



THE RIGHT TO KNOW 2

Access to Classified Data in National Security Related Immigration Cases

WEBINAR – online on Zoom

Thursday, 17 October 2024	
9.00-9.15	Opening remarks by Sophie Ngo-Diep, co-director of the European Philanthropic Initiative for Migration (EPIM) and Márta Pardavi, co-chair of the Hungarian Helsinki Committee (HHC)
9.15-10.15	1st session: Relevant jurisprudence of CJEU and ECtHR <i>Moderated by Stavros Papageorgopoulos, senior legal officer, ECRE:</i> <ul style="list-style-type: none"> • CJEU jurisprudence (prof. María Teresa Gil Bazo, University of Navarra) (20 min) • ECtHR jurisprudence (prof. dr. Galina Cornelisse) (20 min) Q&A (20 min)
10.15-10.30	Break
10.30-12.00	2nd session: The Right to Know in the European Union (comparative study) <i>Moderated by Gruša Matevžič, senior legal officer, HHC:</i> <ul style="list-style-type: none"> • Presentation of the main findings of the comparative study (Katalin Juhász, legal coordinator, HHC) (15 min) • National researchers presenting good practices (30 min): <ul style="list-style-type: none"> ○ Charlotte Carella, Prakken d'Oliveira Human Rights Lawyers (the Netherlands) ○ Julia Kienast (Austria) ○ TBC • National researcher presenting bad practices (30 min): <ul style="list-style-type: none"> ○ Monika Aqqad (Slovakia) ○ Katalin Juhász, HHC (Hungary) ○ Andrea Jelovčić, Centre for Peace Studies (Croatia) Q&A (15 min)
12.00-13.00	Lunch break
13.00-14.00	3rd session: Role of domestic courts in national security cases <i>Moderated by Stavros Papageorgopoulos, ECRE:</i> <ul style="list-style-type: none"> • Boštjan Zalar, Senior High Court Judge, Administrative Court of the Republic of Slovenia (15 min) • Zdenek Khün, Judge, Supreme Administrative Court of Czechia (15 min) • Barbara Simma, Judge, Administrative Court of Vienna Austria (15 min) Q&A (15 min)



14.00-14.45	<p>4th session: Access to classified data under the Pact and Law Enforcement Directive</p> <p><i>Moderated by Gruša Matevžič, HHC:</i></p> <ul style="list-style-type: none"> • EC Pact and national security (TBC) (15 min) • Access to classified data through Law Enforcement Directive (Romain Lanneau, Consultant Researcher, Statewatch) (15 min) <p>Q&A (15 min)</p>
14.45-14.50	Evaluation
14.50-15.00	Conclusion summed up by Stavros Papageorgopoulos, ECRE

ABOUT THE RIGHT TO KNOW 2 PROJECT:

Evoking national security concerns have become a blanket authorisation for some EU Member States to exclude asylum-seekers and refugees from protection, reject or withdraw residence permits of third-country nationals, expel, or arbitrarily detain them in immigration detention, sometimes indefinitely, without any meaningful control and without giving them the possibility to know at least the summary of the reasons why they are considered a threat to national security. This deprives them from any possibility of effective remedy and opens avenues for an uncontrolled, even abusive use of this argument for states with already questionable human rights and rule of law records. The Hungarian Helsinki Committee has been exploring these rights violations since 2021, first by focusing on problematic practices in Cyprus, Hungary and Poland. Since 2023 [The Right to Know 2](#) project has a much wider, **pan-European** focus to map the issues related to access to classified data in national security immigration cases and to gather good practices. In the context of this project, the HHC produced a gap-filling, pan-European, comparative study on national practices, which will also be explored during the webinar.

The Right to Know in the European Union: Comparative Study on Access to Classified Data in National Security Related Immigration Cases

The study gives a comparative analysis of the laws and practices of EU Member States concerning their compliance with the standards laid out by the ECtHR and CJEU jurisprudence on invoking national security grounds in immigration cases, as well as the scope and effectiveness of the remedy provided against administrative decisions in such cases.

The study was written by Katalin Juhász, legal coordinator of the Hungarian Helsinki Committee. The study is a result of an unparalleled international cooperation and is based on national research conducted by national experts identified for the purpose of this study. The study covers all European Union Member States, with the exception of Denmark and Italy.

You can find the study [here](#).

The Hungarian Helsinki Committee is coordinating this project in collaboration with the [European Council on Refugees and Exiles \(ECRE\)](#) and the [Polish Helsinki Foundation for Human Rights \(HFHR\)](#). The project is funded by the [European Philanthropic Initiative for Migration \(EPIM\)](#).