ecre

European Council
on Refugees and Exiles

ANNUAL REPORT 2019

ECRE ANNUAL REPORT ON 2019

SUMMARY

During 2019, ECRE pursued the agreed objectives set out in its Strategic Plan 2017-2019. Its work covered four activity areas.

1. LEGAL SUPPORT AND LITIGATION

ECRE continued efforts to effect deep legal changes through litigation: ensuring access to, and the advancement of, the rights of displaced people in Europe. ECRE supported numerous cases before the European Court of Human Rights (ECtHR), the EU Court of Justice (CJEU) and domestic courts, often at the request of the ELENA network and ECRE members across Europe including in Belgium, Greece, Hungary, Italy, Poland, Czechia, and Serbia. ECRE also provided strategic advice on the choice of international legal avenue and case support, particularly with a view to using UN mechanisms, including UN CRC, CEDAW and the Human Rights Committee.

Thanks to ECRE's work with the Litigation Task Force (LTF) comprised of the AIRE Centre, the International Commission of Jurists (ICJ), and the Dutch Refugee Council, as well as partnership with ILGA-Europe, ECRE was able to submit six third-party interventions to the ECtHR and one legal submission to the Council of Europe Committee of Ministers supervising the implementation of ECtHR judgments. With the ICJ and the Greek Refugee Council, joint work continued on the first collective complaint concerning living conditions and the treatment of vulnerable migrant children in Greece submitted to the European Committee on Social Rights (ECSR).

The ELENA network bringing together +500 asylum lawyers from across Europe continued to support mutual learning, the sharing of information, and strengthening of domestic networks. Through ongoing support to the ELENA network, ECRE was able to identify important cases and jointly work on those fitting within its litigation priorities. These are promoting access to fair and efficient asylum systems; alternatives to detention; adequate reception conditions; and family reunification and rights-based application of the Dublin system. In December 2019, ECRE reviewed its litigation priorities with the crucial input of the ELENA coordinators, and added a focus on cessation of international protection and Search and Rescue. Finally, in addition to maintaining, improving and promoting the European Database of Asylum Law (EDAL) as tool collating asylum-related case law in Europe, ECRE assessed and adapted EDAL.

2. LEGAL AND POLICY RESEARCH

ECRE continued its work on the proposed reforms of the Common European Asylum System (CEAS) from 2016, which would have severely limited the right to asylum in Europe, through codifying and universalising the model contained in the EU-Turkey Deal, affecting millions of people in the 37 countries where CEAS applies. ECRE continued to have a significant influence on one the two co-legislators, the European Parliament. Partly as a result, no agreement could be reached with the EU Member States and it looks likely the reforms will be withdrawn – a move that ECRE supports on the basis that no reform is better than a bad reform.

Throughout 2019, ECRE advocated for its contingency plan for the Mediterranean, covering two elements: division of responsibility for disembarkation in Europe and a relocation mechanism. In July 2019, a preliminary agreement among 14 countries in line with ECRE's plans was brokered by France and Germany, and relocation was used afterwards.

ECRE's proposals were reflected in the agreement on the future of Frontex, inter alia expanding fundamental rights monitoring, limiting its role in third countries, and removing its role in "preparing" return decisions.

AIDA (the Asylum Information Database): AIDA website's views reached over 1 million during a year for the first time. 2015: 525,688, 2017: 754,642, 2018: 948,190, 2019: 1,033,465 AIDA reports were cited by courts and appeal bodies in 15 countries and by the ECtHR and the CJEU. Annual citations by national and European courts: +600. AIDA was also frequently used by the European Commission and by the European Asylum Support Office (EASO).

3. ADVOCACY

ECRE involves members in its advocacy work through its working groups. There are currently three working groups, one on CEAS, one on external affairs (covering work on return, the Global Compact on Refugees, and resettlement and safe and regular routes to Europe) and one on inclusion. In 2019, four conference calls with members took place, two on funding for inclusion and two about the Global Compact on Refugees; 43 emails with updates related to policy developments, analysis and ECRE's positions and planned work were sent to the three working groups (17 to inclusion WG, 19 to external affairs and 7 to CEAS) and a face-to-face meeting was convened for the inclusion and the external affairs working groups.

ECRE published ten Policy Notes, a joint ECRE-PICUM Policy Paper and circulated ten internal Advocacy Briefings to members. ECRE organised seven policy meetings/roundtables in Brussels, in addition to workshops and roundtables organised in cooperation with members in Germany, Denmark, Czech Republic, Italy and Spain. Through different grants, ECRE was able to support advocacy initiatives by members in six European countries some of which continue in 2020. ECRE engaged regularly with Brussels-based members to provide updates on different strands of work; four meetings took place in 2019, with a high level of attendance from members.

ECRE's advocacy approach to the new European Parliament (EP) resulted in 33 positive responses from MEPs and 20+ follow-up meetings, plus detailed exchange and input into the development of the strategies related to asylum and migration of three political groups in the EP. Through its advocacy in Brussels, ECRE has established itself as a key civil society interlocutor on the negotiations of the next EU budget covering spending both inside and outside the EU. ECRE has commented on trends related to border management and migration control conditionality and provided constructive recommendations where relevant. In partnership with PICUM, ECRE has become the reference point for civil society input on funding for inclusion of asylum seekers, refugees and migrants inside Europe at Brussels and capital level. ECRE's work on return continues to shape positions on legislative proposals for reform, analyses shortcoming of current policy, and presents alternatives. ECRE continues to build alliances for advocacy with relevant actors; refugee advocates are systematically included in ECRE's advocacy work, through representation in events, commissioning of working papers and the organisation of a tailored training seminar on EU advocacy to support their engagement in this area.

4. COMMUNICATIONS

The ECRE Communication team works to turn ECRE knowledge and expertise into effective messages that can be directed towards the public. ECRE has a substantial and increasing audience through almost 50.000 followers on social media (Twitter and Facebook), more than 13.000 subscribers to organisational newsletters (ECRE Weekly Bulletin and ECRE Daily Press Review) and press work that included over 100 interview in 2019 with leading international and European media. The ECRE Media Officers Network (EMON) ensures cooperation, coordination and information sharing across the network.

The #YourVoteOurFuture campaign to mobilise voters for the EP elections in May 2019 was the first joint campaign by the ECRE network since 2014. Through the ECRE Media Officers Network EMON the campaign was joined by 26 member organisations/partners and was distributed in six European languages (English, German, Greek, Spanish, Italian and French). The accumulated reach through social media was more than one million, with more than 100.000 engagements.

ORGANISATIONAL DEVELOPMENTS:

Strategy: ECRE has drafted its new Strategic Plan for 2020-2022 and gathered input from Board and members. The Board decided that the strategy should be based on continuity and consolidation, sticking with the objectives and structures agreed and focusing on continued improvement in performance.

Refugee inclusion: ECRE is committed to refugee inclusion in all its work. Progress: staffing 22% of staff are people with a refugee background; ECRE again has a Board member with a refugee background; refugee advocates participated in all ECRE events and activities. The Refugee Advocates Programme culminated in a training seminar in July 2019 on EU advocacy for people with a refugee background, organised in response to requests.

Finances: ECRE ended 2019 with a positive asset balance for the third year in a row (after being in a negative position since 2011). Its reserves to provide financial security are over EUR 200,000. Outgoings were reduced by cutting staff (13.7 FTE in 2019 compared to 17.1 FTE in 2016) and finding a cheaper new office (move took place in September 2019). It has definitively completed the closure of ECRE Limited, a legal entity in the UK.

Organisation: ECRE consolidated its new organisational structure, and continued to implement line management, performance evaluation, use of job descriptions, work planning, clear division of responsibilities, team structures and HR policies, as were put in place in 2016/7.

Membership: ECRE's membership exceeded 100 for the first time in its history, now 105 in 40 countries. Formal and informal feedback from members, solicited and unsolicited, is largely positive.

ACTIVITY 1: LEGAL SUPPORT AND LITIGATION

OVERALL OBJECTIVES

1. **To achieve legal changes ensuring the rights of refugees and those in need of or benefiting from international protection at European and national level through proactive, coordinated and needs-based litigation.**

2. **To strengthen and support the relevant work of asylum lawyers across Europe.**

SELECTED JUDGMENTS ISSUED THAT CONTRIBUTED TO THE OVERALL OBJECTIVES:

A number of national and European judgments were delivered in 2019 in which ECRE directly or indirectly supported the case or its work was used or cited in the pleadings or the decision. These judgments illustrate how the overall objectives are being met and include:

• D.D. v Spain, a decision of the UN Committee on the Rights of the Child (CRC) concerning a complaint brought by a Malian unaccompanied asylum-seeking child who was returned from Melilla to Morocco. The CRC found that the overall circumstances of the child's deportation, including him being detained and handcuffed without any legal and interpretative assistance, constituted treatment prohibited by Article 37 the Convention on the Rights of the Child. The Committee instructed Spain to amend domestic legislation that authorises summary expulsions in Ceuta and Melilla in order to prevent similar violations in future and ordered Spain to compensate the complainant for harm suffered.

• Ilias and Ahmed v Hungary (GC), a judgment concerning the detention of two Bangladeshi asylum applicants in the Röszke transit zone in Hungary and their subsequent removal to Serbia. The Grand Chamber of the European Court of Human Rights (ECtHR) found that the Hungarian authorities had failed in their duty under the Convention to assess the risks to the applicants of not having proper access to asylum proceedings in Serbia or of being subjected to chain-refoulement, which could have seen them being sent to Greece. However, the Court unfortunately found that Article 5 of the Convention was not applicable to their situation in a land border transit zone where the applicants awaited the examination of their asylum claims as there was no de facto deprivation of liberty.

ECRE and members of the Litigation Task Force intervened in both cases.

• NA v Finland, a judgment on the decision to return an Iraqi national to his country of origin, where he was subsequently killed. The Court found that the person left Finland through an IOM-run assisted voluntary return program only when his asylum application had been rejected. As a result, he cannot be considered to have had a genuine free choice in the matter of his return and his removal must therefore be considered a forced return. The Court emphasized that the Finnish authorities had failed to diligently assess the case to consider whether the security situation in Iraq and the person's past persecution there would increase the risk of his ill-treatment upon return. The Court found that the Finnish government violated the Convention and awarded the applicant's daughter, who brought the case on behalf of her deceased father, a compensation.

ECRE supported this case.

SPECIFIC OBJECTIVES: ELENA AND LEGAL SUPPORT

1. **To increase the efficiency of the ELENA network by strengthening the national networks and improving legal support coordination among ECRE/ELENA members.**

2. **To expand the network.**

ECRE continued to manage and improve the ELENA forum, an on-line tool for legal practitioners where they can exchange information and seek litigation advice. In 2019, 172 legal practitioners, academics and UNHCR staff from across 41 European countries had access to legal support through the ELENA Forum with a total of 763 posts on 203 topics answered. The Forum benefitted from continuous UNHCR support this year.

The ELENA network sees positive dynamics in national coordination, with new coordinators in Finland, Greece, Hungary, the Slovak Republic, Turkey, Sweden and the UK. Domestic coordinators responded to 30+ legal requests, took on numerous individual cases upon request of their counterparts in other countries, provided testimonies in the domestic context or referred cases to other national lawyers (from a particular region or specialised in a particular issue).

The ELENA Coordinators meeting on 7 November 2019 in Spain further contributed to improvement of the ELENA network by bringing together 29 ELENA coordinators and ECRE staff in order to identify ELENA priorities for 2020 and agree on ECRE's revised litigation priorities for 2020-2022. The topics discussed included: using UN Treaty bodies to advance refugee rights; cessation of international protection; social and economic rights of beneficiaries of international protection; age assessment; alternatives to detention; as well as the most recent developments in the case law of the EU Court of Justice. The meeting included the way forward on how the ELENA network and ECRE could work together on these subject matters.

3. **To promote the highest standards of legal representation, assistance and information among legal practitioners in Europe.**

75 legal queries were responded to in 2019 by ECRE. Responses were provided to lawyers from Hungary, Poland, the UK, Denmark, Norway, France, Spain, Italy, Slovenia, Turkey, Ireland, Czechia, Cyprus, Malta, Belgium, the US, Iceland, Belarus, and others. Subject material ranged from case law regarding returns to Afghanistan, to exclusion, jurisprudence of international mechanisms on non-refoulement, extradition, and national security. ECRE was instrumental in referring the vast number of cases received from partners and members to lawyers best placed to assist with the case or support to national lawyers.

ECRE undertook several trainings of national lawyers. These included:

- **3** strategic litigation trainings were carried out in Prague in April 2019; Zagreb in June 2019; and Stockholm in September 2019, all of which were conducted within the framework of "ECRE - UNHCR Strategic Partnership: Alternative Visions of Protection in Europe". The objectives of these trainings were tailored to the needs of the participants and identified by liaising with the ELENA coordinators in the countries concerned. The training in Czechia and Croatia largely focused on the choice of international litigation avenue in order to advance refugee rights and related procedural rules. The third training in Sweden primarily looked at the credibility assessment and choice of a litigation pathway in particular situations, such as in medical cases. The trainings were attended by 76 legal practitioners and included in-depth sessions and workshops delivered by judges, registry lawyers at the ECtHR, the AIRE Centre and ECRE.

- ECRE also delivered **2** guest lectures, organised by Mülteci Hakları Merkezi, on non-refoulement and detention in Turkey, and 1 training on international litigation avenues for refugee protection in Finland.

- **Advanced ELENA Course**: "International protection in Europe: persistent challenges and litigation opportunities" on 8/ 9 November in Seville, Spain. The course was attended by 125 practitioners, academics, decision makers and civil society representatives. Sessions and workshops were delivered by distinguished lawyers and academics including the ECtHR registry lawyer, Thomas Straub; Professor of European law, Francesco Maiani; the ELENA Coordinator in Malta, Neil Falzon; postdoctoral researchers; lawyers practicing in Italy and Greece; ECRE; and members of the Litigation Task Force partners from the

AIRE Centre and the ICJ. The course also contributed to the objective of expanding of the ELENA network.

- In addition, **2** strategic litigation trainings in the international refugee law were delivered to Kazakh lawyers under the project "International and national law on protection of migrants in legal practice" upon request of Litigation Task Force partner, the ICJ. The LSLT coordinated sessions relating to the expulsion of migrants and international refugee law.

ECRE also contributed to various litigation-related events organised by members and partners including in Italy, Greece, Belgium and the Netherlands.

Finally, through the ELENA Weekly Legal Update, ECRE provided information on legal developments across Europe. 37 issues were published in 2019 and the EWLU readership went up by 942 people, reaching an audience of 5,158 subscribers as of December 2019.

SPECIFIC OBJECTIVES: LITIGATION

1. **To expand ECRE's litigation-related activities, ensuring that the ECRE Secretariat is involved in the majority of strategic cases advancing refugees' rights across Europe.**

2. **To ensure that the Secretariat becomes a refugee-related litigation advice and resource centre for ECRE and ELENA members by the end of 2019.**

3. **To expand the capacities of lawyers and promote shared learning between practitioners dealing with asylum-related cases.**

In November, ECRE organised a meeting for the Litigation Task Force to discuss future strategies, and to analyse collaboration in the first three years of partnership (2017–2019). The partners concluded that the Task Force allowed optimisation of litigation resources and effectively targeting of the most pressing issues through litigation. The collaboration was extended to the next cycle: 2020–2022. ECRE will continue coordinating the Task Force.

Under the ECRE-UNHCR Strategic Partnership ECRE's LSLT had regular meetings with UNHCR PLUS concerning judicial engagement and strategic litigation.

In 2019 ECRE undertook **80** assessments of ECtHR communicated cases for the purpose of analysing whether to lodge a Third Party Intervention. During this period it was agreed by the Task Force members to intervene in:

- **Totopa v Spain** (led by ECRE in December 2019) relating to family separation in Spain following arrival by sea in Melilla. The case concerned best interests and family life of migrant child and his mother.

- **S.S. and others v. Italy** (led by ICJ in November 2019). The case concerns the SAR activities of the SeaWatch vessel and the intervention centres on Italy's jurisdiction under the ECHR, refugee law and international maritime law, the determination of the competent SAR mission coordinator in light of the principle of non-refoulement and the issue of aid and assistance in wrongful conduct amounting to human rights violations.

- **Al H. and others v. Greece** (led by the AIRE Centre in July 2019). The cases concern the situation of vulnerable applicants from Syria, Iraq, Afghanistan, Sudan, Egypt, Eritrea and Ghana, who were restricted to the island of Lesvos by virtue of the EU-Turkey statement.

- **M.H. v Serbia** (led by ECRE in March 2019) concerning the rejection of the asylum request of a Syrian national, who had travelled to Serbia through Greece and FYROM

- **M.N. v Belgium (GC)**, (led by the Dutch Refugee Council in March 2019). This is a follow-up to **Nahhas and others v. Belgium** (reported in 2018 Annual Report) relinquished to the Grand Chamber as M.N. v Belgium. The case concerns a family's request for a humanitarian visa to travel to Belgium in order to apply for asylum in the country.

In December, with ILGA-Europe and ICJ ECRE intervened in **B. and C. v Switzerland**. This case concerns potential ill-treatment in the case of an expulsion from Switzerland of an LGBT asylum applicant to The Gambia, where same-sex partnerships are criminalised. The submission was led by ILGA-Europe. In August, the Litigation Task Force provided the Committee of Ministers of the Council of Europe with a joint submission on the implementation of the judgment in **Khlaifia and others v. Italy** by the Italian authorities. The Task Force urged the Committee of Ministers to continue supervising the implementation of the case as the detention of third-country nationals in "hotspots" and in pre-removal centres (Centri di permanenza per il rimpatrio, CPR) remains problematic. The submission was led by ECRE.

ECRE, ICJ and the Greek Refugee Council continued work on a collective complaint submitted to the European Committee of Social Rights against Greece. The organisations undertook follow-up activities urging the Greek authorities to adopt "immediate measures" for the protection of migrant children in Greece indicated by the Committee on 23 May 2019. Second, the organisations provided written observations to the Committee in November 2019 in response to the submissions by the Greek government. The consideration of the complaint is still pending.

EDAL

In 2019, 113 summaries were added to the database and there was an increase in the number of users from 115,803 in 2018 to 122,997; website sessions initiated by users increased from 122,997 to 197,294; the total number of page views slightly decreased from 387,765 to 387,119, but the rate at which the users left the EDAL website after one visit (bounce rate) decreased by 1.3 %. The EDAL Twitter account gained 376 new followers to reach 2,700 followers. Cooperation with legal clinic in universities ensured that EDAL summaries are completed pro bono. Cooperation continued with Queen Mary University and the Cologne University Refugee Law Clinic; two Italian clinics (Turin University and Catania University) were added in line with the need to increase the number of Italian judgments. A newly cooperation with the Gent Law Clinic supports research notes and blog articles on current legal issues and problematic state practices. A comprehensive assessment and report of the needs of EDAL was completed by mid-2019. Steps to ensure EDAL's expansion, continued relevance, and quality are to be considered for 2020.

ACTIVITY 2: LEGAL AND POLICY RESEARCH

OVERALL OBJECTIVE

To ensure that the new legal framework for the Common European Asylum System reflects the highest human rights standards.

SPECIFIC OBJECTIVES: COMMON EUROPEAN ASYLUM SYSTEM (CEAS – EU ASYLUM LAW)

1. **To ensure that EU Regulations and Directives reflect key ECRE recommendations in accordance with international human rights law**

ECRE continued to influence the legislative process for reform of the Common European Asylum System (CEAS), launched by the publication of 7 legislative proposals by the European Commission in 2016. The reform is marked, however, by persisting divisions between Member States, in particular with regard to the Dublin IV and Asylum Procedures Regulation proposals. Against that backdrop, withdrawal of the proposals is an increasingly likely scenario. A lot will depend on the new European Commission, which is structured around the objectives President-elect von der Leyen was elected on by the European Parliament (EP). A new Pact on Migration and Asylum has been proposed and will be led by Commissioners Schinas and Johansson. ECRE met both Commissioners at the end of 2019 and presented ECRE positions on the future of asylum in Europe to be included in the Pact. In early 2020, it will publish a statement and run an advocacy and communications on what it wants to see in the Pact.

ECRE published one Policy Paper and one Policy Notes on issues related to the legal framework of the CEAS and the uncertain fate of the reform:

- Policy Paper #6: Relying on relocation – ECRE's proposal for a predictable and fair relocation arrangement following disembarkation

- Policy Note #21: Border procedures: Not a panacea – ECRE's assessment of proposals for increasing or mandatory use of border procedures

- Policy Note #22: Making the CEAS Work: Starting Today –ECRE's identification of key implementation gaps and recommendations for EU measures to make the Common European System Function Effectively

ECRE held 25+ meetings with the EP and Council (Member States) in addition to phone and email contact, so was in continuous contact with key policy-makers, including the rapporteurs and shadow rapporteurs on different proposals, their assistants and political advisors of political groups. Meetings were organised with the General Secretariat of the Council, the Finnish Presidency and Member State delegations (France, Belgium, Netherlands and Greece) as well as Member State asylum authorities (Germany, Italy, Cyprus, Malta, Greece).

Examples of influence include:

- **Proposal amending the Migration Statistics Regulation:** The final text of the Regulation includes new provisions proposed by ECRE relating to: (1) disaggregation of withdrawal statistics by implicit and explicit withdrawal; (2) accelerated procedure statistics; (3) stock of persons receiving material reception

conditions on an annual basis and subject to more generous deadlines. Moreover, it sets out pilot studies to be conducted on a number of areas suggested by ECRE, namely: border procedure statistics; exemption from accelerated and border procedures; asylum detention; alternatives to asylum detention; legal aid; inadmissibility decisions; decisions withdrawing reception conditions; applications for a residence permit; rejections of applications for a residence permit; pre-removal detention; alternatives to pre-removal detention. To our knowledge, ECRE was the only NGO engaged in the reform of the Migration Statistics Regulation at EU level.

Following the announcement of an own initiative report on the implementation of the Dublin III Regulation, led by MEP Fabienne Keller (Renew Europe), the European Parliament Research Service (EPRS) contracted ECRE to prepare a report on the practical application of the Regulation across the continent, to be published in early 2020.

2. **To strengthen ECRE's engagement with EASO/EU Asylum Agency and Frontex so as to ensure the promotion of protection-sensitive border management and improved asylum processes across Europe**

As a member of the Frontex Consultative Forum in 2019, ECRE provided input into the Agency's work. ECRE made a submission to EASO for its annual report in March, extracting information from AIDA, much of which was incorporated by the Agency. The citations made by EASO's Annual report on the Situation of Asylum in the EU 2018 **rose to 111**, up from 77 in its 2017 version and 45 in its 2016 version. In addition to widely citing AIDA, the report has made considerable improvements compared to its predecessors with more balanced and detailed information on the state of national asylum systems. The AIDA citations cover a wide range of topics, ranging from the different types of asylum procedures, Dublin, pushback practices, the application of safe country concepts and detention and refer the reader back to the database.

EASO invited ECRE to a workshop to develop the next annual report and the crucial role of ECRE in providing information to the Annual Report through AIDA was acknowledged by EASO during the workshop. AIDA research continues to have a positive impact on other EASO consultations: the AIDA comparative report on registration was used to identify current trends in practice and topics for discussion ahead of the Consultative Forum plenary held in November and the organisers invited ECRE to give a presentation on channelling and referral of applicants to different procedures and to speak on the closing panel.

ECRE carried out in-depth research on **the role of EASO in national asylum systems** supported by the Dutch Postcode Lottery. A comparative report gives an overview of the different areas of the asylum procedure in which the Agency supports Member State authorities, namely the registration of asylum applications, the implementation of the Dublin Regulation, the examination of asylum applications at first instance, and appeals. It also provides observations on the effectiveness of EASO operations in meeting their objectives and the impact of the Agency's presence on the efficiency and quality of asylum procedures in the host Member States, particularly as regards the enhancement of staff capacity, the quality of decisions and the contribution to compliance with the EU asylum acquis. The report follows a series of fact-finding missions in **Cyprus, Italy, Greece and Malta** in 2018 and 2019, discussions with authorities and relevant stakeholders, as well as analysis of a small sample of decisions in selected countries. It was launched at the European Parliament in December hosted by key MEPs, with the Commission, EASO and UNHCR providing comments.

3. **To influence national practice and legal frameworks so that they provide a high level of protection in accordance with international human rights law and jurisprudence.**

ECRE continued to influence national legal frameworks and practice through AIDA and its input into the Commission's monitoring of implementation. ECRE reiterated the need for functioning asylum systems across the EU and mobilised its members to collectively **advocate for rights-based compliance with the current CEAS standards** at Brussels and capital level. ECRE published a legal note on Austria.

• Legal Note #5: Reforming legal assistance in Austria: an end to independent provision?
  ECRE's call for withdrawal of measures that severely restrict access to independent legal assistance

Through the establishment of a EUR 26,000 National Accountability Fund as part of AIDA, ECRE supported member organisations in carrying out advocacy on detention to push for compliance with CEAS and human rights standards in domestic legislation and practice. The fund supported the following activities by members:

- the Irish Refugee Council (Ireland) to carry out advocacy on the transposition of the recast Reception Conditions Directive

- the Legal-Informational Centre (Slovenia) to monitor de facto detention of asylum seekers upon arrival and to trigger a debate with the Slovenian authorities and the Ombudsman.

- the Greek Council for Refugees (Greece) to conduct monitoring visits to investigate the use of de facto detention and gain a better understanding of deprivation of liberty regimes

- AIDA's national expert in (Romania) to conduct monitoring visits to investigate the use of de facto detention and gain a better understanding of deprivation of liberty regimes.

- aditus foundation and the Jesuit Refugee Service (Malta) for monitoring visits to detention centres with the aim of providing information to asylum seekers and to develop a legal and advocacy strategy with a report highlighting the current situation.

- Vluchtelingenwerk Vlaanderen (Belgium) to organise a conference covering alternatives to detention upon return. Report with key findings.

- the Ankara Bar Association in cooperation with ECRE member ASAM (Turkey) to organise a workshop to identify structural problems in removal centres, plus reports with key findings and recommendations to relevant stakeholders.

- the Swedish Refugee Law Center (Sweden) to provide an overview on the functioning and the use of detention in Sweden, mapping and analysing in a report key concerns relating to immigration detention in the country.

- the Helsinki Foundation for Human Rights (HFHR) (Poland) to produce guidelines aiming at improving the examination of the best interests of the child by border guards and national courts.

SPECIFIC OBJECTIVES: AIDA

Strengthen and manage the Asylum Information Database (AIDA), a publicly available clearinghouse for information on the treatment of refugees in Europe.

Through AIDA, ECRE will seek to:

1. **Provide detailed, up-to-date information on (a) asylum procedures, (b) reception conditions, (c) detention and (d) content of international protection in European countries.**

The AIDA country updates on 2018 completed in March 2019, provided up-to-date information on asylum procedures, reception conditions, detention and content of international protection in 23 European countries.

Enhancing data collection capacity
AIDA continues to support civil society organisations' data collection activities by providing: (i) a uniform framework for information collection on a wide range of aspects underpinning national asylum systems; and (ii) an authoritative and credible 'brand' aiding them in obtaining information from national authorities.

ECRE updated its Template Information Request Form which has been used by a number of experts (e.g. Romania, Portugal, Spain, Greece). They translated and adapted the form to their national legislative context and used it to obtain information from their authorities as part of the update on 2018. Proactive and coordinated data collection efforts from AIDA experts thus continue to lead to significant improvements in the quantity and quality of information published by the database.

- **Dublin:** ECRE published a Dublin update with information on the application of the Dublin system for 23 European countries, representing a significant improvement from previous Dublin updates covering 18 countries in 2017 and 12-13 countries in 2016. In August 2019, a further Dublin update was published, analysing the Dublin system in the first half of 2019 and providing key figures from selected European countries such as Spain, Greece, Hungary and Bulgaria.

- **Reception:** Through a comparative report on the reception of refugees and asylum seekers in Europe, ECRE was able to provide statistics on the reception capacity and/or on occupancy of reception centres in some countries (Belgium, Bulgaria, Cyprus, Croatia, France, Hungary, Ireland, Malta, Netherlands, Poland, Romania, Serbia, Slovenia, Sweden, Turkey).

- **Asylum authorities**: AIDA experts in a number of countries have further collected detailed statistics on the available resources within asylum authorities at first instance (Austria, Belgium, Bulgaria, Croatia, Cyprus, France, Germany, Greece, Hungary, Italy, Malta, Poland, Portugal, Romania, Slovenia, Spain, Serbia, Sweden, the UK). This included providing figures on the budget of asylum authorities; the number of staff; the gender and years of experience of caseworkers; as well as on first instance decisions and pending cases in the first half of 2019.

AIDA allows ECRE's members to regularly and gradually build up contacts with national authorities, e.g. through questionnaires and information requests. This involves not only asylum authorities but also ministries, police headquarters, courts, bar associations and others.

Supporting legal practitioners

AIDA continues to be viewed as an authoritative source of information on national asylum systems. Outputs have been cited by courts and appeal bodies in Austria, Belgium, the Czech Republic, Denmark, Germany, France, Luxembourg, the Netherlands, and Switzerland, as well as the European Court of Human Rights (ECtHR). For example, in a case no. 41100/19 communcated to the ECtHR on 3 September 2019 concerning a Dublin transfer from Finland to Italy, the Country report on Italy was extensively cited as relevant country information, in particular regarding the situation of Dublin returnees.

The Council of Europe Secretariat relied on the Country Report Greece in its analysis of the execution of the M.S.S. v. Belgium and Greece and Rahimi v. Greece judgments of the Court, for the meeting of the Committee of Ministers on 4-6 June 2019. The Secretariat looked at the current state of asylum procedures, reception conditions, support for unaccompanied children and detention conditions, often referencing only AIDA as a source of information on the Greek asylum system. Based on its analysis, the decision of the Committee of Ministers "invited the authorities to keep the Committee regularly informed about developments on all issues raised" (para 14), and "decided to resume examination of these cases at their September 2020 DH meeting" (para 15). The continued supervision of Greece's compliance with the M.S.S. and Rahimi rulings was a clear advocacy point for NGOs in Greece, in particular the Greek Council for Refugees.

On 21 November 2019, the Grand Chamber of the ECtHR delivered its judgment in the case of Ilias and Ahmed vs. Hungary, which concerned the detention in the Röszke transit zone and their subsequent removal to Serbia. The Court ruled that the Hungarian authorities did not act in compliance with their duty to rigorously assess the applicants' risk of inhuman and degrading treatment in the event of return to Serbia, or by further refoulement to Greece. It concluded that Hungary had acted contrary to Article 3 ECHR. In its assessment, the Court referred to the Country Report Serbia of 2016 to indicate that the new Asylum Act, initially foreseen for 2016, had been postponed (para. 74). The Court also referred to the 2017 report entitled "Crossing Boundaries: The new asylum procedure at the border and restrictions to accessing protection in Hungary" to indicate inter alia that returnees in Serbia are barred from accessing the asylum procedure and reception conditions in practice (para. 69).

AIDA reports continue to be the main source of evidence for most litigation concerning Dublin transfers of asylum seekers, with increasing citations in litigation. Nearly all country reports (21 out of 23) have used as authoritative evidence in court cases. A total of 579 decisions cited AIDA reports in 2019 compared to an average of 360 decisions in previous years. The figures are underestimates as rulings are not publicly available or easily accessible in many countries. Domestic courts in Belgium and Switzerland have also quoted ECRE fact-finding visit reports and comparative reports.

Supporting policy-makers

AIDA outputs have also been relied upon by EU institutions and have positively influenced their work on asylum systems. In particular, the European Commission continues to view AIDA as a trusted resource, not least through financial investments in the maintenance of the database through the Asylum, Migration and Integration Fund (AMIF). The Commission regularly uses the AIDA reports in the context of its country monitoring activities, and at times proactively reaches out to ECRE for information.

In 2019, the following information requests were received:

- On 18 January, a request from the Asylum Unit of DG HOME to provide updates and developments in Spain. ECRE was to provide input relating to new developments in Spain on the basis of the (then draft) update of the Country Report Spain.

- The Asylum Unit of DG Home approached ECRE with a similar request for information on registration practices in Greece on 28 January, for which references of the (then draft) update of the Country report Greece were provided.

- A request for information from DG Home on 8 February 2019 regarding updates and developments in Malta. We thus provided relevant information extracted from the (then drat) update of the Country report Malta.

- On 1 March 2019, the Asylum Unit of DG Home asked for an assessment of the 2018 legal reforms in Italy, which is also addressed in our Country Report Italy.

- On 4 August 2019, DG HOME requested information on family reunification requests from Greece related to separated families.

- On 13 June 2019, ECRE met with the Asylum Unit of DG Home to discuss developments following the Salvini Decree.

- ECRE met with DG NEAR on 14 June 2019 to discuss relevant developments in Turkey, especially regarding detention and the non-refoulement principle. To date, the Country Report Turkey remains one of the only comprehensive source of information describing the asylum system in Turkey.

- On 4 September 2019, ECRE met with the Asylum Unit to discuss both the future of the Dublin IV proposal and issues relating to the implementation of the Dublin III Regulation, especially regarding the suspension of transfers.

In December 2019, the European Commission published a factsheet highlighting both the importance and relevance of AIDA. It stated the following:

"In a nutshell, AIDA gives an overview of how asylum seekers are processed and treated. This yields valuable guidance on how to improve the policies that are already in place.(…)

This support from the Asylum Information Database project means that the European Council on Refugees and Exiles can continue to build data-collecting capacity. The result: the information provided is accurate, and of the highest quality. The Asylum Information Database also plays an important role by regularly supporting the work of EU institutions, agencies, Member States, practitioners and courts in a number of different way. (…)

Thanks to AIDA, the processes and policies already in place have continued to develop. This high-quality database benefits all of its users and outcomes for the asylum-seekers themselves. The project will continue to focus on these values into the future."

Centralise research activities and host ECRE and members' related publications
The following comparative reports were published:

- Comparative report: Housing out of reach? The reception of refugees and asylum seekers in Europe

- [Comparative report](#): Asylum authorities An overview of internal structures and available resources

Following a fact-finding visit in April to **Germany**, ECRE published a report on 24 May 2019 on the use of **airport procedures** in the country and examined gaps and compliance with relevant procedural guarantees. Another [report](#) published on 26 April 2019 analysed the model of Arrival, Decision and Municipal Distribution or Return ("**AnkER**") centres implemented in the Federal State of Bavaria since August 2018. The report identified risks undermining asylum seekers' access to a quality asylum procedure and adequate reception conditions.

Fact-finding visits and missions abroad are a means of directly meeting and engaging with ECRE members. During 2019, meetings were organised with following members: **Germany**: PRO ASYL; Caritas Germany; Red Cross; **Italy**: ASGI; **Cyprus**: Cyprus Refugee Council; **Greece**: Greek Council for Refugees; HIAS; the Danish Refugee Council; SOS Children's Villages; **Malta**: aditus foundation; Jesuit Refugee Service Malta; Austria: Diakonie Austria; asylkoordination; **France**: Forum réfugiés Cosi.

AIDA fact-finding visits also facilitate contacts with civil society organisations beyond the ECRE membership and with the following national authorities:

- **Germany**: the German Federal Office for Migration and Refugees (BAMF), the Bavarian Ministry of the Interior, Sports and integration; the Bavarian State Ministry of Justice; the Bavarian Office for Asylum and Return; and the Government of Upper Bavaria;
- **Cyprus**: Ministry of Interior; Asylum service; police services;
- **Greece**: Asylum service;
- **Italy**: Ministry of Interior; Territorial Commission for International Protection in Milan;
- **Malta**: the Refugee Commissioner.

The AIDA website attracts an increasing number of visitors:

Asylum Information Database website page-views: 2013-2019							
Year	2013	2014	2015	2016	2017	2018	2019
Total	77,204	231,076	525,688	637,027	754,642	948,190	1,033,465

The number of visits to the AIDA website exceeded **1 million views** within a single year for the first time. AIDA has thus attracted approximately **4.2 million** views since it was created.

AIDA reports were cited in:

- more than 100 policy, advocacy and academic reports
- around 70 (external) media articles
- and in almost 600 national court decisions (i.e. in countries where rulings are publicly available, as already mentioned above)

Explore the possibility of further expansion to cover additional European countries.
ECRE has also continued to receive spontaneous expressions of interest in joining AIDA from members such as in Iceland and Finland; options are now under exploration.

ACTIVITY 3: ADVOCACY

ECRE's advocacy work in 2019 covered the following topics:

• European External Affairs

• Return

• Migration and Security

• Inclusion/Integration: focus on funding

Due to an end in dedicated project funding, an assessment of advocacy opportunities and ECRE's role and relevance, the work on refugee children was discontinued at the end of 2018.

In 2019, ECRE published ten Policy Notes, a joint ECRE-PICUM Policy Paper and circulated ten internal Advocacy Briefings to members. ECRE organised seven policy meetings/roundtables in Brussels in addition to workshops and roundtables that were organised in cooperation with members in Germany, Denmark, Czech Republic, Italy and Spain. Through different grants, ECRE was able to support advocacy initiatives by members in six European countries some of which will continue in 2020. ECRE engages regularly with Brussels based members to provide updates on different strands of work; four meetings have taken place in 2019 with high level of attendance from members.

ECRE is involving members in its advocacy work through its working groups. There are currently three working groups, one on CEAS, one on external affairs (covering work on return and the Global Compact on Refugees including resettlement and safe and regular routes to Europe) and one on inclusion. In 2019, four conference calls with members took place, two on funding for inclusion and two about the Global Compact on Refugees. In total 43 emails with updates related to policy developments, analysis and ECRE's positions and planned work were sent to the three working groups (17 to inclusion WG, 19 to external affairs and 7 to CEAS) and a face to face meeting was convened for both the inclusion and the external affairs working group.

#YourVoteOurFuture Campaign, new European Parliament and European Commission leadership

Ahead of the EP elections in May 2019, ECRE ran an EU wide campaign #YourVoteOurFuture which was jointly developed by ECRE's advocacy and communications team. The objectives were to 1) inform ECRE members about the importance of the EP elections for the future of asylum policy in Europe; 2) influence election programmes of political parties; and 3) encourage voter turn-out among supporters of ECRE and its member organisations. A more detailed evaluation of the campaign is included in the Communications activity overview.

ECRE implemented a concerted advocacy approach towards the new EP which included short briefings for MEPs sitting in three different committees (dealing with Asylum and Migration; Foreign Affairs and Development) and individual letters requesting meetings. This resulted in 33 positive responses from MEPs and more than 20 of them led to follow up individual meetings. In addition, ECRE was invited to brief S&D MEPs at one of their regular meetings on Asylum and Migration and participated in a detailed exchange with Green MEPs on the issue. ECRE also contributed to two expert roundtables for the development of the Renew Europe strategy on

Asylum and Migration.

An event organised in the framework of the UNHCR-ECRE Strategic Partnership on the future of asylum in the new EP and EC mandate in September 2019 was met with a lot of interest from Member State and EP representatives as well as ECRE members. It further supported ECRE's role as convening and influencing the debate on asylum in the new term.

In December 2019, ECRE met both Commissioner Schinas and Commissioner Johansson as part of joint advocacy initiatives with other NGOs, both of the meetings were the first exchange the Commissioners had in their role with civil society.

SPECIFIC OBJECTIVES: EUROPEAN EXTERNAL AFFAIRS

To advocate for EU policies and programmes outside EU borders that reflect the highest human rights standards for displaced persons, based on a spirit of solidarity and responsibility sharing.

Activities have focused on the negotiations of the Multi-Annual Financial Framework (MFF), the EU's budget from 2021-2027 and more particularly the discussions about the use of development assistance to address forced displacement and migration as well as the attempt to instrumentalise development funding as leverage to achieve the EU's migration control objectives, particularly on return and readmission.

Advocacy activities included bilateral meetings with Permanent Representation, the Finnish Presidency, an informal exchange about the German government's position convened together with the Heinrich Böll Foundation and the publication of a Policy Note (Outspending on Migration) in May 2019. ECRE cooperated with CONCORD (the confederation of development NGOs) with a joint letter to all Permanent Representations ahead of decisive time in the negotiations. Work on this issue will continue throughout 20212, with a Policy Note on Migration Control Conditionality published in early January 2020.

To monitor protection issues in third countries, in collaboration with ECRE members, and advocate at EU level for the rights, protection and assistance of refugees, asylum seekers and displaced persons in third countries.

As part the cooperation with the Quaker Council on European Affairs (QCEA), ECRE organised a roundtable on Libya which discussed research undertaken by Danish Refugee Council under the Chatham House rule in February 2019. The meeting was attended by a select group of civil society experts on Libya and representatives of the institutions.

In September 2019, ECRE together with QCEA and Aston University organised another off the record roundtable on the situation at the EU's external borders, with a specific focus on the border between Croatia and Bosnia and Herzegovina. It was attended by members from both countries, Brussels based civil society and representative of relevant EU institutions as well as Member States. The meeting informed a Policy Note on Schengen and the relevance of the framework to monitor and support compliance with fundamental rights and enabled ECRE to establish relevant advocacy contacts and take on a central position in this advocacy area among Brussels based NGOs.

To monitor the externalisation of migration and asylum policies and their impact on protection standards in third countries and access to protection in Europe.

In 2019, ECRE established relations with African civil society working on asylum and migration with a view of developing cooperation to monitor how the EU's objective to externalise and control migration impacts on protection standards in third countries and to influence EU, AU and Member States' policy and practice. ECRE provided leadership on content and convened 40 participants, many of whom were ECRE members, for the EU-AU civil society seminar on human rights in the context of migration and forced displacement which took place in October 2019. This supported the exchange between civil society participants from across Europe and Africa as well as the development of joint recommendations, which should inform advocacy on

both continents. ECRE's contribution to a conference on the securitization of migration policy in EU Africa relations in November 2019 in Tunis further contributed to this objective. Building on these activities, plans for 2020 include the commissioning of short papers from different African civil society representatives to provide input to the development of the EU-Africa strategy and a meeting in Brussels to enable African civil society to contribute their analysis and recommendations.

To advocate for safe and legal access channels to access protection in Europe, such as resettlement and other forms of admission.

Safe and legal routes featured prominently in ECRE's advocacy on the Global Compact on Refugees (GCR) in Europe, including a workshop during the Annual General Conference. ECRE organised a conference on the GCR and the Global Compact on Migration together with PICUM in February, being the first civil society event convened on this topic in Brussels following the adoption of the Compacts which was met with a lot of interest with over 80 people registered. The Policy Note ECRE published ahead of the Global Refugee Forum was developed in cooperation with member organisations who contributed to the suggested recommendations.

In 2019, ECRE provided input to the development of the 3 year resettlement strategy and updated members regularly in this regard. In June, ECRE convened a meeting between UNHCR and ECRE members in Brussels to provide input to the strategy and discuss its implementation. The meeting was attended by twelve member organisations.

ECRE continues to be involved in discussions about the future of the Union Resettlement Framework which remains uncertain and other joint NGO advocacy initiatives related to resettlement, such as a joint NGO letter regarding the EU's commitment for resettlement places in 2020 which was sent in November 2019 and which resulted in a meeting with Commissioner Schinas.

SPECIFIC OBJECTIVES: RETURN

To influence EU policies and practice in the field of returns so that they reflect the highest human rights standards.

ECRE closely followed and influenced the discussion of the recast return directive. Regular updates were provided to members in email updates, via three Advocacy Briefings and in bilateral exchanges. ECRE was able to substantially inform the EP's position on the European Commission's proposal which was not adopted before the end of the previous EP term.

In addition to influencing the legislative proposal, ECRE continues to make the bigger point about the need to ground return policy in evidence and the agency, dignity, and a longer-term vision for individuals and communities, arguments for which are outlined in the Policy Note published in July.

To monitor the implementation and impact of EU policies on returns and readmission and the situation for returnees in third countries, in collaboration with ECRE members.

Returns to Afghanistan continue to be a priority, with ECRE publishing a Policy Note on this issue in February based on a non-exhaustive overview of relevant case-law. ECRE continues to engage regularly with representatives from the Afghan community in Europe and has organised a webinar in March to discuss relevant developments at the policy level, the situation in Afghanistan and the application of the Internal Protection Alternative.

To update ECRE's analysis on returns to ensure that the Secretariat and Members have clear lines to take and recommendations to promote.

ECRE has clear lines on the legislative proposals currently being discussed as well as other pertinent issues regarding the link between asylum and return and the overall lack of evidence. Cooperation with third countries

on return and readmission is being monitored as much as is possible given the informal and untransparent nature of those negotiations.

To strengthen ECRE's work on returns as an alliance through regular information exchange with interested members, joint activities and cooperation.

In 2019, six updates were sent to the relevant working group and four return related Advocacy Briefings were circulated. In addition to email updates sent to all WG members, ECRE engages with ten member organisations bilaterally on particular areas of interest regarding return. Return is being discussed regularly in the meetings with Brussels based ECRE members and was subject of a workshop at this year's Annual General Assembly.

SPECIFIC OBJECTIVES: REFUGEE INCLUSION

Empower: To increase the inclusion of refugees in ECRE's work by supporting and promoting refugee-led initiatives, supporting ECRE's strategic priority on inclusion.

ECRE is systematically including refugee advocates in all the meetings it organises, where possible with a formal role. It is also exploring other ways to gather analysis from refugee advocates to inform ECRE's advocacy. In 2019, ECRE commissioned three working papers from refugee advocates focusing on opportunities and challenges for refugee led advocacy, integration of asylum seekers in the job market and education as an instrument for integration.

In July, ECRE organised a two-day seminar on EU advocacy for representatives of refugee-led organisations, refugee and migrant (self-defined) advocates. It brought together participants from Afghanistan, Syria, Libya, Zimbabwe, Bhutan, Yemen, Cameroon, Palestine, Eritrea and Sierra Leone who currently live in Belgium, Denmark, Austria, Sweden, Germany, Italy, UK, France, The Netherlands, Switzerland, Finland, Hungary and Spain. Feedback received after the meeting was overwhelmingly positive, with many participants requesting additional training. The seminar also expanded ECRE's contact with refugee advocates in a number of European countries.

Empower: To strive towards an inclusive rather than exclusive approach by monitoring, assessing, and reporting best practices on inclusion in different EU countries and assessing their impact.

Through the joint ECRE-PICUM project which focuses on EU funding for inclusion, ECRE seeks to identify best practice regarding inclusion. This is being discussed in a series of workshops which have taken place in Germany, Czech Republic, Denmark, Belgium and Spain in 2019, bringing together ECRE and PICUM members, including refugee and migrant advocates from country where meetings took place as well as neighbouring countries. As part of this project, ECRE has provided three grants to members to enable them to write up their best practices for inclusion.

Advocate: To influence EU policy and practice on inclusion and integration by monitoring the implementation of the EU action plan and developing and promoting recommendations.

Due to lack of information about the implementation of the EU action plan by Member States, advocacy on general inclusion has been focused on a call for inclusion through rights, respect and regularisation and some more specific discussions on the role of employment to support integration, such as at the workshop during the Annual General Conference.

Advocate: To monitor and influence EU funding for inclusion/integration.

A joint ECRE&PICUM project focused on increasing EU funding for inclusion of third country nationals is ongoing since September 2018. Within that, ECRE is proactively influencing the proposal for the European Social Fund + and the Asylum Migration and Integration Fund for the period after 2021, in line with the recommendations stated in a joint ECRE/PICUM Policy Paper. Having successfully influenced the EP's position on both of

the files, ECRE has focused on Member States' positions with regular meetings taking place with seven Permanent Representations in Brussels and advocacy carried out in cooperation with members at the capital level in 13 countries. In addition, it has proactively cooperated with partners at the EU level within EPAM (European Platform on Asylum and Migration), which produced two joint statements with recommendations on the AMF negotiations.

Mobilise: To strengthen the relationship between the Secretariat and members and with collective work to promote visions of an inclusive Europe.

ECRE is regularly informing members about its work on inclusion, with the specific focus on funding for inclusion given the current negotiations for the next Multi-annual Financial Framework. In total, 17 email updates were sent to members of the inclusion working group and five internal Advocacy Briefings were circulated. In addition to a face to face meeting of the inclusion working group in March, two conference calls for interested PICUM and ECRE members were organised. Through the joint organisation of workshops at capital level, ECRE has cooperated with nine members on advocacy work for inclusion funding in 2019, in addition to all the members who were invited to and participated in the workshops.

Mobilise: To develop partnership and projects with the private sector and strengthen its relationship with NGOs in order to promote the right to employment of refugees.

ECRE provided a presentation to the Advisory Body on International Affairs at the annual gathering of the International Federation of Freight Forwarders Associations in March 2019.

ACTIVITY 4: COMMUNICATIONS

Based on the strategic objectives outlined in the ECRE COMMUNICATION STRATEGY 2016-19 and baseline presented to the board in January 2017.

The following is a summary of the running description of developments and statistics in the Quarterly updates on communication to the ECRE board.

OBJECTIVE 1:
Increase the understanding and support of refugee rights in the segment of young progressive Europeans engaged in the public debate through traditional media and active on social media.

CAMPAIGN INITIATIVES:

Mobilising voters for the EP election: the #YourVoteOurFuture campaign to mobilise progressive voters for the EP elections in May 2019 marks the first joint campaign within the ECRE network since 2014. Through the ECRE Media Officers Network EMON the campaign was joined by 26 member organisations/partners and was distributed in six European languages (English, German, Greek, Spanish, Italian and French). The accumulated reach through social media was more than one million and we had more than 100.000 engagements. Further, the campaign reach was boosted through 15 events across Europe, websites and newsletters as well as media exposures. Some highlights were the featuring of the campaign theme song video on Austrian public TV and during a public demonstration for refugee rights with thousands of people in Vienna, presentations at events in several member states (and future Member States) including Malta, Portugal, the Netherlands, Serbia and Belgium as well as a poetry, performance, concert election event in the Czech Republic.

From the outset the idea was to capitalise on the on-going research and policy analysis used in ECRE's advocacy work towards Members of the European Parliament, Parliamentary Committees and Groups around the EP election. The briefings on European political developments, mapping of EP group positions and national members, as well as the voting history and role of the EP produced by the ECRE advocacy team was boiled down to essential key messages and turned into information on the campaign website suitable for efficient public campaigning.

Corresponding with ECRE's strategic objectives of the inclusion of people with refugee and migrant background through all of our work, refugee advocates and refugee led organisations were key partners in the campaign implementation. They were also the faces and voices of the campaign, which was vital also to mobilise our target audience who despite scepticism towards EU institutions readily engaged in the battle for an open and inclusive Europe.

The ECRE network and the EMON now has a concrete experience to build on and the evaluation workshop with participating organisations conducted in June 2019 as well as the feedback during and after the campaign has provided some insights for future initiatives.

ELENA Network promotion: 10 videos for a branding campaign of ECRE's legal work under the hashtag #RightsR4All have been produced based on interviews with human rights lawyers participating in the advanced

ELENA course in Seville. The videos are designed for social media in terms of length and content – short and personal statements of motivation. The campaign will be launched in the first part of 2020 as a first attempt of a clean video campaign and distributed mainly through Twitter and Facebook.

SOCIAL MEDIA:

Changes of the algorithms of social media makes it increasingly difficult to ensure organic (non-paid) reach. At the same time controversy about misinformation spread through social media has resulted in a revision of advertising policies for the main ECRE social media platforms (Facebook and Twitter). Although ECREs use of paid ads is extremely limited it is clear that to be able to do any boosting for campaigns ECRE has to go through a registration process in 2020.

THE NEWSLETTERS:

<u>The Weekly Bulletin:</u> the audience continues to grow steadily and the bulletin is positioned as a main outlet across EU institutions, UN agencies, academics, journalists and organisations involved in the rights of migrants and asylum seekers. We have introduced several new features in 2019 including: The #VoicesofECRE interviews with key representatives of member organisations giving a very personal account of their personal motivations and perspectives. As well as a series of interviews and op-eds presenting critical perspectives from NGOs and researchers on the EU cooperation on migration with different African countries, particularly perspectives from African countries concerned. Another new feature is a report section dedicated to promote relevant reports from members and other key-actors that are not covered in regular Weekly articles.

Weekly articles are often featured or quoted in external outlets including State Watch, Are you Syrious, Reliefweb among others.

THE PRESSWORK:

ECRE continues to be a reference for journalists at the national, European and international level and refer quite a bit of requests to member organisations. Beyond giving quotes we provide background information and seek to promote relevant angles and limit the spread of problematic framing or doubtful content.

While not using the outdated strategy of broad non-targeted press releases or joint statements distributed randomly across journalists and media we have done targeted outreach through 2019. This means that relevant reports or statistics from ECRE and AIDA is sent to selected journalists with a particular interest. At the same time journalists are increasingly referring to Weekly Bulletin articles (particularly Directors editorials) when contacting us and or ECRE newsfeed and Twitter account.

OBJECTIVE 2:
Contribute to the overall efficiency of ECRE and the organisation's ability to achieve its strategic aims.

IT AND SUPPORT

ECRE has seen an increase of cyberattacks and identified some vulnerabilities in our IT and technical support set up that has been addressed during the last quarter of 2019 through a full revision of our support functions. To ensure qualified and sustainable backup on hardware maintenance, security, design and web development we have outsourced parts of the Communication portfolio and developed the needed internal procedures. We expect the process to be concluded and new practises fully implemented in the first quarter of 2020.

GDPR:

ECRE is now fully GDPR compliant. The ECRE privacy policy is available through the ECRE website and the

director has conducted training of staff.

STATISTICS:

- **Weekly Bulletin:**
  Increase of subscribers since January 2017 (Baseline): **1,610** (11,500 to 13,110) Opening rate across the year (average): 26%

- **Daily Press Review:**
  Increase of subscribers since January 2017 (Baseline): **2,192** (400 to 2,592)
  Opening rate across the year (average): 30%

- **Twitter:**
  Increase of followers since January 2017 (Baseline): **9,200** (12,400 to 21,600)

- **Facebook:**
  Increase of followers since January 2017 (Baseline): **6,158** (19,800 to 25,958)

- **Media:**
  While it is not possible to track exposures of or references to ECRE globally, we keep records of direct requests from journalists showing that staff and Director have given a little more than 100 interviews to national, European and international media in 2018.

ORGANISATIONAL OBJECTIVES

STRATEGIC PARTNERSHIPS

1. Use the UNHCR Strategic Partnership to support ECRE's objectives under activities 1, 2, and 3.

In 2019, the UNCHR SP supported roundtables and ECRE's Annual General Conference, hold in concertation with the UNHCR civil society consultation for Europe. As in previous years, ECRE and UNHCR jointly managed a detailed research publication focusing on EU funding. Finally, the SP supported the management of the online ELENA forum for lawyers and the development of training on litigation which has become established as an important activity of ECRE's legal support and litigation team (see above).

2. If the Strategic Partnership is successful (in ECRE's terms), then achieve renewal when the current phase ends at the end of 2017.

The Partnership has been renewed for 2020, albeit with less money, due primarily to the budget cuts UNHCR has faced.

3. Explore and where possible develop strategic partnerships with other agencies, institutions and organisations when it is in ECRE's interests to do so.

ECRE received funding from EASO for provision of expertise on EASO training models, work previously done without payment. EASO has proposed a contract to cover this work, as well as consultancy on EASO tools to cover the period from 2020 to 2024.

FINANCES AND FUNDRAISING

1. Stabilise ECRE's finances and deal definitively with the legacy of past financial problems as per financial objectives and targets agreed in 2016.

ECRE's financial situation has continued to improve with the threat of formal insolvency now receding. Around EUR 4 million was raised from 2016 to 2019.

2. By 2018, return to a positive asset balance position and establish a reserve fund.

ECRE ended 2019 with a surplus on the year and thus started 2020 with an increased positive asset balance, building on the reserves established. At EUR 215,000, ECRE's asset position is better than it has been for over 10 years.

3. From 2017 to 2019, approve budgets with no more than a 20% shortfall.

In November 2019, the 2019 budget was approved with a shortfall of 34%. ECRE explained the pending funding decisions and the ECRE members decided to approve the budget for 2020. As of end January 2020, the gap has been closed to 11.7%.

4. Maintain current three core donors; bring in an additional core donor.

ECRE has four core donors. In 2019, Adessium and Oak Foundations decided to renew their core funding

grants and an application submitted to JRCT has progressed with a final decision pending.

5. **Bring in revenue of at least EUR 1.8 million per year.**

Revenue 2019: EUR 1.638 million, reflecting a smaller secretariat.

ORGANISATIONAL STRUCTURE

1. **By end 2017, complete the process of establishing an organisational structure for the ECRE Secretariat, including:**

2. **From 2017, use the structure and policies created, adapt as necessary.**

Structure and policies are in use.

• Line management for all staff members	• Clear division of responsibilities among staff
• Performance evaluation for staff members (once/year except in special cases)	• Team structures
• Updated and clear job descriptions for staff members	• Senior Management Team
• Work planning as required	• Internal staff policies, including on leave, working outside the office, the office environment, etc

ECRE has continued to consolidate the organisational structure established in 2017. Covering the elements listed. The meetings of the senior managers were re-started in 2019. ECRE was able to apply a cost of living increase to salaries at the start of 2019 (and 2020) after ending the years with a positive asset position.

3. **ECRE Secretariat will prepare an "internal statute" (byelaws) collating all decisions made by its membership at the AGC. The ECRE formal statutes will be reviewed periodically to ensure continued relevance.**

ECRE has reviewed its statutes and they do not need revision currently. Some of ECRE's internal rules have been updated and revised and this still needs to be collated.

PREMISES

1. **Identify new office space and move office.**

In September 2019 ECRE moved into new offices which will allow it to save around EUR 40,000 per year in rent. Despite a number of complications, it has now closed all contractual obligations and settled accounts relating to the old office.

MEMBERSHIP

1. **Retain at least 90 members throughout the period 2017-2019, and lose no more than 2 members per year.**

ECRE ended 2019 with 105 members in 40 countries, including all 28 EU Member States. It accepted 6 new members in 2019, with one member withdrawing.

2. **Confirm that a majority of members demonstrate a high level of satisfaction with ECRE's work as per membership surveys.**

Formal and informal feedback from members, solicited and unsolicited, has been largely positive, including

that provided by members in consultations at the regional meetings and at the AGC.

3. **Strengthen working relations between the Secretariat and membership through developing and implementing ideas agreed 2017, adapted as necessary.**

This was agreed to be a priority and an annex to the Strategic Plan sets out ideas. Steps have been taken in all of these areas. A summary of progress on the ideas:

ECRE's Working Groups are active:

- CEAS Working Group (covering the EU legal framework, including Dublin) – regular updates provided to the WG.

- External Affairs Working Group (also including return and global issues) – a WG meeting, roundtables with policy-makers and regular updates provided.

- Inclusion Working Group –

- Member presentations in Brussels take place from time to time.

- Secretariat visits to members/presentations have significantly increased with staff meeting a majority of members in 2018.

- Secretariat presentations in Brussels – ECRE organised the first meeting of Brussels-based members.

- Regular communication to members – email updates from SG and other staff members take place, more meetings in person taking place.

- Use of the Annual General Conference – the AGC is functioning well in most respects.

- Regular meetings between ECRE Secretariat and ECRE Board – individual staff members participated in all Board meetings; the staff has a whole joined had lunch with the Board during the two Board meetings that took place in Brussels

- Member participation in projects – one project led by ECRE (UPRIGHTS); AIDA has become a core activity; ECRE participation in other projects some led by members.

4. **Finalise and apply new membership criteria and clarify membership categories.**

At the request of the ECRE Board, documents clarifying membership categories and criteria were prepared and agreed in 2017; they have been in use by the Board since then.

PARTNERSHIP

1. **Develop informal and formal partnerships with organisations and institutions beyond its membership. In particular, develop and implement the international partnership alternative for organisations not in Europe working on refugee protection.**

2. **Conclude at least 3 international partnerships with non-European NGOs.**

3. **To develop partnerships and other working relationships with refugee rights networks in other regions when beneficial to ECRE.**

ECRE co-organised a meeting in the Gambia bringing together European and African civil society working on migration. ECRE staff also participated in an event in Morocco with participants form across the MENA region. As a result, ECRE has strengthened its contacts with civil society across Africa. It has commissioned a set of short papers from civil society representatives from Africa which will comment on the impact of EU policy on migration in their respective countries. The papers will be presented and discussed at a meeting in Brussels with participation of the civil society representatives from Africa.

The experience with international partnerships shows that it is better to cooperate on specific activities rather than having formal international partnerships with NGOs from outside Europe.

4. **Expand work with organisations and networks focused on the rights of migrants to ensure united civil society response to defend the human rights of all migrants.**

ECRE has regular contact with the main think-tanks working on asylum and migration in Brussels, including CEPS, EPC and MPI. It also works with IMISCOE the main network of university departments and individual academics working on asylum and migration.

5. **Organise at least three events with such networks and cooperate on an ongoing basis.**

ECRE regularly participated in MPI's events. It is managing a joint project with PICUM (see advocacy section). Guidelines on collective advocacy were developed and supported by the ECRE Board. ECRE is a member of Social Platform, primarily to take forward work on inclusion.

BOARD

1. **Diversify the Board to better reflect ECRE's membership, taking into account geographic diversity, gender, ethnicity, refugee background, sexuality, and any other factor that may be relevant.**

2. **Increase the number of women on the board from 2017 (1/7) to 2019 (at least 3/7).**

At the end of 2019, the Board consists of seven members, 4 women and 3 men, with representatives with a refugee background and from the LGBT+ community.

3. **Ensure the Board plays a consistently active role in ECRE's governance as per ECRE's statutes, and effectively represents the interests of membership in its decision-making.**

The Board functioned effectively in 2019, with 4 meetings taking place. The Board Finance Committee continued to meet before full Board meetings. Regional meetings took place in three of the ECRE regions, with ECRE Secretariat participating in all. The ECRE Secretariat organised four meetings in Brussels for members based there. Three in-person meetings and two phone calls between the Chair of the Board and the Secretary General took place to ensure oversight of ECRE's work.