News
19 September (11/17)

Home page: **http://www.statewatch.org/**
e-mail: **office@statewatch.org**

ANALYSES, BRIEFING & VIEWPOINT:
http://www.statewatch.org/analyses.htm

1. EU: New report: Market Forces: the development of the EU security-industrial complex
2. Analysis: A Pyrrhic victory? The ECJ upholds the EU law on relocation of asylum-seekers

NEWS
http://www.statewatch.org/news/newsfull.htm

1. They can't sail for Europe - so what's happening to migrants trapped in Libya?
2. EU: Massive biometric "smart borders" database may be illegal
3. The ABC secrecy trial: 40 years on (Crispin Aubrey Legacy Fund)
4. Council of the European Union: Reception Directive & Resettlement Regulation
5,. As Europe refugee and migrant arrivals fall, reports of abuses, deaths persist
6. EU deadline on refugee pledges misses mark
7. PI launches international campaign for greater transparency around secretive intelligence
8. Theresa May blocked Scottish inquiry into spies having sex with female activists
9. EU: Austria and Europol call for crackdown on "under the radar" informal money transfer services
10. UK: The Home Office makes huge profits from immigrants. So where is the money going to?
11. EU: New rules on Schengen Information System and border checks
12. ECHR scales back businesses' powers to snoop on staff's private messages
13. EU: European Parliament special committee on terrorism - list of members published
14. UK: More than 100 people arrested over London arms fair protests
15. Report highlights need to improve data on dead and missing migrants to better inform policy
16. UNICEF: HARROWING JOURNEYS - Children and youth on the move across the Mediterranean
17. Sea-Watch is called to rescue 27 refugees in the Aegean
18. FIDH: France: The harassment of Cédric Herrou, defender of migrants' rights, must end
19. UK: Review highlights discrimination in criminal justice system, but a missed
20. UK: PREVENT is about Policing Dissent not Safeguarding
21. EU-SPAIN**:** The EU and the Catalan Crisis
22. UN aviation agency to call for global drone registry
23. UK: Information tribunal dismisses Drone Wars appeal over British drone secrecy
24. EU: Refugees: Council next steps - finance and train Libyan Coast Guard to end arrivals to Italy
25. LESVOS, GREECE: MOIRA CAMP Report from No Borders Kitchen on police raid
26. Greece: Lesvos: Saturday 9 September: SECOND POLICE RAID TO ARREST

27. REFUGEES: Libya: Open letter - European governments are feeding the business of suffering
28. MOAS Suspends Mediterranean Rescue Operations
29. The UK's complicity in data-driven drone strikes
30. European citizens want information on migration – not higher walls
31. EU: Copyright Directive: six MSs question legality of proposals for automated upload filtering
32. EU rejects Hungary's demand to finance border fence
33. EU: The ongoing march of the EU's security-industrial complex
34. International Organisation for Migration to help Libyan authorities take migrants back to "hell"
35. UK: Court of Appeal judgment on joint enterprise and trials of vulnerable defendants
36. SOLIDARITY IS NOT A CRIME
37. Berlin starts controversial test of facial recognition cameras at train station
38. UK: Ditchley Foundation: Drones, remote weapons and other robots
39. EU: Council Military-Law Enforcement Agencies cooperation & INTCEN: Threat assessment

DOCUMENTATION

1.   EU: Commission: Proposed Regulation the free flow of non-personal data in the European Union
2.   EU COPYRIGHT DIRECTIVE: 4 Times NO: Article 13 Censorship Filter Confirmed as Illegal
3.   EU: JHA Council, 14 September including terrorism and migration discussion papers.
4.   Council of European Union: European Criminal Records System and Third Country Nationals
5.   EU-POLAND: Independence of judiciary: Commission takes second step in infringement
6.   EU: EP committee reports: violence against women, prison conditions, arms exports
7.   CoE: Study on police oversight mechanisms in Council of Europe member states
8.   EU-LIBYA: UN report highlights abuses by Libyan Coastguard during search and rescue
9.   European Criminal Records System (ECRIS) and Third Country Nationals
10. UK government sets out proposals for post-Brexit security, policing and justice cooperation
11. EU: Council of the European Union: Manual on cross-border operations - national fact sheets
12. European Commission: Partnership Framework, Relocations, EU-Turkey deal and EBCG
13. EU: FRONTEX: Frontex Annual Activity Report 2016
14. EU "Implementation Plan" on Central Mediterranean will exacerbate "abuse, mislead and expel"
15. CJEU: The Court dismisses the actions brought by Slovakia and Hungary mandatory relocation
16. EU-TURKEY DEAL: Operational implementation of the EU-Turkey Statement
17. Brexit: UK government paper: Foreign policy, defence and development: A Future Partnership
18. UK-EU: Briefing paper: European Union (Withdrawal) Bill
19. EU: European Commission: 10th progress report on Security Union
20. UK-EU-BREXIT: Confidentiality and access to documents Position paper
21. EU: Council of the European Union: Letter concerning SIS II legislative proposals
22. UK-EU-BREXIT: HoL Committee report: Brexit: judicial oversight of the European Arrest Warrant
23. EU: ACCESS TO LEGISLATIVE DOCUMENTS: Council of the European Union
24. EU: European Commission: EU Trust Fund for Africa migration and border management in Libya
25. European Commission: Security Union: 9th report
26. The: Tunisia Declaration (French)
27. EU: Council of the European Union: "Legal migration" skilled workers
28. EU: Relocation of refugees 14th report
29. EU: Council of the European Union: Manual on Law Enforcement Information Exchange
30. EU: Restricted document highlights plans for ongoing EU interventions in Libya

REPORT & ANALYSIS

1. EU: **New report: Market Forces: the development of the EU security-industrial complex**

Market Forces focuses on the development of EU security policies and budgets through the 2007-13 period and their successors, which were launched in 2014 and will run until 2020. These include the ESRP, which funds research to develop new technologies for law enforcement, border control, cybersecurity and critical infrastructure protection and leans heavily towards technologies and techniques initially deployed or favoured by military forces: drones, data-mining tools, large-scale surveillance systems, biometric recognition and automated behaviour analysis tools. It also explicitly seeks to develop "dual-use" technologies for both civil and military use.

2. Statewatch Analysis: **A Pyrrhic victory? The ECJ upholds the EU law on relocation of asylum-seekers** (pdf) by Steve Peers, Professor of Law:

"*How should the EU deal with the perceived 'migrant/refugee crisis'? It has done a number of things, but back in September 2015, when the numbers of arrivals were peaking, it did something truly remarkable – requiring Member States to relocate 160,000 asylum-seekers from the 'frontline' states of Italy and Greece, which were bearing most of the burden of new arrivals....*

The Court rejected the arguments that the decision was not suitable to obtain its objectives. True, as Commission reports have pointed out, not many asylum-seekers have actually been relocated, but that could not be foreseen at the time – and that was implicitly partly the fault of the plaintiff Member States for not implementing the decision in practice. (The Advocate-General's opinion dismisses this "I killed my parents, give me sympathy as a poor orphan" line of argument more bluntly)."

NEWS

1. **They can't sail for Europe - so what's happening to migrants trapped in Libya?** (MIddle East Eye, link)

"*Militias are trying to take over government detention centres - and trade their occupants as human commodity (...)*

Libya has become the preferred destination for migrants and refugees heading for Europe. In the first half of 2017, at least 2,030 people died or went missing while crossing the Mediterranean for southern Europe. The greatest number set off from Libya.

The EU, and especially Rome, has tried to work with the Libyan authorities to return migrant ships back to North Africa."

2. EU: **Massive biometric "smart borders" database may be illegal**

• A number of MEPs think CJEU opinion on EU-Canada air passenger surveillance scheme makes biometric border control database illegal and are demanding renegotiation

• Council Legal Service: "substantial difficulty" for air passenger surveillance schemes in EU and with Australia, Canada and USA, as well as other EU databases

 Longstanding plans for an EU Entry/Exit System (EES) which would store the fingerprints, a facial image and other personal data on all travellers entering the Schengen area are running into serious problems as the implications of a recent court ruling on an EU-Canada air passenger surveillance scheme become clear.

3. **The ABC secrecy trial: 40 years on** (Crispin Aubrey Legacy Fund, link):

Friday 3rd November 2017, Arnolfini, Bristol 7.00 - 9.00pm (Networking & Drinks from 6.00pm)

"*This event marks 40 years since the joint arrests of Crispin Aubrey, John Berry and Duncan Campbell. In the early seventies, Crispin Aubrey became a leading figure in the campaign to prevent the government deporting two Americans on national security grounds - former CIA case officer Philip Agee and Time Out journalist Mark Hosenball...*"

Speakers: Panel Discussion One : Reflections from the trial and campaign: Chaired by Andrew Kelly, Bristol Festival of Ideas, ABC defendant, John Berry, ABC defence barrister Mike Mansfield QC, Sue Aubrey, wife of ABC defendant, Crispin Aubrey

Panel Discussion Two: Lessons from the trial and legacy today: ABC campaigner and Statewatch Director Tony Bunyan,Sarah Kavanagh, NUJ Senior Campaigns and communications officer and ABC defendant, Duncan Campbell.

Click here to register (link)

4. Council of the European Union: **Reception Directive & Resettlement Regulation**

• **Proposal for a Directive laying down standards for the reception of applicants for international protection** (LIMITE doc no: 1149417, 115 pages pdf): Including 190 Footnotes with Member State positions. Contains discussion on detention clauses. The Council developing its negotiating position.

• **Proposal for a Regulation establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014)** (pdf) Contains 115 Footnotes with Member State positions.The Council developing its negotiating position.

"Without prejudice to Ireland's right to opt in post-adoption as set out in Article 4 of Protocol 21 of the TFEU, Ireland has not opted into this proposal under Article 3 of Protocol 21 of the TFEU and as such does not have voting rights. AT: reservation on the proposal. BG, CZ, DE, ES, FI, HU, IE, IT, PL, SE, SI, SK: scrutiny reservation on the proposal. HU, SI: parliamentary reservation."

"*Suggested modifications are indicated as follows:*

- new text compared to the Commission proposal is in bold;
- new text compared to the previous version of this document is in bold underlined;
- deleted text is marked with […]."

5. **As Europe refugee and migrant arrivals fall, reports of abuses, deaths persist** (UHCR, link):

"On land, movements across Europe continued in the first half of 2017, although at a much reduced level compared to the same period last year. People moving onwards irregularly from Greece and Bulgaria reported abuses at the hands of smugglers, as well as being beaten, and set upon by police dogs. In addition there were reports of robberies, and kidnappings by smugglers for extortion.

During the period of the report UNHCR and partners continued to receive allegations of push-backs by State authorities, including in Bulgaria, Croatia, Greece, Hungary, Romania, Serbia, Spain and the former Yugoslav Republic of Macedonia. There were also reports of access to asylum procedures being denied and allegations of violence in some instances. While some States have taken steps to address such actions, for example through investigating allegations of human rights abuses at borders, the report notes that further measures are required."

See: **Desparate Journeys report** (pdf)

6. **EU deadline on refugee pledges misses mark** (euobserver, link):

"A looming deadline for the EU states to commit to their pledges on how many refugees they will resettle appears to have shifted.

The EU commissioner for migration, Dimitris Avramopoulos, told reporters in Brussels that he had pressed interior ministers on Thursday (14 September) to come forward with numbers ahead of a deadline initially set during the summer. (...)

Of the almost 39,000 people resettled from Africa last year, only around 1,800 ended up in Europe. The vast majority went to United States, followed by Canada and Australia.(...)

Niger - through which the vast majority of migrants travel to reach Libya - has only resettled one person since 2015. Similar figures are cited for Bukino Faso and Mali.

Filippo Grandi, the UN high commissioner for refugees, said on Monday that the "response has been very far from adequate." "

7. **Privacy International launches international campaign for greater transparency around secretive intelligence sharing activities between governments** (link):

"Privacy International, in partnership with 30+ national human rights organisations, has today written to national intelligence oversight bodies in over 40 countries seeking information on the intelligence sharing activities of their governments.

Countries may use secret intelligence sharing arrangements to circumvent international and domestic rules on direct surveillance. These arrangements can also lead to the exchange of information that can facilitate human rights abuses, particularly in countries with poor human rights records or weak rule of law.

National intelligence oversight bodies hold intelligence agencies accountable to the public by exercising scrutiny over the legality, propriety, effectiveness, and efficiency of the intelligence activities of their governments."

See: **Briefing** (pdf)

8. **Theresa May blocked Scottish inquiry into spies having sex with female activists** (Herald Scotland, link):

"THERESA May repeatedly refused to extend an official inquiry into rogue undercover police to Scotland, despite SNP ministers warning she was doing their victims a "disservice".

Correspondence released under Freedom of Information has revealed escalating tension between the Scottish and UK governments over the probe into officer misconduct.

Despite rogue cops routinely spying on people in Scotland, as Home Secretary Mrs May refused to extend the inquiry's remit, which she set, beyond activity in England and Wales. "

9. EU: **Austria and Europol call for crackdown on "under the radar" informal money transfer services**

The EU and its Member States should withdraw 500 and 200 euro banknotes from circulation and tightly regulate the informal *hawala* international money transfer system in order to help fight terrorism, irregular migration and money laundering, according to a note sent by Austria and Europol to the Council of the EU's internal security committee on 8 September.

10. UK: **The Home Office makes huge profits from immigrants. So where is the money going to?**

"As Theresa May's Government makes plans for Brexit, there are increasingly serious concerns about the economy if there is a hard Brexit and fewer migrants filling skilled work shortages.

Little attention has focused on how new immigration policies will be paid for as the costs of Brexit go up and extra funding harder to find. This might be because Theresa May has other plans for the money raised from immigration applications – and so starving the immigration system of much need cash.

Migrants pay increasingly high fees to apply for visas and citizenship – and most of this goes into the government's back pocket. Prices have soared in some cases by 25 per cent over the last year many

times the inflation rate. It can cost £2,297 to become a permanent resident and an additional £1,282 for citizenship – and that's after passing a citizenship test that's more like a bad pub quiz, meeting five year residency requirements and no access to public funds. The Home Office has even started charging £5.48 for emails."

11. EU: **New rules on Schengen Information System and border checks: Council's latest draft compromise text**

"Delegations will find attached a Presidency revised draft compromise text of the abovementioned proposal, taking into account the discussions held at the Working Party for Schengen Matters (Acquis) on 19 June 2017 and 3, 4, 5 and 26 July 2017 and the written comments subsequently sent by the delegations."

12, **ECHR scales back businesses' powers to snoop on staff's private messages**

"The European Court of Human Rights (ECHR) has rules a company shouldn't have sacked one of its employees because he sent private emails from his work account during working hours.

The ECHR used the case of Romanian Bogdan Mihai Barbulescu vs Romania to stipulate what companies can and can't do when monitoring employee emails."

13. EU: **European Parliament special committee on terrorism - list of members published**

In July the European Parliament agreed to set up a special committee on terrorism that will sit for 12 months to examine "the extent of the terrorist threat on European soil" and to propose appropriate measures" for the EU and the Member States "to help prevent, investigate and prosecute crimes related to terrorism."

Its first meeting will be on 14 September and its membership of 30 MEPs has now been decided, with membership dominated by the parliament's two biggest groups - there will be ten 10 MEPs on the committee from the European Peoples' Party (EPP) and eight from the Socialists & Democrats (S&D).

14. UK: **More than 100 people arrested over London arms fair protests**

"More than 100 people have been arrested as they tried to prevent weapons companies from setting up their stands for the world's biggest arms fair, which begins this week in London.

Peace activists began a week of blockades of ExCeL centre in Docklands last Monday to stop weapons, vehicles and other military equipment arriving at the biennial Defence and Security Equipment International (DSEI) arms fair."

15. **New report highlights need to improve data on dead and missing migrants to better inform policy and public awareness** (University of Bristol, link):

"University of Bristol Senior Research Fellow, Ann Singleton, who co-edited Fatal Journeys Volume 3: Improving Data on Missing Migrants, said:

"Since 2014, more than 23,000 migrant deaths and disappearances have been recorded globally by the IOM, although the real number is likely to be significantly higher because many deaths are unrecorded.

"Few bodies of missing migrants are formally identified leaving families in limbo, without perhaps ever knowing whether a loved one is alive or dead.

"The focus of this year's report is how data on missing migrants can be improved, to inform policies that can prevent further deaths, to meet the needs of families and those left behind to learn more about the fate of their relatives, and to improve the chances of identifying bodies."

See: **Fatal Journeys, Volume 3 Part1: Improving Data on Missing Migrants** (pdf)

16. UNICEF: **HARROWING JOURNEYS - Children and youth on the move across the Mediterranean Sea, at risk of trafficking and exploitation** (pdf):

"Young migrants and refugees set out to escape harm or secure better futures – and face staggering risks in the process. For 17-yearold Mohammad, who travelled through Libya to seek asylum in Italy, violence and persecution back home meant the choice was clear: "We risked our lives to come here," he says, "we crossed a sea. We knew it is not safe, so we sacrificed. We do it, or we die."

*For children and youth on the move via the Mediterranean Sea routes to Europe, the journey is marked by high levels of abuse, trafficking and exploitation. Some are more vulnerable than others: those travelling alone, those with low levels of education and those undertaking longer journeys. Most vulnerable of all are those who,
like Mohammad, come from sub-Saharan Africa.*

These findings come from a new UNICEF and International Organization for Migration (IOM) analysis of the journeys of some 11,000 migrant and refugee children (adolescents aged 14–17) and youth (18–24),..."

17. **Sea-Watch is called to rescue 27 refugees in the Aegean Sea** (link)

"Laila is standing on the deck of the Sea-Watch 1, shivering. When speedboat driver Ben takes her hand, she doesn't let go. In her life, Laila has seen a lot more awful things than a German rescue ship. But last night she was scared to death again, when she was crossing the sea from Turkey to Greece. Together with her boyfriend, she left behind the war in Kobane, Syria. Everything she still carries with her from her past life fits into a small pink bag.

At 2.30 am, Sea-Watch captain Phil received an unusual call by the Greek coastguards in Kós: "Hello my friend, can you help us? Can you tug a refugee boat back to the harbor?" Since the start of the monitoring mission in the Aegean Sea, it seemed as though the Coast Guards did not appreciate the presence of NGOs in their waters. But for the Greek commander in Kós, it was a relief to be able to call the Sea-Watch crew for assistance. "This rescue was an important sign for us: Good cooperation with the authorities could always look like this", Captain Phil says.

All 27 rescued were taken to a camp in the interior of the island. Laila would not have had to risk her life again if there were legal ways to reach the EU for refugees. What she needs is security, no repression."

18. FIDH: France: **The harassment of Cédric Herrou, defender of migrants' rights, must end** (Press release, link):

"The Observatory for the Protection of Human Rights Defenders (an FIDH-OMCT partnership) and the Ligue des droits de l'Homme (LDH) condemns the police and judicial harassment in France against Mr. Cédric Herrou, as denounced by the Observatory in an Urgent Appeal published on August 28, 2017. This harassment reflects a policy from the French Government to hinder the work of defenders of migrants' rights and their organisations.

Mr. Cédric Herrou is victim of harassment for defending migrants in the Roya valley, in Alpes Maritimes, where a huge police operation involving several hundred officers is taking place, with the aim of deterring the passage and presence of migrants in the region."

And see: GISTI: **Actualité des poursuites et des mobilisations relatives aux délits de solidarité** (link) and **Avis: mettre fin au délit de solidarité** (legifrance.gouv.fr, link)

19. UK: **Review highlights discrimination in criminal justice system, but a missed opportunity to examine policing**

The publication of the Lammy Review into the treatment of Black, Asian and Minority Ethnic (BAME) people in the English and Welsh criminal justice system has demonstrated the significant racial bias that many have long suspected. However, the remit of the review was drawn so narrowly that it was unable to examine the relationship between the police and BAME people - a regrettable missed opportunity according to the Centre for Crime and Justice Studies, whose director, Richard Garside, commented that: "The starting point of the disproportionate criminalisation and punishment of black and minority ethnic people is their disproportionate rates of arrest by the police."

20. UK: **PREVENT is about Policing Dissent not Safeguarding** (CAGE, link):

"*Anti-war, Fracking, Pro-Palestinian, Anti-Austerity, Animal Rights; Aid Convoys – these have all been identified as "threats" under PREVENT.*

Security and safety of people is a duty of the state, but it is also a responsibility of all citizens to report anyone they believe is about to carry out a criminal act. However, the responsibility of citizens duty extends to hold the state to account ensuring it does not go beyond the law and its role.

This can happen through the unnecessary targeting of individuals and the intrusion into people's lawful expression of beliefs and practices, and the disruptions of their right to oppose to state policies.

Therefore, any opposition to state policies, such as PREVENT, must be seen within the framework of lawful expression and debate and not a reason to invoke 'national security' to silence dissent and smear dissenters as "extremists". "

21. EU-SPAIN: **The EU and the Catalan Crisis** (Verfassungsblog, link):

"*The events of the past week in Catalunya (and of the weeks that will follow) are very serious and worrying. Catalunya is a region of a Member State of the EU that has begun a unilateral process of independence, disregarding the Constitution, its Statute of Autonomy and the opposition of half of the Catalan population. It's a remarkable challenge for Spanish democracy. It's a challenge for the EU as well.*

A personal disclaimer to start with: as a Spaniard, I am a supporter of an asymmetric federal Spain that recognizes the national identity of its peoples. I also support the right of a national community to decide by democratic means its own future. But having said all that, the events that have currently unfolded are nothing close to what independence should look like. The events are a serious threat to the rule of law, and it is important to stress it in these very terms."

22. **UN aviation agency to call for global drone registry** (Reuters, link):

"*The United Nations' aviation agency is backing the creation of a single global drone registry, as part of broader efforts to come up with common rules for flying and tracking unmanned aircraft.*

While the International Civil Aviation Organization cannot impose regulations on countries, ICAO has proposed formation of the registry during a Montreal symposium this month to make data accessible in real time, said Stephen Creamer, director of ICAO's air navigation bureau.

The single registry would eschew multiple databases in favor of a one-stop-shop that would allow law enforcement to remotely identify and track unmanned aircraft, along with their operator and owner.

The initiative comes at a time when drone usage is soaring in the United States, Europe and China, raising privacy concerns and fears of collisions with commercial jets."

23. UK: **Information tribunal dismisses Drone Wars appeal over British drone secrecy** (Drone Wars UK, link):

"*An information tribunal has upheld the MoD's decision to refuse to release the number of British armed drones deployed against ISIS and their location, despite such information being released by the UK about its 'manned' aircraft.*

In the just released open judgement (a closed judgement has also been produced but will not been made available to us), the tribunal accepted that there was clear public interest in the information Drone Wars sought as both parliament and the public could then ascertain if the UK's armed drones were being used outside of Iraq and Syria, or if some were in storage due to personnel shortages. However the tribunal accepted the MoD's argument that the public interest arguments in favour of disclosure were outweighed by the public interest in favour of non-disclosure as the information would "likely" impact on the effectiveness of UK armed forces.

*The judgement setting out the full reasons can be read **here** and background papers and submissions from the MoD and Drone Wars are **here**.*"

Also on armed drones: **Humans will always control killer drones, says ministry of defence** (The Guardian, link): "*Britain's military will commit to ensuring that drones and other remote weaponry are always under human control, as part of a new doctrine designed to calm concerns about the development of killer robots.*

The move by the Ministry of Defence comes after more than 100 leading robotics experts wrote to the United Nations urging the organisation to step in to halt the development of artificial intelligence in weaponry."

24, EU: **Refugees: Council next steps**

- finance and train Libyan Coast Guard to end arrivals to Italy
- expedite "return" operations from the EU
- create "reception" centres across Africa
- continue actions under the "dodgy" EU-Turkey Statement
- yet another call for "relocations" within the EU
- redefine "safe third countries"

See: Note on: **Migration: state of play and next steps - Exchange of views** (LIMITE doc no: 11836-17, pdf).

25, LESVOS, GREECE: MOIRA CAMP **Report from No Borders KItchen on police raid** (20 hours ago, link)

"*Early this morning, hundreds of police once again invaded Moria prison camp. Waking the inmates as they lay sleeping in crowded containers, they made sweeping controls and detained many refugees - including those with papers and the legal right to be here.*

as a consequence, eleven more people have been arrested and now face deportation. those with papers should eventually be released, back for another restless night of sleep. they do not know when the police will next invade their "home" or harass them in the street, or when their time will finally run out and they will be deported back into the violence and persecution they fled in their home countries.

one clear purpose of these massive and indiscriminate operations is to instill fear and uncertainty into the population of Moria. the last "sweep" of the camp followed political protests, subsequent arrests and violent police abuse of refugees inside Moria and behind closed doors in the police station.

That operation sent the message that dissent would not be tolerated. this new wave of arrests was a further reminder that Fortress Europe is closed, and that those clinging to its brink with their fingertips can be swept away at any moment.

with love and rage always

your NBK crew."

26. Greece: Lesvos: Saturday 9 September: **SECOND POLICE RAID TO ARREST REFUGEES:** NOW: **Giant police operation at Moria's Hotspot to arrest immigrants for deportation** (Translation from Lesvos News, link):

"A giant police operation at Hoto Spot in Moria, in order to capture immigrants for whom a rejection, final and irrevocable decision not to issue a political asylum, and a return to Turkey have been in progress since 6:00 am today.

The police drew up a plan and caught the migrants in Moria, because in previous such operations the migrants were uprooted and caused extensive damage.

After the entire encirclement encircled the entire area, HotSpot entered a large police force and police teams with their decisions, tapping the door on the container to proceed with the arrests.

More than 350 police officers are involved in the police operation, while a proactive force in the Hot Spot of Moria is a major force of the Fire Brigade and an ambulance of the EKAB for every eventuality."

It is reported that 14 people have been arrested so far. This follows: From Lesvos Legal Centre on 31 August 2017:

"Yesterday Afghan refugees in Lesvos began a sit-in protest in Sapfous Square in Mitilini. Their statement follows: "Today Afghan refugees are protesting our imprisonment on Lesvos. Many of us have been here for over a year trapped on this island, and we are still waiting for decisions. We join the struggle of protests held on 17 and 18 of July, and demand that the right to freedom of movement be granted for asylum seekers who have been here since 2016. We also join the call of Afghan refugees who protested last week in Athens, and call on Greece to halt all deportations of Aghans. From the recent massacres of unarmed civilians in Mirzaolang in northern Afghanistan, in which children, women, and elderly were ruthlessly killed, to the daily suicide bombings across the country, to the reckless US drone strikes in Nangarhar, Afghan Asylum Seekers in Greece say -- Afghanistan is not a safe country, and all deportation should stop." :

And: **FREE THE MORIA 35** (30 July 2017) Lesvos Legal Aid Centre, link)

27. **Libya: Open letter - European governments are feeding the business of suffering** (link):

"An open letter from MSF International President Dr Joanne Liu to European government leaders...

What migrants and refugees are living in Libya should shock the collective conscience of Europe's citizens and elected leaders.

Blinded by the single-minded goal of keeping people outside of Europe, European funding is helping to stop the boats from departing Libyan waters, but this policy is also feeding a criminal system of abuse.

The detention of migrants and refugees in Libya is rotten to the core. It must be named for what it is: a thriving enterprise of kidnapping, torture and extortion. And European governments have chosen to contain people in this situation. People cannot be sent back to Libya, nor should they be contained there."

28. **MOAS Suspends Mediterranean Rescue Operations** (link) :

*"The Malta-based Migrant Offshore Aid Station (MOAS) search and rescue NGO has **suspended all rescue operations in the Mediterranean citing, among other reasons, concern about the***

lawfulness of returns to Libya and alluding to the conditions of those returnees held in detention facilities in Libya....

*"MOAS does not want to become part of a mechanism where **there is no guarantee of safe harbor or welcome for those being assisted and rescued at sea.** In this context, and on the basis of our humanitarian principles, the decision has been taken to suspend our search and rescue activities in the Central Mediterranean. "* [emphasis added]

29. **The UK's complicity in data-driven drone strikes** (LUSH, link):

"Blue skies, a universal symbol of hope for many, mean nothing but fear for those living under the threat of US-ordered drone strikes, which are picking off people on a kill list informed by UK intelligence. Safety only comes when the skies cloud over, meaning the drones cannot fly.

*Those overhead drones incite constant fear for innocent civilians in some parts of the world, and some 1,207 people have so far been killed by drones outside of war zones. While the finger on the trigger may belong to the US, some of the intelligence leading to drone strikes is coming from the UK and Europe. Human rights organisation **Reprieve** is now calling on Theresa May to provide accountability and transparency when it comes to sharing data that could end in the unlawful loss of human life."*

30. **European citizens want information on migration – not higher walls** (The Conservation, link);

"The groups of citizens we spoke with did not see tougher border security measures by the EU as either an effective solution to the challenge of migration, or as reflecting their own views on the issue. Instead, they called for better information, greater dialogue with European citizens, and stronger efforts to manage integration between communities."

31. EU: **Copyright Directive: six Member States question legality of proposals for automated upload filtering**

The European Commission's proposed Copyright Directive has caused controversy since its publication, in particular with its proposals that would introduce the automated filtering of uploads to online content-sharing platforms to try to detect copyright infringements.

A note published today by *Statewatch* shows that concerns over the proposals raised by academics, civil society organisations, lawyers, MEPs and others are shared by some EU governments. Belgium, the Czech Republic, Finland, Hungary, Ireland and the Netherlands have asked the Council's Legal Service whether the proposal is compatible with EU law.

See Note: **Written questions fro the authorities of Belgium, Czech Republic, Finland, Hungary, Ireland and the Netherlands to the Council Legal Service regarding Article 13 and Recital 38 of the proposal for a Directive on copyright in the Digital Single Market** (pdf)

32. **EU rejects Hungary's demand to finance border fence** (EUobserver, link):

"*The European Commission rejected Hungarian demands to co-finance its fences along the country's shared borders with Serbia and Croatia.*

"We are not financing the construction of fences or barriers at the external borders," EU commission spokesperson, Alexander Winterstein, told reporters in Brussels on Friday (1 September).

Hungary's prime minister, Viktor Orban, in a letter addressed to EU commission president Jean-Claude Juncker, requested the money as a gesture of solidarity given the some €800 million Budapest has spent on the fences. Hungary now wants the EU to pay half.

But Winterstein also took issue with Orban's notion of solidarity, noting Hungary's refusal to take in asylum seekers from Greece and Italy."

33. EU: **The ongoing march of the EU's security-industrial complex** (OpenDemocracy, link):

"*A new report tracks the last decade of EU attempts to build a homeland security economy, using advanced technology as the 'most promising solution' to a multitude of 'threats'.*"

See: **Market Forces: the development of the EU security-industrial complex**

34. **International Organisation for Migration to help Libyan authorties take migrants back to "hell"**

The International Organisation for Migration, which since July 2016 has been the UN's migration agency, has met with authorities in Libya "to discuss an initial workplan and the establishment of a coordination body to facilitate rescues at sea," having already "provided computer literacy classes and lifesaving equipment to Libyan authorities as part of a wider intervention to strengthen the Government's humanitarian capacity."

35. UK: **Court of Appeal judgment on joint enterprise and trials of vulnerable defendants** (Youth Justice Legal Centre, link):

"*Five defendants, in two joined applications to appeal, challenged their convictions for joint enterprise murder. The appeals also raised issues as to how young or vulnerable defendants are dealt with by the court. Whilst the applications to appeal were all dismissed, the court made important comments on the training of practitioners representing children and vulnerable defendants in the criminal courts, and announced that changes will be made to the Pre Trial Preparation Hearing (PTPH) form in order to ensure that the practice directions involving vulnerable defendants are properly considered. The Court also emphasised the need for new counsel taking on appeal to consult fully with the original trial counsel and solicitors, following the McCook guidelines.*"

Judgment: **R v Grant-Murray and Henry; R v McGill, Hewitt and Hewitt [2017] EWCA 1228** (pdf)

36. **SOLIDARITY IS NOT A CRIME**

Solidarity must not be considered a law-breaking offence. It is not a crime, but a humanitarian obligation

"DECLARATION BY
Barbara Spinelli (MEP - group GUE-NGL)
Marie-Christine Vergiat (MEP - group GUE-NGL)
Pascal Durand (MEP - group Greens/European Free Alliance)
Ana Gomes (MEP - S & D)

Brussels, August 11, 2017

The recent proliferation of prosecutions in Italy and France towards people who showed solidarity with the refugees is a disturbing attempt to create division among NGOs active in Search and Rescue operations, and to isolate common European citizens who are concerned with the safety of the forced exiles who embarked in perilous journeys from Eritrea, Sudan, Libya, Syria, Afghanistan and many other distressed countries. For years, they risk death on land and sea on a daily basis – in a sort of Darwinian selection – and the European Union, where only a part of them arrive, is closing more and more its doors and externalizing its asylum policies.

The vast majority of migrants and refugees (80%) find shelter in developing, mostly African countries. The extraordinary activity of NGOs in the Mediterranean is due to the absence of proactive public Search and Rescue operations carried out by the Union and its Member States, since the end of "Mare Nostrum"".

37. **Berlin starts controversial test of facial recognition cameras at train station** (The Local, link):

"*A Berlin train station on Tuesday became the first to test out software that will automatically recognize faces in an effort to fight terrorism. But not everyone sees the project as positive.*

Berlin's Südkreuz station on Tuesday started the pilot project on behalf of the federal government to use surveillance cameras to test the software's ability to recognize the faces of passersby. Around 300 people voluntarily registered to be part of the test for six months.

Their names and faces were saved into a database so that when they are picked up by the cameras, computers will compare them back to the database as they come and go through the station. Three different facial recognition systems will be tested out through the project, according to the Interior Ministry."

38. UK: Ditchley Foundation: **Drones, remote weapons and other robots: the military, commercial, legal and ethical implications** (link):

"*The United States and the UK and other rule of law nations need to do more to explain in public the ethical and legal basis for the use of targeted killings, including by drone strikes. It should be possible to arrive at a series of principles that would be permissive but also restrictive enough to have meaning.*

38. EU:Council of the European Union: **Military-Law Enforcement Agencies cooperation & INTCEN: Threat assessment**

• **Strengthening military, law enforcement and judicial information exchange in counter-terrorism** (LIMITE doc no: 10880-17, pdf):

"*This note focuses on measures that could be put in place quickly to improve access to battlefield information of European law enforcement, judicial and border authorities, in particular in view of investigation and prosecution of FTF returnees from Syria, Iraq and Libya and border checks.*"

And see: **10880-ADD-1-17)** (pdf)

• **Update on the conclusions, recommendations and way forward on the INTCEN and Europol threat assessments mechanism** (LIMITE doc no: 6699-REV-2-17, pdf):

"*In line with the agreed way forward, INTCEN and Europol first presented their findings at the TWP meeting of 18 January 2017. These latest reportings indicate that the overall picture has not changed significantly, especially due to the short time span from the two previousreports, issued in September 2016.*"

DOCUMENTIATON

1. EU: Commission: **Proposed Regulation on a framework for the free flow of non-personal data in the European Union** (pdf): Would limit government freedom to restrict the movement of data.

2. **EU COPYRIGHT DIRECTIVE: 4 Times NO: Article 13 Censorship Filter Confirmed as Illegal** (Copybuzz, link):

"*The Max Planck Institute for Innovation and Competition ('the Max Planck Institute') responds [PDF] to the questions on the censorship filter (Article 13) addressed to the Council Legal Services by a series of Member States (Belgium, the Czech Republic, Finland, Hungary, Ireland and the Netherlands) in the 'non-paper' leaked by Statewatch (see our analysis here). In the meantime, it seems that the German government also submitted a contribution to the Council, wherein they too express concerns about Article 13.*"

Observatory on the refugee crisis in the Med and inside the EU: Updated daily:
http://www.statewatch.org/eu-med-crisis.htm

3. UPDATE: **Final Press release** (pdf) EU: **JHA Council, 14 September, Brussels: documentation including terrorism and migration discussion papers**

"Following recent terrorist attacks in Europe, ministers will discuss priority areas for action on counter-terrorism in the coming months.Ministers will discuss the state of play and next steps regarding migration policy. They are expected to cover several aspects including the response to the migratory flows in the Central Mediterranean, the return of irregular migrants, the continued implementation of the EU-Turkey statement, relocation and the ongoing work on the concept of 'safe third countries'."

See: Note on: **Migration: state of play and next steps - Exchange of views** (LIMITE doc no: 11836-17, pdf) and **REV 1** (LIMITE doc. dated 13 September 2017, pdf) This contains a new sectio 6 on cooperation with African states on "countries of origin and transit" and **Refugees: Council next steps** (Statewatch News)

"B" points agenda for discussion (pdf) and **"A" points agenda adopted without discussion** (pdf)

4. Council of the European Union: **European Criminal Records System and Third Country Nationals**

• Proposed: **Regulation establishing a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European criminal records information system (ECRIS-TCN system) and amending Regulation (EU) No. 1077/2011** (LIMITE doc no: 11445-17, pdf): 35 Footnotes with Member State positions. The Council developing its negotiating position.

"The question was asked whether the Commission, in setting out its time-table, had taken account of the fact that the Member States also have to adopt legislation and to set up systems locally in order to allow the ECRIS-TCN system to work properly.

It was observed that it would be difficult to distinguish between EU-citizens and TCN. For this reason, inter alia, some delegations recommended it would be good to collect fingerprints for every conviction."

5. EU-POLAND: **Independence of the judiciary: European Commission takes second step in infringement procedure against Poland** (Commission press release, pdf):

"*Today, the European Commission decided to send a Reasoned Opinion to Poland regarding the Polish law on the Ordinary Courts Organisation.*

The Commission has carried out a thorough analysis of the response of the Polish authorities to the Letter of Formal Notice sent in July 2017 concerning the Law on the Ordinary Courts Organisation.

The European Commission maintains its position that the Polish Law is incompatible with EU law because by introducing a different retirement age for female judges (60 years) and male judges (65 years), it discriminates against individuals on the basis of gender. This is contrary to Article 157 of the Treaty on the Functioning of the European Union (TFEU) and Directive 2006/54 on gender equality in employment.

The Commission also raises legal concerns that by giving the Minister of Justice the discretionary power to prolong the mandate of judges who have reached retirement age, as well as to dismiss and appoint Court Presidents, the independence of Polish courts will be undermined, contrary to Article

19(1) of the Treaty on European Union (TEU) read in connection with Article 47 of the EU Charter of Fundamental Rights. "

6. EU: **European Parliament committee reports: violence against women, prison conditions, arms exports, fight against cybercrime, space strategy**

Reports adopted by European Parliament committees in July 2017 on: EU accession to the Council of Europe convention on preventing and combating violence against women and domestic violence; prison systems and conditions; the implementation of EU Common Position 2008/944/CFSP on arms exports; the fight against cybercrime; and a Space Strategy for Europe.

7. CoE: **Study on police oversight mechanisms in Council of Europe member states**

"The following document sets out to provide an update to the main findings from a comprehensive review of policing oversight across the forty-seven Council of Europe States first set out in September 2015. The update reflects the position of police oversight mechanisms cross the forty-seven States as of 20 February 2017."

8. EU-LIBYA: **UN report highlights abuses by Libyan Coastguard during search and rescue operations**

*"**The Office of the United Nations High Commissioner for Human Rights (OHCHR) expressed concern about abuses and violations against such persons by the Libyan Coastguard during search and rescue operations, which, in some instances, further endanger the lives of people in distress at sea. Intercepted or rescued migrants are rarely provided with life jackets.**"*

See: **Full text of UN Secretary-General report** (pdf):

9. **European Criminal Records System (ECRIS) and Third Country Nationals**
Follow us: Proposed: **Regulation establishing a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European criminal records information system (ECRIS-TCN system) and amending Regulation (EU) No. 1077/2011** (LIMITE doc no: 11445-17, pdf): 35 Footnotes with Member State positions. The Council developing its negotiating position

10. **UK government sets out proposals for post-Brexit security, policing and justice cooperation: P**roposals: **Security, law enforcement and criminal justice - a future partnership paper** (pdf):

11. EU: Council of the European Union: **Manual on cross-border operations - national fact sheets** (LIMITED doc no: 11840-17, 491 pages, pdf):

"Delegations will find attached a compilation of national fact sheets, containing all the practical information necessary for carrying out cross-border operations."

12. **European Commission reports on Partnership Framework, Relocations, EU-Turkey deal and European Border and Coast Guard**

Includes in EU-Turkey deal report: *"**Additional Hellenic Police officers are needed to better control entry/exit points and for patrolling inside the hotspots. The Greek Reception and Identification Service, in cooperation with EASO, is looking into establishing electronic entry/exit control systems at all hotspots, starting with a pilot project in Moria** [Lesvos]**."***

And: "*The Hellenic Police to issue return decisions at the same time as the notification of negative first instance asylum decisions.***"**

13. EU: FRONTEX: **Frontex Annual Activity Report 2016** (pdf):

"Frontex Annual Activity Report 2016 including the Declaration of Assurance and the Analysis and Assessment by Frontex' Management Board."

14. **EU "Implementation Plan" on Central Mediterranean will exacerbate "abuse, mislead and expel" process in Italy's hotspots**

The EU's plans to limit the number of people travelling across the Mediterranean to Italy are set out in a detailed internal "Implementation Plan" (pdf) believed to be drawn up by the Council that is silent on the right to claim asylum in the EU - aside from ensuring that Italy "speed up examination of asylum applications" and ensure that it can "issue return decisions together with final negative asylum decisions," which is likely to exacerbate existing problems with access to the asylum procedure in Italy's "hotspots".

See: **The Central Mediterranean - Alleviating the pressure: Implementation Plan** (pdf)

15. Court of Justice of the European Union: **The Court dismisses the actions brought by Slovakia and Hungary against the provisional mechanism for the mandatory relocation of asylum seekers** (Press release, pdf)

"That mechanism actually contributes to enabling Greece and Italy to deal with the impact of the 2015 migration crisis and is proportionate.....

*Since the decision is a non-legislative act, **its adoption was not subject to the requirements relating to the participation of national Parliaments and to the public nature of the deliberations and vote in the Council (as those requirements apply only to legislative acts)."***

See: **Judgment: full-text** (pdf)

16. EU-TURKEY DEAL: **Operational implementation of the EU-Turkey Statement** (pdf):

The total number of returns from Greece to Turkey under the "Bilteral protocol" since 21 March 2016 has been 588 people.
The total number of returns under the "dodgy" Turkey Statement in 2016 was 801
The total number of returns under the "dodgy" Turkey Statement in 2017 is so far 506.
Overall total: 1,895.

The total deployment of Frontex, the European Asylum Support Office (EASO) and others in Greece is 1,177: The largest number 327 "Border Surveillance Officers and Crew Members assigned to Frontex (including the UK Border Force boat "Valiant" stationed in Mytilni harbour) plus 280 Security Officers - assigned to Frontex and 105 "Escort officers and readmission experts" under Frontex.

See also: **Challenge mounted to Court judgment on opposing access to the documents concerning the EU-Turkey deal of 18 March 2016**

17. Brexit: UK government position paper: **Foreign policy, defence and development: A Future Partnership Paper** (pdf):

"The UK's commitment to European security will remain steadfast, and we will seek to agree new arrangements that enable us to sustain close UK-EU cooperation that will allow us to tackle our shared threats.

The UK therefore envisages cooperation on external action to be central to our future partnership, complementing broader national security and law enforcement collaboration to tackle complex, multi-faceted threats.

The UK remains committed to working with and alongside the EU and third countries by contributing our policy tools and expertise, defence and security capabilities, global networks and influence, and development spend to support peace and security

18. UK-EU: **Briefing paper: European Union (Withdrawal) Bill** (pdf):

"*Clause 7 represents the Government's request for Parliament to delegate legislative power to change the statute book so that retained EU law functions effectively after exit day. The Government's case for delegation is based on the uncertainty over what changes will be needed, the volume of changes required and the speed at which they will need to be made.*

The challenge for scrutinising this power will be assessing the extent to which it is possible to define what counts as a "failure" or "deficiency" of retained EU law. The Government requires a degree of flexibility in order to cover the scope of retained EU law, and there are a variety of reasons why changes might be needed. This scope and variety of legislative tasks in practice results in a power that, in legal terms, can be used to achieve a wide range of legislative changes, including establishing new public bodies, substantive policy changes and amendments to constitutional legislation in order to prepare for Brexit."

19. EU: European Commission: **Security Union: Commission delivers on 2017 security priorities** (Press release, pdf):

"*The European Commission reported today on actions taken since President Juncker's 2016 State of the Union address to enhance security at the EU external border, improve information exchange between Member States, close down the space in which terrorists operate and prevent radicalisation....*[including]

Enhancing security at the external border: Systematic checks against security databases of all travellers, including EU citizens, crossing the external borders are now in place.

A political agreement has been reached on the EU Entry/Exit System, which will register entry and exit data of non-EU nationals crossing the EU's external borders.

Work is on-going to establish a European Travel Information and Authorisation System (ETIAS) to carry out security checks on those travelling visa-free to Europe before they arrive at our borders."

And see: **Tenth progress report towards an effective and genuine Security Union** (COM 466-17, pdf)

20. UK-EU-BREXIT: **Confidentiality and access to documents Position paper** (pdf):

"*This paper outlines the United Kingdom's (UK) position on confidentiality and access to documents, relating to information obtained by the UK and the European Union (EU) whilst the UK was a Member State. On the matter of confidentiality and access to documents, the Government will continue to take into full account the interests of all parts of the UK, including Scotland, Wales and Northern Ireland, as well as considering the priorities of the governments of Gibraltar, the other Overseas Territories and the Crown Dependencies....*

*The UK considers that both parties should agree how access to documents regimes will work after withdrawal. **The aim would be for the UK and the EU to have equivalent protections and obligations after withdrawal to those in Regulation (EC) 1049/2001 and the related Union legal acts, in relation to documents received prior to the UK's withdrawal.**"*

21. EU: Council of the European Union: **Letter from SIS II Supervision Coordinating Group Chair to Council Presidency concerning SIS II legislative proposals** (pdf) The Letter "underline the following most crucial issues" also raised by the European Data Protection Supervisor (EDPS). And it emphasises the need to:

*"prepare a prior analysis of the **necessity of the introduction of new biometric (facial images, palmprints and DNA profiles)** which should clearly explain that the purpose of the system cannot be achieved in a less intrusive way. Additionally **palmprints have been introduced for the first time ever in an EU large scale IT system... [and give] an explanation of the necessity and proportionality of the use of such data is even more urgent."***

To "better define the access rights and rules" for the European Border Guard Agency teams "**involved in return-related tasks**" plus the necessity to extend the retention period alerts from "three to five years.".

See also: Commission proposals: **Regulation on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending...**(COM 881-16, pdf) and **Regulation on the use of the Schengen Information System for the return of illegally staying third country nationals** (COM 881-16, pdf)

22. UK-EU-BREXIT: House of Lords Select Committee report: **Brexit: judicial oversight of the European Arrest Warrant** (pdf):

"We welcome the Home Secretary's announcement that it is a priority for the Government to ensure that the UK remains part of the European Arrest Warrant. However, it is not clear how this objective is compatible with the Government's objectives in relation to the CJEU, let alone other aspects of the UK's withdrawal from the European Union."

See: **Report** (pdf)

23. EU: ACCESS TO LEGISLATIVE DOCUMENTS: Council of the European Union: **Own-initiative inquiry OI/2/2017/AB by the European Ombudsman concerning access to documents relating to Council preparatory bodies when discussing draft EU legislative acts: Draft reply of the Council of the European Union** (LIMITE doc no: 8808-REV-1-17, pdf): The Council questions the right of the Ombudsman to conduct an inquiry on grounds of maladministration into legislative matters:

*"The Council is of the view that the exercise of legislative powers is not limited to the adoption of political choices on legislative files. It also includes the choices according to which the legislators decide to organise the legislative process itself. **The organisation of the legislative process cannot be considered an administrative activity – and therefore cannot give rise to possible instances of maladministration** – but ought rather to be regarded as an essential aspect of the exercise of the legislators' prerogatives."* [emphasis added]

Background: **European Ombudsman launches Inquiry into availability of Council legislative documents**

On 10 March 2017 the European Ombudsman launched an inquiry into: *"the disclosure of documents from discussions on draft EU legislative acts in Council preparatory bodies."*

See: Letter to Counci: **Access to documents relating to Council preparatory bodies when discussing draft EU legislative acts** (pdf) The letter to the Council observes that: *"The General Secretariat of the Council (GSC) does **not proactively make available documents reflecting the positions of individual Member States during negotiations.** This approach, however, is without prejudice to the right of public access to documents provided for in Regulation 1049/20015. These documents can be made available after the act in question has been adopted, **provided that they are not covered by any exception laid down in Article 4 of Regulation 1049/2001.**"* [emphasis added]

24. EU: EuropeanCommission: **EU Trust Fund for Africa adopts €46 million programme to support integrated migration and border management in Libya** (pdf):

"Set up of basic facilities in order to provide the Libyan coast guards with initial capacity to better organise their control operations... assistance to the authorities in defining and declaring a Libyan Search and Rescue Region..."

25. European Commission: **Security Union**

• **Security: the EU is driving work to share information, combat terrorist financing and protect Europeans online** (Press release, pdf):

"The 9th Security Union progress report highlights the recent steps taken to prevent terrorist financing through trafficking in cultural goods and improve the interoperability of EU information systems....

Reducing the complexity of EU instruments and strengthening interoperability:

*Agreement on the Entry/Exit System is an **important step towards achieving full interoperability of EU information systems by 2020** and the Commission will engage with the European Parliament and Council to accelerate work on related proposals to strengthen the Schengen Information System and EURODAC and ECRIS databases."* [emphasis added]

• **Ninth progress report towards an effective and genuine Security Union** (COM 407, pdf)

• **Commission Staff Working document: Comprehensive Assessment of EU Security Policy** (SWD 278, Part 1, 101 pages, ,pdf)

• **Part 2 of above** (SWD 278, Part II, 186 pages,pdf)

26. The: **Tunisia Declaration** (French, pdf):

The Interior Ministers of seven EU countries (German, Austria, Slovenia, France, Italy, Malta, and Switzerland) met with six African countries (Algeria, Libya, Mali, Niger, Chad and Tunisia) met to discuss "managing the flows of refugees" and returns.

27. EU: Council of the European Union: **Proposal for a Directive on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment (First reading) - Mandate for negotiations with the European Parliament** (LIMITE doc no: 10552-17, pdf):

"Throughout discussions, significant efforts have been made to strike a balanced compromise among diverse approaches on the best way to attract highly qualified migrants to the EU. While some Member States favour a flexible and business-oriented approach, others insist on more safeguards and protection of their national labour markets.

The following issues have been particularly sensitive in the course of the negotiations: the interaction between national schemes for highly qualified migration and the EU Blue Card scheme; the proposed inclusion of beneficiaries of international protection and the family members of EU citizens within the scope of the Directive; the issue of salary thresholds; as well as the recognition of professional experience as an alternative to education qualifications."

28. EU: **Relocation of refugeees "reaches record levels"; proceedings against Czech Republic, Hungary, Poland continue**

The European Commission has published the fourteeneth progress report on the EU's schemes for the relocation and resettlement of refugees, stating that relocations from Italy and Greece have reached "record levels in June", meaning that "relocating all those eligible remains feasible before September."

At the same time, the Commission has moved to the next stage with its infringement proceedings against the Czech Republic, Hungary and Poland for failing to comply with the relocation scheme, as an Advocate General at the Court of Justice has issued an opinion calling for the Court to dismiss a complaint made by Slovakia and Hungary that the relocation scheme breaches EU law.

European Commission press release: **Migration: Record month for relocations from Italy and Greece** (pdf)

Relocation and resettlement: documentation (pdfs)

European Commission, **Fourteenth Report on Relocation and Resettlement** (COM(2017) 405 final)
Annex 1: Relocations from Greece
Annex 2: Relocations from Italy
Annex 3: Relocations from Italy and Greece
Annex 4: Resettlement State of Play

29. EU: Council of the European Union: **Manual on Law Enforcement Information Exchange** (6261-17, pdf): 110 pages:

"The manual contains an overview of all EU systems, legal bases and instruments of information exchange available to the law enforcement authorities of the Member States. This way, the user is fully informed of the available options when it comes to deciding how to seek or provide information across borders."

And see Chart on page 5.

30. EU: **Restricted document highlights plans for ongoing EU interventions in Libya**

The EU's plans to re-establish functioning government institutions in Libya and to halt the flow of people across the Mediterranean are outlined in a restricted document currently being discussed by officials in Brussels. The detailed **Strategic Review on EUBAM Libya, EUNAVFOR MED Op Sophia & EU Liaison and Planning Cell** (9202/17, 15 May 2017, RESTREINT/RESTRICTED, pdf), produced by the European External Action Service, proposes extending until December 2018 the Mediterranean military mission EUNAVFOR MED/Operation, the EU Border Assistance Mission Libya (EUBAM Libya) and the work of the EU Planning and Liaison Cell (EUPLC), based in Brussels.

The report's recommendations were approved by the Council's Committee on Civilian Aspects of Crisis Management (CivCom) and Politico-Military Group (PMG) on 28 June: see **Joint CivCom Advice and PMG Recommendations on Strategic Review on EUBAM Libya, EUNAVFOR MED OP Sophia & EU Liaison and Planning Cell** (10714/17, 29 June 2017, LIMITE, pdf).

They will be discussed by the Council's Political and Security Committee **tomorrow** (link to pdf). The proposals will ultimately need to be approved by the Justice and Home Affairs Council, which is not due to meet again until **September** (Council of the EU, link).

Statewatch has produced summary of some of the key points from the EEAS report. See: **Summary: Restricted document outlines official proposals and recommendations for future EU actions in Libya** (pdf).

Observatory on the refugee crisis in the Med and inside the EU: Updated daily:
http://www.statewatch.org/eu-med-crisis.htm