



The Migration Pact passes: what next?

Border externalisation becomes law

Policing: aerial surveillance as “harm reduction”

The Migration Pact passes: what next?

On Wednesday, MEPs voted to approve the vast majority of new laws that make up the EU’s Pact on Migration and Asylum, ostensibly the subject of tough negotiations – at least until the Parliament caved in and accepted the Council’s position on the vast majority of the legislation.

As outlined in two statements we have signed this week along with almost 200 other organisations (available [here](#) and [here](#)), the effects of these new laws will be to swell the number of people in detention, reduce protections and safeguards for people crossing borders to seek safety and protection, enable an increase in racial profiling, and facilitate the use of dangerous new surveillance and identification technologies. Attention now will turn to implementation of the Pact.

There will be multiple requests from national courts to the Court of Justice for interpretation of the new laws. The new measures and practices required at national level may also be subject to challenges, and new detention and border infrastructure is also likely to face opposition. Beyond this, investigations to show violations of the new laws and strategic challenges to try to ensure they meet the highest possible standards will be essential, as will the continued provision of advice, support and assistance to people on the move from groups working on the ground.

We will continue to investigate and expose the plans, policies and projects being put in place to implement the Pact, to inform and support advocacy, campaigns and legal action by civil society groups. This includes a new bulletin on border externalisation that we will start publishing later this month. We will also continue to investigate [the use of secret evidence against people on the move](#).

If you appreciate our work on immigration, asylum and borders in Europe and want to see it continue, [please support us](#).

Hardwiring border externalisation into EU law

The new Asylum and Migration Management Regulation introduces a labyrinthine new “common framework for the management of asylum and migration in the Union.” This includes new means for the externalisation of EU migration and border controls – a process that has caused multiple human rights abuses and has led to the EU and its member states “bankrolling dictators”.

Read the full story [here](#).

“Multipurpose aerial surveillance” as “harm reduction”

Every year, government officials in the EU agree on a series of “operational action plans” for joint police operations in various priority crime areas. Migration always features prominently in these plans (though what used to be referred to as “illegal migration” now comes under the banner of “migrant smuggling”).

The latest plan on this topic, which we have obtained and published, is notable for a number of reasons. It is clearly aimed at enhancing Europol’s strategic role within European policing, with the agency due to receive substantial amounts of data gathered as part of police operations.

Amongst the plan’s objectives is one ostensibly geared towards “harm reduction and assistance to victims,” which many would see as a welcome goal. Curiously, though, there is only action under this heading – and it involves Frontex’s increasing the use of its “EUROSUR Fusion Services, including the Multipurpose Aerial Surveillance aircraft service.”

Read the full story [here](#).

New material

Albania-Italy migrant deal moves ahead as Rome publishes tender for processing centre -----
French overseas territory of Mayotte to erect an "iron curtain" of civil-military surveillance technologies -----
'We Jews are just arrested; Palestinians are beaten': Protesters in Germany -----
Nearly 2,500 arrests in England and Wales since 2019 under Vagrancy Act -----
An urgent call from European trade unions: Suspend the Association Agreement with Israel -----
EU's AI Act fails to set gold standard for human rights -----
Outrage in Spain as video shows Madrid police 'violence' on unarmed black men -----
Top Israeli spy chief exposes his true identity in online security lapse

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Upcoming events

London, 12 April

[Climate of Injustice: What next for the law's silencing of protest and dissent?](#)

“Looking beyond individual cases, we need to understand why the criminal justice system is responding in such extreme ways to those exercising fundamental democratic rights and freedoms. We need to organise against this rising climate of injustice. To be part of that, join us on 12 April.

The UN Special Rapporteur for Environmental Defenders, Michel Forst, will deliver a pre-recorded statement to the conference.”

Brussels, 18 April

[Ways forward for a humane European Asylum & Migration Policy](#)

“Deadline for registration: 12 April 2024.

The adoption of the new Pact on Migration is bad news for the individual right to asylum in Europe. A new era is ushering in Europe that no longer has much to do with the right to asylum and the EU and its Member States are gradually moving further away from it. The deaths at the EU's external borders will therefore not stop and the suffering of those affected and their families will not be ended but rather worsened through this new legislation.

But dealing with asylum and migration is not a side issue, it reflects the way we live together and democracy on our continent. This initiative deals with the way forward after this historical caesura in European asylum policy and aims at bringing together MEPs, NGOs and activists on the issue to discuss constructive ways & practical actions forward in our common fight for the right to asylum and a humane EU asylum and migration policy.

Interpretation: German, English, French, Greek, Spanish, Swedish, Portuguese”

Online, 30 April

UK: [Prevent and the Pre-Crime State](#)

An event exploring Open Rights Groups' recent [report](#) 'Prevent and the Pre-Crime State: How unaccountable data sharing is harming a generation', which finds that “the data of people who are referred to the Prevent programme is being widely shared, and that data is being retained for years even when referrals are marked ‘no further action’.”

New material

[Asylum, immigration and borders](#)

[Civil liberties](#)

[Law](#)

[Military](#)

[Policing](#)

[Privacy and data protection](#)

[Security and intelligence](#)

[Surveillance](#)

Asylum, immigration and borders

[Urgent Appeal on the Detention and Refoulement of Sudanese Refugees in Egypt](#)

“As large numbers of Sudanese refugees have entered Egypt, Egyptian authorities have responded by ramping up arrests, arbitrary detentions, pushbacks, and refoulements, in breach of Egypt’s obligations under international refugee law and its international human rights commitments. Critically, these violations are occurring at a time of increased support from the European Union aimed at boosting Egypt’s migration management operations, which raises concerns about Europe’s potential culpability in abuses committed against vulnerable refugees and asylum seekers in the region.”

[STOP MIGRATION DEALS AT THE EXPENSE OF HUMAN LIVES](#)

“A lawsuit against the Dutch state, not a step we took lightly. Today, together with Amnesty International the Netherlands and Defence for Children, we are suing the Dutch state for the consequences of the EU-Turkey deal concluded in 2016. The EU-Turkey deal had far-reaching implications for tens of thousands of people who were and remain trapped in refugee camps on the Greek islands between 2016 and today. The overcrowding, insecurity, and inhuman conditions our organisation witnessed every day in the refugee camp on Lesbos should not have been allowed to take place. Besides providing care we want to ensure structural change. It is unacceptable that no one takes responsibility. The suffering and injustice we witness can and must be stopped.”

[Cases of criminalisation of migration and solidarity in the EU in 2023](#)

This briefing highlights cases of criminalisation of solidarity with migrants as well as criminalisation of people crossing borders in the EU in 2023. It is followed in the annex by an extensive list of media sources of the cases of individuals who were criminalised for providing solidarity as well as migrants who were criminalised.”

[Albania-Italy migrant deal moves ahead as Rome publishes tender for processing centre](#)

“As of 20 May 2024, camps in Albania that will process the asylum applications of individuals rescued by the Italian authorities will be up and running, as a recently published tender document reveals more details about the deal and how the site will function.”

Portugal: [**Chega deputies facing illegal immigration questions**](#)

“The far-right party's program, which elected 50 deputies in the March 10 elections, includes several measures to control immigration. However, at least two of those elected by Chega have already found themselves faced with 'problems' related to illegal immigration.”

[**Mayotte to erect an "iron curtain" of civil-military surveillance technologies**](#)

“The sub-prefect in charge of combating illegal immigration in Mayotte has just published 11 requests for information calling on manufacturers to provide an impressive arsenal of surveillance technologies to combat the "migration challenge" in this French overseas department.”

Italy: [**Investigation into Ousmane Sylla, dead of reception**](#)

Details emerge in the case of Ousmane Sylla, who committed suicide in a Rome detention centre (CPR) in February - including the misuse of sedatives and ill-treatment. “The first thing we know for sure now is that Ousmane wanted to live.”

[**Austrian minister pushes EU to consider repatriations to Syria and Afghanistan**](#)

“It is "necessary and urgent" to begin talks over whether a bloc-wide ban on repatriations to Syria and Afghanistan should be reconsidered, Austria's Interior Minister Gerhard Karner told a delegation of EU Interior Ministers in Brussels on Monday (March 4)”

Civil liberties

UK: [**Police accused of stifling protest after Manchester arrest over Palestine chant**](#)

“Police have been accused of suppressing legitimate protest after a woman was arrested for chanting “from the river to the sea, Palestine will be free” and given bail conditions banning her from Manchester city centre or from being in a group of more than three people.”

[**'We Jews are just arrested; Palestinians are beaten': Protesters in Germany**](#)

“Palestinian protesters seem to be bearing the brunt of police crackdowns on protests in Germany – “We Jews are just getting arrested, the Palestinians are being beaten,” Hefets says. One example was the brutal arrest of a hijab-wearing protester at a sit-in in Berlin central station this past weekend, which was captured on video and posted to social media channels.

But Hefets believes her group of Jewish activists is also being specifically targeted at demonstrations because of its Jewish identity.”

UK: [**Being branded as ‘extremist’ won’t deter Palestine Action**](#)

“In response to weekly pro-Palestine protests calling for an end to Israel’s onslaught on Gaza attended by hundreds of thousands in London and other major British cities, the Conservative Party government expanded police powers and moved to weaponise concerns over so-called “extremism”. Its leading figures referred to peaceful protesters exercising their democratic rights as “mobs” and “hate marchers”, classifying any and all opposition to Israel’s war and occupation as hate and racism.”

[**General Assembly adopts landmark resolution on artificial intelligence**](#)

“The UN General Assembly on Thursday adopted a landmark resolution on the promotion of “safe, secure and trustworthy” artificial intelligence (AI) systems that will also benefit sustainable development for all.

Adopting a United States-led draft resolution without a vote, the Assembly also highlighted the respect, protection and promotion of human rights in the design, development, deployment and the use of AI.”

Law

[**Nearly 2,500 arrests in England and Wales since 2019 under Vagrancy Act**](#)

“Almost 2,500 homeless people have been arrested by police in England and Wales since 2019 under the Georgian-era Vagrancy Act, among them nearly 500 people since the government pledged to replace the act in 2022.”

[**Call for withdrawal of Slovakia’s repressive broadcast law**](#)

“Journalists and media freedom groups call for the urgent withdrawal of a proposed legislation allowing political control over public-service media in Slovakia. The bill threatens independent information, especially before the June European Parliament elections, contradicting the recently voted EU’s Media Freedom Act.”

[**Following through on the Union’s values: The role of international law in setting legal limits on supporting Israel in its war on Gaza**](#)

“European leaders continue to express steadfast political support for Israel and to provide material support for the war by upholding pre-existing trade relations, including arms exports. This blogpost examines to what extent this continued support displayed by the Union and its Member States constitutes a violation of Union law. It does so in light of two recent rulings, both delivered by courts in The Hague, which suggest support for Israel in the current context might be problematic not just from a moral, but also from a legal standpoint. The central argument developed in this post is that Union law, when interpreted in a manner that respects – or at least does not undermine – the fundamental norms of international law, establishes sufficiently concrete obligations that the Union and its Member States currently do not meet given their continued support for Israel.”

[An urgent call from European trade unions: Suspend the Association Agreement with Israel](#)

“We, the undersigned European trade unions, are calling on the EU and European countries to suspend the Association Agreement with Israel as well as bilateral treaties in light of grave violations of human rights by the Israeli Government, in violation of Article 2 of the EU – Israel Association Agreement.”

[Packed with loopholes: why the AI Act fails to protect civic space and the rule of law](#)

“The European Parliament approved the AI Act on 13 March 2024, thus marking the end of a three-year-long legislative process. Yet to come are guidelines and delegated acts to clarify the often vague requirements. In this article, we take stock of the extent to which fundamental rights, civic space and the rule of law will be safeguarded and provide an analysis of key AI Act provisions.”

[EU’s AI Act fails to set gold standard for human rights](#)

“A round-up of how the EU Artificial Intelligence (AI) Act fares against the collective demands of a broad civil society coalition that advocated for prioritising the protection of fundamental human rights in the law.”

Military

[‘Lavender’: The AI machine directing Israel’s bombing spree in Gaza](#)

“The Israeli army has marked tens of thousands of Gazans as suspects for assassination, using an AI targeting system with little human oversight and a permissive policy for casualties, +972 and Local Call reveal.”

Policing

[How AI is helping the police with investigations](#)

“Almost nine months after the outbreak of violence at the Eritrea Festival in Giessen, the police have largely investigated the events. Super Recognizer wasn't the only thing that helped.”

EU: [Written submission: Civil society shows evidence gaps in “Going Dark” group proposal for access to data for law enforcement](#)

“On 28 February 2024, EDRi and its members submitted written comments on the work of the High-Level Group (HLG) on “access to data for effective law enforcement”. This HLG was set up under the Swedish Presidency of the Council in 2023 to allegedly find solutions to law enforcement ‘modern challenges’ in the digital era.”

Ireland: [**Over €75m in extra funding for prisons and police**](#)

“More than €75 million is to be invested in the Irish Prison Service and An Garda Síochána as part of a €93 million capital funding package announced today.

The additional funding brings the total capital allocation available for the justice sector in 2024-2026 to €930 million.”

[**Outrage in Spain as video shows Madrid police ‘violence’ on unarmed black men**](#)

“Leftwing parties in Spain are demanding explanations after a video appeared to show a pair of police officers using violent force on two unarmed black men in a central Madrid neighbourhood.”

UK: [**Police surveillance and use of pepper spray at trans solidarity protest condemned**](#)

“Demonstrators faced confrontational police tactics from the start, with a large police presence and intrusive surveillance. Eyewitnesses reported police using live facial recognition (LFR) technology to track the crowd, with a facial recognition van close to the protest.”

Privacy and data protection

[**The Hellenic Data Protection Authority fines the Ministry of Migration and Asylum for the "Centaurus" and "Hyperion" systems with the largest penalty ever imposed to a Greek public body**](#)

“The detailed analysis of the GDPR highlights the significant shortcomings that the Ministry of Immigration and Asylum had fallen into in the context of preparing a comprehensive and coherent Data Protection Impact Assessment, and demonstrates the significant violations of the GDPR that have been identified and relate to a large number of subjects who have a real hardship in being able to exercise their rights.”

Security and intelligence

[**Top Israeli spy chief exposes his true identity in online security lapse**](#)

“The identity of the commander of Israel’s Unit 8200 is a closely guarded secret. He occupies one of the most sensitive roles in the military, leading one of the world’s most powerful surveillance agencies, comparable to the US National Security Agency.”

Surveillance

[**Eavesdropping, geolocation: more and more people are being monitored in France**](#)

More than 20,000 people in France are currently being monitored by the intelligence services. The techniques used are increasingly sophisticated, and are not limited to terrorism or serious crime.

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