



News

28 January (Issue 01/22)

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Welcome to our first issue of the year, with features on:

- **The great Europol data scandal**
- **Scrutinising Frontex**
- **UK still in the EU's security structures**

Plus, all our other news, links and documentation – and don't forget to check out our extensive roundup of news from across Europe from the last month.

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The great Europol data scandal

Earlier this month, EU policing agency Europol was ordered to delete vast troves – petabytes, in fact – of data it had received from national police forces, after an investigation by the European Data Supervisor. However, the deletion order gives the agency some wiggle room, allowing it between six months and a year to assess the data it already has – despite the fact that it is not legally allowed to possess it.

The response from EU governments has been to step up efforts to legalise existing practices, through a reform of the law governing Europol. The [French government has proposed a workaround](#), while in December [the Slovenian government announced there had been "significant process"](#) on drafting new 'big data' powers for the agency.

A number of critics have described the episode as Europe's equivalent of the Snowden revelations. It seems that European governments, many of whom protested about being spied on at the time, are not so concerned about mass surveillance when it is in their interests. There is still time for the European Parliament to put its foot down, although secret negotiations with the Council are already underway.

Scrutinising Frontex

This week we published two new analyses scrutinising the activities of Frontex, the EU's swiftly-expanding border agency.

The [first looks at a legal case alleging that Frontex was involved in an illegal deportation and the annual report of the agency's Consultative Forum on Fundamental Rights](#). It explains how both the case and the report show, once again, that fundamental rights are not at the top of the agency's agenda.

The second takes a look back at [spending between 2014 and 2020 by Frontex and another EU agency, eu-Lisa](#), which manages the bloc's policing and migration databases. As the construction of Fortress Europe increasingly comes to rely on digital and other more-or-less 'invisible' technologies and techniques, 'following the money' and tracking private contracts and their effects will remain key to strategies of resistance.

Our news service also includes [an article highlighting some of the growing resistance to the agency and its work](#): an Italian academic taking a stand against collaboration by Turin University, and a forthcoming Swiss referendum opposing an increase in financial support for the agency.

UK still in the EU's security structures

Last week we published [a new report analysing and explaining post-Brexit policing and security cooperation](#) between the UK and the EU. The UK is able join intrusive EU surveillance schemes, including a proposed pan-European network of police facial recognition databases with no need for parliamentary debate or scrutiny. Expect to hear more from us on this issue in the following months.

News and analysis

Brexit: Goodbye and hello – the new EU-UK security architecture, civil liberties and democratic control

Funds for Fortress Europe: spending by Frontex and eu-Lisa

Frontex: the ongoing failure to implement human rights safeguards

EU: Tracking the Pact: Eurodac, Asylum and Migration Management, external cooperation

EU: Artificial Intelligence Act: Council Presidency compromise on high-risk systems

ECHR: Strasbourg Court provides a strong standard on data retention and secret surveillance

EU: Mass travel surveillance: no problem, says court

Biometrics and counter-terrorism: UN briefing shows global spread of technology

EU: Artificial Intelligence Act: justice sector and high-risk systems; internal security; migration and borders; comments and presentations

German court to rule on UK spycop's operations

EU: Tracking the Pact: Border checks, funding, deportations and reception at the centre of the "gradual approach"

Europol: Council Presidency proposes workaround for illegal data processing

EU seeks global counter-terrorism partnership with Egypt

UK can join EU surveillance schemes with no parliamentary scrutiny, warns new report

EU: Police to support anti-encryption policy development

EU: Tracking the Pact: French Presidency proposes "a gradual approach" on migration and asylum

EU: Europol: "Significant progress" on legalising illegal data practices

EU: Cybersecurity and law enforcement authorities

Bulgaria: Secret surveillance data "could be used for nefarious purposes" due to lack of safeguards, rules ECHR

EU: Frontex asks court to reject human rights case, seeks legal costs from asylum seekers

Analysis

20 January

[Brexit: Goodbye and hello – the new EU-UK security architecture, civil liberties and democratic control](#)

The UK government's domestic programme seeks to crack down on dissent and to abolish or severely limit ways for the public to hold the state to account. This report shows that those ambitions also play a role in the post-Brexit agreement with the EU. The treaty makes it possible for the UK to opt in to intrusive EU surveillance schemes with no explicit need for parliamentary scrutiny or debate, and establishes a number of new joint institutions without sufficient transparency and accountability measures.

28 January

[Funds for Fortress Europe: spending by Frontex and eu-Lisa](#)

In the wake of the so-called “refugee crisis” of 2015, EU governments took the opportunity to reinforce the powers and mandates of EU agencies concerned with immigration and border control. Expanded legal remits were accompanied by vast increases in expenditure. But where has that money gone and what has it been used for?

25 January

[Frontex: the ongoing failure to implement human rights safeguards](#)

A legal case alleging that Frontex was involved in an illegal deportation and the annual report of its Consultative Forum on Fundamental Rights, made up of NGOs and international organisations, show once again that fundamental rights are not at the top of the agency's agenda.

News

28 January

[Resisting co-optation by Frontex: Italian academia and a Swiss referendum](#)

There is growing awareness of and resistance to the role of EU border agency Frontex in human rights abuses, with a recent campaign at a university in Turin and a referendum in Switzerland seeking to halt different forms of cooperation with the agency.

28 January

[EU: Tracking the Pact: Eurodac, Asylum and Migration Management, external cooperation](#)

Documents recently circulated with the Council of the EU on the proposals to expand Eurodac, for an Asylum and Migration Management Regulation, and the latest European Commission update on “the main external migration dialogues and processes since 2019.”

28 January

[EU: Artificial Intelligence Act: Council Presidency compromise on high-risk systems](#)

Negotiations on the EU's proposed Artificial Intelligence Act are pressing ahead. On 13 January, the French Presidency of the Council circulated its proposed compromise on the sections of the proposal dealing with high-risk AI systems. We are making it publicly available here.

28 January

[ECHR: Strasbourg Court provides a strong standard on data retention and secret surveillance](#)

In a judgment of 11th of January 2022, the European Court of Human Rights ruled that Bulgaria's legislation on secret surveillance is in breach of the European Convention on Human Rights. The Strasbourg-based court was asked to evaluate Bulgaria's surveillance law, as well as several articles in the country's criminal code.

28 January

[EU: Mass travel surveillance: no problem, says court](#)

The mass travel surveillance and profiling of air passengers carried out under the EU's Passenger Name Record Directive does not breach fundamental rights standards, says an opinion published yesterday by the Court of Justice in Strasbourg. Opinions precede the verdict of the court, and often set the tone for rulings.

27 January

[Biometrics and counter-terrorism: UN briefing shows global spread of technology](#)

The UN's Counter-Terrorism Executive Directorate (CTED) recently published a briefing on the use of biometrics for counter-terrorism purposes, offering a snapshot of how states around the world are increasingly deploying biometric technology.

26 January

[EU: Artificial Intelligence Act: justice sector and high-risk systems; internal security; migration and borders; comments and presentations](#)

We are publishing a number of documents concerning the proposed Artificial Intelligence Act, received in response to access to documents requests to the Council of the EU.

26 January

[German court to rule on UK spycop's operations](#)

A court is to examine the legality of outed spycop Mark Kennedy's activities in Germany, where he was present on multiple occasions between 2003 and 2009. The case concerns Kennedy's spying on Jason Kirkpatrick, as the latter coordinated press coverage around protests in 2007 and 2008.

26 January

[EU: Tracking the Pact: Border checks, funding, deportations and reception at the centre of the "gradual approach"](#)

On 20 January the French Presidency of the Council circulated a paper examining "four issues to discuss further" relating to its "gradual approach" on the Pact on Migration and Asylum: external border checks and registration; financial and material support to member states with external borders; return and readmission policy; and reception and relocation. The paper

highlights the need to "prevent the risk of absconding," which could be done by "increasing detention capacity".

25 January

[Europol: Council Presidency proposes workaround for illegal data processing](#)

The French Presidency of the Council wants to enter secret "trilogue" negotiations with the European Parliament and European Commission on new rules governing Europol, the EU policing agency, with a text including a "workaround" to allow Europol to hold on to vast quantities of personal data that it is currently processing illegally.

20 January

[EU seeks global counter-terrorism partnership with Egypt](#)

The EU is to put itself forward, alongside Egypt, for the joint presidency of the Global Counter-Terrorism Forum, "an informal, apolitical, multilateral counterterrorism (CT) platform that contributes to the international architecture for addressing terrorism." The idea was first suggested by the European External Action Service and was recently approved by the Council despite Egypt's appalling record of human rights abuses in the name of counter-terrorism.

20 January

[UK can join EU surveillance schemes with no parliamentary scrutiny, warns new report](#)

The UK can join intrusive EU surveillance schemes including a pan-European network of police facial recognition databases with no need for parliamentary debate or scrutiny, says a new report published today by Statewatch.

19 January

[EU: Police to support anti-encryption policy development](#)

A police "operational action plan" on preventing child sexual abuse includes a requirement for almost 30 states and EU agencies to gather five case studies, each intended to contribute to EU "policy development" on preventing and combating sexual abuse. While few would disagree with the ends, it is likely that one of the proposed means will be to undermine encryption, threatening the privacy and safety of all users of digital communications technologies.

18 January

[EU: Tracking the Pact: French Presidency proposes "a gradual approach" on migration and asylum](#)

At the beginning of January the French state took on the Presidency of the Council of the EU, and last week proposed "a gradual approach" to the Pact on Migration and Asylum. This could also be viewed as a 'pick and mix' perspective, with the emphasis on those measures that member states are most likely to agree upon.

13 January

[EU: Europol: "Significant progress" on legalising illegal data practices](#)

There has been "significant progress" in negotiations on new powers for EU police agency Europol, according to a document circulated by the Slovenian Presidency of the Council in December. The police agency was recently ordered to delete vast amounts of personal data that it was processing illegally - but the new rules would allow those practices to continue. Member states may be hoping to approve the new rules before the agency has to implement the deletion order.

12 January

[EU: Cybersecurity and law enforcement authorities](#)

Cybersecurity is an issue of growing importance in EU institutions, with negotiations on a renewed Directive on network and information security underway. Documents published here show that last September, the Slovenian Presidency of the Council started a discussion on stepping up the role of law enforcement agencies in cybersecurity affairs, and this month the EU will launch a cybersecurity exercise seeking to test its "resilience" to a cyber-attack by a hostile state actor on vital economic supply chains.

11 January

[Bulgaria: Secret surveillance data "could be used for nefarious purposes" due to lack of safeguards, rules ECHR](#)

The European Court of Human Rights has ruled that Bulgarian law regulating secret surveillance by the the police, prosecutors, and military and security agencies is of insufficient quality to protect individuals against violations of the right to privacy, and that the data gathered through secret surveillance operations "could be used for nefarious purposes" due to a lack of safeguards.

05 January

[EU: Frontex asks court to reject human rights case, seeks legal costs from asylum seekers](#)

EU border agency Frontex is demanding that judges reject a complaint against it at the European Court of Justice, while seeking to recoup its legal costs from the applicants - an under-age asylum seeker and a recognised refugee.

The Roundup

Material we have shared on our [Twitter](#) and [Facebook](#) accounts since the last update.

Matthias Monroy, 27 January

[Facial recognition and police records: European biometric systems to be expanded](#)

“A new Prüm system will make it possible to query facial images across Europe in the future, and a central biometric EU repository will also be connected to it”

INQUEST, 27 January

[UK: INQUEST responds as new data shows 2021 had highest number of deaths in prison ever recorded](#)

“The Ministry of Justice has today (27 January 2022) released the latest statistics on deaths and self-harm in prison in England and Wales. This time last year INQUEST predicted that, in the midst of a second wave of Covid-19, the worst was yet to come. Sadly, the government did not act and we were proven right.”

Home Office, 26 January

[UK: Home Secretary agrees historic returns agreement with Serbia](#)

“A landmark agreement to return Serbian nationals who have no right to be in the UK, including foreign criminals, has been signed by Home Secretary Priti Patel today.”

Mobile Info Team, 26 January

[Control and containment: Changes in access to asylum on mainland Greece, Crete and Rhodes](#)

“At the end of November 2021, the Greek Government announced major changes in access to asylum for people seeking safety on mainland Greece, Crete and Rhodes. This policy saw the termination of the Skype system and for the registration of first instance asylum claims. Instead, people seeking safety will now need to go to two reception centres on the mainland of Greece. However, such centres are not yet operational, meaning that there has been no access to asylum for the majority of people on mainland Greece, Crete and Rhodes since 22 November 2021.”

BBC News, 26 January

[Newcastle project finds community better than detention for asylum claims](#)

“A pilot project funded by the Home Office has found it is more humane and less expensive to support asylum seekers in the community rather than in detention centres.”

Irish Legal News, 26 January

[Ireland: New coalition aims to hold government to its promise to abolish direct provision](#)

“A new civil society coalition has been launched to hold the government to its commitment to ending direct provision by 2024 and replacing it with an alternative that is fully compliant with human rights standards.”

The Guardian, 25 January

[UK: Home Office accused of 'bullying' asylum seekers into handing over phones](#)

"Three asylum seekers brought a case to the high court on Tuesday claiming that the home secretary operated a secret, blanket policy to seize mobile phones from people arriving on small boats and then download the data from them."

The Guardian, 25 January

[UK: Rights groups call for statutory inquiry into misogyny in the Met](#)

"Women's rights groups have called for a statutory inquiry into misogyny in the Metropolitan police after derogatory comments by officers about an academic while she was strip-searched showed how "deeply embedded" sexism is in the force."

The Guardian, 25 January

[UK: Activist deceived into relationship with Met officer wins £229,000 compensation](#)

"An environmental activist who was deceived into a two-year intimate relationship by an undercover police officer has been awarded £229,000 in compensation after winning a landmark legal case."

The Guardian, 24 January

[Julian Assange wins first stage of attempt to appeal against extradition](#)

"The WikiLeaks founder Julian Assange will be able to go to the supreme court in the UK to challenge a decision allowing him to be extradited to the US to face espionage charges."

Associated Press, 21 January

[Migrants at Hungary border become part of election campaign](#)

"Hungary's nationalist leader is keen to use the threat of migrants at his country's southern border to give him an advantage in the upcoming general election"

Matthias Monroy, 21 January

[Chat control: Schengen states should promote decryption of messengers](#)

"The EU Commission is collecting outstanding cases with which it can promote the interception of messengers. Great Britain is going even further."

EurActiv, 21 January

[EU ministers back border fences to deal with Eastern threats](#)

"Several EU interior ministers gathered on Friday (21 January) to discuss how to step up the protection of EU external borders but failed to agree on a common approach, with options ranging from building fences at the borders to strengthening Schengen and migration legislation."

Middle East Eye, 21 January

[EU plans joint bid with Egypt to lead global counter-terrorism body](#)

"EU Council approved bid to co-chair GCTF in same week leading Egyptian human rights body was forced to shut down"

19 January

Launch of the European Network of Antifascist Monitoring (ENAM)

Its [website](#) monitors transnational networks of far-right and right-wing populist parties as well as white supremacist, neo-Nazi and fascist groups.

The Guardian, 18 January

Torture complaint filed against new president of Interpol

“A lawyer representing a jailed human rights defender in the United Arab Emirates has filed a torture complaint against the new president of Interpol, Maj Gen Ahmed Nasser al-Raisi, as the official made his first visit to the international police agency’s headquarters in the French city of Lyon.”

InfoMigrants, 18 January

Migrants face uncertain future as Brussels church occupation ends

“One year after undocumented migrants started staging a hunger strike at the Beguinage church in Brussels, the church has requested an end to the occupation. The migrants still have not received a ruling on their residency applications.”

Times of Malta, 18 January

Three NGOs want Malta and Italy investigated for war crimes in Libya

“The International Criminal Court (ICC) has been asked to investigate alleged war crimes committed against thousands of migrants trapped in Libyan detention centres with the support of Italian and Maltese authorities.”

BBC News, 18 January

UK: Crime bill: Lords defeats for government's protest clamp-down plans

“The government has suffered a series of defeats in the House of Lords over its plans to clamp down on disruptive and noisy protesters.”

Sky News, 18 January

UK: MPs vote for controversial legislation to introduce voter ID

“Voters will need to show an approved form of photographic identification before they can collect their ballot paper to vote in a polling station, according to measures in the Elections Bill.”

JCWI, 18 January

"We also want to be safe" - undocumented migrants facing COVID in a Hostile Environment

“This report explores undocumented migrants’ experiences of the COVID pandemic. It focuses on financial security, work, housing and access to healthcare, and highlights how in all these areas, the Government’s Hostile Environment policies have exacerbated the effects of the COVID crisis for undocumented people.”

Human Rights Watch, 18 January

Greece: New Biometrics Policing Program Undermines Rights

“(Athens) – Greece is planning a new police program to scan people’s faces and fingerprints that is inconsistent with international human rights standards on privacy and likely to amplify

ongoing discrimination, Human Rights Watch and Homo Digitalis said today. Under the EU-funded program, the police would use hand-held devices to gather biometric information from people on a vast scale and cross check it against police, immigration, and private sector databases primarily for immigration purposes.”

European Ombudsman, 17 January

[Decision in OI/4/2021/MHZ on how the European Border and Coast Guard Agency \(Frontex\) complies with its fundamental rights obligations and ensures accountability in relation to its enhanced responsibilities](#)

“The inquiry looked into how Frontex ensures the transparency of its ‘operational plans’, which define the parameters of its operations, and how it decides to suspend, terminate or not launch an activity due to fundamental rights concerns. The inquiry also assessed the monitoring of fundamental rights compliance in forced returns and Frontex’s guidance for the screening process of undocumented individuals who cross or attempt to cross an external EU border irregularly.”

Migreurop, 17 January

[Fermons les zones d’attente!](#)

“Les autorités françaises enferment chaque année des milliers de personnes qui se présentent aux frontières pour entrer en France ou sur le territoire européen. Les lieux dans lesquels elles sont enfermées sont appelés zones d’attente (ZA). L’immense majorité n’en sort que pour être renvoyée dans son pays de provenance.”

EUobserver, 17 January

[Danish intelligence crisis deepens](#)

“Denmark’s former defence minister, Claus Hjort Frederiksen, has been charged with treason and could face 12 years in prison, he said Friday. “I am charged under section 109 of the Penal Code for having violated the limits of my freedom of expression,” he said. He previously revealed Denmark and the US stole information from undersea cables. Denmark’s military-intelligence chief was recently jailed for six years for leaking secrets to media.”

Liberty, 17 January

[UK: LGBT+ ADVOCATES CALL ON PEERS TO PROTECT PROTEST AND SAFEGUARD FIGHT FOR EQUALITY](#)

“A coalition of more than 80 activists, political figures and celebrities have called on members of the House of Lords to uphold protest rights and protect the progress made toward LGBT+ equality.”

Pressenza, 15 January

[50 anti-racist groups denounce ‘smart borders’ in southern Europe](#)

“In 2019 Marlaska announced that Interior would spend 4.1 million for the implementation of a series of technological systems to reinforce the borders of the cities of Ceuta and Melilla. Due to tensions between the governments of Spain and Morocco over migration controls, an inter-ministerial commission was created in 2020, comprising the Presidency, Territorial Policy, Interior, Foreign Affairs, Finance, Health and the CNI, to speed up the implementation of this and other measures at the border crossings between the two countries.”

IRR, 14 January

[UK: Impunity Entrenched](#)

“As 2022 begins, its difficult to keep up with the legislative and policy changes threatening human rights. To help understand the sheer proliferation of government measures and proposals put forward over the past year, from Monday 17 January 2022, the IRR publish a five-part resource, Impunity Entrenched, authored by IRR Vice-Chair Frances Webber.”

ECRE, 14 January

[EU Eastern Borders: Belarus and Poland Enact Brutal Violence and Block Aid Workers, Lithuania Lifts State of Emergency](#)

“As the EU’s border and coast guard agency, Frontex, tallies 8,000 “illegal border crossings” into the EU from Belarus in 2021, rights groups continue to document violence, torture, abuse and freezing temperatures faced by people on the move at the border. Médecins Sans Frontières (MSF) have been forced to leave the border zone and a Polish organisation has reported arrests and intimidation of staff in an ongoing crackdown on aid groups attempting to help migrants. While the Lithuanian state of emergency – in place since November – has been lifted, well-documented pushbacks and ill-treatment in reception centres remain uninvestigated.”

EurActiv, 14 January

[Civil society demands fully-fledged international mission for Hungarian elections](#)

“Twenty Hungarian NGOs have written a letter to the Organisation for Security and Cooperation in Europe (OSCE) and the Office for Democratic Institutions and Human Rights (ODIHR) asking for a full-scale monitoring mission instead of a “limited” observation mission ahead of the 3 April general elections, Telex reported.”

Hogan Lovells, 13 January

[Spain to create Europe's first supervisory agency for artificial intelligence](#)

“The European Union is investing resources and issuing legal tools in order to foster the lawful and accountable use of artificial intelligence (AI). In Spain, the Government is also working to promote and maximize the use of artificial intelligence, while at the same time acknowledging the risks that AI may pose to the rights and freedoms of citizens. For this reason, the Spanish Government has adopted the first steps to establish a supervisory authority in 2022 with competences to monitor and reduce the risks associated artificial intelligence technologies.”

Aegean Boat Report, 13 January

[Greece: 17 Children Left Drifting At Sea](#)

“Twenty-five people, 17 of them small children, were arrested on Lesbos, beaten and abused before being set adrift on the open sea in the latest outrage carried out by uniformed Greek operatives. And the ‘crime’ committed by these 25 people, to justify their horrifying experience at the hands of people who are paid to save and safeguard human lives? Nothing at all. They were simply attempting to find a safe place to live, learn and work. “

Human Rights Watch, 13 January

[UK: Falling Short on Rights](#)

“The United Kingdom government policies and practices at home often showed scant regard for human rights in 2021, and its commitment to human rights in its foreign policy was inconsistent, Human Rights Watch said today in its World Report 2022.”

The Guardian, 13 January

[How will the police and crime bill limit the right to protest?](#)

“The police and crime bill is a huge piece of legislation covering many aspects of the criminal justice system. One of its most controversial sections would have a big impact on the right to protest”

EurActiv, 13 January

[Stronger support for Eastern partners finds way into amended EU military strategy proposal](#)

“Amid tensions with Russia over Ukraine, the EU is set to enshrine stronger support, including in security and defence, for its Eastern partners, according to the latest version of the bloc’s upcoming military strategy document, seen by EURACTIV.”

The Guardian, 13 January

[Home Office tells Afghan and Yemeni asylum seekers they can return safely](#)

“The Home Office has told asylum seekers from some of the world’s biggest conflict zones that it is safe for them to return there, the Guardian has learned.”

Politico Europe, 12 January

[Austria’s democratic deficit disorder](#)

“Ever since the sudden fall from grace of former Chancellor Sebastian Kurz — the political prodigy turned persona non grata — Austria has found itself in a collective daze amid persistent scandal, political upheaval and toxic debates over the pandemic and the country’s not-so-distant past.”

EurActiv, 12 January

[Danish military intelligence chief jailed for espionage](#)

“Military intelligence chief Lars Findsen has been jailed for a month for leaking classified documents to Danish media, local media revealed Monday after a court hearing in Copenhagen.”

Greek Council for Refugees, 11 January

[First Greek Asylum Case Law Report published by legal organisations](#)

“The first issue of the Greek Asylum Case Law Report published today is a joint initiative of the Greek Council for Refugees (GCR), HIAS Greece and Refugee Support Aegean (RSA), organisations providing legal support and representation to refugees and asylum seekers in Greece. The note compiles extracts of decisions of Administrative Courts, the Independent Appeals Committees and the Asylum Service in the area international protection selected from the casework of the above organisations.”

Reuters, 11 January

[EU will demand Poland pay fines for disciplining judges](#)

“The European Union executive is set to demand that Poland pay around 70 million euros (\$80 million) of fines in the coming weeks for failing to scrap a contentious system for disciplining judges, sources have told Reuters.”

Politico Europe, 11 January
[Europe's surveillance crisis](#)

"Law enforcement and security agencies are bristling at orders to limit their data collection practices."

Amnesty, 11 January
[20 years on, Biden must close Guantánamo once and for all](#)

"At a recent demonstration outside the White House calling for the closure of the US military prison at the Guantánamo Bay naval base, a teenager approached a colleague to ask what the protest was all about. He told her he had never heard of the detention facility."

Middle East Eye, 10 January
[Libya: Hundreds of refugees attacked and detained by authorities in Tripoli](#)

"More than 600 migrants, refugees and asylum seekers were attacked and detained by Libyan authorities in front of a former community development centre in Tripoli on Monday morning."

InfoMigrants, 10 January
['Exploitation and enslavement': Two Nigerian migrants take rights case to UN Committee](#)

"Two Nigerian migrants have taken a case against Italy and Libya to a UN Committee. The two women, with the help of a legal rights association in Italy, claim that Italy and Libya failed to protect their human rights as women and left them at risk of trafficking, exploitation and abuse."

The Guardian, 10 January
[A data 'black hole': Europol ordered to delete vast store of personal data](#)

"EU police body accused of unlawfully holding information and aspiring to become an NSA-style mass surveillance agency"

BBC News, 9 January
[UK: Asylum seekers: The homes where ceilings have fallen in](#)

"Refugee organisations say they hear regularly about properties residents believe are unsafe, and they struggle to get help on a national phone line.

The concerns come after a year of mounting controversy over how the Home Office is managing asylum seekers."

Reuters, 7 January
[Ruling party figures say Poland has Pegasus spyware](#)

"Senior figures in the Polish government indicated on Friday that the country had bought sophisticated spyware developed by the Israel-based NSO Group, but denied that it had been used against political opponents."

5 January
EU: On 1 January, French government took over the Presidency of the Council of the EU.

Its programme - '[Recovery, Strength and a Sense of Belonging](#)' - says that externalisation of migration control will receive "particular" attention.

The Bristol Cable, 5 January

[Colston 4 found not guilty of criminal damage to slave trader's statue](#)

"Four people who helped tear down slave trader Edward Colston's statue in Bristol and dump it in the harbour have been found not guilty of criminal damage.

The jury took just under three hours to reach their decision on Wednesday at Bristol Crown Court, marking the end of a landmark trial in which they heard the horrors of Colston's involvement in the slave trade."

And: **[From Lewis Hamilton to Jemima \(age 12\): Comments on the fall of Colston](#)** (Bristol Radical History Network)

SchengenVisaInfo, 5 January

[Poland to Build 186 Kilometres-Long Wall on Its Border With Belarus](#)

"Taking into account the ongoing large number of migrants that are trying to enter the territory of Poland and then reach other European countries, the authorities have revealed that they will build a 186 km-long wall on its border with Belarus, SchengenVisaInfo.com reports."

Politico Europe, 5 January

[Italy makes vaccines mandatory for over-50s](#)

"The Cabinet agreed Wednesday that those in the workforce who are over 50 will have to show a health pass proving they have either been vaccinated or recently recovered from COVID-19, or face suspension from work from mid-February. Previously, the unvaccinated could go to work only if they tested negative every two days. Those over-50s who don't work will have to either be vaccinated or face sanctions."

Amnesty and Migrant Voice, 5 January

[Briefing on Nationality and Borders Bill: House of Lords, Second Reading](#)

"Given the short period before Second Reading, we do not attempt a comprehensive assessment of the Bill in this joint briefing. We do not, for example, set out the many ways by which this Bill represents a fundamental repudiation of the UK's international asylum obligations; and the dangerous implications for people seeking asylum in this country and elsewhere of the UK doing this. We and others have done so elsewhere.

2. Instead, we focus upon some of the key objectives that either underpin or are said to underpin the Bill. We do so under the following distinct subheadings:

- *A charter for criminal gangs and exploitation*
- *Wrecking the UK asylum system*
- *Avoiding judicial oversight over the exercise of power"*

Politico Europe, 4 January

[European elections to watch in 2022](#)

"From EU reformer Emmanuel Macron to EU troublemaker Viktor Orbán, some of the Union's most vocal supporters and critics are facing tough electoral challenges at home in 2022 that could in turn shake up political dynamics across the Continent."

EUobserver, 4 January

[MEPs to grill Denmark for pushing Syrians to EU states](#)

“MEPs are taking the EU-lead to hold Denmark to account for stripping Syrians of their residency permits, amid threats to return them to Syria.”

EU Law Analysis, 4 January

[The EU must not become a lawless zone – appeal of European academics](#)

“But today, the humanitarian drama continues on both sides of the border, and no adequate response has been found. Since September 2021, the Polish government declared an emergency zone along its border with Belarus. Migrants who enter the EU by crossing the Polish-Belarusian border have found themselves in a dangerous militarized area to which doctors, journalists, and representatives of NGOs do not have access. In the Białowieża Forest, one of the last remaining old-growth forests in Europe, men, women, and children are dying of hypothermia, thirst, hunger, and lack of access to lifesaving medical aid.”

The Civil Fleet, 4 January

[Fossil fuel giant Shell and EU maritime authorities accused of complicity in Mediterranean refugee ‘pullback’](#)

“EUROPEAN maritime authorities and fossil fuel giant Shell were accused of complicity in the sending of about 70 refugees to an unsafe country today.

Civilian rescuers on board the [Louise Michel](#), a rescue ship part-funded by the elusive British artist Banksy, discovered about 101 people within [Malta](#)’s search-and-rescue (SAR) zone in the central Mediterranean on Monday night.”

VoxEurop, 4 January

[Fortress Europe increasingly stingy on asylum](#)

“The tightening of asylum conditions in the European Union, confirmed by the recent crisis between Poland and Belarus, as well as the ups and downs of the Pact on Migration, suggest a policy that is increasingly restrictive and far removed from the principles the EU is supposed to defend. This is the last part of our series on migrants stuck at the gates of Europe.”

The East African, 3 January

[Dutch accused of smuggling people to Europe arrested in Nairobi](#)

“Kenyan police last month arrested a Dutch national wanted by Interpol for allegedly smuggling dozens of men, women and children to Europe.”

Politico Europe, 3 January

[Turkey puts its migrant security system on display for Europe](#)

“VAN, Turkey — A squad of fully armed Turkish officers is gathered outside an old abandoned house on a recent night in November. They’ve called in reporters to document what’s about to happen — a raid on a “shock house” where it’s believed Afghans are squatting after crossing into the country illegally.

(...)

The occupants are taken out to a bus. From there, they will be transferred to a nearby detention center 45 minutes outside Van, a city anchoring the province in eastern Turkey that butts up against the Iranian border. Turkish officials say this area is the front line of a migration crisis requiring a Herculean effort to manage.

It’s an effort they’re eager to put on display.”

Are You Syrious?, 2 January

[Frontex and Human Rights 2021: A reading list](#)

“During 2021, millions of words were written on Frontex. Activist groups, monitoring networks, investigative journalists, NGOs... many groups have looked closely at the track record of the EU Border and Coast Guard Agency, at its ambiguous position somewhere between Brussels and the external borders of the EU, at the numerous criminal allegations against it. Here is a selection of some of the year’s best, month by month.”

The Independent, 2 January

[Company that advised Afghans not to flee before Taliban takeover was previously paid £700k by UK Government](#)

“An investigation by The Independent revealed that the Home Office handed the “migration behaviour change” firm at least £702,000 between 2016 and 2018, and it may have been given even more money by the Foreign Office during the same period.”

Chaos Computer Club, 27 December 2021

[Stop general #dataretention in the EU – current plans for mass #surveillance](#)

Recording of a discussion at the RC3 conference in December on plans for mass telecoms surveillance in the EU.

European Law Blog, 24 December 2022

[Complete Independence of national Data Protection Supervisory Authorities: About persons, czars and data governance in Belgian debates](#)

“The European Commission now pursues legal action against Belgium about lack of independence of the Data Protection Authority, but the Belgium government is reluctant to see the problem. While the infringement procedure is steaming up, one of the directors of the Belgian DPA steps up, dissatisfied with attempts to make the DPA more ‘complete independent’. What is happening? What follows is an attempt to clarify a complex multilevel interplay, topped with a sauce of Belgian surrealism.”

The Guardian, 20 December

[EU has 'limited' appetite for post-Brexit migration deal with UK](#)

“A senior EU official has said she does not expect the bloc to strike a migration deal with the UK because of disputes over the Brexit agreement.

Ylva Johansson, the European commissioner for home affairs, said EU member states had “limited” appetite for an agreement with the UK to manage asylum seekers and migrants, citing concerns over the post-Brexit trade deal and the Northern Ireland protocol.

Instead, she said, the focus should be on “practical cooperation” to curb attempts by people to cross the channel from France, such as police cooperation and intelligence sharing.”

European Parliament, 16 December

[Person identification, human rights and ethical principles: Rethinking biometrics in the era of artificial intelligence](#)

“As the use of biometrics becomes commonplace in the era of artificial intelligence (AI), this study aims to identify the impact on fundamental rights of current and upcoming developments, and to put forward relevant policy options at European Union (EU) level. Taking as a starting point the proposal for a regulation of the European Parliament and of the Council laying down harmonised rules on AI, presented by the European Commission in April 2021, the study reviews key controversies surrounding what the proposal addresses through the notions of 'remote biometric identification' (which most notably includes live facial recognition), 'biometric categorisation' and so-called 'emotion recognition'. Identifying gaps in the proposed approaches to all these issues, the study puts them in the context of broader regulatory discussions. More generally, the study stresses that the scope of the current legal approach to biometric data in EU law, centred on the use of such data for identification purposes, leaves out numerous current and expected developments that are not centred on the identification of individuals, but nevertheless have a serious impact on their fundamental rights and democracy.”

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