

Issue 24/03, 15 February



Academics oppose EU research funding that violates law

Civic space in Cyprus must be protected

Frosty reception for new EU police proposal

Italy-Albania migration memorandum contravenes the law

Racial profiling and "internal pushbacks" in new Schengen borders legislation ----- Call for MEPs to reject EU's harmful migration pact ----- Italian council fined for illegal AI surveillance ----- EU considers more visa sanctions to step up deportations ----- New lawsuit filed to coincide with annual Tarajal border deaths march

Hundreds of academics call for a halt for EU research funding that violates international law

In an open letter published on 7 February, more than 300 academics called for the EU to stop funding research projects "that may, directly or indirectly, violate international law and human rights," in particular with regard to substantial research funding the EU provides to institutions in Israel.

The letter states that "it is of utmost importance to avoid any double standards in the treatment of, for example, Israel and Russia, considering the EU-wide principled stance upon Russia's invasion of Ukraine."

It closes by stating that "we must live up to the standards of our past commitments. That genocide shall 'never again' take place is a commitment that cannot be made several times."

The number of signatories has now reached more than 420. You can read the full text and add your signature [here](#).

Civic space in Cyprus must be protected

KISA is a Cypriot NGO that works for "an all-inclusive, multicultural society, free of racism, xenophobia and discrimination," that has been the subject of ongoing and worsening attacks from the authorities and far-right groups.

The most extreme such attack came on 5 January, when a bomb set off outside *KISA*'s office broke all the windows, and destroyed much of the equipment and the organisation's archives.

In response, over 40 organisations from across Europe, including *Statewatch*, are calling on Cypriot and European authorities to take action to condemn the bombing, launch an investigation, and halt the attacks upon *KISA*.

Read the statement [here](#).

Frosty reception from member states for new Europol proposal

At the end of November, the European Commission proposed expanding Europol's powers, in the name of fighting migrant smuggling. Member states have started discussing the proposal in the Council. Written comments obtained by *Statewatch* suggest that the plans have not been well-received in national capitals.

Numerous states question the necessity and proportionality of the proposals, criticise the Commission's refusal to assess its impact, and critique the extra workload the plans would cause, without supplying sufficient funding and staff. The German delegation, for example, expresses "doubts as to whether the proposed amendments to the Europol Regulation are legally necessary" to achieve their stated aim.

Read the full story [here](#).

Italy/Albania memorandum on migration contravenes international law

A new statement from the *Migreurop* network, of which *Statewatch* is a long-standing member, raises a number of questions regarding the new Italy-Albania memorandum of understanding on migration, which will see two detention centres built in Albania with Italian funds, and which will be declared part of Italian territory – one for processing asylum claims, one for processing people for deportation.

The statement "denounces a Memorandum of Understanding that should never have seen the light of day. Assuming that the Italian government persists in this direction, it cannot do so unless European law and the protection of people's rights are implemented and respected. Starting with the right to seek asylum under the right conditions."

Read the full statement [here](#).

New material

Greece is planning a €40m automated surveillance system at borders with North Macedonia and Albania ----- Riot at Rome CPR after migrant's suicide ----- UK and France agree to "go further" in response to small boat crossings ----- UK: Protesters wearing masks could face arrest, up to a month in jail and a £1,000 fine ----- Italy: Prosecution case relies on compromised witnesses as luventa trial crumbles ----- France: Interior ministry spends tens of millions of euros on mobile fingerprint scanners ----- Catalonia: AI in prisons to "foresee and prevent" security incidents ----- EU: Biometric data storage until death is illegal ----- Netherlands: Illegal surveillance of "population groups" ----- MI5 tried to recruit British man in Gaza by offering to help family escape

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News

15 February

[Racial profiling and "internal pushbacks" in new Schengen borders legislation](#)

Statewatch is publishing the final compromise text of the revised Schengen Borders Code, which is due for adoption soon by the Council and the Parliament. The text has been heavily criticised for encouraging racial profiling through the increased use of police patrols and checks at internal borders in the Schengen area, as well as legitimating "internal pushbacks", with the aim of avoiding the full-blown reintroduction of internal border controls.

14 February

[Civic space in Cyprus must be protected](#)

KISA is a Cypriot NGO that works for "an all-inclusive, multicultural society, free of racism, xenophobia and discrimination," that has been the subject of ongoing and worsening attacks from the authorities and far-right groups. The most extreme such attack came on 5 January, when a bomb set off outside KISA's office broke all the windows, and destroyed much of the equipment and the organisation's archives. In response, over 40 organisations from across Europe, including Statewatch, are calling on Cypriot and European authorities to take action to condemn the bombing, launch an investigation, and halt the attacks upon KISA.

13 February

[MEPs can still halt the EU's harmful migration pact, say civil society groups](#)

On 14 February, MEPs in the European Parliament's civil liberties committee will vote on the legislation that makes up the EU's Pact on Migration and Asylum, following political agreement between parliamentarians and EU member state representatives in December. A statement signed by more than 80 civil society organisations, including Statewatch, calls on MEPs to vote against rules that will have "devastating implications for the right to international protection in the bloc and greenlights abuses across Europe including racial profiling, default de facto detention and pushbacks."

13 February

[Italy: Trento council fined for illegal AI video and audio surveillance projects](#)

Last month, the Italian privacy authority fined Trento city council €50,000 for the deployment of two artificial intelligence-driven urban surveillance projects that violated data protection rules. The two projects, which were funded by the EU, were accompanied by a third research project that avoided sanction from the privacy authority, as no data processing has so far taken place under its auspices.

13 February

[Deportations: EU considers stepping up visa sanctions after Iraq and Gambia change policies](#)

Iraq and The Gambia have both been targeted with EU visa sanctions due to non-cooperation on deportations, and it seems the measures – or the threat of them – may have led to a new willingness to accept deportation flights from EU states. The instrument was first introduced in 2019, and was first applied to The Gambia in 2021. Now member states are discussing the way ahead for the visa sanctions regime, which may see more threats levelled at third countries deemed insufficiently cooperative with EU deportations.

12 February

[New powers for Europol: proposal gets frosty reception from member states](#)

At the end of November the Commission proposed expanding Europol's powers, in the name of fighting migrant smuggling. Member states have started discussing the proposal in the Council. Written comments obtained by Statewatch suggest that the plans have not been well-received in national capitals.

7 February

[Palestine: 300 academics call for halt to EU research funding that violates international law](#)

Almost 300 academics from universities across Europe and beyond have called for the EU to stop funding research projects "that may, directly or indirectly, violate international law and human rights," in particular with regard to substantial research funding the EU provides to institutions in Israel.

6 February

[Tarajal border deaths: 11th March for Dignity demands justice as new lawsuit opened](#)

Last Saturday, the 11th 'March for Dignity' took place in Ceuta, marking the killing of 14 people who died by drowning on 6 February 2014 after being pushed back by Spanish border guards, tear-gassed and fired upon with rubber bullets. A fresh lawsuit against Spain was recently filed at the UN by one of the survivors.

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New material

[Asylum, immigration and borders](#)

[Civil liberties](#)

[Law](#)

[Military](#)

[Policing](#)

[Prisons](#)

[Privacy and data protection](#)

[Security and intelligence](#)

Asylum, immigration and borders

Italy: [Lawyer of migrants freed in Catania: "The Cassation has confirmed doubts about the Cutro law decree. The EU Court may have an impact on the agreement with Tirana"](#)

"Called to rule on the appeals by the Ministry of the Interior against the orders of the Catania court, which in recent months did not validate the detentions of some Tunisians in Pozzallo undergoing border procedures on the basis of the Cutro decree, now the Supreme Court has passed the ball to the European Court of Justice."

[Greece is planning a €40m automated surveillance system at borders with North Macedonia and Albania](#)

"Locals are not enthusiastic but their opinion counts for little."

[GPS tracking of migrants in the UK: Performative cruelty and dodgy tech](#)

Podcast by Privacy International discusses the legal case of someone who has been forced to wear a GPS tag by the Home Office for the past 20 months" and the Home Office use of "dubious AI".

[Council of Europe Parliamentary Assembly expresses concern over electioneering and laws that restrict migrant and refugee rights, in violation of standards](#)

The resolution also warns of related intolerance to freedom of thought, the media and other institutions.

Italy: ['Naked under the rain and then beaten'](#)

Radio excerpts cover further violence at Milan's Migrant pre-deportation detention centre (in Italian).

Italy: [Riot at Rome CPR after migrant's suicide](#)

Guinean man's suicide spotlights dire situation in pre-deportation detention centres.

UK and France agree to “go further” in response to small boat crossings

"These plans will expedite deployment of key aerial surveillance equipment... [and] enhanced intelligence sharing."

Asylum and migration reform: EU member states’ representatives green light deal with European Parliament

Member state representatives approve new migration and asylum laws that civil society and some MEPs have described as disastrous for human rights.

Schengen reform: the new code allows refoulements at internal borders

Summary of new Schengen border code highlights problematic elements, such as legitimising pushbacks at internal borders between member states.

Head of Frontex says stopping migration flows to Europe would be “impossible”

Yasha Maccanico, Statewatch Researcher, comments: "A welcome admission although it needs to also influence the EU's overambitious migration policy model..."

Greece: Disgraceful living conditions in the “state-of-the-art” Closed Controlled Access Centre (CCAC) of Samos

The 100% EU-funded prison-like camp on Samos is overcrowded and conditions are appalling, as detailed in the report by Refugee Support Aegean.

UK: Rwanda bill “incompatible with human rights obligations”

According to the Joint Committee on Human Rights, “Hostility to human rights is at [the bill's] heart and no amendments can salvage it.”

EU: First formal evaluation of Frontex delivers overall positive assessment despite “specific challenges”

Challenges identified by the report include member states refusing Fundamental Rights Monitors access to certain areas.

Frontex, Cutro is a faded memory: surveillance from above remains the priority

An article in *Altreconomia* details the ongoing use of aerial surveillance by Frontex, while the journalist Eleonora Vasques has obtained and made public [the Serious Incident Report](#) (pdf) relating to the Pylos shipwreck. Meanwhile, [shipwrecks continue](#).

Immigration Detention in Police Stations in Greece: A Persistent and Cruel Practice.

"...the Greek State has been constantly degrading the living conditions of detention for irregular immigrants in police centres, bypassing the legal provisions and thus essentially treating them as social enemies."

The detention of innocent people is not a miraculous solution

Appeal against migrant detention from Belgium.

UK-France: **See Calais and die, 367 times**

Account of a silent and "highly political" carnage at the French-British border, ongoing since 1999. The report is **also available in English**.

Small boat sinks at sea off Lampedusa: 49 migrants saved, but some people are missing

Original in Italian.

Civil Fleet: over a year of operation time lost!

Counting the cost of Italian government obstruction of civilian search and rescue missions.

Portuguese man who has lived legally in UK since 2001 faces deportation

"Lawyers and human rights campaigners say case shows Home Office's increasingly hostile policy towards EU citizens"

Greece: Closure of the Pylos 9 investigation and rejection of requests for additional crucial evidence

"On 27 December 2023, the Interrogator Judge closed the investigation of the nine Egyptian survivors of the Pylos shipwreck who are imprisoned and facing criminal charges for smuggling and for causing the deadly shipwreck. It is worth noting that the Interrogator Judge closed the investigation only six months after the tragedy."

Legal Centre Lesvos has also **updated its webpage** systematically monitoring cases of criminalisation.

Civil liberties

UK: Rahman Lowe Secures Landmark Victory in Employment Case for Professor David Miller Against Bristol University

"This case marks a pivotal moment in the history of our country for those who believe in upholding the rights of Palestinians"

France unveils plan to curtail right to French citizenship in Indian Ocean island of Mayotte

French campaign group SOS Racisme also denounced what it called "a particularly spectacular calling into question of the principle of equality"

UK: [**Protesters wearing masks could face arrest, up to a month in jail and a £1,000 fine**](#)

The article neglects to mention that many protesters wear masks to protect their rights in the face of increasing police surveillance and filming of demonstrations.

[**European Parliament concerned about very serious threats to EU values in Greece**](#)

MEPs express grave concerns about very serious threats to democracy, the rule of law and fundamental rights in the country."

UK: [**Solicitor general urged to drop prosecutions of jury rights activists**](#)

Protesters have been reminding jurors that they can acquit environmental activists on trial. The authorities have taken a dim view of the actions.

[**Report: Stemming the tide of Greek media freedom decline**](#)

"The downward spiral in media freedom in Greece between 2020-2023 dovetails with the election of the centre-right New Democracy party led by Prime Minister Kyriakos Mitsotakis in 2019"

UK: [**Judge throws out case against Greta Thunberg and other London protesters**](#)

Court rules not enough evidence provided to prove defendants failed to comply with section 14 order at anti-fossil fuel rally.

[**"I will be a first minister for all": Sinn Féin's Michelle O'Neill marks historic moment for once unionist state**](#)

First ever republican first minister takes office in Northern Ireland.

Law

Greece: [**Appeal trial for the Moria fire will be heard next month**](#)

Four of the six defendants who were found guilty of starting the fire that burnt down the detention centre on Moria will have their appeal heard next month.

[**The AI Act – a breach of EU fundamental rights charter?**](#)

The use of AI systems that claim to infer emotions from biometrics is only prohibited in the areas of workplace and education institutions, not in contexts such as law enforcement and migration

[**No protections for undocumented women in EU directive on gender violence**](#)

"...the final agreement provides no guarantee that undocumented migrant women will be able to lodge a complaint without risking deportation"

Antifa trial hits EU right-wing parties: MEPs and Commission criticise Hungary

Details on the debate and demonstrations surrounding Italian defendant Ilaria Salis' detention conditions and their potential to impact upcoming.

Italy: **The criminalisation of so-called boat drivers in 2023**

Fascinating report from ARCI Porco Rosso reviews data of the stops, ongoing legal cases, and network activity related to this criminalisation Read (in Italian).

Italy: **Prosecution case relies on compromised witnesses as luventa trial crumbles**

The two key witnesses were actually dismissed from the police service due to a history marred by lies, fraud, defamation and malpractice."

Support the call to #DropTheCharges

Elsewhere, [a report](#) reviews anomalies of the political-judicial investigation in the case. This in-depth look at irregularities sheds light on factors behind these highly criticised charges and the wider pattern of obstructing civilian search and rescue operations.

EU countries give crucial nod to first-of-a-kind Artificial Intelligence law

"The ambassadors of the 27 countries of the European Union unanimously approved the world's first comprehensive rulebook for Artificial Intelligence, rubber-stamping the political agreement reached in December."

UK: **Saying nothing much at all, to general acclaim - the Windsor Framework relaunch**

Analysis of the new post-Brexit deal on Northern Ireland and the Windsor Framework.

Military

"Eurodrone" in turbulences: German Ministry of Defence irritated by huge cost increase

"As a 'bridging solution' the Bundeswehr is using drones from Israel which can also be armed"

UK: **Podcast: Inside Bristol's 'murder factory' arms facility, with the activists on trial for occupying it**

Palestine Action activists are on trial for smashing into an Elbit factory that ships weapons technologies to Israel.

Policing

EU-funded project “Strengthening of AFIC as an instrument to fight serious cross-border crimes affecting Africa and the EU” wraps up

The project included Frontex, the European Commission and representatives from eight countries in the Africa-Frontex Intelligence Community (AFIC).

Portugal: **Police looking to access old SEF database**

Police union has demanded direct access to the databases of the former security service now managed by the new migration agency and System of Homeland Security.

Rescue ship #OceanViking detained on false declarations of erratic Libyan patrol vessels violating maritime law

The crew "witnessed repeated and severe violations of maritime and human rights conventions by EU-funded Libyan patrol."

France: **Interior ministry spends tens of millions of euros on mobile fingerprint scanners**

"...in addition to the 7000 mobile scanners to be delivered by the Olympic Games, the Ministry planned to acquire up to 3000 per year."

More than 13 years later, ECHR judges French police use of 'kettling technique' against demonstrators as a violation of freedom of assembly and association

Read the court's full press release [here](#).

UK and EU hold first post-Brexit "Counter-Terrorism Dialogue"

"The UK and EU shared best practice and expertise on counter-terrorism, including responses to terrorist content online and financing of terrorism."

Find out more about post-Brexit policing and security cooperation between the UK and EU in our report: **Goodbye and hello: The new EU-UK security architecture, civil liberties and democratic control**

UK police facial recognition explained: What you need to know

Computer Weekly provides a detailed overview of the issues, history and state of play of police facial recognition in the UK.

Prisons

[Council of EUs anti-torture Committee \(CPT\) reports on 2023 visit to the UK](#)

They found conditions were not helped by the uncertainty of the length of detention and the use of “prison-like immigration detention centres such as Brook House and Colnbrook”

Scotland: [Deaths in Custody and fatal accident inquiries in 2023](#)

Four people die every week in Scotland while detained or under the control of the state.

Catalonia: [AI in prisons to “foresee and prevent” security incidents](#)

A contract to install a system in the Mas d'Enric prison, near Tarragona, was awarded to the company Inetum, owned by the enormous investment fund Bain Capital.

Privacy and data protection

[New judgement of the European Court of Human Rights Case of Podchasov v. Russia](#)

“Encryption, moreover, appears to help citizens and businesses to defend themselves against abuses of information technologies”

EU: [Biometric data storage until death is illegal](#)

CJEU holds that the general and indiscriminate storage of biometric and genetic data of persons convicted of an intentional offence is contrary to EU Law.

Security and intelligence

Netherlands: [Illegal surveillance of “population groups”](#)

Dutch intelligence service illegally surveilled three “population groups on the basis of ethnicity, religious belief or professional group says an official report covering February to July 2022.

[Joshua Schulte: Former CIA hacker sentenced to 40 years in prison](#)

“A former CIA officer has been sentenced to 40 years in prison for leaking a trove of classified hacking tools to whistle-blowing platform Wikileaks.”

[MI5 tried to recruit British man in Gaza by offering to help family escape](#)

“...his children... aged six, four and one had been added to a list of those allowed to leave but that he and his wife had still not been granted permission.”

[Sweden to drop inquiry into Nord Stream pipeline explosions](#)

“...the prosecutor leading the Swedish investigation had said a 'state actor' was likely to be behind the attack. Neither [Sweden nor Denmark] had named a suspect.”

Probe opened into Latvian MEP accused of spying for Russia

"The European Parliament on Monday launched an investigation into allegations that Tatjana Ždanoka, a Latvian member of the EU legislature, has been working as a Russian spy for years."

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