Strategic Plan 2017-2019

ecre
European Council
on Refugees and Exiles

1. Introduction

This Strategic Plan sets out ECRE's objectives for the period 2017 to 2019. It includes strategic priorities, activity objectives for different areas of ECRE's work, and organisational objectives. More detailed plans and targets are available and included as annexes where relevant.

Process: The Strategic Plan 2017 to 2019 was developed with input from ECRE staff members, Board members, ECRE members and donors. It builds on the ECRE Way Forward process completed in 2016 which sets out ECRE's vision in different areas of policy.

Audience: The plan is intended for internal and external audiences alike and shows at a glance the strategic priorities and objectives that ECRE seeks to meet for the period 2017 to 2019.

Approach: Above all, the plan is intended to be functional, with objectives that the ECRE Secretariat can use to report to Board, membership and donors as part of ensuring accountability.

2. Context

The context in which ECRE operates has changed dramatically since the preparation of the Strategic Plan 2014 to 2016. Generally, there has been a deterioration in prospects for refugee protection within Europe, with ECRE – the Secretariat and members – working in increasingly hostile environments. Despite these largely negative developments which constitute challenges for ECRE, there are also opportunities arising from the new context and in most European countries a majority of the population remains supportive of refugee protection. There has also been a flourishing of new movements – and refugees themselves are increasingly active – and the involvement of organisations in other sectors, as well as professionals, local and municipal governments and others stepping up to support refugees.

In 2015/2016, a crisis in European policy-making and practice on refugee rights and asylum unrolled. Although the situation was called "the refugee crisis", it is more properly termed a crisis of refugee policy or a crisis of EU policy-making. The crisis could have been avoided through granting safe and legal passage to refugees, including through resettlement directly from the MENA region. In addition, the numbers of refugees and displaced persons arriving in Europe was and remains small compared to other regions. Ultimately, Europe also has the resources and the capacity to respond by accepting and integrating refugees, especially as demographic trends in all EU countries indicate that they would benefit from migration. However, politics in Europe has been increasingly driven by nationalism, extremism, hostility to refugees, and – frequently – sheer panic on the part of political leaders.

At first the EU institutions struggled to negotiate collective responses within EU frameworks. Instead, decision-making was increasingly "re-nationalised", taking place in unilateral, bilateral and "mini-lateral" ("coalition of the willing") formats, meaning that it was often driven by narrowly conceived national interest considerations. Now, there is an emerging strategy but it is based on limiting access to protection in Europe, through measures at three levels:

- Internal policies: use of admissibility requirements and other restrictive measures to prevent claims being lodged in Europe or otherwise deflecting responsibilities.
- Borders: "hardening" of borders and use of non-entrée policies at maritime and land borders to prevent physical access to Europe.
- Exernal policies: outsourcing protection responsibilities to third countries through the use of migration agreements of dubious legal status.

As well as the overall context described above, there are categories of changes which have a particular bearing on ECRE's work.

General changes within Europe

- The increase in numbers of people seeking protection within a dysfunctional system is leading to increased suffering within Europe, as evidenced by the humanitarian crises within Europe itself. The speed and manner of arrivals also contributed both to suffering and to a sense of panic in Europe.
- Some changes to the public debate are not positive: it seems less based on facts and less rational; a number of myths about refugees and migrants prevail.
- In some European countries, space for civil society is closing, with legal and political measures that restrict civil society activity.
- At the same time, there are new actors in Europe on the civil society side, including the humanitarian sector (meaning new allies and competitors, and new approaches).
- The European public is deeply divided on this issue. There have also been positive responses from large sections of the public who can also be mobilised.
- The role of the media and mediatisation of the situation contributes to panic and xenophobia.

- There is a continued interlinking of security issues and migration, and a use of limited and "hard" security concepts rather than human security, when responding to migration.

- The increase and/or persistence of inequality and poverty in Europe, including within and between countries, makes a context ripe for manipulation by extremists. Related, austerity measures reduce budgets for civil society and for legal assistance.

- There was an erosion of commitment to the EU as a whole, with the rise of anti-EU forces (within it, diminishing commitment to the CEAS and making it work). Nonetheless, there are signs that the tide is turning and a reinvigoration of the EU might take place, as well as a reduction in the appeal of nationalist extremism.

EU institutional changes

At the institutional level, changes include:

- A shift in power from EU ("Community") level to national level, combined with a changing role for the European Commission, which is both weaker, less willing to stand up to the Member States, and partly as a consequence, less willing to defend rights.

- Civil society has noted a reduction in access to the EU institutions.

- A new and wider set of policy-makers is involved in decision-making on asylum issues, including heads of government, and their advisors, and the security sector.

- There is a trend towards the use of rights language to justify restrictive measures.

- The EU is engaged in a strategy of externalisation: when it became difficult to reach intra-EU agreements, there was a shift towards outsourcing to other regions.

- The EU has been operating in a crisis or panic mode, with decision-making speed up, unpredictable and, at times, irrational, and scrutiny being rendered difficult.

- The Brexit decision undermines the EU and will also absorb considerable resources. It leads the EU into uncharted territory.

ECRE has also faced its own challenges in recent years, including network and organisational issues. Tackling them is reflected in its organisational objectives, below.

Conclusions

Overall, the changes to the context show that there is a greatly increased need for ECRE's work. ECRE believes that there are no quick fixes: Europe is faced with a complex set of inter-connected political challenges. ECRE is committed to continue to develop rights-based alternatives. ECRE's objectives reflect how it will respond to the context described above.

ECRE argues for an alternative vision based on:

1. Fundamental reform of asylum law and practice in Europe to remove dysfunctionalities and to create a system based on an internal EU agreement on responsibility sharing

2. Safe and legal channels to access protection in Europe

3. Global solutions to forced displacement with Europe doing its fair share

4. Inclusion of refugees in European societies.

ECRE's ideas are set out in detail in the policy papers resulting from its vision exercise and published in early 2017. Drawing on these papers, it will aim to achieve the priorities and objectives set out below. ECRE's mission remains relevant and the priorities and objectives for 2017 to 2019 are designed to enable ECRE to fulfil its mission in the current political context.

3. Objectives

3.1. Strategic Priorities

Given the context described above, ECRE's overall priorities for the next three years are:

- To promote the vision of an inclusive Europe where people seeking protection are welcome and their rights protected, including by proposing legal and policy alternatives.
- To mobilise ECRE as an alliance to advocate collectively for change.
- 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 refugee rights sector.

3.2. Activity objectives

ECRE's work covers four main activities each of which has its own objectives against which results will be measured.

- Activity 1: Legal Support and Litigation
- Activity 2: Legal and Policy Research
- Activity 3: Advocacy
- Activity 4: Communications

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.

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.

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

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.

Specific objectives: EDAL

1. To expand EDAL to have the same jurisdictional coverage as the AIDA database and other instruments.

2. To increase case law analysis and capacity of EDAL in the provision of legal support.

3. To continually improve the EDAL user interface.

Notes:

ECRE differentiates between strategic litigation and legal support. Strategic litigation is strategic in the sense of contributing to meeting ECRE's overall mission and/or specific pre-determined objectives. It involves ECRE's direct engagement with cases and implementation of judgments, third party interventions, exchange of legal information and knowledge sharing (through EDAL and the ELENA network), and provision of guidance and statements of supporting evidence.

Legal support is not specifically strategic, involving informal support to lawyers, as well as training and capacity development. Both streams of work reflect the nature of ECRE as an alliance, which coordinates the ELENA network together with the national coordinators in 36 European countries.

ECRE's litigation priorities are access to asylum procedures, detention, reception conditions, and the Dublin system, selected because they both broadly relate to the work of ECRE and reflect and encompass the main topics of concern for refugee protection in Europe.

Activity 2: Legal and Policy Research

Overall objective

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

Specific objectives: legal analysis

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

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.

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.

Specific objectives: AIDA (Asylum Information Database)

1. To contribute to the improvement of asylum policies and practices in Europe and the situation of asylum seekers by providing all relevant actors with appropriate tools and information to support their advocacy and litigation efforts, both at national and European levels.

2. 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:

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

   b. Centralise research activities and host ECRE and members' related publications;

   c. Explore the possibility of further expansion to cover additional European countries.

Notes:

Part of ECRE's activity 2, policy and legal research, is delivered through AIDA, the Asylum Information Database, which has become a core ECRE activity.

Activity 3: Advocacy

For 2017 to 2019, ECRE's advocacy work will initially cover three topics, with others under exploration:

- European External Affairs and return
- Rights of Refugee Children
- Inclusion/Integration

Other areas of policy may be added should resources and interest allow. Issues already identified which may be added include monitoring EU funding, and security and migration.

Specific objectives: European External Affairs

1. 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.

2. 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.

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

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

5. To support and engage in capacity building activities, together with member organisations to strengthen protection standards and civil society capacity in third countries.

A specific theme of External Affairs work will be Return

Specific objectives: Return

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

2. 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. The focus for 2017 will be returns to Afghanistan.

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

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

Specific objectives: rights of refugee children

1. To use information from ECRE projects and from its members' work to improve EU policy and practice on the rights of refugee children, including ensuring that children's rights are protected within the Common European Asylum System.

2. To contribute to joint civil society advocacy in Brussels and facilitate involvement of ECRE members.

3. To serve as a hub of information for its members' and other organisations' work on the rights of refugee children.

Through the UPRIGHTS project in five member states:

4. To ensure that unaccompanied children in need of protection have full access to protection and that they are able to effectively participate in decision-making at all stages of the asylum process.

5. To build the capacity of legal practitioners and other professionals to (a) improve their knowledge of children's rights and the principles laid down in international and EU legal instruments (b) improve their contribution to implementation of these rights and principles.

6. To build the capacity of legal practitioners and other professionals on the principles and practice of child-centred justice, including how to put the child at the centre of judicial proceedings and how to use child-friendly working methods and communication.

Notes:

ECRE will continue its work on the rights of refugee children through the project UPRIGHTS "Upholding legal rights for unaccompanied children" and through related advocacy.

Specific objectives: refugee inclusion

1. 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.

2. 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.

3. 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. For 2017 to 2018, a specific focus will be the right to employment.

4. Advocate: To monitor and influence EU funding for inclusion/integration in line with ECRE/UNHCR "Follow the Money" Monitoring Report on the use of AMIF funding at national level.

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

6. 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.

Activity 4: Communications

In 2016/2017 ECRE revived its communication work with the appointment of new staff and a set of clear targets. For that reason, additional information on the baseline assessment and strategic adjustments is provided.

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.*

Notes:

Baseline/current situation:

- ECRE is established as a reference and authority/expert on refugees and asylum issues at the European and to some extent at the national level across Europe. However, this is among a specialised segment of people representing NGO's, institutions, experts and practitioners rather than the segment of the public identified as an additional target audience.

- Despite modest communication resources ECRE has a portfolio of relevant outlets and platforms with a dedicated and loyal audience. However, with the present flow of content the outreach potential is limited.

- Through its membership ECRE has a considerable potential outreach. However, ECRE has not fully capitalised on the synergies of joined communication efforts across the membership such as campaigns, coordinated advocacy initiatives, sharing and distribution of communication material and structured referral of journalists and media.

Strategic adjustments and initiatives:

- Without jeopardising its position and to strike the balance between credibility and appeal, ECRE will introduce a more flexible tone of voice to include more direct messaging in a vocabulary that addresses a potentially broader audience.

- ECRE will adjust its communication to include initiatives with more public appeal to engage in changing the current narrative on refugees and asylum seekers. The initiatives will include adapting some of our current outlets and platforms to better support campaigns and enable a more diverse flow of content.

- ECRE will engage more actively in mobilising and servicing the membership and the ECRE media officers network (EMON) to ensure a more efficient exploitation of mutual resources.

Objective 2: *Contribute to the overall efficiency of ECRE and the organisations ability to achieve its strategic aims.*

Notes:

Baseline/current situation:

- ECRE has considerable and broad expertise and produce impressive results within the main areas of activity: Legal Support and Strategic Litigation, Research and Documentation and Advocacy. However, this is not fully reflected in the organisational brand towards members, donors and partners.

- ECRE has an extensive back catalogue of knowledge in the form of archived documents and a broad network of contacts across Europe. However, the lack of systematic internal filing and updating of organisational platforms means knowledge is lost and depend on the memory of individual staff members.

- ECRE produces a large number of documents and outlets to a diverse audience. However, the lack of streamlining in terms of formats, design and content is a challenge in terms of a coherence in quality, efficient production and overview across the organisation.

Strategic adjustments and initiatives:

- ECRE will change the 'ad hoc' approach to communication and promotion of its work by structuring the workflow and information sharing between communication team and legal staff.

- ECRE will introduce a formalised filing system and CRM system including contact lists and more systematic procedures for updating and developing organisational platforms.

- The introduction of a formalised ECRE design guide and templates will assist the organisation in achieving a more coherent portfolio of outlets.

3.3. Organisational Objectives

UNHCR Strategic Partnership

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

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

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

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.

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

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

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

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

Organisational structure

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

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

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

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

Premises

1. Identify new office space and move office.

Membership

1. Retain at least 90 members throughout the period 2017-2019, and lose 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.

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

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

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, to carry out joint advocacy and projects.

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

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

6. Increase diversity of ECRE staff, taking into account geographic diversity.

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).

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