



News

1 October (Issue 15/21)

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Welcome back to the first edition of Statewatch News since the summer break! We are bringing you a bumper issue and will be back publishing every fortnight as of today.

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Become a Friend of Statewatch with a regular donation to help us to keep you informed, and to stand up for civil liberties and individual rights in Europe.

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Tracking the EU's Pact on Migration and Asylum

It is now just over a year since the EU published a raft of new legal proposals aiming to revamp its immigration and asylum system, with significant threats for the rights of migrants and refugees.

Since then we have published and analysed numerous key documents on the legal and policy proposals. Over the last two months those have included:

- [Proposals to increase the possible detention period](#) for people being transferred from one member state to another to have their asylum claim processed
- [A European Commission proposal to halt the deportation of Afghans to Afghanistan](#), but to continue deporting Afghans to other "third countries"
- [A Commission plan "to step up border management support at Libya's Southern border"](#) as part of its proposals for increased cooperation with Niger
- [Plans to accelerate negotiations on the proposal to massively expand the Eurodac database](#), despite calls from human rights organisations for a fundamental rethink

You can find all our coverage of the Pact in [the Statewatch Database](#). If you appreciate our publication of documents, please consider helping us to do more by [becoming a Friend of Statewatch](#).

UK biometric travel surveillance scheme proposed

The UK government has proposed introducing a biometric “travel authorisation” system that would require all non-visa-obliged travellers to submit a wealth of personal data to the authorities to seek permission to travel to the country. This mirrors other schemes put in place by wealthy countries across the globe.

You can find our submission to the parliament’s Joint Committee on Human Rights [here](#).

R.I.P. Heiner Busch

On 21 September, Heiner Busch, one of the founding members of Statewatch, passed away at the age of 64. [Here](#) we publish a translation of a tribute from a number of German organisations with which Heiner worked, and a tribute from Statewatch Director Emeritus, Tony Bunyan.

Help us improve our work

If you’ve not already done so, can you spare a few minutes to fill out our survey?

The more responses we get, the more we know about what our audience thinks of our work, how we can meet their needs, and what we can do better. It closes this Sunday, 3 October – you can find it [here](#).

News and analysis

UK: Biometric 'permission to travel' scheme in Borders Bill will affect tens of millions of people

UK: Court finds "disturbing and lamentable failings" in "unlawful and sexist" spycops operation

EU border externalization policies further deepens the migrants' crisis in Tunisia

Belgium: 50 organisations and cybersecurity experts call on the government to halt attack on encryption

European Commission: Artificial Intelligence Act aims "to decrease administrative burden on home affairs authorities in order not to hamper innovation"

'I didn't really learn much except to nag the police. However, I have done that thoroughly' - R.I.P. Heiner Busch

Council of the EU: Discussion paper on "gaps and opportunities" in EU return policy

Policing: EU and UK to extend post-Brexit biometric data exchange agreement

EU: Tracking the Pact: Commission "to step up border management support at Libya's Southern border"

UK: Ninth anniversary of the publication of the Report of the Hillsborough Independent Panel

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France: Revolts in detention centres: the government throws oil on the fire

Analysis

20 September 2021

[UK: Biometric 'permission to travel' scheme in Borders Bill will affect tens of millions of people](#)

The attack on the asylum system proposed by the UK government in the Nationality and Borders Bill has provoked outrage. However, the Bill also includes proposals to introduce an electronic 'permission to travel' scheme that would involve gathering biometric and other data from tens of millions of people. The UK Parliament's Joint Committee on Human Rights (JCHR) is conducting legislative scrutiny on the Bill; Statewatch submitted written observations to the inquiry last week.

News

01 October 2021

[UK: Court finds "disturbing and lamentable failings" in "unlawful and sexist" spycops operation](#)

Kate Wilson, who was spied on by six undercover police officers between 2003 and 2009 - and deceived into an intimate relationship with one of them, Mark Kennedy - has won her legal battle against the Metropolitan Police, with a court finding the force responsible for "a formidable list" of human rights violations during an "unlawful and sexist" operation.

01 October 2021

[EU border externalization policies further deepens the migrants' crisis in Tunisia](#)

Statement circulated by the Forum Tunisien pour les Droits Economiques et Sociaux on 1 October 2021.

29 September 2021

[Belgium: 50 organisations and cybersecurity experts call on the government to halt attack on encryption](#)

An open letter signed by 50 organisations and individuals, including Statewatch, calls on the Belgian government to halt its plan to introduce legislation that would introduce backdoors into encrypted communications, undermining the privacy, confidentiality and security of all users.

28 September 2021

[European Commission: Artificial Intelligence Act aims "to decrease administrative burden on home affairs authorities in order not to hamper innovation"](#)

Two presentations produced by the European Commission explain different aspects of the proposed Artificial Intelligence Act - namely, how the new measures would affect the use of biometric technologies, and what the rules would mean for the use of "artificial intelligence" for law enforcement, migration and asylum. Amongst other things, one presentation notes that the Artificial Intelligence Act aims "to decrease administrative burden on home affairs authorities in order not to hamper innovation"

28 September 2021

['I didn't really learn much except to nag the police. However, I have done that thoroughly' - R.I.P. Heiner Busch](#)

On 21 September, Heiner Busch, one of the founding members of Statewatch, passed away at the age of 64. Here we publish a translation of a tribute from a number of German organisations with which Heiner worked, and a tribute from Statewatch Director Emeritus, Tony Bunyan.

27 September 2021

[Council of the EU: Discussion paper on "gaps and opportunities" in EU return policy](#)

The EU is looking for ways to step up the number of deportations, and the Slovenian Presidency is seeking other member states' views on "missings links" and "synergy" in the coordination between different actors, whether there should be further emphasis on return and readmission in the EU's relations with third countries, and how negotiations on readmission agreements could be improved.

27 September 2021

[Policing: EU and UK to extend post-Brexit biometric data exchange agreement](#)

The EU and UK are to extend the application of rules that allow the cross-border searching and exchange of DNA and fingerprint data by law enforcement authorities, pending an evaluation of the UK's data protection rules, which must take place by the end of June next year.

23 September 2021

[EU: Tracking the Pact: Commission "to step up border management support at Libya's Southern border"](#)

The European Commission intends "to step up border management support at Libya's Southern border," according to a draft action plan on cooperation on migration with Niger. New working arrangements will be signed between Frontex and EU missions EUCAP Sahel Niger and EUBAM Libya, that "could help the Governments of Niger and Libya shore up border management at their mutual land border," says the document.

23 September 2021

[UK: Ninth anniversary of the publication of the Report of the Hillsborough Independent Panel](#)

12 September was the ninth anniversary of the publication of the Report of the Hillsborough Independent Panel, which set out the truth about what happened at Hillsborough football stadium in 1989: failures by the police and the football club to ensure safety measures, combined with a lack of coordination amongst emergency services, caused the deaths of 97 people following a crush in one of the stands. Here, we reproduce an extract from Phil Scraton's book, 'Hillsborough: The Truth', along with the presentation he gave at the launch of the Independent Panel's report in 2012.

20 September 2021

[EU: E-evidence: Council note on state of play and possible ways forward](#)

A Council Presidency note on the proposed e-evidence Regulation, which would ease the cross-border acquisition of digital data by law enforcement authorities, sets out a proposed way forward in negotiations with the European Parliament - including an admission that the Council is seeking to ensure that 'Article 7' proceedings on the rule of law in EU member states "will not affect the way the data is obtained from service providers."

20 September 2021

[UK: Biometric 'permission to travel' scheme in Borders Bill will affect tens of millions of people](#)

The attack on the asylum system proposed by the UK government in the Nationality and Borders Bill has provoked outrage. However, the Bill also includes proposals to introduce an electronic 'permission to travel' scheme that would involve gathering biometric and other data from tens of millions of people. The UK Parliament's Joint Committee on Human Rights (JCHR) is conducting legislative scrutiny on the Bill; Statewatch submitted written observations to the inquiry last week.

17 September 2021

[EU: Eurodac: Council seeks swift agreement on expanded migrant biometric database](#)

The Slovenian Presidency of the Council is planning to accelerate negotiations on a vast expansion of the Eurodac database, which will hold sensitive data on millions of asylum seekers and migrants in an irregular situation, by 'delinking' the proposed rules from other EU asylum and migration laws under discussion.

14 September 2021

[G7: Still coming after encryption, plans to reinforce Interpol and global travel surveillance](#)

The recent meeting of G7 interior and security ministers in London resulted in a detailed set of commitments, including reassertion of the need to undermine encrypted communications, reinforce Interpol, and to enforce new international standards on Passenger Name Record (PNR) travel surveillance and passenger profiling systems.

14 September 2021

[European Commission: suspend deportations to Afghanistan, but deport Afghans to other "third countries"](#)

A draft European Commission action plan on the response to people fleeing the Taliban's takeover of Afghanistan says that an EU agreement facilitating deportations to the country is suspended - but encourages EU member states to continue deporting Afghan nationals to other third countries, where permitted by readmission agreements.

13 September 2021

[UK: Mass call from campaigners to protect rights ahead of debate on Police Bill](#)

The House of Lords must make significant changes to the Police, Crime, Sentencing and Courts Bill if rights are to be upheld, says an open letter to the Home Secretary and Secretary of State for Justice signed by over 350 civil society organisations, including Statewatch. If passed into law, the Bill would massively restrict protest rights, facilitate racist and discriminatory policing, and unnecessarily push more people into the criminal justice system.

13 September 2021

[EU: More "war on terror" in the Afghanistan Counter-Terrorism Action Plan](#)

"The Counter-Terrorism Action Plan has been elaborated in coordination with the Commission services, the EEAS, the Presidency and relevant EU JHA agencies. It sets out 22 recommendations for action, divided into four areas: I. security checks – prevent infiltration; II. strategic intelligence/foresight: avoid that Afghanistan becomes a safe haven for terrorist organisations; III. monitor and counter propaganda and mobilisation of the Jihadi eco-system; IV. tackling organised crime as a source of terrorist financing."

08 September 2021

[EU: Digital Services Act: Presidency compromise text on Chapters I and II](#)

Circulated by the Presidency of the Council on 2 September.

08 September 2021

[EU: Tracking the Pact: Member state comments on the proposed Asylum and Migration Management Regulation](#)

The document includes detailed comments from Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Italy, Luxembourg, the Netherlands, Poland, Romania, Slovakia and Sweden.

08 September 2021

[EU: Expanding the Eurodac database: MEPs must put rights first](#)

31 organisations, including Statewatch, have signed an open letter to MEPs working on new rules for the Eurodac database calling for a halt to negotiations so that the impact on human rights can be meaningfully taken into account.

07 September 2021

[EU: Draft Council Conclusions on European Court of Auditors report on Frontex](#)

The Council is preparing a short set of conclusions on a recent European Court of Auditors report looking at Frontex's support to external border management, which concluded that it was "not sufficiently effective".

07 September 2021

[Germany: "Like a prison": Kiel University study examines everyday life in refugee shelters during the Corona pandemic](#)

Press release issued by Pro Asyl on 2 September 2021, concerning a study by Kiel University into conditions in refugee shelters during the pandemic.

07 September 2021

[France: Judgment in the appeal of the 'Briançon Seven': see you on 9 September in Grenoble](#)

Press release issued by Amnesty International, Medecins du Monde, Anafé, La Cimade, Tous Migrants and the Briançon 3+4 Support Committee on 7 September concerning the case of the Briançon Seven, who are appealing against prison sentences handed down against them for migrant smuggling, after they took part in a demonstration in solidarity with migrants and against the far-right group Génération Identitaire (Generation Identity).

06 September 2021

[EU member states: mixed views on proposed restrictive visa measures to encourage deportation cooperation](#)

Earlier this year the European Commission proposed the possibility of taking measures to restrict the issuance of visas to nationals of three countries - Iraq, The Gambia and Bangladesh - in order to encourage compliance with deportations from the EU. Member states have mixed views on the proposals, a Council document shows.

06 September 2021

[Council of Europe: Greece's Parliament should align the deportations and return bill with human rights standards](#)

A strong statement from the Council of Europe's Commissioner for Human Rights condemns legislation currently before the Greek parliament that would "seriously hinder the life-saving work carried out at sea by NGOs, and their human rights monitoring capacities in the Aegean".

06 September 2021

[Council of the EU to intervene in Irish case questioning post-Brexit extradition arrangements](#)

The Council of the EU will submit written comments to the Court of Justice of the EU (CJEU) in a case referred from the Supreme Court of Ireland, which has asked the CJEU to clarify whether the extradition arrangements set out in the EU-UK Trade and Cooperation Agreement are valid, given that Ireland did not exercise an 'opt-in' to the Agreement.

06 September 2021

[EU: New rules on Europol and the Schengen Information System: latest Council text](#)

The rules would create a new type of "information alert in the interest of the Union," to be entered in the Schengen Information System following a proposal from Europol, with the aim of discreetly gathering information on third-country nationals.

02 September 2021

[EU: Tracking the Pact: Member states seek to increase detention periods in the Asylum and Migration Management Regulation](#)

In July, the Slovenian Presidency of the Council circulated a number of compromise amendments to the Asylum and Migration Management Regulation following "detailed examination of proposals and concerns expressed by Member States," including a proposal to increase the time limit for detaining people subject to transfer proceedings from four to five weeks.

01 September 2021

[Hungary: Attacks on LGBTQIA+ rights raised with UN special rapporteurs](#)

A letter to a number of UN special rapporteurs signed by 23 civil society organisations, including Statewatch, raises serious concerns over the Hungarian government's attacks on the rights of LGBTQIA+ people. The letter calls on the UN special rapporteurs to put pressure on the Hungarian government to change track, and to call on the EU to launch further infringement proceedings against the country.

01 September 2021

[The war in Afghanistan is over, the "war on terror" continues](#)

US president Joe Biden made a speech yesterday to mark the end of the war in Afghanistan, two decades after the invasion by the US and its allies in the aftermath of the 11 September attacks. Biden was clear that while he is not keen on any further major military interventions, other methods (drones, missile strikes and special forces operations - will be used to hunt down "those who wish America harm" and make them "pay the ultimate price".

31 August 2021

[Council of the EU: Draft statement on the situation in Afghanistan](#)

Statement due to be adopted by the Justice and Home Affairs Council today.

25 August 2021

[UK: Live facial recognition technology should not be used in public spaces](#)

Over 30 human rights organisations, including Statewatch, are calling on the UK parliament and other relevant agencies and bodies to take action to ban the public deployment of live facial recognition technology. An open letter condemns the adoption of guidance for the police that sidesteps many requirements set out by court jurisprudence, and calls for urgent democratic debate on a technology that introduces "a huge shift in the relationship between the individual and the State."

25 August 2021

[EU: €5 million for new wiretapping technologies](#)

The European Commission has made €5 million available for research projects that aim to help law enforcement authorities maintain the ability to intercept telecommunications – something which is threatened by the adoption of new technologies such as 5G networks and "edge computing".

24 August 2021

[Belarussian government's "hybrid attack" on European borders: statement from Lithuanian, Latvian, Polish and Estonian prime ministers](#)

A declaration signed by four EU member state prime ministers reasserts the argument that the arrival of people at their borders from Belarus is a "hybrid attack... planned and systemically organized by the regime of Alexander Lukashenka," and calls for a coordinated EU and UN response.

23 August 2021

[EU: Tracking the Pact: Migration plans for Afghanistan before the fall of the government](#)

Two internal EU documents on Afghanistan - a European Commission "draft action plan" for a "comprehensive migration partnership" from July, and a Council discussion paper from May - make clear the level of EU and member state engagement with Afghanistan on migration prior to the fall of the government to the Taliban.

05 August 2021

[EU Military Committee advice on Libya: extend aerial surveillance, increase "attractiveness" of EU support to coast guard](#)

Two documents concerning possible options for ongoing EU engagement with authorities in Libya.

05 August 2021

[EU: New report on reception, detention and restriction of movement at EU external borders](#)

Asylum proposals currently under discussion are likely introduce mandatory detention for many people arriving at the external borders of the EU and deemed to have no right to enter. A new report from the European Council on Refugees and Exiles critiques existing practice and the new proposals through the lens of international law and human rights standards.

05 August 2021

[Frontex: Beleaguered border agency seeks to expand standing corps](#)

EU border agency Frontex announced on Tuesday that it will be renewing recruitment to swell its all-new standing corps of border guards, the "EU's first uniformed service".

03 August 2021

[African Union condemns Danish asylum externalisation law "in the strongest terms possible"](#)

The African Union (AU) has roundly condemned new Danish legislation that allows asylum claims filed with the country to be processed elsewhere - a move the AU says is an abdication of responsibility that will pave the way for other rich countries to try to make poor states host even more of the world's refugees.

03 August 2021

[France: Revolts in detention centres: the government throws oil on the fire](#)

The Observatory on Detention of Foreigners (Observatoire de l'enfermement des étrangers, OEE) has condemned the French government's ongoing use of administrative detention for non-citizens, in the wake of revolts that broke out in the Mesnil Amelot detention centre last week. Forced PCR tests - which are contrary to the law - have made a tense situation even worse, says the group.

Support the fight for civil liberties in Europe

