



statewatch

## News

### 10 June (Issue 09/22)

[www.statewatch.org](http://www.statewatch.org)

[Like us on Facebook](#) | [Follow us on Twitter](#)

After a short break due to public holidays we're back with our latest edition, featuring:

- **New law that will break encryption must be withdrawn**
- **Relocate refugees, or externalise borders?**
- **Keeping an eye on Frontex**

In this issue you will also find articles on plans to increase information-sharing amongst EU member states on asylum applicants deemed a threat to public order; the latest steps in the move to expand the 'Prüm' police data-sharing network; a chilly reception for a plan to ensure the biometric registration of Ukrainian refugees, and more – plus [our extensive roundup of news from across Europe](#).

---

## We need your support

**We know that thousands of people find our work informative, interesting and useful to their research, campaigning and advocacy. If you are one of them, please consider becoming a Friend of Statewatch.**

We operate on a very tight budget and receive just 5% of our annual income from individual supporters. If you appreciate what we do, we'd love you to become a Friend of Statewatch.

**Donate £**

**Donate €**

## New law that will break encryption must be withdrawn

In May, the European Commission proposed a new law as part of its efforts against child sexual abuse. An open letter signed by Statewatch and 72 other organisations that it will do far more harm than good, and must be withdrawn before it gets anywhere closer to the statute book.

Under the proposal, private message services (like WhatsApp and Signal), web-based emails, social media platforms, app stores, image hosting providers and more will be liable for obligations to scan, filter and/or block content – including encrypted messages. As the letter states: **“It is not possible to have private and secure communications whilst building in direct access for governments and companies. This will also open the door for all types of malicious actors.”**

Read more [here](#).

---

## Relocate refugees, or externalise borders?

This is the choice being offered to EU and Schengen Area member states under a “voluntary, simple and predictable solidarity mechanism” that is ostensibly geared towards relocating refugees that arrive in the EU’s southern states.

However, it also provides the option of letting governments fund “projects in third countries that may have a direct impact on the flows at the external border” or equipment for “border surveillance, control, detention and return”, rather than relocating refugees.

Read more [here](#).

---

## Keeping an eye on Frontex

In the last week we have published three articles on the EU’s border agency:

[An internal discussion paper designed to inform ‘debate’ at the Justice and Home Affairs Council](#), which concludes today, gives scarce consideration to the need for fundamental changes at the agency – which remains embroiled in a scandal over its involvement in pushbacks and a culture of cover-ups.

In collaboration with Watch the Channel, we also [take a look at some of the companies and the big money involved in Frontex’s surveillance flights](#) over the sea between England and France, intended to assist the French police in their efforts to prevent departures in small boats.

Finally, in [an article published yesterday](#), we follow up on the ‘Turin Polytechnic’ case, where a protest movement emerged after an academic at the university denounced its involvement in producing maps for the EU’s border agency. Collaboration between the university and Frontex went ahead with the promise of a human rights clause in the contract to soothe concerns – but it now transpires that it does not even apply to the agency.

---

## News

EU: Tracking the Pact: Externalisation instead of relocation as part of "voluntary solidarity

mechanism"

European Commission must withdraw new law to uphold online privacy, security and free expression

Frontex: big spending on aerial surveillance

Frontex: "exchange of views" unlikely to give air time to fundamental rights

EU: International personal data transfers: Presidency seeks "a coherent and ambitious European policy"

EU: Inquiry must examine use of spyware against human rights activists worldwide, MEPs told

Policing: Council close to approving position on extended biometric data-sharing network

EU: Attempts to increase "convergence of asylum practices" and information-sharing on "asylum applicants presenting a threat to public order"

European Commission: Update on state of play of external cooperation in the field of migration policy

EU: Tracking the Pact: Plan for biometric registration of Ukrainian refugees "unrealistic"

# News

---

9 June

## [Frontex not subject to human rights clause in mapping contract with Italian university](#)

Last year protests broke out at Turin Polytechnic University when a professor denounced a contract between EU border agency Frontex and a consortium that included one of the university's departments. In response, a human rights clause was belatedly introduced into the two-year, four million euro contract - although Frontex denies having seen any such clause or other documents produced by the consortium.

---

9 June

## [EU: Tracking the Pact: Externalisation instead of relocation as part of "voluntary solidarity mechanism"](#)

The EU's Justice and Home Affairs Council, which is meeting today and tomorrow, looks set to adopt a "voluntary, simple and predictable solidarity mechanism" designed to reduce the "pressure" on southern EU states experiencing the arrival of substantial numbers of refugees. Relocation to other member states is described as "the preferred method of solidarity", but financial support for externalised migration control, border surveillance and other repressive measures would also be a possibility.

---

8 June

## [European Commission must withdraw new law to uphold online privacy, security and free expression](#)

Statewatch has joined 72 other civil society organisations and professional bodies to demand in an open letter that the European Commission withdraw the proposed Child Sexual Abuse (CSA) Regulation, and replace it with an approach that upholds fundamental rights. The proposal would fundamentally undermine how the internet works, making it less safe for everyone.

---

8 June

## [Frontex: big spending on aerial surveillance](#)

UK, Austrian and Dutch aviation firms share in multimillion contract for maritime surveillance operations, including surveillance of the Channel.

---

7 June

## [Frontex: "exchange of views" unlikely to give air time to fundamental rights](#)

The 'Schengen Council', a discussion between home affairs ministers, will hold its first political exchange of views on Frontex on Friday 10 June. A preparatory document circulated by the Council Presidency emphasises Frontex's "indispensability", the importance of status agreements with non-EU countries, and asserts that Frontex will need to support member states to maintain public order in the face of "violent" attempts to cross borders.

---

---

30 May

**[EU: International personal data transfers: Presidency seeks "a coherent and ambitious European policy"](#)**

At the Justice and Home Affairs Council meeting on 9 and 10 June ministers will be invited to discuss the need for "a coherent and ambitious European policy" on international transfers of personal data, which are described in a Presidency discussion paper - published here - as "a major strategic challenge in several important areas of public policy". We are also publishing a report by the French Presidency of the Council on "international personal data flows and trade agreements."

---

25 May

**[EU: Inquiry must examine use of spyware against human rights activists worldwide, MEPs told](#)**

Over 20 human rights organisations, including Statewatch, have urged a European Parliament committee of inquiry into the use of Pegasus and other forms of surveillance spyware to invite testimony from targeted activists from across the globe, rather than just within in the EU. Read the open letter to the committee here.

---

25 May

**[EU: Policing: Council close to approving position on extended biometric data-sharing network](#)**

The Council of the EU is close to reaching an agreement on its negotiating position on the 'Prüm II' Regulation, which would extend an existing police biometric data-sharing network to include facial images and offer the possibility for national authorities to open up their databases of "police records" for searches by other member states.

---

24 May

**[EU: Attempts to increase "convergence of asylum practices" and information-sharing on "asylum applicants presenting a threat to public order"](#)**

In an attempt to give more substantial meaning to the idea of a 'Common European Asylum System', plans are underway to encourage "the convergence of asylum practices". The French Presidency of the Council also hopes to increase information exchange on asylum applicants between national authorities, including "asylum applicants presenting a threat to public order." However, plans for a special information exchange mechanism have received a frosty reception from member states.

---

24 May

**[European Commission: Update on state of play of external cooperation in the field of migration policy](#)**

A recent European Commission document circulated to member state delegations in the Council demonstrates the scale and scope of the EU's "external migration" initiatives, which cover countries ranging from Bangladesh to Bosnia, as well as a number of multilateral initiatives. The document includes an overview of the current level of cooperation between the EU and "partner" countries and fora, as well as lists of recent meetings and events.

---

23 May

**[EU: Tracking the Pact: Plan for biometric registration of Ukrainian refugees "unrealistic"](#)**

The French Presidency recently proposed expanding the Eurodac database even further, to include beneficiaries of temporary protection. Currently the only nationality to enjoy the benefits of the EU's Temporary Protection Directive are Ukrainians fleeing the Russian invasion. Although some member states are in favour of the plan, Hungary and Poland are strongly opposed.

# The Roundup

Material we have shared on our [Twitter](#) and [Facebook](#) accounts in the last fortnight, now categorised by theme:

- [Asylum and immigration](#)
- [Civil liberties](#)
- [Law](#)
- [Military](#)
- [Policing](#)
- [Racism and fascism](#)
- [Secrecy and transparency](#)
- [Security and intelligence](#)

## Asylum and immigration

---

Guardian, 9 June

### [UK: Asylum seekers may be released if Rwanda challenge succeeds](#)

"An emergency high court hearing that challenges Priti Patel's policy is to be held at 10.30am on Friday. It will determine whether the first flight can go ahead on Tuesday as scheduled."

---

EurActiv, 8 June

### [Finland, Estonia struggle to legalise pushbacks](#)

"Estonia and Finland are finding it difficult to prepare the foundations to legalise pushbacks, something Latvia, Lithuania and Poland did last year while the EU turned a blind eye."

---

euobserver, 7 June

### [Frontex caretaker leader could face EU court](#)

"The EU's border police Frontex may end up in the European Court in Luxembourg for maintaining operations in Greece despite numerous reports of violations."

---

Legal Centre Lesvos, 7 June

### [Another miscarriage of justice from Mytilene's Courts: Guilty verdict confirmed for the two children arrested following the Moria fire](#)

"Twenty-six prosecution witnesses paraded through the court today, and none of them identified the two defendants."

---

Guardian, 5 June

[\*\*UK accused of attempting to deport children to Rwanda\*\*](#)

"Charities have identified what they describe as a "worrying pattern" of children being classed as adults by Home Office age assessments"

---

ECRE, 3 June

[\*\*Better, Bad, Worse, Worst Approaches? The Asylum Reforms after "Ukraine"\*\*](#)

"what are the possible options for agreements that could be reached? And which elements from the reforms should and should not be pursued?"

---

ECHR, 2 June

[\*\*Use of handcuffs and leash on #asylum seeker amounted to inhuman and degrading treatment\*\*](#)

ECHR ruling on the treatment of an Iraqi family detained in the Hungarian "transit zone".

---

Guardian, 2 June

[\*\*UK: Home Office threatens hunger strikers with faster deportation to Rwanda\*\*](#)

"In a statement, some of the hunger strikers said they had been detained in Libya but had not expected the same treatment in the UK."

---

Guardian, 1 June

[\*\*UK: 'Despair' over Rwanda deportation leading to suicide attempts, say UK charities\*\*](#)

"Clare Moseley, chief executive of the charity Care4Calais, said the prospect of being forcibly sent to Rwanda was the final straw for people who might be traumatised"

---

Border Forensics, 30 May

[\*\*La mort de Blessing Matthew - Une contre-enquête sur la violence aux frontières alpines\*\*](#)

The death of Blessing Matthew - A counter-inquiry into violence on the Alpine borders

---

euobserver, 30 May

[\*\*Frontex left 'traumatised' says caretaking leadership\*\*](#)

"Some staff at the EU's border police agency Frontex refuse to go to work because of its poor reputation on rights abuse, said its caretaking chief, Aija Kalnaja."

---

Info Migrants, 30 May

[\*\*Près de 40 000 migrants empêchés d'entrer en Grèce depuis la frontière terrestre turque en 2022\*\*](#)

Industrial-scale pushbacks at the Greek border

---



---

Guardian, 29 May

**[UK: Windrush scandal caused by '30 years of racist immigration laws' – report](#)**

The conclusion of a paper commissioned by the UK Home Office whose release was suppressed. "It was not clear why officials were reluctant to release the document."

---

EU Law Analysis, 27 May

**[Italian Court of Cassation: Vos Thalassa judgment acquits migrants who resisted return to Libya](#)**

"In December 2021, the Italian Court of Cassation (CoC) quashed the convictions and three-and-a-half-year sentences handed on 3 June 2020 by the Palermo court of appeal (CoA) to two men (from Ghana and Sudan) deemed the ringleaders of a protest on board of the Vos Thalassa tug boat to stop their return to Libya in July 2018."

---

Human Rights Watch, 26 May

**[Bulgaria: Migrants Brutally Pushed Back at Turkish Border](#)**

"authorities are beating, robbing, stripping, and using police dogs to attack asylum seekers and migrants, then pushing them back to Turkey"

---

Guardian, 25 May

**[UK: Home Office staff worry they may be asked to act illegally in 'culture of fear'](#)**

"After 10 years of hostile environment, critics say immigration crackdown has had devastating human cost"

---

Aegean Boat Report, 25 May

**[Pushbacks Funded By The European Union](#)**

"People onboard told Aegean Boat Report that they had been heading towards Italy in a sailboat, when the Greek coast guard stopped them last night."

---

euobserver, 24 May

**['No progress in years' in Libya, says UN migration body](#)**

"Federico Soda, IOM, described a vicious cycle of abuse in the country...noting that the EU cannot just stop migrant crossings and think the issue has been resolved."

---

InfoMigrants, 23 May

**[Malta: Admissions at migrant centers at record low](#)**

"Malta's migrant centers are steadily emptying out partly due to a drop in the number of sea arrivals since 2020. The island has drastically decreased its search and rescue activities"

---

---

Mobile Info Team, 23 May

[Blocked from the system: Voices of people excluded from the asylum procedure on mainland Greece, Crete and Rhodes](#)

"People... forced to remain undocumented for extensive periods of time, blocked from accessing international protection"

---

Euractiv, 20 May

[Dutch government opposes EU plans to bring in migrant workers](#)

" The Dutch government is against the European Commission's plan to bring in more migrant workers from North Africa to help with staff shortages, Dutch broadcaster NOS reports."

---

Open Democracy, 20 May

[Is Johnson's Rwanda plan a crime against humanity?](#)

Crime against humanity: state policy to undertake an "attack directed against any civilian population" that includes deportation, forcible transfer of populations, persecution of identifiable groups.

---

Mariana Gkliati in European Papers, 13 May

[The Next Phase of The European Border and Coast Guard: Responsibility for Returns and Push-backs in Hungary and Greece](#)

"no such balance can be struck before human rights...are properly upheld, before suitable accountability safeguards are set"

---

## Civil liberties

---

Council of Europe, 8 June

[The Council of Europe's anti-torture Committee publishes a report on Switzerland](#)

"The visit focused on the situation of persons deprived of their liberty in prisons, police establishments, psychiatric institutions and certain facilities for foreign nationals in seven different cantons of the Confederation. The report highlights good practices but also notes that structural problems remain, especially in the French-speaking part of Switzerland."

---

European Law Blog, 7 June

[Does monitoring your phone affect the essence of privacy?](#)

CSAM proposal brings "controversial digital rights issues into one package: blocking of websites, obligatory monitoring of online content, & measure which opens the door to undermining encryption"

---

---

Euronews, 7 June

[Outrage in Poland over new 'pregnancy register' on the back of near-total abortion ban](#)

"Opposition MPs have labelled the medical data list as a "pregnancy register" and an infringement of women's rights."

---

Euractiv, 31 May

[German youth protection body endorses AI as biometric age-verification tool](#)

"Individuals must be recognised by the system as being at least 23 in order to gain access to 18+ rated content"

---

Euractiv, 26 May

[Justice for slain Maltese journalist 'excruciatingly slow', complains MEP](#)

"...delegation leader Sophie in 't Veld said that the task was to "end the culture of impunity" that had been identified in the public inquiry into the killing of Daphne Caruana Galizia."

---

EDRi, 25 May

[Belgium wants to ban Signal – a harbinger of European policy to come](#)

"Last week, the Belgian government launched a proposal that would ban [the encrypted messaging app] Signal. What's going on?"

## Law

---

euobserver, 23 May

[Are Orban's Covid powers now the 'new normal' in Hungary?](#)

"Fidesz is seeking to adopt a constitutional amendment authorising a state of emergency based upon a war in Ukraine that may continue for years."

---

Council of the EU, 24 May

[Europol: Council adopts legislation entrusting new tasks to the agency](#)

New Europol legislation officially adopted by the Council, giving the agency new powers to process big data, set research priorities, easing data exchange with third states.

---

EDPS, 20 May

[A new United Nations convention on cybercrime: fundamental rights come first](#)

Press release from the European Data Protection Supervisor: Future convention must uphold "individuals' data protection and privacy rights according to EU law."

---

Tulane Law Review, 6 May

[\*\*The Theory of Artificial Immutability: Protecting Algorithmic Groups under Anti-Discrimination Law\*\*](#)

Are our existing equality laws, at their core, fit for purpose to protect against emergent, AI-driven inequality?

## **Military**

---

The Local, 11 May

[\*\*Poll suggests Danes ready to scrap EU opt-out in referendum\*\*](#)

"A new poll indicates a majority of Danes is in favour of scrapping the country's EU defence opt-out in an upcoming referendum."

Voting took place on 1 June.

## **Policing**

---

Matthias Monroy, 7 June

[\*\*Joint Investigation Teams: European authorities get digital cooperation platform\*\*](#)

"The format of Joint Investigation Teams (JITs) is to be given a central point for the exchange of digital evidence. Other EU agencies would be connected"

---

Bywire News, 30 May

[\*\*Police are arresting trade unionists at strikes in the UK\*\*](#)

"...a potentially worrying trend – with the UK government having just passed laws making it easier to detain people protesting for their basic rights."

---

Matthias Monroy, 29 May

[\*\*Prüm II: EU Committee criticises planned obligation for facial recognition\*\*](#)

"European Economic and Social Committee (EESC) has criticised plans to oblige all EU member states to set up a uniform system for police searches of facial images."

---

The Voice, 23 May

UK: [\*\*'I can't breathe' – cops left severely asthmatic black British man to die\*\*](#)

"The officers did not believe Mr Taylor's concerns and told him to "stop acting up" and to "grow up"."

---

Guardian, 21 May

UK: [\*\*Black social worker Tasered by City of London police treated like 'wild animal'\*\*](#)

"Edwin Afriyie, 36, is suing the force after suffering a head injury and suicidal thoughts following the incident"

---

Matthias Monroy, 12 May

[Encrypted communication: UK remains member of EU interception group](#)

"Despite Brexit, British police can influence surveillance laws in the EU. The country is also represented in European secret service circles."

---

Netpol, 17 May

UK: [The Public Order Bill 2022](#)

"Having successfully passed one piece of vague, draconian public order legislation, the government is already embarking on the introduction of another."

---

## Racism and fascism

---

Amnesty, 31 May

[Covid-19: Pandemic restrictions magnified discrimination against most marginalized groups](#)

"...an overly punitive approach to the enforcement of Covid-19 regulation... resulted in already marginalized groups facing increased harassment and violence"

Independent, 25 May

['We're human beings too': How a decade of the hostile environment has torn lives apart](#)

"From 'go home' vans to the Windrush scandal – thousands have faced fear and uncertainty as a result" - their stories:

---

Euractiv, 24 May

[Italy's far-right leads polls, causes EU headaches](#)

"The party [Fratelli d'Italia] has seen its popularity grow in recent years from 4.3% in the 2018 Italian elections and is now polling at 22.2%, marginally ahead of the centre-left Democratic party."

---

Open Democracy, 24 May

[Far-right conspiracy theories are now embedded in the UK mainstream](#)

"And no wonder, when British journalists promote conspiracy theories and government politicians embrace extremist rhetoric"

---

## Secrecy and transparency

---

euobserver, 1 June

[MEPs host aviation lobby dinner on eve of climate vote](#)

"Key liberal and centre-right MEPs have organised a dinner with aviation lobbyists on the eve of a crucial plenary vote on climate change."

## Security and intelligence

---

Business Insider, 4 June

[Mike Pompeo summoned by court to explain alleged US government plot to assassinate Julian Assange, say Spanish media reports](#)

“Mike Pompeo, former Secretary of State under President Donald Trump, has been summoned by a Spanish court to explain an alleged US government plot to assassinate WikiLeaks founder Julian Assange, according to ABC Spain.”

## Support the fight for civil liberties in Europe

Donate £

Donate €