

ECRE Annual Report on 2022

The year 2022 was dominated by displacement from Ukraine. In this last year of ECRE's Strategic Plan, 2020-2022, ECRE tried to meet the previously agreed objectives while adding its response to the events in Ukraine. Its work continued in its three activity areas, 1) Legal Support and Litigation, 2) Advocacy and 3) Communications, with response to Ukraine displacement added into each area, as described in the report below. Developments on organisational matters are included in the final section. Annex 1 summarises results for the full three years of the Strategic Plan in the form of a logframe.

Summary

Legal Support and Litigation

In 2022, ECRE focused its legal support and litigation work on the following priorities: (a) evaluating the litigation work, adjusting litigation priorities and litigation related communication; (b) monitoring measures taken by European countries in response to the displacement in Ukraine; (c) providing litigation support to lawyers to address refugee rights violations including unlawful detention, refusals in accessing asylum procedures and reception; (d) legal support including related to the interpretation of the Temporary Protection Directive; (e) strengthening the ELENA network and supporting ELENA lawyers affected by the war in Ukraine.

ECRE published **four issues of an information sheet** on measures adopted in response to displacement from Ukraine and **a legal note** on age assessment in Europe; responded to **over 50 legal requests** by ELENA lawyers with an additional **60 requests** referred to the ELENA coordinators; intervened in **9 cases** before domestic courts and the European Court of Human Rights; followed up the **implementation of a key case**, *M.K. and others v Poland*, before the CoE Committee of Ministers; provided emergency litigation support in **7 impact cases**; organised the **Advanced ELENA Course** in Latvia and **5 online events** for lawyers and civil society from across Europe; and contributed to **9 trainings and seminars** and multiple workshops on asylum in Europe. Training activities this year reached **over 400 legal professionals** across Europe. In addition, ECRE published **36 issues** of the ELENA Weekly Legal Updates reaching over **6600 legal professionals**; organised **an annual consultation** for the ELENA coordinators and maintained an online forum for ELENA lawyers. ECRE worked on the maintenance of the EDAL database, summarising **89 cases** and identifying **65 cases** by UN Treaty Bodies to be summarised in 2023. In 2022, the number of EDAL users increased to **120,240**.

Finally, and importantly, in 2022 the ELENA network faced an unprecedented challenge as many member lawyers were affected by the war in Ukraine and continued their professional activities under considerable hardship. Legal, human and financial support was provided to them by the other ELENA and ECRE members approached.

Advocacy

In 2022, the focus of ECRE's advocacy work was to:

- *Mobilise resistance to the Instrumentalisation Regulation and efforts to codify derogations from asylum standards in EU law:* following advocacy efforts in at least nine Member States and Brussels, a group of Member States opposed the Instrumentalisation Regulation.
- *Monitor EU response to displacement from Ukraine, including the implementation of the TPD:* ECRE regularly updated advocacy recommendations on the EU's response to displacement, analysed EU initiatives with a focus on EU funding support to Member States and organized a on the issue.
- *Ensure that Afghanistan remains on the agenda:* ECRE brought together policy makers and civil society, with priority given to Afghans, in six policy roundtables organised in Brussels

and capitals and was invited to meetings with Commissioner Johansson, the EUAA expert platform for at risk Afghans, the EP and the Council of Europe's Parliamentary Assembly.

- *Provide comprehensive and up to date information on asylum in Europe via the Asylum Information Database (AIDA):* The 23 AIDA reports were widely cited in +1,290 national court cases (based on the countries where information is publically available), at least 160 policy/academic reports, and 82 external media articles throughout the year and the AIDA website registered over 840,000 views.
- *Support and involve refugee advocates in EU advocacy:* ECRE developed two resources which support the EU advocacy of refugee advocates and refugee led organisations; it organised a workshop on this issue at the Annual General Conference and included refugee advocates in all advocacy events it organised; the EU advocacy training seminar was heavily oversubscribed and the feedback was overwhelmingly positive.
- *Ensure continuous involvement of member organisations in ECRE's work:* 14 meetings of ECRE working groups, 3 meetings of Brussels-based members and 1 in person meeting to discuss ECRE's advocacy strategy (2023-2025) were organised. ECRE members provided input to all ECRE publications, over 70 emails with policy and advocacy updates were sent to the working groups, in addition to 11 advocacy briefings.

Communications

ECRE Communication Strategy 2023-2025: As objectives and targets under the previous strategy were met ahead of time by the end of 2021, ECRE's new Communication Strategy for 2023 – 25 was implemented already from 1 January 2022. The new expanded strategy introduced three objectives and five guiding principles for ECREs communication work across its outlets and platforms which ECRE benchmarks against on a quarterly basis in a new evaluation format including a detailed narrative and statistical report.

With +90,000 followers on social media, an accumulated reach of 600,000 and tens of thousands of engagements a month, as well as two weekly newsletters with 20,000 subscribers combined and 150-200 media requests by leading national, European and international media every year, ECRE has reached a substantial and increasing outreach.

As part of the new strategy ECRE introduced two separate clusters designed to reach and engage both traditional and new target audiences. The increase of reach and engagement continues on established platforms and outlets as well as new ones introduced under the new strategy:

News Cluster - What's Breaking:

- **Press Review:** Increase of subscribers to 4,200 (1/1/17 baseline: 390) opening rate 40%
- **Weekly Bulletin:** Increase of subscribers to 14,200 (1/1/17 baseline: 11,500) opening rate 34%
- **Twitter:** Increase of followers to 33,400 (1/1/2017 baseline: 12,400)
- **Linkedin (shared across clusters):** Increase of followers to 24,600 (1/1/2017 baseline: very modest not run by communication team at that time)
- **Press:** Increase of media request to 150-200 annually (1/1/2017 baseline: very limited number of requests, not registered at that time)

The Campaign Cluster – Running and Joint Initiatives:

- **Campaign landing sites/content:** 60 organisations joined the 2021-22 campaign on the European Pact on Migration and Asylum that had an accumulated reach of 1 million – a successful proposal has ensured substantial EP funding for the next joint campaign on the EP election in 2024 with a target of an accumulated reach of 1,3 million
- **Facebook:** Increase of subscribers to 29,000 (1/1/2017 baseline: 19,800)
- **Instagram:** Increase of followers to 800 (launched in early 2022)

Activity 1: Legal Support and Litigation.

1. *To achieve legal changes advancing the rights of refugees and those in need of or benefiting from international protection in Europe through proactive, coordinated and needs-based litigation at a regional and international level.*
2. *To strengthen and support the relevant work of asylum lawyers across Europe.*

Legal Support and Litigation.

In 2022 ECRE's work **focused on supporting ELENA and ECRE member lawyers**, who were at the forefront providing legal counselling and mounting legal challenges, particularly linked to the situation at the borders and displacement from Ukraine.

The ELENA network coordinated by ECRE facilitated over **60** legal queries including related to temporary protection regimes, the Dublin transfers, family reunification, detention, access to asylum and unlawful expulsion practices. ECRE efficiently facilitated contacts between lawyers in such cases and provided them with relevant legal arguments. Separately, ECRE responded to **over 50 legal and litigation requests** from the ELENA members. These included arguments related to reception conditions, strategies concerning non-admission to the territory, temporary protection and access to economic and social rights.

ECRE engaged in discussions with legal partners from across Europe on the best legal strategies to employ when challenging violence and lack of access to protection at the borders, unlawful detention, limitations related to subsequent applications, summary returns and reception conditions for persons with special reception needs. On top of argumentation and strategy-related advice, ECRE provided lawyers from Lithuania, Hungary, Greece and Malta, with emergency litigation support covering their legal and judicial and travel fees in order to enable legal challenges before the European Court of Human Rights and domestic courts. These challenges related to detention of asylum applicants, SAR and disembarkation, access to international protection at the border following the emergency legislation, family reunification and limitations on subsequent applications. Legal support provided by the LSL was also related to procedural issues relating to procedures before supranational courts and UN Treaty Bodies.

Beyond supporting the ELENA and ECRE member lawyers, ECRE's work actively pursued interventions before EctHR, domestic courts and UN mechanisms. We submitted **3 interventions** before the ECtHR together with the Litigation Task Force (LTF) partners. These included:

- **A.D. v Malta** concerning an Ivorian national who was detained in Malta on public health grounds in dismal conditions and without effective remedies available to him.
- **Hasani v Sweden** relating breaches of the right to life by Swedish authorities. The case was brought by the younger of two brothers who fled together to Sweden in 2015 following the death of their parents. During the asylum process, the older brother killed himself so that his sight-impaired younger brother would not be returned to Afghanistan.
- **R.A. and others v Poland** concerning 32 Afghan nationals who have been confined in a makeshift camp on the border between Belarus and Poland. They were forcibly removed to Belarus by Polish border guards and since then have been stranded, in dire sanitary and humanitarian conditions, between the Belarusian border guards, on the one hand, and the Polish police, on the other

ECRE also prepared a submission to the Committee of Ministers of Council of Europe regarding the implementation of an impact judgment in the case of *M.K. and others v Poland*. In addition, ECRE assessed the impact of previous interventions including in the case of *Totopa v Spain* concerning age assessment and reception of a child by Spanish authorities.

Finally, ECRE prepared the following publications:

- Four issues of an [Information Sheet](#): Measures in Response to the Arrival of Displaced People Fleeing the War in Ukraine;
- [Legal Note](#) on Age Assessment in Europe.

In addition, ECRE prepared an internal legal note relating cases of people fleeing military service in Russia (in Russian and English) and are finalising a legal note on suitable accommodation under the Temporary Protection Directive.

The development of the ELENA network.

ECRE continued running and improving the ELENA forum, an on-line tool for legal practitioners where they can exchange information and seek litigation advice. **232** legal practitioners, academics and UNHCR staff from across **41 European countries** had access to legal support through the ELENA Forum with a total of **2013 posts** regarding **498** topics answered. The Forum have benefitted from generous support by UNHCR.

The ELENA network sees positive dynamics in national coordination, with **new coordinators in Austria, Lithuania, France** (focal point on legal requests), **Poland, the Netherlands, Ukraine**. As mentioned above national coordinators responded to over 60 legal requests, in addition to it, 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.

The network held its first hybrid coordinators meeting, organised by ECRE and attended by **26 people**. The meeting included discussions on litigation against unlawful detention practices, unsatisfactory reception, temporary protection, challenges relating to the UK's 'Rwanda deal', an update on the important CJEU jurisprudence as well as a consultation on the ELENA needs, priorities and activities in 2023. ECRE also contributed to the development of the network in Iceland.

Finally, through the ELENA Weekly Legal Update, the LSLT regularly provided information on legal developments across Europe. **36 issues** were published in 2021 and the EWLU readership reached an audience of almost **6,664** subscribers, **10%** increase comparing to 2021.

Legal training

ECRE continued training activities and organised the following events:

- **2 online trainings for** asylum professionals from Greece, Italy and Malta were trained in a legal framework concerning search and rescue at sea;
- An [Advanced ELENA course](#) in Riga, Latvia, for **70** legal practitioners from across Europe. It included sessions on the ECtHR and CJEU jurisprudence, the role and risks related to artificial intelligence (AI); as well as the activation of the Temporary Protection Directive and other temporary protection statuses. The course was highly appreciated by the participants.
- ECRE organised 3 online training for ELENA lawyers concerning legal issues requested by the ELENA coordinators including: interpretation of the Temporary Protection Directive, immigration and asylum legal framework in Ukraine, military service and refugee protection, efficient case management during emergencies;
- ECRE also trained over **200** legal practitioners from across Europe including Sweden, Finland and Spain through events organised in collaboration with our legal partners. In addition we attended multiple events relating to rule of law, asylum, legal aid and litigation.

EDAL database

ECRE maintained the European Database of Asylum Law (EDAL), an online database containing +1,500 case law summaries from 22 European states and from the European Court of Human Rights and EU Court of Justice. EDAL is currently undergoing a transition period focusing on the development of a new website and the identification of new content.

- **120,240** users benefitted from EDAL in 2022 with the page views counting at **237,342**.
- **89** summaries were completed and **65 cases** by the UN Treaty Bodies were identified out of 175 reviewed to be added in 2023 when EDAL will expand;
- **14** volunteers were trained from the following clinics: Cologne Law Clinic: 6 students, Gent Law Clinic: 4 students, Queen Mary law clinic: 4 students. In this context, the Gent Law Clinic identified Afghanistan-related case law regarding the period following the Taliban takeover, as well as family reunification case law;
- The EDAL Twitter account gained **106** new followers;
- In 2022, content from the EDAL website was referenced in **25 publications**, which included civil society reports, research papers, academic articles in international journals and dissertations.
- A series of meetings have been held throughout 2022 to discuss, develop and follow up on actions for the website's transition to a new platform (Wordpress). The website's main platform has been developed; in 2022, the content transition from the old website to the new website was finalised; the development of the search engine and the testing of other elements of the website is ongoing and is expected to finalise in 2023.

Activity 2: Advocacy

Overall objective 1: To influence EU policy and practice on protection of asylum seekers, refugees and displaced people through development of targeted recommendations and tailored advocacy

1. A functioning asylum system in Europe

ECRE continued its advocacy for compliance rather than reform of the Common European Asylum System (CEAS), with the exception of the Dublin Regulation, where reform is essential. In this spirit, ECRE engaged with the co-legislators on the Pact files, regularly advising political groups in the European Parliament on their positions related to the legislative proposals on Crisis, Asylum Procedures and Asylum and Migration Management. Following the very active French Presidency of the Council of the EU, ECRE analysed the state of play on EU asylum reform and the potential deals on the table in a [policy paper](#).

ECRE prepared detailed [Comments](#) and a [Policy Note](#) on the Commission's proposal for a Regulation addressing situations of instrumentalisation in the field of migration and asylum ("Instrumentalisation Regulation") which provides for the expanded use of derogations from asylum standards. Throughout the year, ECRE, in cooperation with its members, conducted targeted advocacy to ensure that Member States do not agree a position on the Instrumentalisation Regulation. In September, a [joint civil society statement](#) was published which has been translated into eleven languages and formed the basis of joint advocacy efforts in at least nine Member States (Spain, France, Germany, The Netherlands, Portugal, Belgium, Czech Republic, Austria, Sweden) as well as engagement with Permanent Representations and Members of the European Parliament (MEPs) in Brussels. The mobilisation was successful and a group of Member States blocked agreement on the Instrumentalisation Regulation in December 2022 due to concerns related to the fundamental rights impact and proportionality of the measure.

ECRE continues to provide comprehensive and up-to-date information on asylum in Europe in the [Asylum Information Database](#) (AIDA), which it manages. The 23 AIDA [country reports](#) have been widely cited in reports and publications including by the EUAA, EP, Council of Europe, UNHCR, academic researchers and think tanks. In 2022, the AIDA website registered a total of 842,877 views, while AIDA outputs increased their outreach, being cited in +1,290 national court cases (only counting the cases in countries which publish decisions), +160 policy/academic reports and 82 external media articles throughout the year. AIDA reports are used to provide information to the EU Asylum Agency, with 18 of 23 cited by the Agency in its 2022 Asylum Report. The reports also informed stakeholders about the situation of Afghans and Ukrainians in Europe.

ECRE published a [briefing](#) in July 2022 providing an overview of key trends in asylum and illustrating that significant gaps in national asylum systems continue to be reported. In September 2022, ECRE highlighted the flaws in the current Dublin system with a [statistical update](#) focusing on developments in legislation, policy and practice relating to the application of the Dublin III Regulation in 2021. In November 2022, ECRE organised a fact-finding mission to Poland, a report on the visit will be published in the first quarter of 2023.

Following the outbreak of the war in Ukraine in February 2022 and the activation of the Temporary Protection Directive, ECRE has been following the EU and national developments and monitoring the implementation of the TPD across Europe, identifying gaps and good practices in cooperation with its members who provided and followed Ukraine-related updates in eight of the working group meetings in 2022. ECRE regularly [updated recommendations](#) to the EU's response to displacement from Ukraine and published a [Policy Note](#) on pendular movement to and from Ukraine under the TPD. To support ECRE's focus on extracting and applying the positive decisions in response to displacement from Ukraine to CEAS more broadly, ECRE organised, in cooperation with UNHCR, a roundtable meeting to discuss this issue with representatives of the European Commission, Member States and the European Parliament in September 2022.

2. European external policies advance rights of displaced people and reduce forced displacement

In January 2022, ECRE and DRC co-organised a briefing for MEPs at the request of several political groups ahead of a hearing with the Danish Minister for Immigration and Integration which focused on Danish externalisation plans. As a result of the briefing, MEPs from four different political groups asked critical questions to the Minister.

ECRE's work on EU relations with countries in Africa continued in partnership with African civil society. In 2022, ECRE commissioned and published a [working paper](#) on the impact of EU visa policy and plans for Frontex' expansion on Senegal and West Africa which created opportunities for the civil society partner to discuss this issue with leading think tanks and media outlets.

ECRE expanded and deepened its work in response to the dramatic events of 2021 in Afghanistan; it contributed to ensuring that EU attention and resources for Afghanistan continued, at a time when there was a risk that the focus shifted entirely towards the displacement from Ukraine. In 2022, ECRE has brought together policy makers and civil society, with priority given to Afghans, in six policy roundtables organised in Brussels and capitals attended by high-level speakers. ECRE has published a range of publications with its analysis and recommendations, many of which have been taken up policy-makers. This includes a [joint civil society statement](#) co-signed by 60+ NGOs, including many Afghan diaspora organisations in order to facilitate a collective approach; and three Working Papers (two commissioned from Afghan researchers) on issues concerning Afghans in need of protection. ECRE was invited to contribute to meetings with Commissioner Johansson, the EUAA expert platform for at risk Afghans, the LIBE Committee in European Parliament and the Council of Europe's Parliamentary Assembly.

Together with a group of other NGOs, ECRE published a joint statement ahead of the EU's resettlement forum in July 2022. ECRE also provided input and coordinated joint private letters with members in key Member States targeted by resettlement advocacy which was followed by bilateral meetings with Permanent Representatives in Brussels.

In an attempt to understand how EU funding from internal home affairs funds is used outside the EU, ECRE and UNHCR commissioned a published a [fourth Follow the Money Report](#) on this issue which was discussed in a roundtable meeting in November. The European Parliament's LIBE Committee commissioned ECRE to conduct [a study on EU funding on asylum and migration spend in third countries](#) which was published in December 2022.

3. Countering the disproportionate focus on return and deportation

The progress on the negotiation of the recast Return Directive has been slow. ECRE followed closely and prepared briefs to stakeholders where needed. ECRE also analysed and commented on other legislative proposals that sought to include derogations from the Return Directive and/or reduce safeguards in return procedures. ECRE researched the current implementation of monitoring return procedures and published a [policy note](#) with recommendations for Member States and policy makers to bridge the gaps and improve fundamental rights observance. Finally, ECRE followed other developments on return, such as the new role of Return Coordinator, the EU Strategy on voluntary returns and reintegration, and relations with third countries on return.

4. Preventing measures to restrict asylum, use of non-entrée policies and human rights violations at EU borders

ECRE closely followed the negotiations of the Screening Regulation throughout 2022 and the EP Rapporteur's draft report and the latest compromise amendments in 2022 retained many of ECRE's recommendations. To support progressive groups in the European Parliament, ECRE commissioned a [Commentary](#) on the implications of including the "fiction of non-entry" in EU law.

In 2022, ECRE published detailed [Comments](#) and [Policy Notes](#) on the proposed amendments of the Schengen Borders Code (SBC) which were launched in December 2021 alongside the Instrumentalisation Regulation. It discussed its analysis with Member States and co-organised with other NGOs a webinar on the proposal and the European Parliament's position in September.

5. Inclusion through rights, respect and regularization

As part of its joint, renewed project with PICUM, ECRE continued its work on increasing the amount of EU funding available in practice to support inclusion of refugees and migrants in the EU, as well as the inclusiveness and effectiveness of the funding provided. ECRE published a [policy note](#) on the European Union financial response to support displaced people from Ukraine inside the EU. The report was accompanied by a factsheet available in three languages ([English](#), [French](#), [Spanish](#)). ECRE's recommendations were presented at a public hearing at the European Parliament co-organised by the two committees.

ECRE continued to be part of projects supporting the empowerment of refugee advocates and refugee-led organisations in national and EU-level advocacy. ECRE contributed to producing [Training Kit for Empowering Refugee-Led Community Organisations](#) and organised a workshop to collect inputs and comments from stakeholders, including Brussels-based NGOs, refugee-led organisations (RLOs), and refugee advocates. Under the AMIF-funded project called "Thinking of integration process as a two-way inclusion", ECRE developed the *Shadow Reports Toolkit* based on its own experience in producing reports and comprehensive desk research. It was developed in consultation with relevant stakeholders, including the project's national partners, and aims to provide a practical tool for migrant and refugee advocates to present findings on the policy and implementation gaps affecting the inclusion of newcomers and support their advocacy with policymakers at EU, national and local levels. It will be published in 2023.

ECRE organised [a workshop](#) for the exchange of ideas among stakeholders, including refugee advocates, on challenges on the inclusion of RLOs, especially in EU-level advocacy, and to strengthen the meaningful participation of refugees during the AGC in June 2022.

Overall objective 2: To strengthen ECRE's advocacy team and support influential and effective advocacy

ECRE has increased its exchanges with ECRE members in the reporting period. In total, 14 meetings of ECRE working groups (CEAS, external affairs and inclusion), 3 meetings of Brussels based members and 1 in person meeting to discuss ECRE's advocacy strategy (2023-2025) were organised. Participation of members in all of the meeting formats remain high and stable, the working groups also include updates from ECRE member organisations. Measures to ensure interactive exchange have been introduced.

Members shaped ECRE's analysis and policy positions by commenting on all draft Comments papers, Policy Papers and Policy Notes. Throughout the year, over 70 emails with policy and advocacy updates were sent to the working groups in addition to 11 Advocacy Briefings.

ECRE continues to have good access to policy-makers and has introduced mechanisms to support the monitoring of its advocacy activities. Over 130 advocacy meetings with policy-makers from EU institutions and Member States took place; in addition, ECRE advocacy staff received over 35 requests to speak at conferences, policy meetings, workshops and trainings.

In addition to close cooperation with Afghan diaspora members and organisations, ECRE provided mini-grants and established closer partnership with Afghan-led organisations in Sweden, Germany, France, Austria, Greece and Denmark. It continued its cooperation with and support refugee advocates and refugee-led organisations through five email updates, facilitated and covered refugee advocates' participation in ECRE's events and conferences, such as in ECRE's Annual General Conference.

In October 2022, ECRE organised a two-day training seminar on EU advocacy in cooperation with UNHCR. It brought together 33 refugee advocates from 22 different European countries. The evaluation of the training seminar was overwhelmingly positive. ECRE received 445 applications to participate in the training from people with a refugee background, and also people working for refugee rights. A similar training will be organised again in 2023.

Activity 3: Communications

ECRE Communication Strategy 2023-2025:

As objectives and targets under the previous strategy were met ahead of time by the end of 2021 ECRE's new Communication Strategy for 2023 – 25 was implemented already from 1 January 2022. The new expanded strategy introduced three objectives and five guiding principles for ECREs communication work across our outlets and platforms, including:

OBJECTIVE 1: *Implement joint strategic workshops, campaign development, trainings and visits with relevant ECRE members and RLOs/RAs and the funding needed to do so.*

OBJECTIVE 2: *Ensure that ECRE continues to be a key reference for its current audience and increases its outreach in new target audiences defined as 'Future Experts' and 'Potential Counter Voices'.*

OBJECTIVE 3: *Ensure that the content flow across ECREs portfolio of platforms and outlets reflects the aim of providing breaking news and inspiring campaign material.*

GUIDING PRINCIPLE 1: *While ECRE adapts its communication according to key external developments the organisation should not lose track of the fundamental and lasting challenges.*

GUIDING PRINCIPLE 2: *ECRE should be an authoritative source of legal and policy analysis and at the same time an efficient messenger towards segments of the public.*

GUIDING PRINCIPLE 3: *ECRE should base its strategic communication on a clear analysis of potential and challenges in the changing discourse on asylum and displacement.*

GUIDING PRINCIPLE 4: *Ensure that ECRE key-messages are defining the communication across platforms and outlets under its portfolio.*

GUIDING PRINCIPLE 5: *Ensure that ECREs tone of voice and vocabulary reflects the criteria of being balanced, based on realities, respectful of the people we aim to protect and relevant to an external audience!*

Evaluation Reports:

To ensure that there is correlation between the strategy and output we benchmark against these guiding principles and objectives on a quarterly basis in a new evaluation format including a detailed narrative and statistical report.

Outreach and Engagement:

With +90,000 followers on social media, an accumulated reach of 600,000 and tens of thousands of engagements a month, as well as two weekly newsletters with 20,000 subscribers combined and 150-200 media requests by leading national, European and international media every year, ECRE has reached a substantial and increasing outreach.

Accordingly, ECRE is positioned as a key-reference in the debate over EU and member state asylum policies within, along and beyond the borders of Europe. Our social media accounts are followed and content is shared, commented and liked by legal and human rights experts, institutions and agencies as well as activist networks, refugee advocates and NGOs at member state, EU and international level.

As part of the new strategy ECRE has introduced two separate clusters designed to reach and engage our traditional and new target audiences defined as:

- **The Established Experts – the Defenders of Legality**
- **The Future Experts – the Inheritors of the Human Rights Legacy**

- **The Established Counter Voices – the Doers of Solidarity**
- **The Potential Counter Voices – the Drivers of Social Change**

The increase of outreach and engagement continues on established platforms and outlets as well as new ones introduced under the new strategy:

News Cluster - What's Breaking:

- **Website including newsfeed:** the average of visitors to the main ECRE website is +20,000 a month (1/1/2017 baseline: not registered at that time)
- **Press Review:** increase of subscribers to 4,200 (1/1/2017 baseline: 390) opening rate 40%
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The Campaign Cluster – Running and Joint Initiatives:

- **Campaign landing sites/content:** 60 organisations joined the 2021-22 campaign on the European Pact on Migration and Asylum that had an accumulated reach of 1 million – successful proposal has ensured substantial EP funding for next joint campaign on the EP election in 2024 with a target of an accumulated reach of 1,3 million
- **Facebook:** Increase of subscribers to 29,000 (1/1/2017 baseline: 19,800)
- **Instagram:** Increase of followers to 800 (launched in early 2022)

Team Structure:

ECRE has recruited a Communication Officer to replace the changing six-month interns ensuring that the Communication Team has two full time staff members able to sustain and further develop the strategic communication work across the full portfolio of platforms and outlets.

Organisational coordination:

Weekly editorial meetings with representatives of all teams as well as planned and ad hoc joint coordination and mutual advice ensures that the Communication Team and its work is anchored in and contributing to the broader organisational strategy.

Membership cooperation:

The ECRE Media Officers Network (EMON) has been revitalised with regular mails and two joint online meetings in 2022 and the successful application for the EP campaign grant will ensure an increase of joint work and events over the next year and a half.

Organisational Development

Organisational support aims at ensuring that ECRE is able to function effectively across the three substantive areas of its work, and that it meets the appropriate and legally stipulated standards of governance and accountability. The underlying objective is to ensure that ECRE:

1. performs effectively, meeting objectives in each of the three areas of its activity
2. is efficient and provides value for money, including compared to other organisations
3. applies its strategic priorities in all areas of its work.

ECRE has made some progress towards its strategic priorities (which will continue into its new Strategic Plan, 2023-2025):

Strategic Priority 1 To promote visions of an inclusive Europe where people seeking protection are welcome and their rights protected, including proposing legal and policy alternatives.

ECRE presented alternative policies, legal frameworks and practices in all its publications and presentations, rather than simply criticising the situation or proposals.

Strategic Priority 2 To mobilise ECRE as an alliance to advocate collectively for change.

Despite shifting work online during the COVID period, ECRE continued to expand member involvement in its work. In 2022, it organised 14 meetings of ECRE Working Groups to get input from members and discuss joint advocacy work; two joint statements that members and other NGOs signed up to; four board meetings and the ECRE General Assembly took place to get member input and decisions; members were frequently contacted for communications purposes. The ELENA network, which includes members as well as independent asylum lawyers, had training events and coordination meeting on line and in-person.

Strategic Priority 3 To empower refugees, channel their views into the policy and practice that affects them, and promote their inclusion in ECRE's work and across the sector.

The results are mixed:

There are areas where more progress is needed:

- ECRE's board includes one person with a refugee background.
- Within ECRE's membership, there are 12 refugee-led organisations.

Progress has been better in other areas:

- ECRE has included people with a refugee background as experts in all its events.
- ECRE provides annual EU advocacy training, ongoing advocacy support and small grants to refugee-led organisations. In 2022, it received 445 applications for the 30 places at the advocacy training.
- ECRE has maintained the level of at least 25% of its staff being people with a refugee background or from situation of displacement. Currently, 46% of staff have a refugee background or are from forced displacement situations.

The specific organisational objectives in the Strategic Plan 2020-2022 were met to varying degrees as described below.

Strategic Partnerships

1. **Renew UNHCR Strategic Partnership every year for 2020 – 2022.**

ECRE worked with UNHCR under the Strategic Partnership in 2022, with two in-person events, a policy roundtable and a training on EU advocacy, and two online legal trainings taking place. The continuation of the Partnership for 2023 was confirmed and a contract signed at the end of 2022.

2. Develop strategic partnerships with other agencies and institutions, including EASO and FRA.

ECRE continues to manage the four-year Framework Contract signed with EUAA, covering review of EUAA products, including training modules and analysis. The EUAA has discussed a renewal in 2024. ECRE maintained contact with FRA and with the Fundamental Rights team at Frontex.

Finances and fundraising

1. Maintain a positive asset balance.
2. Establish a reserve fund of EUR 150,000 by 2022.

ECRE will end 2022 with over EUR 300,000 of reserves, having maintaining a positive asset position since it exited technical insolvency at the start of 2018. It had EUR 362,000 of reserves at the start of 2022. It is likely to break even or to have a small deficit for 2022.

In 2022, ECRE submitted 11 funding applications, of which 10 were successful, meaning that it starts 2023 in a strong position, with only around EUR 170,000 to find in order to break even.

In May 2022, ECRE carried out a detailed review of its financial objectives for discussion with its Finance Committee and the wider Board, as part of the Strategic Planning process. This led to the adjusted objectives as appear in the new Strategic Plan.

On the negative side, it should be noted that the cost of living crisis has had a significant impact on ECRE's finances. Under Belgian law, mandatory cost of living increases to staff salaries have to be applied by employers, regardless of any other factor. In the last year, ECRE applied 12% increases and it is likely that an additional 8% mandatory increases will be introduced in 2023.

3. Approve budgets with no more than a 20% shortfall.

The budget for 2023 was approved with a 30% shortfall in June 2022. By the end of the year, successful fundraising had reduced the shortfall to 11%.

4. Grants from four core donors.
5. Bring in revenue of at least EUR 1.6 million/year.

ECRE has secured a grant from a new core donor so will receive core funding from five core donors in 2023. In 2022, revenue of 1.58 million Euro was received.

Organisational structure

1. Maintain a clear organisational structure capable of being expressed in an organigram with teams and line management.

At the end of 2022, ECRE's staff had increased to 14.8 Full-Time Equivalent (from 12.2), with 3 assistants (paid interns under the Belgian government's "Immersion Professionnelle" scheme). The increase was due primarily to the need to respond to events in Ukraine, and ECRE's decision to apply the principle that work on that displacement crisis should be added to ongoing work.

The staff are organised into three teams, one for each of the three activities, with all staff allocated a line manager. Following a review, has made changes on the organisational support side of its staffing to ensure that it has the staffing it needs, covering finance, administration, human resources, fundraising and project support. A number of organisational support positions were cut during restructuring in 2016/2017 and ECRE has operated with two staff members working on organisational matters, alongside the Director since then. Given ECRE's size and needs, additional staff and adjusted job profiles are required. Following staff departures in early 2022, ECRE employed consultants to provide these services during 2022 while it recruited a new Administration and Finance Manager, who started in 2023. Additional recruitment will follow.

Membership

1. Retain at least 100 members losing no more than 2 members per year.
2. Confirm that a majority of members demonstrate a high level of satisfaction with ECRE's work as per membership surveys or other consultation.

ECRE ended 2022 with 110 members in 40 European countries, with 6 members joining and 1 member leaving during the year.

Partnership

1. Work in cooperation other networks working on asylum and migration issues, including PICUM and refugee-led networks.
2. Cooperate with European think-tanks working on asylum and migration with at least 4 invitations to present at think-tank events per year.
3. Cooperate with academic networks, including participation in one research project per year and invitations to at least 2 academic conference per year.

ECRE began a new phase of the project that it has worked on with PICUM on EU funding. ECRE worked with other Brussels-based networks, including EPAM. ECRE also worked with ICVA on the consultation series between UNHCR and civil society.

ECRE works with think-tanks and was invited to speak at a range of think-tank events including at CEPS, EPC, the V4 think-tank group, and the annual conference of Breughel, Europe's most influential think-tank. ECRE is involved in various academic networks and ECRE staff were collectively invited to over 10 major academic events on asylum matters.

Board

1. Maintain diversity of the Board to reflect ECRE's membership, taking into account geographic diversity, gender, ethnicity, refugee background, sexuality, and any other factor that may be relevant.
2. At least 3 Board members should be female.
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 includes members with a refugee background and representing sexual and ethnic minorities. It includes representatives of all regions of Europe; at the end of 2022 5 of 6 Board members were female.

The Board had 5 meetings in 2022 of which 3 took place in-person and 1 online. There were also 3 meetings of the Finance Committee (composed of ECRE Treasurer, a Board member, the ECRE Director and ECRE finance staff).

The Chair of the Board, Morten Kjaerum, Director of the Raoul Wallenberg Institute, ended his seven-year term on the Board, as planned. He served for two three-year terms which was the extended exceptionally to allow ECRE to manage a Board transition during the COVID emergency. The Board discussed succession and put in place a plan, in consultation with the ECRE membership, which culminated in the appointment of Sonja Tošković, Executive Director of the Belgrade Center for Human Rights (BCHR), as the new Chair of the Board at the end of the year, to take up the role from January 2023. The Board thanked Morten for his commitment to ECRE and the crucial role he played during seven years, during which ECRE was able to overcome a range of challenges.

ECRE Publications 2022

ECRE Policy Notes

- ECRE, Policy Note 40: [A Step Too Far: Introducing “Instrumentalisation” in EU Law](#), March 2022
- ECRE, Policy Note 41: [Schengen Borders Code Amendments: More Hostile Borders; Less Space for Human Rights](#), March 2022
- ECRE/PICUM Policy Note: [Displacement from Ukraine: the EU’s Financial Response](#), October 2022
- ECRE Policy Note 42: [Monitoring the Implementation of Returns: A Complex Puzzle with Missing Pieces](#), December 2022

ECRE Policy Papers

- ECRE, Policy Paper 8: [Quo Vadis EU Asylum Reform? Stuck between Gradual Approach, \(Mini\)-Package Deals and “Instrumentalisation”](#), September 2022

ECRE Legal Notes and interventions

- ECRE Legal Note 12: [Effective Remedies in National Security-Related Asylum Cases, with a Particular Focus on Access to Classified Information](#), May 2022
- ECRE intervened in following cases:
 - [R.A. v. Poland](#), Application No. 42120/21, March 2022
 - [Hasani v. Sweden](#), Application No. 35950/20, March 2022
 - [L.H.M. v. Greece](#), Application No. 30520/17, April 2022
 - AIRE Centre/ECRE, [Communication to the Committee of Ministers on M.K. and others v. Poland execution](#), Applications Nos 40503/17, 42902/17 and 43643/17, April 2022
 - A.H. v. Serbia and North Macedonia, Applications Nos 60417/16 and 79749/16, May 2022 (not publicly available yet)
 - S.S. v. Greece, Application No 30221/21, June 2022 (not publicly available yet)
 - N.S. v. Greece, Application No. 15913/20, July 2022 (not publicly available yet)
 - A.D. and A.E. v. Greece, Applications Nos 4034/21 and 15783/21, July 2022 (not publicly available yet)
 - G.R.J. and others v. Greece, Applications Nos 15067/21 and 24982/21, July 2022 (not publicly available yet)
 - A.D. v. Malta, Application No. 12427/22, October 2022 (not publicly available yet)

ECRE Comments Papers

- ECRE Comment Paper: [ECRE Comments on the Commission Proposal for a Regulation of the European Parliament and of the Council Addressing Situations of Instrumentalisation in the Field of Migration and Asylum, COM\(2021\) 890](#), January 2022
- ECRE Comment Paper: [ECRE Comments on the Commission Proposal for a Regulation Amending Regulation \(EU\) 2016/399 on a Union Code on the Rules Governing the Movement of Persons Across Borders COM\(2021\) 891](#), March 2022

ECRE Working Papers

- ECRE Working paper: [La Stratégie de Gestion des Migrations de l’Union Européenne envers les Pays Africains Analyisée depuis le Sénégal et l’Afrique de l’Ouest](#), May 2022
- ECRE Working paper: [Higher Education in Europe: A Pathway to Protection for Afghans?](#), December 2022

ECRE statements

- ECRE Statement: [EU response to displacement from and within Ukraine](#), March 2022
- Joint Statement: [Mounting global needs call for renewed European leadership on resettlement](#), June 2022
- Joint Statement: [NGOs call on Member States: Agreeing on the Instrumentalisation Regulation will be the Final Blow to a COMMON European Asylum System \(CEAS\) in Europe](#), September 2022
- Joint Statement: [One year after the country's takeover by the Taliban – How did Europe welcome Afghans in need of protection?](#), September 2022
- Joint Statement: [EU admits Croatia to Schengen Without Regard to Abuses at the Border](#), December 2022

Other publications

- ECRE Information Sheet: [Measures in response to the arrival of displaced people fleeing the war in Ukraine](#), May 2022
- ECRE Recommendations: [The EU's Response to Displacement from Ukraine](#), June 2022
- ECRE Commentary: [An Analysis of the Fiction of Non-entry as Appears in the Screening Regulation](#), September 2022
- ECRE/UNHCR, [Follow the Money IV: The Use of AMIF and ISF-BV Funds outside the EU](#), November 2022
- ECRE Information Sheet: [Measures in response to the arrival of displaced persons fleeing the war in Ukraine](#) (Update), November 2022
- ECRE Factsheet: [Asylum statistics and the need for protection in Europe](#), December 2022

AIDA Country reports

<ul style="list-style-type: none"> • Austria, April 2022 • Belgium, April 2022 • Bulgaria, February 2022 • Cyprus, April 2022 • Germany, April 2022 • Spain, April 2022 • France, April 2022 • Greece, May 2022 • Croatia, April 2022 • Hungary, April 2022 • Ireland, April 2022 	<ul style="list-style-type: none"> • Italy, May 2022 • Malta, May 2022 • Netherlands, April 2022 • Poland, May 2022 • Portugal, May 2022 • Romania, May 2022 • Sweden, May 2022 • Slovenia, May 2022 • United Kingdom, March 2022 • Switzerland, April 2022 • Serbia, May 2022 • Turkiye, July 2022
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AIDA reports

- AIDA Comparative Report: [Digitalisation of asylum procedures: risks and benefits](#), January 2022
- AIDA Overview: [Asylum in Europe: the Situation of Applicants for International Protection in 2021](#), July 2022
- AIDA Statistical Update: [The implementation of the Dublin III Regulation in 2021](#), September 2022