



applications?

Implementing the Pact: Obligation for fundamental rights monitoring

EU: Council lowers threshold for migrant smuggling prosecutions

Out of sight, out of mind: EU planning to offshore asylum

Implementing the Pact: Obligation for fundamental rights monitoring

The recently adopted Screening Regulation under the EU Pact on Migration and Asylum sets out several requirements for the establishment and operation of a mechanism for monitoring the fundamental rights of people subject to “screening” procedures at the external borders. Based on a recent Council document on the implementation of article 10 of the Screening Regulation and EU Fundamental Rights Agency guidance, this article provides an overview of what is required and discusses some potential challenges that may arise.

By Vasiliki Apatzidou, PhD Researcher, Queen Mary University of London.

Read the full article [here](#).

EU Council lowers threshold for migrant smuggling prosecutions

This article is published in cooperation with the [Platform for International Cooperation on Undocumented Migrants \(PICUM\)](#).

EU institutions are discussing proposed changes to the law criminalising the facilitation of irregular migration, which has also been used to criminalise migrants and individuals acting in solidarity with them. The Belgian Council presidency presented a revised draft to other EU member states at the end of May, which would simplify the criminalisation of irregular entry, amongst other things.

By Marta Gianco.

Read the full article [here](#).

Out of sight, out of mind: EU planning to offshore asylum applications?

In a letter sent to EU heads of state last month, European Commission president Ursula von der Leyen named 2024 “a landmark year for EU migration and asylum policy,” but noted that the agreement on new legislation “is not the end.” She went on to refer to the possibility of “tackling asylum applications further from the EU external border,” describing it as an idea “which will certainly deserve our attention.”

Read it [here](#).

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Asylum, immigration and borders

[European Ombudsman opens an inquiry into how the European Union Agency for Asylum addresses allegations of fundamental rights violations in its activities in Greece](#)

“On 11 July, the European Ombudsman opened an inquiry into how the European Union Agency for Asylum (EUAA) addresses allegations of fundamental rights violations in its activities in Greece (case 229/2024/AML).

The inquiry is based on a joint complaint against the EUAA by I Have Rights and Avocats sans Frontières France. The organisations submitted evidence of fundamental rights violations in the EUAA’s activities in Samos. In particular, the complaint focuses on how EUAA caseworkers routinely fail survivors of pushbacks and survivors of human trafficking.”

[New UNHCR/IOM/MMC report highlights extreme horrors faced by refugees and migrants on land routes to Africa's Mediterranean coast](#)

Refugees and migrants continue to face extreme forms of violence, human rights violations and exploitation not just at sea, but also on land routes across the African continent, towards its Mediterranean coastline. This is according to a new report released today by UNHCR, the UN Refugee Agency, the International Organization for Migration (IOM) and the Mixed Migration Centre (MMC), titled “On this journey, no-one cares if you live or die” (Volume 2).

With more people estimated to be crossing the Sahara Desert than the Mediterranean Sea – and deaths of refugees and migrants in the desert presumed to be twice as many as those happening at sea – the report casts light on the much less documented and publicized perils facing refugees and migrants along these land routes.

Spanning a 3-year data collection period, the report also warns of an increase in the number of people attempting these perilous land crossings and the protection risks they face.

[New research finds that EU funds digital walls and police dogs at the EU's borders](#)

New joint study by European refugee and migrant rights' networks ECRE and PICUM finds that EU funds for border management are being used to build harmful infrastructure to control external borders, leading to human rights violations. Crucial information on the assessment of such programmes and how the Commission addressed risks of rights violations was only accessible for this research through freedom of information requests.

[Four people drown trying to cross Channel near Boulogne-sur-Mer](#)

"Four people died overnight trying to cross the Channel to reach Britain, French officials have said. A rescue operation took place off Boulogne-sur-Mer on France's northern coast after reports of people in the sea. Four of those pulled from the sea had drowned. At least 56 survivors were rescued early on Friday morning, according to French officials. They are being cared for by the French authorities."

[Armed men jump onboard small boat during rescue near Libya](#)

A group of masked and armed men have threatened a wooden boat in distress in the central Mediterranean, provoking the frightened passengers to throw themselves into the sea.

The incident happened early on Tuesday morning as crew from the Ocean Viking, a rescue ship operated by the charity SOS Méditerranée, were evacuating 93 people who had been crammed onto the blue wooden vessel in distress about 19 miles (30km) off the coast of Libya.

[Frontex expands aerial surveillance: More deployments of planes, drones and surveillance satellites](#)

"The EU border agency is increasingly passing on the coordinates of refugee boats to neighbouring countries in the Mediterranean. This also includes the Coast Guard in Libya. A whistleblower now reports on these incidents."

[Human rights groups give Starmer blueprint for asylum overhaul](#)

"Hundreds of refugee and human rights organisations have written to Keir Starmer with a blueprint for asylum policy which urges him to change course from the previous government's policies. The letter, which includes signatories from 300 civil society organisations along with 534 individuals working with migrants, says the existing policy is "fundamentally broken". It sets out nine key demands which, if adopted by the Labour government, would signal a change of direction in one of the most controversial and high-profile policy areas of the last government."

[Unmasking state-perpetrated crimes during migration control – a new face of crimmigration](#)

When attempting to reach Europe, migrants often experience harmful treatment by state actors, including – and to list a few – physical violence, destruction of personal belongings, or inhumane detention conditions. Still, these acts are rarely prosecuted as crimes, and the respective officials largely go unpunished. In the following, I unveil the lacking criminal law response to violent migration control practices as a novel face of crimmigration, critically re-thinking existing scholarship on the crime-migration nexus."

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The author shows that “Western states use criminal law selectively for migration control purposes through the interrelated mechanisms of over- and under-criminalization”.

Civil liberties

[Public outcry grows after Libyan journalist kidnapped for exposing government corruption](#)

Early on Thursday afternoon, the family of Libyan economic journalist Ahmed Al-Sanussi reported his kidnapping in front of his home in Tripoli.

They urged security authorities to disclose his whereabouts and appealed to activists and media professionals to support Ahmed and advocate for his release. Within hours, informed sources confirmed that the Internal Security Agency (ISA) in Tripoli, led by Lotfi Al-Harari, was responsible for his arrest.

Military

[The EU's support for Israel makes it complicit in genocide](#)

Op-ed by Niamh Ni Bhriain and Mark Akkerman

“It has been nine months since the start of Israel’s genocidal war on Gaza, which has killed more than 38,000 Palestinians, injured more than 86,000, and displaced more than 1.9 million. Despite frequent words of condemnation, European leaders have done little to stop it. Worse still, many European countries continue to stand by Israel economically and militarily.

As the United States is considered the biggest backer of the Israeli war machine, it is easy to discount European support. A closer look at the extent of European financial and military assistance for Israel, however, lays bare the EU’s complicity in the continuing genocide in Gaza and various atrocities in the occupied West Bank.”

Policing

[Human Rights Watch: Using AI to Fight Trafficking Is Dangerous](#)

“The US State Department has released its annual Trafficking in Persons (TIPs) Report ranking nearly 200 countries’ anti-trafficking efforts.

The report finds that perpetrators increasingly use “social media, online advertisements, websites, dating apps, and gaming platforms” to force, defraud, or coerce job seekers into labour and sexual exploitation, and encourages technology companies to use “data and algorithm tools to detect human trafficking patterns, identify suspicious and illicit activity, and report” these to law enforcement.

“Sweeping calls to collect data on marginalized populations and automate decisions about what constitutes a human trafficking pattern are dangerous. Women of colour, migrants, and queer people face profiling and persecution under surveillance regimes that fail to distinguish between consensual adult sex work and human trafficking. UNODC and other relevant United Nations bodies, the Financial Action Task Force, INTERPOL, EUROPOL, the EU’s Global Alliance to Counter Migrant Smuggling, and through G7 frameworks such as the Roma-Lyon Group and the Venice Justice Group.”

Resist Europol Document Pool

Europol is the European Union Agency for law enforcement cooperation. In the past decade, its surveillance powers have been vastly extended, allowing the agency to collect and process ever more data. The Resist Europol coalition is an initiative that aims to document and contest the EU securitisation agenda, notably through Europol's expansion and its impacts on the rule of law, human rights and marginalised communities.

Ombudsman regrets Commission approach to access to documents request concerning EU legislation on combatting child sexual abuse

The European Ombudsman strongly regrets the European Commission's refusal to follow her recommendation to give greater public access to four documents related to the drawing up of proposed legislation to combat child sexual abuse.

The documents were requested by a journalist and concern meetings the Commission held with Thorn—a self-described non-governmental organisation that has developed and sells tools for detecting child sexual abuse material online.

The Ombudsman found that the Commission should have disclosed the documents to enable the public to scrutinise how stakeholder input had informed its legislative proposal and to verify that it had acted independently and exclusively in the public interest.

Mass Hacking and fundamental rights: a missed opportunity for the CJEU?

On 30 April 2024, the Court of Justice of the European Union (CJEU) published its decision in the 'EncroChat' case.

The case emerged from recent European police cooperation operations against organised crime, involving the mass interception of encrypted communications by means of spyware ('hacking'). They enabled the collection, for EncroChat alone, of millions of messages associated with 32,000 users in 122 countries, including nearly 4,600 in Germany, leading to more than 6,500 arrests and 3,800 legal proceedings in the Union.

The Berlin Regional Court (the 'Berlin court') referred questions to the CJEU, asking whether a German European Investigation Order ('EIO') concerning the transmission of data collected by French investigators using hacking techniques was compatible with fundamental rights.

The Court's response is based primarily on the principle of mutual trust, which guarantees the effectiveness of European judicial cooperation.[2] Unfortunately, it carefully avoids linking this decision to its case law on the rights to privacy and data protection in criminal matters developed since the entry into force of the EU Charter of Fundamental Rights (the 'Charter').

Prisons

UK: Jails to run out of space in days, governors warn

“Jails will run out of space within days, putting the public at risk, the body representing 95% of prison governors in England and Wales is warning political leaders.

The Prison Governors' Association (PGA) says police officers will be unable to detain people because there will be nowhere to put them.

'The entire criminal justice system stands on the precipice of failure,' it says in a letter.”

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