

Company registration number: 08480724

Charity registration number: 1154784

# The Libertarian Research and Education Trust

known as

Statewatch

(A company limited by guarantee)

Annual Report and Financial Statements

for the Year Ended 31 December 2023

Field Sullivan Limited  
9 Hare & Billet Road  
Blackheath  
SE3 0RB

**The Libertarian Research and Education Trust**

**known as Statewatch**

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**The Libertarian Research and Education Trust**

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**Reference and Administrative Details**

<b>Trustees</b>	Marie-Laure Basilien-Gainche
	Laure Baudrihay-Gérard
	Jonathan Bloch
	Victoria Canning
	Nadine Finch
	Lilana Keith
	Gabriel Almeida
<b>Secretary</b>	Jonathan Bloch
<b>Charity Registration Number</b>	1154784
<b>Company Registration Number</b>	08480724
<b>Registered Office</b>	The charity is incorporated in England and Wales.
	88 Fleet Street
	London
	EC4Y 1DH
<b>Independent Examiner</b>	Field Sullivan Limited
	9 Hare & Billet Road
	Blackheath
	SE3 0RB

# **The Libertarian Research and Education Trust**

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## **Trustees' Report**

The trustees, who are directors for the purposes of company law, present the annual report together with the financial statements of the charitable company for the year ended 31 December 2023 which have been prepared in compliance with current statutory requirements, The Companies Act 1985, the Charities SORP (FRS 102) applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland and the Charities Act 2011; and with the charity's governing document, its Memorandum and Articles of Association.

Statewatch is the working name of the Libertarian Research and Education Trust (LRET), which was established as a trust in 1981. On 3 December 2013 the charity was incorporated, again with the name The Libertarian Research and Education Trust. The company is registered as a charity with the Charity Commission as a successor to the Trust (company number: 08480724, charity number: 1154784). The assets and liabilities of the Trust have been transferred to this company, and from 3 December 2013 the company has taken over all of the activities of the trust. The Trust does not have a corporate opinion.

### **Public benefit**

The trustees confirm that they have complied with the requirements of section 17 of the Charities Act 2011 to have due regard to the public benefit guidance published by the Charity Commission for England and Wales.

### **Appointment of Trustees**

Any person who is willing to act as a Trustee, and who would not be disqualified from acting under the provisions of Article 26 of Articles of Association, may be appointed to be a Trustee by a decision of the Trustees.

### **Policies and procedures adopted for the induction and training of trustees**

We provide Trustees with the Charity Commission and NCVO guidance for Trustees. We have also contracted external expertise to provide legal advice on contracts and policies. They have prepared a Staff and volunteers Handbook and are currently working on a Handbook for Trustees. This will cover recruitment, policies, induction and training.

### **Trustees and officers**

The trustees and officers serving during the year and since the year end were as follows:

Trustees:	Marie-Laure Basilien-Gainche (appointed 13 February 2023)
	Laure Baudrihay-Gérard (appointed 13 February 2023)
	Jonathan Bloch
	Victoria Canning
	Nadine Finch
	Lilana Keith
	Gabriel Almeida (appointed 13 February 2023)
	Fiona Godfrey (resigned 12 February 2023)
Chair:	Ann Singleton (resigned 12 February 2023)
Secretary:	Jonathan Bloch

## **The Libertarian Research and Education Trust**

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### **Trustees' Report**

#### **Civil liberties in an era of crisis and turmoil**

"It has been said that history repeats itself. This is perhaps not quite correct; it merely rhymes," the Austrian psychoanalyst Theodor Reik once wrote. At a time of growing support for parties and movements of the extreme right, and the adoption of their ideas by mainstream political parties; rising geopolitical tension between the world's most powerful states; outright war and military conflict; flagrant racism and xenophobia; and growing economic inequality, it is sobering to think that the 2020s may rhyme with the 1920s.

It is in this context that European states, and "the west" more broadly, are seeking to define themselves in opposition to their geopolitical foes – primarily Russia and China. Both these countries have vastly different forms of government to those of European states, marked by a disturbing level of state control over both individual and collective activities, and brutal human rights violations. Nevertheless, events in Europe increasingly appear to suggest that the differences between the "old continent" and its current rivals are of degree, rather than kind. Europe has plenty of its own authoritarian tendencies, and these are increasingly coming to the surface.

The most obvious and longstanding example is that of Hungary, where the far-right *Fidesz* government has been in power for over a decade. But Italy is now governed by a coalition of the far-right, with a prime minister, Giorgia Meloni, whose political life began in neo-fascist movements. Meloni has, in turn, apparently forged close links with UK prime minister Rishi Sunak, whose governing programme has largely been based on trying to appease the most right-wing elements of the Conservative Party. Meanwhile, in France and Germany – the EU's two most powerful states – the far-right is increasing popular with the electorate. Examples abound within and without the EU, across the European continent, and beyond.

Predictions for the European Parliament elections consistently show a substantial increase in support for parties explicitly opposed to universal rights and freedoms. At the same time, amongst EU institutions and member states there is a broad consensus that forging alliances with and funding authoritarian leaders abroad is a price worth paying to halt the arrival of unwanted migrants and refugees, a policy goal that is also seeing increasing restrictions on and repression of those defending migrant and refugee rights, and those saving lives in the Mediterranean and Aegean. The ongoing attempts to delegitimise protest movements – for racial justice, action against climate change, or in solidarity with Palestine – including by painting them as extremist or even terrorist, has made the political colours of many European governments increasingly clear.

The claims advanced by European governments that they are steadfast supporters of human rights, civil liberties and democratic standards – an idea often bundled up in the phrase "European values" – is starting to ring hollow to a growing number of people. It is likely to become increasingly so for as long as governments that claim to support those values continue to undermine them domestically, and through the influence they exert over the institutions of the EU and other supranational fora. In this context, the role of an independent, critical and contentious civil society, understood in the broadest possible sense – a civil society of associations, organisations, trade unions, campaign groups, journalists, lawyers, researchers and beyond – becomes more important than ever.

Throughout 2023 we continued to support that vision of civil society. Our core tasks of reporting, documentation and analysis – focusing on police powers, border controls, state secrecy, surveillance and security technologies – have supported campaigns and movements seeking to defend and extend the values and principles that are being actively undermined by governments across the continent.

## **The Libertarian Research and Education Trust**

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### **Trustees' Report**

We remain a widely-used and well-respected resource: our website received almost 170,000 visits over the course of the year, our work was cited in the press more than once per fortnight, and at least 18 other civil society organisations or initiatives have publicly-cited our work. We were closely involved in projects and activities undertaken by our networks, and participated in a wide range of events that helped to disseminate our work and foster the development of new ideas and projects. Our staff, trustees and contributors can be immensely proud of what we have achieved in 2023, and we are grateful to all those who supported our work, financially or otherwise.

Nevertheless, there remains much that we can do to improve, both with regard to the work we produce, and how we produce it. Some of those improvements began in 2023: at the end of the year, we employed our first ever member of staff to work on solely on communications, which in 2024 will change the way our work is publicly presented. This will help us to disseminate the findings of our research and reporting in clearer and more accessible ways, broadening our audience and aiding their understanding of our work.

We still have much to do in terms of working more closely within our networks and with organisations and associations of people at the sharp end of state power to gain a better understanding of what it is they want and need from our work. This will require increased coordination and cooperation across groups and countries, and will require us taking more time to explore topics and ideas before diving into research and writing. The increased income we have enjoyed in 2023, which we aim to see continue in 2024 and beyond, will help us with this. This will also make it possible for us to achieve the more mundane, but crucial, objective of increasing staff remuneration and conditions to a level that ensures we can recruit and retain people over the long-term – something we have made substantial progress with in recent years, but on which we still have much to do.

Ultimately, we also need to gain a better understanding of how civil society can work together in an increasingly repressive political environment to defend and, in the longer-term, extend the rights and freedoms that everyone in society should be able to exercise and enjoy. Our part in that struggle is to conduct research and investigations into policies and practices that undermine those rights and freedoms, and to oppose them through campaigning and advocacy alongside others. In the years to come, we will build on our existing knowledge, connections and practices to do that work even more effectively.

#### **Objective 1**

##### **Strengthen civil society's access to information**

###### **Key developments and impact**

- 139 news articles and 17 in-depth analyses
- 135 official documents made public
- At least 31 citations in 28 media outlets
- At least 18 public citations by other NGOs
- At least 2 citations in institutional publications

###### **Taking action against state secrecy**

*Objective: Ensure compliance with the law and improve access to information for all*

## The Libertarian Research and Education Trust

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### Trustees' Report

With this line of work we aim to follow up on previous successful efforts to improve transparency in government institutions, for example by ensuring that EU agencies comply with transparency legislation. In 2023 we did not have the dedicated resources to pursue specific activities towards this objective.

Nevertheless, much of our reporting and research continues to rely upon access to documents and freedom of information requests (see the following section), and one request – to Europol – led to the publication of a number of key internal documents from the agency that would not otherwise have been published.

#### Publications

Key Europol documents only made public following access request

- Key Europol documents only made public following access request

#### Providing resources for rights

*Objective: Work with national and international groups to support their campaigns and advocacy on EU justice and home affairs policies by making use of our unique level of access to official EU documents*

*Objective: Work with national and international groups to support their campaigns and advocacy on EU justice and home affairs policies by making use of our unique level of access to official EU documents*

We have pursued this objective by continuing to regularly publish news and analyses on key topics, legislative developments and policy issues, often working with partner organisations and individuals to determine when and how a publication will have the most useful impact. This has led to ongoing substantial use of our output by journalists and other civil society organisations (both publicly and privately, for example in their advocacy activities), as well as by public institutions.

In 2023 we published **139 news articles and 17 in-depth analyses**, covering vital issues such as:

- ⑦ The externalisation and militarisation of European migration controls
- ⑦ Legislative negotiations on the EU's Pact on Migration and Asylum
- ⑦ Government attempts to obstruct civilian search and rescue missions in the Mediterranean
- ⑦ The activities and development of EU agencies such as Europol and Frontex
- ⑦ Police surveillance and infiltration of political groups and activists
- ⑦ EU: Travel surveillance: member state comments on "improving compliance" with court ruling
- ⑦ EU: Member states ponder blanket police surveillance of ferry, rail and bus passengers
- ⑦ European Parliament sidelined in adoption of new travel surveillance agreement with Canada
- ⑦ UN travel surveillance system needs "pause and urgent review", says Special Rapporteur
- ⑦ New technologies having devastating impact on rights in counter-terrorism policy, says UN Special Rapporteur

## The Libertarian Research and Education Trust

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### Trustees' Report

Many of those articles were based on or made use of internal Council of the EU documents that were published with the articles and would not otherwise have been publicly available. Over the course of the year, we published 135 such documents, providing access to vital primary source material for researchers, activists, advocates and journalists.

This and previous work was publicly cited by at least 18 civil society initiatives and organisations in 2023:

- Algorithmic Fairness for Asylum Seekers and Refugees
- Associazione Diritti e Frontiere
- Border Violence Monitoring Network
- Cairo Institute for Human Rights
- EuroMed Rights
- European Digital Rights
- European Council on Refugees and Exiles
- German Institute for International Politics and Security
- Guerre di Rete
- Just Security
- Melting Pot
- Osservatorio Repressione
- North Rhine Westphalia Refugee Council
- Platform for International Cooperation on Undocumented Migrants
- ProAsyl
- Transnational Institute
- Verfassungsblog
- Von Unten

We also received two institutional citations in 2023:

- *Algorithmic persecution in Turkey's post-coup crackdown: the FETO-Meter system* (published in 2022), was cited in the UK government's country policy and information note on the Gülenist movement in Turkey, written to inform decision-making on asylum applications citing persecution by the Turkish government; and
- *Europe's techno-borders* was cited by the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights.



## **The Libertarian Research and Education Trust**

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### **Trustees' Report**

Our work is widely-used by mainstream media outlets across Europe and the wider world. **In 2023 our news, articles, analyses and publications were cited at least 31 times by at least 28 different media outlets – at least once every fortnight.**

- Altreconomia (Italy)
- ARTE (European)
- BBC News (UK)
- BBC World Service (global)
- Bergens Tidende (Norway)
- Computer Weekly (UK)
- Dagens ETC (Sweden)
- El País (Spain)
- EUobserver (EU),,
- EurActiv (Europe)
- Freedom News
- Haber7 (Turkey)
- Heise (Germany)
- i (UK)
- Il Fatto Quotidiano (Italy)
- In These Times (international)
- InfoMigrants (international)
- la Repubblica (Italy)
- La Via Libera (Italy)
- Masr al-Youm (Egypt)
- Morning Star (UK)
- ND (Germany)
- Netzpolitik (Germany)
- Radio Blackout (Italy)
- Radio Student (Slovenia)
- Republik (Switzerland)
- The Guardian (UK)
- The Local (France)

## **The Libertarian Research and Education Trust**

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#### **Trustees' Report**

We cooperated with newspaper *La Directa* to publicise their investigations revealing extensive and deeply-intrusive Spanish police infiltration of and spying upon social movements in Catalonia, and joined almost 90 other organisations in signing a statement of support for those effected. Echoing police infiltration of social movements and protest groups by British police – currently the subject of the Undercover Policing Inquiry, set up in 2015 – many of the Spanish police officers in question formed intimate relationships with those in their target groups. At the end of 2023, the Catalan parliament established a commission of inquiry to look into the revelations in more detail.

We also worked with Lydia Emmanouilidou, a Greek journalist and recipient of a Pulitzer grant, to support her investigation into the deployment of new technologies for migration and border control in Greece. Using our knowledge of EU access to documents rules, we sought to obtain access to official documentation on a number of EU-funded projects involving the Greek authorities that sought to develop and deploy new surveillance and security technologies at the country's borders and within detention centres.

#### **Barriers to implementing our objectives**

##### **Workshops: How to access information**

*Objective: Provide individuals and organisations with the skills and knowledge needed to investigate complex powers, policies, procedures and practices.*

We aim to host workshops for civil society organisations, journalists, lawyers, students and others on how to access information on EU institutions, agencies and decision-making processes. In 2022 we were able to start drafting a 'curriculum' for the workshops, but a lack of dedicated funding for this objective meant that in 2023 we could not complete it or put it into use.

##### **Learning from history: 'activating' the Statewatch Library & Archive**

*Objective: 'Activate' our extensive Library & Archive through targeted events and output related to key themes in our work, in order to inform the present by learning from the past.*

The Statewatch Library & Archive remains little-used due to a lack of resources available to promote and 'activate' the materials held within it. However, we welcomed a number of guests through our participation in the MayDay Rooms' annual winter open day in January, and hosted a small number of users throughout the year. This included one doctoral student from France, who spent five days combing through our EU document archives to support their research on the EU's 'Dublin' system of allocating responsibility for asylum applications, and an academic from the UK researching the history of public order policing. It is evident that with the necessary resources, the Library & Archive would prove to be a valuable historical resource for informing present-day study and political struggles.

# The Libertarian Research and Education Trust

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## Trustees' Report

### Objective 2

#### Expose and challenge new means of surveillance, coercion and control

##### Key developments and impact

- 4 in-depth reports
- 3 public events
- Dozens of news articles
- 2 evidence submissions
- 4 sets of parliamentary questions

##### Challenging international police data-sharing

*Objective: Challenge the development of a network of police facial recognition databases linking EU and UK authorities*

##### The 'Prüm II' proposals



International police facial recognition system:  
Parliament must ensure democratic debate



In December 2021, the European Commission quietly published a proposal for a law that would vastly expand a network of police databases known as 'Prüm', which interconnects EU member states' DNA, fingerprint and vehicle registration systems. The proposal sought to add facial recognition and "police records" databases to the network, making vast new pools of data available for cross-border searches by police and laying the foundations for infrastructures of biometric mass surveillance. The UK remains part of the system due to the post-Brexit Trade and Cooperation Agreement, and can be invited to join an expanded network once the EU has approved new legislation.

In 2022 we worked with other member organisations and staff of *European Digital Rights* to develop a detailed position paper on the proposal. The work of EDRI staff based in Brussels saw almost all the proposed amendments based on that paper tabled for votes in the European Parliament, with many of them making it into the civil liberties committee's position. However, few of these survived the secret "trilogue" negotiations with the Council of the EU and European Commission. The final text was due to be voted on by the Council and the Parliament in early 2024.

At the same time as the proposal was being discussed in EU institutions, we sought to draw attention to it in the UK parliament. Due to the nature of the UK's agreement with the EU, it would be possible for the government to opt in to an expanded Prüm scheme, once agreed by the EU, without parliamentary consultation or debate.

## **The Libertarian Research and Education Trust**

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#### **Trustees' Report**

In a statement supported by 14 other organisations working internationally, in the EU, and in Belgium, Croatia, Denmark, Germany, Norway and the UK, we called for parliamentarians to ensure an “open, thorough, democratic debate,” to ensure that the government did not ignore parliament’s wishes, as it has done previously in relation to participation in the Prüm system. Once the EU law is officially adopted in 2024 there will be a need for further pressure on UK institutions.

*Statewatch’s* work on this topic led to our Director, Chris Jones, being quoted in an article in *The Guardian* on UK government plans to give police access to the country’s driving licence database.

#### **Publications**

UK participation in “unnecessary” police facial recognition system needs “open, thorough, democratic debate”

#### **Statements**

International police facial recognition system: Parliament must ensure democratic debate

#### **Press coverage**

Police to be able to run face recognition searches on 50m driving licence holders, *The Guardian*

#### **Security-related information sharing**

In early 2023 it became apparent that the EU was working on a proposal to set up a “security-related information sharing system between frontline officers in the EU and key partner countries.” According to the European Commission, the intention is “to produce a European solution allowing, through one single channel, frontline officers in all Member States systematic and instant access to security-related information from partner countries, and frontline officers in partner countries access to such information provided by all Member States.”

In early 2023 it became apparent that the EU was working on a proposal to set up a “security-related information sharing system between frontline officers in the EU and key partner countries.” According to the European Commission, the intention is “to produce a European solution allowing, through one single channel, frontline officers in all Member States systematic and instant access to security-related information from partner countries, and frontline officers in partner countries access to such information provided by all Member States.”

Documents published by UK institutions indicate that the EU’s proposal was tied up with an initiative pursued by the UK government following Brexit and the loss of access to EU data systems. A system called I-LEAP is being introduced to UK police forces, in the first phase to provide access to Interpol data, and in an intended second phase to allow direct connections to EU member state police forces.

We submitted a joint response to a public consultation on the plan with *Access Now*, *Border Violence Monitoring Network*, *EuroMed Rights*, *European Digital Rights*, *European Network Against Racism*, *Homo Digitalis*, the *Platform for International Cooperation on Undocumented Migrants*, *Privacy International* and the *Refugee Law Lab (York University)*, as well as the academics Dr Derya Özkul and Dr Niovi Vavoula. The submission argued that the plan should be discarded, on the grounds that it was unnecessary and disproportionate, would expedite the externalisation of borders, and undermine basic data protection safeguards.

At the end of the year the state of play of the Commission’s proposal remained unclear. It had been slated for publication in the third quarter of the year, but nothing had been published by the end of 2023. We will continue to monitor this and related initiatives.

## The Libertarian Research and Education Trust

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### Trustees' Report

#### Publications

International police data-sharing: what are the UK and EU cooking up?

#### Limiting travel surveillance and passenger profiling

*Objective: Prevent schemes for the automated police surveillance of travel and profiling of passengers being extended from air to rail and sea transport*

Through the introduction of Passenger Name Record (PNR) and Advance Passenger Information (API) schemes, states and international organisations are implementing an integrated, networked global system for the surveillance of travel and the police profiling of passengers. These schemes are currently largely reserved to air travel, but there have been longstanding plans to extend them to rail, boat and coach journeys. There is a clear need to ensure, at the very least, strict controls and limitations on the introduction of such systems.

Throughout 2023 we worked towards this objective through a research project with the *Funders Initiative for Civil Society*, which seeks to establish an evidence base on the scale, scope, and potential effects of the “transnational security architecture” in particular with regard to civic space. The term “transnational security architecture” encompasses the global establishment of API, PNR and other systems for the international gathering and exchange of personal data, in the name of security and counter-terrorism.

The research is due to be published in 2024, with the aim of laying the foundation for further empirical research in a number of states around the globe that will look at the effects of transnational security obligations and new technologies upon civic space. Throughout the course of 2023, we also published a number of articles providing updates on the development of travel surveillance and passenger profiling scheme, including a new EU-Canada PNR agreement on the day it was due for approval, having not previously been made available to either the European Parliament or the public.

#### Publications

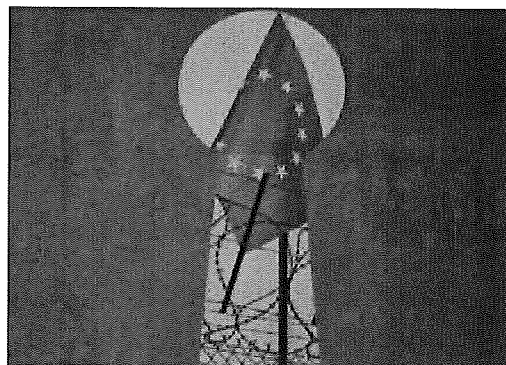
EU: Travel surveillance: member state comments on "improving compliance" with court ruling

#### Exposing and opposing the externalisation of borders

*Objective: Establish an evidence base on the EU's "operational partnerships" with third countries for the externalisation of border controls*

#### Secrecy and externalisation

Following an online event in November 2022,<sup>61</sup> in March 2023 we published a report with the *Heinrich Böll Stiftung* looking at the ways in which secrecy is used to undermine accountability for the EU's border externalisation agenda. The report, *Access denied: Secrecy and the externalisation of EU migration control*, was based on almost two dozen freedom of information and access to documents requests in the EU, Bosnia and Herzegovina, Morocco and Niger. The report was accompanied by a press release and an op-ed in *EUobserver*, and was covered by Cypriot and Algerian media.



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We followed up on the findings of the research with a number of parliamentary questions, submitted by Tineke Strik (Greens/EFA) and Cornelia Ernst (The Left).

The externalisation of borders and asylum remains a key goal for both the EU, its member states, and the UK. It is also an issue that remains cloaked in secrecy, undermining efforts to uphold human rights and prevent the strengthening of authoritarian regimes. We will continue to work on the topic in the coming years, with the aim of ensuring greater transparency of policy-making in ways that facilitate campaigning and advocacy.

#### Publications

Access denied: Secrecy and the externalisation of EU migration control

- Access denied: Secrecy and the externalisation of EU migration control
- European interior ministers agreed new deportation scheme in secret
- The secrecy behind the EU's plans to 'externalise' migration

#### Press coverage

Deportation scheme agreed upon by EU interior ministers in secret, *KNews*

- Deportation scheme agreed upon by EU interior ministers in secret, *KNews*
- الاتحاد الأوروبي يضع خطة جديدة لترحيل الحرافة (EU sets out new plan to deport migrants), *Ennahar*

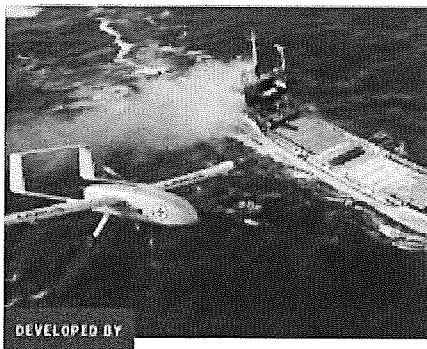
#### Parliamentary questions

Tineke Strik, Joint declaration entitled 'Regional Return Mechanism, Return Partnerships'

- Tineke Strik, Joint declaration entitled 'Regional Return Mechanism, Return Partnerships'
- Cornelia Ernst, Frontex's joint committee with Morocco

#### Telling the story of EU border militarization

##### TELLING THE STORY OF EU BORDER MILITARIZATION



Unlike much of our other work, which is geared towards research, reporting, documentation and analysis, this publication takes a different approach. As part of work towards the broader goal of ending European border violence, it seeks to offer framing messages, guiding principles and suggested language for individuals and organisations working on this topic.<sup>69</sup>

Produced in cooperation with *Equinox Initiative for Racial Justice*, *EuroMed Rights*, *Privacy International*, the *Transnational Institute* and a number of other organisations, it aims to support work towards a common narrative and language on European border militarization, and "to help organisations think about how to structure specific products - interviews, press release quotes, or reports - and to foster shared thinking on the scale of and necessity of long-term change."

## **The Libertarian Research and Education Trust**

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### **Trustees' Report**

#### **Frontex and externalisation**

An in-depth research project looking at the role of EU border agency Frontex in the externalisation of the EU's borders continued throughout the year, with findings from the research presented at the event 'Externalising the EU border regime: Frontex and other security actors in West Africa', hosted by *Brot für die Welt*, *Migration-Control.Info* and the *Rosa Luxemburg Stiftung*. The report, which will be co-published with the *Transnational Institute*, is due for release in 2024.

#### **Related work**

##### **Publications**

Externalisation of migration control: from the 1990s to the present

- Externalisation of migration control: from the 1990s to the present
- Digital rights and the protection of the right to asylum in the Charter of the European Union

##### **Statements**

Tunisia is neither a safe country of origin nor a place of safety for those rescued at sea

- Tunisia is neither a safe country of origin nor a place of safety for those rescued at sea
- The externalisation of migration policies to the South is not the solution to the structural crisis of reception in the North

#### **Identifying and challenging the 'collateral damage' caused by attacks on immigration and asylum**

*Objective: Contribute to efforts to halt the ongoing criminalization of human rights defenders, obstruction of journalists and undermining of the rule of law as a consequence of immigration control measures*

In 2023 we began work on this objective in partnership with the *Global Fund for Human Rights*. A report to be published in mid-2024 will examine the use of security narratives and powers to obstruct and prevent the work of migrant and refugee support organisations and activists. The report will be based on interviews with a number of activists who have been targeted by state agencies in three regions – Greece and Turkey, Spain and Morocco, and the Western Balkans – as well as a review of existing literature and secondary sources. In May, Yasha Maccanico travelled to Rio de Janeiro for a convening of the Global Fund for Human Rights to present the research to grantees and obtained input and feedback.

The work is particularly timely given the announcement by the European Commission in December 2024 of a proposal to revise the Facilitation Directive, a 2002 EU law that makes it possible for states to criminalise acts of humanitarianism and solidarity. The proposal to revise the Facilitation Directive was published alongside a power to expand the powers of Europol in relation to migrant smuggling and human trafficking. We are in contact with coalitions of organisations working on both proposals and will continue to work with them throughout 2024 in order to oppose or, where possible, improve the legislation.

#### **Related work**

##### **Publications**

- Germany: Legal change could criminalise sea rescue and humanitarian assistance
- EU mulls intelligence-gathering obligations for search and rescue operations
- Prosecuting solidarity: extracts from a new book on the Riace case
- Migration policy overspill: access to information in peril

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## Trustees' Report

### Statements

- Arrivals in Lampedusa: Solidarity and resistance in the face of Europe's reception crisis!
- Urgent warning: more deaths at sea, NGO ships blocked
- Statement against the racist and securitarian drift in Tunisia: Call for action and solidarity
- Arbitrary arrests and hate campaigns against sub-Saharan migrants in Tunisia
- Against the anti-migrant and anti-Black policies of the EU and Tunisia

### A watchdog for EU justice and home affairs policies

*Objective: Monitor the activities of EU justice and home affairs institutions and agencies in order to identify projects or plans that go beyond legal remits, or threaten to undermine rights, liberties and democratic standards*

### Frontex and interoperable databases: knowledge as power?

#### Frontex and interoperable databases

#### Knowledge as power?



Since 2016 we have worked hard to decipher, analyse, explain and challenge the EU's "interoperability" project, which interconnects vast quantities of biometric and biographic data from six different large-scale policing and migration databases. Following on from a report on Europol published in 2022,<sup>84</sup> in 2023 we published the report 'Frontex and interoperable databases: Knowledge as power?'<sup>85</sup>

The report explains the types of data those large-scale databases hold; when, how and why Frontex is able to access them, and what the agency can do with the data. This is also detailed in an interactive map on EU agencies and interoperable databases, which was first published in 2022 and updated for the publication of this report.<sup>86</sup>

The report considers the agency's use of data from two different perspectives – operational and statistical – and provides an overview of the agency's role in the EU's emerging "travel intelligence" architecture. It is aimed at informing understanding, analysis and critique of the agency and its role, with a view to making it possible to better understand, engage with and challenge future developments in this area. It has been cited extensively by the *Border Violence Monitoring Network*.<sup>87</sup>

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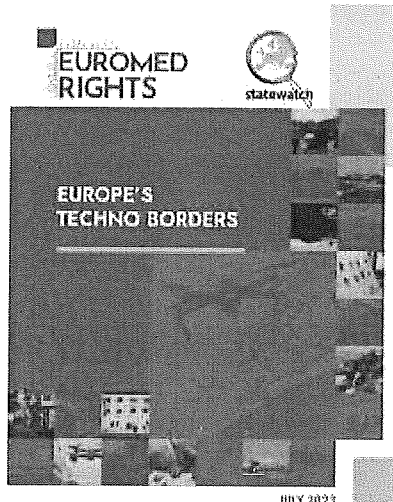


## The Libertarian Research and Education Trust

known as Statewatch

### Trustees' Report

#### Europe's techno-borders



The digital technologies deployed as part of Europe's techno-borders underpin invasions of privacy, brutal violations of human rights, and make the border 'mobile', for example through the increased use of biometric identification technologies, such as handheld fingerprint scanners. This report, published in partnership with *EuroMed Rights*, analyses the past, present and future of Europe's "techno-borders," the infrastructure put in place over the last three decades to provide authorities with knowledge of – and thus control over – foreign nationals seeking to enter or staying in EU and Schengen territory.<sup>88</sup>

The report was designed primarily to serve as a reference point on the topic for *EuroMed Rights'* member organisations, of which there are almost 70 across the Euro-Mediterranean region. It was launched at an online event attended by more than 100 people, with presentations from *Statewatch* Director, Chris Jones, as well as representatives from *EuroMed Rights* and *Access Now*.<sup>89</sup>

The report was listed as one of July's best publications on asylum and immigration by the website *Open Migration* and has been cited in reports by the *Data Justice* Lab and the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights.

#### Press coverage and citations

Greek data watchdog to rule on AI systems in refugee camps, *Computer Weekly*

#### How to request access to your personal data stored by Europol: a guide

Europol's powers have been constantly bolstered over the last decade, which has led to it playing an increasing role in police activities and operations. This includes the processing of data on political activities, travel passengers, as well as non-EU nationals. Europol plays an active role in the increasing criminalisation of social movements, protests and community organising in Europe, and its annual 'Terrorism Situation and Trend Report' illustrates how EU member states and the agency itself use an extensive definition of terrorism, particularly when it is applied to left-wing movements.

Working with *Access Now*, *European Digital Rights* and *IT-Pol*, we produced a guide to encourage individuals to request access to data stored on them by Europol, making use of the rights afforded by the Europol Regulation, the General Data Protection Regulation and the Regulation on data protection EU institutions, offices and agencies. The guide will help to bolster understanding of the extent of the problem, increase scrutiny of the agency and aid investigation of Europol's data-gathering and processing practices.

The guide was launched with an online event attended by around 80 people, and accompanied by an op-ed in *EUobserver*. We will continue to promote the guide in the years to come.

#### Publications

- How to request access to your personal data stored by Europol: a guide
- Scrutinising European police surveillance of activists: new guide on personal data requests
- Why your data might already be on a Europol list, *EUobserver*

## The Libertarian Research and Education Trust

### known as Statewatch

### Trustees' Report

#### Events

- Webinar: Activists and NGOs under watch! Are you in Europol's databases?

#### The Artificial Intelligence Act

After the proposal for an EU Artificial Intelligence Act was published in 2021, we worked with *European Digital Rights* staff, member organisations and partners to develop amendments to the law that would protect fundamental rights, and in 2022 published a research briefing on the Act and its implications. In 2023, with no dedicated resources to work on the ongoing legislative negotiations, our work was primarily limited to supporting civil society statements on the negotiations. We also published one news article indicating interest from the EU's internal security authorities in the AI Act and other digital policies.

#### Publications

- Exceptions, loopholes and carve-outs: Presidency wants "internal security needs" recognized in EU digital policies

#### Statements

- Civil society calls on legislators to ensure the AI Act upholds the rule of law
- Police AI needs strict limits and controls, warn civil society organisations
- EU: Dangerous loophole in the AI Act must be closed to protect rights
- EU: Civil society calls for rights to be prioritised in secret AI Act "trilogue" negotiations
- Open Letter to the Spanish Presidency of the Council of the European Union: Ensuring the protection of fundamental rights on the AI Act

#### Events

- Statewatch Director, Chris Jones, gave a presentation on the AI Act at an online event organised by *Novact* in March: *Tecnologías: conflictos, fronteras y control social*

#### Related work

#### Events

- ⑦ In January, We organised a workshop at Privacy Camp in Brussels, Belgium: Policing the crisis, policing as crisis: the problem(s) with Europol at Privacy Camp in Brussels, Belgium
- ⑦ Also at Privacy Camp, Chris Jones spoke at another workshop: Police partout, justice nulle part / Digital police everywhere, justice nowhere
- ⑦ In May, Yasha Maccanico gave a presentation at the Sabir Festival in Trieste, in a panel in association with Transform Europe! and ASGI, 'You were never here': human rights violations in the EU's internal and external border regions'
- ⑦ In June, Yasha Maccanico participated and gave a presentation on EU databases in migration policy enforcement in a panel at the Future Factory '23 in Rome, organised by the Transnational Institute and Transform Europe!
- ⑦ In August, Yasha Maccanico gave an online presentation about Frontex and resistance from civil society over time to a workshop in Dakar, Senegal, "Atelier de concertation sur la migration irreguliere", organised by REMIDEV, CONGAD and the Rosa Luxembourg Stiftung

## The Libertarian Research and Education Trust

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#### Trustees' Report

7 In October, Chris Jones attended an event organised by the University of Maastricht on borders, to participate as a discussant in a session on the powers and practices of EU justice and home affairs agencies

7 In November, Chris Jones gave an online presentation to students at the University of Amsterdam on EU funding for Israeli military and security technology development, following an invitation from academics

7 Yasha Maccanico gave a lecture at Salerno University about Statewatch's work and critical approaches for researching EU migration and justice and home affairs policies, as part of a 'Global Studies and the EU' MA course.

#### 'Global Britain' and civil liberties

*Objective: Monitor the activities of the new law enforcement and security institutions set up by the UK-EU Trade and Cooperation Agreement, as well as other cooperation initiatives between the UK and other states, to identify projects or plans that go beyond legal remits, or threaten to undermine rights, liberties and democratic standards.*

Alongside our work on EU-UK initiatives, (see 'Challenging international police data-sharing', above), in 2023 we continued to monitor developments in the UK to produce news and analysis on under-reported topics, and to support the work of UK civil society coalitions seeking to challenge increasingly repressive and restrictive government policy. While we are – as far as we know – the only organisation that has taken a dedicated interest in the EU-UK security and policing institutions set up after Brexit, and the powers and practices afforded to them, this remains an under-resourced area of our work.

#### Publications

UK government's disrespect for rights could jeopardise cooperation with EU, warn MEPs

#### Statements

- UK: Joint civil society statement on the passage of the Illegal Migration Act
- UK: Rights-destroying clause in Illegal Migration Bill must be removed
- UK: New campaign calls for action on state failures to respond to and prevent deaths

#### Objective 3

##### Build a more sustainable and more effective organisation

#### Key developments and impact

- Income from donations
- Recruitment of Communications Worker
- 1 meeting of the contributors group
- 1 fellowship placement
- Continued working with volunteers
- 3 new funding partners
- Ongoing focus on staff development
- Increase in followers, web users and subscribers

## The Libertarian Research and Education Trust

known as Statewatch

### Trustees' Report

#### A more sustainable organisation

*Objective: Obtain an increased amount of core funding over the next four years, seeking a diverse range of funding sources for different elements of our strategy*

#### Funding

Our total expenditure in 2023 was £118,875 and our total income was £312,289. The divergence between these two figures is explained by renewed grant income from *Open Society Foundations* (almost £160,000) that was received during the summer and is due to be spent over a two-year period ending in 2025, a new grant from the *Funders Initiative for Civil Society* (£98,000) for a research project on global counter-terrorism policy (running from February 2023 to January 2024), and a new grant from the *Fund for Global Human Rights* (£19,000) for a research project on the repression of refugee and migrant rights defenders in Europe (running from September 2023 until May 2024).

Throughout the year, our work was supported by:

- *EuroMed Rights*
- *Friends of Statewatch*
- *Funders Initiative for Civil Society*
- *Garden Court Chambers*
- *Global Fund for Human Rights*
- *Open Society Foundations*

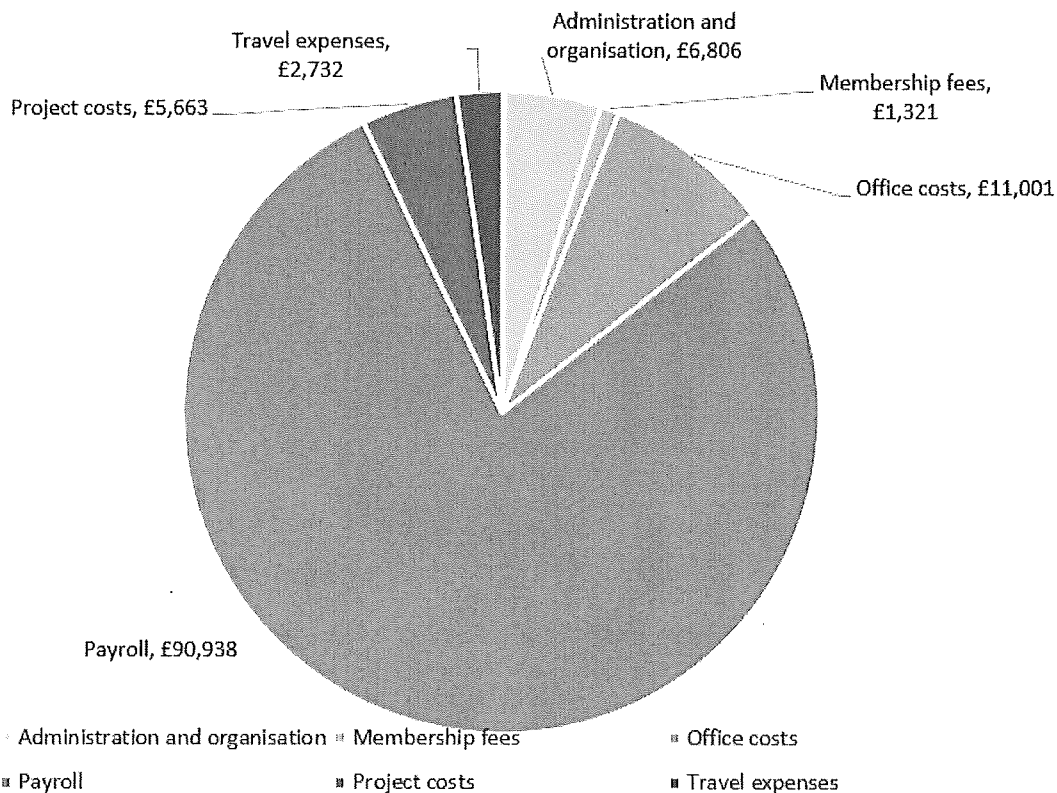
During the year we also agreed a renewed project grant with *Privacy International* and a new project with the *European AI & Society Fund*, with work due to be carried out in 2024. We are grateful for the support of all our funders and supporters and hope to continue working with them into 2024 and beyond. We will continue to seek new funding partners so that we can work towards the objectives set out in our strategic plan that, as highlighted in this report, we were unable to work on in 2023 due to a lack of dedicated resources.

# The Libertarian Research and Education Trust

known as Statewatch

## Trustees' Report

### Expenditure in 2023



### Expenditure 2021-23

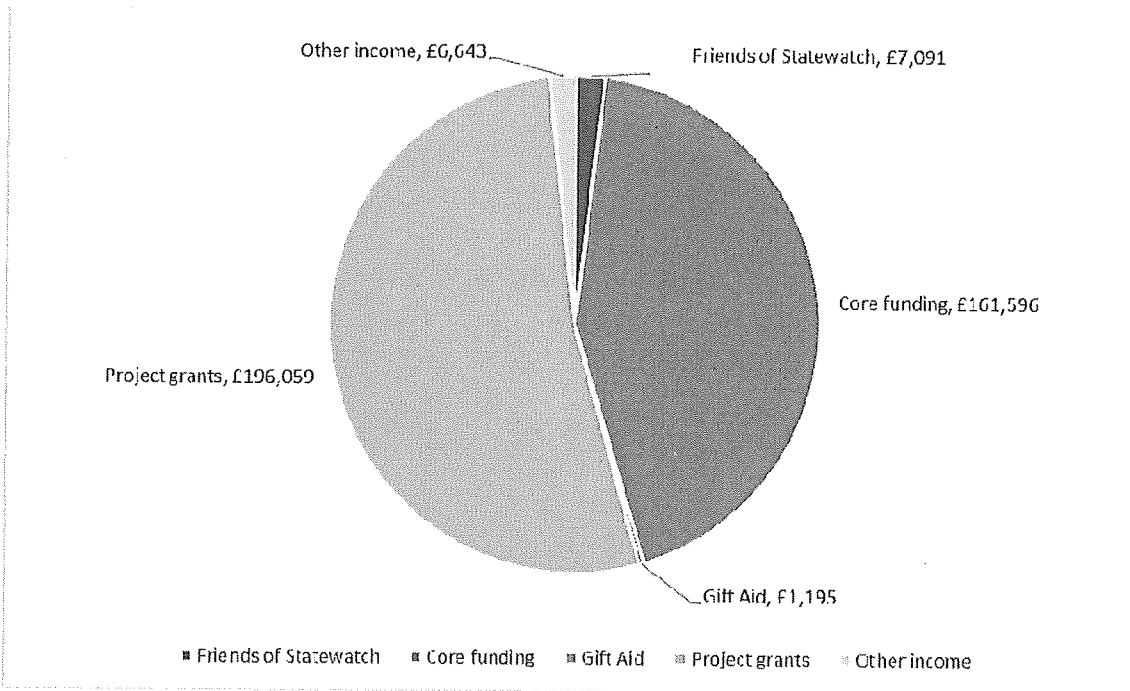
	2021	2022	2023
Administration and organisation	£7,967	£11,185	£6,806
Membership fees	£1,282	£1,173	£1,321
Office costs	£7,157	£8,969	£11,001
Payroll	£80,982	£84,072	£90,938
Project costs	£1,000	£5,795	£5,663
Travel expenses	£318	£928	£2,732
Other	£- 000	£329	£414
<b>Total</b>	<b>£98,706</b>	<b>£112,451</b>	<b>£118,875</b>

## The Libertarian Research and Education Trust

known as Statewatch

### Trustees' Report

#### Income in 2023



#### Income 2021-23

	2021	2022	2023
Friends of Statewatch	£7,182	£11,003	£6,706
Core funding	£76,338	£-	£161,596
Project grants	£53,118	£29,756	£136,149
Gift Aid	£970	£1,254	£1,195
Other income	£2,748	£2,267	£6,643
<b>Total</b>	<b>£140,356</b>	<b>£44,280</b>	<b>£312,289</b>

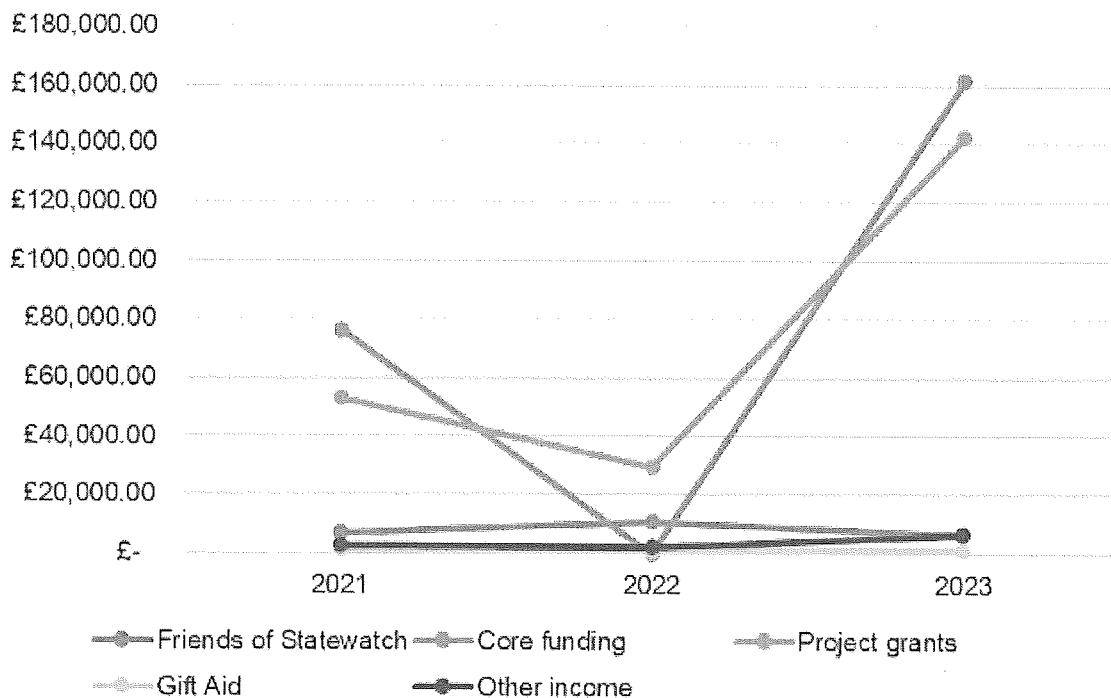
#### Friends of Statewatch

Regular payments from the 50 *Friends of Statewatch* provided £5,473 to the organisation in 2023, alongside eight one-off donations with a total value of £739. This is a substantial drop compared to 2022, due to the fact that in that year we received three one-off donations worth over £4,000. One facet of our new communications strategy, due to be put in place in 2024, will be to maintain the existing *Friends of Statewatch* and to expand the number of regular donors.

## The Libertarian Research and Education Trust

known as Statewatch

### Trustees' Report



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#### Statewatch in the EU

*Objective: Establish a formal presence in EU jurisdiction to mitigate possible risks for our work caused by Brexit*

Since the Brexit vote we have explored options for establishing a formal Statewatch presence within EU jurisdiction and now have a clear overview of what those options are and how to pursue them if deemed necessary. So far, the effects of Brexit have only caused minor procedural obstacles to our work, for example the ability to make requests for access to documents as a UK-based organisation. The option to establish a presence in EU jurisdiction remains open to us, if and when deemed necessary.

#### A more effective organisation

*Objective: Ensure that Statewatch has the people, knowledge, skills and contacts needed to achieve its objectives*

We seek to meet this objective by ensuring that learning and development is at the centre of our work, that we thoroughly monitor and evaluate the way we work, that we are able to make good use of the voluntary work that people are willing to offer the organisation, and that we play an active and meaningful role in the networks of which we are a part.

# **The Libertarian Research and Education Trust**

## **known as Statewatch**

### **Trustees' Report**

#### **Learning and development**

Our strategic plan commits us to adopting a staff learning and development programme and individual learning and development plans for each member of staff. In practice, these goals have been met by keeping the question of learning and development as a standing item on our weekly staff meetings and in monthly one-to-one meetings between each member of staff and the director.

In 2023, in response to a request, one member of staff attended a training course on good practices in volunteer management. An internal training session was also organised on digital security practices. Materials and resources provided during training courses are made available to all staff and volunteers for reference.

#### **Monitoring and evaluation**

We monitor and evaluate our work regularly, on an overall basis and for individual projects, generally by measuring whether we have achieved intended outcomes. This continued throughout 2023, in anticipation of a mid-term strategy evaluation meeting in 2024.

#### **Maintain and develop the Statewatch contributors group**

At the end of 2023 the Statewatch contributors group was made up of 52 people based in 15 different countries. Excluding staff, trustees and the Director Emeritus, there are 39 'external' contributors in the group.

At the end of October, 10 contributors attended our annual online meeting, only the second since 2020 after a pause forced upon us during the pandemic. This provided a valuable opportunity to connect with one another, to share information and updates from across Europe and beyond, and to discuss key themes and ideas for the year to come. Nevertheless, the low level of participation, compared to the number of people in the contributors group, indicates a need to develop new ways of working with the group to increase engagement.

Throughout the year, three analyses and 10 news articles were authored by contributors. A contributor also provided visualisations of data on deportation flights coordinated by EU border agency Frontex for a special feature published in January.

Between October and December, we hosted a fellow of the Mercator Foundation, who requested a placement with us as part of their fellowship to conduct a research project on sexualised violence at Europe's borders. They were a significant asset to our small team, assisting with our research and writing as well as conducting their own project, and found their time with us very useful: "I'm impressed by the high output, both in terms of quality and quantity, that Statewatch achieves despite its small size, and I think you all do a really great job and I could learn a lot from how you approach different research topics. Especially compared to other organisations I have worked for, I have found the working atmosphere to be quite relaxed and relatively low pressure." They remain part of the contributors group.

#### **A more active and effective role in our networks**

We remain active in multiple national and international civil society networks, working on issues related to digital rights, migration and asylum and policing.

#### **Bürgerrechte & Polizei (Civil Liberties & Policing, CILIP)**

*CILIP* is a German magazine that since 1978 has produced regular reports, analyses and news on policing, the secret services, internal security and their effects and interrelation with civil rights. *Statewatch* has maintained close links with *CILIP* for over three decades, and we remain in regular contact with their editorial collective on topics of mutual interest. In 2022 the magazine published an article authored by Statewatch Researcher Yasha Maccanico and Statewatch Director Chris Jones; in early 2023 we published an English version of the text.



## The Libertarian Research and Education Trust

known as Statewatch

### Trustees' Report

#### Digital Freedom Fund

The Digital Freedom Fund (DFF) exists to support the digital rights community in Europe to advance and protect human rights in digital spaces and reduce the negative impact of technology in the world.

In March, Chris Jones attended the DFF Annual Strategy Meeting in Berlin, which is organised to provide a space for individuals and organisations working on a wide range of digital rights issues across Europe and beyond to come together to connect in person to pool ideas, creativity, and resources, as well as to reflect on how we can synchronise our efforts, better work together, and spark new initiatives. Whilst there, he hosted a workshop on access to information and documents in the EU.

Statewatch Researcher, Romain Lanneau, participated in the DFF project 'Charter Rights are Digital Rights', attending a workshop in Berlin and authoring an essay looking at digital rights and the protection of the right to seek asylum, Article 18 of the EU Charter of Fundamental Rights.

2023 also saw the Decolonising Digital Rights process, organised by *Digital Freedom Fund* and *European Digital Rights*, come to an end, with a launch event in Brussels in October. Chris Jones participated since the beginning of the process, which has developed a programme of work aimed at challenging the structural causes of oppression and their manifestations within the digital rights field. This will be used to propel work that develops a digital rights field in which all groups in society have their voices heard and which works to protect the digital rights of all. Participating in the process has provided an important way for us to reflect on our own work and practices and we expect the programme of work to provide a further means to do so. We will continue to engage with this work in the years to come.

#### European Digital Rights

*European Digital Rights (EDRi)* is a network of NGOs, experts, advocates and academics working to defend and advance digital rights across the continent. It has over 50 organisational members and for over two decades has served as the backbone of the digital rights movement in Europe.

Throughout the year we participated in the network's working groups on the Prüm II proposals, Europol, surveillance and the AI Act, with particular involvement in the first two. In May, Statewatch Director Chris Jones attended the network's general assembly in Belgrade, and in October a meeting in Brussels intended to start a process for developing a renewed shared vision for the network, prior to the drafting of a new strategic plan in 2024.

In January, Statewatch Director Chris Jones and Research Consultant Romain Lanneau organised a well-attended workshop on Europol, the EU policing agency, at the Privacy Camp conference, which is co-organised by *EDRi*. The panel was composed of Laure Baudrihay-Gérard (former Legal Director of Fair Trials and a *Statewatch* trustee), Saskia Bricmont (MEP, Greens/European Free Alliance), Fanny Coudert (European Data Protection Supervisor), and Sabrina Sanchez (Executive Director, European Sex Workers Rights Alliance). It was chaired by Chloé Berthélémy (Senior Policy Advisor, *EDRi*).

#### Migreurop

Migreurop is a Euro-African network of human rights organisations, activists and researchers. Its aim is to identify, publicise and denounce the consequences of European migration policies on the living conditions and the respect of the rights of people on the move.

## The Libertarian Research and Education Trust

### known as Statewatch

#### Trustees' Report

In October we were elected for a second term as one of three co-presidents of *Migreurop's Conseil Administratif*, alongside *L'association Marocaine des Droits Humains*, and two individual members. We will continue to use this role to improve the functioning and impact of the network. Statewatch Researcher, Yasha Maccanico, attended the network's general assembly in Marseilles in May.

Yasha Maccanico was also involved in organising, hosting and giving a presentation at a Migreurop public webinar to analyse ongoing EU reforms on migration and asylum and their impact, in cooperation with La Cimade, Ciré, CNCD-11.11.11 and Statewatch. It provided information on current EU legal reforms under the Pact on Migration and Asylum and highlighted the impacts of these reforms on the ground in Europe (France, Greece, Italy and Bulgaria) and Africa (Niger, Morocco, Egypt and Tunisia). Almost 500 people attended the webinar.

Through the year we also continued to share information and advice amongst member organisations, and to participate in a number of long-standing and ad-hoc working groups within the network, on issues such as border externalisation, Frontex and the situation in Israel and Palestine.

#### Protect Not Surveil

The *Protect Not Surveil* coalition was born out of a need to coordinate civil society demands for the EU's AI Act to ensure protections for migrants and refugees. It is made up of 14 organisations, three individuals and has over 300 supporters. At the end of 2023, with negotiations on the AI Act coming to a close, the network was beginning the process of how to continue working on the important issue of digital technologies, migration and borders.

#### This Is What Police Tech Looks Like

This Is What Police Tech Looks Like is a project hosted by researchers at the London School of Economics that brings together a network of individuals and organisations from across Europe working on issues related to policing and technology. *Statewatch* has participated in the project since its inception in 2022 with a number of online meetings, and in May 2023 Statewatch Researcher Yasha Maccanico attended the first in-person meeting in Belgrade to give a presentation as part of a session on "police tech harms across Europe." We also presented our work and participated in further online sessions throughout 2022.

#### Other relevant events

Our longstanding work and reputation in the field saw us invited to speak about the Statewatch's history, methods and approaches to our work:

- In October, Chris Jones gave an online presentation to students at Bard College (USA), following an invite from a member of the academic staff;

#### Improving our communication

##### Communications Worker

In autumn we launched the recruitment procedure for a Communications Worker, marking the first time that *Statewatch* has employed a dedicated member of staff to work on communications. The successful candidate was appointed in December, to start developing a communications strategy for *Statewatch* at the beginning of 2024. The successful development and implementation of that strategy is a key objective in our 2022-26 strategic plan, and will allow us to increase the reach, engagement with, and use of our work by different audiences.

## **The Libertarian Research and Education Trust**

### **known as Statewatch**

### **Trustees' Report**

#### **Use of our resources**

Even without a dedicated plan or employee, many of the key figures that we use to measure our reach continued to grow throughout 2023. **The total number of visits to our website grew by 3% in 2023 (to a total of 168,232)** compared to the previous year (162,987) – despite the fact that due to circumstances beyond our control, our website faced significant periods of downtime in August, October and November. This downtime likely contributed to a decrease in other web statistics:

- a 9% drop in the total number of visitors (from 146,769 to 133,486);
- a 3% drop in the number of page views (from 281,415 to 272,360); and
- a 13% drop in the number of files downloaded from the site (from 20,292 to 17,586).

Due to changes in the way X (formerly Twitter) produces statistics and data, records of the number of new followers obtained every month are no longer available. However, between January and September we obtained 715 new followers, a slightly higher amount than over the same period in 2022, indicating that we likely acquired some 900 new followers over the course of 2023.

Over the course of the year the number of subscribers to our mailing list increased by over 100, to a total of 11,114 by the end of 2023.

#### **Policy on reserves**

At year end our reserves stood at £9,530. Reserves are held to meet any unexpected shortfall in income and to meet any necessary expenditure to protect or expand the trust's work. Trustees will endeavour to increase the reserves if income permits. Increasing staff wages is also a priority, subject to meeting our other legal commitments.

#### **Risk analysis**

##### **Staff development and retention**

Statewatch employees are employed part time and are highly skilled in our specialist field of work. Our priority is to retain and develop current staff. In 2021 we implemented an across-the-board pay increase of 10% and committed to introduce a further 10% increase in 2022, funding permitting. This was an important first step in bringing our salaries up to an adequate level for the sector.

##### **Review and monitor action to reduce our projected pension deficit**

We have an action plan in place with the Pensions' Trust, our pension provider, to reduce our deficit by paying additional annual contributions over ten years 2013 - 2023. The estimate from the Pensions Trust of employer liability on withdrawal is £4,209 (as at September 2023) and was £6,069 (as at September 2022).

# **The Libertarian Research and Education Trust**

**known as Statewatch**

## **Trustees' Report**

### **Statement of trustees' responsibilities**

The trustees (who are also the directors of The Libertarian Research and Education Trust for the purposes of company law) are responsible for preparing the trustees' report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice), including FRS 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland".


Company law requires the trustees to prepare financial statements for each financial year. Under company law the trustees must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the charitable company and of the incoming resources and application of resources, including its income and expenditure, of the charitable company for that period. In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and apply them consistently;
- observe the methods and principles in the Charities SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable accounting standards, comprising FRS 102 have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The trustees are responsible for keeping proper accounting records that can disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The trustees are responsible for the maintenance and integrity of the corporate and financial information included on the charitable company's website. Legislation governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

The financial statements on pages 29 to 43 were approved by the trustees, and authorised for issue on 31 July 2024 and signed on their behalf by:



.....

Jonathan Bloch  
Company secretary and trustee

## **The Libertarian Research and Education Trust**

**known as Statewatch**

### **Independent Examiner's Report to the trustees of The Libertarian Research and Education Trust ('the Company')**

I report to the charity trustees (who are also Directors for the purpose of company law) on my examination of the accounts of the The Libertarian Research and Education Trust ('the charitable company') for the year ended 31 December 2023 which comprise the Statement of Financial Activities, the Balance Sheet and related notes on pages 29 to 43.

This report is made solely to the charity's trustees, as a body, in accordance with section 145 of the Charities Act 2011. My work has been undertaken so that I might state to the charity's trustees those matters I am required to state to them in this report and for no other purpose. To the fullest extent permitted by law, I do not accept or assume responsibility to anyone other than the charity and the charity's trustees as a body, for my work, for this report, or for the opinions I have formed.

#### **Responsibilities and basis of report**

As the charity's trustees of The Libertarian Research and Education Trust you are responsible for the preparation of the accounts in accordance with the requirements of the Companies Act 2006 ('the 2006 Act').

Having satisfied myself that the accounts of The Libertarian Research and Education Trust are not required to be audited under Part 16 of the 2006 Act and are eligible for independent examination, I report in respect of my examination of your charity's accounts as carried out under section 145 of the Charities Act 2011 ('the 2011 Act'). In carrying out my examination I have followed the Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act.

An independent examination does not involve gathering all the evidence that would be required in an audit and consequently does not cover all the matters that an auditor considers in giving their opinion on the financial statements. The planning and conduct of an audit goes beyond the limited assurance that an independent examination can provide. Consequently I express no opinion as to whether the financial statements present a 'true and fair' view and my report is limited to those specific matters set out in the independent examiner's statement.

#### **Independent examiner's statement**

Since The Libertarian Research and Education Trust's gross income exceeded £250,000 your examiner must be a member of a body listed in section 145 of the 2011 Act. I confirm that I am qualified to undertake the examination because I am a member of , which is one of the listed bodies.

I have completed my examination. I confirm that no matters have come to my attention in connection with the examination giving me cause to believe:

1. accounting records were not kept in respect of The Libertarian Research and Education Trust as required by section 386 of the 2006 Act; or
2. the accounts do not accord with those records; or
3. the accounts do not comply with the accounting requirements of section 396 of the 2006 Act other than any requirement that the accounts give a 'true and fair view' which is not a matter considered as part of an independent examination; or

**The Libertarian Research and Education Trust**

**known as Statewatch**

**Independent Examiner's Report to the trustees of The Libertarian Research and Education Trust ('the Company')**

4. the accounts have not been prepared in accordance with the methods and principles of the Statement of Recommended Practice for accounting and reporting by charities applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102).

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.



Tim Sullivan FCA  
Field Sullivan Limited  
9 Hare & Billet Road  
Blackheath  
SE3 0RB

29/8/2024

The Libertarian Research and Education Trust

known as Statewatch

Statement of Financial Activities for the Year Ended 31 December 2023  
(Including Income and Expenditure Account and Statement of Total Recognised Gains and Losses)

	Note	Unrestricted £	Restricted £	Total 2023 £	Unrestricted £	Restricted £	Total 2022 £
<b>Income and Endowments from:</b>							
Donations and legacies	3	169,498	129,048	298,546	12,257	17,216	29,473
Charitable activities	4	13,675	-	13,675	14,807	-	14,807
Investment income	5	68	-	68	-	-	-
Total income		<u>183,241</u>	<u>129,048</u>	<u>312,289</u>	<u>27,064</u>	<u>17,216</u>	<u>44,280</u>
<b>Expenditure on:</b>							
Charitable activities	6	<u>(32,222)</u>	<u>(86,653)</u>	<u>(118,875)</u>	<u>(97,387)</u>	<u>(15,064)</u>	<u>(112,451)</u>
Total expenditure		<u>(32,222)</u>	<u>(86,653)</u>	<u>(118,875)</u>	<u>(97,387)</u>	<u>(15,064)</u>	<u>(112,451)</u>
Net income/(expenditure)		151,019	42,395	193,414	(70,323)	2,152	(68,171)
Transfers between funds		<u>(2,646)</u>	<u>2,646</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net movement in funds		148,373	45,041	193,414	(70,323)	2,152	(68,171)
<b>Reconciliation of funds</b>							
Total funds brought forward		<u>7,378</u>	<u>2,152</u>	<u>9,530</u>	<u>77,701</u>	<u>-</u>	<u>77,701</u>
Total funds carried forward	17	<u>155,751</u>	<u>47,193</u>	<u>202,944</u>	<u>7,378</u>	<u>2,152</u>	<u>9,530</u>

The notes on pages 33 to 43 form an integral part of these financial statements.

**The Libertarian Research and Education Trust**

**known as Statewatch**

**Statement of Financial Activities for the Year Ended 31 December 2023**  
**(Including Income and Expenditure Account and Statement of Total Recognised Gains and Losses)**

All of the charity's activities derive from continuing operations during the above two periods.

The funds breakdown for 2022 is shown in note 17.

The notes on pages 33 to 43 form an integral part of these financial statements.



**The Libertarian Research and Education Trust**

known as Statewatch

(Registration number: 08480724)

**Balance Sheet as at 31 December 2023**

	Note	2023 £	2022 £
<b>Fixed assets</b>			
Tangible assets	11	1,200	-
<b>Current assets</b>			
Debtors	12	18,613	2,875
Cash at bank and in hand	13	211,363	16,577
		229,976	19,452
<b>Creditors: Amounts falling due within one year</b>	14	(24,023)	(3,852)
<b>Net current assets</b>		205,953	15,600
<b>Total assets less current liabilities</b>		207,153	15,600
<b>Provisions</b>	15	(4,209)	(6,070)
<b>Net assets</b>		202,944	9,530
<b>Funds of the charity:</b>			
<b>Restricted income funds</b>			
Restricted funds		47,193	2,152
<b>Unrestricted income funds</b>			
Unrestricted funds		155,751	7,378
<b>Total funds</b>	17	202,944	9,530

For the financial year ending 31 December 2023 the charity was entitled to exemption from audit under section 477 of the Companies Act 2006 relating to small companies.

**Directors' responsibilities:**

- The members have not required the charity to obtain an audit of its accounts for the year in question in accordance with section 476; and
- The directors acknowledge their responsibilities for complying with the requirements of the Act with respect to accounting records and the preparation of accounts.

The notes on pages 33 to 43 form an integral part of these financial statements.

**The Libertarian Research and Education Trust**

**known as Statewatch**

**(Registration number: 08480724)**

**Balance Sheet as at 31 December 2023**

The financial statements on pages 29 to 43 were approved by the trustees, and authorised for issue on 31 July 2024 and signed on their behalf by:



Jonathan Bloch

Company secretary and trustee

The notes on pages 33 to 43 form an integral part of these financial statements.

# **The Libertarian Research and Education Trust**

**known as Statewatch**

## **Notes to the Financial Statements for the Year Ended 31 December 2023**

### **1 Charity status**

The charity is limited by guarantee, incorporated in England and Wales, and consequently does not have share capital. Each of the trustees is liable to contribute an amount not exceeding £1 towards the assets of the charity in the event of liquidation.

The address of its registered office is:

88 Fleet Street

London

EC4Y 1DH

These financial statements were authorised for issue by the trustees on 29 July 2024.

### **2 Accounting policies**

#### **Summary of significant accounting policies and key accounting estimates**

The principal accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

#### **Statement of compliance**

The financial statements have been prepared in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019) - (Charities SORP (FRS 102) - Second edition October 2019), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102). They also comply with the Companies Act 2006 and Charities Act 2011.

#### **Basis of preparation**

The Libertarian Research and Education Trust meets the definition of a public benefit entity under FRS 102. Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy notes.

#### **Going concern**

In common with many similar organisations who receive the majority of their income from public funding, the viability of The Libertarian Research and Education Trust is dependent on finding continuing sources of funding. As set out in the trustee's report, the company's financial situation remains challenging, but the trustees are working to address these issues. Accordingly, the trustees believe it is appropriate to prepare the accounts on a going concern basis.

#### **Exemption from preparing a cash flow statement**

The charity opted to early adopt Bulletin 1 published on 2 February 2016 and have therefore not included a cash flow statement in these financial statements.

## **The Libertarian Research and Education Trust**

**known as Statewatch**

### **Notes to the Financial Statements for the Year Ended 31 December 2023**

#### **Judgements and key sources of estimation uncertainty**

In the application of the charity's accounting policies, the directors are required to make judgements, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the periods in which the estimate is revised where revisions affects only that period, or in the period of the revision and future periods where the revisions affects both current and future periods.

#### **Income and endowments**

All income is recognised once the charity has entitlement to the income, it is probable that the income will be received and the amount of the income receivable can be measured reliably.

#### ***Donations and legacies***

Donations are recognised when the charity has been notified in writing of both the amount and settlement date. In the event that a donation is subject to conditions that require a level of performance by the charity before the charity is entitled to the funds, the income is deferred and not recognised until either those conditions are fully met, or the fulfilment of those conditions is wholly within the control of the charity and it is probable that these conditions will be fulfilled in the reporting period.

#### ***Grants receivable***

Grants are recognised when the charity has an entitlement to the funds and any conditions linked to the grants have been met. Where performance conditions are attached to the grant and are yet to be met, the income is recognised as a liability and included on the balance sheet as deferred income to be released.

#### ***Deferred income***

Deferred income represents amounts received for future periods and is released to incoming resources in the period for which, it has been received. Such income is only deferred when:

- The donor specifies that the grant or donation must only be used in future accounting periods; or
- The donor has imposed conditions which must be met before the charity has unconditional entitlement.

#### ***Investment income***

Dividends are recognised once the dividend has been declared and notification has been received of the dividend due.

## **The Libertarian Research and Education Trust**

**known as Statewatch**

### **Notes to the Financial Statements for the Year Ended 31 December 2023**

#### **Expenditure**

All expenditure is recognised once there is a legal or constructive obligation to that expenditure, it is probable settlement is required and the amount can be measured reliably. All costs are allocated to the applicable expenditure heading that aggregate similar costs to that category. Where costs cannot be directly attributed to particular headings they have been allocated on a basis consistent with the use of resources, with central staff costs allocated on the basis of time spent, and depreciation charges allocated on the portion of the asset's use. Other support costs are allocated based on the spread of staff costs.

#### ***Charitable activities***

Charitable expenditure comprises those costs incurred by the charity in the delivery of its activities and services for its beneficiaries. It includes both costs that can be allocated directly to such activities and those costs of an indirect nature necessary to support them.

#### **Support costs**

Support costs include central functions and have been allocated to activity cost categories on a basis consistent with the use of resources, for example, allocating property costs by floor areas, or per capita, staff costs by the time spent and other costs by their usage.

#### **Taxation**

The charity is considered to pass the tests set out in Paragraph 1 Schedule 6 of the Finance Act 2010 and therefore it meets the definition of a charitable company for UK corporation tax purposes. Accordingly, the charity is potentially exempt from taxation in respect of income or capital gains received within categories covered by Chapter 3 Part 11 of the Corporation Tax Act 2010 or Section 256 of the Taxation of Chargeable Gains Act 1992, to the extent that such income or gains are applied exclusively to charitable purposes.

#### **Tangible fixed assets**

Individual fixed assets costing £500 or more are initially recorded at cost, less any subsequent accumulated depreciation and subsequent accumulated impairment losses.

#### **Trade debtors**

Trade debtors are amounts due from customers for merchandise sold or services performed in the ordinary course of business.

Trade debtors are recognised initially at the transaction price. They are subsequently measured at amortised cost using the effective interest method, less provision for impairment. A provision for the impairment of trade debtors is established when there is objective evidence that the charity will not be able to collect all amounts due according to the original terms of the receivables.

#### **Cash and cash equivalents**

Cash and cash equivalents comprise cash on hand and call deposits, and other short-term highly liquid investments that are readily convertible to a known amount of cash and are subject to an insignificant risk of change in value.

# The Libertarian Research and Education Trust

## known as Statewatch

### Notes to the Financial Statements for the Year Ended 31 December 2023

#### Borrowings

Interest-bearing borrowings are initially recorded at fair value, net of transaction costs. Interest-bearing borrowings are subsequently carried at amortised cost, with the difference between the proceeds, net of transaction costs, and the amount due on redemption being recognised as a charge to the Statement of Financial Activities over the period of the relevant borrowing.

Interest expense is recognised on the basis of the effective interest method and is included in interest payable and similar charges.

Borrowings are classified as current liabilities unless the charity has an unconditional right to defer settlement of the liability for at least twelve months after the reporting date.

#### Provisions

Provisions are recognised when the charity has an obligation at the reporting date as a result of a past event, it is probable that the charity will be required to settle that obligation and a reliable estimate can be made of the amount of the obligation.

#### Fund structure

Unrestricted income funds are general funds that are available for use at the trustees discretion in furtherance of the objectives of the charity.

Restricted income funds are those donated for use in a particular area or for specific purposes, the use of which is restricted to that area or purpose.

### 3 Income from donations and legacies

	Unrestricted		Total	Total
	General	Restricted	2023	2022
	£	£	£	£
Donations and legacies;				
Committed giving	6,707	-	6,707	11,003
Gift aid reclaimed	1,195	-	1,195	1,254
Grants, including capital grants;				
Garden Court	4,000	-	4,000	-
Open Society Institute	157,596	-	157,596	-
Privacy International	-	11,501	11,501	17,216
Fund for Global Human rights	-	19,254	19,254	-
Funders' Initiative for Civil Society	-	98,293	98,293	-
	<u>169,498</u>	<u>129,048</u>	<u>298,546</u>	<u>29,473</u>

**The Libertarian Research and Education Trust**

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**Notes to the Financial Statements for the Year Ended 31 December 2023**

**4 Income from charitable activities**

	Unrestricted		
	General	Total	Total
	£	2023	2022
		£	£
Service level agreement	7,101	7,101	12,540
Fees and supplies	366	366	540
Other income	6,208	6,208	1,727
	<u>13,675</u>	<u>13,675</u>	<u>14,807</u>

**5 Investment income**

	Unrestricted	
	funds	Total
	General	2023
	£	£
Interest receivable and similar income;		
Interest receivable on bank deposits	<u>68</u>	<u>68</u>

**6 Expenditure on charitable activities**

		Total	Total
	Note	2023	2022
		£	£
Staff costs	9	67,950	69,497
Computer software and maintenance		3,731	5,856
Printing, postage and stationery		287	216
Trade subscriptions		1,321	1,173
Sundries		15	195
Project costs		5,663	5,795
Travel and subsistence		2,732	929
Support costs	7	<u>37,176</u>	<u>28,790</u>
		<u>118,875</u>	<u>112,451</u>

**The Libertarian Research and Education Trust**

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**Notes to the Financial Statements for the Year Ended 31 December 2023**

**7 Analysis of support costs**

**Support costs**

	<b>Total 2023 £</b>	<b>Total 2022 £</b>
Rent	9,555	7,765
Insurance	693	663
Accountancy	180	300
Independent examination	2,412	2,340
Consultancy	22,987	14,575
Legal and professional	817	2,832
Bank charges	132	184
Depreciation of office equipment	400	-
(Gain)/loss on programme related investments	-	131
	<u>37,176</u>	<u>28,790</u>

**8 Trustees remuneration and expenses**

No trustees, nor any persons connected with them, have received any remuneration from the charity during the year.

No trustees have received any reimbursed expenses or any other benefits from the charity during the year.



# The Libertarian Research and Education Trust

known as Statewatch

## Notes to the Financial Statements for the Year Ended 31 December 2023

### 9 Staff costs

The aggregate payroll costs were as follows:

	2023 £	2022 £
<b>Staff costs during the year were:</b>		
Wages and salaries	65,207	69,448
Social security costs	153	293
Pension costs	2,392	(577)
Other staff costs	198	333
	<u>67,950</u>	<u>69,497</u>

The monthly average number of persons (including senior management / leadership team) employed by the charity during the year expressed as full time equivalents was as follows:

	2023 No	2022 No
Charitable activities	<u>3</u>	<u>4</u>

No employee received emoluments of more than £60,000 during the year.

### 10 Taxation

The charity is a registered charity and is therefore exempt from taxation.

### 11 Tangible fixed assets

	Furniture and equipment £	Total £
<b>Cost</b>		
Additions	<u>1,600</u>	<u>1,600</u>
At 31 December 2023	<u>1,600</u>	<u>1,600</u>
<b>Depreciation</b>		
Charge for the year	<u>400</u>	<u>400</u>
At 31 December 2023	<u>400</u>	<u>400</u>
<b>Net book value</b>		
At 31 December 2023	<u>1,200</u>	<u>1,200</u>

**The Libertarian Research and Education Trust**

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**Notes to the Financial Statements for the Year Ended 31 December 2023**

**12 Debtors**

	2023 £	2022 £
Prepayments	2,499	1,621
Accrued income	14,919	-
Other debtors	1,195	1,254
	<u>18,613</u>	<u>2,875</u>

**13 Cash and cash equivalents**

	2023 £	2022 £
Cash at bank	211,363	16,577

**14 Creditors: amounts falling due within one year**

	2023 £	2022 £
Other taxation and social security	2,564	-
Accruals	3,620	3,852
Deferred income	17,839	-
	<u>24,023</u>	<u>3,852</u>

**15 Provisions**

	Pension contributions provision £	Total £
At 1 January 2023	(6,070)	(6,070)
Credited to the statement of recognised gains and losses	1,861	1,861
At 31 December 2023	<u>(4,209)</u>	<u>(4,209)</u>

**16 Related party transactions**

There were no related party transactions in the year.

**The Libertarian Research and Education Trust**

known as Statewatch

**Notes to the Financial Statements for the Year Ended 31 December 2023**

**17 Funds**

	Balance at 1 January 2023 £	Incoming resources £	Resources expended £	Transfers £	Balance at 31 December 2023 £
<b>Unrestricted</b>					
<i><b>General</b></i>					
General Funds	7,378	183,241	(32,222)	(2,646)	155,751
<b>Restricted</b>					
PI Project	2,152	11,501	(8,191)	-	5,462
The Fund for Global Human Rights	-	19,254	(21,900)	2,646	-
Funders' Initiative for Civil Society	-	98,293	(56,562)	-	41,731
	<u>2,152</u>	<u>129,048</u>	<u>(86,653)</u>	<u>2,646</u>	<u>47,193</u>
<b>Total funds</b>	<u><u>9,530</u></u>	<u><u>312,289</u></u>	<u><u>(118,875)</u></u>	<u><u>-</u></u>	<u><u>202,944</u></u>

	Balance at 1 January 2022 £	Incoming resources £	Resources expended £	Balance at 31 December 2022 £
<b>Unrestricted</b>				
<i><b>General</b></i>				
General Funds	77,701	27,064	(97,387)	7,378
<b>Restricted</b>				
PI Project	-	17,216	(15,064)	2,152
<b>Total funds</b>	<u><u>77,701</u></u>	<u><u>44,280</u></u>	<u><u>(112,451)</u></u>	<u><u>9,530</u></u>

## **The Libertarian Research and Education Trust**

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### **Notes to the Financial Statements for the Year Ended 31 December 2023**

The specific purposes for which the funds are to be applied are as follows:

Protecting Migrants Communities by Future-Proofing the Immigration system  
Funder: Privacy International

Summary: In order to inform civil society organisations, journalists and European and national parliamentary representatives about EU justice and home affairs agencies' roles in this complex information network and its impact on individuals' rights, this project produced an interactive online 'map' and a series of short briefings to explain and critically analyse:

- the processing of personal data by Frontex, Europol and the EU Asylum Agency in the context of the EU's 'interoperability' initiative, including new roles and powers granted to the agencies in relation to interoperable systems and how this compares to the status quo ante as well as their more general data processing powers; and
- the impact of that data processing on fundamental rights.

Transnational security policy, civic space and human rights  
Funder: Funders Initiative for Civil Society

Summary: Investigating transnational security and counter-terrorism obligations originating from the UN Security Council, their implementation by international and regional intergovernmental organisations, and their impacts and effects on civic space and human rights at national level.

Transparency on AI technologies in migration: Europe's techno-border  
Funder: EuroMed Rights

Summary: A study to provide an overview of the links between European migration policies – namely specific files contained in the so-called EU Pact on Migration and Asylum, such as the Screening Regulation – and the use of security-focused technologies, including AI. The study included a focus on Italy and Spain, as key countries for the implementation of screenings of asylum applicants at external borders.

Civic space, security, and Migrants' Rights Research; the security playbook and migrants' rights activism  
Funder: Fund for Global Human Rights

Summary: A project investigating how governments in Europe and beyond have used security narratives and measures to crack down on migrant/refugee rights work.

Data exchange, exclusion and denial at the borders  
Funder: Privacy International

Summary: This project investigates the use of secret evidence in asylum and immigration proceedings in the EU, and looks at how data protection law may be used to provide improved access to an effective remedy for people in those proceedings.

**The Libertarian Research and Education Trust**

known as Statewatch

**Notes to the Financial Statements for the Year Ended 31 December 2023**

**18 Analysis of net assets between funds**

	Unrestricted funds General £	Restricted funds £	Total funds at 31 December 2023 £
Tangible fixed assets	1,200	-	1,200
Current assets	188,245	41,731	229,976
Current liabilities	(24,023)	-	(24,023)
Provisions	(4,209)	-	(4,209)
Total net assets	<u>161,213</u>	<u>41,731</u>	<u>202,944</u>

	Unrestricted funds General £	Restricted funds £	Total funds at 31 December 2022 £
Current assets	17,300	2,152	19,452
Current liabilities	(3,852)	-	(3,852)
Provisions	(6,070)	-	(6,070)
Total net assets	<u>7,378</u>	<u>2,152</u>	<u>9,530</u>

