

**EU smuggles in new police powers****Concern for renewed Palestine crackdown****UN travel surveillance needs "pause and urgent review"**

And: Tracking the Pact: Human rights disaster in the works; Europe's (digital) borders must fall: End the expansion of the EU's EURODAC database; Statewatch at Privacy Camp 2024; Frontex working groups

EU's migrant smuggling proposals hide new police powers

Chris Jones, Statewatch Director, comments: "It is interesting that the Commission has chosen to use a proposal ostensibly about migrant smuggling to do some smuggling of its own – namely, by hiding extensive new powers for Europol behind panicked rhetoric about the undesirable methods people are forced to use to cross borders and seek safety."

Full story [here](#).

Hamas ban plan sparks concerns of crackdown on pro-Palestinian action

A Franco-German-Italian plan setting out proposals to counter the activities of Hamas at both EU and global level has raised concerns that governments may use it as a justification for further attacks on pro-Palestinian protest and campaigning. The document outlines strategies ranging from restricting resources to banning support networks.

Full story [here](#).

UN travel surveillance system needs "pause and urgent review"

A UN Special Rapporteur has called for a pause to the roll-out of an UN-sponsored travel surveillance system, and for an urgent review to be initiated. The international exchange of travellers' information amongst police and border forces is on the rise but access to remedies remains limited, leaving gaps in the protection of individual rights.

Privacy Camp 2024: Join us in Brussels

Join us in Brussels on 24 January as we host a panel with *Privacy International* on the growing infrastructure and business model behind (im)migration and surveillance technologies. We will discuss recent research and action on 'micro' and 'macro' surveillance systems: from the use of government-mandated GPS ankle tags for migrants in the UK, to the global roll-out of travel surveillance systems at the behest of the United Nations.

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All our reports

14 December

[**EU: Hamas ban plan sparks concerns of crackdown on pro-Palestinian action**](#)

A Franco-German-Italian plan setting out proposals to counter the activities of Hamas at both EU and global level has raised concerns that governments may use it as a justification for further attacks on pro-Palestinian protest and campaigning. The document outlines strategies ranging from restricting resources to banning support networks.

12 December

[**Expansive new police powers hidden behind EU's migrant smuggling proposals**](#)

At the end of November, the European Commission announced two new laws to fight migrant smuggling. One seeks to make the legal framework more punitive. The other aims "to reinforce Europol's role in the fight against migrant smuggling and trafficking in human beings," but would in fact expand Europol's powers in relation to all crimes for which it has competence, and let the agency conduct "non-coercive investigative measures" during joint operations with national police forces. Its staff are currently prohibited from conducting any kind of investigative measure.

6 December

[**Tracking the Pact: Human rights disaster in the works as Parliament makes "significant concessions" to Council**](#)

Negotiations are close to an end on the new laws that make up the EU's Pact on Migration and Asylum, and the Council - which has consistently favoured rules that will downgrade human rights protections - appears to have largely got its way, according a document circulated by the Spanish Council Presidency yesterday. Amongst other things, the document openly admits that the Council is planning to sideline Parliament's concerns over "potential discrimination based on race."

7 December

[**Frontex working groups**](#)

Added to the Frontex Observatory: Frontex rules on the creation and functioning of internal working groups, and a chart of working groups as of early October 2023.

5 December

[**UN travel surveillance system needs "pause and urgent review", says Special Rapporteur**](#)

A UN Special Rapporteur has called for a pause to the roll-out of an UN-sponsored travel surveillance system, and for an urgent review to be initiated. The international exchange of travellers' information amongst police and border forces is on the rise but access to remedies remains limited, leaving gaps in the protection of individual rights. Azerbaijan, a state that imprisons political opponents and that has been accused of committing genocide, is one of dozens of countries that have received UN assistance.

4 December

[Europe's \(digital\) borders must fall: End the expansion of the EU's EURODAC database](#)

110 civil society organisations, including Statewatch, are calling for an end to the expansion of EURODAC, the EU database for the registration of asylum-seekers. EURODAC, designed to collect and store migrants' data, is being transformed into an expansive, violent surveillance tool that will treat people seeking protection as crime suspects. This will include children as young as 6 whose fingerprints and facial images will be integrated into the database.

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Asylum, immigration and borders

AlarmPhone, 14 December

UK-France: ['they ignored us initially': What happened in the Channel on 14 December, 2022?](#)

“One year ago a dinghy shipwrecked in the Channel. Approximately 48 people were onboard travelling from France to the UK in search of protection. Four of them are confirmed to have died, while we estimate five more to still be missing at sea.”

EurActiv, 14 December

[Albanian court suspends controversial Italian migrant deal](#)

“The Albanian Constitutional Court has announced the suspension of ratifying the approval of the migrant agreement between Italy and Albania, scheduled for Thursday, after the opposition filed a case claiming the deal violates the constitution and international conventions to which Albania is a party.”

The Guardian, 14 December

[Rights groups decry Greek investigation into migrant shipwreck that left more than 500 dead](#)

“Human rights groups have deplored the lack of progress made by Greek authorities in their investigation into the controversial circumstances in which a migrant ship sank off the Peloponnese – leaving more than 500 dead – in one of the Mediterranean’s worst ever boat disasters.”

Court of Justice of the EU, 13 December

EU: [The action for damages against Frontex brought by a Syrian national, allegedly sent back out to sea from Greece in the direction of Turkey, is dismissed](#)

“By its order, the General Court, after assessing the evidence adduced by the Syrian national, dismisses the action as manifestly lacking any foundation in law, since he did not demonstrate the actual damage he claims to have suffered. More specifically, the Court held that the evidence produced was manifestly insufficient to demonstrate conclusively that he was present at and involved in the alleged incident. Consequently, the condition relating to reliance on actual damage, which must be satisfied in order for Frontex to incur non-contractual liability, was clearly not met.”

Anafé, 13 December

France: [Une enfant de 13 ans enfermée dans la zone d'attente d'Orly malgré une décision de la CEDH](#)

A 13-year-old girl held in waiting area of Orly airport despite an ECtHR decision annulling her removal; she has been there since her arrival on 4 December.

European Law Blog, 13 December

EU: [What will happen to the refugees and asylum seekers that fled Ukraine? Addressing the threat of legal limbo after temporary protection ends](#)

“Temporary protection currently lasts until 4 March 2025. After this date, temporary protection holders must either access another legal status in the EU Member State they reside in, or return to Ukraine if – and only if – the hostilities have ended (Article 21 of Council Directive 2001/55/EC). Non-Ukrainian refugees and asylum seekers, even if they have received temporary protection so far, risk being excluded from national statuses offered when the Council Directive 2001/55/EC expires. Further, they risk being returned to their country of origin, or to Ukraine (while conflict persists), or being held in detention.”

BBC News, 13 December

[Bibby Stockholm: Asylum seeker on board barge dies](#)

“An asylum seeker on board the Bibby Stockholm barge, which houses migrants off the Dorset coast, has died.

Sources told the BBC that the man is thought to have taken his own life.”

InfoMigrants, 12 December

[French parliament rejects Macron's immigration bill in surprise vote](#)

“The French parliament on Monday voted down a flagship immigration bill of President Emmanuel Macron's government, prompting his high-profile interior minister to offer to resign over the “failure”.”

The Guardian, 12 December

[UK: Relief for Rishi Sunak as Rwanda bill passes first vote in Commons](#)

“Rishi Sunak narrowly avoided a major rebellion by rightwing Conservative MPs after they abstained on his controversial Rwanda bill but the prime minister faces further peril in the new year.”

Lighthouse Reports, 11 December

[Frontex and the pirate ship](#)

“The EU’s border agency Frontex and the Maltese government are systematically sharing coordinates of refugee boats trying to escape Libya with a vessel operated by a militia linked to Russia, human trafficking, war crimes and smuggling.”

EUobserver, 11 December

[EU's 'do no harm' Libya policy hit by militia revelations](#)

“The European Commission’s self-declared policy of not doing any harm in Libya appears increasingly strained, following reports Frontex collaborated with the Tariq Bin Zeyad Brigade — a Libyan militia with ties to the Russian mercenary group Wagner.”

The Observer, 10 December

[The west's dumping of migrants on poor countries is a grisly echo of penal transportation](#)

“Britain is not alone in its tawdry deal with Rwanda. The EU, the US and Australia are all exploiting nations that can’t afford to say no”

Il Manifesto, 8 December

[Chi vuole affondare Mediterranea?](#)

Who wants to sink Mediterranea? Complaint filed with Palermo prosecutors about telephone interceptions covered by judicial secrets and their disclosure to media outlets that use their contents to vilify the NGO.

BIRN, 8 December

[Nomen Nescio: Dying En Route to Europe, Buried Without a Name](#)

“Europe’s borders are littered with the graves of unidentified migrants and refugees, leaving their families to search, often in vain, for the truth of what happened, when and where.”

And see: **[1000 Lives, 0 Names: The Border Graves Investigation: How the EU is failing migrants' last rights](#)** (Unbias the News)

InfoMigrants, 8 December

[Germany: One million asylum seekers with a mental illness – media report](#)

“At least one in three asylum seekers in Germany suffers from a mental illness, a media investigation found. However, only a fraction of them have access to therapy, despite the risks that untreated psychological disorders can pose, not only to those suffering from them but sometimes to society as well.”

University of Louvain, 6 December

[Italy: The hotspot approach in Lampedusa under the spotlight of the ECHR: Unlawful detention as well as inhuman and degrading treatment](#)

“Once again, the ECtHR found in three cases against Italy that the living conditions in the hotspot of Lampedusa constitute inhuman and degrading treatment prohibited by Article 3 ECHR. The Court also reaffirmed that the detention of migrants in the hotspot is unlawful under Article 5 ECHR as migrants are deprived of their liberty without a clear and accessible legal basis and in the absence of a reasoned measure ordering their detention. A clear and precise legal framework surrounding the hotspot approach is thus, once again, emphasized in order to guarantee the protection of human rights.”

Migration-Control.info, 6 December

[Monthly Press Review November 2023](#)

“Our Monthly Press Review November 2023 covers topics such as Eurafican migration control, migration, and displacement in African countries, and news on the European border regime.”

PICUM, 5 December

[Human rights organisations: “Days left” for EU legislators to save the right to asylum](#)

“Nineteen human rights organisations across Europe, alongside aid workers and survivors of human rights abuses, say that a crunch summit in Brussels on December 7th risks “opening the door to abuses across Europe” including racial profiling and pushbacks, in a “potentially irreversible attack” on the international system of refugee protection and the rule of law.”

And see: **[EU migration package risks racial profiling and discrimination, NGOs say](#)** (The Guardian, 6 December)

UK government, 5 December

[UK-Rwanda treaty: provision of an asylum partnership](#)

“Treaty between the governments of the UK and Rwanda for the provision of an asylum partnership to strengthen shared commitments on the protection of refugees and migrants.”

See: **[New Rwanda asylum treaty deals with Supreme Court concerns, says James Cleverly](#)** (BBC News)

Irish Legal News, 5 December

Alarm sounded over risk of street homelessness among asylum seekers

“Immediate action is necessary to prevent street homelessness of asylum seekers arriving in Ireland, the government has been told.”

Pressenza, 4 December

Rescue ship Humanity 1 detained based on lies by the Italian authorities

“On Saturday evening, December 2, 2023, the rescue ship Humanity 1 was detained in Crotone, southern Italy, after disembarking 200 people rescued from distress at sea. The Italian authorities’ justifications for this blockade are based on a series of lies, which SOS Humanity can refute through its documentation of the events at sea.”

Free Movement, 4 December

UK: Government attack on families as minimum income requirement to rise to £38,700

“The Home Secretary made a statement to the House of Commons this afternoon about the government’s plans to reduce net migration, mainly by separating families. It’s yet another five point plan and is due to come into force in Spring 2024”

And see: **Thanks to James Cleverly, I may never live in the same country as my kids again** (The Guardian, 6 December)

Frontex, 1 December

Deployment of a mobile surveillance system (MSS) by Frontex

Responses to questions from Ozlem Demirel MEP available in the annexes posted here. Frontex has so far acquired 15 mobile surveillance systems at a total cost of over €5 million.

The Guardian, 1 December

Spanish police investigate deaths of four migrants forced off speedboat

“Spanish police have opened an inquiry after four people were killed as a result of being forced out of a moving speedboat into the sea just metres from the southern shores of Andalucía.”

La Cimade, 1 December

Expulsion illégale d'un étranger: le ministère de l'intérieur viole le droit européen

Illegal expulsion of a foreign national: the interior ministry violates European law] CSO press release, disobedience to the ECtHR in case involving an Uzbek national.

Le Matinal, 1 December

Migration : Au Niger, la loi du 26 mai 2015 n'est plus un obstacle pour les migrants de l'Afrique subsaharienne

In Niger, the law of 26 May 2015 is no longer an obstacle for migrants from sub-Saharan Africa.

European Commission, 24 November

The Dublin Roadmap in action Enhancing the effectiveness of the Dublin III Regulation: identifying good practices in the Member States (pdf)

“The correct and effective implementation of the Dublin III Regulation is central to the Common European Asylum System (‘CEAS’) and is a precondition for its well-functioning. The establishment of well-structured Dublin units and the development of efficient work processes are of paramount importance to ensure an effective determination of the Member State responsible for examining an application for international protection and a rapid access to the procedure for granting international protection. A well-functioning Dublin system is also key to reduce incentives for unauthorised movements within the EU.”

European Commission, 20 November

Commission provides over EUR 250 million of additional funding to reinforce border security and migration management

“In November 2023, the European Commission selected a number of projects to reinforce migration management and security at the EU borders. In total EUR 259 million were made available as part of Member States’ national programmes.”

Frontex, 23 November

Frontex to provide additional support to bolster Finland’s borders

“Frontex, the European Border and Coast Guard Agency, plans to deploy 50 border guard officers and other staff, along with equipment such as patrol cars, to bolster Finland’s border control activities. This significant reinforcement is expected to be on the ground as soon as next week, exemplifying Frontex’s commitment to rapid response and effective support.”

Heinrich Boell Foundation, November

Who guards the guards? The legal responsibility of Frontex in the Aegean Sea under EU law

“Responding to increasing concerns about Frontex’s involvement in border crimes, the Heinrich Böll Foundation Thessaloniki asked front-LEX for a legal opinion concerning the Agency’s accountability for ongoing violations of the fundamental rights of asylum seekers, committed in relation to its activities in the Aegean Sea Region. Co-authored by front-LEX’s legal team, the publication summarizes the three legal avenues currently available under European Union (EU) law to hold Frontex accountable for its ongoing border crimes.”

25 September

Decoding Balkandac: Navigating the EU’s Biometric Footprint

“This report, authored by the Border Violence Monitoring Network with support from Privacy International, investigates the development of interoperable biometric databases, akin to Eurodac, in the Western Balkans, referred to as the “Balkandac” system. It highlights a lack of transparency in current regional data-sharing systems and underscores the significant role of EU institutions in their creation.”

Civil liberties

ECHR, 14 December

Woman forced to travel abroad to have an abortion following legislative amendments in Poland breached the Convention

“In today’s Chamber judgment¹ in the case of M.L. v. Poland (application no. 40119/21) concerning restrictions on abortion rights the European Court of Human Rights held, by five votes to two, that there had been:

a violation of Article 8 (right to respect for private and family life) of the European Convention on Human Rights.”

Netpol, 13 December

UK: Could I be arrested for my Palestine placard?

“The recent upsurge of Palestine solidarity action has been used by the Conservative government and the police as an excuse to further crack down on the right to protest. The inflammatory rhetoric has left many people with questions about what they can and can’t lawfully do – and what their risk of arrest for certain actions is.”

IPI, 13 December

UDHR75: States must urgently recommit to protecting freedom of the press and journalists’ safety

“As UN member states gather in Geneva this week to celebrate the 75th anniversary of the Universal Declaration of Human Rights (UDHR), the IPI global network calls on states and the international community to take urgent and concrete action to protect freedom of the press and journalists’ safety — and to recommit to upholding the fundamental human rights and principles enshrined in the UDHR.”

Global Witness, 7 December

“Female stupidity at its best. They all need to die.”: Violent and sexualised hate speech targeting women approved for publication by social media platforms

“In an age of the ‘mansphere’ where women are under constant threat from misogynistic attacks online, our investigation shows test adverts containing extreme hate against women are approved for publication by Facebook, TikTok, X/Twitter, and YouTube.”

The Guardian, 5 December

UK: Nine arrested over pro-Palestinian banner in London

“Nine people have been arrested after a banner with a pro-Palestinian slogan was displayed on a building in central London.

The banner, which read “globalise the intifada”, was hung outside a building in Park Square, near Regent’s Park, on Tuesday.”

Law

Verfassungsblog, 12 December

Trick and Treat? Hungary's Game of Non-Compliance

“This blog provides illustrative examples of these tricks to reveal the disappointing truth: the Hungarian government continues to lack any genuine commitment to restoring the rule of law. At this point, only one question remains: whether the EC is letting the Hungarian government get the treat despite playing tricks.”

Military

Egyptwide, 7 December

Made in Italy to suppress in Egypt: annual report on the export of Italian arms to Egypt in 2022

“We have extensively documented and analyzed the export of small arms and light weapons (SALW) from Italy to Egypt in our report “Made in Italy to Suppress in Egypt”, which presents a comprehensive picture of the trade of SALW between the two countries, and documents their use in human rights violations committed by state actors in Egypt. The report highlights the nexus between small and light arms trade and growing in-security in Egypt, where security forces operate in an atmosphere of impunity, and no adequate mechanisms are in place to hold perpetrators accountable.”

European Law Blog, 5 December

AG Capeta Opinion on the admissibility of a human rights action for damages in CSDP: filling the gaps in the EU system of legal remedies?

“Whether in case law or in statutory law, reparations to victims of human rights violations in the context of CSDP missions and operations shall be understood as an integral part of the EU’s obligation to guarantee effective judicial protection. Failure to do so would confirm the accountability gap in CFSP and amount to a denial of justice for victims of human rights violations in the multi-layered EU system of legal remedies.”

The Guardian, 1 December

‘The Gospel’: how Israel uses AI to select bombing targets in Gaza

“Israel’s military has made no secret of the intensity of its bombardment of the Gaza Strip. In the early days of the offensive, the head of its air force spoke of relentless, “around the clock” airstrikes. His forces, he said, were only striking military targets, but he added: “We are not being surgical.””

Declassified UK, 10 November

RAF admits to making 17 military flights to Israel since Gaza bombing began

“Declassified has counted 33 RAF flights from Cyprus to Tel Aviv’s Ben Gurion Airport since Israel began bombing Gaza. The UK Ministry of Defence (MoD) told Declassified it had sent 17 flights into Israel’s capital but the time period for this number is unclear.”

Policing

Red Notice Monitor, 8 December

[**A Wake-Up Call for Reforming Interpol's Red Notice System**](#)

"In a remarkably candid statement, Interpol Secretary-General Jürgen Stock recently acknowledged the organization's limited capacity to prevent the misuse of its Red Notice system. This rare admission from the top of Interpol sheds light on the systemic challenges plaguing this crucial law enforcement tool. Stock's comments unfortunately reflect a resignation to the system's flaws rather than a commitment to the urgent, necessary change. In a rapidly evolving geopolitical landscape, this stance risks the integrity of Interpol and the global trust it commands."

Council of the EU, 8 December

Evaluation reports on the implementation of the European Investigation Order

Report on [Belgium](#) (pdf) and [Finland](#) (pdf).

Euronews, 4 December

[**EU governments' hypocrisy is on full display over dangerous police AI**](#)

"Our governments must be willing to put their money where their mouth is, ensuring that state uses of AI are subject to the same reasonable rules and requirements as any other AI system," Ella Jakubowska writes."

Security Architectures in the EU, 4 December

[**Last investigations closed: Hamburg G20 police violence in 2017 remains completely unpunished**](#)

"All criminal prosecution of police officers who violently assaulted people at the 2017 G20 summit in Hamburg came to nothing and no charges were brought. The last investigation was closed despite compelling evidence."

Euronews, 27 November

[**Benelux can strike back against escalating drug wars thanks to a one-of-a-kind treaty**](#)

"The new Benelux Police Treaty, which entered into force on 1 October, has given law enforcement in all three countries a plethora of cross-border instruments, making it the finest tool in the fight against organised crime in Europe, Frans Weekers and Jochen Stöger write."

i, 25 November

[**Police across UK equipped with live facial recognition bodycams**](#)

"Police forces across Britain are equipping their officers with body-worn video cameras capable of carrying out live facial recognition searches on passers-by, it can be revealed."

Prisons

INQUEST, December 2023

[Unlocking the Truth: 40 years of INQUEST](#)

“Reflecting on the history of our work, this new report outlines how INQUEST have remained true to our roots; working alongside bereaved people, exposing the violence and neglect of the state and its institutions, and challenging failing systems of investigation and accountability.”

Privacy and data protection

EurActiv, 7 December

[EU top court's ruling spells trouble for scoring algorithms](#)

“The Court of Justice of the EU (CJEU) ruled on Thursday (7 December) that decision-making by scoring systems that use personal data is unlawful, a judgement that could have significant spillover effects for social security and credit agencies.”

European Law Blog, 4 December

[A complete U-turn in jurisprudence: HADOPI and the future of the CJEU's authority](#)

The CJEU could take a decision with “wide-ranging consequences for the privacy and data protection of everyone using the internet.”

The AG said the court should be “pragmatic” and “nuanced” when national courts fail to implement its case law

Lighthouse Reports, 4 December

[France's Digital Inquisition: Taking apart the secretive fraud detection algorithm that scores half of France's population but pursues the most vulnerable](#)

“In 2022, Juliette, a single mother on welfare, received money from her family to visit her critically ill father. A few months after her father died, a fraud investigator from France's social security agency, CNAF, knocked on her door. The investigation determined that she owed thousands of euros that would be deducted from her monthly welfare payments.”

Racism and discrimination

The Guardian, 12 December

[German prosecutors charge 27 over alleged far-right plot to topple government](#)

“German prosecutors have filed terrorism charges against 27 people, including a self-styled prince and a former far-right lawmaker, in connection with an alleged plot to topple the government that came to light with a slew of arrests a year ago.”

Secrecy and transparency

European Ombudsman, 28 November

[The time it takes the European Commission to Handle Public Access to Documents Requests: European Ombudsman's Special Report to the European Parliament](#)

“Excerpt from Emily O'Reilly's speech at the European Parliament's Committee for Civil Liberties, Justice and Home Affairs.”

Security and intelligence

Lesvos Legal Centre, 10 December

[Greece: REPORT ON NATIONAL INTELLIGENCE SERVICE'S ACTIVITIES: DEMONISATION OF MIGRATION AS A THREAT TO THE COUNTRY AND TARGETING OF THE ACTIVITIES OF ORGANISATIONS DEFENDING HUMAN RIGHTS](#)

“Illegal” immigration is described as the fourth in a row threat to the country's security by the National Intelligence Agency (EYP) in its 2022-2023 activity report recently published by the Agency.”

UK government, 6 December

[Government body behind secret tech opens doors to expand engineering excellence](#)

“A government body which creates secret technologies to support national security is today launching a new drive to work more openly with technology firms and academics.”

UK Home Office, 5 December

[Investigatory Powers \(Amendment\) Bill: policy statement](#)

The government will require further information from telecommunications service providers planning to introduce changes that may affect surveillance and spying capabilities.

Surveillance

Disclose, 12 December

[France and six European states unite to authorise the spying on journalists](#)

“France, Italy, Finland, Greece, Cyprus, Malta, and Sweden aim to undermine the first European law aimed at protecting freedom and independence of media in Europe. According to documents obtained by Disclose, in partnership with Investigate Europe and Follow the Money, these seven countries actively advocate for authorizing surveillance of journalists in the name of “national security”.”

SHARE Foundation, 7 December

[European Promotion of the SHARE Foundation's Book on Biometric Surveillance](#)

“One of the most comprehensive studies on the use of biometric systems worldwide, the SHARE Foundation's book “Beyond the Face: Biometrics and Society” was presented on Monday, December 4, in Berlin and on Wednesday, December 6, in Brussels.”

The London Economic, 4 December

UK: [New legislation gives government permission to snoop on your bank account](#)

“A controversial piece of legislation could hand the government permission to snoop on bank accounts in a move that has been described as “Orwellian” by Prem Sikka.

The Data Protection and Digital Information Bill threatens to open up the accounts of anyone in receipt of state benefits, including child benefit, state pension and universal credit.”

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