Issue 24/06, 28 March



Schengen visas: "intensive" social media investigations Frontex flights and deaths in the Channel

Call to suspend EU-Israel agreement over Palestine rights breaches

# Europol revokes conference access for researcher working with *Statewatch*

A journalist and researcher working with *Statewatch*, Giacomo Zandonini, earlier this week had his access to a Europol conference on data protection revoked, after the organisers "discovered" he was a journalist. The conference was organised by the Academy of European Law. Zandonini travelled to the conference despite the revocation of his pass, to try to gain access. At the door, a Europol official said that "maybe you have written something afterwards" attending a previous edition of the conference, suggesting that was the reason he was now barred.

Zandolini has indeed "written something" about Europol and other EU agencies, and has been nominated for awards for doing so. A year ago, <u>an article he co-authored</u> revealed that Europol officials proposed being granted access to massive quantities of data through a proposed law on child sexual abuse imagery.

The police agency says it operates "professionally, transparently and with integrity." Yet it is apparently not very fond of independent scrutiny. The incident has been recounted by Zandonini <u>here</u> and registered by the European Centre for Press and Media Freedom <u>here</u>.

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# German police recommend "intensive" social media investigations into visa applicants

In a document obtained by Statewatch, the German police call for "intensive use" of open source research on visa applicants. The document, a handbook on Schengen visa fraud, also recommends developing "risk profiles". This would use criteria such as "gender, age, groups of persons, origin, itinerary" to assess applicants' risk of committing visa fraud.

Full story <u>here</u>.

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#### Frontex flights and fatalities in the Channel

Following the Channel shipwreck in November 2021, when at least 31 people drowned while French and British coastguards ignored their calls for help and failed to coordinate a search and rescue operation, European ministers met in Calais for crisis talks. Their response: have Frontex deploy an aircraft to "fly day and night to help the French, Dutch and Belgian Police" monitor the coastline for crossings. The French interior minister, Gérald Darmanin, said at the time: "We cannot accept that any more people die."

Full story here.

Call to suspend EU-Israel agreement over violations of Palestinian rights

Statewatch is one of 160 organisations that are calling for the suspension of the EU-Israel Association Agreement due to ongoing human rights violations in Occupied Palestinian Territory. The Association Agreement is conditional upon "respect for human rights and democratic principles" by both the EU and Israel, says a statement published today by the organisations. It calls for suspension of the Agreement "until the EU is confident that nothing in its relations with Israel contributes in any way - political, financial, military, technical, trade, anything - to the continuation of the occupation and of the denial of the rights of the Palestinian people."

Full statement here.

# Increased number of EU laws face scrutiny from internal security officials

Security issues need to be considered in all EU policies, say draft "strategic guidelines in the field of Justice and Home Affairs" obtained by Statewatch. The guidelines will be adopted by the European Council to guide law and policy-making between 2024 and 2029. They also call for "adequate EU funds" to ensure implementation of the Pact on Migration and Asylum, the expansion and interconnection of policing and migration databases, and for other issues such as plans to increase deportations.

Full story <u>here</u>.

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# Hundreds of groups call on EU to uphold civic space, rights and democracy

An open letter signed by more than 400 organisations from across Europe, including Statewatch, calls on the EU institutions to "prioritise actions that foster a vibrant civic space, uphold democracy, and safeguard fundamental rights" over the next five years. At a time of constant attacks upon rights and freedoms - which the letter notes "threaten the very foundation of democracy" - the signatories call on the EU needs to take meaningful steps to address the problems. These include the adoption of a European Civil Society Strategy, appointing a Commission vice-president for "democracy, civic space and dialogue with civil society," and ensuring "permanent, structured, and meaningful interaction between institutions and organised civil society."

Full statement here.

#### New material

Beatings and rape by EU-funded forces in Tunisia ----- Sweden plans to pay 'foreign-born' passport holders to leave the country ----- Italy: Criminal police state ----- The destruction of Hungarian civil society began ten years ago ----- UK: Jury refuses to convict Palestine activists ----- EU: From queen to empress: Inside Ursula von der Leyen's power grab ----- Spain: Marta the stupa, more than two decades infiltrating social movements ----- Northern Ireland: Public inquiry announced into 1989 murder of Belfast solicitor Pat Finucane ----- Famous 'spy' beluga whale found dead in Norway ----- China's police state goes global at surveillance conference

### Stand up against state secrecy

Help us expose and oppose intrusive and unwarranted state powers with a regular donation from as little as £1/€1 per month.



### **Upcoming events**

University of Essex, 26-27 September Border Criminologies Annual Workshop 2024: Challenges and Futures

"Please join us for the Border Criminologies Annual Workshop, hosted by the Department of Sociology and Criminology, University of Essex. This year's workshop will mark the formal launch of the network's new thematic groups, with cutting-edge research on display across all our thematic research areas by researchers from across the globe."

Online, 24 September BIRN Webinar: Addressing Biometric Surveillance Issues in Europe

"Join us for a webinar on September 24, 2024, at 1:00 PM CET, where experts will delve into the pressing issues surrounding biometric surveillance in Europe. This event will offer valuable insights into the current legal landscape, practical tools for advocacy, and the role of journalism in shaping public discourse."

Online, 17 October Access to Classified Data in National Security Related Immigration Cases

"The Hungarian Helsinki Committee is organising a webinar from 9 AM to 3 PM on 17 October 2024 on 'Access to Classified Data in National Security Related Immigration Cases' together with the European Council on Refugees and Exiles (ECRE) and the Polish Helsinki Foundation for Human Rights (HFHR).

The webinar will explore the following topics with a variety of invited guest speakers:

Relevant jurisprudence of CJEU and ECtHR

The Right to Know in the European Union (comparative study)

Role of domestic courts in national security cases

Access to classified data under the Pact and the Law Enforcement Directive

### **New material**

Asylum, immigration and borders <u>Civil liberties</u> <u>Law</u> <u>Military</u> <u>Policing</u> <u>Privacy and data protection</u> <u>Racism and discrimination</u> <u>Security and intelligence</u> Surveillance

#### Asylum, immigration and borders

The brutal truth behind Italy's migrant reduction: beatings and rape by EU-funded forces in Tunisia

"Keir Starmer says he wants to learn from Italy's 'dramatic' statistics. But a Guardian investigation reveals that EU money goes to officers who are involved in shocking abuse, leaving people to die in the desert and colluding with smugglers"

#### Frontex Found Guilty Again Of Pushbacks From Greece

"The EU's official 'border agency' Frontex has once again been proven to have taken part in illegal pushbacks in Greece.

A newly released Serious Incident Report (SIR) by Frontex' own Fundamental Rights Office, details a pushback performed in February by the Greek coast guard, assisted by Bulgarian Frontex, outside Lesvos."

#### <u>Tensions in Poland over migrants escalate despite drop in attempted crossings from</u> <u>Belarus</u>

"Two years after Poland erected a border barrier to stop migrants from entering from Belarus, the influx has diminished but public debate over the issue has not, fuelled in part by the fatal stabbing of a soldier in June."

#### Locked in. From above: The confinement camps of migrants in 21st century Europe

"What do the confinement camps built or financed by EU countries in recent years to segregate asylum seekers and/or migrants in transit look like, and how have they disrupted the territories in which they have been set up? Thanks to the book "Chiusi dentro" (Locked in) edited by RiVolti ai Balcani network and published by Altreconomia in 2024, comes the digital project "Locked in. From above", which with exclusive satellite images taken by PlaceMarks shows the face of European policies: to block, to reject, to confine, to condemn to marginalisation.

From Turkey to Greece, from Serbia to Italy, from Albania to Bosnia and Herzegovina, via Lithuania, North Macedonia, Hungary and more. Fifteen countries, more than 100 images and maps to get to know the camps of today's Europe."

#### Egypt is Brussels' key 'partner' on Gaza and migration, say top EU officials

"On Monday, EU migration commissioner Ylva Johansson, was also in Cairo, later telling reporters that the commission was close to signing a work agreement between Egypt and Europol, the EU agency which pools information and resources between the bloc's law enforcement authorities.

Johansson described Egypt as "a true strategic partner of the EU, and for stability in the region" and also praised Egypt for its treatment of migrants and refugees, particularly those fleeing civil war in Sudan."

Reality check: <u>Joint Statement: Egyptian authorities must end arbitrary detentions and</u> <u>forced deportations of Sudanese refugees and asylum seekers</u>

And see: Joint Press Statement on the occasion of the official visit of Commissioner for Home Affairs Ylva Johansson to Egypt

#### Italian government obsessed with migrants provides Tunisia with patrol boats

Violations of human rights, deportations of migrants in the desert, repression of all forms of internal dissent, but the Italian government decides to strengthen the diplomatic and military partnership with the Tunisian regime.

#### Germany presents plans to detain asylum-seekers "close to the border"

"Germany will detain asylum-seekers close to its border and fast-track deportations if they are to be returned to other EU countries, the German government announced on Tuesday (10 September), as it seeks to crack down on irregular migration."

## Sweden plans to pay 'foreign-born' passport holders to leave the country in an effort to cut migration

"It is pertinent to note that there is a voluntary exit scheme that currently offers 10,000 Swedish crowns (\$960) along with travel costs for refugees to leave the country. An inquiry group has recommended that the proposal should be widened to include naturalised Swedish citizens along with families of migrants"

#### UK: e-Visas: Hostile and Broken

"The e-Visa will be used to demonstrate someone's ability to enter the UK, to prove their right to work and to access banking, mortgages and secure housing rental agreements. As a result, any problems with accessing or using e-Visas will have very serious consequences for those who are dependent on them.

While it is inevitable that, in this digital world, the government will try to leverage digitalisation to make services more efficient, it appears that the Home Office has chosen to make "real-time" online checks each time the "e-visa" is accessed, which are unnecessary and create scope for many technical errors, from network outages through to data mismatching."

#### Eight people dead in attempt to cross Channel, say French authorities

"Eight people died overnight trying to cross the Channel from France to England, French regional authorities have said, as the UK foreign secretary, David Lammy, said the government could follow Italy's lead and process asylum claimants in a third country."

#### Italy: Geo Barents, suspended administrative detention

"On the basis of the evidence provided by Médecins Sans Frontières (MSF), the judge of Salerno ruled that the ship Geo Barents did not contribute to creating any dangerous situation on board and that on the contrary, the rescue operations in which she was engaged were unacclearable. He also acknowledged that the Libyan Coast Guard had been informed in advance of the rescue activity."

## Monitoring fundamental rights during screening and the asylum border procedure – A guide on national independent mechanisms

"tAn effective and independent fundamental rights monitoring system is preventative, as it reduces the risk of fundamental rights violations. It also enhances the protection of victims of fundamental rights violations, by strengthening the application of fundamental rights safeguards already in place and providing expert advice when needed. It also supports domestic investigations of allegations against public authorities by providing objective, evidence-based and unbiased analysis and reporting. This improves transparency and accountability, and thus enhances trust in public authorities."

And see: Implementing the Pact: obligation for fundamental rights monitoring

#### Surveilling Europe's edges: when digitalisation means dehumanisation

"In May 2024, Access Now's Caterina Rodelli travelled across Greece to meet with local civil society organisations supporting migrant people and monitoring human rights violations, and to see first-hand how and where surveillance technologies are deployed at Europe's borders. In the first of a three-part blog series reflecting on what she saw, Caterina explains how, all too often, digitalising borders dehumanises the people trying to cross them."

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## The first civil rescue ship in the Mediterranean was financed by millionaires, the second by families from Brandenburg

"Exactly ten years ago, the "Phoenix" set out to rescue refugees on their way to Europe by sea, followed a year later by the "Sea-Watch". The approaches behind them could not be more different."

#### UK: Government commissions review of spouse minimum income requirement

"The government has just commissioned a review of the spouse minimum income requirement by the Migration Advisory Committee (MAC). This was set at £18,600 in 2012, increased to £29,000 in April 2024 and was scheduled by the last government to rise to £34,500 then eventually £38,700. By comparison, the minimum wage comes out at about £22-23,000 per annum depending on hours, I think."

#### USA: <u>"Borderland: The Line Within": New Film on Who Profits from Deportations &</u> Border-Industrial Complex

"We speak with filmmaker Pamala Yates about her new documentary, Borderland: The Line Within, which explores the human impact of restrictive U.S. immigration policies and border militarization. The film tells the stories of asylum seekers fleeing violence in their home countries, activists fighting to protect the rights of undocumented immigrants, and others caught up in what Yates calls "the border-industrial complex, the billions of dollars of our tax money that is being spent to capture, incarcerate and deport immigrants.""

#### **Civil liberties**

#### Italy: Criminal police state

A measure approved by the Chamber of Deputies establishes a swathe of harsh new laws targeted at protests, protesters and squatters. These include:

- sentences of up to 20 years for protests in prisons, detention centres or against major infrastructure works;
- up to seven years for squatting vacant properties;
- 15 years for "active resistance" to authority and four years for "passive resistance";
- permission for law enforcement agents to carry a second, personal weapon when not on active duty;
- the possibility to imprison pregnant mothers and mothers with children under a year old;
- a new prohibition on buying SIM cards without a residence permit, making it impossible for undocumented people to legally use a mobile phone.

The bill still has to be approved the senate before it passes into law.

#### <u>"A state agency has been set up for witch-hunts" – the destruction of Hungarian civil</u> society began ten years ago

"Ten years ago, on September 8, 2014, Veronika Móra, the director of the Ökotárs Foundation, was escorted out of her office by police officers. Ökotárs, Autonómia, Kárpátok and DemNet came under fire from the government because the Norwegian Fund's funding for Hungarian NGOs was distributed independently of the government, according to professional criteria. To mark the round anniversary, the NGOs organised a commemorative event, where I, as a former and current client and head of a funded organisation, also spoke. The speech is published here."

#### UK: Jury refuses to convict Palestine activists

"A jury at Bradford Crown Court today refused to convict four Palestine Action defendants who shut down an Israel-supplying military electronics firm in April."

#### Last chance: why EU cannot afford to be silent ahead of Tunisian election

"The authorities have been supported in their campaign of repression by billions of euros in aid and loans from the EU, funds that have been handed over without any insistence that Egypt abide by the EU's standards on human rights.

Unless it changes course, the EU is about to make the same mistakes in Tunisia that it made in Egypt."

#### UK: Pro-Palestinian protester acquitted over 'coconut' placard has 'no regrets'

"Marieha Hussain, who depicted Sunak and Braverman as coconuts, says only people who do not understand the term find it offensive"

#### Law

#### EU: From queen to empress: Inside Ursula von der Leyen's power grab

"When Ursula von der Leyen unveiled her team for the next European Commission, she simultaneously silenced the doubters about who was really in charge in Brussels.

As she revealed the 26 commissioners and their roles to the public, one point was immediately clear: she would have unfettered control over European Union politics. In a matter of minutes, she introduced a big title with little responsibility for one of the most powerful countries in the European Union, she propped up her buddies, and she diluted powerful portfolios by dividing them among multiple people.

The power grab was complete."

And see: Ursula von der Leyen's new European Commission

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#### Northern Ireland: Troubles Act judgment a 'victory for victims'

"Today is an important victory for victims. The court has spoken loud and clear that core parts of the Independent Commission for Reconciliation and Information Recovery (ICRIR) are unlawful.

From the outset we and victims have raised our significant concerns with the ICRIR, a deeply flawed body created and curated by the last government.

All eyes are now on the Secretary of State. We urge him to ensure the Troubles Act is repealed in full and that the ICRIR is replaced."

#### UN Special Rapporteur urges Turkey to order retrial in all ByLock cases

"In a strongly worded communication, the United Nations Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite, expressed deep concern over the deteriorating state of judicial independence and human rights in Türkiye. The letter, addressed to the Turkish government, highlights systemic issues, particularly around due process violations in terrorism-related cases, as well as the significant political interference that has compromised the judiciary's impartiality since the attempted coup of 2016."

#### See: ByLock Prosecutions and the Right to Fair Trial in Turkey: The ECtHR Grand Chamber's Ruling in Yüksel Yalçınkaya v. Türkiye

#### Libyan authorities order detention of militia leader over killing of human trafficker

"Libya's chief prosecutor has ordered the detention of a militia leader and one of his aides pending an investigation into the killing of one of the country's most notorious human traffickers"

#### Military

#### Israel recruits African asylum seekers for operations in Gaza, according to "Ha'Aretz

"According to the Israeli left-wing Israeli newspaper Ha'Aretz, the Jewish state has put in place a system for recruiting asylum-seekers to engage in the conflict in Gaza in exchange for permanent resident status."

#### Gaza: Israeli Military's Digital Tools Risk Civilian Harm

"The Israeli military's use of surveillance technologies, artificial intelligence (AI), and other digital tools to help determine targets to attack in Gaza may be increasing the risk of civilian harm, Human Rights Watch said today in releasing a question and answer document about the tools. These digital tools raise grave ethical, legal, and humanitarian concerns."

### Policing

#### Spain: Marta the stupa, more than two decades infiltrating social movements

Behind the identity "Marta de Aranjuez" – as she was known by her comrades in *Madres Contra la Represión* (Mothers Against Repression), the last of the political collectives she participated in – was hiding the police officer María Ángeles G.A., who passed her exams in June 1985.

#### UK: <u>Watch: How Section 60 contributes to rifts between police and the communities</u> they serve

"Leigh McKenna is a Bristol youth worker who has seen firsthand the impact a controversial 'suspicionless' police stop-and-search operation had on Black and brown children and young people when it was carried out in February.

During the operation in central and east Bristol, carried out after 16-year-old Darrian Williams was stabbed in Easton, officers searched kids as young as 10 – and Avon and Somerset Police's own data shows officers disproportionately targeted people of colour."

#### Privacy and data protection

#### Fears Spain's new tourism rules could breach Britons' privacy rights

"British holidaymakers' privacy rights could be breached by new Spanish regulations that are being imposed on the tourist industry, a leading hoteliers' federation has warned.

Spanish hotels, travel agencies and vehicle rental companies must provide up to 18 extra details about tourists under the government rules which are due to come in to force from Tuesday 1 October."

#### **Racism and discrimination**

#### France: Outgoing ministers warn of far-right ideas infiltrating new Barnier government

"Outgoing agriculture minister Marc Fesneau and the outgoing delegate-minister for European affairs Jean-Noël Barrot have both expressed their concern over right-wing ideas infiltrating the new government that is currently being put together by newly appointed Prime Minister Michel Barnier.

(...)

Nevertheless, both ministers expressed their support for Barnier, with Barrot praising his clear position on the Rassemblement National, against "which he has always fought.""

#### UK: Benefit sanctions more likely for minority ethnic claimants, UK data shows

"Black and minority ethnic benefit claimants are disproportionately likely to be hit with universal credit sanctions – financial penalties typically running into hundreds of pounds – according to official statistics unveiled for the first time."

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#### Security and intelligence

Northern Ireland: Public inquiry announced into 1989 murder of Belfast solicitor Pat Finucane

"The UK government has ordered an independent public inquiry into the 1989 murder of the Belfast solicitor Pat Finucane, one of the most controversial killings of the Troubles.

The Northern Ireland secretary, Hilary Benn, made the announcement on Wednesday after decades of campaigning by Finucane's family and supporters, who say the full extent of state complicity in the crime was covered up."

See: <u>Perfidious Albion: Cover-up and collusion in Northern Ireland</u> and: <u>Shining a light</u> on deadly informers: The da Silva report on the murder of Pat Finucane

#### Famous 'spy' beluga whale found dead in Norway

"A beluga whale nicknamed Hvaldimir, who was initially suspected of being a Russian spy, was found dead on Aug. 31, according to Norwegian media. Hvaldimir's body was first spotted by a father and son who were out fishing for mackerel near the port town of Risavika in southwestern Norway."

#### Surveillance

#### China's police state goes global at surveillance conference

"High-tech CCTV, super-accurate DNA-testing technology and facial tracking software: China is pushing its state-of-the-art surveillance and policing tactics abroad. Delegates from law enforcement across the world descended this week on a port city in eastern China showcasing the work of dozens of local firms, several linked to repression in the northwestern region of Xinjiang. China is one of the most surveilled societies on Earth, with millions of CCTV cameras scattered across cities and facial recognition technology widely used in everything from day-to-day law enforcement to political repression. Its police serve a dual purpose: keeping the peace and cracking down on petty crime while also ensuring challenges to the ruling Communist Party are swiftly stamped out."

