



## News

**21 April (Issue 06/22)**

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Welcome to our latest edition, featuring:

- **EU: Policing: France proposes massive EU-wide DNA sweep, automated exchange of facial images**
- **EU: AI Act: Plans to loosen controls on law enforcement use of artificial intelligence**
- **Open letter to the Prime Minister and Home Secretary about plans to send people seeking asylum to Rwanda**

We also have features on **Frontex's equipment requirements for 2023 (including "lethal and non-lethal weapons")**, and **new powers for Europol to propose that EU member states enter "information alerts" on foreign nationals in the Schengen Information System database.**

And, don't forget to check out our extensive roundup of news from across Europe from the last month.

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## EU: e-Privacy: Council proposed amended mandate whilst in negotiations with Parliament

A proposed EU e-Privacy Regulation is intended to complement rules in the General Data Protection Regulation, by setting out a specific privacy framework for electronic communications. It will replace the 2002 e-Privacy Directive. The Council and the European Parliament are in the midst of secret 'trilogue' negotiations. Documents show that the Council Presidency sought to change its negotiating mandate during those negotiations, with the aim of

reaching an agreement with the Parliament.

We have published the documents [here](#).

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## **EU: Policing: France proposes massive EU-wide DNA sweep, automated exchange of facial images**

The French Presidency of the Council is seeking EU-wide comparisons of every DNA profile held by police forces against all those held by other national police forces, as well as EU policing agency Europol, as part of plans to upgrade the 'Prüm' network of police databases. It also hopes to automate the police exchange of facial images by eliminating requirements for human review.

Read the amended version of a proposal originally published by the European Commission in December 2021, [here](#).

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## **EU: Biometric borders: half the member states see "high risks" for Entry/Exit System plans**

Details of the problems with the construction and implementation of the EES - which will require all non-EU citizens entering the EU to provide four fingerprints and a photograph to the authorities, to be stored in a gigantic centralised database, the Common Identity Repository - are outlined in a presentation given by the French Presidency to the Council of the EU's Working Party on Frontiers in March.

See the presentation [here](#).

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## News

19 April Frontex: more power, no responsibility? Mega-agency lacks real accountability structure

Since 2004, four successive regulations have increased the agency's resources and mandate, but no adequate control mechanisms have followed to balance these with legal or political accountability.

21 April Frontex: equipment requirements for 2023 include "lethal and non-lethal weapons"

20 April EU: e-Privacy: Council proposed amended mandate whilst in negotiations with Parliament

14 April UK: Open letter to the Prime Minister and Home Secretary about plans to send people seeking asylum to Rwanda

14 April EU: Europol and the Schengen Information System: new powers to propose "information alerts"

13 April EU: Policing: France proposes massive EU-wide DNA sweep, automated exchange of facial images

11 April EU: Biometric borders: half the member states see "high risks" for Entry/Exit System plans

## Analysis

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19 April

[Frontex: more power, no responsibility? Mega-agency lacks real accountability structure](#)

Since 2004, four successive regulations have increased the agency's resources and mandate, but no adequate control mechanisms have followed to balance these with legal or political accountability.

## News

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21 April

[Frontex: equipment requirements for 2023 include "lethal and non-lethal weapons"](#)

Management board decision adopting rules relating to technical equipment, including minimum number of items of technical equipment (MNITE) and the rapid reaction equipment pool (RREP) outlines the agency's equipment needs and selection criteria, with member state provided equipment to be used "as a last resort".

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20 April

[EU: e-Privacy: Council proposed amended mandate whilst in negotiations with Parliament](#)

A proposed EU e-Privacy Regulation is intended to complement rules in the General Data Protection Regulation, by setting out a specific privacy framework for electronic communications. It will replace the 2002 e-Privacy Directive. The Council and the European

Parliament are in the midst of secret 'trilogue' negotiations. Documents published here show that the Council Presidency sought to change its negotiating mandate during those negotiations, with the aim of reaching an agreement with the Parliament.

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14 April

**[UK: Open letter to the Prime Minister and Home Secretary about plans to send people seeking asylum to Rwanda](#)**

Statewatch has joined more than 150 other human rights groups, charities and civil society organisations calling on the UK government to scrap the plan to send asylum-seekers who arrive in the UK by crossing the Channel in small boats to Rwanda to have their claims processed.

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14 April

**[EU: Europol and the Schengen Information System: new powers to propose "information alerts"](#)**

Europol will soon have the possibility to propose that EU member states enter "information alerts" on foreign nationals in the Schengen Information System law enforcement database, with a new law that is awaiting the approval of the Council and the Parliament.

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13 April

**[EU: Policing: France proposes massive EU-wide DNA sweep, automated exchange of facial images](#)**

The French Presidency of the Council is seeking EU-wide comparisons of every DNA profile held by police forces against all those held by other national police forces, as well as EU policing agency Europol, as part of plans to upgrade the 'Prüm' network of police databases. It also hopes to automate the police exchange of facial images by eliminating requirements for human review.

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11 April

**[EU: Biometric borders: half the member states see "high risks" for Entry/Exit System plans](#)**

Half of the EU's member states "foresee high risks" for the plan to have the biometric Entry/Exit System (EES) border crossing database up and running by the end of September this year, citing problems with testing, procurement, training and the adaptation of border infrastructure.

# The Roundup

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

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Guardian, 21 April

[\*\*'A disaster waiting to happen': who was really responsible for the fire at Moria refugee camp?\*\*](#)

"Moria was a pressure cooker," Cooper told me. "What surprises me about this fire is that it took so long to happen"

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Euractiv, 20 April

[\*\*Denmark to seek Rwanda cash-for-migrants pact following UK lead\*\*](#)

"While EU rules may prevent most of the bloc from pursuing such asylum arrangements, Denmark has an opt-out from EU justice and home affairs legislation"

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EU Observer, 20 April

[\*\*EU welcome for Ukraine refugees — a new gold standard?\*\*](#)

"Yet we can't be blind to the differential treatment reserved to people of colour and ethnic minorities trying to flee from this war or from other difficult situations elsewhere"

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Guardian, 20 April

[\*\*Home Office staff threaten mutiny over 'shameful' Rwanda asylum deal\*\*](#)

"Comments on an internal online noticeboard include calls for industrial action to stop the policy"

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Independent, 19 April

[\*\*'Significant risk' child refugees will be inadvertently shipped to Rwanda under Patel's deal, charities warn\*\*](#)

"Hours after the deal was announced it emerged that Britain had condemned Rwanda for failing to investigate human rights violations and protect trafficking victims"

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InfoMigrants, 19 April

[\*\*Bulgarie : au moins 84 migrants refoulés à demi-nus vers la Turquie par des garde-frontières\*\*](#)

"Quelque 84 migrants ont été refoulés par les garde-frontières bulgares vers la Turquie, a indiqué une source de sécurité au média turc en ligne Daily Sabbah. Les migrants ont été retrouvés par la gendarmerie turque à demi-nus, tentant de se protéger du froid avec des sacs."

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CitizenLab, 18 April

[\*\*CatalanGate Extensive Mercenary Spyware Operation against Catalans Using Pegasus and Candiru\*\*](#)

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"The Citizen Lab, in collaboration with Catalan civil society groups, has identified at least 65 individuals targeted or infected with mercenary spyware... Victims included Members of the European Parliament, Catalan Presidents, legislators, jurists, and members of civil society organisations. Family members were also infected in some cases."

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SchengenVisaInfo, 17 April

**[Swiss Federal Council Initiates Consultation Process for Flight Passenger Data Act](#)**

"According to the statement published by the Federal Office of Switzerland, the use of flight passenger data is an effective tool that helps to fight terrorism and other serious crimes in more than 60 countries, SchengenVisaInfo.com reports."

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UN Special Rapporteur on Human Rights Defenders, 15 April

**[Poland: HRDs on Poland-Belarus border allegedly attacked, detained, searched & ill-treated](#)**

Communication by Special Rapporteur on Human Rights Defenders + other UN experts to Government of Poland. Communication remained confidential for 60 days

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Matthias Monroy, 14 April

**[Frontex: Migration control from space](#)**

"Presumably EUROSUR satellite services will continue to be used mainly for tracking suspicious larger vessels over several days and less for tracking small boats carrying refugees on their way to Europe"

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Council of Europe, 14 April

**[Council of Europe anti-torture committee publishes report on Romania, highlighting that the challenges facing the prison system remain extensive](#)**

"The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has published today the report on its ad hoc visit to Romania carried out from 10 to 21 May 2021, together with the response of the Romanian authorities. The visit focused on the treatment of persons held in prisons and police establishments."

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Border Criminologies, 14 April

**[Border Criminologies statement on the British Government's proposal to forcibly send people seeking asylum to Rwanda](#)**

"We are writing to express our strong and unwavering opposition to the British Government's plans to send people seeking asylum in the UK to Rwanda, announced today. Under the new proposals, those who travel irregularly to the UK to seek asylum, for example across the Channel in boats or lorries, would be forcibly removed 4000 miles away to Rwanda. Rwanda would then process them under their own asylum procedures. If granted asylum, they would then stay in Rwanda."

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Euractiv, 13 April

**[Leading MEPs raise the curtain on draft AI rules](#)**

"Benifei stressed that the draft report did not go far enough and anticipated that more would need to be done at the amendment stage."

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The Guardian, 13 April

**[UK to send asylum seekers to Rwanda for processing](#)**

"Deal to outsource process, described by Labour as 'unworkable and unethical', among range of measures to be unveiled"

It seems the policy will only apply to men.

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Are You Serious?, 13 April

**[AYS News Digest 13/04/2022: Unconscious youth at Polish border](#)**

"UN Committee on Enforced Disappearances "gravely concerned" about Greece // Italian detention centres are abusing detainees // Confiscated papers evidence of racism in Germany // Melilla Morocco Border to reopen"

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City AM, 12 April

**[From Calais, with love: CCTV funding rows capture our migration challenge](#)**

"The constant bickering between London and Paris shows two governments failing to take responsibility for the fate of those seeking refuge in their countries. The bloody conflict in Ukraine has given birth to a new generation of refugees, but many have come before them – here in the UK, especially through the Channel."

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The Guardian, 12 April

**[Home Office contractors accused of paying for sex while deporting migrants](#)**

"Five whistleblowers have said some colleagues regularly paid sex workers on overnight stopovers over a period of 10 years after accompanying migrants on flights from the UK."

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El Hiblu 3, 12 April

**[Free the El Hiblu 3: Resisting illegal push-backs to Libya is not a crime!](#)**

Press conference before the next #Elhiblu3 hearing at a court in Malta.

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Voxeurop, 12 April

**[In Italy, undocumented migrants struggle to access jabs and vaccine certificates](#)**

"Lack of data, no clear and binding direction on the documentation required, and no dedicated budget: Italy's performance on access to Covid-19 vaccination for undocumented non-nationals is rated by Lighthouse Reports as "confused"."

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Verfassungsblog, 12 April

**[Electronic Surveillance in a Time of Democratic Crisis: Evidence from Poland](#)**

"Is it undemocratic governance that leads to the creation of elaborate forms of surveillance, or is it the other way around?"

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EU Observer, 11 April

**[Local Poles near Belarus risk trouble for helping refugees](#)**

"Those caught could be arrested and possibly charged with organising illegal immigration, leading to up to eight-year prison sentences."

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Data protection and digital competition, 11 April

**[Will the EU-US Privacy Framework succeed where the Privacy Shield and Safe Harbour failed?](#)**

"The EU and US announced on 25 March they have "agreed in principle on a new Trans-Atlantic Data Privacy Framework, which will foster trans-Atlantic data flows and address the concerns raised by the Court of Justice of the European Union [CJEU] in the Schrems II decision of July 2020." Based on our 2021 study for the European Parliament, we have made some brief initial comments on the framework."

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Amnesty International, 11 April

**[Poland/Belarus: New evidence of abuses highlights 'hypocrisy' of unequal treatment of asylum-seekers](#)**

"- Authorities violating rights of asylum-seekers, including strip searches and other degrading treatment, in overcrowded detention centres  
- Some people forcibly sedated during return  
- Pushbacks and arbitrary detention in stark contrast with welcome shown to those fleeing Ukraine"

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The Beacon, 10 April

**[Ireland: Defence Forces disciplined sergeant for posting far-right material online](#)**

"The Defence Forces have disciplined a serving member for posting far-right talking points on social media. The officer made a number of comments on Twitter in which he called for "mass deportations" and "sterilization" of migrants."

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The Guardian, 8 April

**[MEPs voice fury as Greek judges again postpone refugees' smuggling appeal](#)**

" Second adjournment prolongs agony of Afghans Amir Zahiri and Akif Rasuli, serving 50-year sentences for piloting a migrant boat"

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The Guardian, 8 April

**[Using Windrush to justify UK visa rule for Ukrainian refugees baffles experts](#)**

"Analysis: Windrush scandal wrongly categorised people as illegal immigrants, while most Ukrainian refugees have documentation"

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Deutsche Welle, 7 April

**[Civil society under pressure worldwide, says new report](#)**



"The latest "Civil Society Atlas" shows a disturbing trend: All over the globe, rights and freedoms are being curtailed – with particular setbacks also in Europe."

See: [Atlas der Zivilgesellschaft](#) (Brot für die Welt)

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Council of Europe, 7 April

[\*\*Pushed beyond the limits. Urgent action needed to stop pushbacks at Europe's borders\*\*](#)

Council of Europe Commissioner for Human Rights makes recommendation to member states: "pushbacks are at odds with member states' human rights obligations"

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Human Rights Watch, 7 April

[\*\*"Their Faces Were Covered": Greece's Use of Migrants as Police Auxiliaries in Pushbacks\*\*](#)

"At no point from the moment of detention to removal were any of them given a chance to lodge asylum claims"

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IFSEC Global, 6 April

[\*\*Surveillance Camera Commissioner warns against use of facial recognition for witness identification following Police guidance\*\*](#)

"Civil liberty campaigners have also protested against the guidance claiming it was "a hammer blow for privacy and liberty""

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Netpol, 6 April

[\*\*Find your local CopWatch group\*\*](#)

"Local police monitoring groups are springing up around the country. To help them, we're launching a new practical guide to setting up a local police monitoring group."

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Wired, 6 April

[\*\*Europe Is Building a Huge International Facial Recognition System\*\*](#)

"Facial recognition technology has faced significant pushback in recent years as police forces have increasingly adopted it, and it has misidentified people and derailed lives"

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Electronic Immigration Network, 5 April

[\*\*Nationality and Borders Bill returns to Commons next week, House of Commons Library updates comprehensive briefing paper on Bill's progress\*\*](#)

Very detailed update on the Bill, which is in its final stages and is currently being batted back and forth between the Houses of Commons and Lords. "Each House is considering, and so far rejecting, the other's amendments."

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Reuters, 30 March

[\*\*Germany won't train Libyan coast guard due to alleged abuse\*\*](#)

"The German government cannot currently justify the training of the Libyan coast guard by

German soldiers in view of the repeated unacceptable behavior by individual units of the Libyan coast guard toward refugees and migrants, and also toward non-governmental organizations,' Foreign Ministry spokeswoman Andrea Sasse said."

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UN Human Rights Council, 23 March

[Report of the Independent Fact-Finding Mission on Libya](#)

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