



News

15 January 2021 (Issue 01/21)

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22 December

[No more Morias? Notes from the field and the EU responses](#) by Mariana Gkliati

The burning of Moria camp seemed like an exceptional tragedy. But this event and the EU response to it reflect a decades-long policy approach. As long as securitization remains the guiding principle of EU migration policy, the calls of Moria will remain unanswered.

News

15 January

[Frontex and pushbacks: Management Board decision setting up the working group to investigate](#)

The 'Management Board Working Group on Fundamental Rights and Legal and Operational Aspects of Operations' will be made up of representatives of Germany; Greece, Hungary, Norway, Romania, Sweden, Switzerland, France, and the European Commission.

15 January

[EU: Frontex, EASO and Europol: Presentations on migration and asylum trends in 2020/21](#)

Statewatch is publishing three slideshows presented at a meeting of the Council of the EU's JHA Counsellors working party on 11 January. Produced by the EU agencies Frontex, the

European Asylum Support Office (EASO) and Europol, they give the agencies' impression of migration, asylum and migrant smuggling trends in 2020, and what may come in the year ahead.

14 January

[EU: Renewed deportation agreement with Afghanistan close to approval](#)

The EU is close to adopting a renewed agreement with Afghanistan to facilitate further deportations to the war-torn country. A note from the Commission to the Council, dated 13 January, says "all requests made by Member States" are included in the new Joint Declaration on Migration Cooperation.

14 January

[EU: Council seeks response to Parliament's "e-evidence" proposals](#)

New EU legislation on "e-evidence" would make it simpler for law enforcement authorities to obtain information from digital service providers operating in a different country, for use in criminal investigations. The proposals have been under discussion for some time within the Council and the Parliament, and the two institutions are due to start negotiations soon. The Parliament is calling for significant changes to the structure and content of the legislation, and now the Portuguese Presidency is developing a response to the Parliament's proposals.

14 January

[Court of Justice: Impermissible to put forced removal of minors 'on hold' to sidestep safeguards](#)

The Court of Justice of the EU (CJEU) has ruled that EU member states wishing to deport minors must verify that adequate reception facilities exist in the destination state, and that they cannot sidestep this requirement by issuing a removal order against a minor but only seeking to enforce the decision when they become an adult, when those safeguards no longer apply. The ruling comes after a court in the Netherlands, faced with an appeal by an individual handed a removal order as a minor but facing enforcement of the order as an adult, asked the CJEU to provide an interpretation of the relevant provisions of the EU Return Directive.

14 January

[Germany: Data-mining of joint police-intelligence system ruled unlawful](#)

In December, Germany's Federal Constitutional Court published a November ruling which found that legislation allowing police forces and intelligence agencies to engage in the "mining" of a joint database is unconstitutional. The Court ruled that the legislation in force did not meet a number of requirements that would make such actions permissible, namely: the existence of "a sufficiently identifiable danger" in the case of "averting dangers to public security"; for undertaking intelligence analysis, "investigating a specific action or group that warrants surveillance by intelligence services in the individual case"; and for law enforcement purposes, "a suspicion based on specific facts must exist in respect of which specific circumstances have taken shape that support the suspicion."

13 January

[France: Green light for police surveillance of political opinions, trade union membership and religious beliefs](#)

Three decrees published by the French government at the beginning of December will allow the state to gather data on the political opinions, trade union activities and religious beliefs of people who could "harm the integrity of the territory or institutions of the Republic", a vague

term that expands the scope of police files far beyond what was previously permitted.

13 January

[Artificial intelligence: EU must introduce limits to protect rights](#)

An open letter to the European Commission officials responsible for the EU's forthcoming proposal for a regulation on artificial intelligence calls for clear "red lines", limitations and safeguards to prevent the deployment of "artificial intelligence" (AI) systems that breach fundamental rights and undermine democratic standards.

13 January

[France: Court bans drone surveillance of demonstrations](#)

The Council of State ruled on 22 December that the Paris Police Prefecture must cease its drone surveillance of demonstrations. This follows a ban put in place last May, but goes even further than that ruling. The country's highest administrative court has left little room for the government to authorise aerial surveillance of protests in its proposed 'Global Security' law.

6 January

[EU: e-Privacy Regulation: Council Presidency aims for consensus with amended text](#)

Four years after the European Commission published its proposal for the e-Privacy Regulation, member states are still unable to agree on a position for negotiations with the European Parliament. The latest attempt to reach a consensus comes from the Portuguese Presidency of the Council (in post from January-June this year), which has circulated a document to member states in which it is "proposing to simplify the text and to further align it with the GDPR."

Other reports

14 January

[Refugees in Greece: call for action to prevent homelessness and destitution for thousands during winter](#)

In a statement published on 22 December, over 70 civil society organisations have called on the Greek government to ensure that refugees in Greece are protected during the winter months. They are demanding a halt to evictions, "a lasting strategy for social security and integration," and ongoing dialogue and discussion with civil society to ensure meaningful integration and inclusion.

14 January

[Greece: Legal actors express serious concerns regarding the lack of state free legal aid for asylum applicants in Lesvos](#)

A group of legal organisations active on Lesvos are demanding that the Greek state meet its legal obligation to provide free legal aid in asylum cases. As of 11 January, the Regional Asylum Office of Lesvos is to start issuing first instance rejections and accepting appeals from asylum applicants, for the first time in four months - but without giving individuals access to legal aid, making it impossible for them to file an appeal.

13 January

[Tracking the Pact: UNHCR calls on EU to uphold refugee rights in new migration legislation](#)

The UNHCR has released a new set of recommendations for the current Portuguese Council Presidency and the subsequent Slovenian Council Presidency. The UN refugee agency "welcomes the direction of the proposed EU Pact, its comprehensive approach, and emphasis on solidarity and addressing root causes of forced displacement," and "encourages the Presidencies to explore avenues for progress on key issues such as solidarity and border procedures," amongst other things.

12 January

[UK: "Political" prosecution of over 1,000 Extinction Rebellion activists](#)

More than 3,400 people were organised on protests organised by Extinction Rebellion last year, and about 1,700 of those have been charged. Of those, 900 have plead guilty and a further 800 have been tried or are awaiting trial. The decision to charge so many people for minor offences looks "political", according to one researcher following the cases.

12 January

[Death on the Central Mediterranean: 2013-2020](#)

A new timeline provides a useful chronology of the migration situation in the Mediterranean, where over 13,000 people have died since 2013. The timeline looks at state powers and practice and the responses from civil society, such as the launch of search and rescue missions - which are increasingly being criminalised.

12 January

[Humanitarian crisis in Bosnia and Herzegovina: "an inevitable consequence" of EU border externalization, say major NGOs](#)

Refugee Rights Europe, Amnesty International, the Jesuit Refugee Service and Médecins du Monde have said that the ongoing humanitarian crisis in Bosnia and Herzegovina - where thousands of refugees and migrants are stranded in appalling conditions - is "an inevitable consequence of the EU's externalization policy".

7 January

[EU: The 'Black Book of Pushbacks': testimonies of pushbacks affecting over 12,000 people](#)

The 'Black Book of Pushbacks' has been produced by the Border Violence Monitoring Network to document "the horrific violence suffered by over 12,000 people at the hands of authorities on the EU's external borders". The publication, which documents so many incidents that it comes in two volumes, was launched on International Migrants Day.

7 January

[European Parliament study: Data subjects, digital surveillance, AI and the future of work](#)

A new report published by the European Parliament Think Tank looks at how new technologies - in particular digital surveillance tools and "artificial intelligence" are changing the nature of work, the power of bosses and the rights of employees.

7 January

[UK: COVID-19: Vaccinate prisoners first, say University of Oxford researchers](#)

Academic researchers have said that people in prison should be amongst the first to receive COVID-19 vaccinations, given the risks that carceral facilities pose for managing outbreaks of the disease, and the fact that there is a high prevalence of prisoners with underlying health

conditions placing them at greater risk than many other social groups.

6 January

[UK: London: Met announces stricter Covid enforcement approach](#)

Press release published by the Metropolitan Police on 6 January 2021. London's police force is to enforce the new lockdown measures more strictly than previously, placing new emphasis on fining people and questioning people in the streets as to their activities.

5 January

[Drones for border control: a symptom of the security mindset, says new report](#)

The increasing use of drones for border control purposes "is a symptom of viewing borders predominantly in terms of 'security' and perceiving people crossing borders as a security threat," says a new report from Drone Wars UK. In this security paradigm, "border control operations are heavily influenced by the military and driven by 'national security' considerations rather than human needs," warn the authors.

4 January

[UK-USA: Assange extradition bid rejected due to suicide risk](#)

A British judge has ruled that Wikileaks founder Julian Assange should not be extradited to the United States on the grounds that his mental health condition would make him a suicide risk, given the detention conditions he would be likely to face in a "supermax" prison in the USA.

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