



News

21 May (Issue 10/21)

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EU's e-evidence proposals need rights protections

Forthcoming legislation on "e-evidence" would ease the cross-border gathering and transfer of data for use in criminal proceedings. An open letter published this week calls on member states and MEPs, who have now begun 'trilogue' negotiations, to protect confidential communications, ensure adequate judicial oversight of cooperation between private companies and public authorities.

Find out more [here](#).

Spain: A human rights approach must be taken in Ceuta

Thousands of people arrived in the Spanish enclave of Ceuta earlier this week, following a diplomatic row between the Spanish and Moroccan governments. Spain immediately rushed more troops and border guards to the city and has conducted thousands of summary removals. In this statement, the Spanish members of the *Migreurop* network call on the Spanish government to adopt an approach to the situation based on human rights.

Read the statement [here](#).

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21 May 2021

[The revised Blue Card Directive: the EU's search for more highly skilled non-EU migrants](#)

The EU institutions have approved a revised 'Blue Card Directive', which sets out rules on the migration of highly-skilled non-EU migrants. Steve Peers, Professor of Law at the University of Essex, explains the new rules and their possible effects.

News

21 May 2021

[EU: More powers for Europol: latest version of the Council's text](#)

Discussions are underway to grant more powers to EU policing agency Europol, which would vastly expand the amount of data the agency could process, and the ways in which that data could be processed. Statewatch is publishing the latest version of the Council's preferred version of the text, drawn up following secret discussions between member state delegations in the Law Enforcement Working Party.

21 May 2021

[Council of the EU: LIMITE documents on human rights, internal security, visas and asylum, EU-Interpol agreement, travel surveillance and "bio-secure borders"](#)

A host of important LIMITE documents from the Council of the EU: Accession to the European Convention on Human Rights; draft conclusions on the impact of COVID-19 on internal security; proposals on the governance of Europol's 'Innovation Hub' for internal security technologies; a discussion paper on visas and asylum applications; draft Council Decision authorising negotiations on an agreement between the EU and Interpol; draft conclusions on the surveillance of travel via Passenger Name Record (PNR) data; and the extension of PNR to maritime transport.

21 May 2021

[Greek government rebuffs Council of Europe's call to halt pushbacks and investigate abuse](#)

The Council of Europe Commissioner for Human Rights wrote to the Greek authorities earlier this month demanding that they "put an end to pushback operations at both the land and sea borders with Turkey, and to ensure that independent and effective investigations are carried out into all allegations of pushbacks and of ill-treatment by members of security forces in the context of such operations."

21 May 2021

[EU: Tracking the Pact: Latest Council recitals for the proposed Screening Regulation](#)

Statewatch is publishing the latest version of the recitals of the proposed Screening Regulation, which will introduce mandatory detention at the EU's borders. The document was produced by the Portuguese Presidency for a discussion of the Council's JHA Counsellors (Frontiers) working group on 19 May.

21 May 2021

[UK: Bad news in the Queen's Speech](#)

The Queen's Speech, which sets out the government's programme for the coming year, was read to the House of Commons earlier this month. It contains a raft of measures that pose a threat to civil liberties.

20 May 2021

[EU: Council sets the scene to weaken proposed safeguards on artificial intelligence and internal security](#)

National delegations in the Council of the EU are starting to discuss how proposed new legislation governing artificial intelligence should be interpreted from "an internal security perspective," with the Portuguese Presidency highlighting that "limitations and safeguards should be in balance with the possibilities of law enforcement to use and develop AI systems in the future, in line with the rest of the society."

20 May 2021

[Commission, French government hope Morocco will return to being Europe's border guard](#)

Both the European Commission and the French government have expressed hopes that the Moroccan government will once again take up its role as Europe's border guard and prevent departures to the Spanish enclave of Ceuta, where thousands of people have arrived in the last few days.

19 May 2021

[EU: E-Evidence: Media and journalists, civil society groups, professional organisations and technology companies demand fundamental rights protections](#)

Forthcoming legislation on "e-evidence" would ease the cross-border gathering and transfer of data for use in criminal proceedings. Member states and MEPs must include fundamental rights protections in the rules, says a letter published today and signed by media and journalists' organisations, civil society groups, professional organisations and technology companies.

18 May 2021

[EU: Exploit the pandemic to digitize the deportation process, says Council Presidency](#)

The EU should "seize" the opportunity provided by the pandemic to implement "a true technological transition" and digitize deportation proceedings, says a report by the Portuguese Council Presidency looking at how member states have dealt expulsions since last spring.

18 May 2021

[Council of Europe: "Democratic renewal" is needed to save human rights and the rule of law](#)

A "democratic renewal" is needed to "reinforce and renew European democracy and to create an environment in which human rights and the rule of law flourish," says the latest annual report of the Council of Europe.

17 May 2021

[**EU: Undermining encryption: Council Presidency sets out "next steps"**](#)

The Portuguese Presidency of the Council of the EU is calling on member states to "support and contribute to the Commission's efforts in the process of identifying options for the way forward on encryption," as EU institutions aim for the contradictory objectives of promoting the use of encryption whilst undermining its effectiveness.

11 May 2021

[**EU: Tracking the Pact: Council papers on common asylum procedure and "voluntary return and reintegration"**](#)

Two recent Council documents: a consolidated version of the text of the proposed Asylum Procedure Regulation, currently being discussed by the Council's Asylum Working Party; and a discussion paper on the strategy on voluntary return and reintegration, recently published by the European Commission.

11 May 2021

[**EU-USA: "Sensitive" European Commission information note on cross-border access to electronic evidence**](#)

A recent note produced by the European Commission, marked "sensitive" and not intended for distribution outside of the Council of the EU or European Parliament, sheds a sliver of light on the "state of play of negotiations of an EU-US Agreement on cross-border access to electronic evidence".

Other reports

21 May 2021

[**EU: Tracking the Pact: Lawyers denounce "deadly" screening proposals**](#)

The French Bar Association has denounced EU proposals for accelerated asylum screening procedures at the borders as "deadly", and the Council of Bars and Law Societies of Europe has also expressed serious concerns over the plans.

20 May 2021

[**Spain: A human rights based approach must be taken in Ceuta, say Spanish members of Migreurop**](#)

Andalucía Acoge, APDHA, CEAR, Elín, Iridia, Red Acoge and the SOS Racismo Federation demand a human-rights based outlook in Ceuta

20 May 2021

[**EU: Accountability measures for Frontex: critical experts weigh in**](#)

Two new papers, from the Meijers Committee and the European Council on Refugees and Exiles (ECRE), set out ways to improve the accountability and transparency of EU border agency Frontex.

11 May 2021

[DNA sequencing, DIY style: "vigilance could be required on both legal and ethical issues"](#)

A briefing paper from the European Parliament's Scientific Foresight unit asks a question that raises all manner of legal, ethical and philosophical questions: "As DNA sequencing technologies continuously improve and become less costly, what if we all soon possessed our personal, smart DNA sequencers and apps to analyse our DNA?"

11 May 2021

[USA: Mass biometric data-gathering border rule withdrawn, but database construction continues](#)

A statement from Mijente and Just Futures Law on the repeal of a rule introduced by the Trump administration allowing the mass collection of biometric data from immigrants entering the USA. However, this change "only stops the rollout of flawed legal justification for mass collection of our biometric information, not its practice nor plans to expand it."

10 May 2021

[UNHCR deeply concerned at discriminatory two-tier UK asylum plans, urges rethink](#)

The UNHCR says that the UK government's 'New Plan for Immigration', which seeks to diminish refugee protections, risks "breaching international legal commitments, undermining global refugee cooperation and triggering damaging effects on asylum-seekers who arrive irregularly".

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