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EU migration policy priorities: a jargon-free translation

Issue 24/20, 15 November

Push for EU-wide "tracking and bugging of vehicles"

Open letter condemns "illegal, immoral, and unworkable" immigration and asylum policies

"Decisive and unequivocal stand" needed against Poland's suspension of asylum

New material from across Europe and beyond

Migration policy priorities of the next European Commission: a jargon-free translation

Four of the 26 "mission letters" sent to the proposed new European Commissioners set out responsibilities with regard to migration, asylum and border policy. Couched in typical EU jargon, the texts hide a brutal and violent reality.

Aside from the implementation of the Pact on Asylum and Migration, key topics in the coming months and years will include a new deportation law; attempts to set up deportation camps ("return hubs") in non-EU states; new "partnerships" with non-EU states to try to control migration; and increased police powers.

Read the full article here.

France, Germany and the Netherlands push for EU-wide "tracking and bugging of vehicles"

Germany, France and the Netherlands are advocating for a reform of the European Investigation Order (EIO) to simplify cross-border surveillance of vehicles. A joint non-paper sent to other EU member states aims to amend the 2014 law to enhance cross-border surveillance cooperation.

The reform would allow police to continue using GPS trackers and bugging devices on vehicles when they travel into other EU member states, without requiring additional legal approval in each country.

Read the full article <u>here</u>.

Open letter condemns "illegal, immoral, and unworkable" immigration and asylum policies

A letter to EU leaders backed by 200 organisations and individuals, including Statewatch, condemns the renewed "violent, punitive and immoral turn in European migration politics." This turn can be seen in recent proposals to suspend the right to asylum, introduce offshore deportation camps, and create new common lists of "safe" countries, says the letter.

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"Rather than orient policies toward safety, protection and social provision for all, European leaders have settled for a politics of securitisation, criminalisation, and violence," it says. The letter goes on to make proposals for "human rights, toward economic well being, safety and community care, and invest in long-term solutions to address climate degradation, conflict, and economic decline."

Read the full letter <u>here</u>.

European Commission must take a "decisive and unequivocal stand against" Poland's suspension of asylum

More than sixty organizations, including Statewatch, and 10 MEPs, have signed a letter to the European Commission demanding a "decisive and unequivocal stand against" the Polish government's decision to suspend the right to seek asylum. The country's prime minister, Donald Tusk, announced the plan last month in response to people arriving across the Polish-Belarussian border.

Read the full letter <u>here</u>.

New material

Italy: The government picks judges to validate administrative detention and cancels defence rights ----- EU: Frontex ignores rights impact in border biometrics forecast, paper claims ----- UK: Automating the hostile environment: uncovering a secretive Home Office algorithm ----- Greece accused me of espionage. I was helping people they'd violated ----- UK: Undercover police officer accused of setting fire to Debenhams store in 1987 ----- Malta breached the right to freedom from torture in detention of unaccompanied minors ----- Lawyer allegedly hacked with spyware names NSO founders in lawsuit

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New material

Asylum, immigration and borders

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Asylum, immigration and borders

SOS Mediterranee: We strongly reject the false and stigmatising narrative of the newspaper "Libero"

Civilian sea rescue group SOS Mediterranee speaks out against an article in the right-wing Libero newspaper (also used by Fratelli d'Italia, PM Meloni's party) that accuses it of "interceptions" in order to "boycott" the Albania plan. "It is very serious... for a media outlet to adopt this kind of narrative, misleading its readers, and it is worrying that it refers to alleged ministerial documents that nobody knows about, which -at this point- it would we desirable to be able to view", said SOS Mediterranee's Italy director, Valeria Taurino.

SOS Mediterranee, 14 November

Italy: <u>The government picks judges to validate administrative detention and cancels</u> <u>defence rights</u>

In a context of hysteria (including a statement against judges from Elon Musk and a piqued reply from President Mattarella) about judges scuppering the Meloni government's Albania plan, the government seeks to change the judges who validate detention (assigning this competence to appeal court judges), after its second attempt to transfer people intercepted at sea (8) to Albania, where they should be subject to new fast-track procedures based on a premise of them coming from safe third countries. When judges order their release, they have to be returned to Italy, because Albania has agreed to the setting up of camps, but does not allow detainees on its territory if they are released.

Associazione Diritti e Frontiere, 13 November

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Who's in the fast lane? Will new border tech deliver seamless travel for all?

"Anti-immigration rhetoric has reached fever pitch in the world's richer countries, and the EU is currently facing the collapse of restriction-free travel within the Schengen area (itself enabled by immense databases of people considered risky and/or foreign built in the early 2000s). However, luckily for the borders' builders, their products—originally developed for applications in defence, security and policing, and designed to better identify and surveil individuals—are just as suited to a future in which states are walled off from one another, and movement between them is heavily monitored and restricted. If and when this future vision becomes promoted instead of seamlessness largely depends upon the political moment and intended audience."

Migration Mobilities Bristol, 12 November

UNHCR must interrupt its cooperation with the Italy-Albania Protocol

Civil society organisations Refugees in Libya and Baobab Experience call on "UNHCR to declare application of fast-track border procedures which summarily and hurriedly decide asylum seekers' fate on the basis of their geographical origin unlawful and inhumane. We ask UNHCR to continue undertaking the function for which it was born and not to allow governments to use the UN's presence as a sign of respect for human rights when that is not the case."

Melting Pot Europa, 8 November

Border surveillance and control: EU has invested 3.5 billion in anti-migration research

"Since 2007, the European Commission has invested around 3.5 billion euros in the research and development of technical systems for border surveillance and combating migration. More than 800 of these projects have been supported by EU funds for Internal Security and Border Management – an average of 4.4 million euros per project. This is according to a presentation that the Commission recently gave to the 27 EU member states in the Council working group on borders, which was made public as part of a freedom of information request."

Security Architectures in the EU, 8 November

EU: Frontex ignores rights impact in border biometrics forecast, paper claims

"Frontex's seminal research on the most promising biometric technologies in border control during the next 20 years has a major flaw: The report never considered the technologies' impact on fundamental rights and data protection, according to a new paper examining the research from a legal perspective."

Biometric Update, 6 November

Migration Unboxed: the MMB podcast

The first two episodes of this new podcast series focus on "what is migration and why unbox it?", with Nandita Sharma and Tim Cole focusing on states and their power, issues concerning citizenship and the history of migration controls, and on how visuality helps to understand movement, with Victoria Hattam and Nariman Massoumi.

Migration Mobilities Bristol, 4 November

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<u>Central Mediterranean Report (October 2024) The Albania flop: from empty CPRs to the</u> <u>"safe countries" law decree, up to trafficking networks in our home country</u>

55,049 migrants have reached our [Italy's] shores in the last year, marking a 62% decrease compared with 2023, when 144,035 arrivals were recorded. The reasons for this decrease include changes in migration routes and agreements with transit countries like Tunisia. Migration "flows" nonetheless continue to be treated as an emergency, amidst attempts to offload some arrivals to Albania. There are millions of displaced people and refugees in various areas in north Africa and the Middle East, due to political instability, religious and gender-based persecutions and climate change, among other reasons. However, there does not appear to be a will to open safe legal routes.

Osservatorio Mediterraneo Centrale, 2 November

'The border guards beat migrants': How EU border pushbacks are becoming banalized

"Seeking asylum in Cyprus, Poland and Bulgaria is becoming increasing difficult given the number of pushbacks at the external borders of the European Union. InfoMigrants spoke to migrants about their experiences."

InfoMigrants, 1 November

Germany proposes sending Frontex to Poland-Belarus border

"The German interior minister has proposed deploying the EU border agency Frontex to the Polish-Belarusian border. Brussels has accused Belarus and Russia of weaponizing migration at the EU's external border, using it as a 'political tool' to pressure the bloc in response to EU sanctions."

InfoMigrants, 31 October

Cyprus: Commissioner O'Flaherty expresses concern about the situation of migrant and asylum-seeking people stranded in the buffer zone and allegations of summary returns at sea

"The Commissioner highlighted the situation of some 35 individuals who have been stranded in the buffer zone for several months. "Prolonged stays in poor conditions expose them to significant risks of violation of the human rights enshrined in the European Convention on Human Rights (ECHR), including the prohibition of inhuman and degrading treatment and the right to private and family life", he said.

"The Commissioner also expressed concern over reports of boats carrying migrants, including persons who may need international protection, being prevented from disembarking in Cyprus and returned, sometimes violently, without access to asylum procedures."

Council of Europe, 31 October

Migrants' death, dignity and European democracy

"On 1 October 2024, eighty-eight members of the Parliamentary Assembly of the Council of Europe (PACE) adopted Resolution 2569 based on a report on 'Missing migrants, refugees and asylum seekers – A call to clarify their fate' (Document 16037) prepared by Mr Julian Pahlke. Twenty-nine voted against and four abstained. In its plenary formation, PACE

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encompasses 306 members appointed by national parliaments from among their members across the 46 member states of the Council of Europe. Eighty-eight votes in favour of 'consider[ing] that human dignity should be ensured to all persons in life and in death, and that the obligation in law to treat the deceased with dignity should extend to situations where international humanitarian law is not applicable' (point 4) is a sobering figure."

University of Exeter, 29 October

Italy: <u>Crotone court's judging illegitimate the SOS-Humanity's seizure</u>. The cooperation with Libyan authorities was not necessary, because what they do cannot be qualified as "rescue"

"The Crotone judgement "overturns a deliberate 'misrepresentation of facts', which erased the structural violence enacted by the Libyan Coast Guard at sea, and depicted NGOs as those who 'endanger' human lives. Even more, it set up new legal cornerstones and conceptual limits, by clearly defining what counts as a rescue operation, and challenging the legality of cooperation with Libya, both in operational and political terms. Alongside the Brindisi Court decision about Ocean Viking case, these two cases represent a great precedent that could contribute to establishing the illegitimacy of ongoing criminalization of civil rescue."

Border Criminologies, 28 October

UK: <u>'AI' tool could influence Home Office immigration decisions, critics say</u>

"A Home Office artificial intelligence tool which proposes enforcement action against adult and child migrants could make it too easy for officials to rubberstamp automated life-changing decisions, campaigners have said.

As new details of the AI-powered immigration enforcement system emerged, critics called it a "robo-caseworker" that could "encode injustices" because an algorithm is involved in shaping decisions, including returning people to their home countries."

The Guardian, 11 November

UK: <u>Automating the hostile environment: uncovering a secretive Home Office algorithm</u> <u>at the heart of immigration decision-making</u>

""IPIC" ("Identify and Prioritise Immigration Cases") is an algorithm utilised by the UK Home Office that automatically identifies and recommends migrants for particular immigration decisions or enforcement action. After a year of submitting Freedom of Information Act requests, we finally received some information on this secretive AI tool used to decide the fate of migrants."

Privacy International, 17 October

What FIAPP hides: the other face of Spanish migration control

An international cooperation agency run by the Spanish ministry of foreign affairs transfers technology, equipment and training to various regimes in Africa that repress immigration towards Europe.

El Confidencial, 9 October

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Civil liberties

Tunisia: Appeal for solidarity with Abdallah Said

"On Tuesday 12 November 2024, the financial investigations unit held Abdallah El Said, an activist and president of the association "Enfants De La Lune De Médenine", in police custody. After a long interrogation, the charges that Abdallah faces have not yet been specified, but they mainly concern activities concerning taking charge of refugee, migrant and unaccompanied children, which falls within the scope of the association's work."

Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie, 14 November

Italy: <u>Christian Raimo suspended from teaching for three months for having expressed</u> <u>an opinion</u>

Christian Raimo, a school teacher and writer, has been suspended from teaching for three months, with his wages halved, for his criticism of the minister for education, Giuseppe Valditara. Beyond Raimo's disappointment, it should be noted that "it is not an isolated case, but is another tile in a wider repressive mosaic that is embracing the Italian school system but looks beyond it. This week, a teacher from Venice, Elena Nonveiller, has been recorded in the register of people under investigation for a Facebook post in which she criticised the "Tricolour Arrows" [which carry out air force acrobatic displays], which flew over the Veneto regional capital during the 4 November celebrations [day of the armed forces].

Osservatorio sulla Repressione, 7 November

Greece accused me of espionage. I was helping people they'd violated

"The six-month investigation run by the Greek intelligence service, anti-terror unit and HCG resembled a poorly scripted spy movie. Over the course of the investigation, they recruited two asylum seekers, who they sent back to Turkey as "agents" to return to Greece. Then armed special forces conducted a dawn raid on Mare Liberum's ship, confiscating all electronic devices and detaining the crew for several hours – before releasing them without interrogation.

Our lawyers also strongly suspected that our phones were tapped, making everyone who was now reaching out to us for support a potential target for authorities. And everything we said or wrote in private messages and calls could possibly come back to haunt us. This put immense psychological pressure on us and forced us to censor our communication."

OpenDemocracy, 6 November

Law

Giorgia Meloni's vendetta against Italy's judges

"""Meloni's model is Orbán's," said Saviano. "Meloni's idea of the state is authoritarian, even if in a democratic context: Its objective is to overrule all the authorities who have to control the government, not only on a criminal level.

"From this point of view, Europe's responsibilities are enormous: It's the European Commission that has made Orbán's power and influence grow beyond measure," he added.""

Politico Europe, 13 November

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Military

Exercise Phoenix Express 2024 Kicks Off in Tunisia

""The foundational partnership and the exceptional bilateral cooperation between the United States and Tunisia, especially in the maritime realm, go back over 200 years. In recent years, Tunisia has led the way in fighting illicit maritime activities, and we are grateful for the opportunity to work side-by-side with Tunisia and other regional allies and partners in a variety of critical areas during this exercise," said Joey Hood, U.S. Ambassador to Tunisia.

This year, the Commander of the U.S. 6th Fleet will be working alongside African partners to incorporate the use of unmanned systems to demonstrate their use in deterring and detecting illegal actives in African exclusive economic zones.

Participating nations in Phoenix Express include Algeria, Belgium, Georgia, Italy, Libya, Malta, Mauritania, Morocco, Tunisia, Türkiye, Senegal, and the United States."

US Naval Forces Europe and Africa - Sixth Fleet, 5 November

Policing

UK: Undercover police officer accused of setting fire to Debenhams store in 1987

"New evidence has emerged to suggest that an undercover police officer set fire to a high street department store while posing as a committed animal rights activist, causing damage worth £340,000, a public inquiry has heard.

The accusation against Bob Lambert, who also fathered a child while undercover and later became a senior police officer, is contained in testimony from one of the conspirators in the arson plot."

The Guardian, 13 November

UK: Police cloud project raises data protection concerns despite legal reforms

"Under the UK's current data regime, moving sensitive police records to one of the US cloud giants introduces major data protection issues. However, the government's recently proposed data reforms – which would most likely eliminate many of these risks by allowing routine transfers to hyperscalers – could jeopardise the UK's ability to retain its law enforcement data adequacy with the EU, while issues around data sovereignty would still persist."

Computer Weekly, 12 November

Digital Rights Review: 'Foreign Agent' Laws Target Online Media

"BIRN's monitoring of digital rights violations in October highlighted new threats to freedom of expression online in south-east and eastern Europe as countries embraced legislation against foreign-funded NGOs and media."

Balkan Insight, 12 November

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Scotland: Biometric data retention: review report

"A report by the Scottish Government and the Scottish Biometrics Commissioner of a review of the retention of biometric data provided for under sections 18 to 19C of the Criminal Procedure (Scotland) Act 1995."

Scottish Government/Scottish Biometrics Commissioner, 31 October

UK: <u>'We need to move the dials': Avon and Somerset Police must show real change on institutional racism</u>

"The police have been gaslighting us for generations – and officers' use of intrusive stop-andsearch powers is still blighting Bristol's young Black boys, a local racial justice advocate argues."

The Bristol Cable, 25 October

USA: Public Records Show Cops Are Obscuring Their Use Of Facial Recognition Tech In Criminal Cases

"What an absolute shocker. What a completely unexpected turn of events. Oh how will we, as Americans, process this latest in a never-ending string of abuses of trust by law enforcement. What a time to be alive. Etc.

Cops are always trying to hide the tech they use from criminal defendants, even when plenty of criminal defendants are already aware such tech exists. And they tend to get away with it, either by convincing courts that releasing any details about the tech's use in a specific case will give away the entire game, allowing criminals to run rampant thanks to the divulging of information they likely already know or by simply walking away from the prosecution before being forced to turn over any details on the tech itself."

Techdirt, 21 October

Prisons

Malta breached the right to freedom from torture in detention of unaccompanied minors

"In the present case, the Court found violations of Article 3 ECHR for five applicants, presumed to be minors, due to poor detention conditions. The ECtHR found that applicants were held with adults in overcrowded rooms with limited access to basic facilities, outdoor spaces, and education. It further found that the Maltese government failed to provide suitable care or support, which resulted in the severe deterioration of the applicants' mental health. The ECtHR held that the cumulative impact of their detention conditions, coupled with their vulnerable status as minors, amounted to inhuman and degrading treatment."

European Court of Human Rights, 22 October

Surveillance

Lawyer allegedly hacked with spyware names NSO founders in lawsuit

"A lawyer who was allegedly hacked with government-grade spyware made by the infamous surveillance tech maker NSO Group has filed a complaint in court against two of the company's founders and one executive. It appears to be the first attempt to hold the people

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behind a spyware company accountable for hacking crimes, rather than just the company itself."

TechCrunch, 13 November

