



Datafication technologies, counter-power and resistance at the EU borders

6-7 July, 2021

workshop report

SECURITY
// FLOWS



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Datafication technologies, counter-power, and resistance at the EU Borders

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This is a reference document for the Security Flows Project *Datafication technologies, counter-power and resistance at the EU Borders* workshop that took place on the 6th and 7th July 2021. The purposes of this document are to archive some of the interventions and discussion from the workshop, list resources shared, and also provide an alternative format of the discussions for both reference and accessibility.

About the workshop:

The process of transforming our everyday lives into quantifiable data is also transforming borders and migration governance. Biographical data, fingerprints, facial image and genetic data are extracted from asylum-seekers and stored in information systems to implement border controls as well as asylum and migration policies in the EU. These systems are enhanced with algorithmic optimization systems, also referred to as artificial intelligence (AI) or automated decision-making approaches, which are claimed to enable more efficient allocation of human and financial resources. Yet, little is known about how these technologies are designed, how they are acquired, and what forms of accountability and oversight are at stake.

Moreover, researchers have shown that datafication technologies can intensify discrimination. Statistical errors inherent to many algorithms used at the EU borders can strongly impact on vulnerable subjects on the move, jeopardising human rights and putting their lives at risk. The myth of efficiency also needs to be called into question when calculating costs of the maintenance of these digital infrastructures or the energy consumption and carbon footprint.

Therefore, it is imperative to gain a better understanding of datafication technologies and the use of algorithms at the EU borders, and explore counterpower strategies to challenge these developments. For example, ***what methods have been used to analyse these technologies and their effects? Which other possibilities of resistance against datafied borders can be envisaged? To what extent can forms of litigation and legal activism be strategically mobilised?***

The aim of the workshop was to explore the EU's and UK's datafied border regime, the current algorithmic systems implemented in the field of border

security, and the examples and strategies of counterpower and resistance in the European context. Firstly, we hope that the workshop helped produce a repository of methods for the study of datafication technologies, which can be shared with other actors. Secondly, we hope that the exchanges between researchers, investigative journalists, and civil society actors can help build better strategies of accountability and resistance.

Structure

The workshop consisted of four panels. Below are panel summaries, followed by a summary of each intervention with the respective resources.

PANEL I: Making datafied borders: private technologies, public money:

This first panel focused on conversations around the political economy of datafied borders. With interventions on the role of privatisation, and the flow of capital, speakers shed light on *who* profits from the datafication of borders, and the ever-expanding border regime.

Speaker contributions highlighted:

- The awarded contracts behind European border systems and the privatisation of the border industry.
- The drivers behind border surveillance in both domestic spheres, and the externalisation of borders to international spheres.
- Questioning emotionality within data systems of borders.
- The militarisation of European borders.
- Datafication and contracts in border control within the context of humanitarianism and data craving.

*Chair: **Lucrezia Canzutti**, King's College London*

*Discussant: **Anna Leander**, Graduate Institute Geneva*

Speakers:

Ana Valdivia, King's College London

Neither Opaque nor Transparent: Datafication and Accountability at EU's Borders

This first intervention focused on a collective article developed in the project SECURITY FLOWS, which focused on questions of opacity and transparency at the EU's borders.

Two main aspects were discussed:

- The frictions between transparency and opacity at the EU's datafied border;
- The novel interdisciplinary methodology for analysing the EU's datafied borders.

The intervention argued for adopting an idea of opacity that does not refer to hiddenness but to the incomprehensible or inaccessible ways in which systems work. With this, is the need to deconstruct the idea that knowing is possible if we are seeing and understand that transparency is not the opposite of opacity.

The project proposed a methodology to automatically analyse contract award notices in order to examine frictions of opacity and transparency through an exhaustive interrogation of the data. The data analysis aimed to address three questions:

1. How much money is invested?
2. Which are the most expensive contracts?
3. Which are the most awarded contractors?

The intervention looked at the results of each of these questions, and for the last, analysed the ecosystem of connections prevalent between contractors, as well as the differences between connections in eu-LISA and Frontex contractors. Attention was drawn to an oligopoly of companies which are repeatedly awarded contracts, digital infrastructures for data collection, algorithmic processing, and circulation.

A final stage of analysis was also expanded on: the development of a qualitative analysis to better understand the key insights obtained through the quantitative methodology. Three different angles were analysed here: infrastructures and devices of datafication, entangled illegibilities, and accountability.

Resources:

- More on Project Security Flows here: <https://www.securityflows.org>
- The most expensive contract by eu-lisa: <https://ted.europa.eu/udl?uri=TED:NOTICE:200083-2020:TEXT:EN:HTML>
- Github code and data: <https://github.com/anavaldi/eulisa-frontex-contracts>

Edin Omanovic, Privacy International

Borders Without Borders: Migration and the Expansion of the Surveillance State

Introducing Privacy International's work, Edin expanded on three drivers of border surveillance:

- Counter-terrorism (post-9/11);
- So-called migration crisis (2015);
- The COVID-19 pandemic.

The intervention expanded on the internal and external exploitation of borders - the exportation of controls/surveillance to other countries, as well as their internal/domestic deployment. Taking the UK as an example, this intervention expanded on Home Office programmes, such as the National Law Enforcement Data System, explaining how it is attempting to amalgamate different UK databases with a single point of entry. Information on the defense contractors that developed these databases was also provided. Parallels were drawn with the US database: HART, and the EU's interoperability initiative and the resulting Central Identity Repository.

Attention to the tools deployed, as well as huge databases was stressed, with the example of private companies selling these tools to various enforcement agencies.

This intervention also drew attention to the fact that many databases don't work in the ways they are intended to, drawing attention to the E-borders project (whereby the Home Office entered a contract with the UK subsidiary of US defence giant, Raytheon), that cost taxpayers hundreds of millions of pounds upon its failure to deliver on milestones (and the subsequent legal case).

The final part of the intervention focused on the expansion of international and domestic bordering, referencing the role of the UK Foreign Office in IT projects, as well as US border externalisation, and importantly, the role of international programmes and agencies like the UN's massive travel surveillance programme.

Resources:

- Privacy International's work: <https://privacyinternational.org>
- Surveillance Disclosures Show Urgent Need for Reforms to EU Aid Programme: <https://privacyinternational.org/long-read/4291/surveillance-disclosures-show-urgent-need-reforms-eu-aid-programmes>
- <https://www.privacyinternational.org/report/4408/uks-privatised-migration-surveillance-regime-rough-guide-civil-society>
- <https://privacyinternational.org/news-analysis/3011/heres-surveillance-us-exports-central-america-aid-and-its-surviving-trumps-cuts>

Javier Sánchez-Monedero, Universidad de Córdoba & Data Justice Lab
Emotional AI at the border: the case of iBorderCtrl

Javier's presentation focused on the topic of emotional AI at the border, and the international trend of funding projects of monitoring and detecting behaviour of emotions with multiple sources of data. With reference to emotional AI systems, e.g. lie detection systems used by the EU and the US, Javier showed many emotional AI projects were being tested at borders.

Attention was paid to funding provided to emotional AI projects focused on control and trespass. Part of the analysis of funding requires studying the security products related to the border too (including products like drones), as well the checking of information through automatic reviewing, and the human agents involved in further investigating these checks.

With a focus on the iBorderCtrl deception detection system, the intervention called for a multidisciplinary approach to interrogate the system, including:

- a political economy analysis - what does this passing of technology and tools mean in terms of border crossing management?
- a historical analysis of deception detection technologies and the links made with criminality;
- Different perceptions of the system;
- Scientific assumptions and how they validate(d) the system;
- Statistical analysis (in order to question the idea of using non-perfect systems to look for rare events).

Javier shed light on the experimental difficulties when attempting to validate these emotional tools, whilst exposing the contextual reality with the stated accuracy rates, as well as technical and political implications (see Sánchez-Monedero, J., & Dencik, L. 2020). This intervention ended with a reflection on the hardcore traditional frameworks adopted in these systems, as well as the cultural contexts of emotions that cannot be introduced to a computer system and accurately predict respective categories.

Resources:

- Information on the Data Justice Project here: <https://datajusticeproject.net/>
- Sánchez-Monedero, J., & Dencik, L. (2020). The politics of deceptive borders: 'Biomarkers of deceit' and the case of iBorderCtrl. *Information, Communication & Society*, 0(0), 1-18. <https://doi.org/10.1080/1369118X.2020.1792530>
- Sánchez-Monedero, J. (2018). The datafication of borders and management of refugees in the context of Europe (Data Justice Project, p. 33). Cardiff University. <https://datajusticeproject.net/wp-content/uploads/sites/30/2018/11/wp-refugees-borders.pdf>

Mark Akkerman, Stop Wapenhandel

The border-industrial complex: lobbying for and profiting from increased border security and control

The rise of new surveillance and data-collection technologies is an important part of Europe's overall process of border militarisation and externalisation. A process driven by the lobby of the military and security industry, resulting in billions of profits. Meanwhile, the EU's violent and racist border and migration policies violate human rights of people on the move and result in more deaths and inhumane unsafe futures for many. An untenable course, which is bound to implode some time in the future.

The intervention started with an analysis of the Integrated Border Management Fund, predicting its expansion to funding the militarisation of the EU's external borders.

The focus then shifted to lobbying and influence, expanding in detail on one driving factor of these lethal and violent policies: the extensive lobby from the European military and security industry. This not only includes the profiting of existing policies, but the driving of narratives through the positioning from lobbyists as being experts. This then provides their industry as a solution resulting in:

- the deployment of armed forces to borders,
- the increasing use of military and security equipment at borders (including the rise of autonomous systems such as drones),
- the expansion of Frontex (including getting its own budget to buy equipment and build a 10,000 person strong armed border force),
- and the often forced enlistment of non-EU-countries to act as outpost border guards to stop migrants earlier on their journey, the so-called 'border externalisation'.

Another important development presenting profit opportunities to the industry is the introduction and expansion of large scale data systems for border control with all kinds of identification technologies and databases containing fingerprints and all kinds of personal information, and the ongoing process to make them interoperable. Here, Mark pointed to the role of the lobby organisation: The European Association for Biometrics, its many different actors and the nodes of operation.

Light was also shed on the dependency of contracts and the risk of being unable to break this cycle (and dependency on certain companies). French IT company Sopra Steria is mentioned as an example of a company that has won almost one billion euros worth of contracts for development and maintenance of the EU's biometric databases, as well as the spin off effect of securing national contracts.

The intervention ended with remarks on two short developments::

1. As part of its border externalisation efforts, the EU funds many biometric identification projects outside the EU.
2. The Covid-19-pandemic led to a shift in the focus of the biometrics market, mainly from fingerprinting to contactless systems as face recognition technologies.

Resources:

- For the full transcript of the presentation:
<https://stopwapenhandel.org/node/2522>
- Information on Stop Wapenhandel's work here:
<https://stopwapenhandel.org/node/2139>
- 'Border Wars' report:
<https://stopwapenhandel.org/sites/stopwapenhandel.org/files/Border-Wars-Report-web1207.pdf>

- ‘The Business of Building Walls’ report:
https://stopwapenhandel.org/sites/stopwapenhandel.org/files/business_of_building_walls_-_full_report.pdf
- A recent article on the movement and need to abolish Frontex:
<https://roarmag.org/essays/end-pushbacks-abolish-frontex/>
- <https://abolishfrontex.org/blog/2021/07/03/european-parliament-votes-on-integrated-border-management-fund/#more-999>

Martin Lemberg-Pedersen, University of Warwick
The political economy of data craving in migration management

In his intervention, Martin focused on the misunderstood/overlooked aspect of datafication and contracts in the context of humanitarianism and data craving.

Drawing on the article ‘Re-assembling the surveillable refugee body in the era of data-craving’, Martin expanded on the tracing of how biometrics have been integrated into UNHCR operations, in addition to their creeping financialisation, making it increasingly difficult to separate organisations and institutions like the UNHCR from credit institutions, data brokers, or surveillance programmes.

The intervention also expanded on the report ‘The Political Economy of Entry Governance’ which illustrates issues of transparency, and asks questions around contractual regimes. For instance, in relation to Horizon 2020, Martin highlighted pre-commercial procurement, and a sort of de-selecting of certain competitors to European arms companies from the start. Looking beneath the veneer of common European discourses and funds, the intervention showed how we’re seeing a power struggle within the European arms sector for these kinds of border control, but also displacement projects. Similarly, the intervention called for the adopting of a deeper discourse when it comes to the externalisation of border control, understanding both colonial continuities, and moving beyond common discourses adopted in policy documents (i.e. simply referring to the EU as a single market).

Importantly, the intervention expanded on the way in which different member states participate in projects like Horizon 2020, and their multi-sectoral character. Expanding on the report’s attention to lobbying, the intervention called for a widening of conversation that is often limited to the arms industry (a look into the humanitarian sector(s) is one way of widening this conversation). Detail was given on the overlap between information system contracts and consultants from European technology platforms, noting that they are actually formulating the calls that they are often

responding to themselves.

The end of the intervention expanded on the financial structures ‘behind the company’, drawing attention to the free floating capital and consequently a lack of transparency. It (the intervention) called for us to not separate humanitarianism and border control, given the overlap in the political economy behind both, as well as the lobbying and strategies involved.

Resources:

- For a discussion of data carving in UNHCR humanitarian intelligence operations, see article: [Re-assembling the surveillable refugee body in the era of data-craving](#)
- Report: [The Political Economy of Entry Governance](#)

PANEL II: Researching data flows and the politics of data:

This second panel expanded on the interventions provided in the first panel, with a focus particularly on methodology and (changes in) directions of research, with one intervention zooming in on data politics/politics of data. The panel discussed these methods with reference to specific elements of datafied EU borders, including the interoperability initiative, the EU pact on migration and asylum, and UK government proposals to data strategies and legislation.

Speaker contributions highlighted:

- The EU’s interoperability initiative; its context and consequences.
- Tools of implementation in the context of the EU’s new pact on migration and asylum.
- Understanding data politics/politics of data, and insight into methodology of researching data politics.
- The Immigration Policy Project, and the implications of government proposals on data.

Chair: **Sarah Perret**, King’s College London

Discussant: **Claudia Aradau**, King’s College London

Speakers:

Chris Jones, Statewatch

The EU's interoperability initiative: a control infrastructure in progress

The panel started with an intervention from Chris Jones at Statewatch whose intervention focused on a breakdown of the interoperability initiative, and its current context, whilst also raising some points about researching data flows and the politics of data.

The intervention started with a clarification of what the interoperability initiative was, with specific explanation on the Common Identity Repository, which will combine and provide access to data from a number of data systems. Chris set the background to this initiative, with attention to the role of the German government, drawing similarities to its domestic initiative which preceded the EU's.

Elaborating on the consequences of the initiative (however far they may be from the intentions), this intervention focused on the role of control (or at least the illusion of control): the losing (and enforcing) of control. The presentation explained that this security lens has a strong undertone of state racism by its very conflation of terrorism and migration into one category.

The intervention also elaborated on how the interoperability initiative was facilitating the introduction of new technologies like machine learning. Similar to the interventions in Panel I, this intervention expanded on the technical failures, as well as the interdependence of systems.

The intervention also pointed to reflections on research, data flows, and the politics of data. Attention was drawn to the fact that many of these large scale, top-down projects are subject to all kinds of different reinterpretation, changes, and political pressures at different levels of implementation.

The presentation ended with information on Statewatch's direction of work. One current focus of Statewatch's work is on the Common Identity Repository, the links to policing powers, and the exacerbation of oppressive practices, and racial profiling. In terms of methodology and analysis, this work has seen Statewatch move from a big picture analysis to a more speculative interpretation, looking at current plans. This will also involve a move in working and interacting with people (rather than systems).

Resources:

- [EU: States slow to introduce legal changes easing biometric identity checks by police](#)
- [Automated suspicion: The EU's new travel surveillance initiatives](#)
- [Data Protection, Immigration Enforcement and Fundamental Rights: What the EU's Regulations on Interoperability Mean for People with Irregular Status](#)
- [Deportation Union](#) (report)

Giulia Crescini, ASGI

Identification tools along the transit within externalization policies: an essential tool for the implementation of the new EU pact for migration

Giulia's contribution focused on the EU's New Pact on migration and asylum (September 2020), and the included mechanisms that require biometric data and tracking upon implementation.

Attention was drawn to the building of holding areas inside European territory: illegal bubbles within the state but outside European law. This 'legal fiction of non-entry' means that people aren't allowed to enter the state's territory; instead, they have to remain in these holding areas where they lack substantial and procedural rights. The idea underpinning this new development is that people have to be sent back to their countries of origin.

Importantly, this intervention also focused on the cooperation from countries of origin and the importance of collecting biometric data in African countries. Giulia highlighted that repatriation is possible only if people are identified in certain ways (e.g. fingerprints, linguistic recognition). Attention was also drawn to the procedure for admissibility of asylum request, and the change in the category of 'third country' to include countries of transit.

Resources:

- More on the activities, research and litigation activities carried out within the Oruka project can be found here: <https://sciabacaoruka.asgi.it/>
- Documents published by ASGI on the EU pact can be found here (note that these are in Italian): [Le criticità del patto europeo migrazione e asilo alla luce del contesto italiano](#)
- ECRE has published contributions in English and they can be found here: [Joint Statement: The Pact on Migration and Asylum: to provide a fresh start and avoid past mistakes, risky elements need to be addressed and positive aspects need to be expanded | European Council on Refugees and Exiles \(ECRE\)](#)

Lina Dencik and **Philippa Metcalfe**, Cardiff University & Data Justice Lab
Beyond data centrism in researching the politics of data

This intervention was focused on methodologies for researching and understanding data politics/politics of data. An overview of the Data Justice Project was also provided, and its main theme of studying datafication in relation to social justice. With migration management and border control being one of the core areas of the project, it was noted that related areas (e.g. law enforcement, policing) are also part of the analysis. It was explained that a focus of this work is studying areas of experimentation when it comes to uses of data and implementation of data systems, and also areas where social justice questions really come to the fore (and have done historically).

The intervention called for thinking about data politics in a way that allows us not only to think about what the data is, but about the politics (in terms of the nature of data, and also the performance of power in terms of what the data does). A useful definition of data politics adopted in the presentation was:

data politics as the performative power *of or in* data that includes concerns with how data is generative of new forms of power relations and politics at different interconnected scales (Rupert, Isin and Bigo 2017).

The speakers expanded on three common approaches in research, when it comes to the politics of data:

- *Values* embedded in data systems:
 - A focus on the data systems themselves - and the values that become embedded in the design of data systems, for example, as well as the kind of ideological dimensions of data and data driven systems.
- *Algorithmic bias and discrimination*:
 - About the kind of data sources being used, and the algorithmic design of data systems that produce forms of bias and discrimination.
 - Work done has covered groups (un/)represented in datasets, variables used and types of outputs produced based on variables in algorithmic design.
- Impact on *rights and freedoms*
 - A common approach used when thinking about data politics, that has been dominated by a focus on individual privacy, and more recently on issues of non-discrimination.

The intervention expanded on how the project however, aims to think about data politics beyond the focus on the data system itself, and situating data systems in particular contexts, calling for a decentering of technology. This call includes:

- Taking an approach that tries to think more about the *uses* to which data systems are put (rather than just studying the system itself).
- Thinking about how data practices relate to existing social practices as the focus.
- Not taking data systems as a given, but understanding data systems as being continuously constructed depending on the context in which they're being used.
- Understanding that data systems have different meanings and implications in relation to historical practices, institutional context, organisations, actors etc.
- Trying to understand the underlying social mechanisms when studying data politics.

Part of this project approach demands an interdisciplinary methodology, and one that values and centres experience. The end of this presentation elaborated on this point by looking at the structures, language and effects of datafication in the UK migration context.

Resources:

More on the Data Justice Project here: <https://datajusticeproject.net/>

Sahdya Darr, Open Rights Group

This intervention focused mainly on Open Rights Group's Immigration Policy Project. The presentation started with the background and ways of working of the project, after outlining the project aim: to work and campaign in partnership with migrants rights groups and organisations in the UK, against the increasing collection of personal data, data sharing, and new technologies driving immigration controls.

One focus of the intervention was on government proposals, namely the consultation on the National Data Strategy (in which the government stated their intentions to reduce restrictions to data sharing). The intervention elaborated on the fact that this was a political strategy about data, which started from a position that data was apolitical. The strategy neither acknowledges the power dynamics which exist around data, nor recognises the structural inequalities the strategy will likely exacerbate.

Information was also provided on the recent work of Open Rights Group in conjunction with migrants rights groups and organisations, on challenging the UK Cabinet Office's National Fraud Initiative (NFI) Data Matching Powers consultation proposals. This proposal seeks to increase policing powers by widening data matching powers to include prevention and detection of crime (other than fraud), without mentioning privacy, safeguards, or restrictions regarding police access.

Importantly, attention was drawn to the exacerbation of the racial aspects of these proposals. The intervention ended with the impact of these proposals and implementation of technologies on migrant communities. The UK specifically has already seen the government use data for the surveillance, and control of migrants and refugees as part of its hostile environment measures to deter irregular migrants. This no doubt has had a detrimental effect on the migrant population, causing people to avoid healthcare services, and reporting crime, for fear of arrest or detention, or deportation.

Resources:

- More on Open Rights Group's Immigration Policy Project here: [Immigration, data and technology](#)
 - [Open Rights Group: Response to the consultation on the National Fraud Initiative Data Matching Powers proposals](#)
 - ["Immigration exemption" ruled unlawful under GDPR](#)
 - [Immigration, Data and Technology: Needs and Capacities of the Immigration Sector](#)
 - This is the link to our monthly newsletter on immigration, data and tech: <https://www.openrightsgroup.org/blog/newsletter-immigration-data-and-technology-3/>
 - Report by UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance: <https://undocs.org/A/75/590>
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PANEL III: Building counter-power, multiplying resistance

This panel focused on different forms of counter-power and resistance elaborating on different strategies including: freedom of information requests (FOIs), local campaigns, skill-shares, holding exhibitions/artistic resistance, counter-mapping, auditing government spending, exposing vulnerabilities in IT systems, to mention a few. Through the mapping of different forms of counter-power and resistance, this panel brought to the forefront analyses and reflection on our understandings of counter-power and resistance.

Speaker contributions highlighted:

- So-called 62-projects and efforts to campaign against them.
- Auditing the public spending behind the EU and Spain's migration policies, and the building of new narratives through a focus on migration in technology.
- Biopolitical production and the production of subjectivity in the space of flows.
- Extending understandings of counter-power and resistance beyond the repressive hypothesis.
- Understanding the EU's large IT systems and the interoperability landscape, the effects of this infrastructure on the rights of irregular migrants, and the risks that come with the implementation of these systems.

*Chair: **Ibtehal Hussain**, King's College London*

*Discussant: **Lucrezia Canzutti**, King's College London*

Speakers:

Félix Tréguer, Sciences Po

Doing Action Research on Algorithmic Urban Policing: IA-Powered Surveillance, Elusive Democratic Oversight

This intervention focused on Technopolice, an action-research campaign by French advocacy group La Quadrature du Net on new technologies of urban policing in France in the context of so-called "Safe City" programs, and efforts to campaign against them. The intervention started with some background information on the European context, and efforts to research and document what was happening, with a focus/start in Marseille, France.

The intervention mapped the origins of the Technopolice campaign that started to look into predictive policing practices. Information was provided on a "Big Data Observatory for Public Tranquility" that was established in Marseille, and how this provided a blueprint on exposing information through various tactics, including FOIs.

Félix observed a proliferation of 'safe cities' projects in parallel with the development of legitimization discourses based on the increasing threat and risks: 'Natural risk' and risks of human origin (crime, terrorism, etc). These private-public partnerships are presented as 'experimentation' for fighting 'insecurity' (with the focus on innovation in the 'startup nation').

One important reflection that was expanded on, was the migration of discourse from military and intelligence spheres to local policy, and the private-public partnerships that

have taken particular prominence in France - boosting research in the field of security and fostering global positions of European multinationals. Noted in being key to the development of projects, was their introduction as experiments outside of any legal framework, and how lead to a progressive normalisation of these technologies and attached practices.

The end of the presentation expanded on documentation and mobilisation against Safe City projects, elaborating on a public forum, FOI requests and skill shares, and providing accessible points for sharing information (like an online Dropbox where information can be uploaded anonymously). The intervention pointed to specific points of engagement, such as engaging in strategic litigation against the experimentation of facial recognition or automated video surveillance, monitoring entries/exits in high schools, mapping exercises by local groups, and artistic resistance. Expanding on the wider French, and European context, this intervention ended on a call to focus on prohibition and the right to refuse technologies (rather than a focus on safeguards and regulation).

Resources:

- Link to the Technopolic campaign: <https://technopolic.fr> (in French)
- A database of the collected documents for the Technopolic campaign can be found here (in French): <https://data.technopolic.fr>

José Bautista, Fundación porCausa

Migration Control Industry: auditing the public spending behind Spain's and EU's migration policies

This intervention by José Bautista focused on the migration controlling industry within debates on technology. José argued it was changing scope and bringing attention to new narratives. Echoing methods expanded on in Panel I, the intervention encouraged us to pay attention to the ‘winners’, as well as the users of the anti-immigration system; asking who is making money? Who is taking advantage of this broken system?

To answer the above questions, the intervention traced the ways in which researchers audited and checked how much money the Spanish government was using to control and manage migrants, and who was profiting. José explained how the group scrapped, downloaded, and analysed all public contracts from the Spanish central government in relation to migration control, and made it publicly accessible (See resources further down).

The results of this work meant that around €700 million from 2014-2019 was able to be checked. Around 90% of all the money spent by the Spanish government on migration control is used for ‘security’ reasons like making stronger walls, paying for thermal cameras, purchasing new police cars/boats. Less than 2% of all this money went to the ‘social side’ of the business like integrating asylum seekers. Findings of this research included the role of 10 companies who took almost $\frac{2}{3}$ of this money, and were filled with a large number of politicians and former army officers.

The intervention ended on widening public awareness and expanding research beyond Spain, with attention to the value of making new narratives.

Resources:

- <https://porcausa.org/industriacontrolmigratorio/>
- <https://temas.publico.es/control-migracion-oscurо-negocio/>
- For a greater explanation on the ‘three pillars’ of porCausa’s investigation with the full report and more on new narratives ‘Spectrum’, see this link: <https://porcausa.org/industriacontrolmigratorio/>
- On looking into the Spanish press: <https://temas.publico.es/control-migracion-oscurо-negocio/>
- If you’d like to watch porCausa’s recent investigation that was on the most watched TV show in Spain, Salvados, you can do so here: https://www.atresplayer.com/lasexta/programas/salvados/temporada-17/la-lucha-eterna_60c34b664beb287461c2aca7/
- porCausa’s data is available to the public in line with the spirit of their work, and can be accessed here: <https://docs.google.com/spreadsheets/u/1/d/1mEOHIKwFyGfih5GJoHkTpc08mDZc-I6hGpUff2oDno/edit?usp=sharing>

José Pérez de Lama, Indymedia Estrecho

Some brief notes on Indymedia Estrecho. Biopolitical production in the space of flows 2003-2007++

The presentation introduced Indymedia, which is a techno-conceptual free and inclusive media focused on Gibraltar, that was set up before social media (1999). This mapping project focused on 3 axes: (1) migration, new forms of citizenship; (2) new composition of labor, precarization, cognitarians, affective labor; (3) machinic/cyborg becoming, knowledge, technological sovereignty / cognitive capitalism.

The intervention followed the work of a team of architects interested in the digital called Hackitectura, who contributed two ideas to Indymedia: (1) the idea of space as flows, and (2) the idea of territory as assemblage.

Tracing events, collaborations (between activists, artists, engineers, and hackers), and a DIY geopolitics put together, the rest of the intervention expanded on the work of the Hackitectura team. The presentation ended on an important reflection on the role of media: moving from understanding it as an information tool to an organisation tool. Eventually, and when combined with existing social networks/social movements, like a machine or instance of biopolitical production of machining, it becomes a tool for making other forms of life, producing other subjectivity.

Resources:

- <https://hackitectura.net/en/>
- <https://arquitecturacontable.wordpress.com/2021/01/24/20-anos-escribiendo-sobre-lo-digital-perez-de-lama/>

Martina Tazzioli, Goldsmiths College, University of London

The technological disruptions of migration. Rethinking counter-powers and resistances beyond the repressive hypothesis

The presentation began with an explanation of the repressive hypothesis that is growing in critical literature in migration and technology, whereby there is the idea that power (and in this case power through technology) mainly works through interdiction and repression.

Martina called for a complementing of this hypothesis, elaborating on its limitations, by first addressing this way in which we tend to look at practices of resistance and counter-powers, narrowed to the moment when migrants say no or refuse technology, or withdraw their right from technology, or try to become opaque to technology. Without dismissing this, the intervention called for complementing it with analysis that takes into account how technology is used to implement circuits of economic and social destitution and hierarchies of (un)deservingness.

The intervention particularly highlighted:

1. The importance of analysing technologies, and that they are in fact situated within an already existing legal and political exclusionary architecture (see Philippa and Lina's talk in Panel II).

2. The importance of looking at how technology through state and non-state actors opens up and generates new ways of announcing and implementing hierarchies of (un)deservingness.

The intervention addressed what technologies are doing in refugee governance, through focusing on ongoing research around the digitalisation of the Greek Asylum System. Tazzioli spoke about and expanded on a ‘governing by choking’ (in the context of the Greek Asylum system), which shows the limitations of narrow definitions of resistance/a repressive hypothesis.

The intervention ended with reflections on violence in this context, as well as the difficulties of building counter-institutions, and reflections on what counter-mapping entails.

Resources:

- <https://reliefweb.int/report/greece/greece-asylum-seekers-risk-destitution-cash-allowance-ends-alarming-number>
- <https://www.msf.org/greece-evicts-vulnerable-refugees-leaves-them-streets>
- <https://asylumineurope.org/reports/country/greece/content-international-protection/housing/>
- <https://migration.gov.gr/katarghsh-oikonomikou-voithimatos-se-aitoyntes-poy-de-stegazontai-se-domes-toy-ypoyrgeiou/>
- <https://diotima.org.gr/en/a-big-setback-in-integration-the-cut-in-aid-to-asylum-seekers/>

Tamás Molnár, EU Agency for Fundamental Rights (FRA)
Large-scale EU systems and the rights of irregular migrants

This presentation focused on large scale IT systems, especially in the context of rights of irregular migrants, from a legal framework/viewpoint. The large scale EU IT systems focused on were:

- The three current large scale EU IT systems:
 - **Eurodac**: European Dactyloscopy
 - **SIS**: Schengen Information System
 - **VIS**: Visa Information System
- The three upcoming EU IT systems:
 - **EES**: Entry/Exit System - for short stays, *i.e. travellers*, who don't spend more than three months in the EU, *hence* third country nationals *who are* visa bound/free would be under this system

- **ETIAS**: European Travel Information and Authorisation System - European counterpart of the US ESTA - pre-screening system for visa free travellers from third countries
- **ECRIS-TCN**: European Criminal Records Information System (ECRIS) for Third Country Nationals

By expanding on the different IT systems, the presentation drew attention to the feature of interoperability that allows different IT systems to communicate and exchange data with each other, meaning ‘entitled’ users are able to carry out a targeted search for an individual across all IT systems - consulting through a single interface. Tamás expanded on the different components that make up the interoperability landscape and how they work together, with a particular focus on the Common Identity Repository.

The end of the intervention focused on the essential issue of implementation. Tamás flagged and highlighted six risk areas/issues for irregular migrants that stem from using large scale EU IT databases:

1. Data quality,
2. Respecting dignity when collecting biometric data,
3. Sharing personal data with third countries,
4. The impact of past convictions,
5. List of overstayers,
6. Consulting Interpol databases.

Resources:

- More on EU Agency for Fundamental Rights here: <https://fra.europa.eu/en>
- On fingerprinting under Eurodac and fundamental rights considerations, see the following FRA paper: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2015-fingerprinting-focus-paper_en.pdf

PANEL IV: Connecting: methods, counter-power, accountability

This final panel of the workshop connected questions of methods of researching data practices at the border and the ensuing modes of accountability and resistance that civil society actors and scholars have mobilised.

Speaker contributions highlighted:

- Identifying risks involved in data sharing databases of private companies, focusing on mobile data extraction, social media monitoring, and the ASPEN card.
- The EU's regulation of AI, its limitations and calls for radical goals within a wider understanding of the (non)regulation of AI, and its impacts on migrants.
- Connecting methods, understanding infrastructures of datafied borders, and the call for diverse and collective resistance.
- The use of FOIs and access to information can support calls for accountability, mobilisation, and resistance, as seen through the case of the Frontex Files.

Chair: **Ana Valdivia**, King's College London

Speakers:

Antonella Napolitano, Privacy International

The first intervention in this panel traced the work of Privacy International (PI), particularly looking at migration as a key driver of surveillance. Antonella started by mapping out how and where Privacy International's research is focused. The presentation went on to identify and expand on three threats involved in data sharing databases of private companies, and the ways in which Privacy International and other organisations are working on these threats. The areas of concern elaborated on were:

1. Mobile phone extraction

- One of the biggest risks identified involves the extraction of content like downloading of key data from smartphones, including: contacts, call data, text messages, storage, location information and more. It is something that has been used in several countries in Europe and something governments have been using in recent years as a form of verification and corroboration of information that asylum seekers provide to authorities.
- In the UK context, PI has been investigating the use of these technologies by local police in the UK.

2. Social media monitoring

- Analysing social media / social media intelligence, and the techniques and technologies that allow companies and governments to monitor social media networking sites such as Facebook and Twitter.

3. The Asylum Support Enablement Card (ASPEN card)

- The monitoring of the purchases made on this payment card (that is given to UK

asylum seekers by the Home Office).

- PI found that some expenses registered in different cities/moments could lead to the Home Office stopping support - effectively cutting asylum seekers from basic subsistence and creating also a huge impact on their mental health.

Outlining areas of concern, the intervention also expanded on the means in which these issues have been challenged by Privacy International in collaboration with a range of different organisations.

Resources:

- Link to Privacy International's work here: <https://privacyinternational.org>
- 10 threats to migrants and refugees: <https://privacyinternational.org/long-read/4000/10-threats-migrants-and-refugees>
- At the border, asylum seekers are "guilty until proven innocent": <https://privacyinternational.org/long-read/3938/border-asylum-seekers-are-guilty-until-proven-innocent>
- The use of social media monitoring by local authorities – who is a target?: <https://privacyinternational.org/explainer/3587/use-social-media-monitoring-local-authorities-who-target>
- Campaign on the ASPEN card “Stop Spying on Asylum Seekers!”: <https://privacyinternational.org/campaigns/stop-spying-asylum-seekers>

Sarah Chander, EDRI

This intervention looked at the work of the European Digital Rights (EDRI) network, in particular its policy work related to the European Union's regulations of artificial intelligence (particularly with reference to migration control).

The intervention focused on two elements:

- The regulation of AI,
- Reflections on the work done on the intersection between migration and digital rights.

Reflections at the start outlined the need to explore whether this work can have/achieve any potentially liberating goals, and how it can contest carceral infrastructures, and the increased resort to AI systems as tools of austerity and profiling of racialised people. In this presentation, the history of AI regulation was traced with attention to the vested interests at stake in the regulation process, suggestive of the extent to which the EU is going to fully take a fundamental rights perspective when it comes to regulating AI.

Focusing on use cases relating to migration in the high risk assessment of AI uses in EU regulation, the intervention pointed to the far-reaching consequences of use cases (beyond the ones identified as relating to migration), and the impacts on migrants beyond the use of AI simply at the border. The intervention expanded on the omissions of what is considered ‘high risk’ and the reasons behind it.

In particular, Sarah warned against the trap of thinking that if we have better data accuracy, then harms will magically disappear. Instead, she called for analysing the broader political context. The presentation ended with three provocations:

- A call for more stringent rules particularly in terms of the uses of AI in migration control.
- The need to make radical claims using collective experience, and incorporating this into a broader process of political activism.
- The need to push beyond the AI space and the over-emphasis on the datafication of borders, resisting siloed disciplines around data policy and data applications.

Resources:

- EDRi website: <https://edri.org>
- Technological testing grounds <https://edri.org/our-work/technological-testing-grounds-border-tech-is-experimenting-with-peoples-lives/>
- EDRi’s quick reaction to the AI act: <https://edri.org/our-work/eus-ai-law-needs-major-changes-to-prevent-discrimination-and-mass-surveillance/>

Claudia Aradau, King’s College London

This intervention brought together different elements of the workshop over the two days, highlighting several connections between the contributions to the two days.

Claudia focused on three important points of connection between the contributions:

1. The role of private companies and the opacities around border contracts.
2. Attending to dispersed technologies deployed at borders.
3. Multiplying critical interventions.

The first point returned to discussions in Panel I, calling for us to not simply understand border security as current practices of control, but to understand how border security is constructed to different discourses of innovation and efficiency. Moreover, border security is produced now into a commercial field of technological development (providing a range of infrastructures and devices).

The second point on the deployment of technologies discussed the proliferation and dispersal of technologies, and their very different users across regions & countries. The dispersal of technologies is connected to disperse collections of different forms of data, which are then used in different hierarchies of ‘credible’ or less legitimate data.

Finally, Claudia argued that multiplying critical interventions means that we should not limit our discourse, resistance and mobilisation to one form. This section of the intervention highlighted the need for collective counter-power, and drew attention to how we can inform and multiply interventions through the use of counter-evidence/counter-data.

Resources:

- More on Project Security Flows here: <https://www.securityflows.org>
- Article: ‘Experimentality, Surplus Data and the Politics of Debilitation in Borderzones’. *Geopolitics* (2020): 1-21.
<https://www.tandfonline.com/doi/full/10.1080/14650045.2020.185310>
 - (Full text available here: <https://www.securityflows.org/publications>)

Luiza Izuzquiza, FragDeenStaat & Abolish Frontex

The final presentation in the workshop addressed the role of Freedom of Information as a strategy of counter-power, in acknowledging the role of secrecy in enabling people in power to exercise violence and abuse. Attention was specifically drawn to Frontex’s opaque nature and obstructionist approach. The intervention acknowledged that the biggest value of transparency and freedom of information in particular, lies precisely in its instrumental nature, and this becomes even more important when trying to work in solidarity with communities resisting systems of oppression.

Building on this, Luiza expanded on recent work that exemplified how transparency can trigger resistance and a call for accountability. The Frontex Files, published in 2021, containing 130+ documents obtained through FOI laws, have allowed for the exposure of interactions between private industries and Frontex. The documents outlined the course of 3 years’ worth of meetings between Frontex and the defense and security industry. They showed the process of the creation of a border industrial complex, where for years, Frontex has built an extremely tight and very functional cooperation with industry actors, and other institutions like universities, think tanks, and public institutions from member states. The documents exposed how they are working together in very close collaboration to develop technologies and approaches for stricter border control, and which mostly mean stricter and more aggressive surveillance, and stricter technological approaches to migration. This of course puts in danger the rights

of people on the move even more.

The intervention ended with the outcomes of the research: a report, an accessible database, a TV segment, and importantly, the setting up of a student campaign at the University of Darmstadt (upon learning that their university was frequently involved in producing research in close collaboration with Frontex).

Resources:

- <https://www.fragdenstaat.de>
- <https://www.abolishfrontex.org>
- <https://frontexfiles.eu/en.html>