

ECRE Annual General Conference 2025

Thursday 5 June 2025

Hotel Gromada, plac Powstańców Warszawy 2, 00-030 Warsaw, Poland

Workshop Number: 1

Room: Malwa + Konwalia

Time: 11.00 – 13.00

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| Title | Litigation relating to pushback cases and legal responses to “instrumentalisation” approaches |
| Organiser | Association for Legal Intervention (Stowarzyszenie Interwencji Prawnej) (SIP) |
| Objectives | <ol style="list-style-type: none"> 1. Share experiences and lessons learned from litigation challenging pushbacks and "instrumentalisation" narratives along key migration routes to the EU 2. Identify strategies that have been most effective in litigation before the European Court of Human Rights (ECtHR), the Court of Justice of the EU (CJEU) and national courts 3. Discuss the risks involved in such litigation and ways to mitigate them 4. Examine how litigation impacts the situation on the ground and how to strengthen the implementation of judgments |
| Facilitator | <ul style="list-style-type: none"> • Maciej Grześkowiak – Chief Coordinator, Office of the Commissioner for Human Rights |
| Speakers | <ul style="list-style-type: none"> • Anikó Bakonyi – Director (Refugee Programme), Hungarian Helsinki Committee • Iryna Hnasevych - Senior Legal Officer, European Council on Refugees and Exiles • Małgorzata Jaźwińska – Attorney and Member of the Board, Association for Legal Intervention (SIP) • Alexandros Konstantinou – Attorney, Greek Council for Refugees |
| Format | Panel discussion with structured interventions by speakers, followed by an interactive Q&A with the audience. |

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| Description | <p>Across Europe – from the Poland-Belarus border to the Aegean Sea – pushbacks have led to grave human rights violations. In some instances, these abuses are tied to the “instrumentalisation” of migrants, with states cynically using people as political leverage. Such practices are now being challenged through strategic litigation, as courts at both national and European levels (from domestic tribunals to the ECtHR and the CJEU) are called upon to uphold fundamental rights.</p> <p>This workshop will draw on frontline litigation experiences from Poland, Greece and Hungary to show how legal action can curb pushbacks. Speakers will give a grounded overview of their contexts – from the Belarus-EU border crisis and Aegean Sea pushbacks to efforts to hold the EU Border and Coast Guard Agency (Frontex) accountable. They will outline key cases and highlight factors that enabled progress, while candidly discussing risks and strategies to overcome them. The discussion will also examine how to ensure that court victories translate into real change on the ground.</p> <p>The workshop will highlight strategic litigation as a tool to combat systemic border abuses. It offers lessons for broader advocacy and underscores the value of cross-border collaboration in defending fundamental rights.</p> <p>The workshop is designed to be accessible to a broad audience. As such, presentations will be concise in order to allow space for audience engagement.</p> |
| Contact | <p>For more information about this workshop, please contact Małgorzata Jaźwińska.</p> |