

Reclaim your data from the European police authorities!

Campaign to exercise the right to access European databases

Throughout Europe, the data of millions of people is stored in information systems operated and checked by the police and intelligence services as a matter of course. The various national systems are supplemented by centralized databases such as the Schengen Information System (SIS) and databases operated by Europol. In addition, the Treaty of Prüm and the "Swedish Initiative" has led to increasing automation and facilitate rapid data exchange between national systems.

We are no longer talking only about persons convicted for criminal offences. Immigrants are regularly entered in these databases – for having committed the “crime” trying to enter in a European country without obtaining prior permission, for wishing to make use of their right of asylum, or even for simply being a guest for a longer period in a European Union member state. But it is not just immigrants either. EU citizens are finding themselves entered in data retention systems for something as simple as, for example, being caught up in an ID check at a political demonstration or as a result of being ordered by the police to vacate a premises.

Facing a total “flood of information”, the interior ministers of several European countries are calling for the police authorities to be given even more powers and the technical capabilities necessary to make use and explore this “data tsunami”. “Data mining” software should simplify data analysis and provide “decision support”. Data on persons, objects and their relations is processed to be able to identify “risks” and “predict” crime and unrest even before it happens. Naturally, the relevant software is developed by the security industry, its source code and therefore its functionality kept secret.



The creation of a cross-border information network, which should “extend as far as the USA”, together with the development of technical platforms for real-time cooperation between the police authorities is one of the top priorities for European interior ministers. With the "Stockholm Programme", due to be passed by the European Council in December 2009, these plans will officially become the rule for EU domestic policy over the next five years. Critics are warning of a “database society”.

As it becomes increasingly easy to exchange police data within the Single European Market, those who are actually affected generally have neither knowledge of nor control on the collection, processing and circulation of the data. Data protection does not figure highly in European police cooperation; a set of common standards is kept to a minimum. Issues of proportionality or prescribed data storage periods are generally ignored. Basically, what goes is what the respective national law lets you get away with. Even where a European watchdog exists, the interior ministers and police authorities have the last word. The people concerned might even find themselves having to enforce their claim to international legal protection far away from their place of residence.

Thus the danger is the normalization of uncontrolled storage and cross-referencing of data collected in one country to be continued by another country. Higher data protection standards of one country can be easily bypassed by clever officials going through countries with lower standards. And there is a very real risk of both a huge accumulation of maximum amounts of data in centralised “data warehouses”, whose sole purpose it is to enable computer-aided search for information, and the comparison of databases becoming the daily norm .

All this not only increases the potential for data abuse. More importantly, through cross-border police cooperation, the origin and reliability of data will become even less transparent than it already is today in the national context. A false “hit” made by a researching official during police investigation in the European information network can have grave consequences: from covert surveillance to the tracking of one’s movements, temporary detainment to being refused the right to enter or leave a country, deportation, house searches, interrogations, and so on. It is then up to the affected persons to prove their innocence. To rid oneself of the suspicion and mistrust that undermines personal and civil liberties, in serious cases one is forced to take expensive and exhausting legal action. And we know: even having contact with people suspected by the police or a "tiny remaining suspicion" justifies data storage.

Therefore, in response to these ominous developments, we call on all those who share our concerns to join the campaign against the "Stockholm Programme". This means not just informing yourself and others, but also taking specific action and exercising your rights.

The switchboards for the cross-border exchange of information are central police authorities of the respective EU member state. Amongst other things, these serve as a national point of contact for the European Police Office (Europol) and its corresponding computer systems, for the Schengen Information system and for the exchange of information conducted within the scope of individual bilateral and multilateral agreements. However, the central police authorities are also obliged to provide information on data that might be stored there.

So to anyone who would like to know what the police (think they) know about you, or simply to register your dissent, we recommend exercising your right to access your own data by sending a request for information to the relevant police authority in your country. The digest received in response will help to give us an idea of the full extent of police access to citizen data, as well as serving as a starting point for getting your data out of the computer systems, by legal or political means.

Instructions on how to contact your local SIRENE office can be found on <http://euro-data.noblogs.org>. For requests in Germany, we have prepared a document generator at <http://www.datenschmutz.de/cgi-bin/moin.cgi/AuskunftErsuchen>.

For more information on the future plans of the European ministers of interior and justice, see <http://stockholm.noblogs.org>.

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