' media outfit that's actually a UK counterterror programme**

"A social media network for young people that has been launched around the term "woke" is actually a covert British government counterterrorism programme, security officials have admitted.

A Facebook page and Instagram feed with the name This Is Woke describes itself as the work of a "media/news company" that is engaging "in critical discussions around Muslim identity, tradition and reform".

In fact, it was created by a media company on behalf of the Office for Security and Counter-Terrorism (OSCT) at the UK Home Office."

5. **Refugee crisis: latest news from across Europe** (6-12.8.19) including:

- Greece's New Government Is Cracking Down on Anarchists, Drug Dealers and Refugees
- Italian law increases penalties related to protests and criminalises NGOs' rescue of migrants at sea
- EU border force Frontex accused of allowing abuse of migrants

6. EU: **Current text of the proposed Directive on equal treatment between persons: over a decade of discussions and still no agreement**

The Member States still cannot agree on the proposed Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, which was proposed by the Commission in 2008. The measure requires unanimity between the Member States and the consent of the Parliament to become law. The Parliament adopted its opinion in April 2009.

7. **EU may extend 'passenger name records' to rail and sea** (EUobserver, link):

"*The national governments of the EU member states are considering extending mandatory record-keeping of air passenger data to high-speed rail travel and sea traffic.*

A majority of states have said in diplomatic discussions that they were in favour of applying the rules from the EU's passenger name record (PNR) directive, currently only applicable to air travel, to other modes of transportation.

*...The paper, **published on the Statewatch website***, said that "the majority of the member states agreed on broadening the scope of the PNR directive".*

"The percentages were the following: 83 percent wants to broaden it to maritime, 76 percent to railway, and 67 percent to road traffic," said the document."

See also: **EU Council Presidency proposes follow-up on extending PNR to sea and rail traffic**

8. **Refugee crisis: latest news from across Europe** (26.7-5.8.19) including:

- Italy and Malta want compulsory relocation mechanism
- UK Home Office rejects demands for a time limit on migrant detention
- European Commission takes Hungary to court over laws criminalising support for asylum-seekers

NEWS

1. GREECE: **No End in Sight: The mistreatment of asylum seekers in Greece** (pdf): Report by 13 NGOs:

This report finds evidence of sweeping human rights violations of displaced people and refugees on mainland Greece and the islands of Chios, Lesvos and Samos, violations that could amount to cruel and unusual treatment and torture. As a result of the so-called Containment Policy, bought into effect following the EU-Turkey Statement in 2016, thousands are currently trapped on the islands without access to shelter, healthcare or education, including many women and children.

Those living on the islands, often in severely overcrowded camps, face dire living conditions, including unhygienic conditions and inadequate housing and bathing facilities."

2. Campaign Opposing Polce Surveillance (COPS): **Undercover Policing & Trade Unions Conference, London - November 16** @ 10:30 am - 5:30 pm

We're pleased to announce our Trade Union Conference on Saturday November 16th in London.

The one-day event will increase understanding of the impact of political policing on trade unions and movements for social change since 1968.

Over three thousand workers were blacklisted, over one thousand organisations were spied on by undercover police, and tens of thousands of citizens have files held on them by Special Branch.

3. **Russia, United States attempt to legitimize killer robots** (pressenza.com, link):

"Russia and the United States are continuing their losing fight against the inevitable treaty that's coming for killer robots.

*Most states participating in the diplomatic talks on lethal autonomous weapons systems have expressed their strong desire to negotiate a new treaty to address mounting concerns. At this week's Convention on Conventional Weapons (CCW) meeting, Jordan **joined the list of 29 states** urging a ban on killer robots, in order to retain human control over the use of force."*

4. **What happens when trafficking survivors get home** (euobserver, link):

"For years, international media have been full of horrifying stories of Nigerian women and girls trafficked to Libya and Europe for sexual and labor exploitation.

The world now also knows very well that many refugees and migrants seeking to reach Europe instead find themselves trapped in Libya in slavery-like conditions, and that for women and girls those conditions often involve sexual violence or exploitation."

5. **Inside Europe: Turkey extends deadline for Syrian refugees** (DW, link):

"Turkey hosts around 4 million Syrian refugees. But in a recent opinion poll over 80% of Turks said they want the refugees to leave the country. The government appears to be getting the message. In Istanbul, Turkey's largest city and home to around a million Syrians, a looming deadline for all unregistered refugees to leave the city has been extended to October. Dorian Jones reports from Istanbul."

6. **Captain Who Rescued Migrants At Sea Refuses Paris Medal, Calling It Hypocritical** (link):

"The captain of a controversial ship that saved migrants in the Mediterranean Sea has refused to accept a medal for her work. (...)

*In a **Facebook** message published Tuesday night, Klemp announced that she was rejecting the Grand Vermeil Medal, which the city of Paris awards for bravery. She told Mayor Anne Hidalgo that the city was brimming with hypocrisy."*

7. **Regional and International Benchmarks on Surveillance, Cybercrimes and Computer Crimes** (pdf): Co-authored by Arthur Gwagwa and Kuda Hove:

"Surveillance, cyber espionage, cybercrimes and computer crimes transverse various regional and international standards and norms as set by the relevant standard setting, norm sharing bodies as well as security forums. They also implicate technical rules, for example relating to internet protocols and the management of internet infrastructure, critical resources such as internet assigned numbers and letters This report will confine itself to the examination of the standards and norms that have a direct bearing on the exercise of human rights online."

• **Europol's cooperation with strategic partners: strengths and possible inefficiencies in cooperation with Private Parties** (LIMITE doc no: 10494-19, pdf): *"Member States authorities, Europol cooperates with the following partners: Union bodies, third country authorities, international organisations and private parties. This cooperation is regulated in the Europol Regulation Chapter V."*

8. **Less "Silent SMS" from German police, but more secrecy for domestic intelligence** (link):

"The blog Netzpolitik.org graphically displays the sending of "Silent SMS" every six months. This shows the extent to which police forces and secret services use mobile phones as tracking bugs. Because of this „condensation" of information worthy of protection, the figures for the Office for the Protection of the Constitution are classified as "secret."

10. **Migrants in limbo again after landing in Italy** (euractiv, link):

"One hundred and forty seven migrants who disembarked on Italy's Lampedusa island were again in limbo Wednesday (21 August) as a European deal to redistribute them failed to materialise and Madrid said it could hit the Spanish charity with a huge fine for rescuing them."

11. **Greece: Samos: Cruelties - This man is Hisham Mustafa from Aleppo, Al Sfir** (Samos Chronicles, link):

"Turkish police transferred him 25 days ago from Istanbul to Syria (Idleb). He was given no choice but to return to a place where the war continues. In Istanbul he left behind his wife and their three children."

12. **Are You Syrious** (19.8.19, link):

GERMANY

"On 21 August 2019, the so-called 'Orderly Return Bill' will come into force and change the life of many refugees and migrants in Germany for the worse. There might also be some 'improvements', but these are mere cosmetic corrections and cannot obscure the fact that the bill is made to get 'illegal' migrants out of the country and make the life of those who remain as uncomfortable as possible. The most serious changes are the following:(...)

SWITZERLAND

"Ahead of tomorrow's appeal against the conviction of Anni Lanz, a 73-year-old woman convicted and fined with 800 Swiss francs ($820 US) for giving a rough-sleeping frost-bitten Afghan asylum seeker a lift over the Italian border into Switzerland"

52. **EU border force Frontex accused of allowing abuse of migrants** (euractiv, link):

"The EU's border force Frontex has allegedly been turning a blind eye to ill treatment of refugees by guards at EU external borders, according to media reports on Monday (5 August)

A joint investigation by German public broadcaster ARD, non-profit investigative journalism website Correctiv and British newspaper The Guardian also accused Warsaw-based Frontex of violating the human rights of refugees during deportations.

Citing internal documents, the report said Frontex had allowed guards to use dogs to hunt down migrants, as well as to deploy pepper spray and batons, particularly along EU borders in Bulgaria, Hungary and Greece.

The investigation accused local guards of using force or threats to return migrants back across the EU's external borders, thus obstructing the basic right to seek asylum."

And see: **Once migrants on Mediterranean were saved by naval patrols. Now they have to watch as drones fly over Experts condemn move to aerial surveillance as an abrogation of 'responsibility to save lives'** (Guardian, link) and "**The expansion of the deportation machine"** (link)

14. **German experts discuss migration with Greek officials** (ekathimerini.com, link):

"Greek officials met on Wednesday in Athens with a delegation of German specialists on issues of migration to discuss arrivals of third-country nationals and find ways of collaborating.

According to a Citizen Protection Ministry statement, the focus of the meeting was the process of receiving migrants from non-EU countries, examining their requests for asylum in Greece and returning those who do not qualify."

15. **Syrian migrants in Turkey face deadline to leave Istanbul** (BBC News, link):

"Thousands of Syrian migrants have until Tuesday to leave Istanbul or face expulsion from Turkey's biggest city.

Authorities have told unregistered migrants to return to the province they are registered in, as part of a bid to relieve pressure on the city.

But some Syrians told the BBC many were being deported to Idlib, inside Syria, where fighting is escalating."

16. **Surveillance of 5G: Governments plan to change laws** (link):

"5G telephony makes communication more secure. Connections, subscriber and device identifiers are partly encrypted, also conventional IMSI catchers become useless. Providers could therefore be forced to install new surveillance technology."

17. UK: **The Johnson Government: Working for the Brexit Clampdown** (CCSE, link) by Joe Sim and Steve Tombs:

"*As the country teeters on the brink of the chaos of an impending no-deal Brexit, Boris Johnson's administration has entered electioneering mode. The administration is following a familiar path that has a history of at least 40 years in the Tory party: first, that attitudes and actions towards the EU are not at all about any 'national' interest but are about party interests and, specifically, keeping a Tory Government in power at all and any costs; and, second, invoking a tough on crime, law and order discourse to capitalise on popular anxieties to offer false certainties around security and a sense of protection.*"

18. **People on rescue ship off Italy at breaking point, say doctors** (The Guardian, link):

"*The medical and psychological condition of people onboard a rescue boat anchored off the Italian island of Lampedusa for 18 days has reached breaking point, doctors have said.*

The vessel operated by the Spanish charity Proactiva Open Arms has been refused permission to dock by Italy's far-right interior minister, Matteo Salvini. On Monday Open Arms suggested chartering a plane to fly the 107 migrants onboard to Spain.

A group of doctors who visited the vessel last week said sanitary and hygienic conditions were very poor and the boat was not fit to hold such a large number of people."

19. UK: **Statement: Live facial recognition technology in King's Cross** (ICO, link):

"*Facial recognition technology is a priority area for the ICO and when necessary, we will not hesitate to use our investigative and enforcement powers to protect people's legal rights.*

We have launched an investigation following concerns reported in the media regarding the use of live facial recognition in the King's Cross area of central London, which thousands of people pass through every day.

As well as requiring detailed information from the relevant organisations about how the technology is used, we will also inspect the system and its operation on-site to assess whether or not it complies with data protection law."

20. **Germany's Merkel calls for restarting EU migrant rescue mission** (DW, link):

"*German Chancellor Angela Merkel on Thursday called for the resumption of European naval missions to rescue migrants in the Mediterranean.*

Since 2015, tens of thousands of migrants were rescued by European naval ships as part of the bloc's anti-smuggling "Operation Sophia," which suspended activity earlier this year.

"It would certainly be good if today we had Operation Sophia and national navies that would carry out rescues," Merkel said in Berlin. She added that it would help with rescuing migrants as well as combating trafficking."

21. **Six EU countries agree to take some of the 147 migrants stranded on Opens Arms ship, Italy says** (The Journal, link):

"*SIX EU COUNTRIES have agreed to take in some of the 147 migrants stranded on a rescue ship near the Italian island of Lampedusa, Rome announced today.*

The mainly African migrants aboard Open Arms had been plucked from boats in the Mediterranean this month with weather conditions encouraging more departures from Libya."

22. CYPRUS: **Arrest of KISA Director reflects wider European trend of criminalising support for migrants** (Fair Trials, link):

"*Earlier this month, the Executive Director of KISA – Action for Equality, Support, Anti-racism, a member of the JUSTICIA network coordinated by Fair Trials, was arrested for allegedly "obstructing police work" and "attempting to escape lawful arrest," after offering assistance to a young man, a foreign national, who was being questioned aggressively by the police outside of KISA's offices in Nicosia, Cyprus. This is the sixth arrest of KISA's Executive Director over the past two decades, and it is part of a broader crackdown on NGOs assisting refugees and migrants in the context of rule of law backsliding and shrinking space for civil society in the European Union.*"

23. UK: **The police know what you'll do next summer** (New Statesman, link):

"*...Last month, the Home Office pledged £5m in funding to West Midlands Police to develop a system that will identify individuals at risk of committing future crimes. Elsewhere, Durham police have developed an algorithm for use in custody decisions; Avon and Somerset Police, meanwhile, use predictive technology to map where violent crime might occur.*

...The development of machine-learning algorithms, allied with cuts to police budgets, is propelling a version of the future long feared by privacy advocates and revered by technology companies. The question is no longer whether artificial intelligence will dramatically change policing, but how – and for whose benefit. "

24. **Libya: ongoing atrocities reveal the trouble with international military intervention** (The Conversation, link):

"*Events in Libya show what can happen when international players claim to do good things through military action. To prevent future atrocities, the international community must recognise the absurdity of dropping bombs to protect people while also detaining migrants in the centre of war zones, dealing arms, and preventing rescue missions.*

Military intervention does not protect civilians. We should call on the international community to change their callous policies that kill every day. We should demand that they stop fuelling atrocity crimes. And we should support non-violent forms of protection such as unarmed civilian peacekeeping, which have proven effective in Colombia, South Sudan, Kosovo and Sri Lanka.

To support military intervention gives further licence to the militarism of those already fanning the flames of atrocity. This will only result in more of the violence seen in Libya today."

25. EU: **MEDEL statement on the Italian security decree of June 2019** (MEDEL, link):

"*The introduction in Italy of draconian measures in relation to vaguely defined violations adds a further dimension to the pressure on volunteers, who already have to face the risk of being subject to investigations for violations of national immigration laws.*

The effect is to reverse the order of the values enshrined in the Constitutions and Charters of fundamental rights, prioritizing alleged security reasons over the protection of human lives.

MEDEL has several times recalled the responsibility of all member states and of the European Union, stressing the distance between the current migration policies and the commitment - enshrined in the Charter of Fundamental Rights - towards the human community and the future generations to ensure the enjoyment by everyone of fundamental rights.

The future of Europe and of European democracies depends on this pledge."

26. **Future of EU criminal law - editorial by Peter Csonka, DG Justice and Consumers** (eucrim, link):

"*Faced with the evolution of crime, globalisation, and technological innovations, there is a clear need to adapt the Union's acquis to the actual needs of practitioners and citizens and thus enable appropriate responses to new developments, including those linked to digitalisation and the use of Artificial Intelligence (AI). A primary challenge is the establishment of a solid EU criminal law framework capable of coherently tackling serious and/or cross-border crime ("euro-crimes") and other areas of crime in which the approximation of offences or sanctions is essential for the enforcement of EU law ("accessory crimes") in full respect of Member States' legal traditions. It is important to strike the right balance between EU action and respect for Member States' legal traditions, in particular in the area of sanctions. This particular issue of eucrim is dedicated to helping the reader understand how or in what specific areas of sanctions, whether criminal or administrative, financial, or otherwise, the Union can achieve better results.*"

See also: **EU criminal law could cover "crimes relating to artificial intelligence"** (Statewatch News Online,1 May 2019)

27. USA: **Amazon Is Coaching Cops on How to Obtain Surveillance Footage Without a Warrant** (Vice, link):

"*When police partner with Ring, Amazon's home surveillance camera company, they get access to the "Law Enforcement Neighborhood Portal," an interactive map that allows officers to request footage directly from camera owners. Police don't need a warrant to request this footage, but they do need permission from camera owners.*

Emails and documents obtained by Motherboard reveal that people aren't always willing to provide police with their Ring camera footage. However, Ring works with law enforcement and gives them advice on how to persuade people to give them footage."

28. IRELAND: **Migrant rescues help naval recruiting** (Irish Examiner, link):

"*The positive publicity surrounding the Naval Service's role in saving trafficked migrants from drowning in the Mediterranean Sea was responsible for an increase in people joining the force.*

That's according to recruitment figures released by the Naval Service showing the years leading up to the operations and while they were underway.

However, concerns have been raised by Naval Service sources that without such missions, and with still no pay increases coming from the Government, it will prove hard to attract the same numbers as witnessed when Operation Pontus and Operation Sophia were in full flow."

29. **Major breach found in biometrics system used by banks, UK police and defence firms** (The Guardian, link):

"*The fingerprints of over 1 million people, as well as facial recognition information, unencrypted usernames and passwords, and personal information of employees, was discovered on a publicly accessible database for a company used by the likes of the UK Metropolitan police, defence contractors and banks.*

Suprema is the security company responsible for the web-based Biostar 2 biometrics lock system that allows centralised control for access to secure facilities like warehouses or office buildings. Biostar 2 uses fingerprints and facial recognition as part of its means of identifying people attempting to gain access to buildings.

Last month, Suprema announced its Biostar 2 platform was integrated into another access control system – AEOS. AEOS is used by 5,700 organisations in 83 countries, including governments, banks and the UK Metropolitan police."

See: **Report: Data Breach in Biometric Security Platform Affecting Millions of Users** (vpnMentor, link)

30. NORTHERN IRELAND: **Police ombudsman to pay damages over 2011 Loughinisland report** (Irish Legal News, link):

"*The Police Ombudsman for Northern Ireland will pay damages to families and survivors over its first report on the Loughinisland massacre.*

The police watchdog admitted failings and said it would pay undisclosed damages as part of the settlement announced in the High Court in Belfast on Friday, BBC News reports.

The proceedings were brought in connection with a 2011 report which concluded that there was insufficient evidence of collusion in the 1994 massacre, in which UVF gunmen killed six people and wounded five others.

The report, by former ombudsman Al Hutchinson, was quashed by the High Court in 2012. A subsequent report in 2016 found that collusion between police and the UVF was a "significant feature" of the murders."

31. UK: **Facial recognition in King's Cross prompts call for new laws** (BBC News, link):

"*There is growing pressure for more details about the use of facial recognition in London's King's Cross to be disclosed after a watchdog described the deployment as "alarming".*

Developer Argent has confirmed it uses the technology to "ensure public safety" but did not reveal any details.

It raises the issue of how private land used by the public is monitored.

The UK's biometrics commissioner said the government needed to update the laws surrounding the technology."

And see: **London mayor quizzes King's Cross developer on facial recognition** (BBC News, link)

32. **Partners in crime? The impacts of Europe's outsourced migration controls on peace, stability and rights** (Saferworld, link):

"*Migration into Europe has fallen since 2015, when more than one million people fleeing conflict and hardship attempted sea crossings. But deaths and disappearances in the central Mediterranean have shot up, exposing the 'fight against migration' as flawed and dangerous.*

While leaders in Europe and elsewhere claim that clamping down on migration saves lives by deterring people from undertaking dangerous journeys, the reality is that European governments' outsourced migration policies are feeding into conflict and abuse – and reinforcing the drivers of migration.

Drawing on extensive research, this report analyses the European Union's and European governments' outsourcing of migration controls in 'partner' countries such as Turkey, Libya and Niger. It explores who benefits from this system, exposes its risks and explains who bears the costs. It also provides recommendations for European leaders on how to move toward a humane model for migration that refocuses on EU commitments to human rights, conflict prevention and sustainable development."

33. **Migrant rescue ship heads for Italy after judge overrules Salvini** (Al Jazeera, link):

"*An Italian court has upheld an appeal by the Spanish rescue ship Proactiva Open Arms, suspending far-right Interior Minister Matteo Salvini's decision to ban the ship from entering the country's waters.*

The Italian court ruled that the ban violates international laws in light of the "exceptionally grave and urgent situation due to the protracted stay of the migrants on our boat", Open Arms said in a statement on Wednesday.

The group said its ship is now heading towards Italian waters and expects to reach them on Thursday morning. Additionally, it has made new requests to Italy and Malta for a port that will let them disembark the migrants on medical grounds."

34. EU: **Interoperability of European Centralised Databases: Another Nail in the Coffin of Third-Country Nationals' Privacy?** (EU Immigration and Asylum Law and Policy, link):

"*Crucially, databases are compartmentalised; even though in the future all third-country nationals will be effectively captured by at least one database, the data pots are separate from each other. This will soon change; the final step towards an EU 'Big Brother' is the interconnection of the different 'data pots' under the umbrella term of interoperability. Against this background, this blog post aims at critically evaluating this important legal development from a privacy and data protection standpoint.*"

35. **British children of Islamic State members will not be brought back to UK: Report** (Middle East Eye, link):

"*The children of British members of Islamic State who have UK citizenship will not be brought back to Britain from Syria as it would be too dangerous to rescue them, the UK government has reportedly decided.*

The decision, made after a cross departmental review, was one of the last acts of Home Secretary Sajid Javid before his promotion to chancellor last month, according to The Times newspaper.

Javid was said to have decided that it was not safe to dispatch military or civilian personnel to rescue the babies and minors from camps in northern Syria."

36. UK: **Tories unveil law and order policy blitz amid election speculation** (The Guardian, link):

"*Boris Johnson has set out a resoundingly tough stance on law and order ahead of a possible autumn general election, with a trio of announcements on extending jail terms, building new prisons and increasing police stop-and-search powers.*

...On sentencing, Johnson announced a review of the policy of allowing some prisoners with a fixed sentence to be released on licence mid-way through their term on condition of continued good behaviour.

The review will also look at potentially longer sentences for violent and sexual offences, and for repeat offenders, and includes £85m in extra funding for the Crown Prosecution Service.

...In another arguably populist pre-election move, Johnson and Patel announced that police would be freer to carry out preventive stop-and-search operations under so-called section 60 powers."

37. **Greece's New Government Is Cracking Down on Anarchists, Drug Dealers and Refugees** (Novara Media, link):

"*Following a landslide election win last month, Greece's new centre-right government is cracking down on a "lawless" Athens neighbourhood known for leftwing activism and migrant solidarity networks. With backing from prime minister Kyriakos Mitsotakis, police have used the prevalence of*

illegal drugs and an alleged terrorism threat to justify a series of raids and evictions across the Exarchia area of the Greek capital. But instead of routing out terrorists and dealers, residents say the authorities are targeting refugee housing, leaving hundreds of vulnerable people with nowhere to go."

38. UK: **Victory for Netpol campaigning as Home Office confirms it has stopped using the term "domestic extremism"** (Netpol, link):

"After almost a decade of campaigning for an end to the highly subjective categorisation of campaigners at "domestic extremists", Netpol has finally received confirmation that the Home Office has decided to stop using the label.

In June, we highlighted a report by David Anderson QC, a former independent reviewer of UK terrorism legislation, who had called the 'domestic extremism' label 'manifestly deficient' and indicated the Home Office was under pressure to abandon it."

39. UK: **North Wales Police response to concern over its handling of hunt saboteurs raises serious questions** (The Canary, link):

"On 24 July, North Wales Hunt Saboteurs claimed that North Wales Police (NWP) are "involved in an [operation] with the Flint and Denbigh hunt to get rid of protesters". The hashtag "#OperationYada" accompanied the claim. Several days later, the NWP Rural Crime Team published a video on Twitter denying that 'Operation Yada' existed. But the truth suggests this team tried to mislead the public."

40. **MSF has returned to the Central Mediterranean because people are dying at sea** (MSF, link):

"Our new search and rescue ship, Ocean Viking, has launched while European governments are failing to fulfil their basic legal obligations or protect vulnerable people fleeing from north Africa to southern Europe – the world's deadliest migration route."

41. **Italian law increases penalties related to protests and criminalises NGOs' rescue of migrants at sea** (ECNL, link):

"The new law introduces harsher provisions regulating assemblies taking place in public places or private spaces open to the public (...)

The new law grants new powers to the Ministries of the Interiors, Defence and Transport, who will now jointly be able to restrict or prohibit the entry, transit or docking of ships in the territorial sea, except for military or government non-commercial vessels, for security reasons, when there are reasons to believe that the crime of aiding and abetting illegal immigration has been committed (Article 1)."

See: **New Law** (Italian, link)

42. **European Commission doesn't want to enforce its CRS rules** (The Practical Nomad, link):

"In May 2017 the European Commission finally agreed to investigate my longstanding complaint that the lack of adequate access controls or access logging for airline reservation data stored by computerized reservation systems (CRSs) violates the data protection provisions in Article 11 of the European Union's Code of Conduct for Computerized Reservation Systems.

More than two years later, I've finally received the first substantive response to my complaint: **a letter from the European Commission** proposing to deny my complaint for lack of jurisdiction, on the absurd grounds that data security is not regulated by the Code of Conduct for CRSs."

43. **Cyprus asks Brussels to relocate 5,000 asylum seekers** (Politico, link):

"Cyprus has asked the European Commission to help relocate 5,000 asylum seekers to other EU countries as the island nation struggles to accommodate an influx of migrants.

In a letter sent on Monday to Migration Commissioner Dimitris Avramopoulos and other EU members, Cyprus' Interior Minister Constantinos Petrides described the gravity of the migration situation on the island and said that a lack of cooperation from nearby Turkey has made finding a solution more difficult."

44. **Ocean Viking migrant rescue ship 'not allowed' to refuel in Malta** (aljazeera.com, link):

"Ocean Viking, operated by SOS Mediterranee and MSF, started its rescue mission in the Mediterranean earlier this week.

Maltese authorities have refused the Ocean Viking rescue ship to refuel in their harbours while on its search and rescue mission off the coast of Libya, according to SOS Mediterranee, the rescue organisation operating the ship.

According to SOS Mediterranee, which operates the ship with Doctors Without Borders, known by its French initials MSF, the Ocean Viking was originally allowed to refuel on open waters."

45. **Surveillance of 5G: Governments plan to change laws** (link):

"5G telephony makes communication more secure. Connections, subscriber and device identifiers are partly encrypted, also conventional IMSI catchers become useless. Providers could therefore be forced to install new surveillance technology."

46. **UN warns Italy over tough law on migrant rescue boats** (euractiv, link):

"The UN voiced concern on Tuesday (6 August) over a law approved by Italy's parliament that imposes stiffer penalties on NGO migrant rescue boats in the Mediterranean, demanding humanitarian work "not be criminalised or stigmatised.

47. EU: **Data protection: Commission decides to refer Greece and Spain to the Court for not transposing EU law** (European Commission press release, pdf)

"*The European Commission decided today to refer Greece and Spain to the Court of Justice of the EU for failing to transpose the EU rules on personal data protection (the Data Protection Law Enforcement Directive, Directive (EU) 2016/680). In April 2016, the Council and the European Parliament agreed the Directive had to be transposed into national law by 6 May 2018.*

In the case of Greece, the Commission is calling on the Court of Justice of the EU to impose financial sanctions in the form of a lump sum of € 5 287.50per day between the day after the deadline for transposition set out by the Directive expired and either compliance by Greece or the date of delivery of the judgment under Article 260(3) TFEU,with a minimum lump sum of € 1 310 000and a daily penalty payment of € 22.169,70from the day of the first judgment until full compliance is reached or until the second Court judgment. As regards Spain, the Commission is calling on the Court to impose a financial sanction in the form of a lump sum of € 21 321per day between the day after the deadline for transposition set out by the Directive expired and either compliance by Spain or the date of delivery of the judgment under article 260(3) of TFEU, with a minimum lump sum of € 5 290 000and a daily penalty payment of € 89 548.20 from the day of the first judgement until full compliance is reached or until the second Court judgment."

And see: **Complaint lodged by Homo Digitalis against Greece for non-compliance with the EU's data privacy law addressed to the European Commission** (Homo Digitalis, link)

48. NORTHERN IRELAND: **Former PSNI chief 'still furious' about closure of Historical Enquiries Team** (Irish Legal News, link):

"*Former PSNI chief constable Sir Hugh Orde has said he is "still furious" about the 2014 closure of the Historical Enquiries Team (HET), which he said should have been allowed to complete its work.*

In an interview with The Irish Times, the former police chief, who stood down in 2009, challenged the findings of a 2013 report by Her Majesty's Inspectorate of Constabulary which greatly undermined the unit.

The report, which sparked fierce criticism from Irish nationalists and republicans, said some cases involving the state were being "reviewed with less rigour in some areas" than other cases.

...Sir Hugh said the HET, if allowed to continue its work beyond 2014, would have completed reviews of all 3,500 Troubles-related cases by now.

He also cast doubt on the effectiveness of the proposed new Historical Investigations Unit (HIU) due to the passage of time."

49. Caritas Europa: Position paper: **The "criminalisation" of solidarity towards migrants** (pdf):

"*In a context of stricter migration policies, activities carried out by NGOs and volunteers to ensure migrants get access to basic services and rights when the state is not delivering, are increasingly being portrayed by politicians as colluding with human smuggling and trafficking. A trend has emerged to pose obstacle, demonise, stigmatise, and criminalise humanitarian assistance to migrants throughout Europe, creating a chilling effect that results in discouraging solidarity. We refer broadly to this phenomenon as the "criminalisation" of solidarity, as it extends beyond mere judicial actions.*"

50. **Refugee rescuers to be fined up to €1m under new Italian law promoted by far-right Salvini** (Independent, link)

"*Charity says security decree 'will inflict useless suffering ... putting at risk the lives of vulnerable people.*

Refugee rescue boats carrying stranded migrants face fines of up to €1m after the Italian parliament passed a controversial law promoted by Matteo Salvini, the far-right interior minister.

Under the law, boat captains bringing rescued refugees to Italy will face arrest if unauthorised; their vessels could be confiscated; and the owners of the operations face steep fines between €150,000 (£138,000) and €1m (£919,000)."

See: **UNHCR concerned at new measures impacting rescue at sea in the Central Mediterranean** (link)

51. **We are taking legal action against the mass processing of passenger data**! (NO PNR, link):

"*We are taking legal action against the mass processing of passenger data!*

The European PNR Directive (Directive 2016/681) requires airlines to automatically transfer their passengers' data to government passenger data centers, called Passenger Information Units. Data records are centrally stored and can be accessed by numerous authorities."

52 **The European Union Is Worried That 300,000 People Could Flee Libya If Things Get Any Worse** (Buzzfeed, link):

"*An internal report from the EU's Operation Sophia, obtained by BuzzFeed News, warns that the number of potential refugees at sea could require "an immediate intervention."*"

That prediction was made in the latest semiannual report from Operation Sophia, the EU's military mission aimed at halting people from being smuggled across the sea into Europe. But, according to the report, which was obtained by BuzzFeed News, the mission is drastically unprepared for such an event."

Comment: The report also shows the low effectiveness of Libyan rescue efforts and that they only answered the phone in 50% of cases.

53 EU: **Leaked document: EU Commission mulls new law to regulate online platforms** (netzpolitik.org, link):

"*The EU Commission is considering the creation of a new authority for the regulation of online services. This is part of a possible legislative proposal by the Commission to regulate platform companies such as Google, Facebook and Amazon. Under the proposed scheme, the e-Commerce Directive is to be replaced by a new law, the Digital Services Act, according to a leaked Commission note. (**Click here for full document.**). (...)*

The seven-page note gives only a rough outline of the Digital Services Act. It mentions the need for harmonised guidelines on how platforms should moderate speech and handle illegal content across the EU, stating that the Commission's recommendations for tackling illegal content should become mandatory."

54. **Nearly 900,000 asylum seekers living in limbo in EU, figures show** (euobserver, link):

"*Backlog of claims persists despite number of arrivals almost halving in two years.*

Eurostat figures have revealed a backlog of 878,600 requests at the end of 2018, with Germany having the largest share of pending requests (44%), ahead of Italy (12%). The figure comes despite the number of migrant arrivals in Europe practically halving in the last two years.

Factors leading to the continuing backlog include new laws from right-leaning governments and an increase in the number of rejections, leading to lengthy appeals processes.(...)

The rejection rate for asylum requests in Europe has almost doubled in three years, from 37% in 2016 to 64% in 2019. In Italy, rejections were at 80% at the start of 2019, up from 60% the previous year as the populist government also removed key forms of protection."

See also: **Asylum applications in the EU+ up by 10 % in the first half of 2019 from the same period in 2018** (EASO, link)

DOCUMENTATION

1. **Revealed: This Is Palantir's Top-Secret User Manual for Cops** (Vice, link):

"*Through a public record request, Motherboard has obtained a user manual that gives unprecedented insight into Palantir Gotham (Palantir's other services, Palantir Foundry, is an enterprise data platform), which is used by law enforcement agencies like the Northern California Regional Intelligence Center. The NCRIC serves around 300 communities in northern California and is what is known as a "fusion center," a Department of Homeland Security intelligence center that aggregates and investigates information from state, local, and federal agencies, as well as some private entities, into large databases that can be searched using software like Palantir.*"

See: **Palantir Gotham User Manual** (pdf, as published with the Vice article)

2. EU: **Europol Strategy 2020+** (pdf)

"*Europol has been evolving and growing ever since its inception, from a small group assisting Member States' investigations mainly on drug trafficking, it is now the EU agency for law enforcement cooperation, contributing directly to the European Agenda on Security by working with and for Member States to combat all forms of serious organised crime, cybercrime and terrorism.*

Europol's Strategy provides the framework for Europol's work and level of ambition."

See: **Europol to become a global criminal information hub** (link):

3. **The Rendition Project: Researching the globalisation of rendition and secret detention** (link):

"*The Rendition Project is a collaborative research initiative run by Prof Ruth Blakeley at the University of Sheffield (and previously, the University of Kent) and Dr Sam Raphael at the University of Westminster. The Rendition Project is at the forefront of efforts to investigate and understand the use of rendition, secret detention and torture by the CIA and its allies in the "war on terror". Through this website users can access:*

- *The most comprehensive account to date of the fate and whereabouts of each of those detained and tortured within the programme*
- *The world's largest public database of rendition flights by CIA aircraft*
- *Detailed analysis of more than 60 renditions of individuals to secret detention and torture*
- *Material on the complex web of companies which helped operate a network of rendition aircraft and secret prisons*

Our major report, CIA Torture Unredacted, published in July 2019, presents the combined findings from a four-year joint investigation by The Rendition Project and The Bureau of Investigative Journalism. It is, without doubt, the most detailed account of the CIA torture programme ever published. The report can be accessed for free on this site, and is supported by other material contained here."

And see: **Statewatch Observatory on "rendition"**

4. European Parliament: **How the General Data Protection Regulation changes the rules for scientific research** (pdf) and **Briefing** (pdf):

"*This study comprehensively investigates the promises and challenges associated with the implementation of the GDPR in the scientific domain, with a special focus on the impact of the new rights and obligations enshrined in the GDPR on the design and conduct of scientific research. Furthermore, the study examines the adequacy of the GDPR's derogations for scientific research in terms of safeguarding scientific freedom and technological progress.*"

5. European Parliament Studies: **Blockchain and the General Data Protection Regulation** (pdf):

"*Blockchain is a much-discussed instrument that, according to some, promises to inaugurate a new era of data storage and code-execution, which could, in turn, stimulate new business models and markets. The precise impact of the technology is, of course, hard to anticipate with certainty, in particular as many remain sceptical of blockchain's potential impact. In recent times, there has been much discussion in policy circles, academia and the private sector regarding the tension between blockchain and the European Union's General Data Protection Regulation (GDPR). Indeed, many of the points of tension between blockchain and the GDPR are due to two overarching factors.*"

And see: **Annex** (pdf)