



News

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STATEWATCH NEWS

1. EU: Article 50: Member State that has given notice of its intention to withdraw from the EU
2. EU: New report examines widespread deployment of automated decision-making
3. Refugee crisis: latest news from across Europe (22-28.1.19)
4. UK-ECHR: Calls for extremism database to be abolished as ECtHR rules UK police violated
5. UK-France: Action plan on small boats crossing the Channel published: more information-sharing
6. UK-EU: Post-Brexit migration, policing and security: analyses
7. EU: Inclusion of dual nationals in new criminal records database "incompatible"
8. EU urges crackdown on 'golden passports' for big investors
9. EU: Frontex proposal: Presidency attempts to "accommodate Member States' concerns"
10. EU: VIS: child fingerprinting and police access proposals criticised by data protection
11. EU-POLAND: The rule of law in Poland: reports from the Council's hearings
12. EU: Returns Directive: latest Council Presidency compromise proposal
13. EU-IRELAND: Fingerprints in passport cards: Irish government obtains opt-out
14. Refugee crisis: latest news from across Europe (10-21.1.19)

NEWS

1. EU: 'Bizarre and unacceptable': MEPs slammed over wanting secret ballot for transparency vote
2. Standing up for Romanian democracy from abroad and from within
3. Sea Watch migrants to disembark in 'coming hours': Italian PM
4. Europol EDEN conference report: Freedom AND Security: Killing the zero sum process
5. EU tests crossborder querying of police files
6. UK: Refusals of FOI requests at record levels as government discloses less and less information
7. Forced Evictions Underway, Italy's Closure of Refugee Centre Meets Widespread Criticism
8. Germany pulls out of Mediterranean migrant mission Sophia
9. GREECE: On the edge of a collective trauma: the forgotten hotspot of Moria
10. IRELAND: Dept of Social Protection refuses FOI request on Public Services Card
11. GDPR: How companies, regulators, and civil society can support data protection rights
12. EU: The changing patchwork of the child's age of consent for data processing across the EU
13. The politics of pre-emption
14. Turkey Planning Safe Zone in Syria to Help Return of Refugees: Erdogan
15. UK: Campaigners get go-ahead to challenge exemption UK gave itself over immigrants' data
16. FRANCE-GERMANY: Merkel and Macron sign Treaty of Aachen to revive EU
17. Survivors of the War on Terror by Ala Busir
18. GERMANY: Police: Saxony: Czech, Polish and German Criticism on facial Recognition
19. GREECE: Protests on Samos: demands for rights, freedom and healthcare
20. UK: Far-right groups could exploit Brexit tensions – police

21. France summons Italian envoy over Di Maio Africa comments
22. European Parliament: In depth analysis: Standard Essential Patents and the Internet of Things
23. Germany looks into ultrasound age tests on unaccompanied minor refugees
24. GREECE: Experts warn of dangers of excessive tear gas use in letter to PM
25. Another 170 migrants disappear in shipwrecks: UN call for an end to Mediterranean tragedy
26. EU: Open letter to European Institutions: public reporting must be a safe option for whistleblowers
27. Launch of New Atlas of Migration
28. ITALY: Stefano Cucchi: How one death in custody has become the symbol of police brutality
29. UK: Wales has 'highest imprisonment rate' in western Europe
30. Libya: Nightmarish Detention for Migrants, Asylum Seekers
31. Germany deports record number of refugees to other EU states
32. 'About 170 migrants dead' in Mediterranean shipwrecks
33. European Anti-Terrorist Force now coordinated at Europol
34. GREECE: Samos Island Notes January 2019
35. EU: Leaders Stoke Fear, Ignore Rights - Defence of Shared Values Vital to Curb Negative Trends
36. Amnesty Slams EU Policy as Migrant Boats Barred From Ports
37. Germany's intelligence agency to step up surveillance of AfD

DOCUMENTATION

1. UK: ICO: 'Outsourcing Oversight? The case for reforming access to information law
2. EU: First Report from the Joint Europol and Eurojust observatory function on Encryption
3. EP: Fit for purpose? Facilitation Directive and criminalisation of humanitarian assistance
4. Council of the European Union: CEAS: Qualifications & Resettlement Regulations – latest
5. Promoting rule of law and fundamental rights in the EU
6. European Parliament study: Challenges in the implementation of EU Law at national level

STATEWATCH NEWS

1. EU: [**A Member State that has given notice of its intention to withdraw from the EU in accordance with Article 50 TEU remains the responsible State for the purposes of the Dublin III Regulation**](#)

"It is for each Member State to determine the circumstances in which it wishes to make use of its discretion and itself carry out the examination of an application for international protection for which it is not responsible"

2. EU: [**New report examines widespread deployment of automated decision-making systems in policing, employment, social security and more**](#)

A new report by *Algorithm Watch* says that automated decision-making systems of one kind or another are in use in "almost all aspects of daily life" across the EU.

3. [**Refugee crisis: latest news from across Europe**](#) (22-28.1.19) including:

- **Forced evictions of centre for refugees and asylum-seekers in Italy**
- **UK-France action plan on small boats crossing the Channel**
- **Council of the EU discussion documents on Frontex, Returns Directive, and Qualification and Resettlement Regulations**

4. UK-ECHR: [**Calls for extremism database to be abolished as ECtHR rules UK police violated peaceful pensioner's privacy rights**](#)

There have been calls for the database on "domestic extremists" hosted by the Metropolitan Police to be abolished following the European Court of Human Rights (ECtHR) ruling last week that the police's failure to delete data held on John Catt, a peaceful protester who is now 94 years old, violated his right to privacy.

5. UK-France: [Action plan on small boats crossing the Channel published: more information-sharing, €3.6 million for new security equipment, joint return operations](#)

The interior ministers of the UK and France have declared their determination "to stop this trend of illegal migrants seeking to cross the Channel in small boats", with a new action plan setting out a series of measures.

6. UK-EU: [Post-Brexit migration, policing and security: analyses](#)

One recent analysis argues that the post-Brexit UK migration regime foreseen in a recent white paper "will create new hierarchies of race and class – and intolerable hardship", while another argues that in the event of a no-deal Brexit, the extradition of criminal suspects between the UK and EU Member States - one aspect of the numerous policing and security issues covered in proposed new regulations - may well face problems.

7. EU: [Inclusion of dual nationals in new criminal records database "incompatible" with the right to non-discrimination](#)

A new EU database approved by the European Parliament's civil liberties committee last week will breach the right to non-discrimination, according to a committee of international legal experts.

8. [EU urges crackdown on 'golden passports' for big investors](#)

"The EU Commission has told EU states to tighten checks on non-EU nationals who acquire citizenship - so-called "golden passports" - through investments.

The Commission plans closer monitoring of those schemes and of "golden visas" granting residence in exchange for big investments. It says they can be abused for tax evasion and money-laundering."

9. EU: [Frontex proposal: Presidency attempts to "accommodate Member States' concerns" over "standing corps" and executive powers](#)

The Council of the EU is pressing ahead with negotiations on the new Frontex proposals, which were announced by the Commission last September. Recent Council documents show that the proposal to introduce a "standing corps" of 10,000 border guards at the disposal of Frontex (now formally known as the European Border and Coast Guard Agency) has caused some consternation amongst Member States, as have proposals to provide Frontex staff and members of "teams" with executive powers.

10. EU: [Visa Information System: child fingerprinting and police access proposals criticised by data protection authorities](#)

European data protection authorities have strongly criticised the European Commission's proposals to extend the Visa Information System (VIS), arguing that the lowering of the fingerprinting age for children, access to visa data by law enforcement authorities and the storage of long-stay visas and residence permits in the database fail to meet basic data protection and fundamental rights standards.

11. EU-POLAND: [The rule of law in Poland: reports from the Council's hearings](#)

Statewatch is today publishing the two most recent reports produced by the Council on its 'hearings' on the situation of the rule of law in Poland, which have been held in the General Affairs Council (GAC).

12. EU: [Returns Directive: latest Council Presidency compromise proposal](#)

"Delegations will find attached a revised Presidency compromise proposal as regards the draft Regulation of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals (recast), prepared taking into

account delegations' comments provided at and after the IMEX meeting on 3 December and JHA counsellors' meeting on 12 December 2018."

13. EU-IRELAND: [Fingerprints in passport cards: Irish government obtains opt-out](#)

The Irish government has obtained an opt-out from what would have been a requirement for the fingerprinting of all holders of the country's passport card, which can be used as a more convenient alternative to the standard passport book.

14. [Refugee crisis: latest news from across Europe](#) (10-21.1.19) including:

- **Libya: Nightmarish Detention for Migrants, Asylum Seekers**
- **Germany deports record number of refugees to other EU states**
- **'About 170 migrants dead' in Mediterranean shipwrecks**
- **EU: Council: Values of the Union - Hungary - Article 7 (1)**

NEWS

1. EU: ['Bizarre and unacceptable': MEPs slammed over wanting secret ballot for transparency vote](#) (euronews, link):

"Centre-right MEPs have been criticised for allegedly requesting a secret ballot for a vote on... transparency.

The apparent irony of the demand was highlighted by their European Parliament colleague Sven Giegold.

He said politicians from the European People's Party (EPP) group decided to ask for their votes to be concealed for the ballot at a meeting earlier this month.

MEPs normally have their voting choices recorded."

2. [Standing up for Romanian democracy from abroad and from within](#) (Eurozine, link):

"On 10 August 2018, tens of thousands of Romanians from the European migration, joined by other Romanian citizens, descended onto the streets of Bucharest in order to protest against the government. They were met with tear gas. The gendarmerie brutally charged at the crowd, beating people up and dispersing them with water cannons. The police later claimed that their violence was legitimate against provocateurs. However, as multiple testimonies showed, violent protesters were not encircled and isolated from the crowd but, on the contrary, used to legitimize the indiscriminate use of force. Nothing was done to protect the peaceful protesters. Instead, they were considered potential adversaries from the very beginning. Hundreds were injured. The president condemned police brutality and the military prosecution opened an investigation. Yet so far no member of government has apologized for the misdeeds of the gendarmerie. The authorities claim to have been defending the state. Prime minister Viorica Dancila even sent a letter to the president of the European commission, Jean-Claude Juncker, stating that the protests were an attempt to overthrow a legitimate government."

3. [Sea Watch migrants to disembark in 'coming hours': Italian PM](#) (DW, link):

"Italian Prime Minister Giuseppe Conte on Wednesday announced that the migrants on board the Sea Watch charity rescue boat would be allowed to disembark "in the coming hours."

The 47 migrants will be distributed among seven EU member states – Italy, Germany, France, Portugal, Romania, Malta and Luxembourg.

The European Court of Human Rights (ECHR) on Tuesday ordered Italy to provide medical assistance, food and drinks to the migrants aboard the vessel.

Commenting on Conte's remarks, Sea Watch said that Europe should be "ashamed."

See also: [ECHR grants an interim measure in case concerning the SeaWatch 3 vessel](#) (pdf)

4. Europol EDEN conference report: [Freedom AND Security: Killing the zero sum process](#) (pdf)

"We at Europol recognise the necessity to talk about dignity and respect for fundamental rights when fighting transnational crime and terrorism. But, how can law enforcement effectively respond to terrorist and cybercrime threats when at the same time protecting the fundamental right of data protection? How much of our privacy will we, or should we, sacrifice in order to guarantee security? Do we actually need to sacrifice privacy and freedom in order to guarantee security?"

5. [EU tests crossborder querying of police files](#) (Matthias Monroy, link):

"The introduction of a European Police Records Information System has been under discussion for years. Authorities could use it to query police files in other countries. Through the back door, a EU-wide „troublemaker database“ could become reality.

The European Union is continuing to examine the crossborder networking of police files in the Member States. This was written by the German Ministry of the Interior in response to a parliamentarian inquiry. It would allow investigating authorities to query whether information about suspects or defendants is available at a foreign police station. Such a system exists so far only for convictions and has recently been extended."

6. UK: [Refusals of FOI requests at record levels as government discloses less and less information](#) (The London Economic, link):

"A major new report has found refusals of Freedom of Information requests are at record levels.

According to the Institute for Government (IfG) think tank government departments refused to give any information in response to almost half (45 per cent) of FOI requests in the first quarter of 2018.

Analysis of the data shows the first three quarters of 2018 had the highest proportion of requests withheld in part or in full – more than half – since the introduction of FoI in 2005."

See: [Whitehall Monitor 2019](#) (Institute for Government, link)

7. [Forced Evictions Underway, Italy's Closure of Refugee Centre Meets Widespread Criticism](#) (ECRE, link):

"Evictions from Italy's second- largest centre for refugees and asylum seekers began abruptly on Wednesday. The move comes as part of Interior Minister Matteo Salvini's Immigration Decree which was approved in November – critics are saying the action will only amplify social problems.

Evictions began with 30 people removed from the Castelnuovo di Porto reception centre near Rome on Tuesday, followed by 75 on Wednesday, with some 500 people expected to have been forcibly removed by January 31. The centre was currently hosting about 540 people, but had supported at least 8000 over the last 8 years."

8. [Germany pulls out of Mediterranean migrant mission Sophia](#) (Deutsche Welle, link):

"Germany will not be sending any more ships to take part in the anti-people smuggling operation Sophia in the Mediterranean Sea, according to a senior military officer.

The decision means frigate Augsburg, currently stationed off the coast of Libya, will not be replaced early next month, Bundeswehr Inspector General Eberhard Zorn told members of the defense and foreign affairs committees in the German parliament.

The 10 German soldiers currently working at the operation's headquarters will, however, remain until at least the end of March."

9. GREECE: [On the edge of a collective trauma: the forgotten hotspot of Moria](#) (Pressenza, link):

"The hotspot of Moria, on the island of Lesbos. A year has passed since I was on Lesbos – a beautiful island, but a paradise that disguises a hell. With the support of Doctors without Borders, I was there to document the living conditions of the migrants who had arrived on this small strip of land opposite Turkey.

The hell on the island is the Moria refugee camp. A former military base, it has been converted into a reception and identification centre for the migrants who arrive here, on the northern shores of Lesbos, with dinghies and rafts from the Turkish coast. Around 6,000 people currently live in the camp, of which approximately 2,000 are minors."

10. IRELAND: [Dept of Social Protection refuses FOI request on Public Services Card](#) (ICCL, link):

"The Department of Social Protection has refused to release information regarding the Data Protection Commissioner's investigation into the Public Services Card, in part because it may "be contrary to the public interest". The request was brought by the Irish Council for Civil Liberties under freedom of information legislation.

The detailed response from the Department of Social Protection to ICCL's request relies on Sections 29(1), 30(1), 32 (1)(c), 35 and 37(1) of the Freedom of Information Act. Amongst other issues, these sections include grounds for refusal of a request based on "public interest" or that the "requester concerned would thereby become aware of a significant decision that the body proposes to make"."

11. [Report: Public Understanding of GDPR: How companies, regulators, and civil society can support data protection rights](#) (Open Rights Group, link):

"Debate and guidance about data protection and the General Data Protection Regulation (GDPR) has focussed on helping businesses achieve compliance. This is clearly valuable. The strengthened rights that individuals enjoy under GDPR have, however, received less attention.

Important questions are left to be explored relating to the public understanding of data protection. How aware is the public about data protection and what their rights are? If they are aware of their rights, how well do they understand what those rights entail? Where do these rights fit within people's everyday lives?

Open Rights Group has carried out research over the last year to investigate these questions."

12. EU: [The changing patchwork of the child's age of consent for data processing across the EU \(January 2019\)](#) (Better Internet for Kids, link)

"Eight months have passed since the General Data Protection Regulation (GDPR) became applicable across the European Union (EU) in May 2018. This new update focuses on the most recent situation in terms of the age that has been decided upon by national government when implementing article 8 GDPR, final implementation laws adopted by most countries and specific provisions certain states include in their (updated) legislation."

13. [The politics of pre-emption](#) (Eurozine, link):

"Security forces increasingly use data-driven crowd control techniques to pre-empt unpredictable situations. Unlike traditional prevention methods, pre-emptive policing actively engenders crowd behaviour – and in doing so interferes with the basic conditions for political agency, argues Krystian Woznicki."

14. [Turkey Planning Safe Zone in Syria to Help Return of Refugees: Erdogan](#) (Bas News, link):

"ERBIL — Turkey is planning to create a safe zone in northern Syria so to allow millions of Syrian refugees' return, Turkish President Recep President Tayyip Erdogan said on Monday.

The creation of a safe zone in northern Syria was first put forward by US President Donald Trump, but the sides involved in the project remains a controversial topic between Turkey, US, the Syrian regime and the Syrian Kurdish forces who are in control of the region.

Erdogan said that over 4 million Syrian refugees are remaining in Turkey and Ankara hopes the creation of a safe zone would encourage them to return to their home country while protected against any possible threat."

15. UK: [Campaigners get go-ahead to challenge exemption UK gave itself over immigrants' data](#) (The Register, link):

"The High Court has agreed to hear a campaign group's case against the UK's Data Protection Act, which they say leaves immigrants with fewer rights over their data.

The sueball – lobbied by the Open Rights Group and EU citizens' group the3million – targets an exemption in the Act that was passed into law last May.

The groups want to remove this exemption from the Act, on the grounds that it is incompatible with the General Data Protection Regulation and the EU Charter of Fundamental Rights."

See: [What is at stake with the immigration exemption legal challenge?](#) (Open Rights Group, link)

16. FRANCE-GERMANY: [Merkel and Macron sign Treaty of Aachen to revive EU](#) (Deutsche Welle, link):

"French President Emmanuel Macron and Chancellor Angela Merkel on Tuesday signed a new friendship treaty that is designed to deepen the Franco-German friendship, bring ties to a "new level" and improve the lives of citizens in both countries.

The treaty was signed in the German city of Aachen, as France and Germany marked the 56th anniversary of the Elysee Treaty.

The idea isn't new. Paris, in particular, has regularly suggested renewing the treaty in the decades since it was first signed, despite the fact that amendments have been added over the years.

The Treaty of Aachen will be the "foundation of cooperation between our countries," said Merkel before the signing the new friendship pact. "

17. [Survivors of the War on Terror by Ala Busir](#) (link)

Portraits and stories of people imprisoned in Northern Ireland and in Guantanamo and other prisons during the so-called "war on terror".

And see: [Statewatch Observatory on "rendition"](#)

18. GERMANY: [Police Laws in Saxony: Czech, Polish and German Criticism on Plans for Facial Recognition in the Border Region](#) (Digitalcourage, link)

"Together with our Czech partner organisation IURE and the Polish Panoptykon Foundation, we strongly criticize the planned preventive automatic facial recognition in the border region of the German federal state of Saxony, the Czech Republic and Poland.

The debate and potential vote in the Saxon parliament was set to take place in late January 2019. Considerable objections and controversy however led to this being postponed to March 2019, giving us more time to inform people, organisations and politicians about the problematic bill.

Digitalcourage has published a statement in which we criticize the course of surveillance politics currently pursued by the governing CDU/SPD coalition in Saxony. Digitalcourage especially warns about the planned use of covert agents and machine guns, the concept of "abstract danger", the fact that contacts and companions are affected, and about the planned preventive surveillance of all telecommunication."

19. GREECE: [Protests on Samos: demands for rights, freedom and healthcare](#) (Pressenza, link):

"In the context of the ongoing humanitarian crisis surrounding refugee populations Samos is the Aegean island that people often forget. It exists in the shadow of Lesbos, people are familiar with the name Moria and the images it evokes. Yet until very recently the Vathy Reception Centre on Samos has been under discussed and under reported. Yet over the past 6 months the refugee population on the island has grown and over the final months of 2018 and the first few weeks of January 2019 has fluctuated between 4000 and 5000 people. The Reception Centre has an official capacity below 700 and as a result the majority of people now live outside of the centres fences within an area referred to as 'the jungle'."

And see: [a marche des réfugiés africaine à samos](#) (You Tube, link)

20. UK: [Far-right groups could exploit Brexit tensions - police](#) (BBC News, link):

"The "febrile" atmosphere around Brexit could be exploited by far-right extremists, the UK's most senior counter-terrorism officer has warned.

Assistant Commissioner Neil Basu said 18 terror plots were foiled in Britain since 2017, four of them far-right.

He said a "far-right drift into extreme right-wing terrorism" was a concern but officers were working to ensure groups did not gain a "foothold".

Mr Basu added leaving the EU with no deal would be "very bad" for policing."

21. [France summons Italian envoy over Di Maio Africa comments](#) (euractiv, link):

"France has summoned Italy's ambassador to protest against comments by Italian Deputy Prime Minister Luigi Di Maio, who accused Paris of continuing to colonise Africa and causing people to migrate from the continent, a government source told AFP. (...)

"The EU should sanction France and all countries like France that impoverish Africa and make these people leave, because Africans should be in Africa, not at the bottom of the Mediterranean," Di Maio said."

22. European Parliament: [In depth analysis: Standard Essential Patents and the Internet of Things](#) (pdf):

"The report evaluates the efficient resolution of licensing disputes over FRAND, including via litigation, arbitration and mediation, licensing pools and collective licensing. The current document also puts forward some policy recommendations to, inter alia, enhance the general environment of FRAND licencing in the context of SEPs. [Standard Essential Patents]."

23. [Germany looks into ultrasound age tests on unaccompanied minor refugees](#) (DW, link)

"Calls for mandatory X-ray age tests on unaccompanied minor refugees were rejected last year by German doctors. As an alternative, the Health Ministry is now launching a €1-million study into ultrasound testing."

24. GREECE: [Experts warn of dangers of excessive tear gas use in letter to PM](#) (ekathimerini.com, link):

"The Association of Greek Chemists sent a letter to Prime Minister Alexis Tsipras on Tuesday warning of the hazards of tear gas use as to disperse crowds during unrest at protest rallies."

In the letter, the association urges Tsipras to consider banning the use of "dangerous chemicals that linger in the atmosphere of the urban environment for days, harming the quality of life of all citizens."

The warning came in the wake of accusations that police used an excessive amount of tear gas in response to violence at Sunday's demonstration in Athens against the Prespes name deal."

25. [Another 170 migrants disappear in shipwrecks: UN call for an end to Mediterranean tragedy](#) (modern diplomacy, link):

"The United Nations refugee agency, UNHCR, stated on Saturday that "no effort should be spared" in saving lives at sea, following reports of two new shipwrecks on the Mediterranean Sea, in which some 170 people either died or went missing."

"The tragedy of the Mediterranean cannot be allowed to continue," said Filippo Grandi, the UN High Commissioner for Refugees."

26. EU: [Open letter to European Institutions: public reporting must be a safe option for whistleblowers](#) (European Federation of Journalists, link):

"The Council of the European Union will soon adopt its general approach on the directive on the protection of whistleblowers. Ahead of this crucial political agreement among the Member States, the European Federation of Journalists (EFJ) would like to insist about the importance of granting the widest protection to whistleblowers, including persons choosing to turn to the media to blow the whistle."

27. [Launch of New Atlas of Migration](#) (EU Joint Research Centre, link):

"Launched on the occasion of International Migrants Day, a new Atlas from the Knowledge Centre on Migration and Demography provides insights on migration for all EU Member States and 44 non-EU countries."

With graphs, charts and maps, the Atlas of Migration provides a snapshot of migration in 2017, providing a knowledge base for policy makers, stakeholders, businesses, researchers and the general public."

The publication presents the available data on a range of migration-related fields in a format that is both easy to access and to understand."

See: [Atlas of Migration 2018](#) (JRC, link)

28. ITALY: [Stefano Cucchi: How one death in custody has become the symbol of police brutality in Italy](#) (Lacuna, link):

"The death in custody of 31-year-old Stefano Cucchi has brought the abuse of police power under scrutiny in Italy. After losing her brother and enduring the subsequent trial, Ilaria Cucchi is now receiving harassment and online threats from police officers. Sociologists say Stefano's case is not isolated and ask what the country will do to clean up its policing."

See also: Statewatch Analysis: [Shocking death spotlights prisoner plight](#) (June 2010, pdf)

29. UK: [Wales has 'highest imprisonment rate' in western Europe](#) (BBC News, link):

"Wales has the highest imprisonment rate in western Europe, new research has claimed."

The Wales Governance Centre's analysis of official figures also reveals average custody rates are higher than in England for a number of different groups and offences.

In particular, non-white Welsh prisoners are overrepresented in prison."

See: Wales Governance Centre: [Sentencing and Immediate Custody in Wales: A Factfile](#) (pdf) by Dr Robert Jones

30. [Libya: Nightmarish Detention for Migrants, Asylum Seekers](#) (Human Rights Watch, link):

"(Brussels) – European Union policies contribute to a cycle of extreme abuse against migrants in Libya, Human Rights Watch said in a report released today. The EU and Italy's support for the Libyan Coast Guard contributes significantly to the interception of migrants and asylum seekers and their subsequent detention in arbitrary, abusive detention in Libya."

The 70-page report, "[No Escape from Hell': EU Policies Contribute to Abuse of Migrants in Libya](#)," documents severe overcrowding, unsanitary conditions, malnutrition, and lack of adequate health care. Human Rights Watch found violent abuse by guards in four official detention centers in western Libya, including beatings and whippings. Human Rights Watch witnessed large numbers of children, including newborns, detained in grossly unsuitable conditions in three out of the four detention centers. Almost 20 percent of those who reached Europe by sea from Libya in 2018 were children."

31. [Germany deports record number of refugees to other EU states](#) (Deutsche Welle, link):

"In 2018, more refugees were transferred from Germany to other EU member states than ever before, according to an Interior Ministry report obtained by German daily Süddeutsche Zeitung. The report was a response to a parliamentary inquiry by the Left Party."

Some 8,658 asylum-seekers who were required to leave Germany did so between January and the end of November 2018. The previous year, 7,102 were deported to other states.

As such, the proportion of completed transfers from Germany to other EU countries saw a rise from 15.1 percent in 2017 to 24.5 percent in 2018.

The deportations follow the EU's Dublin III rule, which states that the country where a refugee first entered Europe is responsible for handling his or her application."

32. ['About 170 migrants dead' in Mediterranean shipwrecks](#) (BBC News, link):

"About 170 people are feared to have died in two separate Mediterranean shipwrecks, the UNHCR says."

The Italian navy reports a ship sank off the coast of Libya with 117 people on board, while Moroccan and Spanish authorities have tried to find a lost boat in the western Mediterranean.

The UN's refugee agency could not independently verify the death tolls.

More than 2,200 people lost their lives trying to cross the Mediterranean in 2018."

And see: [Merchant ship rescues migrants from sinking boat, NGO fears it would return them to Libya 'hell'](#) (Times of Malta, link)

33. [European Anti-Terrorist Force now coordinated at Europol](#) (link)

"For four years, Austria is in charge of the EU network of special units. The head of the Cobra decided on a closer connection to the EU police agency. This also applies to military forces that assume tasks in the field of internal security."

34. GREECE: [Samos Island Notes January 2019](#) (Samos Chronicles, link):

"The past few weeks have seen Samos island drenched by days of winter rain storms. Most of the farmers are happy. Winter soaking keeps Samos a green island and is essential if the fruits, vegetables, olives and vines are going to flourish in the hot summers. But for thousands of refugees both in the camp and in their tents and shacks in the olive groves around the camp, it is nightmare time."

35. [EU: Leaders Stoke Fear, Ignore Rights - Defense of Shared Values Vital to Curb Negative Trends](#) (HRW, link):

"(Berlin) – Influential leaders in European Union states used migration to stoke fear, justify abusive policies, and block meaningful reform in 2018, even as arrivals at borders decreased, Human Rights Watch said today in its [World Report 2019](#). But during 2018, EU institutions, with backing from some EU states, demonstrated a greater commitment to address attacks on democratic institutions and the rule of law in Hungary and Poland.(...)"

"We saw populist leaders in EU states stoking fear and jettisoning rights during 2018 with little regard for the consequences," said Benjamin Ward, deputy Europe and Central Asia director at Human Rights Watch. "Thankfully, we have some EU institutions and states willing to stand up to the populists' dangerous disregard for Europe's core values."

36. [Amnesty Slams EU Policy as Migrant Boats Barred From Ports](#) (voanews.com, link):

"Human rights group Amnesty International has described as shameful the decision by several European states to block NGO migrant rescue ships from docking in their ports. The group says Europe's migrant policy is putting lives in danger, both at sea and in Libya, where most of the asylum seekers set out to try to reach Europe. Henry Ridgwell reports from London."

37. [Germany's intelligence agency to step up surveillance of AfD](#) (The Local, link):

"Germany's domestic intelligence will step up monitoring for political extremism of the far-right AfD [Alternative für Deutschland, Alternative for Germany] party, sources said Tuesday, a blow to the party in a busy election year.

However, the agency has shied away from immediate full surveillance of the entire party, including phone and email taps, the use of undercover informants and the collection of personal data on MPs.

A report on the move by Berlin's Tagesspiegel daily was confirmed to AFP by sources familiar with the decision ahead of separate Berlin press conferences by domestic intelligence (BfV) chief Thomas Haldenwang and AfD leaders."

DOCUMENTATION

1. UK: Information Commissioner's Office: ['Outsourcing Oversight? The case for reforming access to information law'](#) (pdf):

"The landscape of public service delivery has fundamentally changed and continues to evolve. The Government and the wider public sector today relies heavily on a multitude of organisations, other than public authorities, to deliver and support many core public services. Data published by the Institute for Government (IfG) in December 2018 said that the Government spends £284 billion - almost a third of its total expenditure - with external suppliers..."

Public services are delivered in many ways, including by organisations that are not public authorities. This report is not about whether certain methods are to be preferred. It is about highlighting the clear risks to transparency and accountability when information held by such organisations is removed from the scrutiny offered by access to information law. The current law is not fit for purpose. It needs to keep pace with the changes in the modern public sector and public expectations."

2. EU: [First Report from the Joint Europol and Eurojust observatory function on Encryption](#) (Council document 5435/19, LIMITE, 16 January 2019, pdf):

"This report is meant to be a source of reference in the ongoing debate on encryption, and elucidate how the developments in the area may have an impact on law enforcement and the judiciary. Furthermore, it aims to be a well-rounded resource which can be used to inform the policy debate and development around the topic. Hence, the report is targeted towards a specific audience, primarily members of law enforcement and the judiciary working around the topic and members of the interior and justice ministries working on the development of policy in this area."

3. European Parliament Study: [Fit for purpose? The Facilitation Directive and the criminalisation of humanitarian assistance to irregular migrants: 2018 Update](#) (pdf):

"It takes stock of and examines the latest developments that have taken place since 2016, specifically the legislative and policy changes, along with various forms and cases of criminalisation of humanitarian actors, migrants' family members and basic service providers."

The study uses the notion of 'policing humanitarianism' to describe not only cases of formal prosecution and sentencing in criminal justice procedures, but also wider dynamics of suspicion, intimidation, harassment and disciplining in five selected Member States – Belgium, France, Greece, Hungary and Italy.

Policing humanitarianism negatively affects EU citizens' rights – such as the freedom of assembly, freedom of speech and freedom of conscience. When civil society is effectively (self-)silenced and its accountability role undermined, policies to combat migrant smuggling may be overused and give rise to serious breaches of the EU's founding values, notably the rule of law, democracy and fundamental rights. Moreover, policing humanitarianism negatively affects wider societal trust and diverts the limited resources of law enforcement from investigating more serious crimes."

4. Council of the European Union: Common European Asylum System: [Qualifications & Resettlement Regulations - latest](#)

• Qualifications: [Proposal for a Regulation on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents \(First reading\) - State of play and guidance for further work](#) (LIMITE doc no 5456-19, pdf):

"These limited changes received wide support at the meeting of JHA Counsellors on 16 July 2018 and were also presented to the European Parliament both at technical and political level. At the meetings on 17 July and 26 September 2018, **the Parliament informed the Presidency that, in principle, in view of the provisional agreement reached in the June trilogue meeting, it stands by the agreement reached therein and does not intend to continue the negotiations for the time being.** (...)

Against this background, and with a view to possible upcoming discussions with the European Parliament, COREPER is invited to confirm whether it can support the changes set out in the Annex to this note, **merely in order to continue discussions with the European Parliament.**"

• Resettlement: [Proposal for a Regulation establishing a Union Resettlement Framework and amending Regulation \(EU\) No 516/2014 of the European Parliament and the Council \(First reading\) - State of play and guidance for further work](#) (LIMITE doc no 5164, pdf):

"In the context of ongoing negotiations with the European Parliament on some outstanding technical and drafting issues, the Presidency has the intention to address also the issues set out in the Annex.(...)

Against this background, and with a view to possible upcoming discussions with the European Parliament, COREPER is invited to confirm whether it can support the changes set out in this note."

5. [Promoting rule of law and fundamental rights in the EU](#) (European Parliament, link):

"EP wants to triple the budget for the Rights and Values Programme - Fast-track procedure to support democratic dialogue where EU values are at risk

The EU should do more to promote democracy, rule of law and fundamental rights across the EU, including through support to civil society organisations.

MEPs endorsed on Thursday the position of the Civil Liberties Committee to triple the funds allocated in the long-term EU budget (2021-2027) for the Rights and Values Programme, up to 1.834 billion euros (the European Commission had proposed €642 million)."

6. European Parliament study: [Challenges in the implementation of EU Law at national level](#) (pdf):

"The better regulation package has important consequences for the Commission's enforcement policy: more emphasis on compliance-based mechanisms and a strategic use of legal sanctions; the phasing out of EU Pilot; and greater use of financial sanctions for Article 260(3). New data analytics tools should also increase effectiveness of transposition tracking in future, examining correctness as well as timeliness of transposition, which is crucial to effective implementation of EU law.

2017 and 2018 infringement data, from complaints to financial sanctions, remains broadly in line with the previous five years. The main sectors that resist efforts to solve infractions once an infringement case has been launched are environment, transport / mobility and financial stability. The top sectors referred to Court in 2017 are environment, internal market, justice and transport. Italy, Hungary and Poland had the most cases referred to Court in 2017. In 2018 (to date) environment, energy and transport were the top sectors referred to Court with Italy, Hungary and Spain having the most cases against them."